



Natomas Charter School
Board of Directors Meeting
Minutes
March 17 2011

Board Members (**Bold Type=Absent**)

- 1.) Edward Aguilar – Community Representative and Chairperson
- 2.) Laura Bariel – ILP & PACT Coordinator
- 3.) Joan Finch-Allen - PFAA Parent Representative
- 4.) **Isamel Javed – LE Student Representative**
- 5.) Tammy Lee – PFAA Coordinator
- 6.) Charlie Leo – NCS Executive Director
- 7.) Lisa Kaplan – NUSD Representative -- left the meeting at 6:25 p.m. for personal reasons
- 8.) **Christine Molina – PFAA Student Representative**
- 9.) Phillip Nanni – Community Representative
- 10.) Kit Rich – LE Coordinator
- 11.) Georgia Schaaf – LE Parent Representative
- 12.) Rick Stewart – PACT Parent Representative

Advisor:

Jonathan Corr

- I. Ed Aguilar called the meeting to order at 5:40 p.m.
- II. Roll call was taken.
- III. Public Comments (regarding items not on current agenda): None.
- IV. Consent Items
 - A. Review and approve Board of Directors minutes from March 3, 2011.
The Minutes were unanimously approved as written (Kaplan/Stewart).
- V. Discussion Items
 - A. NUSD Approval of Revised Charter School Fees. Charlie Leo reported that he attended the most recent NUSD Board Meeting. The Superintendent presented and the Board approved a new charter schools' fee schedule for those charter schools that are interested in utilizing NUSD services. Special Educations fees in particular were discussed. NCS has approximately 2.5 special education employees provided by the NUSD. NCS currently pays NUSD \$150,000 in special education fees. With the new fee structure, NCS would pay \$650,000 for these same services. Charlie has requested an explanation from the NUSD on how the new fee schedule was calculated, and has not received an answer yet. NCS has the option to create their own special ed services via utilizing an entirely different SELPA. Lisa Kaplan stated that the calculations for the new NUSD Fee Schedule were recommended by the County, who currently has tight control over NUSD. The County told NUSD that the new fees are consistent with other school districts. Charlie stated that he has never heard of a standard formula used by districts to calculate special education fees and that, in his opinion, there are numerous calculations used throughout the state and this particular one is extremely lucrative for the district.
 - B. Concerns and Legal Opinion Regarding NUSD Board Members as Voting Members on Charter School Boards. Charlie Leo stated that by law, school districts are allowed to have a representative on charter school boards. The representative, by choice of the district Board, can

be either a voting or non-voting board member. Legal opinion says there is potential for conflict of interest if the district board member is a voting member on both the district board and the charter school board. Lisa Kaplan stated she feels it is valuable to have a district board member on the charter school board because it allows the charter school to know what is going on in the district. Phil Nanni stated that the attitude from the NUSD, probably due to its current fiscal distress, has changed dramatically, particularly in the way NUSD is handling communication. It is a concern because currently all issues are forwarded to their attorneys or consultants. Lisa Kaplan stated that NUSD Board members discuss their questions on NUSD Board Agenda items individually prior to the Board meeting. The NUSD is trying to prevent takeover by the State. Lisa reports back to NUSD on NCS.

VI. Action Items

- A. Approve School Development Director Job. The Board unanimously approved the job description of the School Development Coordinator/Director for Charlie Leo upon his formal resignation from his current Executive Director position. The plan is that he will move into this position for the 2012-2013 school year. (Nanni/Finch-Allen)
- B. Approve Hiring Process, Job Description and Time Line for New Director Position. The hiring process, job description and timeline for the new Executive Director were discussed extensively by the Board. Joan and Georgia feel that it is important to get input from staff. Charlie explained that the NCS coordinators have had staff meetings, with Charlie excluded. The NCS Administration team, Charlie excluded, felt strongly about having at least one representative from their team on the interview committee; legal counsel said it would be okay. Jon Corr stated that there should not be a legal issue because there will only be one employee and many non-employee members on the interview team. The Administration team selected Laura Bariel as their representative for the interview team.

Charlie Leo stated that there will be an ad running in Ed Cal and EdJoin for two weeks, beginning March 18, 2011, announcing the Executive Director position. Charlie distributed a copy of the ad to the Board for feedback. The Board also asked if they see anything in the advertisements that would be biased in the favor of any particular applicants and the answer was no.

The timeline for the hiring process had several revisions made. One revision was the deletion of the parent survey because the majority of the Board members felt that it was not necessary and that there was enough parent representation on the committee already. The motion to approve the Hiring Process, Executive Director Job Description and Timeline presented with several amendments was unanimously approved (Schaaf/Stewart) with Charlie Leo abstaining and Lisa Kaplan absent.

- C. Approve NCS Amended Bylaws. Charlie explained that most of the language added to the amended bylaws being presented is statutory in nature and/or is aligned with the school's charter. One important change is that NCS coordinators are no longer voting members, per legal counsel's recommendation. The President of the Corporation (Executive Director of NCS) will be the only remaining employee-voting member on the Board after this school year. The copy of the Bylaws presented at the meeting did not contain the language of the current bylaws that had been stricken; therefore, the stricken version will be emailed to all Board members and action will be taken on approving the amended bylaws at the May 5, 2011 Board meeting.
- D. Approve NCS Amended NCS Charter. The Board reviewed each page of the amended NCS Charter presented. Charlie Leo answered several general questions. Georgia Schaaf asked the definition of "moderate class size." Charlie also presented feedback on what moderate class size meant as he sees it. Response was approximately 25 students. Charlie also provided details regarding Education Code Section 47605.1(d) which states that site-based programs located outside of the school district boundary requires notification to the district where it is being located and that the NUSD would need to approve the amendment to the charter that states an allowance for an out-of-district facility. NCS is looking into relocating Transitions to a

site two blocks east of the NUSD district boundary and has notified the NUSD and Twin Rivers USD. NUSD's legal counsel is resisting this amendment to the charter at this time but they are open to dialogue. Charlie believes that, based on the current situation, NCS has a legal right to exist outside of the NUSD boundary. Georgia Schaaf expressed her concerns that the Jefferson site is not suitable for Transitions. Charlie will confer with NCS legal counsel and will meet with the NUSD Superintendent regarding these issues. If the NUSD legal counsel and superintendent don't bend on making the allowance for a NCS out-of-district facility option, Charlie will lobby the NUSD Board members directly instead. The Amended NCS Charter was unanimously approved as presented. (Lee/Schaaf) Kaplan absent.

- E. Approve Amended Public Random Drawing (lottery) Policy. There were no questions or concerns by the Board. The Amended Public Random Drawing (lottery) Policy was unanimously approved. (Finch-Allen/Stewart). Kaplan absent.
- F. Approve Resolution Exempting NCS from Sacramento County Zoning Ordinance. Charlie Leo provided details on the zoning exemption request to the County. Government code permits a local agency to exempt itself from city and/or county zoning ordinances when the intended use of the property is for public school facilities. Current zoning ordinances would require a conditional use permit, which could delay the use of the premises by up to six months or more. NCS went through the same process for the existing PACT building. The Resolution was unanimously approved. (Nanni/Aguilar) Kaplan absent.

VI. Future Board Agenda Items

- A. Approve NCS Amended Bylaws

VII. Board Comments. The Board Interview Committee will attend the March 22, 2011 NCS Administration meeting between 9:00 and 10:30 a.m. to discuss the hiring of the new Executive Director. Members of the Board Interview Committee will attend each NCS program's meeting to discuss the new Executive Director. The staff meetings schedules are:

- Leading Edge and ILP: March 23, 2011, from 8:00 to 8:45 a.m. in Room E-5
- PACT: March 23, 2011, from 10:00 to 11:00 a.m. at PACT
- PFAA: April 6, 2011 at 8:00 a.m. in Room G2.

VIII. Adjournment. The meeting adjourned at 7:30 p.m. (Schaaf/Stewart).