

**FOREST CHARTER SCHOOL  
MONTHLY CHARTER COUNCIL MEETING**

**Date:** Tuesday, May 20, 2008  
**Time:** 5:30 pm  
**Location:** 224 Church St., Nevada City, CA

**COUNCIL MEMBERS:**  
Larry Homan, Chair-Community Member  
Susan Morris, Vice-Chair, Parent Rep.  
Camille Taylor, Parent Rep.  
Nancy Markson, ES Rep.  
Linda Hill, ES Rep.  
Sandy Saccomanno, Parent Rep.  
Janice Comstock, Parent Rep.  
Sue Barnickol, Parent Rep.  
Annabelle Ziegenhagen, Student Rep.  
Theresa Smittle, Secretary

**MINUTES**

Present: Larry Homan, Sandy Saccomanno, BJ Hatcher, Steve Canavero, Nancy Markson, Camille Taylor, Debbie Ayala Carter, Sue Barnickol, Susan Morris, Linda Hill, Sandy Mcdivitt, Janice Comstock

Absent: Annabelle Ziegenhagen

Guest: Terena Mendonca

1. Call to Order 5: 45 pm
2. Pledge of Allegiance
3. Closed Session

**5:46 pm - 6:00 pm break**

4. Open Session 6:00 pm
5. Closed Session Report: Action will be taken on closed session matters and approved in closed session during June 17, 2008 Charter Council Meeting.
6. **DISCUSSION/ACTION:** Approval of April 22 Charter Council Minutes (**Attachment A**)  
Sandy Saccomanno moves to adopt the 4/22/2008 minutes: Susie Morris seconds .  
*Ayes: All      Nays: None      Abstain: None*
7. **INFORMATIONAL:** Charter Council Chairman (Larry Homan) announces the appointment of new Charter Council Secretary, Theresa Smittle.

8. **OTHER:** Opportunity for members of the audience and Charter Council to address the Council on non-agendized items. Agendized items may be either addressed at this time or when the items come up for discussion. The Council cannot discuss or take action on non-agendized items tonight, but items may be agendized at a later Council meeting for discussion and/or action. Public comments are limited to five (5) minutes.

Sandy Saccomanno acknowledged Valerie Stuart for her ongoing contribution to contribution to River Co-op and requested the council's consideration of an end of year stipend.

9. **DISCUSSION/ACTION:** Adoption of Agenda

Camille Taylor moves to adopt agenda/Linda Hill seconds the motion.

Ayes: All                      Nays: None                      Abstain: None

10. **DISCUSSION/ACTION:** Approval of Independent Study Policy tabled from April 22, 2008 meeting (Steve Canavero)

Steve Canavero: Revision of the form came about when reviewing current forms in connection with the conversion to Pathways. We felt we needed more definition such as how many days between meetings with Education Specialists Resources used to create this policy were from Twin Ridges Elementary School District Board Policy and California Dept of Education. Changes: took out Paragraph 4 on page 1 "The council recognizes.....and paragraph 5 on page 2 "No temporarily disabled students....."

Clarification needed regarding page 1, paragraph 7 – wording should match the Student Agreement as far as percentages of work not completed. Form states 30%; should be 25%.

Camille Taylor moves to approve policy with clarification on percentages to match Student Agreement- Addendum to Student Agreement/ Sandy Saccamanno seconds the motion.

Ayes: All                      Nays: None                      Abstain: None

11. **DISCUSSION/POSSIBLE ACTION:** Approval of Memo of Understanding (MOU) between Nevada County Sup't of Schools and Nevada County (Teren Mendonca)

Background information: The Schools Insurance Group (SIG) through a JPA (Joint Powers Agreement) provided an insurance pool for most school districts. One year ago there was a California Supreme Court ruling regarding a charter school that was also a Public Benefit Corporation. Lawsuit was brought and the charter school claimed protection as a public agency. Supreme Court ruling said "no" as charter schools have not defined themselves as public agencies. In addition, a charter school claiming to be a Public Benefit Corporation could not also be a public agency. This action prompted SIG to review if they would still carry charter schools. They were looking at where other exposure may be. They are trying to define which charter schools have the same governing board as their sponsoring district and which ones operate under their own governance council. In the case of a local Charter school – they have the same governing board as their sponsoring district which means the sponsoring agency has control. In looking at Nevada County Charter Cooperative (NCCC)– it is independent but SIG may be trying to fit NCCC charters into a "box". Policy was developed for administrative regulation. An extensive Hold Harmless clause was added as well as several other documents. The county wanted the Hold Harmless clause removed. SIG wants demonstration that the charters' sponsoring agency has some degree of involvement with hiring and firing, as there is

protection from wrongful termination. Charter schools operate under an “At Will” contract. It would seem there is more protection than traditional schools but in actuality charter schools have had more wrongful termination lawsuits. NCSOS explained the relationship and communicated that the County oversees every employee contract and that we require fingerprinting.

Changes:

Section IX There was an implication in the wording that assumed that the NCCC would comply with SIG’s new requirements. While every school has the right to go with a different carrier – it comes down to customer service. SIG provides great service; risk management is excellent and they do a great job of outreach and education.

Section X SIG agreed to remove the Hold Harmless Language as well as “shall only” and “sole” and added “subject to review and final approval of NCSOS”.

Sandy Saccomanno made a motion to approve the proposed changes on the SIG forms as recommended by NCSOS. Linda Hill seconds the motion.

Ayes: All                      Noes: None                      Abstain: None

**12. DISCUSSION/ACTION:** Approval of Risk Management Guidelines and Attachments

- A. Charter School Board SIG Eligibility (**Attachment H**) - This is a resolution to comply – it says we agree that we meet the criteria allowed into SIG (Schools Insurance Group)
- B. Charter Risk Management Guidelines (**Attachment I**) – this document guarantees that Forest Charter School will follow good practices. For example: if outside vendors are brought in or anything is above or beyond the normal scope of business, we would require a certificate of insurance. The document includes a lot of common sense. Approval is required to remain with SIG. These are guidelines. Forest can develop their own risk management policy – more tailored to our needs.

Susie Morris makes a motion to approve the recommended changes. Sandy Saccamanno seconds the motion.

Ayes: All                      Noes: None                      Abstain: None

**13. INFORMATIONAL:** Tahoe Truckee Unified School district (TTUSD) Property Tax Transfer Obligation

Tomorrow (May 21, 2008) NCSOS will finalize response to the extensive public record request from TTUSD. They are responding to the request and are actively engaged in trying to find solutions in order to help TTUSD. Met with County Sup’t of El Dorado County, Vicki Barber and Aplus Director, Jeff Rice looking for solutions. Holly Hermansen and Terena Mendonca met with new Sup’t Steve Jennings – no conclusion to discussion. Most important thing to report is we are working from a number of fronts: 1. Mitigate the hit – we mean them no harm however, they do owe this money to Forest. 2. Establish a relationship – NCSOS has another meeting scheduled next week with a couple of ideas for a partial solution. NCSOS is diligently working to appease or ease their pain.

The question was raised “does the state have any responsibility?” Terena spoke at length with Scott Hannon (California Dept. of Education – Fiscal). Discussion was basically that the law has inadvertently pitted local agencies against each other. Most charter schools receive

their money from the state and through property tax transfers from districts who are not harmed by this transfer because the state backfills the amount of the transfer. When it comes to property tax transfers from basic aid districts, CDE has no ability to collect the funds and does not backfill their transfer. Terena asserts that an invoice from CDE would carry more weight. However, the invoice came from NCSOS. It was a letter/invoice completely supported by Ed Code. Every dollar amount is backed up by Ed Code. Letter/invoice mailed on Monday, May 19, 2008. Meeting next week will be timely.

The Law states that the sponsoring agency shall transfer their property taxes to the charter. (We should not have had to invoice.) Basically the letter states “on your behalf, we have taken the liberty to calculate what you owe Forest Charter School.” We have to be very careful to keep this positive and sensitive as this was an unanticipated bill for TTUSD. Having said that – their property taxes are up 13%. They are required to have a 3% reserve. Ed Code goes through a very long description of how transfer will take place – very last section of the flawed section says “this section shall not apply if the students of the charter school reside in a basic aid district.” Note: it says the sponsoring basic aid district; not the basic aid district where the student resides. When students from a countywide charter reside in a basic aid district, the state reduces the apportionments for students that are in that basic aid district. They may not be disputing that they owe the money. They have requested all pertinent information. They may be questioning whether our charter school has a right to exist at all.

There is no deadline to this. The law is on the side of NCSOS and Forest. We will function under protection of law. CDE had another issue between Shasta and Siskiyou county – they asked for help from CDE. CDE intimated that they would help if we needed it. We are requesting help from CDE– they need legislation for correcting the Ed Code to include district sponsorships in alignment with county sponsorships.

14. **INFORMATIONAL:** El Dorado County Boundary Issue (Terena Mendonca)

The boundary waiver we applied for was denied as that section was unwaivable. Terena had a conversation with El Dorado Sup’t Vicki Barber in which she asked to get legislation going that holds Forest Charter School harmless for the funding of those twenty students. The best solution would be legislation that would once again annex that corridor. Sandy McDivitt asked if anyone knew Senators Sam Aanastad or Rick Keane – Larry Homan knows Sam Aanastad – he was the Charter School Legislator of the year. Legislative session goes through July. Bills go to Governor in October/Nov.

15. **DISCUSSION/ACTION:** Approval of the Transfer of Instruction Budget Form (tabled from April 22, 2008 meeting) (Debbie Carter)

Instead of an E.S. transferring from student’s instructional budget to another student’s instruction budget – funds would go into a Director’s Special Fund to be allocated via a funding request (existing form can be used)

Susie Morris moves to approve. Nancy Markson seconds the motion.

Ayes: All

Nays: None

Abstain: None

16. **DISCUSSION/ACTION:** Approval of Extended Personal Leave Policy (Tabled from April 22, 2008) Peter Sagebiel

Peter Sagebiel asks that we table for June 17, 2008 meeting

Sandy Saccomanno moves to Table/ Camille Taylor seconds the motion.

Ayes: All                      Nays: None                      Abstain: None

17. **DISCUSSION/ACTION:** Approval of 2008/2009 Budget (Debbie Carter)

Debbie reports highlights (pull info from handout) Good news! Revenue will increase by \$88.217 – State is borrowing against lottery money.

Increase will relieve budget in the following ways: Special Ed, Facility Changes, PERS Rate increase, Staff Development and Conferences and insurance increases.

Recommendation was to spend as little of our reserve (\$300,000) as possible.

Camille Taylor moves to approve budget based on direction of Debbie Carter's recommendation so it can go to Board. Janice Eggers seconds the motion.

Ayes: All                      Nays: None                      Abstain: None

18. **DISCUSSION/ACTION:** Three Year Budget Projection (Debbie Carter)

Because of late budget changes – Debbie suggests we table until the June 17 2008 meeting.

Sandy Saccomanno moves to table this item. Camille Taylor seconds the motion

Ayes: All                      Nays: None                      Abstain: None

19. **DISCUSSION/ACTION:** Consent Agenda

A. New Contracts

B. Warrants

C: Resignation of Tamara Chisolm and Michael LeMarca

Sandy Saccomanno moves to approve Consent Agenda/Sue Barnickol seconds

Ayes: All                      Nays: None                      Abstain: None

20. **INFORMATIONAL: Director's Update**

- Star/CAHSEE Testing: Kudos to BJ, Steve, teachers. It gets better and better every year. We are testing at eight different sites
- Graduation: Kudos to BJ.....again! We have 82 grads; 72 walking. Susie Morris and choir to perform.
- Open Houses: Tuesday, May 27, 2008 11:00 am to 1:00 pm for **High School Block Class Open House** at Center for the Arts – there will be no class sign ups at the open house. **K-8 Block Class Open House** Wednesday May 28 10:00 a.m. to 12:30 p.m. – again..no block class sign ups at the open house. **Creekside co-op** last day of classes May 29<sup>th</sup>. Sandy bringing Holly Hermansen up – 11:00 am to 2:00 p.m. barbecue With Kindergarten and 5<sup>th</sup> grade graduation ceremonies. **River Co-Op** performing Midsummer Night's Dream -as a fundraiser for Mother Miracle School in India.
- Mother Miracle School – two students visiting June 5 – hope to make it an annual visit
- Prom – Kudos to BJ again. One slight problem. Originally planned for Friday night. Changed to Saturday night. But when BJ signed the contract he didn't notice that it still said Friday night! Wedding booked for Saturday night so prom delayed by a few hours. Students and parents very gracious about it. Magical night. Full moon; lake was like glass. Students dressed beautifully and very well behaved. 86 kids went to prom. Parents thanked Sandy for the school and positive effects on their student(s).
- Field trips: Greg Mortenson – “Three Cups of Tea” – three students came to San Ramon – San Ramon High School raised \$12,000 for Pennies for Peace. Washington DC – no report yet. Marineworld – well organized – very hot day. Had fun
- Resignation of Choir Director Susie Morris – with regret Susie resigns her volunteer position as Choir director. Son Oliver is graduating and they will take a year to travel before Oliver starts college.
- Facility leases in Truckee – Sandy working with Janice and Sierra College – they have the building across the street for at least one semester. – New Sierra College facility – board has some concern about Forest sharing space. But in the meantime, we do have a place to land for at least a semester. Back-up plan is to talk to Tom Watson and communicating that we don't want to be landlords. Maybe after one semester, they will be more open to it.
- Third Learning Corroboration – very exciting – will talk more about this next meeting
- 2008/2009 School Planner front cover – Annabelle Ziegenhagen's photo will be on front cover of planner. Oliver Morris' photo on cover of graduation program.

21. **INFORMATIONAL:** Reminder of Future 2007-2008 Meetings

- June 17, 2008

22. Adjourn 8:04 p.m.

Sandy Saccamanno moves to adjourn; Camille Taylor seconds the motion.

Ayes: All      Nays: None      Abstain: None

23.