

Desert Sands Charter High School

Minutes

Operated by Desert Sands Public Charter, Inc.

A California Non-Profit Public Benefit Corporation

Date and Time

Wednesday October 21, 2020 at 4:00 PM

Location

Conference Line: (661) 249-6805 Code:525676

MEETING LOGISTICS

On March 17, 2020, Governor Newsom issued Executive Order N-29-20 related to the COVID-19 pandemic. The Executive Order allows state bodies covered by the Brown Act to hold public meetings via teleconferencing. The public is encouraged to participate in the meeting telephonically by dialing the conference line listed above and may submit written comments for prior consideration to the board members. Comments can be submitted to vmendoza@dschs.org. Public comment on the day of the meeting can also be given during the "Public Comment" section of the meeting agenda.

REASONABLE ACCOMMODATION WILL BE PROVIDED FOR ANY INDIVIDUAL WITH A DISABILITY

Please see the "Accommodations" notice below.

REMINDER

As required by state law (SB 126), this meeting will be audio recorded and posted on the charter school's website.

Directors Present

Dana Clark (remote), James Lott (remote), Marvin D. Smith (remote), Michael R Adams (remote), Ruth Escarcega Newell (remote)

Directors Absent

None

I. Opening Items

A. Call the Meeting to Order

Michael R Adams called a meeting of the board of directors of Desert Sands Charter High School to order on Wednesday Oct 21, 2020 @ 4:00 PM.

Board President Adams read aloud the notices regarding meeting logistics, accommodations, and audio recording.

B. Roll Call and Establishment of Quorum

C. Pledge of Allegiance

Board Member Lott led the pledge of allegiance.

D. Staff Introductions

Jeri Vincent, Corporate CFO/Secretary
Taera Childers, Area Superintendent
Tanisha Hamberlin, Principal
Shanel Burnias, CTE Culinary Arts Instructor
Jeff Martineau, V.P. of Charter Relations
Gregory Bordo, Legal Counsel
Bill Thompson, Legal Counsel
Guita Sharifi, CFO, LLAC
Michelle Lopez, Legal Counsel, LLAC

E. Approve Agenda for the October 21, 2020, Regular Public Meeting of the Board of Directors

Dana Clark made a motion to approve the agenda for the October 21, 2020, Regular Public Meeting of the Board of Directors.

James Lott seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

Marvin D. Smith	Aye
Michael R Adams	Aye
Ruth Escarcega Newell	Absent
Dana Clark	Aye
James Lott	Aye

F. Approve Minutes of the September 16, 2020, Regular Public Meeting of the Board of Directors

Board Secretary Newell joined the board meeting.

Marvin D. Smith made a motion to approve the minutes from the September 16, 2020, Regular Public Meeting of the Board of Directors Operated by Desert Sands Charter High School, Inc. on 09-16-20.

Ruth Escarcega Newell seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

Ruth Escarcega Newell	Aye
Marvin D. Smith	Aye
Michael R Adams	Aye
Dana Clark	Aye
James Lott	Aye

II. Public Comment

A. Public Comment

Board President Adams read the following announcement for members of the public:

At this time, members of the public may address the Board on any item within the subject matter jurisdiction of the Board, whether or not the item is on the agenda. If you would like to participate in public comment, you must have signed in before the commencement of the meeting. Also, our teleconference line is open to members of the public who wish to participate in public comment. The time allotted per presentation will not exceed three (3) minutes, except in the case where a member of the public utilizes a translator, in which case the time allotted will not exceed six (6) minutes. The total time allotted for public

comments will not exceed eighteen (18) minutes per agenda item, or ten (10) minutes for non-agenda items. In accordance with the Brown Act, no action may occur at this time but it is the Board's prerogative to hold a brief discussion, provide information to the public, provide direction to staff, or schedule the matter for a future meeting.

Board President Adams asked if there were any members of the public who wished to offer public comment. There were no members of the public who offered public comment or submitted written comment.

III. School Reports and Information

A. Area Superintendent Update

Taera Childers informed the board the school is continuing an upward progression of student engagement for Learning Period 3 maintaining 85% utilization and student enrollment has been increasing. The state and Los Angeles County health departments have recently approved Special Education and English Learner students to return to campus for additional support and assessments if needed. The school's health inspection from Los Angeles County for these students to return to the learning center for services is scheduled for November 2. The school held a student empowerment event on October 8, which encouraged students to find their inner warrior during this difficult time, had 200 students and 100 staff participating in the event. Ms. Childers reported the school will host a Young Voter's Summit on October 13, and the school's drive-thru graduation will be held on November 20 at 1:00pm.

Ms. Childers introduced Shanel Burnias, CTE Culinary Arts Instructor, and a CTE student. Ms. Burnias described the culinary courses offered at the school, and the student explained the virtual culinary process and discussed her goal to become a gourmet chef.

Board President Adams thank the student speaker for sharing her experience in the culinary arts class.

B. Finance Update

Jeri Vincent introduced Guita Sharifi to provide an update on the school's recent financial activities.

Ms. Sharifi informed the board the state will be deferring approximately 39% of the school's principal apportionment beginning February 2021 through the remainder of the school year and the school will be requesting the board to approve a temporarily increase in the line of credit due to the cash payment deferral. Ms. Sharifi also informed the board the school is reviewing additional borrowing options to be presented at the next regular board meeting. Ms. Sharifi updated the board on the status of the school's first interim and annual audit reports, which will be presented during the next regular board meeting. Board Secretary Newell and Ms. Sharifi discussed the amount of the school's current line of credit and the amount of the temporary increase being requested.

C. Current Vendor List

Jeri Vincent directed the board to the vendor list, which is a listing of all of the school's vendors with a brief description of services. Ms. Vincent asked the board to review the list of vendors and also informed the board this will be an annual informational report.

D. Update on Area Superintendent Evaluation Policy

Jeri Vincent directed the board to the draft Area Superintendent Evaluation Policy and Procedures for the board's review and input. Ms. Vincent recommended the board take action for approval during the next regular board meeting. The draft policy describes an annual evaluation process based on specified criteria to be based on the school's goals and

success indicators agreed upon by the board, Corporate Officers and the Area Superintendent, and the development of a specific written instrument to be used in the final evaluation.

E. The Board will receive a report on a comparative market study completed by outside legal counsel concerning the fees charged by Lifelong Learning Administration Corporation (dba Sequoia Administrative Resources (SAR)/ Scholastic Education Resources (SER))

Taera Childers explained the school has requested Greg Bordo, outside legal counsel, to perform a comparative market study for educational and administrative services received by the school and related fees paid, and introduced Mr. Bordo to present the study.

Greg Bordo of Blank Rome, LLP, provided a report to the board regarding a study completed concerning the fees charged by LLAC to the school for administrative and educational services. Mr. Bordo explained that in order to test the reasonableness of the fees charged, counsel undertook an extensive study of fees charged by providers of educational and administrative services to charter schools at the local, state and national level. The information needed to undertake the study is not readily available. Thus, the study consisted of a review of Form 740 submissions by California independent study charter schools, minutes and submissions in connection with board meetings held by other charter schools regarding the approval of management and service agreements, as well as other publicly available information. Mr. Bordo summarized the information in his report and attachments provided to the board in advance of the meeting and reported his conclusions to the board that are based upon the market data and the types and scope of services provided. Mr. Bordo explained that this information demonstrates that the fees charged by LLAC are reasonably commensurate with the market rate for these services. Mr. Bordo also reminded the board it is important to note the school is also receiving many services that are specific to both the goals and mission of the school and to the at-risk student population the school serves, which are tailored to the Learn4Life educational model.

IV. Action Items

A. The Board will be asked to approve a temporary line of credit limit increase due to the State apportionment deferral period starting in February 2021

Taera Childers explained that due to the state apportionment deferrals beginning February 2021, the school will need to temporarily increase its line of credit with Hanmi Bank to maintain minimum levels of cash during the deferrals of apportionment payments. The increase would be on a temporary basis beginning February 2021 with a projected repayment by November 2021. Ms. Childers invited Guita Sharifi to answer any additional questions from the board. Ms. Sharifi discussed the maximum amount to be obtained by school.

Ruth Escarcega Newell made a motion to approve a temporary line of credit limit increase due to the State apportionment deferral period starting in February 2021.

Dana Clark seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

Dana Clark	Absent
Michael R Adams	Aye
James Lott	Aye
Ruth Escarcega Newell	Aye
Marvin D. Smith	Aye

B. The Board will be asked to approve the revised Desert Sands Charter High School Conflict of Interest Policy

Board Member Clark rejoined the meeting.

Taera Childers explained the school's legal counsel regularly monitors corporate documents to make sure they are updated as necessary and conform with current legislation and good general practice. The Conflict of Interest Policy has been updated to ensure that its language is consistent with current requirements. Ms. Childers also discussed with the board the actions that can constitute a conflict of interest and disclosure requirements. Ms. Childers recommended the board approve the revised Conflict of Interest Policy.

Bill Thompson further discussed examples of actual or potential conflicts of interest and the importance of quickly addressing any potential conflict of interest with the corporate officers or school legal counsel.

James Lott made a motion to approve the revised Desert Sands Charter High School Conflict of Interest Policy.

Marvin D. Smith seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

Michael R Adams	Aye
James Lott	Aye
Dana Clark	Aye
Marvin D. Smith	Aye
Ruth Escarcega Newell	Aye

C. The Board will be asked to approve the revised salary ranges for the Area Superintendent

Jeri Vincent informed the board that due to the expansion of the roles and responsibilities of the Area Superintendent, an updated compensation study was requested to be performed by outside legal counsel, Greg Bordo of Blank Rome LLP. Ms. Vincent then provided several examples of the unique responsibilities of the Area Superintendent in serving the school's at-risk population and the additional demands required to support the students and staff during the pandemic. Ms. Vincent introduced Mr. Bordo to present the study.

Mr. Bordo reviewed for the Board its obligations when considering compensation, the laws applicable to compensation for executives of non-profit entities, and other pertinent legal considerations. Mr. Bordo discussed the research and analysis performed in determining the prevailing ranges for public and charter school superintendent compensation in California, including comparing factors such as district size (ADA), geographic location, and student demographics. Mr. Bordo then explained that the proposed new range for the area superintendent salary is within the range of reasonableness based upon the market data obtained.

Ruth Escarcega Newell made a motion to approve the revised salary ranges for the Area Superintendent.

James Lott seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

James Lott	Aye
Ruth Escarcega Newell	Aye
Marvin D. Smith	Aye
Michael R Adams	Aye
Dana Clark	Aye

V. Additional Corporate Officers and Board Members' Observations and Comments.

A. Observations and Comments

Jeff Brown thanked Ms. Childers and team and thanked the student for her presentation. Mr. Brown thanked the board for recognizing the support received by LLAC and Mr. Bordo for his informative reports.

Jeri Vincent thanked everyone for their work to provide support and services to the students. Ms. Vincent also thanked Mr. Bordo for his comparatives study reports.

Board Secretary Newell thanked Ms. Burnias and the CTE student for their updates and looks forward to the upcoming drive-thru graduation ceremony.

VI. Closing Items

A. Adjourn Meeting

James Lott made a motion to adjourn the meeting.

Marvin D. Smith seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

Ruth Escarcega Newell Aye

James Lott Aye

Michael R Adams Aye

Dana Clark Aye

Marvin D. Smith Aye

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 4:49 PM.

Respectfully Submitted,
Ruth Escarcega Newell

Accommodations. Requests for disability-related modifications or accommodations, or translation services, in order to enable all individuals to participate in the Charter School's open and public meetings shall be made by contacting Soliman Villapando at (661) 272-1225 at least twenty four (24) hours before the scheduled meeting.

Non-Discrimination. The Charter School prohibits discrimination, harassment, intimidation, and bullying based on the actual or perceived characteristics of disability, gender, gender identity, gender expression, nationality, national origin, ancestry, race or ethnicity, color, religion, sex, sexual orientation, immigration status, potential or actual parental, family or marital status, age, or association with an individual who has any of the aforementioned characteristics, or any other basis protected by federal, state or local law.

Public Documents. To request documents provided to a majority of the governing board regarding an open session item on this agenda, please send an email request to vmendoza@dschs.org.