

APPROVED

Desert Sands Charter High School

Minutes

Regular Board Meeting

Operated by Desert Sands Public Charter, Inc., A California Non-Profit Public Benefit Corporation

Date and Time

Monday August 23, 2021 at 3:30 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 publiccomments@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

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

Michael R Adams called a meeting of the board of directors of Desert Sands Charter High School to order on Monday Aug 23, 2021 at 3:30 PM.

B. Roll Call and Establishment of Quorum

C. Pledge of Allegiance

Board Member Smith led the pledge of allegiance.

D. Staff Introductions

Jeff Brown, CEO
Jeri Vincent, Corporate Secretary
Taera Childers, Area Superintendent
Jeff Martineau, V.P. of Charter Relations
Bill Thompson, Legal Counsel
Pete Faragia, CEO, LLAC
Guita Sharifi, CFO, LLAC
Michelle Lopez, Legal Counsel, LLAC
Brian Hadley, Wilkinson, Hadley, King & Co., LLP

E. Approve Agenda for the August 23, 2021, Regular Public Meeting of the Board of Directors

Marvin D. Smith made a motion to approve Agenda for the August 23, 2021, Regular Public Meeting of the Board of Directors.

James Lott seconded the motion.

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

Roll Call

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

F. Approve Minutes of the June 01,2021, Regular Public Meeting of the Board of Directors

Ruth Escarcega Newell made a motion to approve the minutes from Operated by Desert Sands Public Charter, Inc. on 06-01-21.

Dana Clark seconded the motion.

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

Roll Call

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

G. Approve Minutes of the July 26,2021, Regular Public Meeting of the Board of Directors

Marvin D. Smith made a motion to approve the minutes from Regular Board Meeting Operated by Desert Sands Public Charter, Inc. on 07-26-21.

Ruth Escarcega Newell seconded the motion.

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

Roll Call

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

II. Consent Agenda

A. Consent Agenda Items

Board President Adams announced the consent agenda items and asked if any member would like to discuss any of the agenda items for action separately. Hearing none, Board President Adams asked for a motion to approve the consent agenda.

James Lott made a motion to approve the consent agenda items.

Ruth Escarcega Newell seconded the motion.

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

Roll Call

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

III. 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.

IV. School Reports and Information

A. Area Superintendent Update

Taera Childers presented a report to the board members on academic, staff and student matters. Ms. Childers reported on expanded learning opportunities grant that will provide additional support to students. Ms. Childers then reported on recent school events including back to school nights for parents and students, student field trips, student workshops, and staff professional development opportunities. Ms. Childers also discussed the school's COVID-19 protocols and the state's requirements for staff vaccinations and testing procedures. Ms. Childers then introduced Nicholas Carlson, Career Technical Education teacher, who discussed the school's cybersecurity program and introduced two recent graduates who shared their experiences with the program.

Board President Adams thanked Ms. Childers, Mr. Carlson, and congratulated the students on their success.

B. Annual Lifelong Learning Administration Corporation (LLAC) Services Report

Pete Faragia, CEO of Lifelong Learning Administration Corporation (LLAC), presented the 2020-2021 Annual Report to the Board of Directors. The presentation described the services provided to the school by LLAC during the 2020-2021 school year. Mr. Faragia reviewed the services and accomplishments of each division within LLAC including the Educational Products and Services Division, Facilities and Safety Department, Technology Services Department, External Affairs Department, Charter Affairs Department, People Services Division, and the Finance Division.

Board President Adams thanked Mr. Faragia.

Ms. Childers thanked Mr. Faragia and his team. She expressed her appreciation for LLAC's partnership and support.

C. Finance Update and Budget Overview for School Year 2021-2022

Guita Sharifi informed the board that LLAC has reduced the promissory note rate from 4% to 3.25% for the 2021-2022 school year. Ms. Sharifi reminded the board that Hanmi Bank's revolving line of credit is being offered at a variable 3.75% rate, based on the federal prime rate. Ms. Sharifi explained that as a good steward of the schools, LLAC is offering the reduced rates, which are fixed and not variable, as a better option than utilizing the Hanmi Bank revolving line of credit, assuming LLAC has the cash flow available to lend to the school during the school year.

Ms. Sharifi then directed the board to the financial reporting calendar and discussed each of the required financial reports, their purpose, the internal review and approval process with the Area Superintendents, and the approval process with the board of directors at a board meeting prior to submission to the school's authorizer.

Board President Adams thanked Ms. Sharifi.

Board Secretary Newell asked for clarification of the promissory note rates.

D. Annual Board Training Announcement

Taera Childers provided an update on the annual training for charter school board members and leaders on the Brown Act and conflict of interest laws. The upcoming annual Fall 2021 training is expected to be presented by Young, Minney & Corr, LLP, with several date and time options. Topics to be covered include:

- Extensive Brown Act training (complies with chartering authority's requirement for annual training)
- Compliance with SB 126 (Education Code Section 47604.1)
- Conflict of interest laws: Political Reform Act, Corporations Code, Government Code Section 1090, and the appearance of impropriety
- Form 700 filing information and requirements

Board President Adams thanked Ms. Childers for the information.

V. Public Hearing

A. Open Public Hearing

Board President Adams announced the public hearing opened at 4:05p.m.
Ruth Escarcega Newell made a motion to open the public hearing.
James Lott seconded the motion.
The board **VOTED** to approve the motion.

Roll Call

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

B. The Board will hold a public hearing to solicit the recommendations and comments of members of the public regarding the Revised Budget Overview for Parents for the 2021-2022 school year

Taera Childers explained the recent board-approved Budget Overview for Parents for the 2021-2022 school year requires updates to the narrative and expenditures sections as follows:

- Additional narrative added to the Budgeted Expenditures in the LCAP table in the BOP section (paragraph 2): Added to serve our at-promise and highly mobile population, expenditures are budgeted for, but not limited to, teacher and staff salaries and benefits, student interventions, curriculum development, professional development, materials, hardware and software. Not included in the LCAP are the following: audit fees and legal expenses
- Updated expenditures for LCFF Budget Overview for Parents - Update on Increased or Improved Services for High Needs Students in the 2020-21 bullet: Actual Expenditures for High Needs Students in Learning Continuity Plan to reflect contributing expenses only.

Ms. Childers then requested recommendations and comments from members of the public and the board.

C. Close Public Hearing

Hearing no comments from the public, Board President Adams asked for a motion to close the public hearing.

Ruth Escarcega Newell made a motion to close the public hearing.
James Lott seconded the motion.

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

Roll Call

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

The public hearing closed at 4:10 p.m.

VI. Action Items

A. The Board will be asked to review and approve the Revised Budget Overview for Parents for the 2021-2022 school year

Taera Childers recommended the board approve the revised Budget Overview for Parents for the 2021-2022 school year that was shared during the Public Hearing.
Marvin D. Smith made a motion to approve the Revised Budget Overview for Parents for the 2021-2022 school year.
Ruth Escarcega Newell seconded the motion.

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

Roll Call

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

B. The Board will be asked to approve the Unaudited Actuals for the 2020-21 school year

Guita Sharifi directed the board to the unaudited actuals report for the 2020-21 school year and explained the report is the last financial report of the year and provides a summary of how the school performed financially for the year. The report includes a summary of the statement of revenue and expenditures, the net position of the school, information about the school's assets and liabilities, the Average Daily Attendance (ADA) that was the base for funding in 2020-21, and the estimated ADA projections for 2021-22 that were used as base for developing the current school year budget.

Ms. Sharifi reported that the school had a funding P-2 ADA of 1,589 for a total revenue of \$22.5M dollars, which was \$1.16M higher than the projected revenue presented at the June 2021 board meeting. This noticeable difference is primarily due to the recognition of \$780K of revenue from the Expanded Opportunity Grant that was originally planned to be recorded in the next fiscal year. These restricted funds were not spent in 2020-21, however, the California Department of Education guidelines require that the school records the revenue in 2020-21.

Ms. Sharifi reported that the school ended the year with total expenditures of \$21.5M, which was \$313K higher than prior projections. This increase comes from a combination of an increase in Certificates and Classified salary expenditures, a slight increase in non-capitalized equipment and training, and a decrease in insurance, facilities, and professional services.

Ms. Sharifi then discussed the school's excess revenue, balance sheet assets and liabilities, and the impact of the state's apportionment deferrals. Lastly, Ms. Sharifi announced the school has received loan forgiveness for the PPP loan amount. Ruth Escarcega Newell made a motion to approve the Unaudited Actuals for the 2020-21 school year.

Marvin D. Smith seconded the motion.

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

Roll Call

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

C. The Board will be asked to approve the Revised June 30, 2020, Annual Audit Report for the school

Brian Hadley of Wilkinson Hadley King and Co., LLP directed the board to the revised June 30, 2020, Annual Audit Report. Mr. Hadley explained that the revisions include an addition to the Independent Auditor's Report letter located in the beginning of the report, and edits to the related party narrative within the notes section of the Financial Statements. Lastly, Mr. Hadley reported that the auditor's opinion is unmodified.

Dana Clark made a motion to approve the Revised June 30, 2020, Annual Audit Report for the school.

James Lott seconded the motion.

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

Roll Call

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

D. The Board will be asked to approve the Revised Charter School Accounting Manual

Guita Sharifi directed the board to the summary of additions recommended to the Charter School Accounting Manual, included in the board packet. The first recommended addition details the school's procedures for accepting and recording donations. The second addition details the contract approval process, which includes the initial assessment, administrative review, and approval by the appropriate signatories.

Marvin D. Smith made a motion to approve the Revised Charter School Accounting Manual.

James Lott seconded the motion.

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

Roll Call

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

E. The Board will be asked to approve the Area Superintendent Evaluation Tool for the 2021-2022 school year

Jeff Martineau greeted the board and directed the board to the Area Superintendent Evaluation Tool for the 2021-2022 school year. He then reviewed updates made to the Evaluation Tool and rubric since the April board meeting and discussed the roles and responsibilities of the board and the Area Superintendent as related to the evaluation process, and the evaluation timeline. Mr. Martineau recommended the board approve the Area Superintendent Evaluation Tool for the 2021-2022 school year.

Marvin D. Smith made a motion to approve the Area Superintendent Evaluation Tool for the 2021-2022 school year.

James Lott seconded the motion.

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

Roll Call

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

F. The Board will be asked to approve the Declaration of Need (DON) forms as a prerequisite to the issuance of an emergency permit and/or limited assignment permit for teachers at the School for the 2021-2022 School Year per California Code of Regulations §80026

Taera Childers explained to the board the purpose of the annual Declaration of Need (DON) forms, which is now required of charter schools due to AB 1505 and

ensures the school’s eligibility to apply for emergency and/or limited assignment permits for teachers. Ms. Childers directed the board to the DON documents located in their board packet and explained this will allow qualified individuals to be authorized to serve in their teaching assignment while they are working towards completing the credential requirements for the educator’s assignment. Ms. Childers recommended the board approve the DON forms for the school for the 2021-2022 school year.

James Lott made a motion to approve the Declaration of Need (DON) forms as a prerequisite to the issuance of an emergency permit and/or limited assignment permit for teachers at the School for the 2021-2022 School Year per California Code of Regulations §80026.

Dana Clark seconded the motion.

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

Roll Call

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

VII. Closed Session

A. Adjourn open public Board meeting to go into closed session

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Government Code section §54956.9(d)(1).) Name of Case: Milton vs. Desert Sands Public Charter, et al., San Bernardino Superior Court Case Number: CIVDS1821125 Ruth Escarcega Newell made a motion to adjourn open public Board meeting to go into closed session.

James Lott seconded the motion.

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

Roll Call

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

B. Adjourn closed session and reconvene to open Board meeting

Ruth Escarcega Newell made a motion to adjourn closed session and reconvene to open Board meeting.

James Lott seconded the motion.

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

Roll Call

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

C. Report of action taken or recommendations made in closed session, if any

Board President Adams reported that the Board unanimously voted to adjourn the closed session and resume the public board meeting.

Board President Adams reported out that no action was taken in closed session.

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

A. Observations and Comments

Mr. Brown congratulated Ms. Childers for her high retention rate. He praised the various programs available to students. He also thanked Mr. Faragia for his detailed report and continued support.

IX. Closing Items

A. Next Regular Board Meeting Date: October 11, 2021, 4:00pm

B. Adjourn Meeting

Ruth Escarcega Newell made a motion to adjourn the meeting.

James Lott seconded the motion.

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

Roll Call

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

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 4:47 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 publiccomments@dschs.org.