



**SPECIAL MEETING OF THE GOVERNING BOARD
“Brown Act” School Boards & Open Meeting Laws
ADOPTED MINUTES**

Date: Thursday, September 07, 2017
Meeting Place: Horizon Charter Schools Board Room
2800 Nicolaus Road, #100
Lincoln, CA 95648

**REGULAR BUSINESS MEETING
3:00 P.M. START**

1. CALL TO ORDER – Horizon Charter Schools Small Board Room – 3:03 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

- Parent Representative: Andrea Rynberk
- Parent Representative: Kimberly Dahlstrom
- Education/Community Representative: Mary-Lou Smith
- Parent Representative: Joe Dutra
- Community Representative: Vacant

2. COMMUNICATION FROM THE PUBLIC

This portion of the meeting is set aside for the purpose of allowing an opportunity for individuals to address the Governing Board regarding matters not on the Agenda but within the Governing Board’s subject matter jurisdiction. The Governing Board is not allowed to take action on any item that is not on the Agenda, except as authorized by Government Code Section 54954.2. Request cards for this purpose, “Speaker Cards”, are located at the entrance to the Board Room. Speaker Cards are to be submitted to the Board Secretary prior to the start of the meeting.

3. CLOSED SESSION – Superintendent’s Office, 2800 Nicolaus Road, #100, Lincoln, CA

None

4. ADJOURN TO OPEN SESSION

The Governing Board will disclose any action taken in Closed Session regarding the following items:

None

5. STUDENT PRESENTATIONS

None

6. REPORTS AND COMMUNICATION

None

7. CONSENT AGENDA

NOTICE TO THE PUBLIC

All items on the Consent Agenda will be approved with one motion, which is not debatable and requires a unanimous vote for passage. If any member of the Board, Superintendent, or the public so request, items may be removed from this section and placed in the regular order of the business following the approval of the consent agenda.

None

8. INFORMATION/DISCUSSION/ACTION

“ACTION”: Indicates items the Board has seen previously

“Action”: Indicates items the Board is seeing for the first time

8.01 Horizon Charter Schools (HCS) Governance Handbook

- C. Wood gave a Prezi Presentation on the Horizon Charter Schools Governance Handbook and the Brown Act. She then spoke about school governance and began by explaining that last year, the Governing Board wanted something in writing for new Board members. This resulted in the compilation of the Governance Handbook. Please feel free to note any changes or revisions that you would like to see in the Governance Handbook.

8.02 The Brown Act

- Communication from the public. There is a time limit for this communication, which is set by the Governing Board. Individuals from the public may speak, however, the Board is not able to answer the public comments. It is considered by the Brown Act to be a disruption to the meeting if a member of the public does not cease when told that their time is up.

J. Dutra asked that the policy concerning the length of time for communication from the public be revisited by the Governing Board.

- The Brown Act calls any school body a legislative body. The people govern through the legislative body. When a Board member speaks, they are speaking as part of the legislative body/ Governing Board.
- Authority rests with the Governing Board as a whole, never on a Governing Board member as an individual.
- The Superintendent implements the decisions made by the Board, whether in open or Closed Session.
- The Superintendent is accountable to the Board and the charter. Board members are accountable to the public. The meetings are held with the legislative body/ Governing Board, in front of the public.
- The Board has a common focus and unity of purpose. Everything surrounds student education and student needs. At Horizon Charter Schools (HCS), our vision is, “Quality Education Through Personalized Learning”. HCS operates from a position of core values. C. Wood read the HCS mission statement aloud.
- A brief history of the governance structure that HCS has had in the past was discussed. Two leaderships ago, the Superintendent introduced the Carver Model to the Board. The Board implemented it and allowed the Superintendent to guide the school. In 2013, HCS implemented traditional school Governance- the Brown Act. It took over a year to modify the practices and policies to meet the Brown Act, which mandates that all public business must be done in front of the public.
- Since the transition from The Carver Model to the Brown Act, HCS has secured the confidence of its sponsoring district.
- Since HCS receives California State funding, it must engage in compliance with the State. It is a protection to have the Brown Act. It protects the Board, the charter, the Superintendent, and the public.

- Review of meeting guidelines and norms and the role and vision of the Governing Board member. At HCS, the vision is set in October and that vision is monitored throughout the year.
- Organization Chart. C. Wood explained how it was developed and how it is maintained. The chart is updated annually and ensures that public dollars are being well directed and student needs are being addressed.
- California Dashboard. If a school is not performing according to the state guidelines, the state could pull funding.
- Closed Session and Confidentiality. Board members are bound by confidentiality pertaining to anything that is said in Closed Session. Board members may only talk about certain items during Closed Session. C. Wood then remarked that, with respect to email, Governing Board members should never “reply all” on anything that they respond to. This will dispel any idea that the public business is being conducted outside of the public meeting, as that kind of behavior is against the Brown Act.
- When outside of the Governing Board Meetings, Board members may be approached by members of the public. Single Board members may not make promises and/or assurances to the public.

J. Dutra asked for clarification – if members of the public approach him, how should he escalate the issue?

- C. Wood responded to this question by stating that the process is such that the Board member is to escalate the issue directly to the Superintendent.

J. Dutra inquired as to what he should tell the person who shared the concern.

- C. Wood responded that Governing Board members should not be perceived as individuals speaking for the entire Governing Board. A Board member may, however, state that they will pass the information along to the Governance Team. If union negotiations are mentioned by an employee, then the Governing Board member must refer the employee to their union representative. It is important that the Governing Board member not address the concern themselves, they must not agree or disagree and not promise anything.

M.L. Smith stated that Board members do not give direction to the staff.

- Accountability lies with the Superintendent, who will lead the staff. Board members should not have to go back and forth with people, but rather, encourage people to go to their Regional Administrator who will escalate up the channels. The concern is always if there is a violation of the Brown Act because HCS could be prosecuted for that.

J. Dutra asked if there was ever a time that the Board talks to K. Collins.

- C. Wood stated that K. Collins will be at every Board meeting and may be engaged during the meeting, specific to her Agenda presentations. During Special Meeting sessions, communication from the public must be specific only to items on the current Agenda. During the Regular Meeting sessions, communication from the public may address any item of concern relative to the Boards jurisdiction.
- Policies are adopted through the Governance of the Board. Procedures are developed by the Superintendent and designated staff, in response to Board policies.

Adjourned for Break 4:20 p.m.

Re-adjourned from break 4:49 p.m.

- A majority of the Governing Board members constitutes a quorum. The Brown Act mandates that all regular meetings be posted 72 hours before the meeting. Special meetings are to be posted 24 hours before the meeting. Emergency meetings do not need 24 hours advance posting (i.e., public disaster or something that affects the public safety).
- Serial meetings are a violation of the Brown Act. Examples are: “Hub Spoke Meeting” – which is polling all members about how they will vote – it is a violation of Brown Act because it can be considered influencing, outside of the public eye. “Daisy Chain Meeting”- is when Board members talk to one other, they in turn talk to another, then another, it is a Brown Act Violation. C. Wood stated that the greatest gift that a Board member can give, is to maintain the trust of the people by adhering to the Brown Act.
- Closed Session must be reported out, whether there is an audience or not.
- Anytime there is a quorum of the Board for Board business, it must be posted.

Closed Session Items:

- Real Property Transactions
- Pending Litigation
- Joint Powers Agency
- Public Security
- Personnel Exception
- Collective Bargaining (Union Negotiations)
- Student Discipline (Administrative Panel)
- Assessment Instruments (Rarely in Closed Session, but permissible)

Open Regular Session Items:

- 72 Hours Posting
- Meeting of the Board in front of the public
- The public's business

Government Code:

- Legislative Body
- Public Testimony

M.L. Smith commented that she has seen the Horizon Charter Schools billboards.

- C. Wood reviewed the Regular Meeting Agenda format.
- Copies of the most current revision of the 2017 Horizon Charter Schools Governance Handbook and The Brown Act book were provided to all workshop attendees.

9. INFORMATION/ DISCUSSION

None

10. GOVERNING BOARD

10.01 FUTURE AGENDA ITEMS

- September 21, 2017, Regular Meeting of the Governing Board
- October 19, 2017, Regular Meeting of the Governing Board
- November 1, 2017, Special Meeting of the Governing Board –Brown Act Workshop on Finance
- February 1, 2017, Special Meeting of the Governing Board – Brown Act Workshop topics from Board members

10.02 BOARD MEMBER REPORTS/COMMENT

11. ADJOURNMENT – 6:04 p.m.

Information for the Public

Members of the public wishing to comment on any items should complete a Speaker's Card. Speaker's Cards are located at the entrance to the Board Room. Speaker's Cards are to be submitted to the Board Secretary prior to the start of the meeting.

Backup materials for this agenda are available at the Horizon Charter Schools Administrative Offices located at 2800 Nicolaus Road, Suite 100, Lincoln CA 95648.

Members of the public may submit a written request for the entire agenda packet to:

Horizon Charter Schools Board Secretary

PO Box 489000

Lincoln, CA 95648

The request must be submitted 10 working days prior to the meeting.

Individuals requiring disability-related accommodations or modifications including auxiliary aids and services in order to participate in the Governing Board meeting should contact the Chief Executive Officer or designee in writing, at least two days prior to meeting date. Government Code 54954.1

This agenda is posted at least 72 hours in advance of the meeting at:
Horizon Administration Office, 2800 Nicolaus Road Suite 100, Lincoln, California,
and on the Horizon Charter Schools Website: horizoncharterschools.org

The Governing Board may be reached via e-mail at: horizonboard@hcs.k12.ca.us

Via U.S. Mail at: Horizon Governing Board, P.O. Box 489000, Lincoln, CA 95648

Or by leaving a message with the Board Secretary at: 916-408-5200 X 5141

*Please note: items on the agenda may not be addressed in the order they are scheduled.

The Board may alter the order at their discretion.