

**Orange County Educational Arts Academy**  
A California Public Charter School

**BOARD OF DIRECTORS**

**MEETING minutes**

**Regular Meeting**

October 15, 2018

6:00 p.m. – Closed Session

7:00 p.m. – Open Session

OCEAA School Library

825 N. Broadway, Santa Ana, CA 92701

**MINUTES**

**I. Call to Order: 7:14 PM**

A. Roll Call

**Board Members**

Dr. Kimberly Barraza Lyons, President

**Present**

X

**Absent**

Dr. Alfonso Bustamante

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X

Valerie Sullivan, Vice Chair

\_\_\_\_\_

X

Scott Overpeck, Chair

X

Ben Stanphill, Secretary

X

Boris Molina

X

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\_\_\_\_\_

**Staff/Other**

Kristin Collins, School Director

X

Janine McFarlin, Interim Controller

X

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B. Approval of Agenda

**II. Public Comment on Closed Session Items, If Any**

Opportunity for members of the public to address the Board on closed session items

**III. Adjourn to Closed Session – No Closed Session**

A. Staffing appointments/terminations/contracts/resignations (Gov. Code Section 54957)

B. Staff Evaluations/Privacy or Other Confidential Issues (Gov. Code Section 54957(b))

**IV. Reconvene to Open Session and Report of Action from Closed Session, If Any**

**V. Public Comment – No Public Comment**

Opportunity for members of the public to address the Board on agenda items and/or on non-agenda items during regular meetings only

**VI. Board and Staff Reports**

- A. Staff Reports
  - 1. School Director – Kristin Collins
- B. Operations Report – Josh Eng and Janine McFarlin
- C. Board of Directors Reports

**VII. Items for Consent**

Action on the items below will be made in one motion unless removed from Consent by a Board member. Items removed from Consent will be considered in the original agenda order immediately following action on Consent.

- A. Approval of Minutes from September 2018 Board Meeting
- B. Approval of Minutes from October 5, 2018 Special Board Meeting
- C. Ratification of September Check Register

Action: Approve Consent Items Listed Above	Motion: BS Second: VM
	Vote: 4 for ____ against

**VIII. Approval of Mike Limon Contract for Executive Director**

Action: Approve contract with annual salary of \$105,000 and start date of 11/1/2018	Motion: BS Second: SO
	Vote: 4 for ____ against

**IX. Regular Board Meeting Time Change**

Action: Meet second Wednesday of each month at 6:00 PM starting in November 2018.	Motion: SO Second: BM
	Vote: 4 for ____ against

**X. Public Records Act Policy**

Action: Approve Public Records Act Policy.	Motion: BS Second: KL
	Vote: 4 for ____ against

**XI. Vendors Social Media Policy**

Action: No action	Motion: ___ Second: ___
	Vote: ___ for ___ against

**XII. Items for Future Meetings**

The next regularly scheduled meeting is on: November 14, 2018.

**XIII. Adjournment**

The meeting was adjourned at 8:05 p.m.

## OCEAA Board Update October 17, 2018

### LCAP Goal 1: 100% Proficiency

- ❖ **Instructional Program & Achievement Updates** (K. Collins)
  - CAASPP Data was released publicly on Oct 2. Data snapshot will be presented for discussion.
  - All grades are scheduled for one FSO sponsored field trip and one OCMA field trip. Additional field trips may require fundraising for transportation and entry fees; teachers are encouraged to utilize close proximity to civic, cultural, historical, commercial and other institutions within walking distance to the school.
    - 5th grade is considering options to it's annual Riley's Farm field trip.
  
- ❖ **Literacy Team Report** (M. Carrera)
  - Will report again next month
  
- ❖ **Math Report** (N. Kubasek)
  - Factswise resources have been distributed to all teachers and the program will be fully launched by the end of the month in all TK-5 classrooms.
  - Ms. Barrera is servicing 1st-4th grade students with a push-in model
  - Mrs. Kubasek works with 4th-8th graders with a push-in model and Accelerated Math
  - Continuing to research a universal screener that would support movement into and out of the tiers of Math Intervention
  - Consulting with grade levels for standards-based grading practices
  - Leading Math PLCs
    - TK-3: Focused on implementation of Factswise and progression of number sense standards
    - 4-8: Focused on standards based grading rubrics and implementation of Eureka Math
  
- ❖ **Arts Report** (E. Vicario)
  - November 9th Ritmos del Mundo SAHS 1st/2nd/6th and MS Dance will perform. Please join us and let Erica know if you have any special guests.
  - November 3rd Noche de Altares Community Event. OCEAA will be honoring Elizabeth Catlett our artist of the year.
  - Starbucks Art Display-Shannon Overpeck is volunteering to display our artwork at Starbucks on 4th street. Starbucks manager will vote on their favorite work and present a certificate.
  - OCMA Field Trips are being scheduled, location change has caused some changes.
  - 23 students are registered for Jr. Conservatory.
  
- ❖ **Instructional Technology Report** (M. Bennett-Gee)

## ❖ Professional Development

- On 9/26, K. Collins and M. Bennett attended the first of six BELIEF trainings, a series designed to build capacity for effective leadership and instruction for English Learners; the series is hosted by OCDE.
- Weds PDs are scheduled in 4 week cycles:
  - Week 1: Business meeting & all staff PD
  - Week 2: Primary literacy, 4-8 dual language, 4-8 math and arts
  - Week 3: Primary math, 4-8 dual language, 4-8 math and arts
  - Week 4: Primary literacy, 4-8 dual language, 4-8 math and arts
    - Linda Hardman Green is providing program development consultation to the 4-8 dual language PLC
- 9/28 PD Day:
  - Dr. Valerie Henry from UCI's School of Education provided Factswise Math Fluency training to TK-5 teachers.
  - 6-8 teachers developed integrated technology assignments and assessments.
  - Teachers utilized literacy, arts and technology consultations during team planning.
  - The Special Education team reviewed important guidelines for referrals and IEP meetings.
- 10/8 Visit to Raymond Elementary School in Fullerton: K. Collins, M. Bennett and E. Vicario visited the growing K-2 Dual Immersion program at Raymond and networked with the program leaders.

## LCAP Goal 2: 100% Biliterate/Bilingual

- ❖ English Learner report (M. Bennett-Gee)

## LCAP Goal 3 – 100% Safe, Healthy and Positive School Climate

- ❖ PBIS Counselor report (G. Castrillon)
  - Working with K. Collins in order to meet MTSS guidelines.
  - Finalizing Social Emotional Screener in order to identify individual student's needs.
  - Brainstorming entry and exit criteria for Tier II support.
  - Improving on implementation of PBIS with fidelity.
  - TK through 5th grade classes implementing 2nd Step
  - Sixth through eighth grades are implementing Community Circles with positive results.
- ❖ K. Collins and J.Chavez attended the Oct 3rd Connection Cafe hosted by Help Me Grow, which included OC agency networking and an informative presentation on supporting gender diverse students and families.
- ❖ OCEAA participated in a collaborative data collection project with SAUSD last year which has yielded an Early Development Index Report. The EDI identifies the

percentage of children who are vulnerable and on track by developmental domain and compares this information by target community. The EDI can be used to monitor populations of children over time, report on populations of children in different communities, predict how groups of children will do in elementary school, and inform policies concerning young children and their families.

#### LCAP Goal 4 – 100% Parent-School Partnerships

- ❖ Parent Coffee Chat was held on Sept. 21. Preliminary CAASPP data was shared and discussed; the event was live streamed on Facebook to inform parents who could not attend.
- ❖ School Site Council met on Oct 8th. The Council reviewed Bylaws, and Goal 1 from the Single Plan for Student Achievement. CAASPP data was reviewed in relation to Goal 1, and reports from the Math and Literacy Coordinators will be scheduled for the December meeting.
- ❖ 16 parents attended a kindergarten parent workshop on Oct 3 intended to provide parents with strategies for supporting their students academically at home.
- ❖ On October 10th, the Delhi Center will begin a financial literacy class at OCEAA that will cover reviewing your credit report, understanding your credit score and planning a budget. The class is free to the public and is first come first served. Childcare and light refreshments will be provided.
- ❖ M. Hernandez and K. Collins attended a presentation at OCDE titled *Chronic Absenteeism and Student Growth: The Relationship between chronic absenteeism and long-term student achievement*. Many practical strategies for tiered attendance interventions were provided.



## **Community Relations**

### **ACCESS TO CHARTER SCHOOL RECORDS / POLICY**

The OCEAA Board of Directors recognizes the right of citizens to have access to public records of the Charter School. The Board intends the district to provide any person reasonable access to the public records of the Charter School during normal business hours and within the requirements of law. Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act and other state or federal law.

*(cf 3553 - Free and Reduced Price Meals)*

*(cf 3580 - District Records)*

*(cf 4112.5/4212.5/4312.5 - Criminal Record Check)*

*(cf 4112.6/4212.6/4312.6- Personnel Files)*

*(cf 4119.23/4219.2314319.23 - Unauthorized Release of Confidential/Privileged Information)*

*(cf 5020- Parent Rights and Responsibilities)*

*(cf 51 25- Student Records)*

*(cf 5125.1 -Release of Directory Information)*

*(cf 6162.5- Student Assessment)*

*(cf 9011 - Disclosure of Confidential/ Privileged Information)*

*(cf 9321 - Closed Session Purposes and Agendas)*

In response to a public records request, the Director or designee shall make reasonable efforts to locate the requested records, including, but not limited to, any electronic communication substantively related to the records, such as email, text messages, instant messages, and other electronic communications, regardless of whether they are transmitted through a district-provided device or account or through an employee's or Board member's personal device or account.

*(cf 4040 - Employee Use of Technology)*

*(cf 9012- Board Member Electronic Communications)*

The Charter School may charge for copies of public records or other materials requested by individuals or groups. The charge shall be based on actual costs of duplication, as determined by the Director or designee and as specified in administrative regulation. In order to help maintain the security of charter school records, members of the public granted access shall examine records in the presence of a charter school staff member.

Legal Reference:

EDUCATION CODE

35145 Public meetings  
35170 Authority to secure copyrights  
35250 Duty to keep certain records and reports  
41020 Requirement for annual audit  
42103 Publication of proposed budget; hearing  
44031 Personnel file contents and inspections  
44839 Medical certificates; periodic medical examination  
49060-49079 Student records  
49091.10 Parental review of curriculum and instruction

GOVERNMENT CODE

3547 Proposals relating to representation  
6250-6270 California Public Records Act  
6275-6276.48 Other exemptions from disclosure  
53262 Employment contracts  
54957.2 Minute book record of closed sessions  
54957.5 Agendas and other writings distributed for discussion or consideration  
81008 Political Reform Act, public records; inspection and reproduction

CALIFORNIA CONSTITUTION

Article I, Section 3 Right of access to governmental information

CODE OF REGULATIONS. TITLE 5

430-438 Individual student records

COURT DECISIONS

City of San Jose v. Superior Court (2017) 2 Cal.5th 608  
Los Angeles County Board of Supervisors v. Superior Court (2016) 2 Cal.5th 282  
International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County. (2007) 42 Cal.4th 319  
Los Angeles Times v. Alameda Corridor Transportation Authority, (2001) 88 Cal.App.4th 1381  
Kleitman v. Superior Court, (1999) 74 Cal.App. 4th 324  
Fairley v. Superior Court, (1998) 66 Cal.App. 4th 1414  
North County Parents Organization for Children with Special Needs v. Department of Education, (1994) 23 Cal.App. 4th 144  
ATTORNEY GENERAL OPINIONS  
71 Ops.Cal.Att v.Gen. 235 (1988)  
64 Ops.Cal.Atty.Gen. 186 (1981)

Management Resources:

CSBA PUBLICATIONS

Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic

Communications. March 2017

ATTORNEY GENERAL PUBLICATIONS

Summary of the California Public Records Act. 2004

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

The People's Business: A Guide To the California Public Records Act . 2008

WEB SITES



*CSBA: <http://www.csba.org>*

*California Attorney General's Office: <https://oag.ca.gov>*

*Institute for Local Government: <http://www.cacities.org>*

*State Bar of California: <http://www.calbar.ca.gov>*



## **Community Relations**

### **ACCESS TO DISTRICT RECORDS / REGULATIONS**

#### **Definitions**

*Public records* include any writing containing information relating to the conduct of the charter school's business prepared, owned, used, or retained by the charter school regardless of physical form or characteristics. (Government Code 6252)

*(cf 3580- District Records)*

*(cf 9012- Board Member Electronic Communications)*

*Writing* means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Government Code 6252)

*Member of the public* means any person, except a member, agent, officer, or employee of the charter school or a federal, state, or other local agency acting within the scope of his/her membership, agency, office, or employment. (Government Code 6252)

#### **Public Records**

Public records to which members of the public shall have access include, but are not limited to:

1. Proposed and approved district budgets and annual audits (Education Code 41020, 42103)

*(cf 3100 - Budget)*

*(cf 3460- Financial Reports and Accountability)*

2. Statistical compilations
3. Reports and memoranda
4. Notices and bulletins

5. Minutes of public meetings (Education Code 35145)  
*(cf 9324 - Minutes and Recordings)*
6. Meeting agendas (Government Code 54957.5)  
*(cf 9322- Agenda/Meeting Materials)*
7. Official communications between the charter school and other government agencies
8. School -based program plans (Education Code 52850)  
*(cf 0420- School Plans/Site Councils)*
9. Information and data relevant to the evaluation and modification of district plans  
*(cf 0440 - District Technology Plan)*  
*(cf 0460 - Local Control and Accountability Plan)*  
*(cf 0520.2 - Title I Program Improvement Schools)*  
*(cf 0520.3 - Title I Program Improvement Districts)*
10. Initial proposals of exclusive employee representatives and of the charter school (Government Code 3547)  
*(cf 4143.1 /4243.1 - Public Notice- Personnel Negotiations)*
11. Records pertaining to claims and litigation against the charter school which have been adjudicated or settled (Government Code 6254, 6254.25)  
*(cf 3320 - Claims and Actions Against the District)*
12. Statements of economic interests required by the Conflict of Interest Code (Government Code 8 1 008)  
*(cf 9270 - Conflict of Interest)*
13. Documents containing names, salaries, and pension benefits of charter school employees
14. Employment contracts and settlement agreements (Government Code 53262)  
*(cf 212 1 - Superintendent's Contract)*  
*(cf 4117.5/42 17.5/4317.5 - Termination Agreements)*  
*(cf 41411424 1 - Collective Bargaining Agreement)*
15. Instructional materials including, but not limited to, textbooks (Education Code 49091.1 0)

*(cf 5020 - Parent Rights and Responsibilities)*  
*(cf 6161.1 - Selection and Evaluation of Instructional Materials)*

Access to public records of the charter school shall be granted to OCEAA Board members on the same basis as any other member of the public. When Board members are authorized to access public records in the administration of their duties, the Director or designee shall not discriminate among any of the Board members as to which record, or portion of the record, will be made available, or when it will be made available. (Government Code 6252.5, 6252.7)

When disclosing to a member of the public any record that contains personal information, including, but not limited to, an employee's home address, home telephone number, social security number, personal cell phone number, or birth date, the Director or designee shall ensure that such personal information is redacted from that record. (Government Code 6254.29, 6254.3)

### **Confidential Public Records**

Records to which the members of the public shall not have access include, but are not limited to:

1. Preliminary drafts, notes, interagency or intradistrict memoranda that are not retained by the charter school in the ordinary course of business, provided that the public interest in with holding these records clearly outweighs the public interest in disclosure (Government Code 6254)

*(cf 4119.2314219. 2314319.23 - Unauthorized Release of Confidential/Privileged Information)*  
*(cf 9011 - Disclosure of Confidential/ Privileged Information )*

2. Records specifically generated in connection with or prepared for use in litigation to which the charter school is a party or to respond to claims made against the district pursuant to the Tort Claims Act, until the litigation or claim has been finally adjudicated or otherwise settled, or beyond, if the records are protected by some other provision of law (Government Code 6254, 6254.25)

3. Personnel records, medical records, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code 6254)

*(cf 4112.5/42 12.5/4312.5 - Criminal Record Check)*  
*(c.f 4112.614212.6/4312.6 - Personnel Files)*

The home addresses, home telephone numbers, personal cell phone numbers, or birth date of employees may only be disclosed as follows: (Government Code 6254.3)

- a. To an agent or a family member of the employee
- b. To an officer or employee of a state agency or another school district or county office of education when necessary for the performance of official duties
- c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, except that the home address and any telephone number for an employee who performs law enforcement-related functions, or the

birth date of any employee, shall not be disclosed. Upon written request of any employee, the district shall not disclose the employee's home address, home telephone number, personal cell phone number, or birth date, and the district shall remove this information from any mailing list of the district except a list used exclusively to contact

*(cf 4140/4240/4340 - Bargaining Units)*

- d. To an agent or employee of a health benefit plan providing health services or administering claims for health services to charter school employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents

*(cf 41541425414354- Health and Welfare Benefits)*

4. Student records, except directory information and other records to the extent permitted under the law, when disclosure is authorized by law

*(cf 5125 - Student Records)*

*(cf 5125.1 - Release of Directory Information)*

*(cf 5125.3 - Challenging Student Record;)*

5. Test questions, scoring keys, and other examination data except as provided by law (Government Code 6254)

*(cf 6162.51 - State Academic Achievement Tests)*

*(cf 6162.52 - High School Exit Examination )*

6. Without affecting the law of eminent domain, the contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the charter school relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained (Government Code 6254)

7. Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons would result in unfair competitive disadvantage to the person supplying the information (Government Code 6254)

8. Library circulation and patron use records of a borrower or patron including, but not limited to, his/her name, address, telephone number, email address, borrowing information, or use of library information resources, except when disclosure is to a person acting within the scope of his/her duties in the administration of the library, to a person authorized in writing by the individual to whom the records pertain, or by court order (Government Code 6254, 6267)

*(cf 6163.1 - Library Media Centers)*

9. Records for which the disclosure is exempted or prohibited pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege (Government Code 6254)

*(cf 9124 - Attorney)*

I 0. Documents prepared by or for the charter school to assess its vulnerability to terrorist attack or other criminal acts intended to disrupt district operations and that are for distribution or consideration in closed session (Government Code 6254)

*(cf 0450 - Comprehensive Safety Plan)*

II. Recall petitions, petitions for special elections to fill Board vacancies, or petitions for the reorganization of the school district (Government Code 6253.5)

*(cf 9223 - Filling Vacancies)*

12. Minutes of Board meetings held in closed session (Government Code 54957.2)

*(cf 9321 - Closed Session Purposes and Agendas)*

13. Computer software developed by the charter school (Government Code 6254.9)

14. Information security records, the disclosure of which would reveal vulnerabilities to, or otherwise increase potential for an attack on, the charter school's information technology system (Government Code 6254.1 9)

1 5. Records that contain individually identifiable health information, including records that may be exempt pursuant to physician-patient privilege, the Confidentiality of Medical Information Act, and the Health Insurance Portability and Accountability Act (Government Code 6254, 6255)

*(cf 5141.6 - School Health Services)*

16. Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes

17. Any other records for which the charter school can demonstrate that, based on the particular facts of the case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record (Government Code 6255)

### **Inspection of Records and Requests for Copies**

Any person may request a copy or inspection of any district record that is open to the public and not exempt from disclosure. (Government Code 6253)

Within 10 days of receiving any request to inspect or copy a district record, the Superintendent or designee shall determine whether the request seeks release of a disclosable public record in the charter school's possession. The Director or designee shall promptly inform the person making the request of his/her determination and the reasons for the decision. (Government Code 6253)

In unusual circumstances, the Director or designee may extend the 10-day limit for up to 14 days by

providing written notice to the requester and setting forth the reasons for the extension and the date on which a determination is expected to be made. Unusual circumstances include (but are not limited to) the following, but only to the extent reasonably necessary to properly process the request: (Government Code 6253)

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request
2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request
3. The need for consultation, which shall be conducted with all practicable speed, with another agency (e.g., a state agency or city) having a substantial interest in the determination of the request or among two or more components of the charter school (e.g., two different school sites) with substantial interest in the request
4. In the case of electronic records, the need to compile data, write programming language or a computer program, or construct a computer report to extract data

If the Director or designee determines that the request seeks disclosable public records, the determination shall state the estimated date and time when the records will be made available. (Government Code 6253)

Public records shall be open to inspection at all times during charter school office hours. Any reasonably segregable portion of a record shall be made available for inspection by any person requesting the record after deletion of the portions that are exempted by law. (Government Code 6253)

Upon request for a copy that reasonably describes an identifiable record, an exact copy shall be promptly provided unless it is impracticable to do so. (Government Code 6253)

The Director or designee shall charge an amount for copies that reflects the direct costs of duplication. Written requests to waive the fee shall be submitted to the Director or designee.

In addition to maintaining public records for public inspection during charter school office hours, the charter school may comply with public records requests by posting any public record on the charter school's web site and, in response to a public records request, directing the member of the public to the location on the web site where the record can be found. However, if the member of the public is unable to access or reproduce the record from the web site, the charter school shall promptly provide an exact copy of the public record upon payment of duplication fees, if applicable, unless it is impracticable to provide an exact copy. (Government Code 6253)

If any person requests that a public record be provided in an electronic format, the charter school shall make that record available in any electronic format in which it holds the information. The charter school shall provide a copy of the electronic record in the format requested as long as the requested format is one that has been used by the charter school to create copies for its own use or for use by other agencies. (Government Code 6253.9)

The cost of duplicating an electronic record shall be limited to the direct cost of producing a copy of the record in electronic format. However, the requester shall bear the cost of producing the copy of the electronic record, including the cost to construct the record and the cost of programming and computer services necessary to produce the copy, under the following circumstances: (Government Code 6253.9)

1. The electronic record is one that is produced only at otherwise regularly scheduled intervals.
2. The request would require data compilation, extraction, or programming to produce the record.

#### **Assistance in Identifying Requested Records**

If the Director or designee denies a request for disclosable records, he/she shall assist the requester in making a focused and effective request that reasonably describes an identifiable record. To the extent reasonable under the circumstances, the Director or designee shall do all of the following: (Government Code 6253.1)

1. Assist in identifying records and information responsive to the request or the purpose of the request, if specified

If, after making a reasonable effort to elicit additional clarifying information from the requester to help identify the record, the Director or designee is still unable to identify the information, this requirement shall be deemed satisfied.

2. Describe the information technology and physical location in which the records exist
3. Provide suggestions for overcoming any practical basis for denying access to the records or information sought

Provisions of the Public Records Act shall not be construed so as to delay or obstruct the inspection or copying of public records. Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code 6253)