

Special Board Meeting
MINUTES
January 26, 2005

- CALL TO ORDER** The meeting was called to order by President Eubanks at 3:00 p.m. There being no flag, the pledge of allegiance was not recited.
- ATTENDANCE** Members present: President Keith Eubanks, and Members Delbert Cederquist, Barbara Thomas, Dr. Allen Clyde and Dr. Sally Tannenbaum.
- Participating staff: Superintendent Peter G. Mehas; Deputy Superintendents Daniel Pietro and Donald Collins; Jan Biggs, Senior Administrator to the Superintendent; Armen Bacon, Senior Director to the Superintendent; Dr. Don Holder, Administrator of Curriculum and Instruction; Charlene Samuelian, Administrator of Special Education; Elizabeth Torres, Board Secretary .
- Visitors: Linda Hooton, Administrative Assistant, Business Services.
- AGENDA** Member Clyde moved to approve the agenda for January 26, 2005; seconded by Approved Member Thomas; motion carried.
- MOVED TO:**
- Discussion Between Superintendent Mehas stated that at the regularly scheduled board meeting on January County Board and Charter 20, 2005 the Board delayed the decision to approve or deny the Selma Learning Review Committee on the Academy (SLA) charter petition pending a final review of matters of concern . Items of Concern in the Superintendent Mehas also indicated that the purpose of the special meeting was to Selma Learning Academy ask the Charter Review Committee (CRC) further questions in order to clarify all Charter Petition items of concern in the SLA charter petition. He further clarified that when a Board approves a charter under certain conditions, approval of the charter must come before a memorandum of understanding (MOU).
- Deputy Superintendent Pietro asked that the Board make known and explain their concerns with the SLA charter petition. He explained that as each member of the CRC crafts his/her section of the MOU, each will make sure that the MOU reflects the concerns of the Board. He further explained that upon approval of the MOU the CRC will submit it to SLA. SLA will be given an opportunity to review the MOU prior to the next board meeting on February 17, 2005.
- Superintendent Mehas stated that it is incumbent upon the Fresno County Office of Education (FCOE) that the Board's concerns be represented in the MOU. FCOE wants to make sure that due diligence is followed.
- President Eubanks stated that he did not want to make any financial commitments that would jeopardize the finances of the County Office.
- Member Clyde asked how much control the board has over curriculum and program. He also asked if SLA would be using another charter's curriculum, and if so, does it follow the mandates of the State of California.
- Deputy Superintendent Collins responded by stating that charter schools are not under State mandates to use State adopted texts or curriculum. However, they are under Federal and State guidelines of Adequate Yearly Progress (AYP) & Academic Performance Index (API).
- Dr. Don Holder stated that the risk a charter runs in not following the State mandates

is not meeting the Federal mandates. They run the risk of not making AYP & API.

Superintendent Mehas compared the differences between the Edison Bethune charter and SLA stating that Fresno Unified School District bares the responsibility of overseeing Edison Bethune programmatically. In the event that the County Board approves SLA, the County Board would oversee SLA programmatically.

Dr. Don Holder distributed materials which included his recommendations for an MOU with SLA and a US Department of Education's Non-Regulatory Guidance for charter schools. He elaborated on how the requirements of No Child Left Behind (NCLB) impact charter schools. He also discussed the ramifications of recently adopted legislation AB 1137, and cautioned the Board to avoid sanctions due to a charter not meeting their AYP.

Jan Biggs stated that the County Office has been given a broad band of authority to revoke a charter. He further stated that a charter could be rescinded at any point that the County Office discovers that the Charter is not complying with the agreement.

President Eubanks asked who would be responsible to monitor the charter.

Dr. Pietro responded by stating SLA plans to use the SAC System, and that he would personally do the monitoring.

Superintendent Mehas explained that in anticipation of a consistent increase in the number of charter schools, it is important for the County Office to create a template that can be used to go through the process of approving or denying a charter. In addition, it important to get staff committed to provide oversight.

The Board discussed their concern with independent study and unanimously agreed to have their concern reflected in the MOU. They Board discussed and agreed that the MOU should state approval of the charter for a 3-Year term.

Member Thomas expressed concern regarding who would be responsible to do the assessments in addressing 504 issues. She also stated that it would be incumbent upon SLA to absorb the cost of any encroachments.

Charlene Samuelian, Administrator of Special Education, presented several scenarios that would generate encroachments. She further stated that the CRC would review the language of the MOU making sure it addressed the Board's concerns.

Member Thomas asked if FCOE could charge SLA a fee for oversight.

Dr. Pietro responded by stating that FCOE can charge a maximum of 1% of SLA's annual revenue to cover actual costs.

Dr. Pietro presented the process by which the MOU would be created. The members of the CRC will each craft their sections making sure it included the concerns of the board. It will then be given to Jan Biggs for review. The recommendation will then be given to the Board. With the Board's approval, the MOU it will be given to SLA.

Charlene Samuelian raised concern regarding of who would provide the funds and staffing for continuum of service. She further explained the role of FCOE and the channeling of funds received for services.

Superintendent Mehas and the Board agreed that the MOU should serve to protect

FCOE fiscally and programmatically.

Dr. Pietro asked that all CRC members provide his assistant, Linda Hooton, with their section of the MOU by Monday, January 31, 2005. The CRC will meet in Dr. Pietro's office to finalize the MOU on Wednesday, February 2, 2005. The CRC will then meet with SLA on Wednesday, February 9, 2005.

ADJOURNMENT

There being no further business, the meeting was adjourned at 4:10 p.m.

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