



Special Board Meeting Agenda

January 25, 2018

6:45 p.m.

Encore Education Corporation
Phone: (760) 949-2036
Fax (760) 956-3338
www.encorehighschool.com

Sites:
16955 Lemon Street, Hesperia, CA 92345
3800 Main Street, 3rd Floor, Riverside, CA 92501

Meeting Site Location:
16955 Lemon Street, Hesperia, CA 92345
3800 Main Street, 3rd Floor, Riverside, CA 92501

Board Members:

Lenny Esposito, Board President
Suzanne Cherry, Vice President
Kelly Ahmed, Board Secretary/Treasurer
Kathy Nielsen, Member
Rob Gabler, Member

The Order of Business may be changed without notice: Notice is hereby given that the order of consideration of matters on this agenda may be changed without prior notice.

Reasonable Limitations May be placed on public testimony: The Governing Board's presiding officer reserves the right to impose reasonable time limits on public testimony to ensure that the agenda is completed.

Special Presentation may be made: Notice is hereby given that, consistent with the requirements of the Bagley-Keene Open Meeting Act, special presentations not mentioned in the agenda may be made at this meeting. However, any such presentation will be for information only.

Reasonable Accommodation for any individual with a Disability: Pursuant to the Rehabilitation Act of 1973, any individual with a disability who requires reasonable accommodation to attend or to participate in this meeting of the Governing board may request assistance by contacting the EEC (760) 949-2036.

Public Documents relating to Open Session Agenda items are available for review by the public at the Reception Desk at Encore Education Corporation's Executive office or on the internet at www.encorehighschool.com. For more information concerning this agenda, please contact EEC (760) 949-2036.

1.0 CALL TO ORDER. The meeting was called to order at _____ (time).

2.0 PLEDGE OF ALLEGIANCE

3.0 OPEN GENERAL SESSION

ROLL CALL	Present	Absent
Lenny Esposito	_____	_____
Kelly Ahmed	_____	_____
Suzanne Cherry	_____	_____
Kathy Nielsen	_____	_____
Rob Gabler	_____	_____

4.0 APPROVAL OF THE AGENDA

MOTION: _____ **Second:** _____ **Vote:** _____

ROLL CALL	AYE	NAY	ABSTENTION	ABSENT
Lenny Esposito	_____	_____	_____	_____
Kelly Ahmed	_____	_____	_____	_____
Suzanne Cherry	_____	_____	_____	_____
Kathy Nielsen	_____	_____	_____	_____
Rob Gabler	_____	_____	_____	_____

5.0 INVITATION TO ADDRESS THE BOARD, OPEN SESSION ITEMS. This is the time and place for the general public to address the Board of Directors on any matter within jurisdiction of the Board. Comments should be limited to 3 minutes. Unless an item has been placed on the published agenda in accordance with the Brown Act, there shall be no action taken, nor should there be comments on, responses to, or discussion of a topic not on the agenda. The Board members may: (1) acknowledge receipt of information/report; (2) refer to staff with no direction as to action or priority; or (3) refer the matter to the next agenda.

6.0 CONSENT ITEMS. It is recommended that the board considers approving a number of agenda items as a consent list. These items are routine in nature and can be enacted in one motion without further discussion. Consent items may be called up by any member at the meeting for clarification, discussion, or change.

- **No Items for consent**

7.0 ACTION ITEMS.

7.1 Vote for Approval – Encore Education Corporation 2018 Action Plan. (Exhibit 7.1)

MOTION: _____	Second: _____	Vote: _____		
ROLL CALL	AYE	NAY	ABSTENTION	ABSENT
Lenny Esposito	_____	_____	_____	_____
Kelly Ahmed	_____	_____	_____	_____
Suzanne Cherry	_____	_____	_____	_____
Kathy Nielsen	_____	_____	_____	_____
Rob Gabler	_____	_____	_____	_____

8.0 ADJOURN TO CLOSED SESSION. Pursuant to Government code section 54957, the Board may adjourn to closed session at any time during the meeting to discuss staff/student personnel matters, negotiations, litigation, and/or acquisition of land or facilities. The board will adjourn to closed session in a private area for discussion and may take action on the following closed session items.

A. Student Discipline appeals. Due to the confidential nature of discipline appeals, all student discipline appeals take place in closed session.

- **No planned student discipline appeals are up for discussion in this meeting.**

B. Pending Litigation. Due to the confidential nature of any litigation that may come against the corporation, issues relating specifically to pending legal issues are orders of closed session.

- **Board will discuss exposure to litigation from the inquiries from RUSD and HUSD.**
- **Board will discuss exposure to litigation from employee in Riverside.**

C. Real Estate Negotiation. In the intent of fair and legal bargaining power, issues related to real estate negotiations are discussed in closed session.

- **No planned discussion in this meeting.**

D. Employee Actions. Any actions that may take place in regards to employees including disciplinary and corrective actions are discussed within closed session.

- **No planned discussion in this meeting.**

9.0 RECONVENE AFTER CLOSED SESSION. The meeting reopened at _____ (time).

At the conclusion of closed session, the Board will reconvene in open session for the purposes of disclosing in public session any actions taken during closed session regarding the outlined scope of closed session.

Next scheduled Regular board Meeting: February 5, 2018

ADJOURNMENT

MOTION: _____ **Second:** _____ **Vote:** _____

ROLL CALL	AYE	NAY	ABSTENTION	ABSENT
Lenny Esposito	___	___	___	___
Kelly Ahmed	___	___	___	___
Suzanne Cherry	___	___	___	___
Kathy Nielsen	___	___	___	___
Rob Gabler	___	___	___	___

The meeting adjourned at _____ (time).



Exhibit
7.1

January 25, 2018

Encore Education Corporation
Phone: (760) 949-2036
Fax (760) 956-3338
www.encorehighschool.com

Sites:
16955 Lemon Street, Hesperia, CA 92345
3800 Main Street, 3rd Floor, Riverside, CA 92501

Meeting Site Location:
16955 Lemon Street, Hesperia, CA 92345
3800 Main Street, 3rd Floor, Riverside, CA 92501

Board Members:
Lenny Esposito, Board President
Suzanne Cherry, Board Vice
President
Kelly Ahmed, Board
Secretary/Treasurer
Kathy Nielsen, Board Member
Rob Gabler, Board Member

INFO:

Encore Education Corporation 2018 Action Plan

Encore Education Corporation 2018 Action Plan

Encore is submitting for Encore Board of Directors' approval, an action plan based on an internal investigation as a result of anonymous complaints submitted to a variety of District, County, and State agencies. The executive team recommends approval of this Action Plan.

Background:

As a result of the reorganization of multiple positions within the organization and the removal of the entire Executive Director department (about 38 positions in total were discontinued), Encore had a string of complaints submitted to a variety of agencies with requests for investigations. These complaints included complaints to both Hesperia Unified School District and Riverside Unified School District.

Encore's internal investigation was conducted by the executive team spanning from October through January. There were several hundred documents reviewed and given to agencies at their request. Encore has fully responded to and actively helped agencies complete their investigations while conducting their own internal investigation.

Findings:

At the conclusion of the investigation, there were no findings of intentional misconduct. There were extensive mistakes that were found that will require an action plan to improve Encore as an overall program and organization. There are several policies and procedures that need to be updated and implemented to make sure that Encore can improve transparency to agencies that might receive requests and complaints.

The Action Plan:

1. STAFFING & HUMAN RESOURCES -

a. Department of Justice Livescan Background Checks – To close the gap of exposure created by the computer glitch in the human resources department, Encore will:

- i. After investigating the computer glitch and at the recommendation of the DOJ, Encore will redo all Livescans for employees and volunteers as outlined so a printout can be made and stored in a separate secure file. (Prior training had advised not to make a printout of the Livescan results for confidentiality.)
- ii. Encore's on site human resources manager will create a separate secure file of all employees' and appropriate volunteer Livescan results.
- iii. Encore has already completed the Livescan printout results for all employees and volunteers from July of 2017 to present.
- iv. By February 20, 2018 – Encore will have all remaining employees during the time of the computer (June 2015 through June 2017) glitch resubmit for a DOJ Livescan at the expense of Encore Education Corporation. This process has already started.
- v. By June 1, 2018 – All other Encore employees will resubmit for a DOJ Livescan at the expense of Encore Education Corporation.
- vi. Encore will report to the Encore Board of Directors upon completion of each phase of this implementation. This report will be forwarded to both RUSD and HUSD.

- b. **Hiring process – Effective February 1, 2018** – Any candidate employee, regardless of position, that has a conflict of interest with any Chief Officer will interview with a Board member and have the Board vote to hire the candidate. This will not be necessary if the person is already employed by Encore prior to February 1, 2018 OR they become a conflict of interest after they are hired. All relationships will be disclosed as required by Board policy. Prior to the Board member interview, the candidate will have to undergo the same hiring processes as every other candidate employee and be chosen for a final interview.
- c. **STRS, PERS, and 403b payments and reporting** – Encore will add proof of contributions made to STRS, PERS, and 403b in the monthly financial reports given to RUSD, HUSD, and to the Encore Board of Directors.
- d. **Payroll** – Due to the change in statute effective March 2017 (and as a result of mediation), all non exempt employees have been switched to bimonthly payroll effective November 2017. Prior to the end of the current fiscal year, Encore will move all exempt employees to bimonthly payroll as well.
- e. **Human Resources Training** – Beginning June 1, 2018 – Encore Education Corporation will send the on site human resources manager to a minimum of 20 hours of professional human resources training each school year to make sure that Encore stays in compliance. Completion of this training will be shared with stakeholders as an information item in the Board of Director’s meeting.
- f. **Staff Training** –
 - i. Encore will hold organization wide trainings on the complaint process with the updated forms prior to March 1, 2018.
 - ii. Encore will re-establish the annual requirement for all staff members to attend at least one board meeting and one interest meeting each school year. Hourly employees will be paid to attend these meetings
 - iii. Encore will hold an annual staff summit with the staff liaison giving staff members an opportunity to complete a satisfactions survey and be able to talk openly without administration or executives. The liaison will report the results to the Chief Officers.
 - iv. Encore will hold annual sexual harassment training based on the new statute for all staff members including California state based management training.
- g. **Staff Accountability** – For any position that manages one or more staff members, the person in that position will be required to present to Encore’s Board of Directors once per year AND the Advisory Board for their campus once per year. Executive level managers will present at both Advisory Board meetings.
 - i. **Facilities Manager**
 - ii. **Risk Manager**
 - iii. **Department Chairs**
 - iv. **Master Teachers**
 - v. **Executive Support**
 - vi. **Executive Assistant Managers**
 - vii. **Executive Managers**
 - viii. **Kitchen Leads**

- ix. **Psychologist / SPED**
 - x. **Counseling**
 - xi. **College / Careers**
2. **Contracts & Agreements** – Encore will submit all current contracts and agreements to Encore counsel for review and update to stay in compliance. Encore will also build a timeline for when counsel should periodically review all contracts and agreements.
 3. **Textbooks & Resources** – Encore will add to the Board agenda annually prior to the eighth week of school, a report of full textbook and resources used on campus and availability thereof for Williams Act Compliance.
 4. **Facilities** – The Risk / Maintenance Manager already completes facilities reports. Beginning March 2018, this manager will submit a semester report of each campus and formally present updates and actions to the Board.
 5. **On Site Cash Handling** –
 - a. Encore will schedule a full retrain of cash handling procedures for everyone that touches cash prior to March 1, 2018 by financial advisor and based on GAAP.
 - b. Financial advisor will review current cash handling procedures and update according to GAAP.
 - c. Encore will establish a school credit card by December 2018 to minimize reimbursements
 - d. Effective February 1, 2018 – Executive chief officers will no longer submit reimbursements (CEO, COO, CMO)
 - i. Chief Officers will submit an expense report with supporting backup to the Board of Directors. This will be listed in consent items during the Board meeting
 - ii. The Board of Directors will approve all expense reports after review.
 - iii. After the Board of Directors have approved the expense report with supporting backup, Executive chief officers expenses will be approved for reimbursement.
 6. **Parent / Student Resources** –
 - a. Encore will include the updated complaint process that is in line with up to date complaint forms during the parent / student orientation.
 - b. Encore will include information on when the Board meetings happen and how attend a Board meeting during the parent / student orientation.
 - c. Encore will add an overview of what is offered for parents by going to the Encore web site during parent / student orientation.
 - d. ASB Directors on both campuses will be tasked to build a parent team on both campuses that can work to be more involved and build a hardship fund for students.
 - e. Dean of Students will host monthly meetings for parents that want to meet to discuss topics regarding their campus.
 - f. The web site will be updated to reflect any and all prescriptive recommendations and update per Encore's legal counsel, specifically including updated contracts, forms, agreements, and board policies.
 7. **Encore Education Corporation's Board of Directors Board Compliance – To make sure that Encore's Board of Directors is in full compliance, Encore will:**
 - a. Encore will submit all board policies, procedures, and forms to Encore's legal counsel for a complete audit, overhaul, and update.

- b. Encore will report prescriptive advice made by legal counsel to both HUSD and RUSD and will take action based on prescriptive advice from counsel with complete timelines for completions. Completions will be made no later than June 15, 2018.
- c. Beginning February 1, 2018 – Encore’s Dean of Students will advertise Board Meetings in the weekly All Call to parents and stakeholders.
- d. Encore, working directly with Encore’s legal counsel, will set up a full board training including Brown Act Compliance. Board training will be completed by:
 - i. All Board members
 - ii. All chief officers
 - iii. All Administrators
 - iv. All Executive Managers
 - v. Any other staff and or volunteers recommended by legal counsel to attend
- e. Encore will create an Advisory Board for each separate campus that will meet quarterly with the help of Encore’s legal counsel.
 - i. This board will have three to five members.
 - ii. At least one member of the board will be an active parent from the respective campus.
 - iii. The Advisory Board will review fiscal, operational, and procedural issues that are campus specific.
- f. BOARD CALENDAR – The Executive Board of Directors, under the advice of legal counsel, will create an annual Board calendar of when certain reports will be brought to the Board.
 - i. By the March 2018 Board meeting, Encore will submit an Agenda template that will include anything that will be reported at every Board of Directors meeting. Examples of this include, but are not limited to:
 - 1. Consent Items (Define what a consent item is)
 - 2. Fiscal Reports
 - 3. Legal Briefs
 - 4. Chief Officer Reports
 - 5. Dean of Student Reports
 - 6. Dean of Academics Reports
 - ii. By the May 2018 Board meeting, Encore will submit a board calendar that will include in which month each of the following actions will take place so all necessary annual actions are brought to the board accordingly.
 - 1. 700 forms (annual)
 - 2. 1090 (annual)
 - 3. Brown Act Training (annual)
 - 4. Textbook Adoptions (annual)
 - 5. Williams Act Report (each campus annually)
 - 6. Budgets (three times annually)
 - 7. Salary Schedules
 - 8. Data Reporting / Disaggregation
 - 9. Sexual Harassment Training
 - 10. LCAP

11. SARC
12. Audit
13. Credential Audit
14. Organization Chart
15. Attendance Reports (three times annually)
16. School Division Reports (twice annually)
 - a. Risk Manager
 - b. Facilities Manager
 - c. Transportation / Cafeteria Manager
 - d. Department Chairs
 - e. Master Teachers
 - f. Creative Director of Arts
 - g. Creative Director of Academics
 - h. School Psychologist
 - i. SPED Department
 - j. Counseling
 - k. Kitchen Manager
 - l. Health Technician

Encore Education Corporation will report completion of each item on this action plan to the Board of Directors during a Board meeting.