



## Navigator Schools

### Board Meeting

---

#### Date and Time

Tuesday February 7, 2023 at 6:00 PM PST

---

This meeting will take place via teleconference pursuant to Executive Orders N-25-20 and N-29-20.

The Board of Directors and employees of Navigator Schools shall meet via Zoom. Members of the public who wish to access this board meeting may do so online at <https://zoom.us/join> or via telephone by calling [\(669\) 900-6833](tel:6699006833) or [\(646\) 876-9923](tel:6468769923). The meeting ID is: **973 0501 9587**. The meeting passcode is: **325302**.

Members of the public attending online who wish to comment during the board meeting will use the online “raise hand” tool in Zoom when the chairperson elicits public comments. Members of the public planning to attend by phone are requested to confirm their intent to comment up to one hour prior to the meeting via [e-mail](#).

Individual comments will be limited to three minutes. If an interpreter is needed, comments will be translated into English and the time limit shall be six minutes. At its discretion, the board may limit the total time allotted to public comments and set new time limits for individual comments. The board reserves the right to mute and remove a participant from the meeting if the participant unreasonably disrupts the meeting.

Requests for disability-related modifications or accommodations to participate in this public meeting should be submitted forty-eight hours prior to the meeting via [e-mail](#). All efforts will be made for reasonable accommodations. The agenda and public documents will be modified upon request as required by Section 202 of the Americans with Disabilities Act.

Esta reunión se celebrará por teleconferencia de conformidad con las Órdenes Ejecutivas N-25-20 y N-29-20.

El Consejo de Administración y los empleados de Navigator Schools se reunirán a través de Zoom. Los miembros del público que deseen acceder a esta reunión del consejo pueden hacerlo en línea en

<https://zoom.us/join> o por teléfono llamando al (669) 900-6833 o al (646) 876-9923. El número de identificación de la reunión es: **973 0501 9587**. El código de acceso a la reunión es: **325302**.

Los miembros del público que asistan por Internet y deseen hacer comentarios durante la reunión de la junta directiva utilizarán la herramienta "levantar la mano" en Zoom cuando el presidente solicite los comentarios del público. Los miembros del público que tengan previsto asistir por teléfono deberán confirmar su intención de hacer comentarios una hora antes de la reunión por correo electrónico.

Los comentarios individuales se limitarán a tres minutos. Si se necesita un intérprete, los comentarios se traducirán al inglés y el límite de tiempo será de seis minutos. A su discreción, la mesa directiva puede limitar el tiempo total asignado a los comentarios del público y establecer nuevos límites de tiempo para los comentarios individuales. La mesa directiva se reserva el derecho de silenciar y expulsar a un participante de la reunión si éste interrumpe injustificadamente la reunión.

Las solicitudes de modificaciones o adaptaciones relacionadas con una discapacidad para participar en esta reunión pública deberán presentarse cuarenta y ocho horas antes de la reunión por correo electrónico. Se hará todo lo posible por realizar adaptaciones razonables. El orden del día y los documentos públicos se modificarán si se solicita, tal y como exige el artículo 202 de la Ley de Estadounidenses con Discapacidades.

## Agenda

	Purpose	Presenter	Time
<b>I. Opening Items</b>			<b>6:00 PM</b>
Opening Items			
<b>A.</b> Record Attendance and Guests		Board Chair	1 m
The chairperson will direct S. Martin to confirm attendance via roll call.			
<b>B.</b> Call the Meeting to Order		Board Chair	1 m
<b>C.</b> Public Comments		Board Chair	1 m
The board will receive public comments regarding non-agenda items, if any, following expectations and time limits reviewed by the chairperson.			
<b>D.</b> Board Chair's Opening Remarks		Board Chair	5 m
The chairperson will provide introductory remarks.			
<b>E.</b> Approve Minutes from Previous Meeting	Approve Minutes	Board Chair	1 m

	Purpose	Presenter	Time
Members will vote on the approval of minutes from the board meeting held on January 10, 2023.			
Approve minutes for Board Meeting on January 10, 2023			
<b>F.</b>	Resolution Renewing the Authorization to Continue Virtual Meetings	Vote	Board Chair
	Members will vote on the approval of Board Resolution 2023-__: Resolution Recognizing a State of Emergency and Re-Authorizing Teleconferenced Meetings Pursuant to AB 361.		4 m
<b>G.</b>	CEO Report	Kevin Sved	5 m
	K. Sved will provide an update on recent organizational activities.		
<b>II.</b>	<b>Committee Reports</b>		<b>6:18 PM</b>
<b>A.</b>	Academic Success Committee Report	FYI	Claire Grissom
	C. Grissom will provide an update on recent activities of the Academic Success Committee.		5 m
<b>B.</b>	CEO Search Committee Report	FYI	Board Chair
	J. Flaherty will provide an update on recent CEO Search Committee activities.		10 m
<b>C.</b>	Finance Committee Report	FYI	Victor Paredes-Colonia
	V. Paredes-Colonia will provide an update on recent activities of the Finance Committee, including a review of updated financials.		5 m
<b>D.</b>	Governance Committee Report	Vote	Board Chair
	J. Flaherty will provide an update on recent activities of the Governance Committee, the status of board member terms, and the re-election of board members to new terms.		5 m
<b>III.</b>	<b>Topical Items</b>		<b>6:43 PM</b>
<b>A.</b>	Board Member Election	Vote	John Flaherty
	The board will vote on the approval of Resolution 2023-13: Re-Election of Chuck Daggs, Claire Grissom, and Victor Paredes-Colonia to the Navigator Schools Board.		2 m

	Purpose	Presenter	Time
<b>B.</b> Vehicle Purchase Approval	Vote	Ami Ortiz	5 m
A. Ortiz will share information pertaining to the proposed purchase of a vehicle for the Operations Department of Navigator Schools. The board will vote on the approval of the vehicle purchase.			
<b>C.</b> School Accountability Report Card (SARC) Approval	Vote	Ami Ortiz	5 m
A. Ortiz will present SARC information for Gilroy Prep School, Hayward Collegiate, Hollister Prep School, and Watsonville Prep School. As required by law, the board will vote on the approval of the SARC documents.			
<b>D.</b> Hayward Collegiate Material Revision	Discuss	Neena Goswamy	15 m
N. Goswamy will lead a presentation focusing on the material revision of the charter for Hayward Collegiate as required by the Alameda County Board of Education.			
<b>E.</b> Hayward Collegiate Preliminary Proposition 39 Offer	Discuss	Kevin Sved	15 m
K. Sved will review the Proposition 39 offer submitted to Hayward Collegiate by Hayward Unified School District.			
<b>F.</b> Extended Learning Opportunity Program Update	FYI	Kirsten Carr	12 m
K. Carr will lead an update on the Extended Learning Opportunity Program (ELOP).			
<b>G.</b> Facilities Update	FYI	Kevin Sved	15 m
K. Sved will deliver a report on facilities for Navigator Schools.			
<b>IV. Closed Session</b>			<b>7:52 PM</b>
<b>A.</b> Announcement and Vote to Enter Closed Session	Vote	Board Chair	1 m
<ol style="list-style-type: none"> <li>1. The chairperson will announce the reason for the closed session: Conference with Legal Counsel - Anticipated Litigation Gov't Code 54956.9(b), Significant Exposure to Litigation (One Case).</li> <li>2. The board will vote on the approval to enter closed session via roll call.</li> </ol>			
<b>B.</b> Closed Session	Discuss	Board Chair	15 m
The board will meet in closed session.			

	Purpose	Presenter	Time
<b>C.</b> Announcement of Action Taken During Closed Session	FYI	Board Chair	1 m

Upon returning to open session, the chairperson will announce action taken during closed session, if any.

**V. Closing Items** **8:09 PM**

<b>A.</b> Adjourn Meeting	Vote	Board Chair	1 m
---------------------------	------	-------------	-----

Board members will vote on adjournment of the meeting. Votes will be recorded via roll call.

# Coversheet

## Approve Minutes from Previous Meeting

<b>Section:</b>	I. Opening Items
<b>Item:</b>	E. Approve Minutes from Previous Meeting
<b>Purpose:</b>	Approve Minutes
<b>Submitted by:</b>	
<b>Related Material:</b>	Minutes for Board Meeting on January 10, 2023

**APPROVED**

## Navigator Schools

### Minutes

#### Board Meeting

---

##### Date and Time

Tuesday January 10, 2023 at 4:30 PM

---

This meeting will take place via teleconference pursuant to Executive Orders N-25-20 and N-29-20.

The Board of Directors and employees of Navigator Schools shall meet via Zoom. Members of the public who wish to access this board meeting may do so online at <https://zoom.us/join> or via telephone by calling [\(669\) 900-6833](tel:6699006833) or [\(646\) 876-9923](tel:6468769923). The meeting ID is: **988 0704 9837**. The meeting passcode is: **955356**.

Members of the public attending online who wish to comment during the board meeting will use the online “raise hand” tool in Zoom when the chairperson elicits public comments. Members of the public planning to attend by phone are requested to confirm their intent to comment up to one hour prior to the meeting via [e-mail](#).

Individual comments will be limited to three minutes. If an interpreter is needed, comments will be translated into English and the time limit shall be six minutes. At its discretion, the board may limit the total time allotted to public comments and set new time limits for individual comments. The board reserves the right to mute and remove a participant from the meeting if the participant unreasonably disrupts the meeting.

Requests for disability-related modifications or accommodations to participate in this public meeting should be submitted forty-eight hours prior to the meeting via [e-mail](#). All efforts will be made for reasonable accommodations. The agenda and public documents will be modified upon request as required by Section 202 of the Americans with Disabilities Act.

---

Esta reunión se celebrará por teleconferencia de conformidad con las Órdenes Ejecutivas N-25-20 y N-29-20.

El Consejo de Administración y los empleados de Navigator Schools se reunirán a través de Zoom. Los miembros del público que deseen acceder a esta reunión del consejo pueden hacerlo en línea en <https://zoom.us/join> o por teléfono llamando al (669) 900-6833 o al (646) 876-9923. El número de identificación de la reunión es: **988 0704 9837**. El código de acceso a la reunión es: **955356**.

Los miembros del público que asistan por Internet y deseen hacer comentarios durante la reunión de la junta directiva utilizarán la herramienta "levantar la mano" en Zoom cuando el presidente solicite los comentarios del público. Los miembros del público que tengan previsto asistir por teléfono deberán confirmar su intención de hacer comentarios una hora antes de la reunión por [correo electrónico](#).

Los comentarios individuales se limitarán a tres minutos. Si se necesita un intérprete, los comentarios se traducirán al inglés y el límite de tiempo será de seis minutos. A su discreción, la mesa directiva puede limitar el tiempo total asignado a los comentarios del público y establecer nuevos límites de tiempo para los comentarios individuales. La mesa directiva se reserva el derecho de silenciar y expulsar a un participante de la reunión si éste interrumpe injustificadamente la reunión.

Las solicitudes de modificaciones o adaptaciones relacionadas con una discapacidad para participar en esta reunión pública deberán presentarse cuarenta y ocho horas antes de la reunión por [correo electrónico](#). Se hará todo lo posible por realizar adaptaciones razonables. El orden del día y los documentos públicos se modificarán si se solicita, tal y como exige el artículo 202 de la Ley de Estadounidenses con Discapacidades.

---

#### **Directors Present**

Alfred Morikang (remote), Chuck Daggs (remote), Claire Grissom (remote), Ian Connell (remote), JP Anderson (remote), Jaime Quiroga (remote), John Flaherty (remote), Shara Hegde (remote), Victor Paredes-Colonia (remote)

#### **Directors Absent**

*None*

#### **Guests Present**

Sean Martin (remote)

---

### **I. Opening Items**

#### **A.**



## Record Attendance and Guests

List of attending board members by full name: Chuck Daggs, Claire Grissom, Ian Connell, JP Anderson, Jaime Quiroga, John Flaherty, Shara Hegde, Victor Paredes-Colonia

### B. Call the Meeting to Order

John Flaherty called a meeting of the board of directors of Navigator Schools to order on Tuesday Jan 10, 2023 at 4:25 PM.

The board chair welcomed attendees. The degree to which recent severe weather impacted school facilities and operations was discussed.

### C. Public Comments

There were no public comments.

### D. Board Chair's Opening Remarks

### E. Approve Minutes from Previous Meeting

Ian Connell made a motion to approve the minutes from Board Meeting on 12-13-22.

JP Anderson seconded the motion.

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

#### Roll Call

Alfred Morikang	Aye
Chuck Daggs	Aye
JP Anderson	Aye
Ian Connell	Aye
Shara Hegde	Abstain
Victor Paredes-Colonia	Aye
Jaime Quiroga	Aye
Claire Grissom	Aye
John Flaherty	Aye

## II. Topical Items

### A. Resolution Renewing the Authorization to Continue Virtual Meetings

Chuck Daggs made a motion to approve the resolution.

Ian Connell seconded the motion.

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

#### Roll Call

John Flaherty	Aye
Chuck Daggs	Aye
Shara Hegde	Aye
Ian Connell	Aye
Jaime Quiroga	Aye

#### Roll Call

Alfred Morikang	Aye
Claire Grissom	Aye
JP Anderson	Aye
Victor Paredes-Colonia	Aye

### B. Watsonville Family YMCA MOU

John Flaherty made a motion to approve the MOU.

Shara Hegde seconded the motion.

K Carr shared alignments and differences between YMCA services and those provided by Boys and Girls Club, the high level of familiarity WPS has with YMCA services, implementation timelines, and next steps. Board members asked clarifying questions regarding funding, student participation, alignment to interventions, and program leadership.

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

#### Roll Call

Jaime Quiroga	Aye
Alfred Morikang	Aye
Ian Connell	Aye
Victor Paredes-Colonia	Aye
Chuck Daggs	Aye
John Flaherty	Aye
Claire Grissom	Aye
Shara Hegde	Aye
JP Anderson	Aye

## III. Closing Items

### A. Adjourn Meeting

Chuck Daggs made a motion to adjourn.

Jaime Quiroga seconded the motion.

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

#### Roll Call

Shara Hegde	Aye
Claire Grissom	Aye
John Flaherty	Aye
Victor Paredes-Colonia	Aye
Ian Connell	Aye
Chuck Daggs	Aye
JP Anderson	Aye
Alfred Morikang	Aye
Jaime Quiroga	Aye

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 4:41 PM.

Respectfully Submitted,  
Sean Martin

# Coversheet

## Resolution Renewing the Authorization to Continue Virtual Meetings

<b>Section:</b>	I. Opening Items
<b>Item:</b>	F. Resolution Renewing the Authorization to Continue Virtual Meetings
<b>Purpose:</b>	Vote
<b>Submitted by:</b>	
<b>Related Material:</b>	BR 2023_12 AB361 Renew.pdf

## **BOARD RESOLUTION 2023-12**

*February 7, 2023*

### **RESOLUTION RECOGNIZING A STATE OF EMERGENCY AND RE-AUTHORIZING TELECONFERENCED MEETINGS PURSUANT TO AB 361**

The Navigator Schools Board of Directors met at its regularly scheduled board meeting on January 10, 2023, established a quorum, and considered the issues and matters as set forth below and in the associated resolution as follows.

**WHEREAS**, on March 4, 2020, the Governor issued a Proclamation of State of Emergency in response to the COVID-19 pandemic and in accordance with Government Code section 8625;

**WHEREAS**, on March 17, 2020, the Governor issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the Brown Act (Government Code section 54950 et seq.), provided certain requirements were met and followed, thus enabling legislative bodies to meet remotely;

**WHEREAS**, on June 11, 2021, the Governor issued Executive Order N-08-21 that provided that the teleconferencing rules would remain suspended through September 30, 2021;

**WHEREAS**, on September 16, 2021, the Governor signed AB 361 authorizing a legislative body subject to the Brown Act to continue to meet remotely using teleconference without compliance with the Brown Act teleconference rules if certain conditions are followed including (1) initially the existence of a proclaimed state of emergency and (2) requirements or recommended measures from state or local officials to promote social distancing;

**WHEREAS**, on December 29, 2021, the Board of Directors of Navigator Schools met at its regularly scheduled board meeting and passed Resolution BR 2021-14 authorizing virtual board meetings pursuant to AB 361; and

**WHEREAS**, as of the date of this Resolution, the Proclamation of State of Emergency issued by the Governor on March 4, 2020, remains in place;

**WHEREAS**, Navigator Schools has an important interest in protecting the public health, safety, and welfare of those who participate in meetings of the various legislative bodies during COVID-19 and ensuring that all members of the public can participate safely in meetings of legislative bodies;

**NOW THEREFORE, BE IT RESOLVED**, that the recitals set forth above are true and correct and fully incorporated into this Resolution by reference.

**BE IT FURTHER RESOLVED**, that the Board of Directors of Navigator Schools considered the State of Emergency in the State of California at this special board meeting and finds that one continues to exist due to the COVID-19 pandemic.

**BE IT FURTHER RESOLVED**, that the Board of Directors of Navigator Schools considered the circumstances of the State of Emergency and finds that COVID-19 continues to pose an imminent threat to the health and safety of the community and directly impacts the ability of the members to meet safely in person.

**BE IT FURTHER RESOLVED**, the Board of Directors of Navigator Schools considered the continued use of teleconferencing for all meetings in accordance with Government Code section 54953(e) and all other applicable provisions of the Brown Act and hereby authorizes such use.

This resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** by the Board of Directors of Navigator Schools at its regular meeting held on February 7, 2023, via teleconference per COVID-19 regulations.

The Board Secretary of the Corporation certifies the resolution was adopted at the dated meeting of the Board of Directors.

---

**Signature of Board Secretary**

---

**Date**

Name: Ian Connell

Title: Board Secretary

Navigator Schools, a California Nonprofit Public Benefit Corporation

# Coversheet

## Academic Success Committee Report

<b>Section:</b>	II. Committee Reports
<b>Item:</b>	A. Academic Success Committee Report
<b>Purpose:</b>	FYI
<b>Submitted by:</b>	
<b>Related Material:</b>	2023_01_25_Academic_Success_Committee_Minutes.pdf

DRAFT



## Navigator Schools

### Minutes

#### Academic Success Committee

---

##### **Date and Time**

Wednesday January 25, 2023 at 3:30 PM

##### **Location**

Zoom

---

This meeting will be held in compliance with modified Brown Act requirements as outlined in Executive Order [N-25-20](#).

---

##### **Committee Members Present**

A. Morikang (remote), C. Grissom (remote), J. Anderson (remote)

##### **Committee Members Absent**

C. Daggs

##### **Guests Present**

C. Toriumi (remote), J. Dent (remote), Justin Steiner (remote), M. Alatorre Alnas (remote), S. Martin (remote)

---

#### **I. Opening Items**

##### **A. Call the Meeting to Order**

C. Grissom called a meeting of the Academic Success Committee of Navigator Schools to order on Wednesday Jan 25, 2023 at 3:32 PM.

##### **B. Record Attendance and Guests**

##### **C. Approve Minutes from Prior Meeting**

J. Anderson made a motion to approve the minutes from Academic Success Committee on 11-30-22.



C. Grissom seconded the motion.  
The committee **VOTED** unanimously to approve the motion.

**Roll Call**

C. Daggs Absent  
A. Morikang Abstain  
J. Anderson Aye  
C. Grissom Aye

## II. Academic Topics

### A. STAR Results Update

J. Dent provided background information on interim STAR assessments and highlighted key measures. He explained comparative measures and alignments to blended learning programs and student academic interventions. He shared scatterplots visualizing achievement and growth and reviewed site goals and achievement results in reading and math, Grades 3-8. He discussed the new math instructional model. Members asked clarifying questions.

### B. Intervention Update

M. Alatorre Alnas provided a comprehensive update on student interventions. She reviewed the selection process, timelines, monitoring, schedules, areas of focus, and program leadership by site. Members asked questions, provided insights, and shared suggestions.

### C. Model Providing Update

C. Toriumi introduced Justin Steiner, Middle School Innovation Coordinator. Staff described the recent award of a major grant focused on the delivery of professional development resources and services. C. Torimi provided additional details regarding future course offerings. J. Steiner shared a timeline of key deliverables and elicited feedback from committee members.

## III. Closing Items

### A. Confirm Next Meeting

The committee confirmed the date of its next meeting: March 22, 2023.

### B. Adjourn Meeting

J. Anderson made a motion to adjourn.  
C. Grissom seconded the motion.  
The committee **VOTED** unanimously to approve the motion.

**Roll Call**

A. Morikang Aye  
C. Daggs Absent  
C. Grissom Aye  
J. Anderson Aye

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 4:30 PM.

Respectfully Submitted,  
S. Martin

# Coversheet

## Finance Committee Report

<b>Section:</b>	II. Committee Reports
<b>Item:</b>	C. Finance Committee Report
<b>Purpose:</b>	FYI
<b>Submitted by:</b>	
<b>Related Material:</b>	December_31_2022_Financials.pdf 2023_01_27_Finance_Committee_Minutes.pdf



## 2022-23 Financial Narrative

### December 31, 2022

#### 2022-23 Net Income

	BOD Approved Budget Oct 25, 2022 Net Income	Projected June 30, 2023 Net Income
Charter Management Organization (CMO)	-228K	-164K
Gilroy Prep School (GPS)	467K	618K
Hollister Prep School (HPS)	600K	668K
Watsonville Prep School (WPS)	996K	999K
Hayward Collegiate	423K	619K
<b>Total</b>	<b>2.1M</b>	<b>2.5M</b>

- Charter Management Organization (CMO)
  - 64K favorable variance in salaries and benefits due to the CAO working .50 FTE as HC's Principal
- Gilroy Prep School
  - \$19,500 favorable variance in donations/grants coming in higher than what was budgeted primarily due to site-based fundraising \$119,139K favorable variance salaries and benefits due to open positions that have not been filled by midyear
- Hollister Prep School
  - \$10,000 favorable variance in donations/grants coming in higher than what was budgeted mostly due to fundraising at the site level (candy sales, cookie sales, science camp, etc)
  - \$46,348K favorable variance salaries and benefits due to open positions that have not been filled by midyear
- Watsonville Prep School
  - \$65k favorable variance in salaries and benefits due to open positions that have not been filled by midyear
  - \$170K unfavorable variance in LCFF funding due to 17 TK students under the age to qualify towards our ADA revenue



- Hayward Collegiate Charter
  - \$125K favorable variance in donations and grants due to receiving a grant that was not budgeted for
  - \$53K favorable variance in salaries and benefits due to 1 FTE transitioning to a site based position midyear

## Navigator Schools Balance Sheet

As of Date:

December 31, 2022

### NAVIGATOR

Year To Date

12/31/2022

Current Year Balance

### 407 MAIN ST LLC

Year To Date

12/31/2022

Current Year Balance

#### Assets

##### Current Assets

Cash and Cash Equivalents

4,912,558

295,060

Accounts Receivable, Net

2,110,003

-

Other Current Assets

40,722

-

Total Current Assets

7,063,283

295,060

##### Long-term Assets

Property &amp; Equipment

448,936

8,450,961

Other Long-term Assets

4,763

-

Total Long-term Assets

453,699

8,450,961

#### Total Assets

7,516,982

8,746,021

#### Liabilities and Net Assets

##### Liabilities

##### Short-term Liabilities

Accounts Payable

649,177

80,124

Other Short-term Liabilities

-441,204

1,377,265

Total Short-term Liabilities

207,973

1,457,389

##### Long Term Liabilities

Other Long-term Liabilities

390,209

9,552,300

Total Long Term Liabilities

390,209

9,552,300

Total Liabilities

598,181

11,009,689

Net Assets

6,918,801

-2,263,668

#### Total Liabilities and Net Assets

7,516,982

8,746,021

#### \*\*Loans Payable-Navigator Schools

Watsonville Prep School

\$159,420

CDE

Watsonville Prep School

\$230,789

PCSD

#### \*\* Loans Payable - 407 Main St

\$5,880,000

Civic Builders

\$1,545,758

LIIF

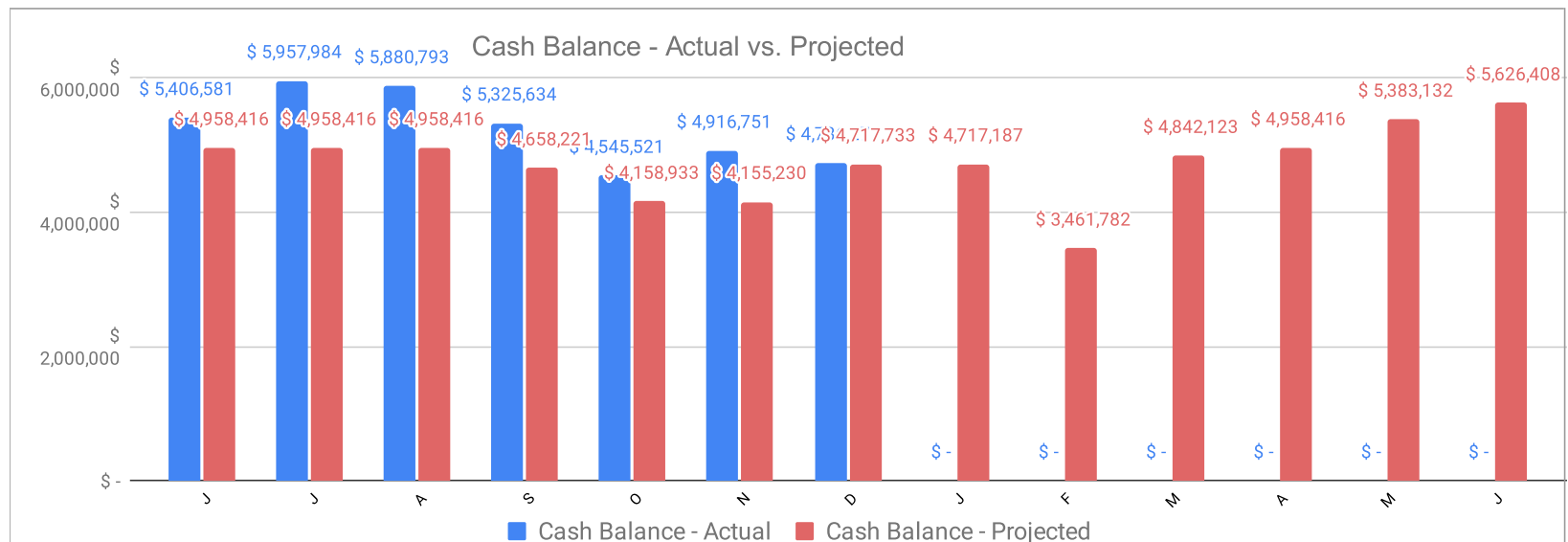
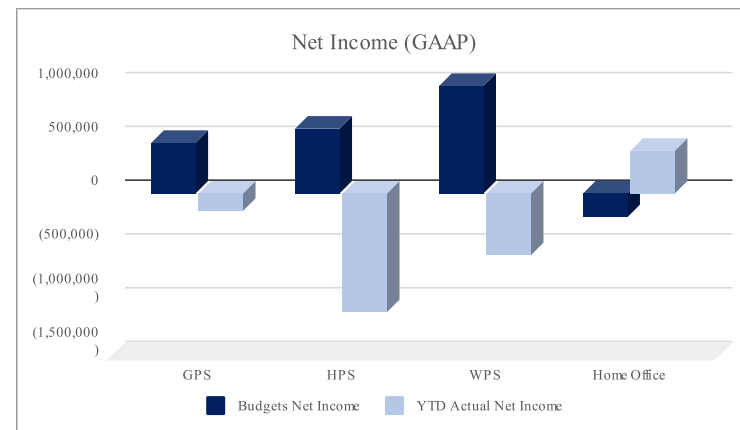
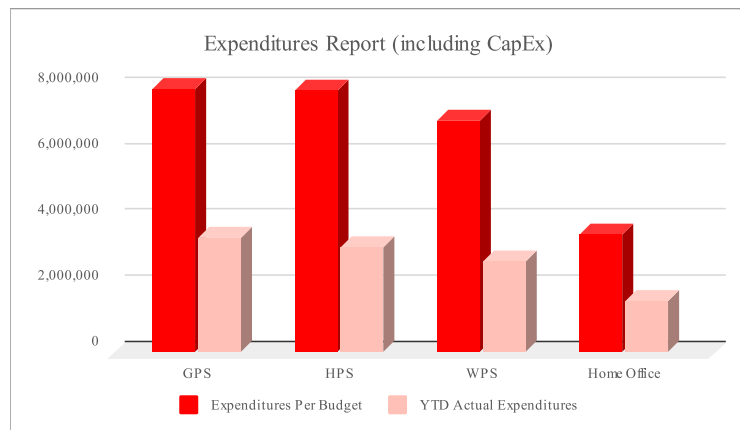
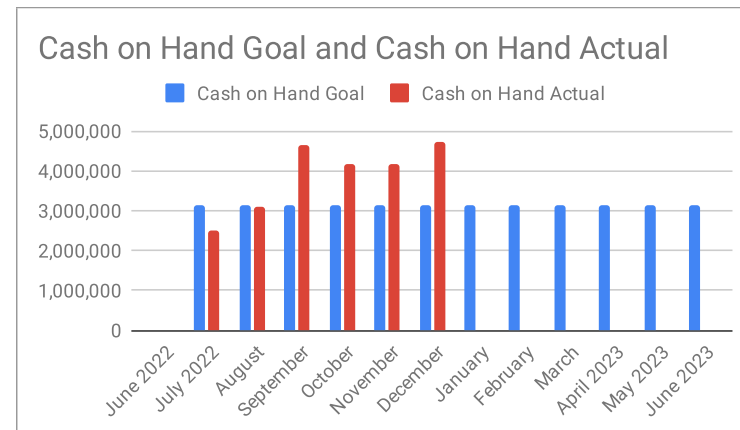
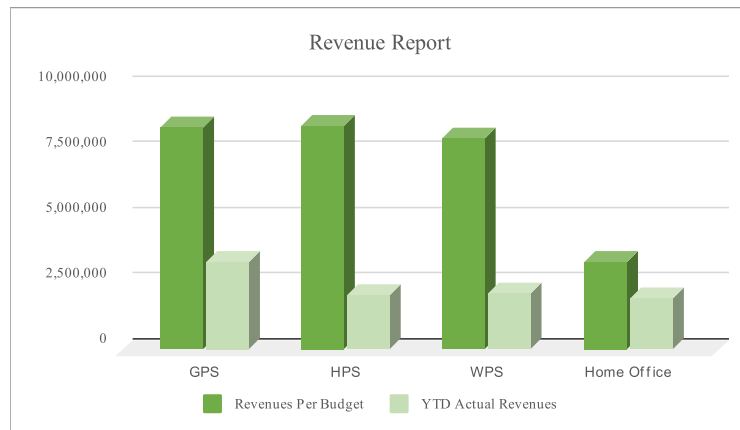
\$1,169,211

PCSD

#### \*\*Other Long Term Liability-407 Main St

\$957,330

Deferred Rent 407



Navigator Schools - Board Meeting - Agenda - Tuesday February 7, 2023 at 6:00 PM

[illegible]

## Navigator Schools - Financial Data

P-1

<u>Attendance and Enrollment Data</u>	<u>Total</u>	<u>GPS</u>	<u>HPS</u>	<u>WPS</u>	<u>HC</u>
2022-23 ADA - Approved Budget	1391.2	507.6	507.6	376	142.5
2022-23 ADA	1357.5	503.2	500.0	354.30	141
2022-23 ADA %- Approved Budget	85.6%	94%	94.0%	94%	95%
2022-23 ADA %	83.4%	93.18%	92.94%	88.80%	94.00%
2022-23 Enrollment - Approved Budget	1626.0	538.0	538.0	400	150
2022-23 Enrollment	1627.0	540.0	538.0	399	150

	<u>Actual</u>
Cash balance as of 12/31/22	4,912,558
Annual Expenditures (not including CMO Mgmt Fees)	26,456,229
Number of Months Cash on Hand	2.23



DRAFT



## Navigator Schools

### Minutes

#### Finance Committee

---

##### **Date and Time**

Friday January 27, 2023 at 3:00 PM

##### **Location**

Zoom

---

This meeting will be held in compliance with modified Brown Act requirements as outlined in Executive Order [N-25-20](#).

Individuals in need of a disability-related accommodation, modification, or auxiliary aid/service, should direct requests [via e-mail](#) to Sean Martin, Executive Assistant to the CEO.

Meeting ID: 936 0268 7591

Passcode: 961711

---

##### **Committee Members Present**

J. Anderson (remote), J. Quiroga (remote), V. Paredes-Colonia (remote)

##### **Committee Members Absent**

*None*

##### **Guests Present**

A. Ortiz (remote), K. Sved (remote), S. Martin (remote)

---

#### **I. Opening Items**

##### **A. Record Attendance and Guests**

##### **B. Call the Meeting to Order**

V. Paredes-Colonia called a meeting of the Finance Committee of Navigator Schools to order on Friday Jan 27, 2023 at 3:03 PM.

#### C. Committee Chair Update

The committee chair welcomed participants.

#### D. Public Comments

There were no public comments.

#### E. Approve Minutes from Previous Meeting

J. Quiroga made a motion to approve the minutes from Finance Committee on 10-20-22.

J. Anderson seconded the motion.

The committee **VOTED** unanimously to approve the motion.

##### Roll Call

J. Quiroga	Aye
J. Anderson	Aye
V. Paredes-Colonia	Aye

### II. Business and Finance

#### A. Financials as of December 31, 2022

A. Ortiz shared updated financials and explained positive and negative variances. Members posed questions and discussed Transitional Kindergarten (TK) funding, TK enrollment, loan repayments, cash on hand, and current lines of credit.

#### B. Facilities Updates and Proposed Next Steps

K. Sved reviewed background information and key issues relating to the Proposition 39 process, including enrollment, current and potential site plans, funding, timelines, and next steps. Members asked questions about the process and shared insights.

### III. Closing Items

#### A. Adjourn Meeting

J. Anderson made a motion to adjourn.

V. Paredes-Colonia seconded the motion.

The committee **VOTED** unanimously to approve the motion.

##### Roll Call

J. Anderson	Aye
V. Paredes-Colonia	Aye
J. Quiroga	Aye

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 3:57 PM.

Respectfully Submitted,  
S. Martin

# Coversheet

## Governance Committee Report

<b>Section:</b>	II. Committee Reports
<b>Item:</b>	D. Governance Committee Report
<b>Purpose:</b>	Vote
<b>Submitted by:</b>	
<b>Related Material:</b>	2023_01_27_Governance_Committee_Minutes.pdf

DRAFT



# Navigator Schools

## Minutes

### Governance Committee

---

#### **Date and Time**

Friday January 27, 2023 at 4:00 PM

#### **Location**

Zoom

---

This meeting will be held in compliance with modified Brown Act requirements as outlined in Executive Order [N-25-20](#).

Individuals in need of a disability-related accommodation, modification, or auxiliary aid/service, should direct requests [via e-mail](#) to Sean Martin, Executive Assistant to the CEO.

---

#### **Committee Members Present**

I. Connell (remote), J. Anderson (remote), J. Flaherty (remote)

#### **Committee Members Absent**

*None*

#### **Committee Members who arrived after the meeting opened**

I. Connell

#### **Guests Present**

K. Sved (remote), S. Martin (remote)

---

### **I. Opening Items**

#### **A. Record Attendance and Guests**

#### **B. Call the Meeting to Order**

J. Flaherty called a meeting of the Governance Committee of Navigator Schools to order on Friday Jan 27, 2023 at 4:03 PM.

#### C. Committee Chair Update

The committee chair welcomed attendees.

#### D. Public Comments

There were no public comments.

#### E. Approval of Minutes from Previous Committee Meeting

J. Anderson made a motion to approve the minutes from Governance Committee on 10-18-22.

J. Flaherty seconded the motion.

The committee **VOTED** unanimously to approve the motion.

##### Roll Call

J. Anderson Aye

I. Connell Aye

J. Flaherty Aye

I. Connell arrived at 4:06 PM.

### II. Topical Items

#### A. Hayward Collegiate Material Revision

K. Sved reviewed the origins of the required revision. From committee members, he elicited questions and requests for further information to be presented at the upcoming board meeting. Members asked questions and shared insights regarding preparation for the revision process.

#### B. Review of Board Member Terms

Members reviewed board terms and noted members whose terms were approaching expiration. The committee discussed related next steps for the board and the format of the election resolution for the upcoming board meeting.

### III. Closing Items

#### A. Adjourn Meeting

I. Connell made a motion to adjourn.

J. Flaherty seconded the motion.

The committee **VOTED** unanimously to approve the motion.

##### Roll Call

I. Connell Aye

J. Anderson Aye

J. Flaherty Aye

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 4:26 PM.

Respectfully Submitted,  
S. Martin

# Coversheet

## Board Member Election

<b>Section:</b>	III. Topical Items
<b>Item:</b>	A. Board Member Election
<b>Purpose:</b>	Vote
<b>Submitted by:</b>	
<b>Related Material:</b>	BR 2023_13 Board Member Re-Election.pdf

## BOARD RESOLUTION BR 2023-13

*February 7, 2023*

### RE-ELECTION OF CHUCK DAGGS, SHARA HEGDE, AND VICTOR PAREDES-COLONIA TO THE NAVIGATOR SCHOOLS BOARD OF DIRECTORS

A RESOLUTION OF THE BOARD OF DIRECTORS of Navigator Schools regarding a vote to approve the re-election of Chuck Daggs, Shara Hegde, and Victor Paredes-Colonia to the Board:

WHEREAS Navigator Schools will seek to ensure that Board members represent a broad area of expertise and a broad cross-section of the school communities and community-at-large, including financial expertise, community and educational leadership, real estate, law, educational pedagogy, public accountancy, business, and philanthropy,

WHEREAS each director shall hold office for two (2) years and until a successor director has been designated and qualified,

WHEREAS the Governance Committee will identify existing vacancies, or vacancies that are bound to arise due to expiring Board terms,

WHEREAS the full Board will vote to approve new members by majority vote,

RESOLVED, the Navigator Schools Board by majority vote approves the election of Chuck Daggs to the Navigator Schools Board for a second term, beginning April 19, 2023, and ending Friday, June 30, 2025,

RESOLVED, the Navigator Schools Board by majority vote approves the election of Shara Hegde to the Navigator Schools Board for a second term, beginning April 20, 2023, and ending Friday, June 30, 2025,

RESOLVED, the Navigator Schools Board by majority vote approves the election of Victor Paredes-Colonia to the Navigator Schools Board for a third term, beginning February 27, 2023, and ending Friday, June 30, 2025,

PASSED AND ADOPTED by the Board of Directors of Navigator Schools at its regular meeting on February 7, 2023, held remotely via Zoom due to the COVID-19 pandemic.

The Board Secretary of the Corporation certifies that this resolution was adopted at the dated meeting of the board of directors.

---

**Signature of Secretary**

---

**Date**

Ian Connell, Board Secretary  
Navigator Schools, a California Nonprofit Public Benefit Corporation

# Coversheet

## Vehicle Purchase Approval

<b>Section:</b>	III. Topical Items
<b>Item:</b>	B. Vehicle Purchase Approval
<b>Purpose:</b>	Vote
<b>Submitted by:</b>	
<b>Related Material:</b>	Truck Purchase Memo.pdf





Date: February 2, 2023  
 To: Board of Directors of Navigator Schools  
 From: Ami Ortiz  
 Subject: Ford F-150 Truck Purchase

## Background

On October 25, 2022 the Board approved the budget revision, which included a capital expenditure in the amount of \$60,000. The Operations team has been researching best options and getting estimates from different dealerships. The style of truck that will work best for the organization is in high demand and there are very few of them available. Twice, the team picked one out and by the time they ran it past the Director of Business and Finance, the dealership had sold it (within a day or two). We were able to secure a truck with a small deposit until we were able to take it to the Board.

The Operations team has detailed some of the features of the truck below:

- 4 door cab pickup
  - For multiple passengers when working on several sites during summer and breaks
  - Extended bed for the bigger items
  - Used to store tools and personal items without being exposed to public
  - Back seat folds up to have extra cab space
  - Work space in cab when commuting to sites
- PremiumCare 6 year/100,000 mile warranty premium coverage.
- Gas and Go Premium Maintenance Plan 6 year / 100,000 miles
  - all required factory recommended service will be taken care of. Just drop off vehicle
- Perimeter alarm for truck
- Under mount tie downs in the bed of truck
- Truck bed - Spray in bed liner to protect from damage
- The truck is set up for towing
- Back camera with hitch assist for safer trailer hook up
- Pre Collision assist braking
- Easy step tailgate
- Locking tailgate

## Recommendation

It is recommended that the Board approve the purchase of the Ford F-150 truck from Mission Valley Truck Center in the amount of \$58,879.18.

# MISSION VALLEY

## Truck Center

PO Box 611150, San Jose, CA 95161  
780 East Brokaw Road, San Jose, CA 95112

Telephone (408) 933-2300  
Fax (408) 436-0313

Contact: GUILLERMO CARRILLO Email: GUILLERMO VIN: 1FTEW1CP2PKD28196  
Purchaser: NAVIGATORS SCHOOLS Phone: 831-207-9181 Stock#: 2233560 date: 1/25/2023  
Address: 650 SAN BENITO ST City: HOLLISTER State: CA 95023  
Quantity: Year: 2023 Make: Ford Model: F150 Miles: PO Number:

### Specifications

I/We hereby order from you, subject to all terms, conditions and agreements contained herein, and the ADDITIONAL PROVISIONS, attached as Sales Agreement, the following:

Wheel Base: CA: GVW: Type: Exterior Color:  
Engine: Interior Color:  
Trans:

Axle, Front:

Axle, Rear:

Tires:

Wheels:

Brakes: ABS

Steering: Power

Fuel Tanks:

### Other Vehicle Information: See Attached

Special programs, terms and conditions listed below

#### Order#

Ford Order Verification Policy In Place. Documentation will be required  
Ford incentives (APR & Rebates) will be announced at time of delivery

Email: GUILLERMO.CARRILLO@NAVIGATORSCHOOLS.ORG

### Special Equipment:

Specifications per reference QuoteID:

See the attached:

### Legal or Lien

Legal Name:

Address:

City:

State:

Zip:

Purchaser has read all of this Order and the attached Sales Agreement, including the reference to Warranty and NO WARRANTIES OF MERCHANTABILITY OR FITNESS. The Purchaser agrees that all such provisions are part of this Order and that this Order supersedes any prior agreements and is the complete and exclusive agreement on the subject matters covered by this Order. THIS ORDER SHALL NOT BECOME BINDING UNTIL ACCEPTED BY THE DEALER'S AUTHORIZED REPRESENTATIVE. IN THE CASE OF A TIME SALE, THE DEALER SHALL NOT BE OBLIGATED TO SELL UNTIL A FINANCE SOURCE APPROVES THIS ORDER AND AGREES TO PURCHASE A RETAIL INSTALLMENT CONTRACT BETWEEN THE PURCHASER AND THE DEALER BASED ON THIS ORDER. Purchaser certifies he is of majority age and has received a true copy of this Order and Sales Agreement. All fees subject to change after 7/1/2012.

Trade-In	Down Payment	Selling Price:	48125.00	48125.00
Trade Year:	Deposit:	Doc Fee:	85.00	^ Selling
Trade Make:	Rebates:	Sales Tax: 9.250%	4459.43	less rebates
Trade Model:	Cash On Delivery:	FET:		
Trade ID#:	Trade-In Equity:	License Reg: (est.):	698.00	
Trade Allowance:		Tire Fee:	5	8.75
Less payoff:		Electronic Reg Fee	33.00	
		Used Emsn Test Charge-Taxable	0.00	
		Used Emsn Cert 4YR>	0.00	
		Used Emsn Exempt 3YR<		
		Ford Protect ESP:	5470.00	See Attach
		Total Delivered Price:	58879.18	
		Total Down Payment:	0.00	
		Unpaid Balance:	58879.18	
		Finance Rate OAC:		
		Payment Factor:		
		# of Months:		
		Payment:	#VALUE!	

THIS IS NOT A VALID ORDER UNTIL  
ACCEPTED BY MANAGEMENT

X   
Purchaser

X   
Manager

Credit Approved By: \_\_\_\_\_

THIS IS A QUOTE NOT A CONTRACT  
IN ORDERS, MANUFACTURE  
SUGGESTED RETAIL PRICE COULD  
INCREASE FROM FACTORY PRODUCTS  
AND LABOR COST ADJUSTMENTS.  
ALSO, MANUFACTURE REBATES CAN  
CHANCE AT ANY TIME AFFECTING THE  
FINAL SALE PRICE AND TOTAL  
BALANCE DUE AT THE CONTRACT  
TIME.



Prepared by: Pedro Benitez(408) 315-4936, direct email address pbenitez@missionvalleyford.com

NEWCopy of Sales Booking Trac 070122updated

# Coversheet

## School Accountability Report Card (SARC) Approval

<b>Section:</b>	III. Topical Items
<b>Item:</b>	C. School Accountability Report Card (SARC) Approval
<b>Purpose:</b>	Vote
<b>Submitted by:</b>	
<b>Related Material:</b>	SARC_Memo_February_2023.pdf



Date: February 1, 2023  
To: Board of Directors of Navigator Schools  
From: Ami Ortiz  
Subject: School Accountability Report Card

### **Background**

Once per year, public schools in California are responsible for submitting a School Accountability Report Card (SARC). The SARC is due February 1st. It provides information to the community to allow public comparison of schools for student achievement, environment, resources and demographics. I coordinated with the support office and school staff of Gilroy Prep, Hollister Prep, Watsonville Prep and Hayward Collegiate to collect, verify, and report required information. The SARC for each school site may be found below:

GPS. <https://sarconline.org/public/summary/43694840123760/2021%E2%80%932022>

WPS <https://sarconline.org/public/summary/44772480138909/2021%E2%80%932022>

HPS <https://sarconline.org/public/summary/35674700127688/2021%E2%80%932022>

HC <https://sarconline.org/public/summary/01100170138867/2021%E2%80%932022>

### **Recommendation**

It is recommended that the Board approve the SARCs for Gilroy Prep, Hollister Prep, Watsonville Prep and Hayward Collegiate.

# Coversheet

## Hayward Collegiate Material Revision

<b>Section:</b>	III. Topical Items
<b>Item:</b>	D. Hayward Collegiate Material Revision
<b>Purpose:</b>	Discuss
<b>Submitted by:</b>	
<b>Related Material:</b>	Material Revision HCCS Memo.pdf



Date: February 6, 2023

To: Board of Directors of Navigator Schools

From: Neena Goswamy

Subject: Hayward Collegiate Material Revision Due to 10% Change in Enrollment. Instead of 180 students as projected, we have enrolled 150 students.

*Why are we submitting a material revision?*

As shared during the ACOE Charter Leaders Network ([see slide 12 for reference](#)), the Alameda County Board of Education (ACOE) approved [Memorandum of Understanding](#) requires a material revision for total enrollment that is greater/less than 10% from originally projected for which Hayward Collegiate has been identified.

*Section 23.1.3: Changes in enrollment that represent an increase or decrease from the annual enrollment originally projected in the charter petition by more than 25% in any grade level or 10% of total enrollment in any given year.*

Due to our facilities constraints and the state laws regarding class-size with Transitional Kindergarten (TK) requirements this year, Hayward Collegiate had to reduce enrollment in our combined TK/Kindergarten classroom from 30 students to 24. Additionally, we could not back-fill any classes due to the longer term facilities constraints.

Below you will find enrollment projections versus actuals for this school year along with 5-year projections versus what was previously approved in the last material revision.

#### Enrollment Projections for 2022-23 vs Actuals

Grade	2022-23 Approved Enrollment	2022-23 Proposed Enrollment
TK	0	0
TK/K	30	24
1	30	26
2	30	27
3	60	48
4	30	25
5	0	0
6	0	0
Total	180	150
Difference %	17%	

### New Enrollment Projections for the Next 5 Years

Grade	2022-23 Approved Enrollment	2022-23 Proposed Enrollment	2023-24 Approved Enrollment	2023-24 Proposed Enrollment	2024-25 Approved Enrollment	2024-25 Proposed Enrollment	2025-26 Approved Enrollment	2025-26 Proposed Enrollment	2026-27 Approved Enrollment	2026-27 Proposed Enrollment
TK	0	0	0	24	0	24	0	24	0	24
TK/K	30	24	30	30	30	30	30	30	30	30
1	30	26	30	30	30	30	30	30	30	30
2	30	27	30	30	30	30	30	30	30	30
3	60	48	30	30	30	30	30	30	30	30
4	30	25	60	48	30	30	30	30	30	30
5	0	0	30	25	60	48	30	30	30	30
6	0	0	0		30	25	60	48	30	30
Total	180	150	210	214	240	247	240	252	210	234

*What is the timeline?*

- Submission of materials to ACOE Due - Friday, February 24
- Public Hearing – Tuesday, March 14
- Determination – Tuesday, April 11

*What is the historical context?*

So far, no school has ever been denied a material revision due to enrollment reductions at ACOE. Per ACOE, “Many schools are currently dealing with the realities of declining enrollment, and many will need to do material revisions to update their projections.” ACOE is putting together a document that outlines what could happen and what next steps would be if the material revision is denied.

This year, the following charter schools in ACOE are also submitting a material revision due to declining enrollment:

1. Envision Academy of Arts + Technology
2. Urban Montessori
3. Alternatives in Action
4. Community School for Creative Education
5. Cox Academy
6. Aurum Preparatory

Historically, Hayward Collegiate has submitted a material revision regarding enrollment in 2020-21 and 2021-22 with no political backlash.

*\*Note that Yu Ming Charter School (another ACOE charter school) submitted enrollment changes in their material revision last year.*

*Recommendation:*

It is recommended that the Board authorize Navigator staff to submit a material revision to ACOE with the adjusted enrollment projections.

# Coversheet

## Hayward Collegiate Preliminary Proposition 39 Offer

<b>Section:</b>	III. Topical Items
<b>Item:</b>	E. Hayward Collegiate Preliminary Proposition 39 Offer
<b>Purpose:</b>	Discuss
<b>Submitted by:</b>	
<b>Related Material:</b>	HC Prop 39.pdf





Date: February 4, 2023

To: Board of Directors of Navigator Schools

From: Kevin Sved

Subject: Preliminary Prop 39 Offer from Hayward Unified School District

Navigator Schools / Hayward Collegiate received the preliminary Proposition 39 offer from Hayward Unified School District on February 1, 2023. The offer is for space at the former Cherryland Elementary School site which is 2.9 miles away from the current site. The drive time to Cherryland from the current site is approximately 8-18 minutes depending on time of day and traffic. This offer is consistent with the offer of previous years, and the site would be shared with the [Key Academy](#) charter school. The offer includes 10 classrooms with shared use of playgrounds and the multipurpose room /gymnasium.

In the past, Hayward Collegiate has declined the offer due two main reasons. First, the location was considered to be inconvenient for the majority of parents, and many might choose an alternate school option. Secondly, there is a five year lease commitment to the owner of the current Hayward Collegiate site which runs through June 2024.

Due to the space challenges at Hayward Collegiate's current location, the Proposition 39 offer from Hayward Unified School District merits full consideration and thoughtful analysis. Navigator Schools has until March 1, 2023 to reply to the offer with comments, concerns, questions, or preliminary acceptance. The District then has until April 1, 2023 to issue a final Proposition 39 offer, with the charter school having until May 1 to accept or reject the final offer or potentially pursue legal remedies. It is anticipated that the Navigator Schools Board of Directors will make a final decision on the location for 2023-24 during its board meeting on April 4, 2023, after the final Proposition 39 offer from Hayward Unified School District is received.

Over the course of the next six weeks, staff will take the following steps:

- 1) Engage the Navigator Board and Finance Committee in dialogue about this topic
- 2) Develop plans for operating at the current site for 2023-24 which would require use of the social hall / cafeteria as a classroom space
- 3) Conduct outreach to Hayward Unified School District with the goal of receiving a final offer that features a school site that is closer to the current campus
- 4) Engage parents to determine their level of support or concern with moving to the Cherryland site
- 5) Evaluate other solutions to the facility challenges for 2023-24, including operating a split site

Please review the following overview of the Proposition 39 process, including a summary of the advantages and disadvantages of Prop 39. This is an excerpt from the packet provided to the Board at the outset of the onboarding/re-reboarding meetings held in September, 2022. Lastly, the preliminary Prop 39 offer from Hayward Unified School District is attached.

*(Excerpt from Facilities Section of Onboarding / Reboarding packet)*

### **Proposition 39**

Proposition 39 (Prop 39) was passed by California voters in 2000, amending the Education Code to require school districts to make facilities available to public charter schools serving students who reside in the district. In addition to meeting the eligibility requirements, there are specific dates which must be met for a charter school to preserve its right to district facilities. The first deadline is November 1, when charter schools must submit facilities requests to the school district in which the school is located. The other critical dates in the Prop 39 timeline are listed in Table 1.

Table 1. Proposition 31: Important Dates

November 1	Charter schools submit facilities requests to the school district in which the school is located with supporting evidence to justify the number of in-district pupils for the following school year.
December 1	District responds if it challenges the charter's enrollment projections.
January 1	Charter responds to district challenges (if applicable).
February 1	District provides a preliminary facilities offer.
March 1	Charter responds to the district's preliminary offer.
April 1	District provides a final facilities offer.
May 1	Charter responds to the district's final offer.

Prop 39 facilities provided by Gilroy Unified School District for Gilroy Prep School (GPS) and by the Hollister Elementary School District for Hollister Prep School (HPS) have been critical for the ongoing success and stability of GPS and HPS. In addition, the launch of Watsonville Prep School (WPS) was also aided by the Pajaro Valley Unified School District's facilities through Prop 39 from July 2019 to September 2021. Prop 39 typically results in a Facilities Use Agreement signed by both the district and charter which details the exclusive space provided to the charter; the space to be shared such as cafeteria, multipurpose room, parking, and playfields; fees to be assessed; and the obligations of both parties, including facilities maintenance and upkeep.

The advantages of Prop 39 include an inexpensive facilities solution with minimal responsibilities for the charter regarding facilities planning and maintenance. Charters

are typically charged two percent of LCFF revenues. Alternatively, districts can charge charters a pro rata share of facilities expenses.

One disadvantage of Prop 39 is the year-to-year nature of the process. Each year, the charter must go through the same burdensome Prop 39 process which, depending on the district and related political environment, can pose instability for the charter school. For example, WPS required additional classrooms for its second year (2020-21), and the district offered a split-site solution, with K-2 classes held on one campus and Grade 3 classes held on a separate campus one mile away.

One way that charters can circumvent the annual Prop 39 process while still benefiting from some of Prop 39's advantages is to enter into a long-term facilities use agreement with the district. Often referred to as an "in lieu of Prop 39 deal," the charter and district agree to terms for multi-year facilities use. Typically, the charter commits to a higher annual facility fee or agrees to cover the costs of maintenance or other facility improvements as incentives for the district to forgo flexibility that the year-to-year Prop 39 program provides districts regarding allocation of facilities.



**Allan Garde, Assistant Superintendent, Business**  
24411 Amador Street, Hayward, CA 94544  
T 510.784.2600 ext 72727 - [agarde@husd.k12.ca.us](mailto:agarde@husd.k12.ca.us)

February 1, 2023

**VIA ELECTRONIC MAIL:** [kevin.sved@navigatorschools.org](mailto:kevin.sved@navigatorschools.org)

Kevin Sved, Chief Executive Officer  
Hayward Collegiate Charter School  
Navigator Schools  
650 San Benito Street, Suite 230  
Hollister, CA. 95023

Re: Proposition 39 Facilities Request for 2023-2024  
Preliminary Offer of Facilities

Dear Mr. Sved:

The Hayward Unified School District ("District") makes this Preliminary Offer of Facilities to the Hayward Collegiate Charter School ("Charter School") for the 2023-2024 school year under Cal. Admin. Code, title 5, §11969.9(f).

The District has carefully considered the Charter School's request for facilities under the criteria set forth in Proposition 39 and its implementing regulations. (Cal. Ed. Code § 47614; Cal. Admin. Code, title 5, §§ 11969.1, *et seq.*) This Final Offer of Facilities complies with all of the requirements of Proposition 39 and Cal. Admin. Code, title 5, §11969.9(f).

**A. Procedural History**

The Charter School submitted a Request for Facilities under Proposition 39 pursuant to Cal. Admin. Code, title 5, § 11969.9(c) on or about November 1, 2022. The Charter School's Request for Facilities was based upon a projected in-District ADA of 157.13 in-District classroom ADA, grades K-4.

Exercising its rights under Cal. Admin. Code, title 5, §11969.9(d), the District, on December 1, 2022, made an ADA counterprojection of 141.53, grades K-5. The Charter School has accepted the District's counterprojection.



Allan Garde, Assistant Superintendent, Business  
24411 Amador Street, Hayward, CA 94544  
T 510.784.2600 ext 72727 - [agarde@husd.k12.ca.us](mailto:agarde@husd.k12.ca.us)

## **B. 2023-2024 Preliminary Offer to the Charter School**

Education Code § 47614 and its implementing regulations only obligate the District to offer space sufficient to accommodate the Charter School's in-District students. The District's allocation of space is therefore based on the Charter School's projected in-District A.D.A. of 141.53, grades K-5.

### **1. Methodology**

Proposition 39 bases its reasonable equivalence analysis on a benchmark established by a group of comparison group schools. Cal. Admin. Code, title 5, § 11969.3 governs the identification of comparison group sites. Subsection (a)(1) states as follows:

Comparison Group:

The standard for determining whether facilities are sufficient to accommodate charter school students in conditions reasonably equivalent to those in which the students would be accommodated if they were attending public schools of the school district providing facilities shall be a comparison group of district-operated schools with similar grade levels. If none of the district-operated schools has grade levels similar to the charter school, then a contiguous facility within the meaning of subdivision (d) of section 11969.2 shall be an existing facility that is most consistent with the needs of students in the grade levels served at the charter school. The district is not obligated to pay for the modification of an existing school site to accommodate the charter school's grade level configuration.

Cal. Admin. Code, title 5, § 11969.3(a)(2) governs the determination of the comparison group schools for districts whose students live in high school attendance areas:

The comparison group shall be the school district-operated schools with similar grade levels that serve students living in the high school attendance area, as defined in Education Code section 17070.15(b), in which the largest number of students of the charter school reside. The number of charter school students residing in a high school attendance area shall be determined using in-district classroom ADA projected for the fiscal year for which facilities are requested.



Allan Garde, Assistant Superintendent, Business  
24411 Amador Street, Hayward, CA 94544  
T 510.784.2600 ext 72727 - [agarde@husd.k12.ca.us](mailto:agarde@husd.k12.ca.us)

The comparison group schools are the District elementary schools and middle schools feeding into the Hayward High School attendance area, the high school attendance areas in which the greatest number of Charter School students reside.<sup>1</sup> The comparison group schools are as follows: Elementary School – Burbank, Cherryland, East Avenue, Faith Ringgold School of Arts & Science, Fairview, Harder, and Stonebrae.<sup>2</sup>

## 2. **Facilities Offered:**

### a. **Reasonable Equivalence Methodology:**

#### i. **Condition:**

In order to determine whether facilities are “reasonably equivalent,” the District compares the proposed facilities to District-operated schools constituting the comparison group of schools. The District may propose facilities to the Charter School that are comparable to the comparison group in the following ways:

No.	Facility Characteristic – Capacity	Regulatory Authority
1.	Ratio of teaching stations to average daily attendance (“ADA”)	C.C.R., tit. 5, § 11969.3(b)(1)
2.	Specialized classroom space if such facilities are available to the district comparison group (e.g., science laboratories)	C.C.R., tit. 5, § 11969.3(b)(2)
3.	Non-teaching space, which the district can share with the charter school (e.g., administrative, kitchen, multi-purpose, and/or play area space)	C.C.R., tit. 5, § 11969.3(b)(3)
4.	School site size	C.C.R., tit. 5, § 11969.3(c)(1)(A)
5.	Condition of interior and exterior surfaces	C.C.R., tit. 5, § 11969.3(c)(1)(B)
6.	Mechanical, plumbing, electrical, and fire alarm systems in condition and conformity to applicable law	C.C.R., tit. 5, § 11969.3(c)(1)(C)
7.	Availability and condition of technology	C.C.R., tit. 5, § 11969.3(c)(1)(D)

<sup>1</sup> See <https://www.husd.us/measureh2018> for the District’s feeder school pattern.

<sup>2</sup> Strobridge Elementary School, formerly a comparison group school, will be closed starting the 2022-2023 school year.



Allan Garde, Assistant Superintendent, Business  
 24411 Amador Street, Hayward, CA 94544  
 T 510.784.2600 ext 72727 - [agarde@husd.k12.ca.us](mailto:agarde@husd.k12.ca.us)

No.	Facility Characteristic – Capacity	Regulatory Authority
	resources	
8.	Overall learning environment qualities (e.g., lighting, noise mitigation, and/or size for intended use)	C.C.R., tit. 5, § 11969.3(c)(1)(E)
9.	Furnishings and equipment	C.C.R., tit. 5, § 11969.3(c)(1)(F)
10.	Condition of athletic fields and/or play area space	C.C.R., tit. 5, § 11969.3(c)(1)(G)

Based upon the District’s analysis of the condition of the comparison group schools, the facilities offered by the District meet Proposition 39 standards for “reasonable equivalence” based upon capacity, condition, location, and other relevant factors. **(See, Exhibit A.)**

ii. Capacity:

With respect to teaching stations, Cal. Admin. Code title 5, § 11969.3(b)(1) states that “[f]acilities made available by a school district to a charter school shall be provided in the same ratio of teaching stations (classrooms) to ADA as those provided to students in the school district attending comparison group schools.”

Cal. Admin. Code title 5, § 11969.3(b)(2) states as follows with respect to the allocation of specialized teaching space to Charter School:

If the school district includes specialized classroom space, such as science laboratories, in its classroom inventory, the space allocation provided pursuant to paragraph (1) of subdivision (b) shall include a share of the specialized classroom space and/or a provision for access to reasonably equivalent specialized classroom space. The amount of specialized classroom space allocated and/or the access to specialized classroom space provided shall be determined based on three factors:

- (A) the grade levels of the charter school's in-District students;
- (B) the charter school’s total in-District classroom ADA; and
- (C) the per-student amount of specialized classroom space in the comparison group schools.



**Allan Garde, Assistant Superintendent, Business**  
 24411 Amador Street, Hayward, CA 94544  
 T 510.784.2600 ext 72727 - [agarde@husd.k12.ca.us](mailto:agarde@husd.k12.ca.us)

Cal. Admin. Code title 5, § 11969.3(b)(3) states as follows with respect to the allocation of non-teaching space:

The school district shall allocate and/or provide access to non-teaching station space commensurate with the in-district classroom ADA of the charter school and the per-student amount of non-teaching station space in the comparison group schools. Non-teaching station space is all of the space that is not identified as teaching station space or specialized classroom space and includes, but is not limited to, administrative space, kitchen, multi-purpose room, and play area space ....

The inventory of teaching stations, specialized teaching space, and non-teaching space at the comparison group schools, along with the calculation of the square foot to ADA ratio for each category of space, and site maps, can be found on Exhibit B.

The reasonable equivalence analysis of the teaching stations, specialized teaching space, and non-teaching space made available to students at the comparison group school yields the following space allocation to the Charter School:

<b>HAYWARD COLLEGIATE (141.53. A.D.A. K-4)</b>	
	K-5
Classrooms	6.19 @ 22.68 ADA per T.S.
STS/NTS	3.52 @ 23.87 SF/ADA
Total	9.71 Rooms

The District's determination of the Charter School's allocation of teaching stations, specialized teaching stations, and non-teaching space, based on the comparison group school analysis, is attached as **Exhibit C**.

### **3. Allocation of Facilities**

The District offers the Charter School facilities at the following location: 585 Willow Avenue, Hayward, CA 94541, the former site of Cherryland Elementary School. The Charter School will be sharing the site with KEY Academy Charter School. The Charter School's space allocation is below:





**Allan Garde, Assistant Superintendent, Business**  
 24411 Amador Street, Hayward, CA 94544  
 T 510.784.2600 ext 72727 - [agarde@husd.k12.ca.us](mailto:agarde@husd.k12.ca.us)

**a. Exclusive Use Space:**

Rooms (9 Total)
31
32
33
34
35
36
37
38
39

**b. Shared Space**

The Charter School shall share the following space with the Key Academy.

Multi-Purpose Room	Library	Fields	Blacktop Space	Parking (First Come-First Serve)
--------------------	---------	--------	----------------	----------------------------------

The two charter schools sharing the site will reach a sharing arrangement according to the schedule format below.

Example	Monday	Tuesday	Wednesday	Thursday	Friday
Recess / Break - a.m.	KEY	KEY	KEY	KEY	KEY
Recess / Break - a.m.	Hayward Collegiate	Hayward Collegiate	Hayward Collegiate	Hayward Collegiate	Hayward Collegiate
Recess / Break 2 - a.m.	KEY	KEY	KEY	KEY	KEY
Lunch	KEY	KEY	KEY	KEY	KEY
Lunch	Hayward Collegiate	Hayward Collegiate	Hayward Collegiate	Hayward Collegiate	Hayward Collegiate
Lunch	KEY	KEY	KEY	KEY	KEY
Recess / Break - p.m.	KEY	KEY	KEY	KEY	KEY
Recess / Break - p.m.	Hayward Collegiate	Hayward Collegiate	Hayward Collegiate	Hayward Collegiate	Hayward Collegiate
Recess / Break 2 - p.m.	KEY	KEY	KEY	KEY	KEY
Specific times to be determined by KEY and Hayward Collegiate Charter School to optimize exclusive use					



Allan Garde, Assistant Superintendent, Business  
24411 Amador Street, Hayward, CA 94544  
T 510.784.2600 ext 72727 - [agarde@husd.k12.ca.us](mailto:agarde@husd.k12.ca.us)

The two charter schools sharing the site will also share the 2 sets of restrooms adjacent to rooms 9-12 and 13-16, as depicted in the site diagram attached as **Exhibit D**.

**4. Contiguosness**

Cal. Code Regs., tit. 5, section § 11969.2(d) requires that “[i]f the in-district average daily classroom attendance of the charter school cannot be accommodated on any single school district school site, contiguous facilities also includes facilities located at more than one site, provided that the school district shall minimize the number of sites assigned and shall consider student safety.” However, this provision is inapplicable since the District is offering the Charter School a single, contiguous site.

**C. Preliminary Offer of Facilities – Other Terms and Conditions**

**1. Pro-Rata Share**

In the event that Charter School occupies the facilities identified in this Final Offer for 2023-2024, Charter School’s annual payment to the District, under Cal. Admin. Code title 5, § 11969.7(f), will be a sum of no less than 3 percent of the revenue of the charter school under Education Code section 47613(b).

**2. Miscellaneous**

Should Charter School accept the Final Offer of Facilities, the District will require it to enter into a Facilities Use Agreement containing the terms and conditions of the District’s facilities allocation, similar to the form of the agreement attached as **Exhibit D**. The District reserves the right to propose or modify terms during the process of negotiating the agreement.

If you have any questions, please do not hesitate to contact me.

Thanks,

A handwritten signature in blue ink, appearing to read 'Allan Garde', is written above the typed name.

Allan Garde, Assistant Superintendent of Business Services  
Hayward Unified School District

# Coversheet

## Extended Learning Opportunity Program Update

<b>Section:</b>	III. Topical Items
<b>Item:</b>	F. Extended Learning Opportunity Program Update
<b>Purpose:</b>	FYI
<b>Submitted by:</b>	
<b>Related Material:</b>	After School Programming Memo.pdf



Date: February 4, 2023

To: Board of Directors

From: Kirsten Carr, Director of Engagement and Partnerships

Subject: Extended Learning Opportunities Program Update

### **Background on Extended Learning Opportunities Program**

The Expanded Learning Opportunities Program (ELOP) provides funding for after school and summer school enrichment programs for transitional kindergarten through sixth grade. "Expanded learning" encompasses before school, after school, summer, or intersession learning programs that focus on developing the academic, social, emotional, and physical needs and interests of pupils through hands-on, engaging learning experiences. It is the intent of the legislature that expanded learning programs be pupil-centered, results driven, include community partners, and complement (but not replicate) learning activities in the regular school day and school year.

ELOP funding provided for 2020-21 was intended for planning purposes and could be carried forward to 2021-22. Funding for 2022-23 could be used for program planning or program implementation. Program implementation is mandated for the 2023-24 school year. ELOP funding allocations are listed below in Table 1 by school.

Table 1: ELOP Funding by School

School	Carryover from 2021-22	2022-23	Total Funding for 2022-23
GPS	148,545	438,885	587,430
HC	51,564	194,658	246,222
HPS	150,651	465,835	616,486
WPS	225,005	685,589	910,594

In October 2022, the Board approved a Memorandum of Understanding (MOU) with the Boys and Girls Club to provide ELOP programming at Gilroy Prep and Hollister Prep and those programs launched in December 2022. In January of 2023, the Board approved an MOU with the YMCA of the Central Coast to provide programming at Watsonville Prep with the program launching on 1/30. Currently, Hayward Collegiate is providing after school programming through ELOP with Hayward Collegiate staff.

### **Current Activities:**

Under the coaching and leadership of Parisa Foadian, ELOP Coordinator, the programs at GPS, HPS, and WPS have launched smoothly with strong collaboration with the school sites. Recruitment has included direct contact by members of either the Boys & Girls Club or the YMCA and Parent Square posts with sign up information. HC will be transitioning to a new enriched afterschool program later this month.

**Current Enrollment**

School	Enrollment	Capacity
GPS	50	100
HC	74	100
HPS	35	100
WPS	25	100

**Support & Next Steps**

As the programs are designed to be seamless extensions of the school day with extended offerings, Parisa has worked closely with both the program operators as well as school site staff on integration activities. She is providing continual professional development on Navigator strategies and protocols, classroom management, and training on best practices for dealing with Tier 2 and 3 behaviors. She also works closely with the Site Operations Managers to ensure ELOP requirements (i.e. attendance, nutritious snack offerings, and safety protocols) are being met.

Staff will be working with the program operators on increasing enrollment numbers at GPS, HPS, & WPS through continued ParentSquare messages, social media posts, and individual connections. The Watsonville program deliberately started slow to help with a smooth transition so will begin increasing the numbers slowly. Additionally, next steps include after school programs being provided with the tools needed to continue the Positive Behavior Intervention System (PBIS) approaches the students utilize during the school day, strengthening curriculum options, and launching intersession programming. Hayward Collegiate will be undergoing significant changes in their afterschool program to provide both academic intervention support as well as enrichment opportunities. The leadership team is working on a structure that will align with ELOP requirements while also providing scholars with a program that is engaging and joyful.

Staff will provide additional information at the board meeting.