



Urban Montessori Charter School

Regular Board Meeting

Published on September 21, 2021 at 6:52 AM PDT

Date and Time

Thursday September 23, 2021 at 6:15 PM PDT

Location

The board will meet at school 4551 Steele Street, Oakland, CA 94611

The public may comment and participate [via Zoom](#). The public may also email comments to board@urbanmontessori.org to be shared by the Board's Secretary during the meeting.

[https://us02web.zoom.us/j/5102904005?](https://us02web.zoom.us/j/5102904005?pwd=M1kxU2hXSzRSN1dCL3QwYVEzdkJ3Zz09)
[pwd=M1kxU2hXSzRSN1dCL3QwYVEzdkJ3Zz09](https://us02web.zoom.us/j/5102904005?pwd=M1kxU2hXSzRSN1dCL3QwYVEzdkJ3Zz09)

Meeting ID: 510 290 4005; Passcode 5102904005

One tap mobile

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Dial by your location

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+1 312 626 6799 US (Chicago)

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Germantown)

Find your local number: <https://us02web.zoom.us/u/kb8IDmVDDD>

This meeting will be audio recorded. The public can find documents related to this agenda either linked directly on the agenda or under "Other files" after selecting the meeting in BoardOnTrack prior to viewing the agenda. Downloading the "packet" may not include all of the "Other files" that are still otherwise available to the public.

AS ALLOWED BY GOVERNOR NEWSOM'S EXECUTIVE ORDER N-08-21 DATED JUNE 11, 2021 ([WHICH IS HERE IN ITS ENTIRETY](#)), AND FOLLOWING THE LEAD OF THE ALAMEDA COUNTY BOARD OF EDUCATION: THE UMCS BOARD WILL MEET IN PERSON AT 4551 STEELE STREET, OAKLAND, CA 94619 AND THE PUBLIC MAY JOIN VIA ZOOM.

Members: Loren Bentley Tammero, Olivia Couch, Jan Faraguna, Christina Greenberg, Greg Klein, Davis Leung, Hae-Sin Thomas, Stacey Wang

Urban Montessori Charter School welcomes your participation at Board meetings. The purpose of a public meeting of the Board of Directors (“Board”) is to conduct the affairs of the organization in public. Your participation assures us of continuing community interest in our school and assists the Board in making the best decisions for our school. To assist you in the ease of speaking/participating in our meetings, guidelines are provided at the bottom of this agenda. All materials for all board and committee meetings, including audio recordings of Regular Board Meetings, are available on our [BoardOnTrack public portal](#) and also through the [UMCS School Calendar](#).

Agenda

	Purpose	Presenter	Time
I. Opening Items			6:15 PM
A. Call the Meeting to Order		Davis Leung	1 m
This meeting is being audio-recorded.			
B. Record Attendance		Greg Klein	1 m
C. Review of Action/Discussion Items	Discuss	Davis Leung	1 m
With input from the board, the Chair may decide, based upon a number of factors, to reorder the action/discussion items to best suit the needs of the meeting. No additional action/discussion items will be added at this time.			
D. Board and Community Appreciations		Davis Leung	15 m
Members of the Board and UMCS community may provide appreciations and affirmations during this time.			
This month, we particularly want to appreciate our departing Board members, including long-time Member and school co-Founder Hae-Sin Thomas.			
E. Board Member Comment		Davis Leung	5 m
Any board member wishing to speak to an issue regarding UMCS that does not pertain to an agenda item may do so at this time. No further discussion or action will take place following each board member’s comments.			
F. Presentations from the Floor		Davis Leung	10 m
PRESENTATIONS ON NON-AGENDA ITEMS – Any person wishing to speak to any item not on the agenda will be granted three minutes to make a presentation. Speakers requiring translation shall have double time.			
<i>“What if [we] listened to others so deeply that they felt loved, accepted, and safe in [our] presence, no matter what they had to say?” -- Steve Shapiro, Author</i>			
II. Head of School Report			6:48 PM

	Purpose	Presenter	Time
VII. Other Business			8:18 PM
A. Oakland and California Updates	Discuss	Hae-Sin Thomas	10 m
Updates and current events related to Oakland USD, Alameda County Office of Education, and California, and potential implications for UMCS.			
B. Approve Minutes from August 26, 2021 Regular Meeting	Approve Minutes	Greg Klein	1 m
C. Action Item - Vote on General Consent Report	Vote	Davis Leung	3 m
General Consent Report for September 23, 2021			
1. Interstate Fence Co., Inc invoice			
[items may be linked directly here in the agenda or under "Other files" of this meeting on BoardOnTrack.]			
D. Collect New Business items for Future Meetings	Discuss	Davis Leung	5 m
VIII. Closed Session			8:37 PM
A. Closed Session Items	Discuss	Davis Leung	30 m
1. Public Employee Performance Evaluation - Head of School			
2. Conference with Real Property Negotiations (§ 54956.8)			
1. Property: 4551 Steele St, Oakland, CA 94619			
2. Agency Negotiation: UMCS and Pacific Charter School Development			
3. Negotiating Parties: UMCS and Oakland USD			
4. Under Negotiation: instruction to negotiator will concern both price and terms of payment			
"Closed Session" is always agendized ahead of time as a "Discuss" item. If any votes are taken during any Closed Session, those are reported out publicly upon return to Open Session.			
IX. Return to Open Session			9:07 PM
A. Report out of any closed session action(s)	Vote	Davis Leung	1 m
"Return to Open Session" is always agendized ahead of time as a "Vote" item. It is not meant to indicate the the Board <i>shall</i> take an action at this time. If any votes are taken during any Closed Session, those are reported out publicly at this time on the agenda.			
X. Closing Items			9:08 PM
A. Adjourn Meeting	FYI	Davis Leung	1 m

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 PRESENTATIONS 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 WILL BE PROVIDED FOR ANY INDIVIDUAL WITH A DISABILITY Pursuant to the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, any individual with a disability who requires reasonable accommodation to attend or participate in this meeting of the Governing Board may request assistance by contacting UMCS at 4551 Steele Street, Oakland, CA 94619 or info@urbanmontessori.org.

FOR MORE INFORMATION For more information concerning this agenda or for materials relating to this meeting, please contact UMCS at 4551 Steele Street, Oakland, CA 94619 or board@urbanmontessori.org. All materials are available via the Governance Section of our website: <http://www.urbanmontessori.org/governance> or directly via our [BoardOnTrack public portal](#).

Coversheet

Discussion Item: Committee Updates, including candidates for board service, Form 700, and training

Section: VI. Executive & Governance Committee
Item: A. Discussion Item: Committee Updates, including candidates for board service, Form 700, and training
Purpose: Discuss
Submitted by:
Related Material:
Webinar-Brown-Act-and-Conflicts-Training-Module-September-2021-Final.pdf



YOUNG, MINNEY & CORR, LLP
EXPERT CHARTER SCHOOL
LEGAL SERVICES

Brown Act and Conflicts of Interest

Presented by:

Janelle A. Ruley, Esq.
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WWW.MYCHARTERLAW.COM

FIRM OVERVIEW

Young, Minney & Corr, LLP (YM&C) has been the leader in charter school law for over two decades, representing well over half of California's charter schools with offices in Sacramento, Los Angeles, San Diego, and Walnut Creek. The firm principals have been working with charter schools since the inception of California's Charter Schools Act in 1992.

We offer superior legal expertise, as well as the technical know-how, to allow you to effectively resolve your problems and meet all of your charter school needs.

The YM&C team of experts can assist charter schools in every aspect of charter school creation, expansion, and operation including:

- **Labor & Employment**
- **Student Rights & Discipline**
- **Special Education**
- **Board Governance**
- **Facilities**
- **Granting Agency Relations**
- **Charter Development & Renewal**
- **Charter Defense**
- **Insurance Defense**
- **Charter Litigation**
- **Independent Study**
- **Corporate Law**
- **Public Law**

We emphasize a preventative approach to the law, helping our clients anticipate legal difficulties, minimize exposure to legal claims and fees, and prevent operational challenges.

With our main office located in Sacramento, YM&C is also uniquely positioned to influence the public policy debate in California – helping shape the future of charter schools.

For more information on our team of expert attorneys and services, please visit www.mycharterlaw.com or call us at **916-646-1400**.

Sacramento Office: 655 University Avenue, Suite 150, Sacramento, CA 95825

Los Angeles Office: 5200 Lankershim Avenue, Suite 370, North Hollywood, CA 91601

San Diego Office: 591 Camino De La Reina, Suite 910, San Diego, CA 92106

Walnut Creek Office: 500 Ygnacio Valley Road, Suite 190, Walnut Creek, CA 94596



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**Champions of Outstanding Choices in
Public Education for all Children**

Janelle A. Ruley

Partner

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Janelle Ruley has been an ardent charter rights advocate since 2007 and has assisted in the establishment or continued operation of hundreds of charter schools. Janelle's primary focus is on charter development, renewal and revocation defense. She has represented charter schools in numerous venues, including before administrative agencies, the courts, school districts, county boards of education, and the State Board of Education.

In her daily practice, Janelle regularly counsels clients regarding charter development, charter petition appeals, charter material revisions, drafting MOUs, negotiations with granting agencies, compliance with public transparency laws and related policy development, as well as Local Control Funding Formula/LCAP issues, student admissions, lottery requirements and a wide range of safe school issues.

Janelle is a frequent presenter at CCSA-sponsored events, as well as the annual APLUS+ Conference.

PRACTICE AREAS

Board Governance
Charter Development
Charter Defense
Independent Study
Public Law
Student Rights & Discipline

EDUCATION

- University of the Pacific, McGeorge School of Law (J.D.)
- Dartmouth College (B.A.)

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**Champions of Outstanding Choices in
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Wayne K. Strumpfer

Of Counsel

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Wayne brings a distinguished legal career in public service to Young, Minney & Corr, LLP ("YMC"), having served as the Executive Director of the California Fair Political Practices Commission ("FPPC"), a Deputy Attorney General specializing in public corruption at the California Department of Justice, the Commissioner of the California Department of Corporations, and, immediately prior to joining YMC, Wayne was Chief Counsel for the California State Auditor.

Wayne is also a seasoned appellate advocate having argued several cases before the California Courts of Appeal and in Federal District Court. Wayne also served as lead counsel in over 25 jury trials in Superior Court, including the prosecution of a sitting Municipal Court judge.

Wayne was also a member of the Governor's Cabinet while serving as the Executive Director at the Office of Criminal Justice Planning, and served as the Chief Counsel and Legislative Director at the Victim Compensation and Government Claims Board.

Wayne has specialized in conflict of interest and other transparency in government laws, employment law, and grand jury investigations regarding public corruption. He has advised California State Boards and Commissions regarding Open Meeting law, governance, ethics, and policy development. As Chief Counsel for the California State Auditor, Wayne provided legal and policy advice to the State Auditor, the Legislature, and audit staff. He also oversaw the investigations unit that reviewed Whistleblower Protection Act complaints and findings of improper governmental activities.

Wayne has been a guest lecturer at the U.C. Berkeley School of Law, Boalt Hall, and has assisted with the moot court and mock trial programs at U.C. Davis School of Law, King Hall. During the last three years, Wayne has also taught and coached High School Mock Trial.

PRACTICE AREAS

Board Governance
Charter Development
Charter Defense

EDUCATION

- University of the Pacific, McGeorge School of Law (J.D.)
- California State University, Sacramento (B.A.)

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BROWN ACT AND CONFLICTS OF INTEREST

Presented by:
Janelle A. Ruley, Partner (jruley@mycharterlaw.com)
Wayne K. Strumpfer, Of Counsel (wstrumpfer@mycharterlaw.com)

THE CHARTER LAW FIRM

Disclaimer

- This webinar cannot substitute for personalized legal advice.
- Our advice is based upon the latest available guidance which is subject to change in this ever-evolving landscape.
- During the webinar and after we are happy to answer questions as time permits. Please use the question box.
- Sign up for our legal alerts on our website to receive updated information on the topics discussed today: www.mycharterlaw.com.


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YM&C Firm Overview

- Partners have over 100 years of collective experience working with charter schools
- 34 attorneys working with charter schools throughout the state in all areas of charter school law (e.g., employment/labor, special education, nonprofits, litigation, audits, facilities, etc.)
- Represent more than a majority of California's charter schools
- Conduct workshops for charter schools in all areas of legal compliance

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Overview



Areas Covered:


- Extensive Brown Act training
- SB 126 (compliance with public laws and Board meeting rules), proposed AB 361 (teleconferencing rules), and AB 824 (student on Board) requirements
- Conflict of Interest rules and Form 700 filing rules

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Understanding the Brown Act

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Education Code 47604.1




Charter School Transparency Law Effective January 1, 2020

- Makes express law that charter schools must comply with Public Records Act, Brown Act, Political Reform Act, and Government Code 1090 being applicable to charter schools and entities managing/operating charter schools.

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Education Code 47604.1




Location for charter school board meetings:

- **Single charter school:** shall meet within the boundaries of the county in which the charter school is located.
- **Multiple charter schools in same county:** Meet within boundaries of county and a two-way teleconference location shall be established at each school site.
- **One nonclassroom-based** charter school that does not have a facility or operates one or more resource centers shall meet within the boundaries of the county in which the greatest number of pupils who are enrolled in that charter school reside.
- A two-way teleconference location shall be established at each resource center.

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Education Code 47604.1



- **Board that manages two or more charter schools that are not located in the same county** shall meet within the physical boundaries of the county in which the greatest number of pupils enrolled in those charter schools reside.
- A two-way teleconference location shall be established at each school site and each resource center.
- The governing body of the entity managing the charter schools in multiple counties shall audio record, video record, or both, all the governing board meetings and post the recordings on each charter school's internet website.

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Education Code 47604.1



- Allows an employee of a charter school to be on the charter school board as long as they *abstain from voting on or influencing or attempting to influence another member of the governing body regarding, all matters uniquely affecting that member's employment.*
- But extreme caution required due to vague way that statutory language was crafted and the need to comply with other laws.


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Purpose of The Brown Act




What Is the Purpose of the Brown Act?


- ▶ To Foster Broad Public Access



". . . The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created."



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Meetings




Brown Act Applies to Meetings of the Board


- ▶ Basic Definition



When any congregation of a majority of the members of the body meet to hear, discuss, deliberate, or take action on any item of Charter School business


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Meetings




Board Committees - Nearly all Committees Must Comply with the Brown Act

Exception

A Committee that is:

- ▶ Advisory (not decision making)
- ▶ Composed of only Board members
- ▶ Less than a quorum of the Board
- ▶ Must not be a standing committee



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Meetings

Teleconference Meetings

Six Additional Requirements:

1. Agenda must be posted at all teleconference locations.
2. Each teleconference location must be identified in the notice and agenda of the meeting.




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Meetings

Teleconference Meetings (cont'd)

3. All votes taken must be by roll call.
4. Each teleconference location must be accessible to the public. (ADA-compliance required.)
5. Members of the public must be able to hear and must have the right to address the Board directly from each teleconference location.
6. A quorum of the Board must participate from within the Charter School's "jurisdiction."




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Governor's Executive Order and SB 361


A charter school board may hold teleconference meetings without adhering to all the requirements of the Brown Act. Executive Order N-29-20 allows the following flexibility in teleconference meetings:

- ▶ The agenda does not need to provide notice of each teleconference location nor do agendas need to be posted at each location;
- ▶ A quorum of board members need not be located in the Charter School jurisdiction; and
- ▶ Governing board members may participate in a teleconference meeting from places that are not publicly accessible.




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Governor's Executive Order 


The charter school board may take advantage of this additional flexibility in teleconference meetings so long as the school complies with the following:


- ▶ The public has access via internet and/or telephone to the Board meeting and can provide public comment in some electronic form.
- ▶ The charter school uses its sound discretion and makes reasonable efforts to adhere, as closely as possible, to the other provisions of the Brown Act in order to maximize transparency and provide public access.

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SB 361- Proposed Law (Emergency Legislation) 


If there is a state of emergency proclaimed by the Governor, the same suspension of teleconferencing rules apply IF either state or local officials have imposed or recommended measures to promote social distancing or by Board vote finding imminent risk to health or safety of attendees.

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SB 361- Proposed Law (Emergency Legislation) 

Additional requirements beyond the Executive Order:

1. Board must provide means of how public comment will be available (internet/by phone);
2. If a technical disruption occurs, no action can be taken;
3. No early requirement for public comment – must allow for "real time" comments during full public comment period;
4. Board must make a finding every 30 days.

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SB 361 Board Finding



The Board Finding must state that:

- The Board has reconsidered the circumstances of the State of Emergency; and
- The State of Emergency continues to directly impact the ability of members to meet safely in person
And/or
- State or local officials continue to impose or recommend measures to promote social distancing.

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Notice Requirements

directors;
 stewardship, he
integrity
 noun 1. adheren
 principles; sou

Notice and Agendas

General Rule: The agenda shall be posted properly in advance of a meeting and must include a brief description of items to be transacted or discussed.


With a few exceptions, if an item is not on the agenda, the Board cannot discuss it.



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Notice Requirements

directors;
 stewardship, he
integrity
 noun 1. adheren
 principles; sou



Contents

- ▶ Brief description = usually not more than 20 words
- ▶ How to request disability-related accommodation
- ▶ Location for inspection of docs distributed to Board

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Notice Requirements

When?

- ▶ Regular meetings – 72 hours notice
- ▶ Special meetings – 24 hours notice
- ▶ Emergency meetings – 1 hour notice (rare)

Where to Post?


- ▶ Physically at a publicly accessible location within the jurisdiction during the entire posting period
- ▶ On the website – homepage with a prominent, direct link

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Rights of the Public

Rights to Enable Access and Participation

- ▶ Give oral testimony at meeting
 - Time limits
 - Addressing disruptive speakers
- ▶ Virtual meetings and best practices (stay in control of your meeting!)
- ▶ Audio record and broadcast



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Rights of the Public

Rights to Enable Access and Participation (cont.)

- ▶ Limitations on conditions of public attendance
- ▶ Non-discriminatory facilities (reasonable accommodations under ADA)
- ▶ Copies of agendas and other public writings

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Closed Sessions



What Are the Permissible Closed Sessions?

- ▶ Pending/Anticipated Litigation (conference with legal counsel)
- ▶ Personnel (appointment, employment, evaluation, discipline, dismissal)


EF Caveat: 24-hour written notice to employee is required if Board will hear complaints and/or charges



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Closed Sessions



What Are the Permissible Closed Sessions?


(cont.)

- ▶ Conference with Real Estate Negotiator
- ▶ Conference with Labor Negotiator
- ▶ Public Security
- ▶ Pupil Discipline (Education Code)

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Closed Session



Requirements

- ▶ Use "Safe Harbor" agenda language (GC 54954.5)
- ▶ Prior to Closed Session:
 - EF* Board Must Make a Public Announcement of Reasons for Closed Session Prior to Closed Session
- ▶ Public Must Have an Opportunity to Comment
- ▶ After Closed Session:
 - EF* Board Must Make a Public Report of Action Taken in Closed Session and Vote or Abstention of Every Board Member
- ▶ Attendance only for necessary personnel
- ▶ Confidentiality is required

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Executive Compensation

directors, stewardship, he
integrity
 noun 1. adheren
 principles; sou


Executive Compensation

- ▶ Approval of CEO/Executive Director's compensation must occur at a regular (not special) meeting
 - ▶ Govt. Code 54953: Prior to final action, Board must orally report a summary of the recommendation for final action, including the salary, salary schedule, and fringe benefits, during the open meeting where final action will be taken.
 - ▶ Final action in open session





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Student Board Members




AB 824 Creates Education Code Section 47604.2

- Charter School Board managing:
 - A charter school attended by high school students
 - Multiple charter schools including a charter school attended by high school students
- Pupil Petition including signatures of either (a) at least 500 high school students, or (b) at least 10% of regularly enrolled high school students.
- Upon receipt of the petition, the Board, beginning July 1, 2023, will include at least one student Board member voted in by the student body for a one-year term.
- "Preferential voting rights" – "Formal expression of opinion" before Board vote and recorded in minutes; but not counted and no involvement in closed session items. Student Board members receive open session materials.


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Enforcement




Complaints and Challenges

Notice of Concern

- ▶ Often brought by Charter Authorizer
- ▶ Short turnaround to respond
- ▶ Seek advice from legal counsel on response

Notice and Demand for Cure or Cease and Desist

- ▶ Can be brought by DA or member of the public
- ▶ Board must cure/respond within 30 days
- ▶ Seek advice from legal counsel on response


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Understanding Conflict of Interest Laws

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Conflicts of Interest

Broad Definition

- ▶ A *conflict of interest* arises when an individual who has a private financial interest in the outcome of a corporate contract or a public decision, participates in the decision-making process or influences or attempts to influence others making the contract or decision.
- ▶ In short, a conflict of interest is a clash between an individual's duty to his or her office and his or her personal interests.

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Financial Interests

Common Types of Financial Interests Regulated by Conflict Laws

- ▶ Ownership or investment in business entity
- ▶ Investment in real property
- ▶ Source of income
- ▶ Source of gifts
- ▶ Effect on personal finances



ESF Financial interests of immediate family members of Board Members and employees typically are covered.

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**Government Code
Section 1090**


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**Government Code
Section 1090**




Elements

1. Public official (officer, board member, or employee)
2. Making a public contract (for sale or purchase)
3. Public official has a financial interest in the contract




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**Government Code
Section 1090**



What you need to know about Section 1090

- ▶ If board member has financial interest, the entire board is prohibited from entering into the contract; *even if it is with the best vendor at the best price and the interested board member abstains.* (Unless an exception applies.)
- ▶ Making a public contract is defined very broadly! Applies to earliest discussions, planning, solicitation for bids, etc., not just vote.
- ▶ Thus, this statute is, in most respects, the toughest standard to meet.
- ▶ Violation of GC 1090 is a felony and the contract void!



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Political Reform Act

integrity
noun 1. adherence to principles; sou

DECISIONS

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Political Reform Act

Big Picture

1. Public official
2. Participating in or attempting to influence a governmental decision
3. Public official has qualifying financial interest (*Includes spouse and children*)
4. Financial interest is material

The Official Must Recuse Him or Herself from All Parts of the Decision-Making Process

FP Lots of very detailed regulations have also been adopted by FPPC.

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COI Code


Conflict of Interest Code

- States who must file the Form 700
- Assigns disclosure categories

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Form 700



Form 700

- ▶ Statement of Economic Interests
- ▶ When it must be filed:
 - ▶ Assuming or reappointment to office or position (within 30 days)
 - ▶ Once annually (by April 1st)
 - ▶ Leaving office or position (within 30 days)
- ▶ Penalties for failure to file:
 - ▶ Criminal charges by Atty General or District Atty for deliberate failure to file
 - ▶ Civil or administrative action by FPPC or private citizen

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Political Reform Act



“Financial Interest” for Form 700

- ▶ Investment in business entity of \$2,000 or more
- ▶ Real property investment of \$2,000 or more
- ▶ Income of \$500 or more
- ▶ Business position in entity
- ▶ Gift of \$50 or more




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Form 700




Check the Conflict-of-Interest Code to Determine What You Must Report (Board members: broad disclosure).




- ▶ Typically, All Financial Interests
 - ☞ Not Your Residence
 - ☞ Not Income from a Public Agency
 - ☞ Half of Your Spouse’s Income
 - ☞ Financial Interest within Your Jurisdiction
 - ▶ Property – within 2 miles of jurisdiction
 - ▶ Investments/Business in jurisdiction
 - ▶ Gifts – all gifts inside or outside of jurisdiction

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Form 700




Gifts

- ▶ General rule is that you cannot accept more than \$500 from one source in a calendar year.
- ▶ General rule is that gifts worth more than \$50 must be reported (one gift or aggregate gifts from same source in a calendar year).
- 1. Many exceptions to both general rules, the most common being:
 - ☞ Special Occasions – Birthdays, Holidays:
 - ▲ Can be gifts from anyone (other than lobbyists) if the gift giving and taking is proportional.
- 2. Inheritance

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Form 700



Gift (cont.)

- 3. Family Members:
 - ☞ Spouse (or former spouse), child, parent, grandparent, great grandparent, grandchild, brother, sister, current or former parent-in-law, brother-in-law, sister-in-law, aunt, great aunt, uncle, great uncle, niece, great niece, nephew, great nephew, first cousin, or first cousin once removed, or the spouse of any such person. (other than a lobbyist)
- 4. "BFF's"- Long-term friendships:
 - ☞ Friends for a "period of time" and gift giving and taking must be proportional. (other than a lobbyist)
- 5. Dating – "bona fide" relationship (other than a lobbyist)
 - ☞ Returning or Donating Gifts vs. Reporting

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Common Law on Conflicts-of-Interest



Prohibition Against Conflicts of Interest

- ▶ Public official engaging in transaction or influencing decision.
- ▶ Creating an appearance of impropriety (financial interest not necessarily required)

Doctrine of Incompatible Offices

- ▶ Public official holding two public offices simultaneously
- ▶ Offices are incompatible with each other (creating divided loyalties); overlapping jurisdictions

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QUESTIONS AND RESPONSES

THANKS FOR ATTENDING TODAY!

SACRAMENTO OFFICE:
605 UNIVERSITY AVENUE
SUITE 150
SACRAMENTO, CA 95825

LOS ANGELES OFFICE:
5200 LANKERSHIM BLVD.
SUITE 210
NORTH HOLLYWOOD, CA 91601

SAN DIEGO OFFICE:
591 CAMINO DE LA REINA
SUITE 810
SAN DIEGO, CA 92108

WALNUT CREEK OFFICE:
500 YGNACIO VALLEY ROAD
SUITE 100
WALNUT CREEK, CA 94596

Coversheet

Approve Minutes from August 26, 2021 Regular Meeting

Section: VII. Other Business
Item: B. Approve Minutes from August 26, 2021 Regular Meeting
Purpose: Approve Minutes
Submitted by:
Related Material: Minutes for Regular Board Meeting on August 26, 2021

APPROVED



Urban Montessori Charter School

Minutes

Regular Board Meeting

Date and Time

Thursday August 26, 2021 at 6:15 PM

Location

Join Zoom Meeting: <https://tinyurl.com/Zoom5102904005>

Meeting ID: 510 290 4005, and passcode 510 290 4005

One tap mobile

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Meeting ID: 510 290 4005

Find your local number: <https://us02web.zoom.us/j/8102904005>

This meeting will be audio recorded. The public can find documents related to this agenda either linked directly on the agenda or under "Other files" after selecting the meeting in BoardOnTrack prior to viewing the agenda. Downloading the "packet" may not include all of the "Other files" that are still otherwise available to the public.

PER GOVERNOR NEWSOM'S EXECUTIVE ORDER N-08-21 DATED JUNE 11, 2021 ([WHICH IS HERE IN ITS ENTIRETY](#)): THIS WILL BE A VIRTUAL-ONLY MEETING.

Members: Loren Bentley Tammero, Olivia Couch, Jan Faraguna, Christina Greenberg, Greg Klein, Davis Leung, Hae-Sin Thomas, Stacey Wang

Urban Montessori Charter School welcomes your participation at Board meetings. The purpose of a public meeting of the Board of Directors (“Board”) is to conduct the affairs of the organization in public. Your participation assures us of continuing community interest in our school and assists the Board in making the best decisions for our school. To assist you in the ease of speaking/participating in our meetings, guidelines are provided at the bottom of this agenda. All materials for all board and committee meetings, including audio recordings of Regular Board Meetings, are available on our [BoardOnTrack public portal](#) and also through the [UMCS School Calendar](#).

Directors Present

C. Greenberg (remote), D. Leung (remote), G. Klein (remote), J. Faraguna (remote), L. Bentley Tammero (remote), S. Wang (remote)

Directors Absent

H. Thomas, O. Couch

Directors who arrived after the meeting opened

J. Faraguna

Directors who left before the meeting adjourned

J. Faraguna

Guests Present

K. Feeney (remote)

I. Opening Items

A. Call the Meeting to Order

D. Leung called a meeting of the board of directors of Urban Montessori Charter School to order on Thursday Aug 26, 2021 at 6:20 PM.

B. Record Attendance

C. Review of Action/Discussion Items

No changes needed.

D. Board and Community Appreciations

Loren appreciated all the classroom teachers, stepping up in so many years. And all of the staff.

Greg echoed appreciated the Ops and Admin teams.

Krishna echoed and appreciated Mr. Buck and Ms. Rosi for all their stepping up.

Daniel appreciated all the work Ms. Krishna has taken on, too!

Greg appreciated families and students for coming everyday in the midst of the on-going pandemic.

Stacey appreciated the opportunity for students to get in-person learning, and adults pivoting to help make it all work.

Daniel echoed the appreciation for teachers, and that the Great Lessons were all happening in the first days of school.

E. Board Member Comment

Greg made a comment a return to in-person meetings later this Fall.

F. Presentations from the Floor

No public comment on non-agenda items.

II. Head of School Report

A. Head of School Report

Krishna shared her report, which is in the Documents section of this meeting in BoardOnTrack.

Upcoming events include Back to School night, other parent education nights, Book Group (*White Fragility*), and the Readathon starting up soon.

Nine days of safe, successful school in-person -- all staff and students TK-8 all on one campus for the first time ever. Following all safety protocols. Cases will happen and feeling ready for when that occurs.

Jan arrived at 6:31pm.

Daniel shared instructional updates. Focus recently on creating systems to support teachers with their work in the classroom, including curriculum map for all grades, aligned recording keeping, lesson planning & observation tools (in common in each level).

System of Justness by Public Montessori in Action is a whole-school plan on how we respond to students and their needs so that responses are aligned and predictable. Strong Montessori Implementation and Child Study have been components in the school already, and now also the third part, which is Nautilus Approach. It's not about going up a discipline ladder, but instead about helping students centered back into their work in the classrooms. Training included how to create strong conditions before there are more difficulties;

consistent language to use with students; supports from other staff for repair and reentry into the classroom.

Krishna shared regarding charter renewal, we will now seek renewal in Summer of 2023 in time for Fall 2024.

Krishna shared enrollment updates -- remains complicated this year just like last year! TK-K is lower, and we can do recruitment. Still have a lot of uncertainty from many families about their intentions to return in-person.

Re: staffing, instructional roles are all filled and hiring now for an Assistant Site Coordinator.

Loren asked Daniel about curriculum maps versus lesson planning. Daniel shared that the curriculum map lays out all of the 99% lessons, plus a few Common Core-specific lessons that are not already in Montessori. The lesson planning tool is about planning out which students are going to get which lessons throughout a week.

Parent Anna asked about teacher communication with families. Krishna responded that expectations on communication from teachers and the frequency is going before the School Leadership Team so those can be developed by teachers -- this work is coming very soon.

Loren asked about the assistant coordinator role, and Krishna responded that the Ops and Admin team are all learning new skills and will also teach those to the new role so they can support.

No other questions or public comment.
J. Faraguna arrived at 6:31 PM.

III. Finance Committee

A. Discussion Item - Committee Report, including year to date financial report

Stacey shared the committee's report, which is in the Documents section of this meeting in BoardOnTrack.

Last year's budget ended with a large one-time surplus, due mostly to one-time COVID relief monies. Our fund balance is strong now exceeds County expectations.

For 2021-2022, the state finalized its budget, including new one-time funding streams, along with new additional state grants, many of which don't yet have much detail released.

State deferrals have now been repaid and eliminated moving forward.

For the latest forecast since July 1st, now showing over \$100,000 operating income in the forecast.

Davis shared a huge appreciation for Alejandra Rodriguez from Edtec, who is moving on her current role -- she has been fabulous. Will be working again with Bryce -- who is also awesome!

Jan asked about enrollment, and Krishna responded that it's not fully adjusted in the latest forecast and will be for next cycle.

No other questions or public comment.

B. Vote to accept the 2020-2021 Unaudited Actuals

D. Leung made a motion to accept the unaudited actuals for 2020-2021.

S. Wang seconded the motion.

Greg shared the unaudited actuals and there were no questions or public comment.

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

Roll Call

H. Thomas	Absent
J. Faraguna	Aye
O. Couch	Absent
L. Bentley Tammero	Aye
S. Wang	Aye
G. Klein	Aye
D. Leung	Aye
C. Greenberg	Aye

IV. Academic Oversight Committee

A. Discussion Item - Committee Report

Jan shared the committee's report which includes excitement and support from the members for all the work going on with academic systems and supports for teachers.

Reviewed the 2021 summer program and the great experience those students had while on campus.

Reviewed Spring NWEA MAP scores and saw that there was not as strong growth Fall to Spring as it was earlier in the year, which was common across the country.

Fall assessments as a fresh baseline will be very important.

Regular committee meetings are now at 4:15pm on Tuesdays.

No other discussion or public comment.

V. Family Advisory Council

A. Committee Report

Loren shared the FAC report. Hosted a summer family picnic on campus, mostly new incoming families. FAC is up and running on ParentSquare and the FAC Leadership meeting was yesterday (8/25/21), introducing the FAC to new families, inviting new ideas and projects.

Kara shared more how are parents interested in additional murals, more trees, and programming for parents.

Elections coming up for FAC officer positions and FAC Board members.

Kara shared also that the Readathon is being planned now, too.

Greg asked about timing of Board candidates and Loren is encouraging all to attend upcoming board meetings.

No other discussion or public comment.

VI. Executive & Governance Committee

A. Discussion Item: Committee Updates, including candidates for board service, Form 700, and training

Christina shared that the bulk of the meeting was reviewing many updated school policies, all of which are up for a vote on tonight's General Consent Report.

Greg reminded members about completing Form 700.

Krishna shared about Board Clearance requirements per County about being fingerprinted.

Loren asked amending the COVID safety plan to include families notifying the school about positive results -- so amended prior to tonight's vote, without objection or public comment.

Loren also asked about communications re: COVID, and Krishna responded that it's a balance of maintaining privacy, keeping school orderly and safe, and also absolutely

ensuring that the specific people involved have the specific information they are required to have. Melissa commented that she supports school-wide communication. Krishna will review and can update her comms protocol if needed.

No other discussion or public comments.

B. Board and committee officers and members

No discussion needed and no action taken. No public comment.

VII. Other Business

A. Oakland and California Updates

Greg shared about OUSD's recent policy discussion about increased testing, and the county board has moved to hybrid meetings: in-person with board and the public accessing on Zoom, and that we will follow the county's lead over the coming months.

No discussion or public comments.

B. Approve Minutes from June 24, 2021 Regular Meeting

C. Greenberg made a motion to approve the minutes from Regular Board Meeting on 06-24-21.

S. Wang seconded the motion.

No discussion or public comment on the minutes.

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

Roll Call

C. Greenberg	Aye
J. Faraguna	Aye
D. Leung	Aye
G. Klein	Aye
L. Bentley Tammero	Aye
H. Thomas	Absent
O. Couch	Absent
S. Wang	Aye

C. Action Item - Vote on General Consent Report

G. Klein made a motion to approve the General Consent Report.

D. Leung seconded the motion.

No discussion or public comment on this item.

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

Roll Call

L. Bentley Tammero	Aye
D. Leung	Aye

Roll Call

S. Wang	Absent
H. Thomas	Absent
G. Klein	Aye
J. Faraguna	Aye
C. Greenberg	Aye
O. Couch	Absent

D. Collect New Business items for Future Meetings

No new items at this time.
J. Faraguna left at 7:29 PM.

VIII. Closed Session

A. Closed Session Items

The Board went into closed session at 7:31 on Public Employee Performance Evaluation - Head of School.

IX. Return to Open Session

A. Report out of any closed session action(s)

The board returned at 8:11pm. No action taken.

X. Closing Items

A. Adjourn Meeting

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 8:11 PM.

Respectfully Submitted,
G. Klein

Documents used during the meeting

None

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 PRESENTATIONS 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.

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FOR MORE INFORMATION For more information concerning this agenda or for materials relating to this meeting, please contact UMCS at 4551 Steele Street, Oakland, CA 94619 or board@urbanmontessori.org. All materials are available via the Governance Section of our website: <http://www.urbanmontessori.org/governance> or directly via our [BoardOnTrack public portal](#).

Coversheet

Action Item - Vote on General Consent Report

Section: VII. Other Business
Item: C. Action Item - Vote on General Consent Report
Purpose: Vote
Submitted by:
Related Material: Interstate Fence Co., Inc 8-16-2021.pdf

Invoice

3520



The Chain Link Fence Specialists
Interstate Fence Co., Inc.
 1304 Whitton Ave.
 San Jose, CA 95116
 (408) 532-9700

DATE	INVOICE #
8/16/2021	UM10084

BILL TO:

Urban Montessori
 4551 Steele St.
 Oakland, CA 94619

P.O. NUMBER	TERMS	PROJECT
Kristina Feeney	Net 30	

QUANTITY	DESCRIPTION	RATE	AMOUNT
	Furnished the labor and material necessary to install 175' of 1" 9 gauge 10' tall chain link.	12,679.00	12,679.00
	Installed one new 6' wide x 10' tall gate 1" 9 gauge chain link and bulldog hinges.	3,055.00	3,055.00

Thank you for your business. Overdue amounts will be charged 2% per month or fraction thereof.

TOTAL \$15,734.00

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