



Encore JR/SR High School

Special Board Meeting- February 10, 2022

Published on February 9, 2022 at 6:17 PM PST

Date and Time

Thursday February 10, 2022 at 6:30 PM PST

Location

This meeting is being held virtually pursuant to Government Code Section 54953 (e). The public can access this meeting via Zoom as follows:

Join Zoom Meeting

<https://zoom.us/j/5871494303?pwd=Mit3eIRMOVhzYjM4K1d2SSStPeEZiQT09>

Meeting ID: 587 149 4303

Passcode: 936591

One tap mobile

+16699006833,,5871494303#,,,,,0#,,936591# US (San Jose)

+13462487799,,5871494303#,,,,,0#,,936591# US (Houston)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 346 248 7799 US (Houston)

+1 253 215 8782 US (Tacoma)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington D.C)

Meeting ID: 587 149 4303

Passcode: 936591

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

Members of the public who wish to comment during the Board meeting may use the “raise hand” tool on the Zoom platform. Members of the public calling in will be given the opportunity to address the Board during the meeting. Individual comments will be limited to three (3) minutes. If an interpreter is needed for comments, they will be translated to English and the time limit shall be six (6) minutes. The Board may limit the total time for public comment to a reasonable time. The Board reserves the right to mute or remove a participant from the meeting if the participant unreasonably disrupts the Board meeting.

Agenda

	Purpose	Presenter	Time
I. Opening Items			6:30 PM
A. Call the Meeting to Order		Rob Gabler, Board President	1 m
B. Record Attendance		Rob Gabler, Board President	1 m
C. Invitation for public to address the Board	Discuss	Joseph Thibodeaux	1 m

All public comment, both on agenda items and non-agenda items within the jurisdiction of the Board, should be provided during the agenda item titled, "invitation for public to address the Board." Members of the public who wish to comment during the Board meeting may use the "raise hand" tool on the Zoom platform. Members of the public calling in will be given the opportunity to address the Board during the meeting. Individual comments will be limited to three (3) minutes per agenda item and one three (3) minute period to address an item not on the agenda. If an interpreter is needed for comments, they will be translated to English and the time limit shall be six (6) minutes per person per agenda item. The Board limits the total time for public comment to thirty minutes, and may extend this time at its sole discretion. The Board reserves the right to mute or remove a participant from the meeting if the participant unreasonably disrupts the Board meeting.

II. Operations			6:33 PM
A. Approval of Independent Study Policy	Vote	Sabrina Bow	5 m

III. Finance			6:38 PM
A. Encore Banking Resolution 2022-02	Vote	Sabrina Bow	5 m

IV. Adjourn to Closed Session			6:43 PM
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Pursuant to Government code section 54957, the Board may adjourn to closed session at any time during the meeting to discuss staff/student personnel matters, negotiations, litigation, and/or acquisition of land or facilities. The board will adjourn to closed session in a private area for discussion and may take action on the following closed session items.

1. Public Employee: Discipline/Dismissal/Release

2. Conference with Legal Counsel – Anticipated Litigation:

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of section 54956.9: One case

A. Reconvene from Closed Session	Vote	Rob Gabler	180 m
After the closed session is complete, the Board will reconvene and report any action taken on closed session.			

	Purpose	Presenter	Time
V. Closing Items			9:43 PM
A. Adjourn Meeting	Vote	Rob Gabler	1 m

A copy of the agenda will be posted at least 24 hours before such meeting. A copy of the written materials which will be submitted to the Board of Encore Junior and Senior High School for the Arts is available along with this agenda following the posting of the agenda by emailing sbow@encorehighschool.com.

Requests for disability-related modifications or accommodations to participate in this public meeting shall be made 24 hours prior to the meeting by calling (760) 956-2632 or emailing jthibodeaux@encorehighschool.com. All efforts will be made for reasonable accommodations. The agenda and public documents can be modified upon request as required by Section 202 of the Americans with Disabilities Act.

Cover Sheet

Approval of Independent Study Policy

Section: II. Operations
Item: A. Approval of Independent Study Policy
Purpose: Vote
Submitted by:
Related Material:
Encore - Independent Study Policy (AB 130 and 167 Compliant) (4890-4043-5213.v1).pdf

Adopted/Ratified: February 10, 2022

Revision Date: February 10, 2022



INDEPENDENT STUDY POLICY

Encore Junior and Senior High School for the Performing and Visual Arts (“Charter School”) may offer independent study to meet the short or long-term educational needs of pupils enrolled in the Charter School. Independent study is an optional educational alternative in which no pupil may be required to participate and is designed to teach the knowledge and skills of the core curriculum. The Charter School shall provide appropriate existing services and resources to enable pupils to complete their independent study successfully. The following written policies have been adopted by the Encore Education Corporation Board of Directors for implementation at Charter School:

1. For pupils in all grade levels and programs offered by the Charter School, the maximum length of time that may elapse between the time an assignment is made and the date by which the pupil must complete the assigned work shall be as follows:
 - a. For pupils in grades 7 to 8, seven (7) school days; and
 - b. For pupils in grades 9 to 12, ten (10) school days.
2. The CEO/Executive Director or designee shall conduct an evaluation to determine whether it is in the best interests of the pupil to remain in independent study upon the following triggers:
 - a. When any pupil fails to complete three (3) assignments during any period of twenty (20) school days.
 - b. In the event Student’s educational progress falls below satisfactory levels as determined by ALL of the following indicators:
 - i. The pupil’s achievement and engagement in the independent study program, as indicated by the pupil’s performance on applicable pupil-level measures of pupil achievement and pupil engagement set forth in Education Code Section 52060(d) paragraphs (4) and (5).
 - ii. The completion of assignments, assessments, or other indicators that evidence that the pupil is working on assignments.
 - iii. Learning required concepts, as determined by the supervising teacher.
 - iv. Progressing toward successful completion of the course of study or individual course, as determined by the supervising teacher.

A written record of the findings of any evaluation conducted pursuant to this policy shall be treated as a mandatory interim pupil record. The record shall be maintained for a period of three years from the date of the evaluation and, if the pupil transfers to another California public school, the record shall be forwarded to that school.

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3. The Charter School shall provide content aligned to grade level standards that is provided at a level of quality and intellectual challenge substantially equivalent to in-person instruction. For high school grade levels this shall include access to all courses offered by the Charter School for graduation and approved by the UC or CSU as creditable under the A-G admissions criteria.
4. The Charter School has adopted tiered reengagement strategies for the following pupils:
 - a. All pupils who are not generating attendance for more than three (3) schooldays or 60 percent of the instructional days in a school week, or 10 percent of required minimum instructional time over four continuous weeks of the Charter School's approved instructional calendar;
 - b. Pupils found not participatory pursuant to Education Code Section 51747.5 for more than the greater of three schooldays or 60 percent of the scheduled days of synchronous instruction in a school month as applicable by grade span; or
 - c. Pupils who are in violation of the written agreement pursuant to Education Code Section 51747(g).

These procedures shall include, but are not necessarily limited to, all of the following:

- d. Verification of current contact information for each enrolled pupil.
 - e. Notification to parents or guardians of lack of participation within one (1) school day of the recording of a non-attendance day or lack of participation.
 - f. A plan for outreach from the school to determine pupil needs, including connection with health and social services as necessary.
 - g. A clear standard for requiring a pupil-parent-educator conference to review a pupil's written agreement, and reconsider the independent study program's impact on the pupil's achievement and well-being, consistent with the policies adopted pursuant to paragraph (4) of subdivision (g) of Education Code Section 51747.¹
5. The following plan shall be in place in accordance with Education Code Section 51747(e) for synchronous instruction and live interaction:
 - a. For pupils in grades 7-8, inclusive, the Charter School shall provide opportunities for daily live interaction between the pupil and a certificated or non-certificated employee of the Charter School and at least weekly synchronous instruction for all pupils throughout the school year by each pupil's assigned supervising teacher.

¹ The tiered reengagement strategies shall not apply to pupils that participate in an independent study program for fewer than 15 schooldays in a school year. The tiered reengagement strategies shall not apply to independent study offered due to school closure or material decrease in attendance for 15 school days or less for affected pupils under one or more of the circumstances described in Education Code Sections 46392 and 46393 for which the Charter School files an affidavit seeking an allowance of attendance due to emergency conditions.

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- b. For pupils in grades 9-12, inclusive, the Charter School shall provide opportunities for at least weekly synchronous instruction for all pupils throughout the school year by each pupil's assigned supervising teacher.²
6. The following plan shall be utilized to transition pupils whose families wish to return to in-person instruction from independent study expeditiously, and, in no case, later than five instructional days:
 - a. Upon parent/guardian request to return their student to in-person instruction, the Charter School shall ensure the student is returned to in-person instruction expeditiously, and in no case, later than five instructional days following the request to return.³
7. A current written agreement shall be maintained on file for each independent study pupil, including but not limited to, all of the following:
 - a. The manner, time, frequency, and place for submitting a pupil's assignments, for reporting the pupil's academic progress, and for communicating with a pupil's parent or guardian regarding a pupil's academic progress.
 - b. The objectives and methods of study for the pupil's work, and the methods used to evaluate that work.
 - c. The specific resources, including materials and personnel, that will be made available to the pupil. These resources shall include confirming or providing access to all pupils to the connectivity and devices adequate to participate in the educational program and complete assigned work.
 - d. A statement of the policies adopted pursuant to subdivisions (a) and (b) of Education Code Section 51747 regarding the maximum length of time allowed between the assignment and the completion of a pupil's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether or not the pupil should be allowed to continue in independent study.
 - e. The duration of the independent study agreement, including the beginning and ending dates for the pupil's participation in independent study under the agreement. No independent study agreement shall be valid for any period longer than one school year.

² The plan for synchronous instruction and live interaction shall not apply to pupils that participate in an independent study program for fewer than 15 schooldays in a school year. The plan for synchronous instruction and live interaction shall not apply to independent study offered due to school closure or material decrease in attendance for 15 school days or less for affected pupils under one or more of the circumstances described in Education Code Sections 46392 and 46393 for which the Charter School files an affidavit seeking an allowance of attendance due to emergency conditions.

³ The plan to transition pupils whose families wish to return to in-person instruction shall not apply to pupils that participate in an independent study program for fewer than 15 schooldays in a school year. The plan to transition pupils whose families wish to return to in-person instruction shall not apply to independent study offered due to school closure or material decrease in attendance for 15 school days or less for affected pupils under one or more of the circumstances described in Education Code Sections 46392 and 46393 for which the Charter School files an affidavit seeking an allowance of attendance due to emergency conditions.

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- f. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the pupil upon completion.
 - g. A statement detailing the academic and other supports that will be provided to address the needs of pupils who are not performing at grade level, or need support in other areas, such as English learners, individuals with exceptional needs in order to be consistent with the pupil's individualized education program or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils in foster care or experiencing homelessness, and pupils requiring mental health supports.
 - h. The inclusion of a statement in each independent study agreement that independent study is an optional educational alternative in which no pupil may be required to participate. In the case of a pupil who is referred or assigned to any school, class, or program pursuant to Section 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the pupil through independent study only if the pupil is offered the alternative of classroom instruction.
 - i. Each written agreement shall be signed, before the commencement of independent study, by the pupil, the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the pupil. For purposes of this paragraph "caregiver" means a person who has met the requirements of Part 1.5 (commencing with Section 6550) of Division 11 of the Family Code.
 - Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education, that may be a marking that is either computer generated or produced by electronic means and is intended by the signatory to have the same effect as a handwritten signature. The use of an electronic signature shall have the same force and effect as the use of a manual signature if the requirements for digital signatures and their acceptable technology, as provided in Section 16.5 of the Government Code and in Chapter 10 (commencing with Section 22000) of Division 7 of Title 2 of the California Code of Regulations, are satisfied.
 - For the 2021–22 school year only, the Charter School shall obtain a signed written agreement for an independent study program of any length of time no later than 30 days after the first day of instruction in an independent study program or October 15, whichever date comes later.
8. The Charter School shall comply with the Education Code sections 51745 through 51749.3 and the provisions of the Charter Schools Act of 1992 and the State Board of Education regulations adopted there under.

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9. The CEO/Executive Director may establish regulations to implement these policies in accordance with the law.

Cover Sheet

Encore Banking Resolution 2022-02

Section:	III. Finance
Item:	A. Encore Banking Resolution 2022-02
Purpose:	Vote
Submitted by:	
Related Material:	ENCORE Board Resolution 2022-02 (bank signatories).pdf

**ENCORE EDUCATION
CORPORATION Board Resolution
#Encore-2022-01
for
Signatories on Bank Accounts at Wells Fargo Bank**

WHEREAS, Encore Education Corporation (“ENCORE”) operates Encore Junior and Senior High School for the Arts, and

WHEREAS, ENCORE is incorporated as a 501(c)3 non-profit organization, and **WHEREAS**, the ENCORE by-laws state that the Chief Executive Officer/Chief Executive Officer/Executive Director is the general manager and chief executive officer of the Corporation and has, subject to the control of the Board, general supervision, direction, and control of the business and the officers of the School; and

WHEREAS, ENCORE has established business checking account/s at Wells Fargo Bank, and

WHEREAS, the ENCORE Board of Directors takes action to authorize this resolution February 10, 2022,

THEREFORE, BE IT RESOLVED, that Interim Chief Executive Officer/Executive Director Sabrina Bow is added as an authorized signatory for the bank accounts referenced above.

THEREFORE BE IT FURTHER RESOLVED, that Board Chairman Robert Gabler is added as an authorized signatory for the bank accounts referenced above.

THEREFORE BE IT FURTHER RESOLVED, the ENCORE Controller Carol Walker shall be added as an authorized signatory for the bank accounts referenced above.

THEREFORE BE IT FURTHER RESOLVED, that all other signatories shall be removed from the accounts referenced above.

THEREFORE BE IT FURTHER RESOLVED, checks made payable to signatories must be signed by other authorized signers.

THEREFORE BE IT FURTHER RESOLVED, checks over \$5,000 must be executed by two authorized signers.

THEREFORE BE IT FURTHER RESOLVED, wire transfers to other accounts held by ENCORE must be requested by at least one authorized signatory.

THEREFORE BE IT FURTHER RESOLVED, wire transfers to any account not held by ENCORE must be requested by two authorized signatories.

ENCORE Board Resolution 2022-02 (bank signatories)

PASSED AND ADOPTED by the Encore Education Corporation Board of Education on
February 10, 2022.

Signed:

Kelly Ahmed
Board Secretary

Date _____