



**BOARD OF DIRECTORS
MEETING MINUTES
Tuesday, January 20, 2009
5:00 PM –9:00 PM
Library**

I. PRELIMINARY:

A. CALL TO ORDER – Rene Rodman – 5:13 PM

B. ROLL CALL – Rene Rodman

Members Present:

Amy Dresser Held	Patrice Fisher
Darcy Stamler (left 7:30)	Rene Rodman
Dave Suarez	Steve Klima
John Callas (abst.)	Torino Johnson
James Paleno	Victoria Francis
John Riley (left 7:00)	

Ex-officio

Greg Wood
Martin Griffin
Ramin Badiyan

C. APPROVAL OF MINUTES FROM BOARD MEETING ON DECEMBER 11 AND DECEMBER 16, 2008. See final approved version at www.palihigh.org.

- James Paleno moved that the December 11 minutes be approved, Patrice Fisher seconded the motion.

BOARD ACTION:

9 – yes (Mrs. Amy Dresser Held, Ms. Darcy Stamler, Mr. Dave Suarez, Mr. James Paleno, Dr. John Riley, Ms. Patrice Fisher, Mrs. Rene Rodman, Mr. Steve Klima, and Ms. Victoria Francis)

1 – abstained (Mr. Torino Johnson)

1 – absent (Mr. John Callas)

- Steve Klima moved that the December 16th minutes be approved, Vicky Francis seconded the motion. James Paleno and Torino Johnson abstained as they were not present at the meeting.

BOARD ACTION:

8 – yes (Mrs. Amy Dresser Held, Ms. Darcy Stamler, Mr. Dave Suarez, Mr. James Paleno, Ms. Patrice Fisher, Mrs. Rene Rodman, Mr. Steve Klima, and Ms. Victoria Francis)

2 – abstained (Dr. John Riley and Mr. Torino Johnson)

1 – absent (Mr. John Callas)

II. PUBLIC COMMENTS:

Non-agenda items: No individual presentation shall be for more than two (2) minutes and the total time for this purpose shall not exceed sixteen (16) minutes. Board members will not respond to presentations and no action can be taken. However, the Board may give direction to staff following a presentation. Use of names of individuals should be avoided when referring to accusations or wrongdoing (names should be presented to the Executive Director for follow-up action). Speakers may choose to speak during the public comment segment and/or at the time an agenda item is presented.

III. BROWN ACT TRAINING:

Please see attached.

IV. ACTION ITEMS:

A. BOARD REVIEW AND ACTION ON PROPOSED AMENDMENTS TO BYLAWS FOR POLICY, COMMUNICATIONS, AND EDUCATIONAL PROGRAMS COMMITTEES

- The revised bylaws were approved. They basically bring all the committees' bylaws into alignment with some key common elements including how a quorum is defined (a majority of voting members and representatives from at least three stakeholder groups present), participation (all are welcome and encouraged to attend – only voting members vote and alternates in their absence) and clarification that all positions are one year terms with no term limits.
- John Riley moved that the Board approve the revisions to the bylaws by the Policy, Communications, and Educational Programs Committees. Patrice Fisher seconded the motion.

BOARD ACTION:

8 – yes (Mrs. Amy Dresser Held, Ms. Darcy Stamler, Mr. James Paleno, Dr. John Riley, Ms. Patrice Fisher, Mrs. Rene Rodman, Mr. Torino Johnson and Ms. Victoria Francis)

2 – abstained (Mr. Dave Suarez and Mr. Steve Klima)

1 – absent (Mr. John Callas)

B. BOARD REVIEW OF AND IDENTIFICATION OF NEXT STEPS IN BOARD TRAINING/DEVELOPMENT. DISCUSSION AND ACTION ON RESOLUTION REGARDING PCHS BOARD OF TRUSTEE OWNERSHIP AND ACCOUNTABILITY.

- The board had a lengthy discussion on its purpose, who it exists to serve and to whom it is accountable. It agreed to continue working on governance development and adopted a resolution committing it and future boards to leading the school according to sound principles of governance and to learning and practicing these principles.
- For the February meeting, several members committed to reading Carver's *Boards That Make a Difference*, while others volunteered to research alternative governance models/best practices.
- Darcy Stamler moved that the Board of PCHS vote to approve the following motion: The Board of PCHS hereby resolves that it will lead the school according to sound principles of governance which it hereby commits itself and its current and future members to learning and practicing. Vicky Francis seconded the motion.

BOARD ACTION:

9 – yes (Mrs. Amy Dresser Held, Ms. Darcy Stamler, Mr. Dave Suarez, Dr. John Riley, Ms. Patrice Fisher, Mrs. Rene Rodman, Mr. James Paleno, Mr. Steve Klima, Mr. Torino Johnson and Ms. Victoria Francis)

1 – absent (Mr. John Callas)

C. BOARD AUTHORIZATION TO ALLOW AMY HELD, EXECUTIVE DIRECTOR TO SIGN PART II OF THE 2008-2009 CONSOLIDATED APPLICATION DUE JANUARY 31, 2009 ON BEHALF OF PCHS. COMPLETED APPLICATION WILL BE DISCUSSED AT THE FEBRUARY BOARD MEETING.

- James Paleno moved that the board authorize Amy Held, Executive Director to sign Part II of the 2008-2009 Consolidated Application due January 31st, 2009 on behalf of PCHS. Steve Klima seconded the motion.

BOARD ACTION:

8 – yes (Ms. Darcy Stamler, Mr. James Paleno, Dr. John Riley, Ms. Patrice Fisher, Mrs. Rene Rodman, Mr. Steve Klima, Mr. Torino Johnson, and Ms. Victoria Francis)

2 – abstained (Mrs. Amy Dresser Held and Mr. Dave Suarez)

1 – absent (Mr. John Callas)

- D. BOARD AUTHORIZATION TO EXTEND UNPAID LEAVE OF ABSENCE FOR TEACHER
 - James Paleno moved that the board authorize the extended leave of absence for teacher (id# 757286) through the end of the school year. Torino Johnson seconded the motion.
 - 8 – yes (Mrs. Amy Dresser Held, Mr. Dave Suarez, Mr. James Paleno, Ms. Patrice Fisher, Mrs. Rene Rodman, Mr. Steve Klima, Mr. Torino Johnson and Ms. Victoria Francis)**
 - 3 – absent (Ms. Darcy Stamler, Mr. John Callas and Dr. John Riley)**
- E. BOARD AUTHORIZATION TO FUND TRAVEL AND LODGING FOR THE AD TO ATTEND 2 STATE AD CONFERENCES – MARCH 19-22(SANTA CLARA) AND APRIL 23-26 (SAN DIEGO) – AT AN ESTIMATED COST OF \$1800 WHICH WILL COME FROM THE ATHLETICS BUDGET.
 - This item was rescinded from the agenda.
- F. BOARD AUTHORIZATION TO FUND TRAVEL AND LODGING TO SEND 1 ADMINISTRATOR, 5 TEACHERS, AND 2 TECHNOLOGY STAFF TO THE CUE CONFERENCE – EDUCATIONAL TECHNOLOGY CONFERENCE – MARCH 5-7 IN PALM SPRINGS AT AN ESTIMATED COST OF \$7880 WHICH WOULD COME FROM THE TECHNOLOGY DEPARTMENT BUDGET AND SITE PD BUDGET
 - This item was rescinded from the agenda.
- G. DISCUSSION AND ACTION ON EXECUTIVE DIRECTOR EXPENSE REPORTS (STANDING ITEM)
 - No report submitted.

V. DISCUSSION/INFORMATION ITEMS:

- A. PRESENTATION OF THE 2007-2008 AUDITED FINANCIAL STATEMENTS BY PCHS INDEPENDENT AUDITORS VICENTI, LLOYD & STUTZMAN.
 - The board heard a presentation on this year’s audit findings from the auditor. The school received a clean, unqualified audit.
- B. CONFIRMATION OF NEXT MEETING FOR FEBRUARY 17, 2009 AT 5:00PM IN THE LIBRARY.
 - The next meeting was confirmed for 2/17/09 at 5pm in the library.

VI. ORGANIZATIONAL REPORTS:

This is a presentation of information concerning non-confidential matters which have occurred since the previous Board meeting.

- A. Student Report – **Ramin Badiyan**
 - concerns about the bell schedule change (process and communication) and community service policies (what is and isn’t accepted) were shared
- B. Parent Report – **Julia O’Grady**
 - No Parent Report submitted.
 - The annual silent auction/dinner dance has been renamed. This year it is called, “Dancing With The Stars” and will take place at the UCLA Commons on Friday, February 20, 2009. Donation items are needed for the Silent Auction,
- C. Faculty Report – **James Paleno/Dave Suarez**
 - concerns about the bell schedule, the elevator project, leadership in the PLC process, and getting cable campus-wide were shared
- D. Academic Principal’s Report – **Martin Griffin**
 - Many teachers included the inauguration activities as part of their curriculum and lessons today. We had some viewing of the event in the Library, some classrooms, and in Mercer Hall.
 - We had a team of 9 faculty members and administrators attended the CA League of High

Schools conference the end of last week (1/15-18). Different people attended sessions on PLC's, developing and using assessments to guide instruction, development and implementation of a pyramid of intervention and others. These leaders will bring their learning back to our PLC's departments and committees to enhance and improve our PLC and intervention work.

- As a result of our annual audit we are revising the school bell schedule as of the end of the first semester. The reason for the change is compliance to the requirement to have all passing periods to be counted the same length towards instructional minutes. Per California Education Code High schools must have a minimum of 64,800 minutes of instruction per school year.
- Tomorrow, Wednesday, January 21, 2009 at 11:00 am, we will have our first awards luncheon to honor our Academic and Shining Dolphins. Shining Dolphins exhibit the following characteristics: Industrious Student, Outstanding Effort, Involvement in School Activities, Good Character, Polite, Positive and Helpful to Others. Academic Dolphins excel in scholarship (3.5 or higher G.P.A.) and exhibit the following qualities: Leadership, Service to School and Community, Good Character, Polite, Positive and Helpful to Others.
 - Shining Dolphin Recipients:
 - Juniors: Madeline Epstein and Athanasios Kaplanis
 - Seniors: Thomas Krane and Ava Sun
 - Academic Dolphin Recipients:
 - Freshman: Lucy Yu
 - Juniors: Brooke Greenberg and Pilar Garcia Brown
 - Seniors: Alyssa Machida and Dinara Azimova

E. Executive Director's Report – **Amy Held**

- Student Achievement – Rich Simon and Paul Mittelbach did some phenomenal collecting of student data that is very powerful. They analyzed in great detail Pali's achievement over the last several years from the global level – our API and AYP performance relative to the state, school district and local schools to the very specific level – looking at our achievement gap relative to these other entities and our performance in different subject areas. They also analyzed our performance on the high school exit exam, advanced placement exams and our internal PLC assessments and looked at our attrition and graduation rates over time and by subgroup. This should be a great starting point for the board in terms of assessing where we are and where we need to go.
- Charter – The finishing touches are still being put on the charter but it should be submitted this week. There were no substantive changes made from the time it was signed off on by the employees and board only the addition of data, some recommended changes from legal, removal of some of the district's overreaching boilerplate and the creation of a table of contents and appendices.
- Human Resources – We have active recruitments underway for the HR Director and Operations Manager and will be conducting interviews next week. There is a comprehensive organization wide compensation survey that management conducted and shared with the budget committee at their January meeting. This analysis, along with guidelines from the budget committee and board will help direct the work ahead of controlling costs in tough budget times.
- Budget – The state has still not definitively determined whether there will be mid year cuts that could top \$700k for our campus. Next year's budget could contain additional cuts projected to be of \$800k+. Senior management and the budget committee are already looking at different strategies to continue our momentum of improvement while cutting back as needed.
- Fundraising – At the direction of the budget committee we are looking at different possibilities to get outside fundraising assistance. We have successfully raised \$800k for the pool on top of Rose's contribution and the number is steadily increasing. These same strategies applied school wide could generate funds to help buffer our programs from the state budget cuts.
- Facilities – Over the break we did install 10 carbon filtration systems on water fountains throughout campus. The rest remain disabled until LAUSD completes their testing and repairs.

We also installed a catwalk from the upper lot to the lower lot for safety and completed the installation of the portable landscaping infrastructure. The elevator project is complete but won't be operational until the fire alarm system is completed. This project ran into problems and is delayed at least three months. The district's plumbing project in the gym is complete, the water is back on over there and the restrooms and locker rooms are open.

- Admissions – We had a meeting with LAUSD last week and debated at length the number of Public School Choice seats to be reserved for students not coming from Revere. We convinced them to lower the number from 81 to 45 at the 9th grade level. This is critical to ensure we are able to accommodate an anticipated spike in resident enrollment due to the economy and Revere's large 8th grade class of 730 students with a total of 744 seats at the 9th grade level.

F. Chief Business Officer's Report – **Greg Wood**

- Enrollment - PCHS enrollment has been reported for the fourth month of the school year and filed the First Attendance Report (P-1) with the CDE. PCHS had 2,682 students enrolled and attending classes (2,667 students enrolled month four 2007-8). The enrollment by grade level was: 835 students-9th; 632 students-10th; 667 students-11th and 548 students-12th. The ADA, which determines our level of funding, at the end of the fourth month of school was 2,610 or 96.3% (2,585 and 96.2% prior school year) of the enrolled students. The budgeted level of ADA for the full school year is 2,600. Current projections, based upon prior ADA history would indicate that full year ADA might be 2,582 based upon current attendance. This information will be monitored and has been communicated to the Administrative team and the second semester is being targeted to increase enrollment to meet the 2,600 ADA Budgeted.
- Financial Reporting -
- Budget Update –
 - 2008 -2009 –
 - The The State of California has still not been addressed the Current Fiscal Issues at the State Level. There are numerous proposals by the Governor, Democrats & Republicans that have been made to address the State Budget Shortfall. These proposals continue to involve a combination of current year cut backs for 2008-2009 and/or cut backs in 2009-2010 Funding. The possible funding cut backs for the 2008-2009 to PCHS would involve:
 - #1) The reversal of the 0.68% COLA funding increase in the General Purpose funding awarded in September (impact of approx. \$100,000)
 - #2) Reduction of the Charter Block Grant from \$500 per ADA to \$400 per ADA (potential impact of \$260,000)
 - #3) Eliminate funding of the On-Going Art & Music Block Grant (impact of \$45,000)
 - #4) Reduction of 4.5% in the General Purpose Funding Levels (retroactive to July 1,2008-impact of approx. \$645,000)
 - The Budget & Finance Committee has set up a task force with the goal of identifying cost savings/revenue enhancing ideas for PCHS
 - 2009 – 2010 – The 2009-2010 Budget Calendar is in the Process of Being Developed with the Forms and Justifications that will be utilized. The Administrative team will be reviewing the packets prior to release (sometime in February).
- Cafeteria - Participation in PCHS' food programs continues to improve in the 2008-2009 School Year. Revenues are up 15.5% (or \$33,000) through December 2008. Profitability is up \$37,000 from 2007-2008. Free & Reduced Participation to date is 720 qualified students (26.8% of total enrollment) which is similar to prior year.
- ASB - The ASB has completed its' mid-year financial updates and projections and will be holding meeting with Leadership, Athletics and the Administration to communicate the latest financial information.

G. Technology – **Maisha-Cole Perri**

- No report submitted.

H. Human Resources –

➤ Interviews for this position will be conducted next week.

- I. Standing Committee Reports on roster of members and goals for the year as well as ratification of standing committee ACTION items:
- i. Communications – **Monica Iannessa (report by Julia O’Grady)**
 - No report submitted.
 - ii. Education Program – **Melinda Meinen (report by Julia O’Grady)**
 - No report submitted.
 - iii. Finance and Budget – **Greg Wood**
 - See CBO Report.
 - iv. Operations/Facilities / Technology Committee – **Maisha-Cole Perri**
 - No report submitted.
 - v. Policy – **Julia O’Grady**
 - No report submitted.

VII. CLOSED SESSION: - 9:22 PM

- A. PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL / RELEASE
- B. CONFERENCE WITH LABOR NEGOTIATOR – AMY HELD PESPU, UTLA
- C. EXISTING AND POTENTIAL LITIGATION (MANDATED COST REIMBURSEMENT)

VIII. PUBLIC SESSION: - 9:34 PM

IF REQUIRED, PUBLIC REPORT ON ACTION TAKEN IN CLOSED SESSION (includes the vote or abstention of every member present).

CLOSED SESSION Item C. EXISTING AND POTENTIAL LITIGATION

➤ Dave Suarez moved to allow the Executive Director to pursue by any means necessary mandated cost reimbursement for PCHS, up to and including litigation with the caveat that if there is an associated cost to the school the item will come back to the board. James Paleno seconded the motion.

BOARD ACTION:

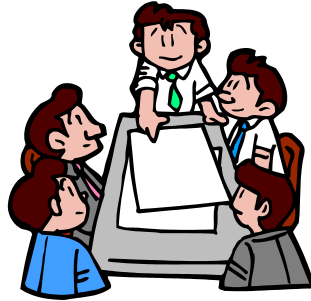
8 – yes (Mrs. Amy Dresser Held, Mr. Dave Suarez, Mr. James Paleno, Ms. Patrice Fisher, Mrs. Rene Rodman, Mr. Steve Klima, Mr. Torino Johnson, and Ms. Victoria Francis)

3 – absent (Ms. Darcy Stamler, Mr. John Callas, and Dr. John Riley)

IX. ADJOURNMENT: - 9:35 PM

Palisades Charter High School

“Brown Act Workshop”



**Presented
By:**

James E. Young, Esq.
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January 20, 2009



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UNDERSTANDING THE BROWN ACT

I. PURPOSE AND SCOPE OF THE ACT

A. Open Access

The Ralph M. Brown Act (“Act”) also known as California’s “Open Meeting Law,” represents the Legislature’s determination of the balance between public access to meetings of multi-member legislative bodies on the one hand, and the need for confidential candor, debate and information gathering on the other. Where matters are not subject to the closed session exceptions, the Act requires all deliberative processes by legislative bodies, including discussion and the acquisition of information, to be open and available for public scrutiny.

B. Confidentiality on a Limited Basis

The Legislature has established a presumption in favor of public access. However, the Act also contains specific exceptions from the open meeting requirements where a public entity has demonstrated the need for confidentiality.

II. MEETING DEFINED UNDER THE ACT

A. Broadly Defined

A meeting is any congregation of a majority of the members of the board at the same time and location to hear, discuss, deliberate or take action on any item within the subject matter jurisdiction of the board. The board need not take any action in order for the gathering to be defined as a meeting. (§ 54952.2.)

The following are exceptions to the definition of a meeting:

1. Individual Contacts: Individual contacts between board members and others which do not constitute serial meetings. (§ 54952.2(c)(1).)
2. Conferences and Retreats: Such gatherings which are open to the public that involve issues of interest to the charter school so long as the majority of the board members present do not discuss amongst themselves business of a specific nature under the board’s jurisdiction. (§ 54952.2(c)(2)(3)(4).)
3. Social or Ceremonial Occasions: Board members may attend such events where no business of the board is discussed. (§ 54952.2(c)(5).)

B. Serial Meetings

The Act prohibits a majority of board members from engaging in a series of communications which are conducted outside of board meetings through direct communications, intermediaries or technological devices for the purpose of discussing, deliberating or taking action on matters within the jurisdiction of the board. (§ 54952.2.) However, board members can answer questions or provide information regarding an issue (outside a board meeting) so long as the board member does not communicate to other board members the comments or position of

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The following instances are exempt from the definition of a serial meeting:

- a. Individual contacts between board members and persons who are not board members of the charter school. (§ 54952.2.)
- b. Teleconferencing which is conducted in accordance with the procedures set forth in Section 54953(b).
- c. Writings or other communications made outside of a Board meeting, between individual board members and staff for informational purposes, so long as the Board member or employee does not communicate to members of the Board the comments or positions of any other Board members.

C. Teleconference Meetings

Teleconference meetings may be held under carefully defined parameters. For example, the meeting agenda must specifically identify all teleconference locations and each such location must be fully accessible to members of the public.

D. Writings as Meetings

Especially, in light of today's prevalent use of e-mail, a meeting may inadvertently occur in writing when such writings are exchanged between a majority of the Board. These meetings, although in writing, are still subject to the Act's agenda posting requirements. This is to be distinguished from one-way communication to Board members, not amongst them.

III. NOTICE AND AGENDA REQUIREMENTS

A. Regular Meetings

An agenda containing a brief description (*e.g.*, approximately 20 words) of each matter to be considered or discussed must be posted at least seventy-two (72) hours prior to the meeting. (§ 54954.2) Meetings of advisory or standing committees are deemed to be "regular meetings" for purposes of the Act. (§ 54954(a).)

1. Exceptions to Agenda Requirements: Special procedures permit an entity to proceed on an item not on the agenda in case of emergency circumstances, where the need for the action came to the attention of the board after posting of the agenda, or when the matter was continued to a subsequent meeting within five days. (§ 54954.2.)
2. Public Testimony: Every agenda shall provide an opportunity for members of the public to address the board on any item under the subject matter jurisdiction of the body, before or during consideration. (§§ 54954.2(b), 54954.3(a).)

B. Special Meetings

Twenty-four hour notice must be provided to members of the public and media outlets including a brief general description of matters to be considered or discussed. Only the items listed on the special meeting agenda may be considered by the board, or commented

upon by the public. (§ 54956.)

C. Emergency Meetings

One hour notice in case of work stoppage that seriously impairs public health, safety or both or in the case of crippling disaster.

D. Closed Sessions

1. Agenda Requirement:

- a. All items to be considered in closed session must be identified in the notice or agenda for the meeting. (§ 54954.2.)
- b. A model (“safe harbor”) description for closed session items is recommended by statute in Section 54954.5.
- c. Closed session agenda for personnel matters must specify the title of the position in all instances except discipline, dismissal or release. (§ 54954.5(e).)
- d. Closed session agenda for conferences with real property or labor negotiators must specify the names of designated representatives. (§§ 54954.5(b)(f), 54956.8, and 54957.6.)

2. Oral Announcement: Prior to each closed session, the board must orally announce the subject matter(s) of the closed session. (§ 54957.1.)

3. Reporting Out: If final action is taken in closed session, the board generally must report the action at the conclusion of the closed session. (§ 54957.7.)

E. Adjournments and Continuances

Regular and special meetings may be adjourned to a future date. (§ 54955.) If the meeting is reconvened within five (5) days of the original meeting, matters properly placed on the agenda for the original meeting may be considered at the subsequent meeting. When adjournment occurs, notice of the adjournment must be conspicuously posted within twenty-four (24) hours of the adjournment.

F. Location of Meetings

As a general rule, regular and special meetings must be held within the boundaries of the territory over which the Board has jurisdiction. (§ 54954(b).) For charter schools, this likely means meetings must be held within the boundaries of the charter school’s granting agency.

IV. RIGHTS OF THE PUBLIC

A. Public Testimony

The public may comment on agenda items before or during consideration by the board. Time must be set aside for public comment on any other matters under the body’s jurisdiction not on the agenda. The body may adopt reasonable rules regulating the amount of time for public testimony. (§ 54954.3.)

B. Taping Or Broadcasting

Meetings may be broadcast, audio-recorded or video-recorded so long as the activity does not constitute a disruption of the meeting. (§§ 54953.5, 54953.6.)

C. Conditions To Attendance

The public may not be asked to register or identify themselves or to pay fees in order to attend public meetings. (§§ 54953.3, 54961.)

D. Public Records

Materials provided to a majority of a board which are not exempt from disclosure under the Public Records Act must be provided, upon request, to members of the public without delay. (§ 54957.5.)

E. Non-Discriminatory Facilities

Under the Act, meetings may not be conducted in a facility that excludes persons on the basis of their race, religion, color, national origin, ancestry, or sex, or that is inaccessible to disabled persons or where members of the public may not be present without making a payment or purchase.

V. PERMISSIBLE CLOSED SESSIONS

A. Introduction

1. Narrow Construction: The statutory exceptions to the public meeting requirement of the Act are strictly construed in favor of public access.
2. Semi-Closed Meetings: In specific circumstances, certain interested members of the public may be admitted to a closed session while the remainder of the public is excluded.
 - a. Generally, closed sessions may only involve the membership of the Board plus any additional support personnel who may be required (*e.g.*, attorney in connection with legal advice; supervisor in connection with disciplinary proceeding; labor negotiator in connection with collective bargaining).
 - b. If a board admits any other person into a closed session to deliberate on a recommendation to suspend, expel, or otherwise discipline a pupil, the parent or guardian of the pupil, the pupil, and counsel for the pupil shall be allowed to attend. (Education Code § 48918(e).)
3. Secret Ballots: Secret ballots are expressly prohibited under the Act. (§ 54953(c).) The vote or abstention of each individual member must be reported. (§ 54957.1(a).)
4. Confidentiality of Closed Sessions: The Act specifically provides that a person may not disclose confidential information that has been acquired by attending a proper closed session to a person not entitled to receive it, unless the Board authorizes the disclosure. The Act provides remedies for wrongful disclosure including injunctive relief, disciplinary action, referral to grand jury and other available legal remedies.

B. Authorized Closed Sessions

1. Personnel: To consider appointment, employment, evaluation of performance, discipline or dismissal of an employee. An employee must be given at least twenty-four (24) hours prior to written notice of his or her right to have any specific complaint or charge against the employee heard in public. (§ 54957.)
2. Pending Litigation: A board may meet in closed session to receive advice from its legal counsel concerning existing litigation, initiating litigation, or situations involving a significant exposure to litigation as defined by statute. (§ 54956.9.)
3. Real Estate Negotiations: A board may meet in closed session to consider price and terms of payment in connection with the purchase, sale, exchange or lease of real property. (§ 54956.8.)
4. Labor Negotiations: A board may meet in closed session with its negotiator to consider labor negotiations with represented and unrepresented employees. Issues

related to budgets and available funds may be considered, although final decisions regarding salaries of unrepresented employees must be made in public. (§ 54957.6.)

5. Public Security Exception: A board may meet in closed session with the Attorney General, District Attorney, Sheriff, or Chief of Police on matters posing a threat to the security of public buildings and public services or facilities.
6. Pupil Discipline: A public school governing board may meet in closed session to consider the suspension, expulsion, or other disciplinary action of any pupil, unless the pupil requests the hearing be in public. (Education Code §§ 35146, 48918(c).) Hence, final action to expel a pupil may only be taken in public session. (Education Code § 48918(j).)
7. Early Withdrawal From Deferred Compensation Account: The Board may meet in closed session to discuss an employee's application for early withdrawal of funds from a deferred compensation account.

C. Minute Book

The Board may, but is not required to, keep a confidential minute book with respect to matters discussed in closed session. (§ 54957.2.)

VI. PENALTIES AND REMEDIES FOR VIOLATION OF THE ACT

A. Criminal Penalties

The District Attorney may seek misdemeanor penalties against a member of a board who attends a meeting where action is taken in violation of the Act, and where the member intended to deprive the public of information which the member knows or has reason to know the public was entitled to receive. (§ 54959.)

B. Civil Remedies

Any person or the District Attorney may file a civil lawsuit for injunctive, mandatory or declaratory relief, or to void an action taken in violation of the Act. (§§ 54960, 54960.1.) Attorneys' fees are available to prevailing plaintiffs.

Before a civil lawsuit may be commenced, the plaintiff must demand the entity "cure and correct" the violation. (§ 54960.1.)

1. Demand for cure must be made within thirty (30) days of the violation for action taken in open session in violation of the agenda requirement;
2. For all other alleged violations, demand for cure must be made within ninety (90) days of the alleged violation.

If the agency cures the violation within thirty (30) days, civil suit on the violation is barred.



A California Distinguished School

**COMMUNICATIONS COMMITTEE
BY-LAWS
REVISED DECEMBER 11, 2008**

SECTION 1 – PURPOSE

The purpose of the Palisades Charter High School Communications Committee (the Committee) is to define and promote effective communication to all stakeholders. The Committee will provide guidelines and feedback for constructive Pali communications.

SECTION 2 – FUNCTION

The function of the Committee is to advise the Board of Directors on effective internal and external communication strategies within the school, to the press, and to the community.

SECTION 3 - CONSTRUCTION

These bylaws shall be liberally construed to the end that the Palisades Charter High School Policy Committee fulfills its stated function.

SECTION 4 – COMPOSITION AND SIZE

The Committee membership shall be open to all stakeholders of the Palisades Charter High School, with a majority membership of the faculty stakeholder group. Those desiring membership may make such request to the secretary of the Committee. The Committee shall include one of more members from each stakeholder group totaling no more than eleven. Current interested membership Includes: 2 teachers; 3 students; 3 parents; 1 Board member; 1 administrator; and 1 classified staff member. *Ad hoc* committee members will represent standing committees. Members shall serve a one year term with no term limits. The term begins immediately upon appointment unless otherwise specified.

SECTION 5 – CHAIRPERSON

The Chairperson shall be appointed by the chairperson of the Board of Directors. The Chairperson shall act as parliamentarian for all Committee meetings:

- Shall call meetings
- Oversee meetings to ensure that the function of the Committee is met
- Present committee reports to the Board of Directors

SECTION 6 – SECRETARY

The Secretary of the Committee shall perform the following tasks:

- Preserve the committee's books and records
- Prepare and distribute minutes of the committee meetings.
- Prepare committee reports and,
- In the absence of the chairperson, the secretary shall act as parliamentarian.

SECTION 7 – MEETINGS

Meetings of the Committee shall be held on the second Thursday of every month, at 3:30 PM, in the Library, at Palisades Charter High School. A notice of the meeting and an agenda shall be issued to Committee members in writing and/or via the internet 72 hours prior to a meeting. Any member of the

Committee may request an item be included on the agenda as long as items are included within the function of the Committee. Items may be added to the agenda up to five (5) days before a meeting date. Special meetings may be called on shorter notice, only in accordance with the Brown Act.

SECTION 8 – QUORUM

A majority of the active membership, with representation by no less than three stakeholder groups, constitutes a quorum. The Committee may not take action without a quorum.

SECTION 9 – TELEPHONE MEETINGS

A meeting of the Committee may be held by means of a conference telephone or similar communication only if in accordance with the Brown Act.

SECTION 10 – RECOMMENDATIONS

Recommendations to the Board of Directors may be made only by a majority vote of the members present at the meeting. Such recommendations will be presented as a Committee Report to the Board of Directors at its regularly scheduled or special meetings. The Committee shall observe the parliamentary rules provided by the *Roberts Rules of Order* when considering recommendations to the Board of Directors.

SECTION 11 – AMENDMENTS

Amendments to these bylaws may be made by the Committee by timely written request to the secretary of the Committee in advance of notice of a meeting, provided that notice of any proposed amendment or amendments, including text and statement of reasons therefore, are included in the notice of the Committee meeting. All amendments must be consistent with the charter.

SECTION 12 – CONFLICTS OF INTEREST

Members of the Committee shall comply with the Conflicts Code of the charter school.

SECTION 13 – SUBCOMMITTEES

The Committee is authorized to form *ad hoc* subcommittees to bring recommendations before the full committee.

SECTION 14 – ATTENDANCE

A member is required to abstain from voting if they missed the previous two meetings or the discussion related to the topic subject to vote. The members of the committee may revoke a person's membership if that individual misses three consecutive meetings.

SECTION 15 – EFFECTIVE DATES

These bylaws and any amendments shall become effective upon adoption by the Committee unless another effective date is expressly determined by the Committee.

SECTION 16 – PARTICIPATION

The Communications Committee encourages broad participation throughout the school community and all are welcome to attend and participate in Committee discussions. Only members may vote. Alternates from each stakeholder group may vote in the absence of that stakeholder group's voting member.



A California Distinguished School

**EDUCATIONAL PROGRAMS COMMITTEE
BY-LAWS
REVISED DECEMBER 1, 2008**

D. SECTION 1—PURPOSE

The purpose of the Palisades Charter High School (PCHS) Educational Programs Committee is to foster the development of quality educational programs and improved student achievement at PCHS. To accomplish its purpose, the committee will encourage teachers and other stakeholders to participate in the formulation of curricular programs and policies. Specifically, the committee's focus, in accordance with California Education Code Section 47600, will be to:

- Improve pupil learning in measurable ways;
- Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving;
- Encourage the use of effective and innovative teaching methods; and
- Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school.

E. SECTION 2—FUNCTION

The function of the PCHS Educational Programs Committee shall be to:

- Develop and/or analyze proposals relating to the school's educational programs;
- Use achievement data to help plan and assess educational programs;
- Make recommendations regarding educational matters to the PCHS Board of Directors; and
- When appropriate, make decisions regarding implementation of programs within the parameters set by the PCHS Board of Directors. (Decisions incurring liability or involving a major policy change, as determined by the Executive Director, must be brought to the Board.)

F. SECTION 3—CONSTRUCTION

These bylaws shall be liberally construed to the end that the PCHS Educational Programs Committee fulfills its stated function.

SECTION 4—COMPOSITION AND SIZE

The Educational Programs Committee shall consist of 19 voting members and one ex officio member, with the following composition:

- 1 Academic Principal or his/her designee
- 11 Teachers, 1 Teacher representing each department: English, Mathematics, Social Studies, Science, Health Education, Physical Education, Special Education, Technical Education, Visual and Performing Arts, Foreign Language, Work Experience
- 1 Member of the Counseling Department
- 1 Classified Employee
- 2 Parents (1 traveling)
- 2 Students
- Executive Director (ex officio)
- 1 Community Member

Members should be selected during June of each school year. Those desiring membership may make such request to the Secretary of the committee in May. If more than the number of required members applies, an election

should be scheduled for the June committee meeting and those attending that meeting should vote to seat the committee. Those persons receiving the most votes for each stakeholder position shall be seated as a committee member and the runners-up shall be seated as alternates.

Members will serve one-year term, with no term limits. Terms shall commence in June and continue through the next school year. Vacancies shall be filled by alternates or by accepting new applications, if necessary, during the term.

The names of the committee members and officers will be submitted to the Board of Directors for approval and the committee members' names should be published (on the school website and on the designated bulletin board) in June.

Members may only be removed by the PCHS Board of Directors upon a petition of three-fourths (3/4) of the Committee, or a motion by a member of the Board.

SECTION 5—CHAIRPERSON

The Committee Chairperson shall be elected by the members, a majority which shall be from the faculty stakeholder group. The responsibilities of the Chairperson are:

- Call meetings;
- Prepare or direct the Secretary to prepare committee agendas;
- Oversee meetings to ensure that the function of the committee is met;
- Present committee reports to the Board of Directors;
- Act as Parliamentarian or appoint a member to perform that function.

G.

H. SECTION 6—SECRETARY

The Secretary of the Educational Programs Committee shall perform the following tasks:

- Preserve the committee's books and records;
- At the direction of the Chairperson, prepare and distribute notices of committee meetings;
- Prepare committee reports; and
- In the absence of the Chairperson, the Secretary acts as Chairperson.

I. SECTION 7—MEETINGS

Regular meetings of the Committee shall be held the first Wednesday of every month at the published time and place, subject to variation due to holiday. An agenda serving also as a notice of meeting shall be issued to Committee members in writing no less than 72 hours prior to a regular meeting. Any stakeholder may request an item be included on the agenda, provided such item is within the function of the committee by contacting the Chairperson of the Committee. Special and emergency meetings may be called on shorter notice, only in accordance with the Brown Act.

J. SECTION 8—QUORUM

A majority of the members, or alternates, with representation by at least three stakeholder groups constitutes a quorum. The Committee may not take action without a quorum.

K. SECTION 9—TELEPHONE MEETINGS

A meeting may be held by means of a conference telephone or similar communication only if in accordance with the Brown Act.

L. SECTION 10—RECOMMENDATIONS

Recommendations to the Executive Director and/or the PCHS Board of Directors may be made only by a majority vote of the members present at the meeting. If legally permissible, an absent member can vote on an action item by written proxy, if the member was present for discussion on the item at a previous meeting or meetings. Decisions incurring liability or that are a major policy change, as determined by the Executive Director, must be brought to the Board. Such recommendations will be presented as a committee report to the Board at its regularly scheduled or special meetings. The Committee shall observe the Parliamentary rules provided by *Roberts Rules of Order* when considering recommendations to the Board.

M. SECTION 11-AMENDMENTS

Amendments to these bylaws may be made by the PCHS Educational Programs Committee by timely written request to the Secretary of the Committee in advance of notice of a meeting providing that notice of any

proposed amendment or amendments, including text and statement of reasons therefore, is included in the notice of the committee meeting. All amendments must be consistent with the charter, the corporate bylaws, and any other governing document of the school.

SECTION 12—CONFLICTS OF INTEREST

Members of the PCHS Educational Programs Committee shall comply with the Conflicts Code of PCHS.

SECTION 13—SUBCOMMITTEES

The PCHS Educational Programs Committee is authorized to form subcommittees to bring recommendations before the full committee

SECTION 14 – ATTENDANCE

The members of the Committee may revoke a person’s membership if that individual misses three consecutive meetings.

SECTION 15 - EFFECTIVE DATES

These bylaws and any amendments shall become effective upon adoption by the PCHS Educational Programs Committee and ratification by the PCHS Board of Directors unless the committee and the Board expressly determine another effective date.

SECTION 16 – PARTICIPATION

The Educational Programs Committee encourages broad participation throughout the school community and all are welcome to attend and participate in Committee discussions. Only members may vote. Alternates from each stakeholder group may vote in the absence of that stakeholder group’s voting member.



**A California Distinguished School
POLICY COMMITTEE
BYLAWS
REVISED DECEMBER 10, 2008**

SECTION 1 – PURPOSE

The purpose of the Palisades Charter High School Policy Committee is to develop policies to promote student achievement and facilitate the function of the school.

SECTION 2 – FUNCTION

- Research and gather information regarding feasibility and implications of implementing new or revised policies
- Make recommendations to the Palisades Charter High School Board of Directors

SECTION 3 – CONSTRUCTION

These bylaws shall be liberally construed to the end that the Palisades Charter High School Policy Committee fulfills its stated function.

SECTION 4 – COMPOSITION AND SIZE

The Policy Committee shall be open to all stakeholders of PCHS, will consist of a majority membership of the faculty stakeholder group, with the following composition:

- six (6) teachers
- two (2) parents/community members
- one (1) student
- one (1) administrator
- one (1) classified employee
- one ex-officio Board of Directors member

Members should be selected during June of each school year. Applications for positions will be accepted by the acting secretary in May. If more than the number of required members applies, an election should be scheduled for the June committee meeting and those attending that meeting should vote to seat the committee. Those persons receiving the most votes for each stakeholder position shall be seated as a committee member and the runners-up shall be seated as alternates.

Members will serve one-year term, with no term limits. Terms shall commence in June and continue through the next school year. Vacancies shall be filled by alternates or by accepting new applications if necessary during the term.

The names of the committee members and officers will be submitted to the Board of Directors for approval and the committee members' names should be published (on the school website and on the designated bulletin board) in June.

SECTION 5 – CHAIRPERSON

The Committee Chairperson/facilitator should be elected by the standing committee members. The responsibilities of the Chairperson are as follows:

- Call meetings
- Prepare or direct the Secretary to prepare committee agendas;
- provide time and opportunity for all viewpoints to be heard
- Oversee meetings to ensure that the function of the committee is met;
- Present committee reports to the Board of Directors;

SECTION 6 – SECRETARY

The Secretary of the Policy committee shall perform the following tasks:

- Preserve the committee’s records
- At the direction of Chairperson, prepare and distribute notices of committee meetings;
- Prepare committee reports and publish Minutes; and
- In the absence of the Chairperson, act as Chairperson.

SECTION 7 – MEETINGS

Regular meetings of the committee shall be held the second Wednesday of every month in the published location. An agenda serving as a notice of a meeting shall be made public no less than 72 hours prior to a regular meeting. Any stakeholder may request an item be included on the agenda, provided such item is within the function of the committee. Special and emergency meetings may be called on shorter notice, only in accordance with the Brown Act.

SECTION 8 – QUORUM

A majority of the voting membership, with representation by no less than three stakeholder groups, constitutes a quorum. The Committee may not take action without a quorum.

SECTION 9 – TELEPHONE MEETINGS

A meeting may be held by means of a conference telephone or similar communication only if in accordance with the Brown Act.

SECTION 10 – RECOMMENDATIONS

All decisions and recommendations from the Committee shall be presented to the Executive Director/Chief Learning Officer for review and implementation. If decisions incur substantial liability or are major changes in policy they will be presented to the Board for final decisions. The Board may request to review any decision made by the committee.

If possible, recommendations to the Board of Directors should be made by consensus. If consensus cannot be met, a vote at the same meeting will be taken. A motion will pass if it receives a majority of the Standing Committee members’ votes (or their alternate, substituting for a stakeholder group) who are in attendance at the meeting. In the case of a tie, a motion is defeated but may be discussed and presented again at a future meeting.

Recommendations/motions passed by the Committee for the Board of Directors should include the names of the members present at the meeting during which the decision was made and the count of the vote for the decision.

SECTION 11 – AMENDMENTS

Amendments to these bylaws may be made by the Committee by timely written request to the Secretary of the Committee in advance of notice of a meeting, provided that notice of any proposed amendment or amendments; including text and statement of reasons therefore, is included in the notice of the committee meeting. All amendments must be consistent with the charter. Any amendments to bylaws must be submitted to the Board of Directors for approval.

SECTION 12 – CONFLICTS OF INTEREST

Members of the Committee shall comply with Conflicts Code of the Charter school.

SECTION 13 – SUBCOMMITTEES

The committee is authorized to form *ad hoc* subcommittees to bring recommendations before the full committee.

SECTION 14 – ATTENDANCE

A member is required to abstain from voting if they missed the previous two meetings or the discussion related to the topic subject to vote. The members of the committee may revoke a person’s membership if that individual misses three consecutive meetings.

SECTION 15 – EFFECTIVE DATES

These bylaws and any amendments shall become effective upon adoption by the Committee and approval by the Board of Directors unless another effective date is expressly determined by the Committee.

SECTION 16 – PARTICIPATION

The Policy Committee encourages broad participation throughout the school community and all are welcome to attend and participate in Committee discussions. Only members may vote. Alternates from each stakeholder group may vote in the absence of that stakeholder group’s voting member.