



AGENDA
Board of Directors Meeting
1086 Alcatraz Ave.
Oakland, CA
May 18, 2017
6:00 PM
Dial in: (712) 775-7031
Access Code: 396664

Remote locations:

360 Blvd Rene Levesque Ouest, Montreal

Vision & Mission

Yu Ming Charter School will provide a challenging and comprehensive education for Kindergarten through 8th grade students, preparing them to be inquisitive and analytic lifelong learners in the 21st Century world. Our mission is:

- *To provide an academically rigorous college preparatory program*
- *To graduate students with bilingual and biliterate skills in Mandarin-Chinese and English*
- *To nurture intellectual curiosity, international perspective and diligence in attaining personal goals*
- *To develop young people with compassion, sound moral character and a sense of responsibility for the community and the environment*

I. Preliminary

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. APPROVAL OF AGENDA**

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

Members of the public are welcome to speak on any agenda or non-agenda items so long as the matter pertains to the domain and jurisdiction of the school board. Public testimony on non-agenda items will be heard at the opening of the meeting. Public testimony on agenda items will take place as each item is presented. The Board's presiding officer reserves the right to impose reasonable time limits on public testimony.

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 Yu Ming Charter School during normal business hours at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063 as far in advance as possible, but no later than 24 hours before the meeting.

FOR MORE INFORMATION

For more information concerning this agenda or for materials relating to this meeting, please contact:
Yu Ming Charter School at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063



II. **INVITATION TO THE PUBLIC TO ADDRESS THE BOARD**

III. **CONSENT AGENDA** (5 mins)

- A. Approve April 2017 board meeting minutes
- B. Review April Check Register

IV. **ITEMS OF BUSINESS**

- A. Principal's Report –Discussion (Principal Park, 25 minutes)
 - 1. Include FSO report
- B. Finance Committee (Jessica Norman, 20 minutes)
 - 1. Financial Update - Discussion
 - 2. Fiscal Policies Revision – Line of Credit – VOTE
- C. Principal Performance Review Update – Discussion (Rodrigo Prudencio, 15 minutes)
- D. Facilities Committee –(Rodrigo Prudencio, 15 minutes)
 - 1. Facilities search process update
 - 2. Review and approve submission of Prop 51 proposal for remodel of Herzog facility - VOTE
- E. Education Committee – Discussion (Julie Mikuta, 10 minutes)
 - 1. Committee meeting report
- F. Board Governance Committee – Discussion (Eric Peterson, 20 minutes)
 - 1. Brown Act Refresher

V. **REVIEW OF ACTION ITEMS AND FUTURE AGENDA ITEMS**

VI. **ADJOURNMENT**

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

Members of the public are welcome to speak on any agenda or non-agenda items so long as the matter pertains to the domain and jurisdiction of the school board. Public testimony on non-agenda items will be heard at the opening of the meeting. Public testimony on agenda items will take place as each item is presented. The Board's presiding officer reserves the right to impose reasonable time limits on public testimony.

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 Yu Ming Charter School during normal business hours at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063 as far in advance as possible, but no later than 24 hours before the meeting.

FOR MORE INFORMATION

For more information concerning this agenda or for materials relating to this meeting, please contact:
Yu Ming Charter School at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063



MINUTES
Board of Directors Meeting
1086 Alcatraz Ave.
Oakland, CA
Thursday, April 20, 2017
6:00 PM

Dial in: (712) 775-7031
Access Code: 396664

Remote locations:

2021 7th Ave
Seattle, WA 98121

360 22nd Street
Oakland, CA 94612

Vision & Mission

Yu Ming Charter School will provide a challenging and comprehensive education for Kindergarten through 8th grade students, preparing them to be inquisitive and analytic lifelong learners in the 21st Century world. Our mission is:

- *To provide an academically rigorous college preparatory program*
- *To graduate students with bilingual and biliterate skills in Mandarin-Chinese and English*
- *To nurture intellectual curiosity, international perspective and diligence in attaining personal goals*
- *To develop young people with compassion, sound moral character and a sense of responsibility for the community and the environment*

I. Preliminary

A. CALL TO ORDER

The meeting was called to order at 6:10pm.

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

Members of the public are welcome to speak on any agenda or non-agenda items so long as the matter pertains to the domain and jurisdiction of the school board. Public testimony on non-agenda items will be heard at the opening of the meeting. Public testimony on agenda items will take place as each item is presented. The Board's presiding officer reserves the right to impose reasonable time limits on public testimony.

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 Yu Ming Charter School during normal business hours at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063 as far in advance as possible, but no later than 24 hours before the meeting.

FOR MORE INFORMATION

For more information concerning this agenda or for materials relating to this meeting, please contact:
Yu Ming Charter School at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063



B. ROLL CALL

NAME	PRESENT	ABSENT
Joy Lee	X	
Phuoc Le	X	
Ron Lewis	X	
Julie Mikuta	X	
Matt Miller		X
Jessica Norman	X	
Thompson Paine	X	
Eric Peterson	X	
Rodrigo Prudencio	X	
Brianna Swartz	X	

C. APPROVAL OF AGENDA

Motion to Approve: Julie

Seconded by:

Vote:

NAME	Yes	No	Abstain
------	-----	----	---------

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

Members of the public are welcome to speak on any agenda or non-agenda items so long as the matter pertains to the domain and jurisdiction of the school board. Public testimony on non-agenda items will be heard at the opening of the meeting. Public testimony on agenda items will take place as each item is presented. The Board's presiding officer reserves the right to impose reasonable time limits on public testimony.

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 Yu Ming Charter School during normal business hours at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063 as far in advance as possible, but no later than 24 hours before the meeting.

FOR MORE INFORMATION

For more information concerning this agenda or for materials relating to this meeting, please contact:
Yu Ming Charter School at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063



Joy Lee	x		
Phuoc Le			
Ron Lewis	x		
Julie Mikuta	x		
Matt Miller (absent)			
Jessica Norman	x		
Thompson Paine	x		
Eric Peterson	x		
Rodrigo Prudencio	x		
Brianna Swartz	x		

II. INVITATION TO THE PUBLIC TO ADDRESS THE BOARD

III. CONSENT AGENDA (5 mins)

- A.** Approve March board meeting minutes
- B.** Review February and March Check Register
- C.** Other items not requiring discussion

Motion to Approve: Jessica

Seconded by: Ron

Vote:

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

Members of the public are welcome to speak on any agenda or non-agenda items so long as the matter pertains to the domain and jurisdiction of the school board. Public testimony on non-agenda items will be heard at the opening of the meeting. Public testimony on agenda items will take place as each item is presented. The Board's presiding officer reserves the right to impose reasonable time limits on public testimony.

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 Yu Ming Charter School during normal business hours at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063 as far in advance as possible, but no later than 24 hours before the meeting.

FOR MORE INFORMATION

For more information concerning this agenda or for materials relating to this meeting, please contact:
Yu Ming Charter School at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063



NAME	Yes	No	Abstain
Diana Lee			
Joy Lee	x		
Phuoc Le	x		
Ron Lewis	x		
Julie Mikuta	x		
Matt Miller (absent)			
Jessica Norman	x		
Thompson Paine	x		
Eric Peterson	x		
Rodrigo Prudencio	x		
Brianna Swartz	x		

IV. ITEMS OF BUSINESS

A. Principal's Report (Principal Park, 15 minutes)

- School happenings: Teacher appreciation week
- Equity Work in 2016-2017: launch of parent equity design team(with help from local equity expert); professional development for teachers; ___?___ something starting this Saturday

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

Members of the public are welcome to speak on any agenda or non-agenda items so long as the matter pertains to the domain and jurisdiction of the school board. Public testimony on non-agenda items will be heard at the opening of the meeting. Public testimony on agenda items will take place as each item is presented. The Board's presiding officer reserves the right to impose reasonable time limits on public testimony.

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 Yu Ming Charter School during normal business hours at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063 as far in advance as possible, but no later than 24 hours before the meeting.

FOR MORE INFORMATION

For more information concerning this agenda or for materials relating to this meeting, please contact:
Yu Ming Charter School at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063



- Gala report: raised \$273k, net ~\$240k
- Board member check-ins w Principal Park: Eric and Principal Park will find time to meet with each individual board meeting over the summer to build relationships and better understand each member's interests in helping advance YMCS vision / goals; primarily want to build relationship between board members and head of school
- Compensation study: Kelly (EdTec), Jessica, Principal Park previously reported on YMCS market research of comparative compensation; increasingly competitive market for teachers; important to think about the health of our school; focus on retention as well; formed teacher compensation group (looked at staff engagement survey, put together some recommendations for compensation and benefits); want to offer FSA, option to contribute to 40(3)b, green card sponsorship, development pathways (e.g. teacher leader positions); 8 FT teacher assistants, teacher professional learning fund, mentorship / coach for each teacher; big news is increase in the salary ladder by 5% at each step

1. Include FSO Report

- What process in place to assess FSO growth / success?
- Proposal by Principal Park to add a Third kindergarten Class for 2017-18 school year (Eric Peterson, 15 minutes)

1. Board discuss and vote on whether to approve

- Proposal: 1 year bubble
- 2017-18 will need to find not 2 but 3 additional classes? stress on space?
- board now voting on 1 year, but then could vote to end it the subsequent year
- charter guide about max class size?

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

Members of the public are welcome to speak on any agenda or non-agenda items so long as the matter pertains to the domain and jurisdiction of the school board. Public testimony on non-agenda items will be heard at the opening of the meeting. Public testimony on agenda items will take place as each item is presented. The Board's presiding officer reserves the right to impose reasonable time limits on public testimony.

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 Yu Ming Charter School during normal business hours at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063 as far in advance as possible, but no later than 24 hours before the meeting.

FOR MORE INFORMATION

For more information concerning this agenda or for materials relating to this meeting, please contact:
Yu Ming Charter School at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063



- our K classes each have an aid
- why not create another language track at a higher grade?
 - would require material revision to our charter / board vote
- Public comment
 - The driver for doing it in K is... percentage of proficient speakers is declining this year?
 - Still full emersion, but adjusted how conduct lottery; okay if have reduction because still have Mandarin models

Motion to Approve: Julie

Seconded by: Phuoc

Vote:

NAME	Yes	No	Abstain
Joy Lee	x		
Phuoc Le	x		
Ron Lewis	x		
Julie Mikuta	x		
Matt Miller (absent)			
Jessica Norman	x		
Thompson Paine	x		
Eric Peterson	x		

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

Members of the public are welcome to speak on any agenda or non-agenda items so long as the matter pertains to the domain and jurisdiction of the school board. Public testimony on non-agenda items will be heard at the opening of the meeting. Public testimony on agenda items will take place as each item is presented. The Board's presiding officer reserves the right to impose reasonable time limits on public testimony.

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 Yu Ming Charter School during normal business hours at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063 as far in advance as possible, but no later than 24 hours before the meeting.

FOR MORE INFORMATION

For more information concerning this agenda or for materials relating to this meeting, please contact:
Yu Ming Charter School at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063



Rodrigo Prudencio	x		
Brianna Swartz	x		

B. Finance Committee update (Jessica Norman, 15 minutes)

1. Financial update

- a few revenue lines higher than anticipated
- shifting some purchases originally expected to make next year to this year since fundraising so successful / over budget
- did we spend all the extra revenue on operational costs, or putting enough aside? had talked to ACOE about lessening our reliance on fundraising for operational costs (e.g. if there is a drop in state revenue, are we prepared for that?)... could we have put more of the extra revenue to the school's reserve (e.g. for a capital need)... setting ourselves up for a shortfall if have additional FRL families who can't contribute to as large of fundraising successes?
- EdTec will join board's next meeting for a full financial report, but preview:
 - LCFF new info ____? ____
 - State revenue staying flat or going down
 - program to get reimbursed for FRL students but administratively heavy (startup costs) so trying to decide if worth it
 - Prop 39 clean energy program

C. Enrollment and Diversity Committee (Phuoc Le, 10 minutes)

1. ACOE Report and Lottery Results

- part of charter renewal process from 2 years ago, ACOE required us to submit twice yearly reports on how doing on diversity (biggest criticism during renewal process)

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

Members of the public are welcome to speak on any agenda or non-agenda items so long as the matter pertains to the domain and jurisdiction of the school board. Public testimony on non-agenda items will be heard at the opening of the meeting. Public testimony on agenda items will take place as each item is presented. The Board's presiding officer reserves the right to impose reasonable time limits on public testimony.

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 Yu Ming Charter School during normal business hours at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063 as far in advance as possible, but no later than 24 hours before the meeting.

FOR MORE INFORMATION

For more information concerning this agenda or for materials relating to this meeting, please contact:
Yu Ming Charter School at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063



- numbers looking really good; key data points that we would like to highlight include:
 - 1.) A 100% increase in enrolled kindergarten students who are confirmed FRL eligible
 - 2.) 119 total applicants for kindergarten who are self-designated FRL eligible
 - 3.) A 180% increase in enrolled kindergarten students who are African American
- Could be due in some part to new district-wide “Open Charter Enrollement” campaign / system
- Application from Latino families very low, which is troubling; sample size small, but why increase in African American students and not Latinx?
- Action areas for this year:
 - Latinx recruitment (work with outreach team to revisit approach, e.g. Head Start)
 - Any other sources of info to explore this? e.g. there are already other Spanish-immersion charters?
 - For the ELL families, focus might be on learning English, seems daunting to go to Mandarin immersion?
 - Could we connect with other Mandarin immersion schools to see if any pulling ELL Latinx and how dealing with this?
 - ACOE does annual comparison and will be able to see how we compare to other charters
 - Other outreach options? Cinco de Mayo parade, Univision / Telemundo
 - Equity / Inclusion efforts (led by Principal Park)
 - Increasing access (e.g. add another Kindergarten class; are there other ways? re-engage in talks about replication of YMCS)

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

Members of the public are welcome to speak on any agenda or non-agenda items so long as the matter pertains to the domain and jurisdiction of the school board. Public testimony on non-agenda items will be heard at the opening of the meeting. Public testimony on agenda items will take place as each item is presented. The Board’s presiding officer reserves the right to impose reasonable time limits on public testimony.

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 Yu Ming Charter School during normal business hours at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063 as far in advance as possible, but no later than 24 hours before the meeting.

FOR MORE INFORMATION

For more information concerning this agenda or for materials relating to this meeting, please contact:
Yu Ming Charter School at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063



- no feedback yet from ACOE
- D. Berkeley Board Fellows (Brianna Swartz, 15 minutes)
 1. Final report from Liz Koenig and Om Chitale of Berkeley Board Fellows
 - Principal Park and Rodrigo were great mentors, thank you
 - Om – Work with school leaders on technology adoption and implementation, with focus on Summit Basecamp individualized learning platform
 - Liz – Work with Sue on stakeholder engagement (staff + families), teacher retention, and teacher compensation
 - Also shared takeaways from experience as Board fellows
- E. Facilities Committee (Rodrigo Prudencio, 30 minutes)
 1. Facilities search process update
 - Prop 51 options at Herzog, a privately-owned property on Broadway near mid-town, and an Emeryville district property; Also keeping options open with Diocese
 - Would expanded Herzog option allow us to have three classrooms per grade level? we think only for a few years
 - Best option is to replicate into a new space (still tough to be scalable if start with K + 1 and grow from there)
 - To meet current demand, would need to expand K class by 7x
 - Eggs not all in the basket of either Prop 51 solicitations or Diocese conversations
 - Next month Board will likely be brought request to vote on Prop 51 for Herzog
- F. Education Committee (Julie Mikuta, 10 minutes)
 1. Committee meeting report
 -

V. REVIEW OF ACTION ITEMS AND FUTURE AGENDA ITEMS

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

Members of the public are welcome to speak on any agenda or non-agenda items so long as the matter pertains to the domain and jurisdiction of the school board. Public testimony on non-agenda items will be heard at the opening of the meeting. Public testimony on agenda items will take place as each item is presented. The Board's presiding officer reserves the right to impose reasonable time limits on public testimony.

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 Yu Ming Charter School during normal business hours at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063 as far in advance as possible, but no later than 24 hours before the meeting.

FOR MORE INFORMATION

For more information concerning this agenda or for materials relating to this meeting, please contact:
Yu Ming Charter School at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063



VI. ADJOURNMENT

The meeting was adjourned at ____8:28pm____.

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

Members of the public are welcome to speak on any agenda or non-agenda items so long as the matter pertains to the domain and jurisdiction of the school board. Public testimony on non-agenda items will be heard at the opening of the meeting. Public testimony on agenda items will take place as each item is presented. The Board's presiding officer reserves the right to impose reasonable time limits on public testimony.

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 Yu Ming Charter School during normal business hours at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063 as far in advance as possible, but no later than 24 hours before the meeting.

FOR MORE INFORMATION

For more information concerning this agenda or for materials relating to this meeting, please contact:
Yu Ming Charter School at 1086 Alcatraz Ave, Oakland, CA 94608; telephone (510) 452-2063

Check Register



Yu Ming Charter School

April

2017

Grand Total 86,687.99

Vendor	Check Number	Voided	Date	Description	Check Amount
Claire Northall	M1417		4/3/2017	M1417 -	150.00
Shu Feng Chang	M1418		4/3/2017	M1418 -	375.00
Chase	EFT040417		4/4/2017	Acct#4246315211197627; EFT040417 - Purchases	16,662.79
AT&T (DB)	DB040617A		4/6/2017	DB040617A -	964.18
Pacific Gas & Electric	EFT040617		4/6/2017	EFT040617 -	1,691.81
California Waste Solutions	5125		4/7/2017	Waste Toter Svc - 2nd Qtr	570.00
Peek Media	5126		4/7/2017	2017 Gala Video Edit	250.00
Durham School Services	5127		4/7/2017	Cust# 56916; 03/15/17 Transporation to Child Development Center	819.78
Jamie Gao	5128		4/7/2017	Reimb: Toy Prizes	32.45
Pei-Hsuan Hsieh	5129	Voided	4/7/2017	Reimb: 10th Annual ASD Update	0.00
Koplin Design Partners, Inc.	5130		4/7/2017	Project Management - 02/07 - 02/28/17	4,827.66
Office Depot	5131		4/7/2017	Acct#72210155; Office Supplies	184.74
Shamrock Office Solutions	5132		4/7/2017	Acct# YM00; Freight	10.87
Wenting Wang	5133		4/7/2017	Reimb: Supplies and Mileage	518.64
Open Works	5154		4/17/2017	Cust#YUMI0001; Janitorial Svc - 04/01 - 04/30/17	1,255.00
Open Works	5155		4/17/2017	Cust#YUMI0002; Janitorial Svc - 04/01 - 04/30/17	1,154.00
Revolution Foods, Inc	5156		4/17/2017	Cust#C000492; Student Meals - March 2017	8,903.58
Justin Smith	5157		4/17/2017	Trumpet Classes - March '17	720.00
Spotlight: Girls	5158		4/17/2017	Go Girls! Camp Fees	1,690.00
Lynna Tsou	5159		4/17/2017	Reimb: Food for Staff Lunches	217.52
Yao Chun Kuo	5160		4/17/2017	Abacus Class 03/03 - 03/31/17	780.00
St. Columba Church	5161		4/19/2017	Rent - May 2017	13,109.00
Mingming Wu	M1419		4/19/2017	M1419 -	300.00
Alexis Gonzales	M1424		4/19/2017	M1424 -	75.00
Alexis Gonzales	M1425		4/19/2017	M1425 -	50.00
Pei-Hsuan Hsieh	5162		4/20/2017	Reimb: 10th Annual ASD Update	100.00
Stephen Blatteis	M1427		4/24/2017	M1427 -	450.00
Vision Service Plan	EFT042617		4/26/2017	EFT042617 -	27.07
Shu Feng Chang	M1429		4/26/2017	M1429 -	150.00
Shu Feng Chang	M1430		4/26/2017	M1430 -	225.00
Shu Feng Chang	M1431		4/28/2017	M1431 -	150.00
Suyi Bao	M1432		4/28/2017	M1432 -	150.00
Su-Wen Yang	5134		4/7/2017	Mindfullness Classes: 01/18 - 03/16/17	2,050.00

Note: Multiple expenses or "Itemized/Invoice Amounts" may be paid by one check. The total "Check Amount" will appear for each "Itemized/Invoice Amount" paid by the check.

Payroll checks are not included on this register.

Vendor	Check Number	Voided	Date	Description	Check Amount
Zhiyi Zhao	5135	Voided	4/7/2017	Reimb: Raffle Tickets & Photo Booth for 2017 Auction/Benefit	0.00
Suyi Bao	M1420		4/10/2017	Manual Ck#M1420 dated 04/07/17 -	450.00
Chunru Wen	M1421		4/10/2017	Manual Ck#M1421 dated 04/07/17 -	375.00
Claire Northall	M1422		4/10/2017	Manual Ck#M1422 dated 04/07/17 -	150.00
Kidpower	M1423		4/12/2017	Manual Ck#M1423 dated 04/07/17 -	400.00
Board of Equalization	EFT041417		4/14/2017	EFT041417 - 2016 Use Sales Tax	1,197.00
Min Zhao	5136		4/17/2017	Reimb: Raffle Ricket and Photo Booth for 2017 Auction & Benefit	523.42
A Plus Charter Consulting, Inc.	5137		4/17/2017	Retainer for 2017-18 LCAP Svcs	3,000.00
Acme Fire Extinguisher Company	5138		4/17/2017	Service Call, Annual Maint & Materials	327.67
Alameda County Office of Education	5139		4/17/2017	Acct#8677-000-00-2121; STRS Processing Fee - 3rd Quarter FY16-17 (Jan - Mar)	354.00
Sanchos' Backflow	5140		4/17/2017	04/03/17 Annual Backflow Test	75.00
Bay Alarm Company	5141		4/17/2017	Acct#20076120; Installation, CA State and County Tax	230.37
Bright Path Therapists	5142		4/17/2017	Yu Ming Inclusive OT Services: 02/06 - 02/15/17	880.00
Weilin Chen	5143		4/17/2017	Reimb: Food Items for FSO Meeting on 03/28/17	108.16
Eva Chiu	5144		4/17/2017	Reimb: Food Items for FSO Event - Screenagers	39.26
Donahue Fitzgerald Attorneys	5145		4/17/2017	Acct#23858.00001; Legal Services through 08/31/16	6,766.00
Karen Geiger	5146		4/17/2017	Reimb: Software for Event and EBidder Activation Pack	2,145.00
Kaiser Foundation Health Plan	5147		4/17/2017	Cust#709670-0100; Health Ins Premium - May 2017	8,413.11
Danny Yun Wing Lau	5148		4/17/2017	Reimb: Bulbs	94.95
Liese Olukoya Charter Facilities Consulting	5149		4/17/2017	Deposit for Consulting Svc	1,500.00
LMI.Net	5150		4/17/2017	IT Svc: 03/02/17	240.00
LPG Live Scan	5151		4/17/2017	Live Scan Fingerprinting Rolling Fee: March '17	55.00
Nan Hai (USA) Co., Inc.	5152		4/17/2017	Textbooks	514.09
Office Depot	5153		4/17/2017	Acct#72210155; Office Supplies	235.87

Note: Multiple expenses or "Itemized/Invoice Amounts" may be paid by one check. The total "Check Amount" will appear for each "Itemized/Invoice Amount" paid by the check.
Payroll checks are not included on this register.



To: Board of Directors
From: Sue Park, Head of School
Date: May 18, 2017
RE: Head of School Update

1. Upcoming School Events
2. 2017-2018 Hiring Update
3. 2017-2018 Organization Chart
4. 2016-2017 LCAP and Annual Update

1. Upcoming School Events
 - Mon 5/15-Fri 5/26, SBAC Testing, Grades 3-6
 - Wed 5/17, New Family Orientation
 - Thurs 5/18, G1 Field Trip to Exploratorium
 - Thurs 5/18, ACOE Curriculum and Operations Site Visit
 - Thurs 5/18, Board Meeting
 - Fri 5/19-Sun 5/21, Grade 2 Family camping trip
 - Mon 5/22-Wed 5/24, Chinese Program Coordinator to Learning Headquarters Writing PD
 - Tues 5/23, Kinder Field Trip to CCM and BACT
 - Fri 5/26, 8:30-9:30am, Coffee with the Principal: Meet the 2017-2018 G6-7 Teachers
 - Mon 5/29, Memorial Day - No school
 - Wed 5/31, 8:15-9:15am, Volunteer Appreciation Reception
 - Wed 5/31, 6:00-8:00pm, Family Support Organization (FSO) General Meeting including 2017-2018 Equity Design Team and Equity Study Circle Share Out
 - Sat 6/3, Campus Spruce Up Day
 - Sun 6/4, 4:00-6:00pm, End of Year Roller Skating Party, Church of Eight Wheels, SF
 - Wed 6/7, G3 Field Trip to Exploratorium
 - Wed 6/7, 6:00-8:00pm, Family Support Organization (FSO) Council Meeting
 - Fri 6/9, 9:00-10:00, Lower School Music Recital
 - Fri 6/9, 10:00-11:00, Kinder Graduation
 - Fri 6/9, 11:15 Upper School Trailblazers Celebration
 - Wed 6/14, Field Day Golden Gate Recreation Center Field
 - Fri 6/16, Last Day of School
 - Thurs 6/22, Board Meeting

2. 2016-2017 Hiring Update

Talent and hiring overview as of May 16, 2017:

Fall 2015 to Fall 2016 Teacher Retention	52% (10 out of 18)
--	--------------------



Projected 2017 Teacher Retention	77% (17 out of 22)
2017-2018 Open Positions with Highly Likely Hires	4 out of 8 Positions

Positions that are currently open include:

- Dean of Students
- Special Education Coordinator
- K-5 English Teacher
- K-5 Chinese Teacher
- Education Specialist
- Art Teacher (Part Time)
- School Instructional Technology Specialist

The hiring process was similar to last year's process and included the following steps:

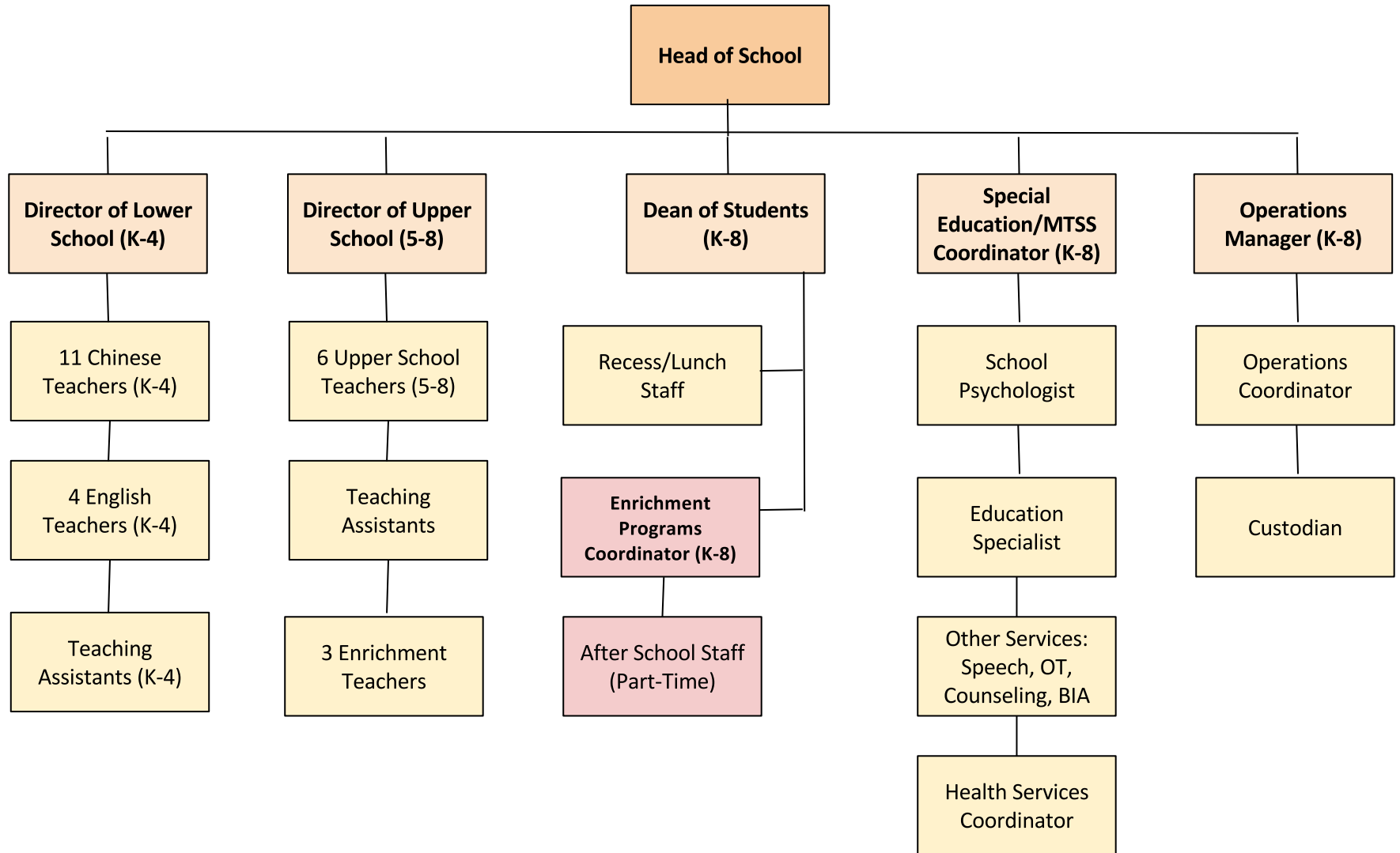
1. Application screening on ikrut (resume, cover letter, 3 letters of recommendation, credentials)
2. Phone Interview
3. In-Person Panel Interview
4. In-Person Demo Lesson (or video if outside CA)
5. Performance Task (review and reflect on student data set)
6. Final Interview with Head of School

3. 2016-2017 Organization Chart

In the 2017-2018 Academic Year I am proposing that Yu Ming adjust its leadership structure so that we are better able to meet the academic and socio-emotional needs of all students, coaching and support needs of staff, and ensure maximization of physical, human, and financial resources.

The primary change will be to shift from having two Assistant Principals (i.e. AP of Academics and Upper School and AP of Student Support Services) to having two Directors (i.e. Director of Lower School and Director of Upper School).

See attached draft Organization Chart.



Yu Ming Charter School

Budget vs. Actuals

As of 4/30/2017

1 1 1

	Actual			Budget vs. Actual		Budget				
	Feb	Mar	Apr	Actual YTD	Variance (YTD less Budget)	Approved Budget	Previous Month's Forecast	Current Forecast	Variance (Previous vs. Current Forecast)	Forecast Remaining
SUMMARY										
Revenue										
LCFF Entitlement	171,312	349,975	196,440	1,945,804	122,606	2,597,159	2,607,305	2,605,352	(1,953)	659,548
Federal Revenue	-	-	-	-	-	37,355	39,116	39,116	-	39,116
Other State Revenues	21,759	51,686	27,310	322,271	103,844	428,270	482,899	482,869	(31)	160,598
Local Revenues	6,618	163,401	(122,417)	372,109	107,128	331,226	370,594	373,434	2,840	1,325
Fundraising and Grants	1,520	29,194	170,563	568,985	227,225	427,200	659,125	659,125	-	90,140
Total Revenue	201,209	594,256	271,895	3,209,169	560,802	3,821,210	4,159,039	4,159,896	856	950,727
Expenses										
Compensation and Benefits	223,623	233,194	220,852	2,032,149	44,754	2,502,319	2,523,076	2,507,199	15,877	475,050
Books and Supplies	16,023	12,960	12,630	244,043	(26,519)	261,029	384,346	384,346	-	140,303
Services and Other Operating Expenditures	90,431	101,759	62,874	798,620	(547)	984,947	1,037,301	1,019,230	18,071	220,611
Depreciation	-	-	-	-	-	600	-	-	-	-
Total Expenses	330,077	347,913	296,357	3,074,811	17,688	3,748,895	3,944,723	3,910,774	33,948	835,963
Operating Income	(128,868)	246,343	(24,461)	134,357	578,490	72,315	214,317	249,121	34,805	114,764
Fund Balance										
Beginning Balance (Unaudited)	891,545	762,676	1,009,020	850,201		850,201	850,201	850,201		
Audit Adjustment				411		411	411	411		
Beginning Balance (Audited)				850,612		850,612	850,612	850,612		
Operating Income	(128,868)	246,343	(24,461)	134,357		72,315	214,317	249,121		
Ending Fund Balance	762,676	1,009,020	984,558	984,969		922,927	1,064,929	1,099,733		
Capital Outlay	-	-	-	-		-	-	-		
Reserves for Facility						0	0	500000		
Reserves for Prop 39 Energy Grant						0	50269	50,269		
Restricted Fund Balance						0		550269		
Unrestricted Fund Balance						0		549,464		

Yu Ming Charter School
Budget vs. Actuals

As of 4/30/2017

1 1 1

Detail	Actual			Budget vs. Actual		Budget			
				Actual YTD	Variance (YTD less Budget)	Approved Budget	Previous Month's Forecast	Current Forecast	Variance (Previous vs. Current Forecast)
	Feb	Mar	Apr						Forecast Remaining
Enrollment Summary									
K-3						-	-	-	-
4-6						208	212	212	-
Total Enrolled						148	143	143	-
						356	355	355	-
ADA %									
K-3						96%	96%	96%	
4-6						96%	97%	97%	
Average						96%	96%	96%	
ADA									
K-3						199.7	204.3	204.7	
4-6						142.1	138.0	137.4	
Total ADA						341.8	342.3	342.1	

Yu Ming Charter School

Budget vs. Actuals

As of 4/30/2017

1 1 1

		Actual			Budget vs. Actual		Budget				
		Feb	Mar	Apr	Actual YTD	Variance (YTD less Budget)	Approved Budget	Previous Month's Forecast	Current Forecast	Variance (Previous vs. Current Forecast)	Forecast Remaining
REVENUE											
LCFF Entitlement											
8011	Charter Schools LCFF - State Aid	171,312	196,440	196,440	1,604,226	108,700	2,160,646	2,170,051	2,168,456	(1,595)	564,230
8012	Education Protection Account Entitlement	-	153,535	-	341,578	13,906	436,513	437,254	436,896	(358)	95,318
SUBTOTAL - LCFF Entitlement		171,312	349,975	196,440	1,945,804	122,606	2,597,159	2,607,305	2,605,352	(1,953)	659,548
8100 Federal Revenue											
8181	Special Education - Entitlement	-	-	-	-	-	37,355	39,116	39,116	-	39,116
8182	Special Education Reimbursement	-	-	-	-	-	-	-	-	-	-
SUBTOTAL - Federal Income		-	-	-	-	-	37,355	39,116	39,116	-	39,116
8300 Other State Revenues											
8311	Other State Apportionments - Current Year	-	-	-	-	-	-	-	-	-	-
8319	Other State Apportionments - Prior Years	-	-	-	31,722	31,722	-	31,722	31,722	-	0
8380	Special Ed	-	-	-	-	-	-	-	-	-	-
8381	Special Education - Entitlement (State)	-	35,423	17,843	133,235	63,865	172,589	173,566	173,424	(142)	40,189
8382	Special Education Reimbursement (State)	-	14,850	-	14,850	14,850	-	26,730	26,730	-	11,880
8520	Child Nutrition - State	-	-	-	-	-	-	-	-	-	-
8545	School Facilities Apportionments	-	-	-	58,990	(31,017)	120,010	117,981	117,981	-	58,991
8550	Mandated Cost Reimbursements	21,759	1,413	9,467	68,616	9,566	73,813	68,198	68,362	164	(254)
8560	State Lottery Revenue	-	-	-	14,858	14,858	61,859	64,702	64,649	(53)	49,791
SUBTOTAL - Other State Income		21,759	51,686	27,310	322,271	103,844	428,270	482,899	482,869	(31)	160,598
8600 Other Local Revenue											
8631	Sales	-	-	-	-	-	-	-	-	-	-
8632	Sale of Publications	-	-	-	-	-	-	-	-	-	-
8634	Food Service Sales	3,773	-	2,327	72,283	2,388	87,369	87,369	87,369	-	15,086
8636	Uniforms	-	-	-	-	(212)	265	265	265	-	265
8676	After School Program Revenue	2,388	7,121	3,596	176,535	80,535	120,000	180,000	180,000	-	3,465
8678	Enrichment Revenue	456	1,705	498	57,678	8,238	61,800	61,800	61,800	-	4,122
8693	Field Trips	-	205	230	18,000	(20,721)	48,402	17,770	18,000	230	-
8699	All Other Local Revenue	-	800	2,619	25,729	15,017	13,390	23,390	26,000	2,610	271
8999	Uncategorized Revenue	-	153,571	(131,687)	21,884	21,884	-	-	-	-	(21,884)
SUBTOTAL - Local Revenues		6,618	163,401	(122,417)	372,109	107,128	331,226	370,594	373,434	2,840	1,325
8800 Donations/Fundraising											
8803	Fundraising	1,520	29,194	170,563	468,985	127,225	427,200	559,125	559,125	-	90,140
8811	Grant	-	-	-	100,000	100,000	-	100,000	100,000	-	-
SUBTOTAL - Fundraising and Grants		1,520	29,194	170,563	568,985	227,225	427,200	659,125	659,125	-	90,140
TOTAL REVENUE		201,209	594,256	271,895	3,209,169	560,802	3,821,210	4,159,039	4,159,896	856	950,727

Yu Ming Charter School

Budget vs. Actuals

As of 4/30/2017

1 1 1

		Actual			Budget vs. Actual		Budget				
		Feb	Mar	Apr	Actual YTD	Variance (YTD less Budget)	Approved Budget	Previous Month's Forecast	Current Forecast	Variance (Previous vs. Current Forecast)	Forecast Remaining
EXPENSES											
Compensation & Benefits											
1000	Certificated Salaries	-	-	-							
1100	Teachers Salaries	100,942	104,976	107,050	922,088	(35,473)	1,083,640	1,160,067	1,160,067	-	237,979
1101	Teacher - Stipends	-	-	-	-	50,318	61,500	-	-	-	-
1103	Teacher - Substitute Pay	-	-	40	1,915	(1,915)	-	3,500	3,500	-	1,585
1148	Teacher - Special Ed	11,766	10,937	11,723	106,399	31,633	169,850	150,280	130,780	19,500	24,381
1300	Certificated Supervisor & Administrator Salaries	25,189	27,418	16,789	230,044	(16,731)	255,976	256,153	256,153	-	26,109
SUBTOTAL - Certificated Employees		137,896	143,331	135,602	1,260,446	27,832	1,570,966	1,570,000	1,550,500	19,500	290,053
2000 Classified Salaries											
2100	Classified Instructional Aide Salaries	7,048	8,771	7,822	69,299	(2,046)	82,198	85,438	85,438	-	16,140
2101	Classified - Electives	4,727	4,727	4,727	42,545	(25,364)	21,000	52,000	52,000	-	9,455
2103	Classified - Special Ed	13,362	12,889	13,483	101,640	(29,065)	88,703	113,076	124,442	(11,366)	22,802
2300	Classified Supervisor & Administrator Salaries	12,380	12,380	12,380	107,881	18,004	151,063	134,080	134,080	-	26,199
2905	Other Classified - After School	11,281	11,577	9,864	80,754	508	99,320	104,064	104,064	-	23,310
2928	Other Classified - Food	2,841	3,295	3,063	19,305	2,538	26,698	23,825	23,825	-	4,520
2930	Other Classified - Maintenance/grounds	2,813	2,944	2,254	27,435	525	33,552	33,552	33,552	-	6,117
SUBTOTAL - Classified Employees		54,452	56,582	53,593	448,859	(34,898)	502,533	546,035	557,401	(11,366)	108,542
3000 Employee Benefits											
3100	STRS	16,827	16,742	16,291	148,372	(27,643)	147,221	166,541	164,088	2,453	15,716
3200	PERS	-	-	-	-	-	-	-	-	-	-
3300	OASDI-Medicare-Alternative	6,528	6,555	6,281	55,423	15,460	86,395	80,155	80,741	(587)	25,319
3400	Health & Welfare Benefits	4,331	7,951	8,694	87,311	41,801	140,849	102,300	102,300	-	14,989
3500	Unemployment Insurance	2,291	735	391	16,152	6,686	22,838	25,890	25,890	-	9,738
3600	Workers Comp Insurance	1,299	1,298	-	15,587	15,516	31,102	31,741	25,864	5,877	10,277
3900	Other Employee Benefits	-	-	-	-	-	415	415	415	-	415
SUBTOTAL - Employee Benefits		31,275	33,281	31,657	322,844	51,820	428,820	407,041	399,298	7,743	76,454

Yu Ming Charter School

Budget vs. Actuals

As of 4/30/2017

1 1 1

03/03/2017

		Actual			Budget vs. Actual		Budget				
					Variance (YTD less Budget)	Approved Budget	Previous Month's Forecast	Current Forecast	Variance (Previous vs. Current Forecast)	Forecast Remaining	
		Feb	Mar	Apr	Actual YTD						
4000	Books & Supplies	-	-	-							
4100	Approved Textbooks & Core Curricula Materials	-	1,763	514	96,785	(37,785)	70,800	132,800	132,800	-	36,015
4315	Custodial Supplies	-	-	-	10	2,565	3,090	3,090	3,090	-	3,080
4320	Educational Software	184	-	-	9,508	(1,174)	10,000	10,000	10,000	-	492
4325	Instructional Materials & Supplies	126	1,498	875	12,809	(7,461)	6,417	17,750	17,750	-	4,941
4326	Art & Music Supplies	198	515	-	11,670	(637)	13,240	13,240	13,240	-	1,570
4330	Office Supplies	472	1,307	686	8,676	(479)	9,837	10,249	10,249	-	1,573
4335	PE Supplies	-	-	-	627	1,583	2,652	2,652	2,652	-	2,025
4346	Teacher Supplies	389	527	143	3,236	5,931	11,000	7,100	7,100	-	3,864
4350	Uniforms	-	-	-	-	1,621	1,945	1,940	1,940	-	1,940
4410	Classroom Furniture, Equipment & Supplies	-	361	417	17,542	(10,291)	8,701	41,125	41,125	-	23,583
4420	Computers (individual items less than \$5k)	-	-	-	12,452	48	15,000	56,000	56,000	-	43,548
4430	Non Classroom Related Furniture, Equipment & Supplies	-	145	-	6,523	(3,871)	3,183	7,000	7,000	-	477
4435	Non Classroom Noncapitalized items 2	-	-	-	696	471	1,400	1,400	1,400	-	704
4710	Student Food Services	14,451	6,235	8,904	59,327	17,312	91,967	75,000	75,000	-	15,673
4720	Other Food	203	608	1,092	4,182	5,649	11,796	5,000	5,000	-	818
SUBTOTAL - Books and Supplies		16,023	12,960	12,630	244,043	(26,519)	261,029	384,346	384,346	-	140,303

Yu Ming Charter School

Budget vs. Actuals

As of 4/30/2017

1 1 1

		Actual			Budget vs. Actual		Budget			
					Variance (YTD less Budget)		Previous Month's Forecast	Current Forecast	Variance (Previous vs. Current Forecast)	Forecast Remaining
		Feb	Mar	Apr	Actual YTD	Approved Budget				
5000	Services & Other Operating Expenses									
5200	Travel & Conferences	-	7,262	560	7,887	(1,289)	8,248	8,248	8,248	- 361
5300	Dues & Memberships	-	1,750	-	1,750	1,271	3,777	3,766	3,766	- 2,016
5450	Insurance - Other	1,600	1,600	-	19,239	3,914	28,941	28,860	21,300	7,560 2,061
5510	Utilities - Gas and Electric	676	-	2,422	13,042	(682)	15,450	15,450	15,450	- 2,408
5515	Janitorial, Gardening Services & Supplies	3,037	3,915	3,333	32,666	(8,666)	30,000	32,500	36,000	(3,500) 3,334
5520	Security	-	1,212	230	3,678	693	5,464	5,464	5,464	- 1,785
5525	Utilities - Waste	285	-	570	10,144	156	12,360	12,360	12,360	- 2,216
5530	Utilities - Water	961	994	-	4,074	1,162	6,283	6,283	6,283	- 2,209
5605	Equipment Leases	2,092	2,092	2,092	21,127	(14,087)	8,800	25,000	25,000	- 3,873
5610	Rent	13,109	23,160	13,109	174,353	(9,759)	197,513	197,513	197,513	- 23,160
5611	Prop 39 Related Costs	-	-	-	-	-	-	-	-	-
5615	Repairs and Maintenance - Building	-	75	478	4,938	1,654	8,240	8,600	8,600	- 3,662
5617	Repairs and Maintenance - Other Equipment	-	-	-	-	2,122	2,652	2,652	2,652	- 2,652
5631	Golden Gate Rental Facility	-	-	-	2,250	(2,250)	-	6,000	6,000	- 3,750
5803	Accounting Fees	-	-	-	5,820	1,380	9,000	9,000	9,000	- 3,180
5809	Banking Fees	5	5	-	18	420	546	546	546	- 529
5812	Business Services	-	17,786	-	78,866	117	94,779	94,779	94,779	- 15,913
5815	Consultants - Instructional	1,500	4,860	3,190	34,684	757	44,300	49,000	49,000	- 14,317
5820	Consultants - Non Instructional - Data	-	(2,353)	3,800	8,669	1,219	12,360	12,360	12,360	- 3,691
5821	Consultants - Non Instructional - Translation & Facilities	-	-	9,188	9,188	(5,188)	5,000	15,000	15,000	- 5,812
5822	Consultants - Non Instructional - Playworks	-	-	-	19,000	(3,800)	19,000	19,000	19,000	-
5824	District Oversight Fees	27,352	-	-	31,909	29,644	77,915	78,219	78,161	59 46,251
5826	Directors Contingency	-	-	-	-	4,120	5,150	-	-	-
5830	Field Trips Expenses	598	520	1,869	17,010	39,950	71,200	30,000	30,000	- 12,990
5834	Gala Expenses	-	-	2,923	14,556	(5,356)	11,500	31,000	31,000	- 16,444
5836	Fingerprinting	151	137	105	2,119	(124)	2,494	2,487	2,487	- 368
5839	Fundraising Expenses	990	-	-	2,098	6,142	10,300	9,300	4,300	5,000 2,202

Yu Ming Charter School

Budget vs. Actuals

As of 4/30/2017

1 1 1

		Actual			Budget vs. Actual		Budget				
					Variance (YTD less Budget)			Previous Month's Forecast	Current Forecast	Variance (Previous vs. Current Forecast)	Forecast Remaining
		Feb	Mar	Apr	Actual YTD	Approved Budget					
5845	Legal Fees	453	653	9,576	22,448	5,552	35,000	35,000	35,000	-	12,552
5848	Licenses and Other Fees	1,885	4,273	-	11,582	3,284	18,582	18,582	12,500	6,082	918
5851	Marketing and Student Recruiting	-	-	-	-	3,395	4,244	4,244	4,244	-	4,244
5853	Community Outreach	-	-	-	-	1,697	2,122	2,122	2,122	-	2,122
5854	Consultants - Enrichment	12,095	7,212	4,455	45,136	(11,814)	41,652	41,535	53,250	(11,715)	8,115
5855	Consultants - After School Program	-	-	-	-	16,000	20,000	-	-	-	-
5857	Payroll Fees	217	591	576	4,078	(253)	4,589	4,589	4,589	-	511
5860	Printing and Reproduction	-	1,279	-	7,536	12,115	24,564	12,425	8,875	3,550	1,339
5861	Prior Yr Exp (not accrued)	-	632	-	5,105	(5,105)	-	5,105	5,105	-	(0)
5863	Professional Development	1,960	(5,825)	-	23,296	(14,640)	10,820	49,750	49,750	-	26,454
5864	Professional Development - Other	-	40	-	40	7,960	10,000	6,000	6,000	-	5,960
5869	Special Education Contract Instructors	1,680	1,600	880	21,406	13,794	44,000	44,000	24,000	20,000	2,594
5875	Staff Recruiting	-	-	-	1,710	5,650	9,200	4,000	4,000	-	2,290
5878	Student Assessment	-	455	26	20,452	(9,559)	13,615	26,615	26,615	-	6,163
5881	Student Information System	-	-	-	10,756	(4,164)	8,240	11,500	11,500	-	744
5883	SELPA admin and other fees	-	-	-	-	11,757	14,696	8,507	8,502	6	8,502
5884	Substitutes	3,245	-	5,600	22,455	(14,979)	9,345	19,900	25,870	(5,970)	3,415
5887	Technology Services	210	-	240	6,859	(6,859)	-	10,000	10,000	-	3,141
5899	Miscellaneous Operating Expenses	15,345	27,759	(3,401)	59,228	(50,164)	11,330	11,330	11,330	-	(47,898)
5910	Communications - Internet / Website Fees	-	-	-	4,994	(874)	4,944	9,600	9,600	-	4,606
5915	Postage and Delivery	22	76	11	543	(249)	367	710	710	-	167
5920	Communications - Telephone & Fax	947	-	1,027	9,175	(3,870)	6,365	8,400	11,400	(3,000)	2,225
SUBTOTAL - Services & Other Operating Exp.		90,431	101,759	62,874	798,620	(547)	984,947	1,037,301	1,019,230	18,071	220,611
TOTAL EXPENSES including Depreciation		330,077	347,913	296,357	3,074,811	17,688	3,748,895	3,944,723	3,910,774	33,948	835,963

Monthly Cash Forecast
As of 4/30/2017

	2016/17														Forecast	AP/AR
	Actual & Projected															
	Jul Actual	Aug Actual	Sep Actual	Oct Actual	Nov Actual	Dec Actual	Jan Actual	Feb Actual	Mar Actual	Apr Actual	May Projected	Jun Projected				
Beginning Cash	\$524,866.23	751,944	660,805	699,038	777,194	722,208	870,816	876,381	745,513	1,001,991	974,846	582,384				
Revenue																
LCFF Entitlement	-	95,173	210,692	265,333	171,312	220,233	265,334	171,312	349,975	196,440	167,480	191,422	2,605,352	300,646		
Federal Income	-	-	-	-	-	-	-	-	-	-	-	-	-	39,116		
Other State Income	7,167	7,167	13,151	15,789	38,361	76,138	63,743	21,759	51,686	27,310	30,602	28,037	482,869	101,959		
Local Revenues	77,091	106,145	22,145	44,362	(27,910)	95,663	7,010	6,618	163,401	(122,417)	10,876	13,319	373,434	(987)		
Fundraising and Grants	-	38	149,235	105,760	41,813	57,006	13,857	1,520	29,194	170,563	(75,189)	35,000	659,125	130,330		
Total Revenue	84,258	208,523	395,223	431,244	223,576	449,040	349,944	201,209	594,256	271,895	133,769	267,778	4,159,896	571,063		
Expenses																
Compensation & Benefits	56,991	153,473	212,184	222,624	259,100	210,888	239,220	223,623	233,194	220,852	263,509	211,125	2,507,199	415		
Books & Supplies	74,296	3,336	42,764	25,324	20,884	11,448	24,379	16,023	12,960	12,630	101,333	38,970	384,346	-		
Services & Other Operating Expenses	78,031	54,864	68,226	126,893	42,408	92,229	80,904	90,431	101,759	62,874	135,916	79,223	1,019,230	5,471		
Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Total Expenses	209,318	211,673	323,174	374,841	322,391	314,565	344,503	330,077	347,913	296,357	500,759	329,318	3,910,774	5,886		
Operating Cash Inflow (Outflow)	(125,060)	(3,150)	72,049	56,403	(98,815)	134,475	5,441	(128,868)	246,343	(24,461)	(366,989)	(61,540)	249,121	565,177		
Revenues - Prior Year Accruals	333,914	76	-	20,048	59,713	-	6,212	(3,109)	-	-	-	-	-	-		
Expenses - Prior Year Accruals	(259)	(19,786)	(33,783)	(10,420)	-	-	-	3,109	(622)	-	(25,472)	-	-	-		
Accounts Receivable - Current Year	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Accounts Payable - Current Year	(47,881)	(68,279)	(33)	12,125	(15,885)	14,133	(6,088)	(1,999)	10,757	(2,684)	-	-	-	-		
Summerholdback for Teachers	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Loans Payable (Current)	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Loans Payable (Long Term)	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Capital Leases Payable	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Other Long Term Debt	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Capital Expenditure & Depreciation	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Other Balance Sheet Changes	66,363	-	-	-	-	-	-	-	-	-	-	-	-	-		
Ending Cash	751,944	660,805	699,038	777,194	722,208	870,816	876,381	745,513	1,001,991	974,846	582,384	520,844				
Temporarily Restricted Prop 39												50,269				

ESP-CA
EdTec Network : Yu Ming Charter School (YMCS)
Balance Sheet
As of April 30, 2017

Financial Row	Amount
ASSETS	
Current Assets	
Bank	
9120-YMCS - Cash in Bank - YMCS	
9121-4009 - Cash in Bank - YMCS: First Republic (Main)	\$974,223.55
Total - 9120-YMCS - Cash in Bank - YMCS	\$974,223.55
Total Bank	\$974,223.55
Accounts Receivable	
9200 - Accounts Receivable	
9251 - AR - Gen Purpose prior yr adjustment (Due from District)	\$2,591.00
9252 - AR - Gen Purpose/Categ/SHI PY Adj (Due from Co)	\$3,109.00
9260 - AR - Misc	\$205.20
Total - 9200 - Accounts Receivable	\$5,905.20
Total Accounts Receivable	\$5,905.20
Total Current Assets	\$980,128.75
Fixed Assets	
9440 - Equipment	\$10,800.00
9445 - Accumulated Depreciation-Equipment	(\$10,800.00)
9460 - Fixed Asset - Leasehold Improvements	\$14,420.00
9465 - Accumulated Depreciation - Leaseholds	(\$14,420.00)
Total Fixed Assets	\$0.00
Other Assets	
9360 - Other Asset - Deposits	\$30,000.00
Total Other Assets	\$30,000.00
Total ASSETS	\$1,010,128.75
LIABILITIES & EQUITY	
Current Liabilities	
Accounts Payable	
9500 - Accounts Payable	
9500 - Accounts Payable	\$13,945.52
9516 - AP - Payable to County (prior yr adj)	\$1,865.00
Total - 9500 - Accounts Payable	\$15,810.52
Total Accounts Payable	\$15,810.52
Other Current Liability	
9501 - Accrued Accounts Payable	\$10,200.69
9540 - Payroll Liability - Federal	\$227.43
9555 - Retirement Liability - STRS	(\$1,077.57)
Total Other Current Liability	\$9,350.55
Total Current Liabilities	\$25,161.07
Equity	
9781 - Temporarily Restricted	\$50,269.00
Retained Earnings	\$800,341.37
Net Income	\$134,357.31
Total Equity	\$984,967.68
Total LIABILITIES & EQUITY	\$1,010,128.75



Board of Directors
May 18, 2017
AGENDA ITEM INFORMATION

Agenda Item	B. Finance Committee – Fiscal Policies Revision, Loan/Line of Credit
Time Allotted	5 minutes
Background	Yu Ming Financial Policies do not currently address loans and lines of credit. Since recently renewing our line of credit at First Republic, the board should include language that provide policies and procedures.
Summary	The proposed language notes that the board must approve all loans and that any draw from a line of credit also requires written approval from a member of the board, among other policies/procedures.
Type	Vote
Key Questions	Does this language properly address Yu Ming’s needs and create proper controls?

N. Loans

Policy: The Governing Board will approve all loans from third parties. In the case of a long-term loan, approval may also be required from the chartering authority in accordance with the terms of the charter and/or other lenders in accordance with the loan documents.

Employee loans, including salary advances, are not allowed.

Procedures:

- The Executive Director and/or Governing Board designee shall review and sign the promissory note before funds are borrowed.
- Any draw of funds from a Line of Credit requires written approval from a member of the Governing Board
- Loan agreements should specify all applicable terms, including the purpose of the loan, the interest rate, and the repayment schedule.
- Loan covenants and reporting requirements are to be acknowledged by the board at the time of adoption.



Board of Directors
May 18, 2017
AGENDA ITEM INFORMATION

Agenda Item	Prop 51 Filing Resolution
Time Allotted	5 minutes
Background	The Facilities Committee is charged with searching for, evaluating and securing a site for Yu Ming Charter School to address its short and long term needs.
Summary	The resolution that follows empowers Principal Park to sign applications and other filing forms related to Prop 51. These forms do not commit Yu Ming to projects. They are only applications for potential funding. All approvals related to specific properties will be reviewed by the Board.
Type	Decision
Key Questions	1. The resolution facilitates Yu Ming's Prop 51 application process



**Resolution by the Yu Ming Public Charter School Board of Directors Authorizing the
filing of District and State Applications And Communications and Appointing Persons
Authorized to Act on Behalf of Yu Ming Public Charter School**

Whereas, the Voters of California Approved Proposition 51, a 9 billion dollar bond for the construction and modernization of K-12 public school facilities;

Whereas, proposition 51 provides for 500 million dollars in new construction and rehabilitation funds for charter schools;

Whereas, the charter school facility funding application process requires the filing of applications starting on February 6, 2017 and ending on June 5, 2017;

Whereas, in order to apply for funding, the Office of Public School Construction, the California School Finance Authority, the California Department of Education and the local school district all require certain applications, notices and processes to be completed by June 5, 2017;

Now, Therefore, Be It Resolved that the Yu Ming Public Charter School's Board of Directors approves the following;

1. Appoints Principal Sue Park as the authorized persons representing Yu Ming Public Charter School to sign all applications and documents required to be filed with the Office of Public School Construction, The California School Finance Authority, and the California Department of Education in order to complete the Proposition 51 application process; and
2. Allows and authorizes the filing of notices and communications with the Alameda County Office of Education or the Oakland Unified School District (as appropriate) in order to complete the Proposition 51 application process.
3. Allows and authorizes the filing of applications and documents to satisfy the requirements of all state and local agencies for funding under the Proposition 51 Charter School Facility Program.

Board Chair

Date

Eric Peterson,

Paine, Board Secretary

Date

Thompson



Board of Directors
Thursday, May 18, 2017
AGENDA ITEM INFORMATION

Agenda Item	Board Governance: Annual Brown Act Training
Time Allotted	30 minutes
Summary	The Yu Ming Board conducts an annual training of Board members on the requirements of the Brown Act
Type	Information and Discussion
Background	The Yu Ming Board Governance Committee supports appropriate governance functions of the Board
Key Questions	1) What questions to Board members have related to following the requirements of the Brown Act?
Attachments	<ul style="list-style-type: none">• Brown Act Training PowerPoint

The Ralph M. Brown Act

Yu Ming Charter School Board Member Training



May 18, 2017

Presented by Yoon Chang

© EdTec, Inc. 2017

General Disclaimer



- Meant as broad overview of Ralph M. Brown Act and various provisions within Act
- Some of cited sections have been edited for formatting and context; this is by no means exhaustive
- Presentation should not be construed as legal guidance; please consult legal counsel with questions about Brown Act
- Presentation focuses on the Brown Act, but a number of laws govern how meetings are conducted
 - Organization's bylaws specify a lot about how boards operate, vote, elect new members, form quorums, etc. (Keep your bylaws handy)
 - Board may have adopted policies or may follow Robert's Rules of Order that govern how meetings are conducted
 - Public Reform Act and Government Code 1090 govern how conflicts of interest are handled

Common Brown Act Issues



- Board adds items to agenda at the meeting
- Reviewing executive comp at a Special Meeting
 - Prior to the governing board taking final action in open session on executive compensation, the board must orally report a summary of the recommended salary, salary schedule, or compensation paid in the form of fringe benefits.
- Closed sessions for difficult and sensitive budget issues
- Board members call in from a non-agendized location
- Serial email meetings
- Not complying with Brown Act for all standing committee meetings
- Boards getting drawn into discussion during public comment
- Boards not recognizing that all gatherings of a quorum of board members to discuss board business is a meeting (e.g. board dinners, retreats, etc.)

An Overview



- Purpose & Scope of Brown Act
- Bodies Subject to Brown Act
- Meetings Defined Under the Brown Act
- Meeting Standards
- Types of Meetings & Notice Requirements
- Agenda Requirements
- Meeting Management
- Closed Session
- Brown Act Violations
- Resources
- Scenarios

Purpose & Scope of Brown Act

“The people do not yield their sovereignty to the bodies that serve them. The people insist on remaining informed to retain control over the legislative bodies they have created.” - Brown Act Preamble

- Government Code § 54950-54962 was passed by California Legislature to facilitate public participation in local government and set open meeting standards for local legislative bodies
- Provisions within the act include but are not limited to:
 - Guidance regarding agendas, meeting notice, and what constitutes a meeting
 - Equal access to materials and information distributed to members of legislative body during meeting
 - Grounds for closed session deliberation
- Brown Act covers all public agencies and has number of provisions directed at particular types of agencies
 - Not all provisions directly applicable to charter schools
- Through Brown Act, Legislature has established a presumption largely in favor of public access
 - Other states have similar “sunshine” ordinances and laws with similar provisions



Bodies Subject to the Brown Act

Legislative bodies created by state or federal statute must adhere to Brown Act



- Since charter schools are a product of state statute and are treated as public agencies (LEAs), it is generally accepted that the Brown Act applies to charters.
- Secondly, most charters bind themselves to follow the Brown Act in their charter documents.
 - Only area of confusion regarding the applicability of the Brown Act to charter schools is that charter schools are typically governed by non-profit 501(c)3 corporations, which on their own are not subject to the Brown Act.
- Standing committees, irrespective of composition (incl. non-members of legislative body), are considered legislative bodies for purpose of Act
 - Any committees authorized within the context of the school's charter would also likely fall under the provisions of the Brown Act
 - However, ad hoc advisory committees are not subject the Brown Act as long as a quorum of governing board members are not on the committee, and the committee is only made up of board members, and the advisory committee was not formed by resolution of the board to handle ongoing subject matter of the board



Meetings Defined Under the Brown Act

Rule of thumb is no deliberative action or discussion may take place outside of a meeting



- Gov't Code § 54952.2 specifically defines what constitutes meeting
 - “Any congregation of a majority of members of a legislative body at the same time and location to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body”
- Gov't Code § 54952.2 explicitly prohibits collusive activities
 - “A majority of members of a legislative body shall not, outside of a meeting, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within subject matter jurisdiction of the legislative body”
 - This includes serial email communications, canvassing of the board members by the board chair or executive director, and discussion of “business” when a quorum is present (e.g. board dinner)
 - A common problem that arises in this context is a serial meeting in which members of the board deliberate on a item through a series of emails; sometimes this serial meeting might start as an informational email to board members that then evolves into a back-and-forth discussion



Meetings Defined Under the Brown Act, cont'd

Brown Act provides exclusions so members can congregate outside of meetings



- Government Code § 54952.2 provides some exclusions for what doesn't constitute a meeting
 - Majority attendance by legislative body at a conference or similar gathering open to the public that involves discussion of issues relevant to the legislative body
 - Majority attendance at purely social or ceremonial activities; outside conversations
 - Majority attendance at other legislative body meetings
 - Majority attendance at standing committee meetings, provided members of the legislative body who are not members of the committee attend only as observers
- These exclusions only apply as long as no business is discussed among members

Meeting Standards

Government Code § 54953: Public access and transparency are paramount



- All meetings shall be open to public
 - Meet protections and prohibitions of Section 202 of Americans with Disabilities Act
 - No meeting held at facility that requires entrance fee or discriminates based on race, religion, color, sex, ancestry, etc.
 - Members of public do not, as a condition of attendance, need to register or identify his or her self or otherwise fulfill any condition precedent to his or her attendance
- All meetings must be held within jurisdiction of agency
 - Charter school jurisdiction open to debate. Most liberal interpretation: California (since all CA students may enroll). Most restrictive: attendance area of authorizer
- No secret ballots allowed
- Teleconferencing is permissible, provided it complies with all applicable requirements (Act and organization bylaws):
 - Voting done by roll call (as all voting must be done since 2014)
 - All locations listed on agenda, have agendas posted, and be accessible to public
 - Public comment allowed from each location
 - At least quorum must be within boundaries of jurisdiction

Types of Meetings & Notice Requirements

Regular, Special & Emergency have various announcement and posting parameters



- Regular meetings
 - Meeting time and place set by formal action of governing body
 - Agenda must be posted in publicly accessible space and the school website 72 hours before meeting
 - Beginning January 1, 2019, there must be a prominent, direct link to agenda on website.
- Special meetings
 - Meetings in addition to “regular meetings” called by presiding officer of board or by majority of members of board
 - May not be called to discuss executive salaries and benefits
 - Agenda must be posted in publicly accessible space and the school website 24 hours in advance; all governing board members must be notified in writing 24 hours in advance
- Emergency meetings
 - Very special circumstance meetings when dire emergency exists such as work stoppage, crippling activities or other activities that impair public health and safety as determined by majority of governing body
 - One hour notice required (no notice if “dire emergency” such as a terrorist act)

Agenda Requirements

Public access & transparency continues to be emphasized



- Must specify time and place of meeting
- Must include brief description of every item to be discussed
- Must include opportunity for public comment on agenda items as well as non-agenda items
 - In the case where public comment is time-limited, people speaking through interpreters shall receive twice the time allowed.
 - Special meetings shall not have public comment on items not on agenda
- Must include notice regarding availability of agenda items in alternate formats for ADA compliance
- Agenda must identify location where documents distributed less than 72 hours before meeting may be inspected

Meeting Management

Agency must keep to the agenda



- Only items listed on agenda may be discussed or acted upon, except:
 - If determined by two-thirds vote of board members present at regular meeting (or unanimous, if less than two-thirds of members are present) that
 1. Item requires immediate action and
 2. Item came to attention of agency after agenda was posted
 - If majority of members vote that an emergency situation exists
 - If same item was discussed (and agendized) at meeting not more than five calendar days prior to current meeting
- Members may briefly respond to comment by public but may not discuss items not on agenda
- No secret ballots; all items must be discussed in open session with few exceptions (to be discussed on closed session slide)
 - Agency must record vote or abstention of each member present for action
 - Executive Compensation must be covered in open session of a “regular meeting” and prior to the governing board taking final action on executive compensation, the board must orally report a summary of the recommended salary, salary schedule, or compensation paid in the form of fringe benefits.

Closed Session

Brown Act identifies certain situations where closed sessions are appropriate; not enough for a subject to be sensitive, embarrassing or controversial



- Government Code § 54954.5 outlines the instances which closed session can be held
 - License/Permit Determination
 - Conference With Real Property Negotiators
 - Conference With Legal Counsel – Existing or Anticipated Litigation
 - Liability Claims
 - Threat to Public Services or Facilities
 - Public Employee Appointment, Evaluation, or Discipline / Dismissal / Release
 - Conference with Labor Negotiators
 - Discussion of student discipline issues (not included directly in the Brown Act but incorporated by reference in Education Code)
- Government Code § 54957.7 requires that board announce and identify items to be discussed in context of closed session
- Government Code § 54957.1 requires a report of reportable action from closed session

Closed Session

Content of closed sessions tightly proscribed



Closed session items used most commonly by charter schools:

- Conference with Legal Counsel – Existing or Anticipated Litigation
 - Legal counsel must be present (or on the phone)
- Public Employee Appointment or Evaluation
 - Title of position must be specified on the agenda
 - Compensation may not be discussed or acted upon in closed session
- Public Employee Discipline/Dismissal/Release
 - No title or other information is required on the agenda
 - Compensation reduction may be discussed in closed session
 - If specific complaints or charges brought against an employee by another person are to be heard, the accused employee has the right to have it held in open session
 - The employee must be given 24 hours notice by mail or by hand that s/he has a right to hear the complaints or charges held in open session
- Discussion of student discipline issues
 - Student is not identified by name
 - Parents and student must be notified by mail, and they may request that the meeting be held in public

Brown Act Violations

In addition to potential criminal & civil remedies imposed, violations of Brown Act may also nullify any action taken by legislative body



- Government Code § 54959 – Criminal Remedies
 - Each member of legislative body who attends meeting of that legislative body where action is taken in violation of any provision of this chapter, and where member intends to deprive public of information to which member knows or has reason to know public is entitled under this chapter, is guilty of misdemeanor
- Government Code § 54960 – Civil Remedies
 - Outlines course of action for violations
- Government Code § 54960.1 – Declared Null and Void
 - Provisions for overturning any action taken by legislative body facilitated by violation of Brown Act
- Government Code § 54960.2 provides guidance if you receive a letter of violation on appropriate timelines and process for responding.

Resources

Additional information available online



- Complete copy of Brown Act: <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=54001-55000&file=54950-54963>
- Guide produced by California Attorney General's Office
http://caag.state.ca.us/publications/2003_Intro_BrownAct.pdf
- First Amendment Coalition Brown Act Primer
<http://firstamendmentcoalition.org/open-meetings-3/facs-brown-act-primer/>
 - **This resource has a great Q&A about specific circumstances.**

Scenarios

Six scenarios for discussion



- Prior month item to be added to agenda at meeting – can you do it?
- Budget cuts – open or closed?
- Polling board members ahead of meeting – OK?
- Emergency appointment of executive director – OK?
- Teleconferencing situation – 7 board members; three at meeting; two on the phone (one in NY, other in Chicago) – OK?
- Board members see each other by chance, want to discuss item from upcoming board meeting – OK?

The Ralph M. Brown Act

Yu Ming Charter School Board Member Training



May 18, 2017

Presented by Yoon Chang

© EdTec, Inc. 2017

General Disclaimer



- Meant as broad overview of Ralph M. Brown Act and various provisions within Act
- Some of cited sections have been edited for formatting and context; this is by no means exhaustive
- Presentation should not be construed as legal guidance; please consult legal counsel with questions about Brown Act
- Presentation focuses on the Brown Act, but a number of laws govern how meetings are conducted
 - Organization's bylaws specify a lot about how boards operate, vote, elect new members, form quorums, etc. (Keep your bylaws handy)
 - Board may have adopted policies or may follow Robert's Rules of Order that govern how meetings are conducted
 - Public Reform Act and Government Code 1090 govern how conflicts of interest are handled

Common Brown Act Issues



- Board adds items to agenda at the meeting
- Reviewing executive comp at a Special Meeting
 - Prior to the governing board taking final action in open session on executive compensation, the board must orally report a summary of the recommended salary, salary schedule, or compensation paid in the form of fringe benefits.
- Closed sessions for difficult and sensitive budget issues
- Board members call in from a non-agendized location
- Serial email meetings
- Not complying with Brown Act for all standing committee meetings
- Boards getting drawn into discussion during public comment
- Boards not recognizing that all gatherings of a quorum of board members to discuss board business is a meeting (e.g. board dinners, retreats, etc.)

An Overview



- Purpose & Scope of Brown Act
- Bodies Subject to Brown Act
- Meetings Defined Under the Brown Act
- Meeting Standards
- Types of Meetings & Notice Requirements
- Agenda Requirements
- Meeting Management
- Closed Session
- Brown Act Violations
- Resources
- Scenarios

Purpose & Scope of Brown Act

“The people do not yield their sovereignty to the bodies that serve them. The people insist on remaining informed to retain control over the legislative bodies they have created.” - Brown Act Preamble

- Government Code § 54950-54962 was passed by California Legislature to facilitate public participation in local government and set open meeting standards for local legislative bodies
- Provisions within the act include but are not limited to:
 - Guidance regarding agendas, meeting notice, and what constitutes a meeting
 - Equal access to materials and information distributed to members of legislative body during meeting
 - Grounds for closed session deliberation
- Brown Act covers all public agencies and has number of provisions directed at particular types of agencies
 - Not all provisions directly applicable to charter schools
- Through Brown Act, Legislature has established a presumption largely in favor of public access
 - Other states have similar “sunshine” ordinances and laws with similar provisions

Bodies Subject to the Brown Act

Legislative bodies created by state or federal statute must adhere to Brown Act



- Since charter schools are a product of state statute and are treated as public agencies (LEAs), it is generally accepted that the Brown Act applies to charters.
- Secondly, most charters bind themselves to follow the Brown Act in their charter documents.
 - Only area of confusion regarding the applicability of the Brown Act to charter schools is that charter schools are typically governed by non-profit 501(c)3 corporations, which on their own are not subject to the Brown Act.
- Standing committees, irrespective of composition (incl. non-members of legislative body), are considered legislative bodies for purpose of Act
 - Any committees authorized within the context of the school's charter would also likely fall under the provisions of the Brown Act
 - However, ad hoc advisory committees are not subject the Brown Act as long as a quorum of governing board members are not on the committee, and the committee is only made up of board members, and the advisory committee was not formed by resolution of the board to handle ongoing subject matter of the board

Meetings Defined Under the Brown Act

Rule of thumb is no deliberative action or discussion may take place outside of a meeting



- Gov't Code § 54952.2 specifically defines what constitutes meeting
 - “Any congregation of a majority of members of a legislative body at the same time and location to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body”
- Gov't Code § 54952.2 explicitly prohibits collusive activities
 - “A majority of members of a legislative body shall not, outside of a meeting, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within subject matter jurisdiction of the legislative body”
 - This includes serial email communications, canvassing of the board members by the board chair or executive director, and discussion of “business” when a quorum is present (e.g. board dinner)
 - A common problem that arises in this context is a serial meeting in which members of the board deliberate on a item through a series of emails; sometimes this serial meeting might start as an informational email to board members that then evolves into a back-and-forth discussion

Meetings Defined Under the Brown Act, cont'd

Brown Act provides exclusions so members can congregate outside of meetings



- Government Code § 54952.2 provides some exclusions for what doesn't constitute a meeting
 - Majority attendance by legislative body at a conference or similar gathering open to the public that involves discussion of issues relevant to the legislative body
 - Majority attendance at purely social or ceremonial activities; outside conversations
 - Majority attendance at other legislative body meetings
 - Majority attendance at standing committee meetings, provided members of the legislative body who are not members of the committee attend only as observers
- These exclusions only apply as long as no business is discussed among members

Meeting Standards

Government Code § 54953: Public access and transparency are paramount



- All meetings shall be open to public
 - Meet protections and prohibitions of Section 202 of Americans with Disabilities Act
 - No meeting held at facility that requires entrance fee or discriminates based on race, religion, color, sex, ancestry, etc.
 - Members of public do not, as a condition of attendance, need to register or identify his or her self or otherwise fulfill any condition precedent to his or her attendance
- All meetings must be held within jurisdiction of agency
 - Charter school jurisdiction open to debate. Most liberal interpretation: California (since all CA students may enroll). Most restrictive: attendance area of authorizer
- No secret ballots allowed
- Teleconferencing is permissible, provided it complies with all applicable requirements (Act and organization bylaws):
 - Voting done by roll call (as all voting must be done since 2014)
 - All locations listed on agenda, have agendas posted, and be accessible to public
 - Public comment allowed from each location
 - At least quorum must be within boundaries of jurisdiction

Types of Meetings & Notice Requirements

Regular, Special & Emergency have various announcement and posting parameters



- Regular meetings
 - Meeting time and place set by formal action of governing body
 - Agenda must be posted in publicly accessible space and the school website 72 hours before meeting
 - Beginning January 1, 2019, there must be a prominent, direct link to agenda on website.
- Special meetings
 - Meetings in addition to “regular meetings” called by presiding officer of board or by majority of members of board
 - May not be called to discuss executive salaries and benefits
 - Agenda must be posted in publicly accessible space and the school website 24 hours in advance; all governing board members must be notified in writing 24 hours in advance
- Emergency meetings
 - Very special circumstance meetings when dire emergency exists such as work stoppage, crippling activities or other activities that impair public health and safety as determined by majority of governing body
 - One hour notice required (no notice if “dire emergency” such as a terrorist act)

Agenda Requirements

Public access & transparency continues to be emphasized



- Must specify time and place of meeting
- Must include brief description of every item to be discussed
- Must include opportunity for public comment on agenda items as well as non-agenda items
 - In the case where public comment is time-limited, people speaking through interpreters shall receive twice the time allowed.
 - Special meetings shall not have public comment on items not on agenda
- Must include notice regarding availability of agenda items in alternate formats for ADA compliance
- Agenda must identify location where documents distributed less than 72 hours before meeting may be inspected

Meeting Management

Agency must keep to the agenda



- Only items listed on agenda may be discussed or acted upon, except:
 - If determined by two-thirds vote of board members present at regular meeting (or unanimous, if less than two-thirds of members are present) that
 1. Item requires immediate action and
 2. Item came to attention of agency after agenda was posted
 - If majority of members vote that an emergency situation exists
 - If same item was discussed (and agendized) at meeting not more than five calendar days prior to current meeting
- Members may briefly respond to comment by public but may not discuss items not on agenda
- No secret ballots; all items must be discussed in open session with few exceptions (to be discussed on closed session slide)
 - Agency must record vote or abstention of each member present for action
 - Executive Compensation must be covered in open session of a “regular meeting” and prior to the governing board taking final action on executive compensation, the board must orally report a summary of the recommended salary, salary schedule, or compensation paid in the form of fringe benefits.

Closed Session

Brown Act identifies certain situations where closed sessions are appropriate; not enough for a subject to be sensitive, embarrassing or controversial



- Government Code § 54954.5 outlines the instances which closed session can be held
 - License/Permit Determination
 - Conference With Real Property Negotiators
 - Conference With Legal Counsel – Existing or Anticipated Litigation
 - Liability Claims
 - Threat to Public Services or Facilities
 - Public Employee Appointment, Evaluation, or Discipline / Dismissal / Release
 - Conference with Labor Negotiators
 - Discussion of student discipline issues (not included directly in the Brown Act but incorporated by reference in Education Code)
- Government Code § 54957.7 requires that board announce and identify items to be discussed in context of closed session
- Government Code § 54957.1 requires a report of reportable action from closed session

Closed Session

Content of closed sessions tightly proscribed



Closed session items used most commonly by charter schools:

- Conference with Legal Counsel – Existing or Anticipated Litigation
 - Legal counsel must be present (or on the phone)
- Public Employee Appointment or Evaluation
 - Title of position must be specified on the agenda
 - Compensation may not be discussed or acted upon in closed session
- Public Employee Discipline/Dismissal/Release
 - No title or other information is required on the agenda
 - Compensation reduction may be discussed in closed session
 - If specific complaints or charges brought against an employee by another person are to be heard, the accused employee has the right to have it held in open session
 - The employee must be given 24 hours notice by mail or by hand that s/he has a right to hear the complaints or charges held in open session
- Discussion of student discipline issues
 - Student is not identified by name
 - Parents and student must be notified by mail, and they may request that the meeting be held in public

Brown Act Violations

In addition to potential criminal & civil remedies imposed, violations of Brown Act may also nullify any action taken by legislative body



- Government Code § 54959 – Criminal Remedies
 - Each member of legislative body who attends meeting of that legislative body where action is taken in violation of any provision of this chapter, and where member intends to deprive public of information to which member knows or has reason to know public is entitled under this chapter, is guilty of misdemeanor
- Government Code § 54960 – Civil Remedies
 - Outlines course of action for violations
- Government Code § 54960.1 – Declared Null and Void
 - Provisions for overturning any action taken by legislative body facilitated by violation of Brown Act
- Government Code § 54960.2 provides guidance if you receive a letter of violation on appropriate timelines and process for responding.

Resources

Additional information available online



- Complete copy of Brown Act: <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=54001-55000&file=54950-54963>
- Guide produced by California Attorney General's Office
http://caag.state.ca.us/publications/2003_Intro_BrownAct.pdf
- First Amendment Coalition Brown Act Primer
<http://firstamendmentcoalition.org/open-meetings-3/facs-brown-act-primer/>
 - **This resource has a great Q&A about specific circumstances.**

Scenarios

Six scenarios for discussion



- Prior month item to be added to agenda at meeting – can you do it?
- Budget cuts – open or closed?
- Polling board members ahead of meeting – OK?
- Emergency appointment of executive director – OK?
- Teleconferencing situation – 7 board members; three at meeting; two on the phone (one in NY, other in Chicago) – OK?
- Board members see each other by chance, want to discuss item from upcoming board meeting – OK?