



Peak Prep Pleasant Valley

Board Meeting Agenda—Special Board Meeting Friday April 15th, 2022 9am

Teleconference Locations:

In accordance with Government Code Section 54953(e)(1)(B), if the Charter School Board of Directors determines, that meeting in person would present imminent risks to the health or safety of attendees and in pursuant to Government Code Section 54953(e)(3), the Board has also reconsidered the circumstances of the State of Emergency declared by the Governor on March 4, 2020, and finds the State of Emergency continues to directly impact the ability of the Directors to meet safely in person and/or that State or local officials continue to impose or recommend measures to promote social distancing, the Charter school may hold public meetings via teleconferencing and make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. Charter schools still need to comply with the timelines for posting agendas, including putting the agenda as a direct link on their website. The agenda must give notice of the means by which members of the public may observe and participate (e.g., conference call dial-in number, etc.). The agenda does not need to list the address from where each Board member will be calling in, agendas do not need to be posted at those locations, and the charter school does not need to make those locations accessible to the public or ensure that members of the public may address the body at those locations. A quorum of the Board does not need to participate from locations within the boundaries of the territory over which the charter school exercises jurisdiction. These changes only apply during the period in which state or local public health officials have imposed or recommended social distancing measures.

virtual meeting.

Topic: Special Board Meeting

Time: Apr 15, 2022 09:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/85398802322?pwd=ZElhYlYyLzY2a1Bnb1RFMURoc2dIQT09>

Meeting ID: 853 9880 2322
Passcode: PeakPrep

One tap mobile

+13126266799,,85398802322#,,,,*74245348# US (Chicago)

+19292056099,,85398802322#,,,,*74245348# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 853 9880 2322
Passcode: 74245348

Find your local number: <https://us02web.zoom.us/j/kdXYRGEA2q>

This legislative body conducts business under the meeting requirements of the Ralph M. Brown Act.

MEETING AGENDA & RELATED MATERIALS

Agendas for regular board meetings as defined by the Brown Act will be posted physically within the Charter School's jurisdiction, and on the legislative body's website 72 hours prior to the start of the meeting. Agendas for special meetings as defined by the Brown Act will be posted physically within the Charter School's jurisdiction, and on the legislative body's website 24 hours prior to the start of the meeting. Materials relating to an agenda topic that is a matter of public record in open session, will be made available for public.

THE ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE

Notice is hereby given that the order of consideration of matters on this agenda may be changed without prior notice.

REASONABLE LIMITATIONS MAY BE PLACED ON PUBLIC TESTIMONY

The Governing Board's presiding officer reserves the right to impose reasonable time limits on public testimony to ensure that the agenda is completed.

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 may request assistance by contact Superintendent, Dr. Shalen Bishop at Shalen.Bishop@peak-prep.org

FOR MORE INFORMATION

For more information concerning this agenda or for materials relating to this meeting, please contact the Head of School's Office: Dr. Shalen Bishop at Shalen.Bishop@peak-prep.org.

I. PRELIMINARY MATTERS

A. Call to Order:

Meeting was called to order by Board Director at: _____

B. Roll Call

Board Member	Present	Absent
Marlo Hartsuyker		
Natalie Adams		
Sandra Taylor		
Alana Miller		

C. Preliminary Action Item

Board findings pursuant to Government Code Section 54953(e)

The Charter School Board of Directors determines, in accordance with Government Code Section 54953(e)(1)(B), that meeting in person would present imminent risks to the health or safety of attendees. Pursuant to Government Code Section 54953(e)(3), the Board has also reconsidered the circumstances of the State of Emergency declared by the Governor on March 4, 2020, and finds the State of Emergency continues to directly impact the ability of the Directors to meet safely in person and/or that State or local officials continue to impose or recommend measures to promote social distancing.

Board Member	Motion to Move	Second	Yes	No	Abstain	Absent
Marlo Hartsuyker						
Natalie Adams						
Sandra Taylor						
Alana Miller						

D. Motion to adopt the agenda was moved by _____

Roll Call Vote:

Board Member	Motion to Move	Second	Yes	No	Abstain	Absent
Marlo Hartsuyker						
Natalie Adams						
Sandra Taylor						
Alana Miller						

II. PUBLIC COMMENT

The public may comment on any item that is on the agenda or any other item that is in the Board’s jurisdiction. No presentation shall be more than two (2) minutes. Individuals desiring to address the Board are requested to email Dr. Bishop (Shalen.Bishop@peak-prep.org) prior to the start of the meeting. Board members are prohibited from responding to or commenting on matters raised by the public that are not on the agenda. (Gov. Code § 54954.2(a))

Public comments may be presented through our zoom link to the meeting: <https://us02web.zoom.us/j/85398802322?pwd=ZEhYYWYyLzY2a1Bnb1RFMURoc2dIQT09>

(Same as zoom link above, For Phone access see agenda information above)

III. Information, Discussion and Action items

A) Approval of Consent Agenda. *Agenda items presented in this section compose the Consent Agenda and are routine of nature. Unless an item is moved to the Action section at the request of a board member, they will be approved by the board as a group as the first action on the agenda. Each item approved shall be deemed to have been read in full and adopted as recommended.*

1. Approval of Financial Statement. *The Chief Business Official recommends that the Board of Directors approve the revenue and expenditures as listed on the March 1st, 2022 through March 31st, 2022 Financial Statements.*

2. Approval of Board Report of Commercial Checks
The Chief Business Official recommends that the Board of Directors approve the commercial payments as listed on the March 1st, 2022 through March 31st, 2022 Board Report of Checks.

3. Approval of Board Report of Purchase Orders
The Chief Business Official recommends that the Board of Directors approve the purchase orders as listed on the March 1st, 2022 through March 31st, 2022 Board Reports.

4. Approve Minutes from 3/09/2022 Board Meeting.

Board Member	Motion to Move	Second	Yes	No	Abstain	Absent
Marlo Hartsuyker						
Natalie Adams						
Sandra Taylor						
Alana Miller						

B. The Board will review, discuss and consider approving the Memorandum of Understanding (MOU) proposal and material revision for Peak Prep to partner with the Pleasant Valley School District (PVSD) and transition from an independently governed charter school to a dependent charter school. The school has had a School Site Committee meeting and Public Hearing on this agenda item.

Board Member	Motion to Move	Second	Yes	No	Abstain	Absent
Marlo Hartsuyker						
Natalie Adams						
Sandra Taylor						
Alana Miller						

IV. Board Members Remarks and Announcements

V. ADJOURNMENT

MOTION FOR ADJOURNMENT Motion to Adjourn

Roll Call Vote:

Board Member	Motion to Move	Second	Yes	No	Abstain	Absent
Marlo Hartsuyker						
Natalie Adams						
Sandra Taylor						
Alana Miller						

Adjourned at _____

Checks Dated 03/01/2022 through 03/31/2022					
Check Number	Check Date	Pay to the Order of	Fund-Object	Expensed Amount	Check Amount
5038800323	03/01/2022	Kenzie, Sara M	620-5220		550.00
5038800324	03/01/2022	VanHorn, Lara J	620-5220		695.00
5038800325	03/03/2022	Bishop, Shalen	620-4300	4,841.76	
			620-5901	656.45	
			620-5903	17.90	5,516.11
5038800326	03/07/2022	Amazon Capital Services Inc ACCOUNT NUMBER A2ANLA6W681S3Q	620-4300		869.72
5038800327	03/07/2022	Lakeshore Learning Materials	620-4300		294.82
5038800328	03/07/2022	Jessica Beusterien Lane	620-5800		500.00
5038800329	03/07/2022	Learning Plus Associates	620-4100		3,695.00
5038800330	03/07/2022	Young Minney & Corr, LLP	620-5899		7,903.05
5038800331	03/08/2022	Weisz Linehan, Karin	620-5220		565.68
5038800332	03/08/2022	Anthem Blue Cross	620-9534		18,963.87
5038800333	03/08/2022	Kaiser Foundation Health Plan	620-9534		972.68
5038800334	03/15/2022	Bishop, Shalen	620-5901		823.33
5038800335	03/15/2022	Accelerate Education Inc	620-4100	1,093.95	
			Unpaid Tax	73.95-	1,020.00
5038800336	03/15/2022	WEX Health Inc.	620-9539		135.00
5038800337	03/17/2022	Ciolino, Sabrina N	620-5220		438.76
5038800338	03/17/2022	Bishop, Shalen	620-5220	641.76	
			620-5903	17.90	659.66
5038800339	03/17/2022	Lakeshore Learning Materials	620-4300		244.40
5038800340	03/17/2022	Smekens Education Solutions	620-5220		1,196.00
5038800341	03/22/2022	T-Mobil USA Inc	620-5902		640.00
5038800342	03/23/2022	Ciolino, Sabrina N	620-5220		199.00
5038800343	03/23/2022	Amazon Capital Services Inc ACCOUNT NUMBER A2ANLA6W681S3Q	620-4300		101.77
5038800344	03/23/2022	The Lincoln National Life Insurance Company	620-9539		603.27
5038800345	03/29/2022	CliftonLarsonAllen LLP	620-5801		3,370.50
5038800346	03/30/2022	Bishop, Shalen	620-4300	162.44	
			620-5903	144.90	307.34
5038800347	03/30/2022	Amazon Capital Services Inc ACCOUNT NUMBER A2ANLA6W681S3Q	620-4300		70.28
5038800348	03/31/2022	Cordero, Allison B	620-5220		536.96
5038800349	03/31/2022	Fox-McLean, Molly A	620-5903		21.50
5038800350	03/31/2022	Amazon Capital Services Inc ACCOUNT NUMBER A2ANLA6W681S3Q	620-4300		120.98
			Total Number of Checks	28	51,014.68

Fund Recap

Fund	Description	Check Count	Expensed Amount
620	Peak Prep	28	51,088.63

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.

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Checks Dated 03/01/2022 through 03/31/2022

Check Number	Check Date	Pay to the Order of	Fund-Object	Expensed Amount	Check Amount
		Total Number of Checks	28	51,088.63	
		Less Unpaid Tax Liability		73.95-	
		Net (Check Amount)		51,014.68	

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.

Includes Purchase Orders dated 03/01/2022 - 03/31/2022

PO Number	Vendor Name	Order Location	Object Description	Resource Description	Account Amount
P3822-00074	Jessica Beusterien Lane	Peak Prep	Prof/ConslServ	Unrestricted	500.00
P3822-00075	Accelerate Education Inc	Peak Prep	Txtbk	Supp/Conc	1,093.95
P3822-00076	Smekens Education Solutions	Peak Prep	StffDvlpmnt	NCLBllprtA	1,196.00
P3822-00077	NCS Pearson Inc	Peak Prep	Mtrls&Spls	SpEd ADR	977.32
Total Number of POs			4	Total	3,767.27

Fund Recap

Fund	Description	PO Count	Amount
620	Peak Prep	4	3,767.27

PO Changes

	New PO Amount	Fund/ Object	Description	Change Amount
B3822-00007	30,280.00	620-5899	Peak Prep/LglSrvcsBx14	2,623.05-
Total PO Changes				2,623.05-

The preceding Purchase Orders have been issued in accordance with the District's Purchasing Policy and authorization of the Board of Trustees. It is recommended that the preceding Purchase Orders be approved and that payment be authorized upon delivery and acceptance of the items ordered.

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Fund 620 - Peak Prep **Fiscal Year 2021/22 Through April 2022**

Object	Description	Adopted Budget	Revised Budget	Revenue	Balance	% Rcvd
Revenue Detail						
LCFF Revenue Sources						
8011	Revenue Limit State Aid Curr	1,446,268.00	1,383,823.00	979,972.00	403,851.00	70.82
8012	Education Protection Act	58,136.00	58,136.00	32,942.00	25,194.00	56.66
8019	Revenue Limit State Aid Prior			47,268.00-	47,268.00	NO BDGT
8096	Trs In-Lieu from Property Tax	1,054,366.00	1,077,501.00	672,218.00	405,283.00	62.39
Total LCFF Revenue Sources		2,558,770.00	2,519,460.00	1,637,864.00	881,596.00	65.01
Federal Revenue						
8181	Special Education Entitlement	48,407.00	43,080.00		43,080.00	
8290	All Other Federal Revenue	368,612.00	292,708.00	139,441.44	153,266.56	47.64
Total Federal Revenue		417,019.00	335,788.00	139,441.44	196,346.56	41.53
Other State Revenues						
8550	Mandated Cost Reimbursements	10,206.00	10,417.00	10,417.00		100.00
8560	State Lottery Grant	48,844.00	75,323.00	1,287.73	74,035.27	1.71
8590	Other State		86,845.00	72,779.00	14,066.00	83.80
Total Other State Revenues		59,050.00	172,585.00	84,483.73	88,101.27	48.95
Other Local Revenue						
8660	Interest	5,000.00	5,000.00	2,596.22	2,403.78	51.92
8699	All Other Local Revenue		5,641.00	5,641.21	.21-	100.00
8792	Transfers of Apportionments Fr	174,931.00	207,043.00		207,043.00	
Total Other Local Revenue		179,931.00	217,684.00	8,237.43	209,446.57	3.78
Total Year To Date Revenues		3,214,770.00	3,245,517.00	1,870,026.60	1,375,490.40	57.62

Object	Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Balance	% Used
Expenditure Detail							
Certificated Salaries							
1100	Teacher	1,248,100.00	1,248,413.00	388,883.23	833,442.11	26,087.66	66.76
1130	Certificated Stipends	30,000.00	62,500.00	23,750.00	28,750.00	10,000.00	46.00
1140	Certificated Extra Duty				118.29	118.29-	NO BDGT
1200	Certificated Pupil Support Sal	177,500.00	210,000.00	66,818.19	143,181.75	.06	68.18
1230	Cert Pupil Support Stipend	5,000.00	5,000.00			5,000.00	
1300	Certificated Administrators	260,000.00	260,000.00	75,833.38	184,166.78	.16-	70.83
1330	Administration Stipend	2,500.00	2,500.00			2,500.00	
1900	Other Certificated Salaries			2,500.00	8,005.00	10,505.00-	NO BDGT
Total Certificated Salaries		1,723,100.00	1,788,413.00	557,784.80	1,197,663.93	32,964.27	66.97

Selection Grouped by Account Type - Sorted by Org, Fund, Object, Filtered by (Org = 638, Starting Period = 1, Ending Account Period = 0, Stmt Option? = , Zero Amounts? = N, SACS? = N, Restricted? = Y)

Fund 620 - Peak Prep

Fiscal Year 2021/22 Through April 2022

Object	Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Balance	% Used
Expenditure Detail (continued)							
Classified Salaries							
2100	Instructional Aides	20,062.00	20,062.00			20,062.00	
2400	Clerical & Office Salaries	112,844.00	112,844.00	33,287.94	79,555.74	.32	70.50
Total Classified Salaries		132,906.00	132,906.00	33,287.94	79,555.74	20,062.32	59.86
Employee Benefits							
3301	OASDI/Medicare Certificated	124,709.00	130,307.00	40,994.18	87,201.54	2,111.28	66.92
3302	OASDI/Medicare Classified	10,114.00	10,168.00	2,546.53	6,086.11	1,535.36	59.86
3401	Health/Dental/Vision Cert	244,171.00	220,254.00	66,557.75	142,772.59	10,923.66	64.82
3402	Health/Dental/Vision Class	20,460.00	19,047.00	6,666.59	12,380.81	.40-	65.00
3501	SUI Certificated	20,096.00	8,544.00	2,679.41	5,727.14	137.45	67.03
3502	SUI Classified	1,626.00	664.00	166.46	397.85	99.69	59.92
3601	Workers' Comp Certificated	28,433.00	29,486.00	9,203.68	19,761.96	520.36	67.02
3602	Workers' Comp Classified	2,193.00	2,193.00	549.22	1,312.63	331.15	59.86
3901	403B and OtherBenCert	4,325.00	4,989.00	1,639.34	3,348.78	.88	67.12
3902	403B and OtherBen Class	220.00	282.00	95.69	186.73	.42-	66.22
Total Employee Benefits		456,347.00	425,934.00	131,098.85	279,176.14	15,659.01	65.54
Books and Supplies							
4100	Textbooks	278,593.00	278,593.00	6,435.00	216,116.80	56,041.20	77.57
4300	Materials and Supplies	45,450.00	61,235.00	19,913.32	61,478.34	20,156.66-	100.40
4400	Non-Capitalized Equipment		1,883.00		3,280.91	1,397.91-	174.24
Total Books and Supplies		324,043.00	341,711.00	26,348.32	280,876.05	34,486.63	82.20
Services and Other Operating Expenditures							
5200	Travel and Conference	5,050.00	5,050.00		272.56	4,777.44	5.40
5220	Staff Development	18,079.00	21,741.00		35,553.48	13,812.48-	163.53
5300	Dues and Memberships	3,030.00	3,030.00		385.00	2,645.00	12.71
5450	Other Insurance	13,668.00	20,413.00		20,413.00		100.00
5600	Repair, Maintenance Building	18,540.00	18,540.00		3,093.96	15,446.04	16.69
5800	Professional/Consultation Serv	186,573.00	230,782.00	27,994.58	140,169.64	62,617.78	60.74
5801	Audit Services	13,181.00	13,181.00	13,550.00	17,881.50	18,250.50-	135.66
5803	Business Services Authority	216,659.00	218,354.00	144,439.34	72,219.66	1,695.00	33.07
5899	Legal Services Box 14	30,000.00	30,000.00	3.38	30,276.62	280.00-	100.92
5901	Communication Services-Phone	4,040.00	5,500.00		7,533.33	2,033.33-	136.97
5902	Internet Services	404.00	3,500.00	560.00	3,626.60	686.60-	103.62
5903	Postage	909.00	5,000.00		3,148.93	1,851.07	62.98
Total Services and Other Operating Expenditures		510,133.00	575,091.00	186,547.30	334,574.28	53,969.42	58.18

Selection Grouped by Account Type - Sorted by Org, Fund, Object, Filtered by (Org = 638, Starting Period = 1, Ending Account Period = 0, Stmt Option? = , Zero Amounts? = N, SACS? = N, Restricted? = Y)

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Fund 620 - Peak Prep

Fiscal Year 2021/22 Through April 2022

Total Year To Date Expenditures	3,146,529.00	3,264,055.00	935,067.21	2,171,846.14	157,141.65	66.54
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Fund 620 - Peak Prep		Fiscal Year 2021/22 Through April 2022		
Object	Description	Beginning Balance	Year to Date Activity	Ending Balance
Fund Reconciliation				
Assets				
9110	Cash in County Treasury	1,577,951.84	43,827.38-	1,534,124.46
9120	Cash in Bank Account	5,915.79	5,915.79-	
9200	Accounts Receivable	564,937.28	517,669.28-	47,268.00
9201	Accounts Receivable-Payroll	2,751.85		2,751.85
9290	Due From Other Governments	769,542.28	769,542.28-	
9330	Prepaid Rent	43,981.93	43,981.93-	
	Total Assets	2,965,080.97	1,380,936.66-	1,584,144.31
Liabilities				
9510	Accounts Payable	306,431.24	306,431.24-	
9530	Summer Pay Liability		21,521.37	21,521.37
9534	Health & Welfare Ins Payable	19,007.93	46,918.86-	27,910.93-
9535	State Unemployment Insurance	1,066.37	1,724.97	2,791.34
9536	Workers' Comp Ins Payable	99.60-		99.60-
9539	Miscellaneous Deductions	3,022.58	1,978.15-	1,044.43
9552	Sales Tax Payable	1,084.60	968.75-	115.85
9590	Due to Other Governments	944,613.00	3,933.54	948,546.54
9669	Other General Long-Term Liab		850,000.00	850,000.00
	Total Liabilities	1,275,126.12	520,882.88	1,796,009.00
	Calculated Fund Balance	1,689,954.85	1,901,819.54-	211,864.69-
Beginning Fund Balance				
9791	Beginning Fund Balance	1,689,954.85		1,689,954.85
9795	Other Restatements		1,600,000.00-	1,600,000.00-
	Total Beginning Fund Balance	1,689,954.85	1,600,000.00-	89,954.85
	Beginning Fund Balance Proof	.00	301,819.54-	301,819.54-
Change in Fund Balance - Excess Revenues (Expenditures)			(301,819.54)	

Memo Only - Ending Fund Balance Accounts

	Adopted	Revised
Reserves		
9720	Reserve for Encumbrances	935,067.21
Other Designations		
9790	Undesignated/Unappropriated	589,464.00
9796 - 9799		
9796	Capital Assets Net of Debt	163,203.00
9797	Restricted Net Assets	168,750.00

Fund 620 - Peak Prep

Fiscal Year 2021/22 Through April 2022

Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Budget Balance	% of Budget
Memo Only - Ending Fund Balance Accounts (continued)						
	Adopted Total 9796 - 9799	_____ .00		Revised _____	_____ .00	_____ .00

Fund 620 - Peak Prep		Fiscal Year 2021/22 Through April 2022				
Description	Adopted Budget	Revised Budget	Encumbrance	Actual	Budget Balance	% of Budget
Revenues, Expenditures, and Changes in Fund Balance						
A. Revenues	3,214,770.00	3,245,517.00		1,870,026.60	1,375,490.40	57.62
B. Expenditures	3,146,529.00	3,264,055.00	935,067.21	2,171,846.14	157,141.65	66.54
C. Subtotal (Revenue LESS Expense)	68,241.00	18,538.00-		301,819.54-	1,218,348.75	
D. Other Financing Sources and Uses						
Sources						
LESS Uses						
E. Net Change in Fund Balance	68,241.00	18,538.00-		301,819.54-	1,218,348.75	
F. Fund Balance:						
Beginning Balance (9791)	1,290,021.00	1,689,955.00		1,689,954.85		
Audit Adjustments (9793)						
Other Restatements (9795)		750,000.00-		1,600,000.00-		
Adjusted Beginning Balance	1,290,021.00	939,955.00		89,954.85		
G. Calculated Ending Balance	1,358,262.00	921,417.00		211,864.69-		
*Components of Ending Fund Balance						
Legally Restricted (9740)						
Other Designations (9780)						
Undesig/Unapprop (9790)	20,412.00	589,464.00				
Other	1,337,850.00	331,953.00		935,067.21		

**MEMORANDUM OF UNDERSTANDING REGARDING
TRANSITION TO DEPENDENT CHARTER STATUS**

By and between

PLEASANT VALLEY SCHOOL DISTRICT

and

PEAK PREP PLEASANT VALLEY

This Memorandum of Understanding Regarding Transition to Dependent Charter Status (“Agreement”), hereinafter referred to as the “Agreement,” is executed between the Pleasant Valley School District (the “District”), a California public school district, and the Peak Prep Pleasant Valley, a California nonprofit public benefit corporation, operating Peak Prep Pleasant Valley, a charter school (collectively the “Charter School”), each a party to this Agreement may be individually referred to as a “Party” and collectively referred to as the “Parties.”

RECITALS:

- A. WHEREAS, the Pleasant Valley School District, a school district existing under the laws of the State of California, is governed by a Board of Education (“PVBOE”).
- B. WHEREAS, the District is the chartering authority for the Charter School.
- C. WHEREAS, the PVBOE approved the Charter School’s charter (“Charter”) on April 25, 2019 for a three (3) year term (July 1, 2019 – June 30, 2022), and thereafter the Charter School’s term was extended by two (2) years (through June 30, 2024), by operation of law, pursuant to Education Code Section 47607.4. The Charter School is authorized to operate a public TK-12 nonclassroom-based charter school in accordance with its Charter, the Charter Schools Act of 1992, and all applicable state, federal, and local laws.
- D. WHEREAS, on October 17, 2019, the District ratified a Memorandum of Understanding (“MOU”) between the District and the Charter School governing their respective fiscal and administrative responsibilities and their legal relationships, as well as the operation of the Charter School as an independent charter school.
- E. WHEREAS, the Charter School’s Charter was materially revised on September 14, 2020, as a part of which material revisions the Charter was updated to include a reasonably comprehensive description of all new requirements of charter schools enacted into law since the Charter was originally granted.
- F. WHEREAS, the District has proposed to the Charter School that it become a “dependent” charter school of the District in order to expand the scope of their partnership; increase the availability of alternative educational options for students residing in the District’s jurisdiction; grow enrollment (as appropriate); share resources; increase collaboration in the interest of serving all students and marshaling resources to support the needs of all learners; and create efficiencies in operations.

- G. WHEREAS, the Charter School’s Board of Directors agrees to the transition to dependent status, subject to assurances that have been negotiated by the parties in order to ensure that Peak Prep continues to operate as a nimble charter school that is responsive to the immediate needs of students and parents; that culturally and operationally, “Peak remains Peak;” and that Peak Prep continues to be a school whose governance structure is intimately focused on the needs and interests of Peak Prep’s students and families.

COVENANTS:

THEREFORE, the Parties mutually agree to the terms and conditions of this Agreement, under which Peak Prep is ceding its status as an independent charter school and becoming a dependent charter school of the District:

1. The District represents that as a dependent charter school, Peak Prep will continue to operate as a nimble charter school that is responsive to the immediate needs of students and parents; that culturally and operationally, “Peak will remain Peak;” and that Peak Prep will continue to be a charter school whose governance is intimately focused on the needs and interests of Peak Prep’s students and families.
2. The Parties affirm that they will work together to expand the scope of their partnership, increase the availability of alternative educational options for students residing in the District’s jurisdiction, grow enrollment (as appropriate), share resources, increase collaboration in the interest of serving all students and marshaling resources to support the needs of all learners, and create efficiencies in operations.
3. The Parties agree that Element 4 (governance) of Peak Prep’s Charter shall be materially revised consistent with **Attachment A** (the “Material Revision”). The Parties agree that in light of Peak Prep’s September 14, 2020, material revision, the Charter already contains reasonably comprehensive descriptions of all new requirements of charter schools enacted into law after the Charter was originally granted.
4. The Parties agree that, as specified therein, the governance change effected through **Attachment A**, upon approval of the Material Revision, shall be effective July 1, 2022. Until the effective date of the Material Revision, Peak Prep’s Executive Director and the District’s Superintendent will collaborate on transitioning governance and academic and operational planning for the 2022-23 school year, including recruitment and onboarding of District students.
5. The Parties agree that the following are material conditions of the Agreement under which Peak Prep will become a dependent charter of the District and submit the Material Revision in **Attachment A** for approval:
 - a. Peak Prep, the Charter School, shall continue to be operated as the nonprofit public benefit corporation bearing the same name as the Charter School (the “Corporation”) pursuant to Education Code Section 47604(a).
 - i. The Charter School will continue to be governed by the Board of Directors of the Corporation.

- ii. All administrators, teachers, and staff of the Charter School will be employed by the Corporation, and the Charter School and its Executive Director shall have hiring and termination power as set forth in Attachment A.
 - iii. The Corporation will continue to be deemed the exclusive public-school employer of the employees of the Charter School for purposes of the Educational Employment Relations Act.
 - iv. The Corporation's Board of Directors shall meet once each month, except in extenuating circumstances where it is not possible to meet, and in July of each month due to summer vacations.
- b. The Charter School will continue to be a direct-funded charter school, and all apportionments, in-lieu tax payments, and other state, federal, local, and private sources of funding designated for and awarded to Peak Prep shall continue to be the property of the Corporation.
- c. The Corporation's Board of Directors shall continue to be responsible for planning and operations of Peak Prep and the same functions that have traditionally been vested in the Charter School's Board of Directors and as identified in Element 4 of the Charter, including but not limited to:
 - i. The development and approval of the Charter School's budget;
 - ii. The development and approval of the Charter School's Local Control and Accountability Plan; and
 - iii. Approval of contracts on behalf of the Charter School.
- d. The Corporation's Board of Directors will consist of five members, three of whom shall be appointed by the District, and two of whom shall be parents/guardians of current Charter School students.
 - i. The District shall adopt its own policies and procedures for filling its three Charter School Board seats. Only the District may remove its own members from the Peak Prep Board pursuant to its policies.
 - ii. The Charter School's Parent Advisory Council ("Advisory Council"), which shall be comprised of the Charter School Executive Director, Principal, a teacher, and four parents/guardians, shall adopt its own policies and procedures for the nomination and election of Charter School parents/guardians to the two Board seats designated for Charter School parents/guardians. Parents/guardians may only be removed from Peak Prep's Board pursuant to the policies and procedures determined by the Advisory Council and the corporate bylaws. Notwithstanding the foregoing, during the 2022-23, 2023-24, and 2024-25 school years, while the Advisory Council is developed, Charter School's Executive Director shall appoint parent/guardians to the Charter School's Board.

- e. The Corporation's bylaws shall be revised by April 14, 2022, to conform to the foregoing requirements, principles, and the content of the Material Revision.
- f. The District supports Dr. Shalen Bishop's continued employment as Peak Prep's Executive Director for, at minimum, a three-year term (2022-23 through 2025-26), pursuant to the contract executed by Charter School's current Board of Directors on [REDACTED], and agrees that Dr. Bishop's contract with the Charter School shall be honored by the Charter School for the duration of that term.
- g. The Charter School's Executive Director shall continue to report to the Charter School's Board of Directors as their (or his/her) immediate supervisor. The Executive Director shall be evaluated in accordance with the terms of their contract and as part of the evaluation process, the Charter School's Board shall seek and consider input from the District Superintendent regarding their performance. Additionally, throughout the term of the Charter (including renewals), Charter School's Executive Director shall continuously and regularly update, inform and seek input from the District Superintendent regarding the on-going operations of the School as a dependent charter school. Additionally, the Charter School's Executive Director shall be responsible for liaising and collaborating with the District Superintendent on operating the charter school.
- h. The District agrees to the continuation of Ventura County School Business Services Authority ("BSA") as Charter School's back office services provider through the end of the 2022-23 school year, and it will be the decision of the then-existing Charter School Board to determine whether to continue contracting with BSA, upon considering the recommendation of Charter School's Executive Director and weighing other alternatives.
- i. If after the 2022-23 school year, the District, or any other entity desires to provide back office services to Charter School, such entity may present a draft memorandum of understanding or contract to the Peak Prep Board for consideration and approval at the Charter School Board's discretion.
- j. The existing MOU between the Parties shall remain in effect according to its terms until otherwise modified or terminated, provided that to the extent any inconsistent or impractical differences exist between the MOU and this Agreement and the Material Revision, this Agreement and the Material Revision shall control.
- k. Subject to the terms of this Agreement and the Material Revision, the Parties may execute a new or revised MOU to reflect more precisely the nature of the District and Charter School's relationship following the transition to dependent status.
- l. If any entity, including the District, proposes to provide any non-back office services to Charter School for a fee or for a portion of Peak Prep's revenues, such entity shall present a draft memorandum of understanding or proposed contract to Charter School's Board of Directors for consideration and approval at the Charter School Board's discretion. .

THIRD PARTY BENEFICIARIES

No Third-Party Beneficiaries.

This Agreement is for the sole benefit of the Parties hereto and their respective successors and permitted assigns. Nothing herein, express or implied, is intended to or shall confer upon any other person any legal or equitable right, benefit, or remedy of any nature whatsoever, under or by reason of this Agreement.

SEVERABILITY

If any provision or any part of this Agreement is held by a court of competent jurisdiction to be invalid and or unenforceable or contrary to public policy, law or statute and/or ordinance, provided that the fundamental terms and conditions of this Agreement remain legal and enforceable, the remainder of this Agreement shall not be affected thereby and shall remain valid and fully enforceable.

IN WITNESS WHEREOF, the Parties to this agreement have duly executed it on the day and year set forth below:

Date: _____

Peak Prep Pleasant Valley

Date: _____

Pleasant Valley School District

GOVERNANCE STRUCTURE

Governing Law: The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement—California Education Code Section 47605(c)(5)(D)

Non-Profit Public Benefit Corporation

The revised content of this element shall be effective as of April 21, 2022 and become operational and implemented on July 1, 2022.

The Charter School will be a directly funded dependent charter school of the District that will be operated as Peak Prep Pleasant Valley, a California public benefit nonprofit corporation.

The Charter School will operate autonomously from the Pleasant Valley School District, with the exception of the supervisory oversight as required by statute and other contracted services as negotiated between the Pleasant Valley School District and the Charter School, the District's representation on the Charter School's Board of Directors, and collaboration on educational programming and operations between Peak Prep employees and District employees as contemplated herein.

Pursuant to California Education Code Section 47604(d), the Pleasant Valley School District shall not be liable for the debts and obligations of the Charter School, operated by a California non-profit benefit corporation or for claims arising from the performance of acts, errors, or omissions by the Charter School as long as the Pleasant Valley School District has complied with all oversight responsibilities required by law. Attached, as an appendix, please find the Articles of Incorporation and Corporate Bylaws for the Charter School, and conflicts code.

The Charter School's Conflict of Interest Code complies with the Political Reform Act, Government Code Section 1090, *et seq.*, as set forth in Education Code Section 47604.1, and Corporations Code conflict of interest rules, and which shall be updated with any charter school-specific conflict of interest laws or regulations. As required, the Conflict of Interest Code will be submitted to the County Board of Supervisors for approval.

Board of Directors

The Charter School is governed by a corporate Board of Directors who shall be elected, serve, and govern the Charter School in accordance with their adopted corporate bylaws and policies and procedures which shall be maintained to align with the terms of this charter, the MOU's, and applicable law. Peak Prep Pleasant Valley will have five board members on the governing board.

Three of the five members of the Charter School's Board shall consist of members appointed by the District's Board of Trustees, to be selected pursuant to the District's appointment process of the District's choosing. Such representative shall serve at the pleasure of and be removed only by the action of the District Governing Board.

Two of the five members of the Charter School's Board shall consist of parents/guardians of students currently enrolled at the Charter School, to be appointed pursuant to the policies and procedures adopted by the Parent Advisory Council ("Advisory Council") as described below. If such a member of Peak Prep's Board is no longer a parent or guardian of an enrolled student, they shall be replaced by a new parent/guardian by the Advisory Council. Notwithstanding

the foregoing, during the 2022-23, 2023-24, and 2024-25 school years, while the Advisory Council is developed, Peak Prep's Executive Director Executive Director shall be responsible for appointing parent/guardians to Peak Prep's Board.

The parent/ guardian Board members may serve two consecutive three-year terms. .

Commencing July 1, 2023, and each year thereafter, upon receipt of a petition for a high school student representation that meets the requirements of Education Code Section 47604.2(b)(2), the Board shall order the inclusion within its membership, in addition to the number of members otherwise prescribed, of at least one high school student member. A student member of the Board shall have preferential voting rights as defined in Education Code Section 47604.2(b)(4).

Board Duties

The Board of Directors will be responsible for the operation and fiscal affairs of the Charter School including but not limited to:

1. Approval of the annual school budget, calendar, major fundraising events, and grant writing;
2. Approval of contracts;
3. Approval of accountability reports required to be submitted to government entities, including the LCAP and interim financial reports;
4. Hiring, supervision, discipline, and termination of the Charter School's Executive Director;
5. Ratification of employment contracts for Charter School employees hired by the Charter School's Executive Director
6. Approval of bylaws, resolutions, and policies and procedures of school operation
7. Approval of all changes to the charter to be submitted to the Pleasant Valley School District as necessary in accordance with applicable law
8. Long-term strategic planning for the Charter School and strategic partnerships with the District in service to the District's students;
9. Participation as necessary in dispute resolution;
10. Monitoring overall student performance;
11. Monitoring the performance of the Charter School and taking necessary action to ensure that the school remains true to its mission and charter;
12. Monitoring the fiscal solvency of the Charter School;
13. Participation in the Charter School's independent fiscal audit;
14. Participation in the Charter School's performance report to the Pleasant Valley School District, as applicable;
15. Participation as necessary in student expulsion and involuntary removal matters; and increasing public awareness of the Charter School
16. Fundraising efforts

The Charter School's Board of Directors may initiate and carry out any program or activity that is not in conflict with or inconsistent with any law and which is not in conflict with the purposes for which charter schools are established.

Board Meetings

The Charter School Board will meet monthly (but may forgo a July meeting) pursuant to a calendar set at its

annual organizational meeting and shall set additional special board meetings as necessary. The Board will comply with the Brown Act and Education Code Section 47604.1(c). Subject to applicable exceptions provided under law due to circumstances created by the COVID-19 pandemic, Board meetings will originate and be held within the county where the greatest number of Peak Prep students reside. Meetings may combine virtual and site-based meeting attendance, subject to the requirements under the Brown Act for public meetings.

A Board Chair, who will be elected annually by the Board in accordance with Corporations Code Section 5213 at the annual organizational meeting of the school year each September, will head the Board of Directors meetings.

Board Training

The Board of Directors shall participate annually in training regarding board governance, the Brown Act, and conflicts of interest rules.

Board Delegation of Duties

The Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee or contractor of the Charter School any of those duties. The Board however, retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation will:

1. Be in writing;
2. Specify the entity designated;
3. Describe in specific terms the authority of the Board being delegated, any conditions on the delegated authority or its exercise and the beginning and ending dates of the delegation; and
4. Require an affirmative vote of a majority of present Board members.

Charter School Director

The Executive Director will be the leader of the Charter School. The Executive Director will report directly to the board, and they are responsible for the orderly operation of the Charter School and the supervision of all employees in the Charter School.

1. Provide leadership to the Charter School
2. Liaise with the District's Executive Director on collaborations between the Charter School and the District in service to all students and collaborate on projects, including but not limited to, marketing, enrollment, connecting District students to Peak Prep, connecting Peak Prep students to District services, development of innovations in alternative educational programming, and sharing resources.
3. Attend meetings at the County Office of Education as requested by the Pleasant Valley School District and stay in direct contact with the Pleasant Valley School District to assist the Pleasant Valley School District in its oversight duties;
4. Subject to Charter School policies and operative contracts, hire, supervise, discipline, and terminate all employees, independent contractors, vendors, advisors, and consultants of the Charter School; make hiring recommendations to the Board

- of Directors regarding the hiring of all Charter school employees for ratification by the Board of Directors;
5. Provide performance evaluations of all Charter School employees at least once annually;
 6. Prepare proposals of policies for adoption by the Board of Directors;
 7. Provide comments and recommendations regarding policies presented by others to the Board;
 8. Advise the Board and make written recommendations to the Board on programs, policies, budget and other school matters;
 9. Communicate with the Charter School's legal counsel;
 10. Participate in the dispute resolution procedure and the complaint procedure when necessary;
 11. Write applications for grants;
 12. Attend meetings with the Chief Financial Officer of the Pleasant Valley School District on fiscal oversight issues periodically upon request;
 13. Provide all legally required financial reports to the Pleasant Valley School District and County Office of Education;
 14. Compliance with the budget as approved by the Board in accordance with generally accepted accounting principles;
 15. Present quarterly financial reports to the Board of Directors;
 16. Aid and coordination in the implementation of curriculum;
 17. Oversee parent/student/teacher relations;
 18. Attend IEP meetings as required by law;
 19. Oversee student disciplinary matters;
 20. Coordinate and/or supervising the coordination of the administration of standardized testing;
 21. Plan and coordinate student orientation;
 22. Attend all Charter School Board meetings and attend as necessary Pleasant Valley School District meetings;
 23. Site safety (if a site is operated);
 24. Foster an amicable relationship between Pleasant Valley School District and the Charter School and facilitate a sharing of resources between both entities;
 25. Establish a Communication Model to facilitate communication among all the groups within the Charter School, between the Charter School and the Pleasant Valley School District, and between the Charter School and the community at large;
 26. Graduations;
 27. Develop the Charter School annual performance report and SARC;
 28. Present performance report to the Charter School Board and, upon review by the Charter
 29. Present reports to the Pleasant Valley School District as requested; and
 30. Facilitate open house events.

The above duties may be delegated or contracted as approved by the Board to another employee of the Charter School or to an appropriate third-party provider as allowed by applicable law.

Parent Participation in Governance and Parent Advisory Council

The Charter School will ensure parents and guardians have an opportunity to participate in governance of the Charter School, through involvement in the Advisory Council and participation on the Board of Directors.

The Advisory Council shall be composed of seven members, including the Charter School's Executive Director, who will be a standing member and serve as the chairperson, Principal, a teacher, and four parents/guardians of current Charter School students. The teacher representative will be appointed by a majority vote of the Charter School's teachers. The initial parent members shall be appointed by the Executive Director, and subsequently, the Advisory Council as a whole will nominate and vote on the parent membership of the Advisory Council after inviting parents/guardians of the school community to participate. Parent members of the Advisory Council are eligible to serve simultaneously as members of the Board of Directors.

The Advisory Council shall meet regularly, review matters of current school and student affairs, and shall make and report recommendations to the Peak Prep Board on matters of interest and concern to the parents of Peak Prep students.

The Advisory Council is an advisory body and is not organized as a corporation, but may adopt bylaws and written policies and procedures to guide the Advisory Council's operations. Meetings of the Advisory Council shall be communicated to parents/guardians of students in advance, and they shall be invited to attend and provide written or oral comments. In the event that the provisions of any such bylaws, written policies, and procedures are inconsistent with the provisions of this charter, they shall be amended to be consistent with the charter. The Advisory Council shall maintain a complete record of all the minutes, acts and proceedings of the Advisory Council.

The role of the Advisory Council will be to:

- Make recommendations to the Peak Prep Board in the following areas, and such other areas as may be requested by the Peak Prep Board:
 - To recommend events and activities to be carried out at Peak Prep.
 - To annually review the operating budget and Peak Prep operations.
 - To annually review and provide input and feedback on Peak Prep's draft LCAP and other accountability instruments for which parent/guardian input is required or should be sought.
 - To provide ongoing evaluation of Peak Prep and provide public accountability.
 - To make recommendations for the improvement and further development of Peak Prep.
 - To strive for a diverse student population, reflective of the community, and aligned to Peak Prep's mission.
- Review and recommend business and school partnerships with the communities served by Peak Prep.
- Ensure that all students are learning California State Standards by reviewing achievement data.
- Review, promote, monitor and evaluate educational initiatives affecting Peak Prep.

- Organize activities to raise funds or otherwise solicit and gather monetary donations or other gifts for Peak Prep.
- Carry out such other duties as requested by the Peak Prep Board.

The Advisory Council shall also develop procedures to elect and appoint parent/guardian representatives (“Parent Representatives”) to the Board. The Advisory Council may vote to remove a Parent Representative on the Board of Directors and fill vacancies pursuant to the corporate bylaws and its adopted policies and procedures.