

**SPECIAL MEETING OF THE NAPA COUNTY BOARD OF EDUCATION
Tuesday, March 15, 2022**

Members present

Remote Attendance: Don Huffman, Janna Waldinger, Gerald Parrott, Jean Donaldson, Sindy Biederman, Jennifer Kresge, Ann Cash

1. ORGANIZATION

A. CALL TO ORDER

Board President Don Huffman called the meeting to order at 3:30 p.m.

B. FLAG SALUTE

The salute to the Flag was led by Barbara Nemko.

C. PUBLIC PARTICIPATION

Board President Huffman read the instructions for public participation via teleconference.

D. WELCOME TO VISITORS

Visitors were welcomed to the meeting.

E. APPROVAL OF THE AGENDA

The Agenda was approved on a motion by Mrs. Waldinger and a second by Mrs. Biederman. A roll call vote was taken: Ayes – Mr. Parrott, Mrs. Waldinger, Mr. Huffman, Mr. Donaldson, Mrs. Cash, Mrs. Biederman, Mrs. Kresge. Noes – None.

F. PUBLIC COMMENT

Instructions for Comments by the Public for Items not on the Agenda and Comments by the Public for items on the Agenda were read.

Public Comment was given.

Dalila Hernandez, Espanol in the Valley, and Alfonso Martinez provided translation needs.

2. PUBLIC HEARING WITH ACTION TO BE TAKEN

A. Public Hearing to consider action to grant or deny the Mayacamas Charter Petition opened at 4:10 p.m.

- i. Staff presentation of findings (15 minutes)

Dr. Nemko thanked the Board for their hard work and analysis of the Mayacamas Charter Petition and instructed everyone providing public comment today to observe the protocols for the meeting.

Mr. Schultz, Deputy Superintendent, provided an overview of the process and the legal requirements required for the Board to make a decision to either grant or deny the petition. Mr. Schultz noted that the standard for a county office of education is to review the petition de novo. Mr. Schultz presented staff findings of fact that the petition did not meet the criteria for denial under criteria 1 – 6 or criteria 8, but that the Board may consider denial based on criteria 7: “The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate.”

ii. Petitioner Presentation (15 minutes)

Lead Petitioners Lauren Daley and Jolene Yee thanked Dr. Nemko, Mr. Schultz, the NCOE staff, and the Napa County Board of Education for their time in reviewing the Mayacamas Charter Petition. The Petitioners presented information refuting the NCOE staff findings of fact. Ms. Daley and Ms. Yee provided a video presentation with supportive comments from community members, and information demonstrating the viability of the Mayacamas Charter Petition.

iii. Board questions for staff or petitioners

Attorney Jennifer Nix provided guidelines for the Board on how to weigh the considerations and findings in making their decision.

Board members asked clarifying questions prior to deliberating and making a decision.

iv. Public comment

Mr. Schultz asked the translator, Alfonso Martinez, to repeat the availability for public comment.

Public comment was given.

v. Board deliberation and action

On a motion by Mrs. Biederman and a second by Mr. Donaldson, the Board denied the Mayacamas Charter Middle School petition. A roll call vote was taken: *Ayes* - Mr. Parrott, Mr. Huffman, Mr. Donaldson, Mrs. Cash, Mrs. Biederman. *Noes* - Mrs. Kresge, Mrs. Waldinger.

Attorney Jennifer Nix provided procedural information for the Board and recommended the Board delegate a Board member to work with Ms. Nix on putting their findings regarding denial in writing.

Mr. Huffman asked for a volunteer to construct the final components for the adoption of the Board Resolution 2022-9 to deny the Mayacamas Charter Petition and asked

Mrs. Biederman to be the delegate. Mr. Donaldson volunteered to assist Mrs. Biederman in this process.

Public Hearing closed at 9:14 p.m.

3. ACTION ITEMS

A. On a motion by Mrs. Waldinger and a second by Mrs. Cash, the Board approved and adopted Resolution 2022-8 Authorizing Use of Remote Teleconferencing Provisions Pursuant to AB 361 and Government Code section 54953. A roll call vote was taken: *Ayes* – Mr. Parrott, Mr. Donaldson, Mrs. Waldinger, Mr. Huffman, Mrs. Cash, Mrs. Biederman. *Noes* – None. Mrs. Kresge not present to vote.

4. NEXT MEETING OF THE NAPA COUNTY BOARD OF EDUCATION

The next regular meeting of the Napa County Board of Education will be on Tuesday, April 5, 2022.

5. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:24 p.m.

Respectfully submitted,

Barbara Nemko, Secretary
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Approved

Date