



**RMAE Board of Directors MEETING**

**Date: 10-24-13 6:30pm**

**LOCATION: Rocky Mountain Academy of Evergreen, Admin Building, Evergreen, CO**

***RMAE Vision Statement: RMAE envisions a community of parents, teachers, students and educational and business leaders working together to create a learning environment that encourages growth in character, academic achievement and the love of learning, resulting in responsible, productive citizens.***

***RMAE Mission Statement: RMAE inspires each student to pursue personal and academic excellence through an intellectually challenging Core Knowledge™ curriculum within a nurturing environment.***

**Meeting Minutes**

**Document Revision: 12-11-13**

**Document Approval: 12-12-13**

**Call to Order & Pledge of Allegiance 6:36 p.m.**  
**Reading of Vision & Mission**

**BOD Members in Attendance:**

Ned Parker, President, Parent Representative  
Aaron Lessig, Vice President, Parent Representative  
Tom Seybold, Treasurer, Parent Representative  
Dana Price, Secretary, Parent Representative  
Jamie Price, Parent Representative  
Bob Fiore, Parent Representative  
Dan Cohen, Director  
Kristen LaJoy, Community Representative (arrival 6:45 p.m.)  
Christine Riedlin, Teacher Representative (arrival 7:09 p.m.)

**Others in Attendance:** Cheryl Hadsell & Dina Walton

**Public Comment:** None

**Consideration of Consent Agenda**

**Motion:** Tom made the motion to accept the Meeting Minutes for October 10, 2013 with minor spelling corrections, Jamie seconded.

**Approval:** 5-0 (Kristen & Christine came in after motion)

**Abstentions:** Ned due to his absence at the previous BOD meeting.

**Committee Reports:** Ned stated we would try not to have reports for the second meetings of the month.

*AAA:* Bob presented.

- Some people have dropped off of the committee while others have committed.
- There is very good collaboration between parents and teachers.
- The last meeting was focused solely on the UIP's. The next meeting will identify the officers for the committee.
- The "Code of Ethics" document forwarded to new AAA members is in violation of the Open Meetings Law and therefore is not valid. It had been brought to AAA previously, but was never voted on nor incorporated into the support documentation for AAA. Dan believes it was voted on and approved. There should be a "Code of Ethics" for the group, but it needs to be formulated and voted on as a committee & reviewed by the BOD. The "Rules of Operation" will be reviewed as well by AAA & the BOD.
- Marcie Taylor will be the Community Representative for AAA.

- The UIP for the MS has been completed and needs to be circulated. Copies need to be placed in the Charter Renewal. A hard copy of the Charter & Charter Renewals should be placed in the Administrative office for auditing purposes.

*Facilities / Tech:*

- Dina presented: 12 RFP's were sent out for snow removal/plowing; we only received one bid back for \$28k for the season, which is too much money. We still do not have a company to plow the road. The company has to have insurance liability so we cannot use a parent or parent's vehicle. Dana asked about the neighbors and what do they contribute? Dina stated we are required to plow the road up to our driveway.
- Ned presented: The Field group is still working on leveling and grading, but they should be finishing up soon. He has the Joint Use contract, please read before the next meeting. Ned will forward the newest addition to all of the BOD members.

**Old Business**

A. Charter Renewal.

- Bob, Dina & Dana met. Reviewed and discussed the stated waivers. The waivers read generically, but without the statutes to bounce off of it is difficult to assess what we have. A concern was the outdated Strategic Plan – Aaron will update and bring back to BOD. Original goals should be reviewed to see if they were completed. Dina suggested that because we are on a time constraint, we should revise the Strategic Plan with the new goals this BOD put together. The original can be reviewed at a later date. We have a 5-year plan with 1-year strategic goals.
- Dina presented the waivers for the Renewal. There are some automatic waivers that we have checked off. There are more now than in the past and replacement plans have to be created for each one. Most have to do with personnel. Even though it seems generic, they refer to different articles such as the Staff Handbook, etc.
- Statute 191: Refer to rubric Dan created. The law says 50% of teacher evaluations are to be based on student testing (TCAP). What we are showing is that student performance means other items such as how they are doing in class. Also, there is goal setting and we are not tying that to TCAP performance, but it should be tied to NWEA performance. 50% doesn't apply in the same sense because of curriculum differences; however, there are Colorado academic standards that we need to acknowledge.
- Do we have a rigorous evaluation system that is performed on an annual basis? Staff is evaluated on some level on an annual basis. The suggestion was to wait and see how the District responds to our evaluation system. If the District determines it is not efficient enough then the BOD can reevaluate the system after the Renewal process.
- Does the BOD determine the evaluation process? Board Policy 4.1 (b).
- The BOD agreed to change the "Informal/Formal" to "Tier 1/Tier 2". Ned stated we can have a working 'draft' with these changes until they voted on for approval in the spring.
- Dan stated the goal setting is being used for this current year and teachers have signed off on it as they go. It is not currently in the Staff Handbook. The Charter Renewal will have some items the Handbook doesn't, but whatever we say yes to needs to be engaged in this academic year.
- At the BOD Legal training the following information was obtained:
  - Recorded Minutes need to be kept indefinitely.
  - Executive Session Meeting Minutes need to be kept on file for 90 days (not for the public).
  - An RMAE parent sent a written request to Ned and Dana for the September 26, 2013 Minutes, invoking the Freedom of Information Act (FOIA). When this occurs, we are to let Mr. Peery (the District) know immediately and what the reason for the request is, due to the fact that the BOD is covered under the District's liability insurance. Mr. Peery was informed of this request. Mr. Peery also stated he has received several calls from parents regarding the state of RMAE.
  - Dana asked the RMAE parent if she could share his concerns with the BOD. There were basically two: (1) the comments made by the Director in regards to his honesty with

AAA and (2) the chaotic way the meeting was run. He suggested the BOD implement Robert's Rules and asked about accountability.

- The Finance committee or the Human Resource committee is working on the merit pay system according to Dan. How do we address merit pay with other staff? The BOD needs to discuss this issue.
- The Charter Renewal is due to the State by December 1, 2013. Dina clarified with the BOD that Aaron would be sending the Strategic Plan to include in the Renewal.
- Waiver for Statute 22-9-106 regarding employer performance evaluations performed by a person holding an Administrative Certificate. This is one of our current state waivers, but it was not on the list yet. We need to continue this waiver. Dan does not have an Admin. Cert. Ned asked if this was all-inclusive because we are not breaking out any subdivisions of the statute. Dina will pull the state statute to see if this needs to be changed to a subset of 106 or if it's all-inclusive. If it is not appropriate or redundant, she will fix it.
- Ned stated we couldn't approve it as a BOD vote tonight because there are still some items to be reviewed. Dan stated it does not require a motion and a vote, but there needs to be agreement by the BOD to send it in. Ned said we need a quorum and we should have a meeting next Tuesday or Wednesday to approve the Charter Renewal. Those who can't be present can conference call.

**New Business 'A'** Dina presented here because of time constraints:

1) Amendment 66 and Implications for RMAE:

- The BOD can't advocate for a person, but can take a stand on an issue (ie. 66). Some things 66 will do:
  - Full day kindergarten (RMAE can stop charging for afternoon K if we get paid for it)
  - At risk funding (Currently we get paid the same as JeffCo per those students, if 66 passes we will get funding for only those students that we have paperwork on. We would lose in this area.)
  - Charter School Facilities (\$450 per pupil will be given to RMAE)
  - One-day count goes away in 15-16 (RMAE is not in a growth stage so this is a wash)
  - "Harmless" based on district not per school (State will fill in for the District where it lacks)
  - Our current PPR is \$6400; 66 should bring the base to \$6900 – this before the facilities and possible \$600 per student for teacher development.
  - 41% of State money will go into the Education Fund. It does not clarify when the money can/will be spent.
- The BOD can direct people with questions to the CDE website. Legislatively, JeffCo has to give Charters 100% of the PPR funding and facilities funding, which belongs to us. There is an area, however, that could be a possible problem. Currently, we pay back 5% of our PPR to JeffCo, which is the highest amount allowed by law. If there is any possibility that we may have to pay back up to 15%, it would negate any moneys we may have gained. The wording around this item is not clear and, when asked, JeffCo did not clarify. Dina departed at this time.

2) Unified Improvement Plan (UIP): Bob presented

- UIP is complete as of today and is ready for review and signature by the Chair of AAA.
- Dan and Kim have already electronically signed off on the "Culture and Climate" element of the school.
- Summarized: Elementary and MS are independent UIP's. AAA did a very good job on identifying the areas that we have done well on and those areas that need improvement. Ned's concern is that the UIP's haven't been reviewed by the BOD – the BOD does not "sign off" on the UIPs, but needs to be aware of their content and monitor that their recommended improvement steps are being implemented. Bob will get the BOD a hard copy before Wednesday's meeting for review.

### **New Business**

- A. Amendment 66 and Implications for RMAE (see above)
- B. BOD JeffCo Legal Training: Dana presented.

- Handouts were distributed to BOD members: “Selected Legal Issues Concerning Charter Schools”, “Child Abuse & Neglect . . .”, and “Fair Campaign Practices Act Election Issues”. They didn’t spend much time on the Child Abuse & Neglect, mostly spoke about immediate and mandatory reporting.
- John Peery & Alan Taggert (legal council) were present to address a few items:
  - Recorded Minutes need to be kept indefinitely. There are still some from last year that can be burned to a CD as well. Dan asked if a requester wants to listen to the recording, do they need to stay on the school’s premises?
    - Ned stated that he saw this as two tiers: (1) an informal request to just listen to the recording, and (2) a formalized, written request naming the Freedom of Information Act (FOIA) or Colorado Open Records Act (CORA).
    - The RMAE parent originally informally requested the September 26 BOD Meeting Minutes. Ned said at that time that he would look into how to provide the meeting audio as there could be some possible technical challenges (how to download the recorder, do we have CD’s available, etc.).
    - Formal FOIA requests need to be responded to within 3 days and never more than 7. When the RMAE request become formal, a CD was burned and given to the parent within these time constraints.
  - Discipline can be discussed during Executive Sessions. Specific students and issues can be discussed during these meetings, which are not public. The student does not have to be invited in to the discussion. This was an important clarification because previously Dan stated student records could never be discussed even during Executive Session. Ned stated that back in August we had concerns over discipline and asked Dan if he could give us an update of actions taken through Executive Session and Dan had said no due to JeffCo regulations. That was incorrect and discipline can be discussed in Executive Session, if necessary.
  - Executive Sessions do not need to be posted on an Agenda. A BOD member can make a motion to go into Executive Session at any time. The Minutes have to reflect the statutory reason for going into one with a motion and a second.
- Discipline is part of our Strategic Plan for the Director and Dan is to report back to the BOD on any current issues. The line of appeal for parents if their child has been suspended is to the BOD while expulsion goes to the District (John Peery). Dan pointed out Declaration 25 regarding the habitually disruptive student. It is no longer mandatory to expel a person who possesses contraband/drugs, but it is mandatory to expel a provider/seller.
- Releasing family/student information as far as directories, etc. Families need to opt in.

In regards to the FOIA request, Ned stated he received an email from the RMAE parent, but Dana had received a phone call. She specifically asked the parent if the main points of the conversation could be shared with the other BOD members and he stated yes.

Kristen departed 8:46 p.m.

*BOD discussion commenced regarding the request for Minutes.*

The earlier conversation regarding the written request for the September 26 Minutes, the statements made during that meeting, and Mr. Peery’s comments regarding the calls he has received was revisited. The Administrative issues need to be addressed so the BOD can unite and move forward. Dan was asked about his comment at the last BOD meeting when clarification of the MS Math problem was needed. Dan had stated he would not be the Director implementing Math 5 days a week even though we haven’t received a recommendation from the new AAA. In Jamie’s opinion the responses thus far have been unclear, insubordinate or uncaring. It needs to be clear to parents that the Director does report to the BOD and if AAA does report Math as an issue that needs to be addressed, the BOD has to have confidence it will be implemented properly.

Jamie suggested a discussion or a letter of apology for not following the directive. Dan stated he followed the directive. He has never been asked to process the claims that were made against him and is the BOD clear on the language in the directive? Aaron believes there was never any intent to follow the directive because of Dan's comment about dishonesty in regards to the directive and that he couldn't say he wouldn't be dishonest again. Dan said it was indicative of his mental state at that time, but was inexcusable. There is concern as to whether or not other recommendations/directives will be followed. A sincere acknowledgment from the Director that he will help us move forward as a school in a respectful manner is requested. There was a reference to the September 26 Minutes and the statements regarding honesty, future honesty & compromise. Dan stated he compromised by giving up what he thought was best for the school, not his ethics. He believes even 4-day Math is not wise to do. Bob stated this is a more substantial discussion that needs to take place. Tom asked if it would include the new AAA? Not if the BOD went into an Executive Session. Ned suggested November 7th for a meeting. The BOD has a nominal meeting for November 14<sup>th</sup> as well. Ned stated that at the November 7<sup>th</sup> meeting, it would be possible to motion to go into Executive Session.

C. Board Training modules (#1, #2, #11, #12): Ned presented.

- The Board website and numbering scheme has been changed. We should all be looking over the Power Point presentations that are online and taking the tests. This is being conducted on an honor system basis. There is very valuable information within these modules for BOD members put together by the CO League of Charter Schools. The BOD evolved under Nora with these modules.

#1 Board Member Conduct – we have all signed these and are being held under that document.

#2 Board Structure and Responsibilities – who serves on the BOD, term limits. Do we ever want to limit terms? Dana asked the question regarding missing BOD meetings. Does Seth fall into this category? Last year a member had been voted off because of the poor attendance rate. Seth had offered to step down at one point. This is something to consider at a later time.

#11 Productive Board Meetings – post agenda a minimum of 24 hours ahead of time, Sunshine list, Ned would like a link on the website to email the President if they want to be added, Dana will post the Agenda on the website. Ned will forward committee reports to the BOD members ahead of time.

#12 Effective Committees – more diligent on stating what we want from the committees, let them report and take the recommendations to act on. Sample questions to ask: Is that reasonable, do we have the budget and staff to make those recommendations happen? We need to be in a position to monitor changes and measure the progress. AAA is aware of the Charter Renewal in regards to transparency and posting surveys, minutes, etc. Tom would like to see public comments being limited on the Agenda. Ned agreed and said he needs to be more rigid about who comments and when. Is staff supposed to comment during public comments or does the BOD call on staff to discuss? Ned said there are different situations where we may call in a staff member or parent as an expert and because we respect their opinion, but it needs to be limited.

**Action Items** (to be completed at the next Board meeting):

- A. Board Training modules (#3, #4, #5, #6)
  - #3 Promoting the Vision and Mission, #4 Selecting, Reviewing & Supporting the Administrator
  - #5 Accountability / Program Assessment, #6 Contract Renewal & Accreditation
- B. Review of Staff Handbook
- C. Annual Review of Emergency Procedures Plan

**Board Comment**

**Next Meeting – November 14, 2013**

**Adjournment – 9:27 p.m.**