



## RMAE Board of Directors MEETING

Date: 4-17-14 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:** July 9, 2014

**Document Approval:** July 10, 2014

#### **BOD Members in Attendance:**

Ned Parker, President, Parent Representative  
Aaron Lessig, Vice President, Parent Representative  
Thomas Seybold, Treasurer, Parent Representative  
Christine Riedlin, Teacher Representative  
Jamie Price, Parent Representative  
Dave Hadsell, Parent Representative  
Margaret Hogan, Parent Representative  
Kristen LaJoy, Community Representative  
Dan Cohen, Director

#### **BOD Members on Conference Call:**

Dana Price, Secretary, Parent Representative

#### **BOD Members Absent:**

**Others in Attendance:** Dina Walton, Jeff Emery, Shawna Jermano, Emily Smit, Joan Janov, Kristi Hintz, Christopher Hintz, Mary Gordon, Sharon Hughes, Laura Benninger, Martha Weeks Green, Lee Dorkin, Cathleen Erickson, Elizabeth Fadli, Angie O'Keefe, Tony Bryant, Anna Grose, Kathy Grubb, Rosanne Jalbert, Sharon Narans, Karen Heines, Alan Scheik, Kelli Anderson, Cheryl Hadsell, Cherie Mazurek

**Call to Order & Pledge of Allegiance** at 6:31 p.m.

**Reading of Vision & Mission**

#### **Public Comment:**

- Ned asked that public comment related to Dan's evaluation be held until that topic is discussed later.
- No other public comment was given.

#### **Consideration of Consent Agenda**

- No new meeting minutes were ready for review and approval.

#### **Committee Reports**

- No committee reports were scheduled or presented at this meeting.

#### **Old Business**

- A. Finalize Board election ballot, process on time per bylaws
  - Six candidates for three open parent representative seats
  - Ballots will be sent out by Friday April 25, ballots to be returned by May 2, paper, fax, or electronic.
  - Teacher position filled by staff during staff meeting

- Still looking for a Community Rep, reaching out through parents, alumni, Evergreen Chamber of Commerce

#### B. Annual Budget Submitted to BOD for Approval

- Tom presented an overview of the budget work over the last few months, comparison of last year's RMAE budget to audit report, based on JeffCo accounting statements. Clarified that this does not point to financial impropriety or that the school finances are worse than we thought. Pointed to discrepancies between (1) the auditor's revenue and RMAE's revenue, and (2) the auditor's purchased services and RMAE's purchased services. Need to understand why these cost categories are different, need confidence that our budget is accurate – not overly optimistic or pessimistic. Need to be honest to parents and Board about funds available and resulting ability to maintain the school operations, need for annual giving.
- Ned made the following comments:
  - Revenue: student count (fixed, 377) times PPR. RMAE budget based on PPR of ~\$6300, stated at the beginning of the school year by JeffCo. JeffCo accounting statements show less revenue meaning either student count was low (~305) or PPR was low (~\$5100). Why would JeffCo accounting remove \$1200 PPR? Approximately equal to cost of services that RMAE must purchase from JeffCo. RMAE assumes that we receive all of our PPR revenue and then pay back to JeffCo as an expense; JeffCo accounting assumes that JeffCo service fees are removed from the PPR before moneys are ever distribute to RMAE.
  - Purchased services expenses: RMAE accounting assumes that we pay JeffCo for services such as administration, student services – this is a significant part of budgeted purchased services. JeffCo accounting does not show this as an expense. Simplest answer is that the JeffCo accounting methodology reduces both revenue and expenses equally, explaining all but \$60-70k of the discrepancy between the RMAE budget and auditor's report.
- Tom cautioned:
  - RMAE staff should have been able to explain this
  - Still questions about other purchased service line items
  - RMAE accounting may unduly pad revenue which increases our TABOR reserves (restricted funds that we cannot use)
- Overview of 2014-2015 proposed budget, PPR rates, purchased services. Discussion of whether the accounting discrepancies will increase or decrease with possible changes from state and JeffCo funding. Projected shortfall likely to become actual surplus; need to monitor through year.
- Tom and Dina to sit down with JeffCo accounting this spring. Tom wants to be able to explain any budget that he supports.

**Motion:** Tom made the motion to approve the 2014-2015 budget as presented for submission to JeffCo with the stipulation that Tom and Dina meet with JeffCo to understand the accounting process; Dave seconded.

**Discussion:** None

**Vote:** 8-0 for approval, Christine abstained

### New Business

#### A. Summarize and Review Director's Evaluations

- Margaret stated that the evaluation, as a personnel matter, should be discussed within Executive Session. Dan countered that the employee can request that the discussion remain in open session.
- Ned opened the floor to public comment related to the Director's Evaluation, reminded the audience that all RMAE Directors have been on a one-year contract subject to review and renewal at about this time each year. Aaron/Margaret/Ned verified that the Board had met its obligation of meeting notice and agenda topic disclosure.
  - Jamie asked if staff could make public comment and later be asked for input on specific elements of the evaluation that might come up. General confusion. Dana clarified that public comment is not required and that Board can place limits on their individual practices. Proceeding with public comment.
  - The Board heard public comment from:
    - Letter from Joy Cox, parent, read by Kristen LaJoy
    - Cathleen Erickson, parent
    - Martha Weeks Green, parent
    - Rosanne Jalbert, staff

- Tony Bryant, staff
  - Karen Heines, staff
  - Anna Grose, staff
  - Sharon Hughes, staff
  - Joan Janov, parent
  - Kristi Hintz, parent/staff
  - Kelli Anderson, parent
  - Lee Dorkin, parent
  - Mary Gordon, parent/staff
  - Shawna Jermano, parent/staff
  - Cheryl Hadsell, parent
  - Cherie Mazurek, parent/staff
- Close of public comment, initiate discussion of Director Evaluation.

**Motion:** Margaret made the motion to go into Executive Session pursuant to section 24-6-402(4)(f) for discussion of the Director's evaluation, a personnel matter.

**Discussion:** Dan can choose to have discussion about him remain public, may need to enter executive session if other personnel are discussed. Dan requested discussion of his evaluation remain in open session. Motion withdrawn.

- Dan asked audience members to leave, to make the discussion more intimate. Most audience members left as a courtesy to Dan. Meeting minutes to be recorded and published, consistent with open meeting rules. Remaining: Christopher Hintz, Martha Weeks Green, Tony Bryant, Alan Scheik, Kelli Anderson
- Ned provided a summary of the 8 evaluations received from Board members (all but Dan and Christine). Average response by question, compiled all comments. Evaluation divided into topic areas; Dan generally ranked well in some areas, has room for improvement in others. Some questions have a large split of opinion between Board members. Discussion of how to step through results.
- Contract renewal is a standalone question, separate from the evaluation. The evaluation highlights strengths, weaknesses, areas for improvement. Kristen proposed voting on renewal and then discussing goals/improvements for next year. Jamie and Dana favor individual statements by Board members to understand the motivation of our answers and see why we have such spread of opinions.
- Roundtable discussion, statement of evaluations and motivations. Generally good opinion and support renewal: Ned, Kristen, Dave, Christine (will abstain from renewal vote). Mixed opinion and might support renewal: Tom, Jamie. Generally bad opinion and do not support renewal: Dana, Margaret, Aaron. The most discussion focused on budget, delegation, communications, responsiveness to parents, academic leadership, staff management, relationship between Board and Director, concern about families leaving the school.
- Dan spoke of his successes and achievements this year, meeting his goals. Questioned what data the Board factored into their decisions. Discussion of various survey results, how they were considered among other factors.
- Discussion of Assistant Director, front office reorganization. AD can work, can be useful, some roles and responsibilities are limited by state or JeffCo rules. The student experience is not currently suffering by not having an AD. Ultimately, the Director needs to have skills and take responsibility; AD should not be seen as a savior. RMAE had an AD ~6 years ago, did not work well.
- Proceeding to vote on Director Contract Renewal. Dan left the room but wanted the vote to be held in open session. Margaret asked if any Board member foresaw the need to enter Executive Session to discuss other staff or students that might affect our vote before we vote.

**Motion:** Ned made the motion to recommend reappointment of Dan Cohen as the Director of RMAE for the academic year 2014-2015; Kristen seconded.

**Discussion:** Ned requested a roll call vote.

**Vote:** 4-4 for approval, Christine abstained

- Ned Parker, yes
- Kristen LaJoy, yes
- Christine Riedlin, abstain
- Jamie Price, no
- Thomas Seybold, yes
- Dave Hadsell, yes

- Margaret Hogan, no
- Aaron Lessig, no
- Dana Price, no

#### 5 minute break – 9:20 to 9:25

- Revote is best action. Review RMAE bylaws for direction on tie votes – silent. Review Robert’s Rules of Order for direction – “the motion is lost.”
- Discussion of ramifications of not offering Dan a contract. Difference between not pleasing and not performing. Logistics and timing of finding a new Director, likely setback to school. Possible distrust and disillusionment about criticizing Board and administration. Lack of support of Director from Board, ability and willingness to work toward improvement. Offer contract contingent on AD? Will only extend unrest, dependent on budget.

**Motion:** Ned made the motion to recommend reappointment of Dan Cohen as the Director of RMAE for the academic year 2014-2015; Kristen seconded.

**Discussion:** None.

**Vote:** 4-4 for approval, Christine abstained

- Discussion that we need a majority vote for a clean resolution.
- Jamie proposed a contract contingent on hiring an AD. Too dependent on budget constraints.
- Discussion of Robert’s Rules, meaning of “the motion is lost,” potential next steps.
- Discussion of what it would take to change any Board member’s vote.
- Can’t offer a contract tonight, same as non-renewal. Board must be united in our decisions outside of this meeting. Split vote reflects poorly on the Board. Ned cannot support this outcome and the associated future workload, will resign if this is our consensus. Margaret committed to fulfilling her term.

#### 5 minute break – 10:28 to 10:33

- Invited Dan back into the room to ask clarifying questions – respect for the Board, ability to work with the Board, performance management of staff.

**Motion:** Margaret made the motion to go into Executive Session pursuant to section 24-6-402(4)(f) for discussion of performance management of staff that are of a personnel nature; Dana seconded.

**Discussion:** None

**Vote:** 9-0 for approval, no abstentions

- Having achieved a 2/3 vote and seeing no objections, the Board entered Executive Session at 10:46 p.m.

**Motion:** Margaret made the motion to come out of Executive Session; Ned seconded.

**Discussion:** None

**Vote:** 9-0 for approval, no abstentions

- Having achieved a 2/3 vote and seeing no objections, the Board exited Executive Session at 10:58 p.m.
- No Board member was sufficiently moved to change their vote.
- Kristen noted that there were still parents and staff at our meeting at 11 p.m. to support Dan. Discussion about what we as a Board owe our parents. Spoke of the negativity of the current Board and the damage that is doing to the confidence of our community.
- Timing of Director search and the damage that it will do to the school.
- Aaron was not willing to leave it as a 4-4 vote, will change his vote to recommend renewal.

**Motion:** Ned made the motion to recommend reappointment of Dan Cohen as the Director of RMAE for the academic year 2014-2015; Dave seconded.

**Discussion:** None.

**Vote:** 5-3 for approval, Christine abstained

B. Director Contract Offer

- Dan clarified that the new contract is the same as the old contract with a salary increase to cover only the cost of health and medical benefits and has no cost of living increase. This was done at Dan's request.

**Motion:** Kristen made the motion to authorize Ned Parker to sign the contract to Dan Cohen as the Director of RMAE for the academic year 2014-2015; Tom seconded.

**Discussion:** None.

**Vote:** 8-0 for approval, Christine abstained

- Signed contract presented to Dan for his consideration.

C. Review, Discuss and Update Strategic Plan

- Tabled until next month

D. Board Training modules (#9, #17, #10, #23, #11, #14)

#9 Board Financial Oversight, #17 Sunshine Law

#10 Charter School Finance, #23 Charter Schools Act

#11 Policy Development, #14 Waivers

- Tabled until next month

**Board Comment**

- Dave praised Tony Bryant for being named this year's Kiwanis Club "Teacher of the Year" – congratulations Tony.

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

- Annual Board Evaluations distributed, to be discussed in May
- Annual Budget submitted to BOD for review
- Ensure Board elections for new Board members occurs by 1<sup>st</sup> Tuesday in May
- BOD Elections "Meet the Candidates" at April meeting
- Board Training modules (#11, #14)  
#11 Policy Development, #14 Waivers

**Next Meeting – May 8, 2014**

**Adjournment – 11:19 p.m.**

Respectfully submitted,



Ned Parker  
President, Acting Secretary