

**Board of Directors
Meeting Minutes - APPROVED
Math & Science Academy
Monday, April 18, 2016**

8430 Woodbury Crossing, Woodbury, MN 55125

1. **Call to Order** by Tim Tydlacka (Chair) at 6:15 pm

2. **Roll Call of Members:**
Present:

Tim Tydlacka, Chair	Joe Burianek
Deb Ledvina, Vice Chair	Jessie Heydt
Noelle Haland, Secretary	Peter Irvine
Mona Hayashi, Treasurer	Judith Darling BKDA, Contracted Financial Manager (ex officio)
Jeana Albers	John Gawarecki, Director (ex officio)
Mara Bertelsen	Atte Kadoma, Student Representative

Absent: None

3. **Motion to approve Agenda**

Moved by: Jeana Albers Second: Deb Ledvina Vote: 9-yes 0-no 0-abstain

Move the following Consent Agenda item to Items for Discussion and Decision:

c. Approval of March 2016 Financial Report

Add to agenda:

h. Administrative Structure update

The motion carries.

4. **Open Forum**

Liz Wynne, MSA's Authorizer - Attended tonight's meeting to observe. She shared how delighted it was to work with the Administration, Chair, and Board of Directors. MSA is very healthy and has best practices with key stakeholders and problem-solvers. Continue the good work.

5. **Consent Agenda Items:**

a. **Approval of March 21, 2016 BOD Meeting Minutes**

b. **Approval of April 12, 2016 Special BOD Meeting Minutes**

c. **Approval of designating the Identified Official with Authority user access to MDE**

Motion to approve the above Consent Agenda Items.

Moved by: Deb Ledvina Second: Mara Bertelsen Vote: 9-yes 0-no 0-abstain

The motion carries.

6. **Chair's Report by Tim Tydlacka**

The Board will meet to work on MSA's Strategic Plan on May 25, 2016 from 9:00am to 3:30pm. It is an open meeting and will be posted.

The end-of-year review for Mr. Gawarecki will be Monday, June 20 at 5:00pm. This will be a closed meeting. The Board will share a summary of the review during its regular meeting at 6:15pm on the same day, which will be an open meeting.

A survey of students, faculty and the community will be conducted in May seeking feedback about Mr. Gawarecki's performance.

Finally, there have been staff members reporting concerns of lack of transparency of recent hirings and requests that there be more faculty involvement.

7. Director's Report by John Gawarecki

1. Student Achievement
 - a. FIRST Robotics Team: won the 2016 Minnesota North Star Regional Championship March 26th, honors of the Gracious Professionalism Award and Industrial Safety Award! They will now compete at the national competition. Stay tuned for further details.
 - b. Rikhil Seshadri (Grade 6) and Manashree Padiyath (Grade 8) participated in the MN State Science Fair April 3-5 and won a nomination to Broadcom MASTERS National Middle School Science competition.
 - c. MSA Speech Team: Three of seven team members broke into finals and two placed: Isabella Musherure (3rd) and Mattea Gheorge (5th). Musherure competed in the category of Creative Expression and advanced to state. Three team members placed in the top ten in their category - with MSA taking four of the top ten slots in Original Oratory:
2. Instructional Leadership
 - a. Parent team meeting for April 11 moved to April 25th, room 9 @ 6:00 pm.
 - b. Extended Day Program has been extended to include 6th grade.
3. Human Resources
 - a. Job Descriptions for Assistant Director, Athletic Director and Academic Counselor developed.
 - b. Postings for : Physics, Spanish, Business Manager
 - c. To date we have 3 staff on improvement plans.
 - d. Five teacher observations left to complete.
4. Professional and Ethical Relationship
 - a. Parent team meeting for April 11 moved to April 25th, room 9 @ 6:00 pm.
 - b. Attended MACS Governance Training on April 14.
 - c. Monitor MACs Friday Conference calls.
5. Resource Management
 - a. Staff budgets were submitted
 - b. Collaborate with BKDA on proposed budget
 - c. Evaluating cleaning services
6. Administrative Performance
 - a. See attachment for an enrollment update.
 - b. Building Company update - will be meeting to discuss options.
 - c. Meeting with St. Mary's to discuss best options for licensure - possible Superintendent License.

8. Standing and Focus Committee Reports

Standing Committees

Academics (Ms. Haland): Report submitted. Ms. Haland highlighted that the semester grades will continue to be on the transcripts for yearlong courses. The "final grade" for year-long courses will continue to show on transcripts and are used to determine whether a student progresses to the next course in a series, but are not used to determine grade point average (GPA). GPA is calculated based on the two semester grades. Mrs. Pornschloegl will add an explanation of GPA calculation to transcripts. The next areas of focus for the committee will be researching issues of weighting grades and "honors" classes. In discussion, Ms. Ledvina made the observation that all Board committees and the Board as a whole should do a better job of publicizing the topics of upcoming meetings in order for more stakeholders to be aware of the issues and to have input into discussions.

Communications (Ms. Albers): Report submitted without discussion.

Finance (Ms. Hayashi): Report submitted. Budget has not yet been finalized and will be brought to the Board next month. The committee is getting bids for a water softener, which is necessary for long-term repair and upkeep of building plumbing and is within budget this year.

Policy (Ms. Ledvina): No report.

Focus Committees

Annual Fund (Ms. Hayashi): No report. Ms. Hayashi noted that the security system will be installed this summer, as soon as school is out. Grant requests were sent to teachers and are due May 4. The Academics Committee will review requests at its next meeting and then those will go to the Finance Committee.

Building/Building Safety Committee (Ms. Ledvina): No report.

Parent Team (Mr. Tydlacka): No report.

Student Committee (Ms. Kadoma): No report.

Technology (Mr. Burianek): Report submitted without discussion.

Alumni Committee (Mr. Irvine): No report.

Personnel Committee (Ms. Heydt): No report. Ms. Heydt noted that the committee did not meet, but there have been discussions about when retirement happens as well as what MSA has done historically regarding hiring practices. These processes have not been documented. The committee will document and share with Mr. Gawarecki.

Activities Director Report (Shannon Froberg): Report submitted without discussion.

9. Items for Discussion and Decision

a. Policy 102, 208, 404, and 102

Policy 102 ("Equal Education Opportunity") was discussed at the workshop. Ms. Heydt proposed to add "gender identity" before "age" to section II.A. "General Statement of Policy." Board members had no concerns about the proposal. Board discussed the requirement of two readings of policy changes before voting. Policy Committee members (Ms. Hayashi and Ms. Ledvina) apologized that this was removed from tonight's agenda prior to today. It was done so because they believed there had been no changes made that would be brought to the Board tonight. The proposed changes will be added to the agenda for the May 16, 2016, Board meeting, where the second reading will occur and a vote will be taken.

Motion to recognize that today is the first reading of the changes to Policy 102.

Moved by: Deb Ledvina

Second: Mara Bertelsen

Vote: 9-yes 0-no 0-abstain

The motion carries.

Motion to approve Policy 208.

Moved by: Deb Ledvina

Second: Mara Bertelsen

Adoption of Policy 208 ("Development, Adoption, and Implementation of Policies") was proposed by the Policy Committee (Ms. Ledvina and Ms. Hayashi). To clarify how amendments to policies are adopted, Ms. Ledvina suggested to edit the last sentence in Section IV. A. as follows: "The proposals shall be distributed and public comment will be allowed at both meetings prior to the final BOD vote, which may be at the second meeting." Also, replace in Section IV.B. "action" with "vote." Adopted date will also be changed to reflect the actual adopted date.

Motion to amend the prior motion to approve Policy 208 as modified.

Moved by: Deb Ledvina

Second: Mara Bertelsen

Vote: 9-yes 0-no 0-abstain

The motion carries.

Motion to approve Policy 404.

Moved by: Deb Ledvina

Second: Mara Bertelsen

Policy 404 - This is the second reading of the changes.

Motion to amend Policy 404 as submitted with the adoption date revised to April 18, 2016.

Moved by: Deb Ledvina

Second: Noelle Haland

Vote: 9-yes 0-no 0-abstain

The motion carries.

b. BOD Election Ballot

The nominees are as follows: Cheri Howe (Teacher Representative), Mona Hayashi (Parent Representative), Tori Szondy, Elise Patchett, and Seryozha Mzenza (Student Representative). There are no candidates for the Community

Member seat. Mr. Irvine has been contacting Fighting Calculator alums, and Theresa from the YMCA is also putting the word out in a search for someone to run for the seat.

Motion to approve BOD election ballot as given.

Moved by: Deb Ledvina Second: Joe Burianek Vote: 8-yes 0 -no Mona Hayashi-abstain
The motion carries.

c. MACS request for financial support to Intervenor in the Desegregation Lawsuit

MACS is requesting that all charter schools help defray the legal costs of the Defendant-Intervenor (3 charter schools) who have been appointed by the Court to represent the interests of charter schools in the Desegregation Lawsuit that has been brought against the State of Minnesota. That suit alleges that state education policies (including charter school policies) have created and are creating segregated public schools. The original request from MACS was \$500 for each school but now they are asking for \$5 per student, which would be approximately \$2300 for MSA. Ms. Darling commented that \$2300 seems a little high. Mr. Gawarecki said that MACS membership dues do not go towards litigation.

The Board discussed the negative impact on MSA if the lawsuit prevails. Mr. Gawarecki commented that all schools in the metro area would be put into 5 districts (or “pieces of a pie”) in order to “integrate.” The worst-case scenario if the lawsuit prevails is that all charter schools would be disbanded. Part of the suit’s claim is that charter schools are “merchants of segregation.” The failure of this lawsuit will benefit all charter schools. The success of the suit would mean parents would no longer have school choice.

Ms. Ledvina stated that it’s important for us to support this effort of the “intervenor” but that the amount requested for financial support is too high. She would like us to find an amount that is appropriate for us from a budget standpoint via the Finance Committee.

Mr. Tydlacka asked that we keep in mind how we will answer questions from our community when we say we are giving money from our budget to this effort.

Mr. Tydlacka requested comment from Liz Wynne, MSA’s Authorizer, who was in the audience. Ms. Wynne noted that schools should consider carefully what drives their mission and vision, and that what is ultimately at risk is school choice.

Ms. Heydt stated that as an American History teacher, she wants to state for the record that she and the Board are not against integration -- we are for school choice.

Motion for MSA to participate as an Intervenor for the Desegregation Lawsuit and contribute through MACS to the Charter School Defense Fund an amount not to exceed \$5 per pupil with details to be worked out by the Finance Committee.

Moved by: Deb Ledvina Second: Noelle Haland Vote: 9-yes 0 -no 0-abstain
The motion carries.

d. Booth Law Group, LLC retainer

Mr. Gawarecki reported that MSA currently has no legal firm on retainer. He contacted several firms and Booth Law Group, LLC, was the only one to respond. Booth is a small firm, but they are very familiar with charter school law and with issues pertaining to smaller schools and charter schools. Mr. Gawarecki has attended some of their trainings and has been very impressed. They are highly competent. Many charter schools use this law firm.

Motion for MSA to approve and enter into the “Agreement for the Provision of Legal Services to Charter School Math and Science Academy by Booth Law Group, LLC.”

Moved by: Deb Ledvina Second: Mona Hayashi Vote: 9-yes 0 -no 0-abstain
The motion carries.

Entering into the record the opinion from Laura Booth of Booth Law Group, LLL, dated April 14, 2016, regarding eligibility of board members:

"You asked if a substitute teacher who is paid directly by MSA and who is also paid as an advisor to MSA's robotics team can continue as a Board member. The person is currently on the Board as a parent representative. The short answer is that the substitute may be a Board member and continue working as a substitute teacher. It is less clear that this individual can provide "services" in the form of coaching or advising the robotics team. That is because she would be paid for services provided to the charter school which is prohibited except for teachers. The risk is quite low because it could be argued that the advisor/coaching position is a 'teaching' position.

"Our advice is that this individual remain on the Board and keep the compensation earned for her past work but in the future if she stays on the Board or runs again, it would be safest for her to volunteer for the coaching/advising position. I have reviewed the law below in case your Board wants to see the applicable provisions.

"You also asked if board members who did coaching or advising had to return the stipend in order to run for the Board. If the work has been done prior to the election, they do not need to return the stipend. However, once they are elected it would be our advice that Board members not be compensated for advising or coaching or any other task other than a teaching position. Hope this helps John! Laura

"Minnesota Statute Sec. 124E.7 subd 3 states: 'No charter school employees shall serve on the board other than teachers under clause (1). Contractors providing facilities, goods, or services to a charter school shall not serve on the board of directors of the charter school.' Clause 1 refers to teachers who are performing services for the school under contract or thru a cooperative. In this case, when MSA hires the substitute teacher it is contracting with her to teach.

"Under Minn. Stat. Sec. 124E.14(b), provides that board members cannot have a financial conflict of interest and that it is not a conflict of interest for a teacher to be on the Board and paid by the charter school."

e. Proposed Audit Engagement Letters for MSA

There are two separate proposals: school and Building Company. Clifton Larson Allen has been used in the past.

Motion for MSA to approve the Audit Engagement Letter for Clifton Larson Allen.

Moved by: Deb Ledvina

Second: Jessie Heydt

Vote: 9-yes 0-no 0-abstain

The motion carries.

f. Homework Policy

A parent requested that there be a policy about homework over extended breaks and felt that there is too much homework in general. The board discussed the types of homework and due dates. Ms. Heydt recalled that as a teacher team last year, staff made the unofficial procedure to not give more homework than any typical night over long breaks. Mr. Tydlacka stated that some new teachers may not know or follow this procedure. Ms. Kadoma provided her perspective of the homework load as a student, stating that most teachers do not assign much if any homework over breaks. She also stated that though sometimes the homework has been a challenge, it has helped her prepare for college.

The chain of communication regarding this particular parent's request was followed respectfully, but members of the Board felt that this was not a Board issue as it is not a policy issue but rather has to do with operation of the school. (The parent can be referred to Policy 208 for more information regarding Board purview over policies.) The Board directed Mr. Gawarecki to work with teachers to implement a consistent procedure regarding clear homework expectations which could be added into the school handbook. Mr. Gawarecki stated that he will address the issue with staff. The Board also said that we can revisit the larger issue of clear expectations about our school's level of rigor in our strategic planning workshop.

g. Administrative Structure Update

Mr. Gawarecki presented a handout to the Board detailing his research on the average salary ranges for Athletic Director positions from different MN charter schools via their annual reports from their websites and the MSHSL website. He also listed average salaries for Athletic Directors from the websites www.learn.org (average \$56,600) and www.glassdoor.com (average range \$58,823 to \$89,042). The Board also discussed average salary ranges for an Academic/Guidance Counselor, according to websites such as www.glassdoor.com and www1.salary.com (average ranges \$34,840 to \$52,537). Ms. Haland asked what the average salary range for MSA teachers is, but no one knew that

answer. Mr. Tydlacka volunteered that his salary was around \$60,000 with 21 years of experience and an MA plus 3 credits. Our current Activities Director earns \$68,000, with an MA plus 60 credits. Mr. Gawarecki recommends a salary range of \$40,000 to \$45,000 for the Guidance Counselor.

The Board discussed the credentials needed for the Activities Director, specifically with regards to MSHSL licensure requirements. Mr. Gawarecki needs to check with MSHSL.

Ms. Ledvina noted that the Board approves positions with a salary range. Ms. Heydt and Ms. Haland asked if it would be possible to lower the Activities Director's salary as one option. Mr. Gawarecki replied that it is possible. Mr. Tydlacka stated that one possibility could be lowering the Activities Director's salary and putting some of that savings toward extending full-time secretarial staff, possibly alleviating some of the resentment he's sensed in the community. Ms. Heydt requested salary ranges for both the Academic Counselor and Activities Director positions.

Posting of the Academic Counselor is important to do now. Board discussed posting the positions with the salary to be determined later.

The Board asked Mr. Gawarecki what he is requesting. He replied that he would like the Board to approve \$180,000 for the administrative leadership team (not including him), giving him the freedom to allocate those funds as he sees fit for the three-person administrative team and a full-time administrative support staff person (whereas that position is currently part-time).

Motion to allocate no more than \$185,000 for the posting and filling of the Administrative Team which includes the Assistant Director, Academic Counselor, Activities Director, and administrative support staff from 0.6 to full-time.

Moved by: Deb Ledvina Second: Mona Hayashi Vote: 9-yes 0-no 0-abstain
The motion carries.

h. Approval of March 2016 Financial Report

Ms. Darling provided highlights from the report. Things are going smoothly. MSA is strong on cash flow, and the balance in Repair and Replacement is around \$278,448. Next year's projected surplus is projected to be around \$100,000. She says she is about 98% done with the budget; she still needs to plug in teachers' instructional budgets. Ms. Hayashi noted that she is bringing teachers' instructional grant requests to the next Academic Committee meeting on May 4, 2016, and after that, those numbers will go to the Finance Committee and Ms. Darling.

Ms. Darling noted that Ms. Froberg is encouraging all clubs and activities to use up their balances each year (ie. in the same fiscal year in which they are collected). The Board discussed that the FIRST Robotics Competition has a high balance on this statement because of high volatility of payments and reimbursements during the build/competition season and that this balance will be decreasing.

10. Date and time of next Workshop: May 16, 2016 at 5:30 pm

11. Date and time of next BOD Meeting: May 16, 2016 at 6:15 pm

12. Motion to adjourn at 8:25 pm

Moved by: Mona Hayashi Second: Mara Bertelsen Vote: 9-yes 0-no 0-abstain
The motion carries.

Submitted:

Ia Xiong, Board Recorder

Approved:

Noelle Haland, Secretary