

**Nova Classical Academy  
Board of Directors Meeting Minutes  
Regular Meeting  
January 25, 2016**

**Directors Present: Jason Belter, Ann Brodeur, Jeff Ellerd, Dan Greenfield, Laura Hobbs, Claudia Gumbiner Hungs, Tonya Johnson-Nicholie, Roxane Lehmann, Annie Lewine, Paul Mason, Robb Westawker**

**Advisors Present: Eric Williams, Nancy Baumann, Mari Bergerson, Brooke Tousignant, Linda LaFrombois, Angela Whited, Robin Cerio (NPTO representative), Luke Westawker (student representative)**

**Others in Attendance: Nova parents and staff**

**I. Call to Order**

The meeting was called to order at 6:30 PM. Paul Mason led the meeting.

**II. Academic Excellence Overview and Charge**

Mr. Belter gave an overview of the work happening within the Academic Excellence Committee in regards to selecting ACT Aspire for the second metric used for evaluating student achievement and growth. He also outlined some of the data available and how it might be used by students, parents, teachers, and administrators. There was discussion around the timing of the tests.

Ms. Gumbiner-Hungs provided information about progress on the school/life balance work of the committee. Time trackers are being handed out this week so students can evaluate how this year is going as they prepare for registering for next year. Ms. Bergerson outlined changes made at the Upper School level as far as counseling students. There was discussion about how best to support students in the process of preparing well for college.

Ms. Gumbiner-Hungs expressed desire for the Board to charge the Academic Excellence Committee to support and drive ongoing education around classical education for students, parents, and staff in a purposeful way, perhaps staggered over a 3 or 4 year cycle. The hope would be to start with a survey to understand the level of understanding stakeholders currently have and then to move forward from there.

**2015-16 Board Goals Progress Discussion**

Tabled until next month. Board members will provide Mr. Mason with input on the progress toward meeting Board goals. He will report on progress during the Board Chair report next month.

**III. Business Meeting: Approval of Agenda**

Ms. Hobbs moved to approve the agenda as modified. Mr. Ellerd seconded. The motion passed unanimously.

#### **IV. Consent Agenda**

- A. Approve Minutes from November 23, 2015 and December 16, 2015 meetings
- B. Approve Gifts and Donations
- C. Finance Reports for November and December
- D. Treasurer's Report
- E. First Reading of Policy 102, Equal Education Opportunity
- F. Approve Leave for Jenna Schlatter, Teacher, from approximately March 11 through the remainder of the school year
- G. Approve Leave for Susan Whalen, Teacher, for the second semester
- H. Approve to hire Lynda True, Teacher for second semester
- I. Approve leave for Michael Pelofske, Teacher from February 22 through March 14
- J. Approve to hire Roxanne Tuma, District Administrative Assistant
- K. Accept resignation of Alyson McCann, teacher, effective January 29, 2016
- L. Approve to hire coaches and extracurricular advisors
- M. Approve to hire Mary Corrigan, In-house substitute
- N. Approve to hire Susana Rubles, Custodian
- O. Approve to hire Clare Olson, Building Attendant
- P. Approve to hire Sarah Peterson, Scholar Zone Staff
- Q. Approve to hire Daniel Rivera, Education Assistant
- R. Approve to hire Aaron Beek as Long term sub for H. Reynolds
- S. Approve lane change for Natalie Ferguson, Special Education Teacher
- T. Approve to increase hours for Kim Hyvarinen, Lunch Program Coordinator, to 40 hours per week
- U. Increase Kelly O-Rourke, Reading Teacher, from .8 to 1.0
- V. Increase Renae Williams, Music Teacher, from .8 to 1.0
- W. Approve leave for Gina Zelinka, Teacher from March 4<sup>th</sup> through the end of the school year
- X. Add Steve Demlow to Governance Committee membership

Mr. Ellerd moved to approve the consent agenda as modified. Ms. Lewine seconded. The motion passed unanimously.

#### **V. Public Comment**

There was public comment.

#### **VI. Reports received by the Board.**

##### **A. Board Chair Report**

Mr. Mason shared some thoughts around the development of a gender inclusion policy.

##### **B. Executive Director Report**

Mr. Williams took some time to highlight some of the work of the administration this school year.

- As a result of data retreat, Read180 was implemented by invitation. 14 students have been coming early to participate in this program. Beginning second semester, two sections were added during the school day. Qualifying students in grades 6-8 were invited to participate.

- Ms. Tousignant gave an overview of how silent dismissal might be implemented to ensure greater security, safety, and efficiency within dismissal. There is still work to do in order to roll out this program.
- Mr. Williams and Ms. Bergerson have held alumni meetings to help glean information about strengths of Nova and also areas where Nova can grow.
- Mr. Williams and Ms. Bergerson are visiting various other K-8 schools to share information about Nova with rising 9<sup>th</sup> graders.
- Hillyard came to do a cleaning audit. Based on that audit, Nova is discontinuing its contract with Cady in order to more efficiently clean the building. Hillyard has a systematic way of cleaning.
- There were no corrective actions on the Special Education review completed previously this year.

Ms. Bergerson summarized the data on student attrition. There has been a decrease in student attrition rates for upperclassmen. There are many pieces to increasing student retention at Nova. Mr. Williams affirmed the work of both principals and their commitment to Nova's success.

Mr. Ellerd raised the concern that the Board needs to define what a successful high school looks like so Mr. Williams and Ms. Bergerson know the goal they are working toward. This conversation would include values and also a determination of what sports and extracurricular options will be offered.

### **C. Board Committees**

#### **i. Governance Report**

There was a First Reading of Policy 532, Use of Peace Officers and Crisis Teams

There was discussion about Policy 532. All policies need to be to Governance Committee by March to leave time for approval and review process.

#### **ii. Finance and Budget Report**

A revised budget will likely be coming next month as well as a preliminary budget for 2016-17.

#### **iii. Academic Excellence Report**

No further report.

### **D. Ad Hoc Committees**

#### **i. Development Committee**

Mr. Greenfield shared that the Sweeten fundraiser will likely be moved closer to the Carnival time in May.

#### **ii. Human Resources Committee**

Mr. Mason outlined that the work of the committee is progressing well and that many pieces will be coming to fruition in February. The hope would be to sunset the Human Resources Committee at the end of the school year.

**iii. School Climate Committee**

The committee is reviewing various anti-bullying curricula with hopes for implementation for next year. The committee is also evaluating behavior management systems. Ms. Brodeur hopes that the initial charge of the School Climate Committee may be completed by December 2016. Ms. Lehmann asked about whether there would be an option for piloting some programs instead of an overall implementation. There needs to be a conversation about where this work and final decision will be made.

Mr. Ellerd “I move to extend our meeting time until we cover the items on the approved agenda.” Mr. Westawker seconded. The motion passed unanimously.

**E. Student Board Member**

Luke Westawker gave an update on the great successes of Nova students over the past few months.

**F. NPTO Report**

Ms. Cerio reminded all those present that the NPTO is moving toward the NPTO Board elections.

**VII. Board Business Action Items**

**A. Resolution for Development of Gender Inclusion Policy for Nova Classical Academy**

Mr. Ellerd, “Whereas the members of Nova Classical Academy’s Board of Directors, Administration, and Staff are committed to providing a school environment free of gender-bias and discrimination of any kind, where every student feels safe, welcomed, accepted and valued regardless of their gender identity and expression, thereby allowing them the equal opportunity all students need to flourish and thrive academically, socially and emotionally, this requires the development and adoption of an official school district policy aimed at full gender inclusion.

Now, therefore, be it resolved by the Board of Directors of Nova Classical Academy, City of Saint Paul, State of Minnesota, as follows: A Gender Inclusion Policy Development task force consisting of no fewer than three and no more than five members of the Board of Directors, is charged with evaluating, developing and recommending a Gender Inclusion Policy to the Board of Directors by no later than the March 28, 2016 board meeting with the intention of adopting a Gender Inclusion Policy no later than the May 23, 2016 board meeting.

Task force members: Annie Lewine, Robb Westawker, Roxane Lehmann, Claudia Gumbiner-Hungs

Specifically, the task force will:

- Research and evaluate already existing gender inclusion policies from various school districts both within and outside the State of Minnesota

- From this research and evaluation, draft a recommended Gender Inclusion Policy covering but not limited to the following topics:
  - Purpose
  - General Statement of Policy
  - Definitions
  - Names and Pronouns Usage
  - Dress Code
  - Access to Gender Based and/or Gender Segregated Activities and Programs (eg—physical education classes, intramural and interscholastic athletics, school ceremonies, field trips, etc.)
  - Access to Gender Based and/or Gender Segregated Facilities (eg—bathrooms, locker rooms, overnight class trips, etc.)
  - Official School Records and Privacy
  - Media and Community Communications

The task force duration would be from January 25, 2016 through May 23, 2016.”

Mr. Westawker seconded. There was discussion. The motion passed unanimously.

#### **B. Interim Policy**

Ms. Lewine, “Resolved that the Board develops an interim policy to address gender identity.” Ms. Gumbiner Hungs seconded. There was discussion. Mr. Ellerd, Mr. Westawker, Ms. Hobbs, Mr. Mason, Mr. Greenfield, Mr. Belter, and Ms. Tonya Johnson Nicholie, and Ms. Brodeur voted against. Ms. Lewine, Ms. Gumbiner Hungs, and Ms. Lehmann abstained. The motion failed.

#### **C. Affirmation**

Mr. Westawker, “Resolved, that in the interim, the Board states that the practice and procedure of Nova will be:

- Students who are gender non-conforming or transgender are protected from harassment, discrimination and bullying by *Nova’s Bullying Prevention Policy*, the *Minnesota’s Safe Schools Act* and *Minnesota’s Human Rights Act* and under Title IX as interpreted by the Minnesota Federal District Court in *Montgomery v. Duluth Public Schools*.
- Students have been taught that negative, hurtful and harassing comments about another student’s choice of uniform or any gender based actions are not acceptable and violate Nova’s policies and law.
- Nova’s dress code policy as currently written will be implemented to allow a student to wear the uniform that they choose based on their gender identity or expression. It is and continues to be Nova’s practice to include all students regardless of gender identity and to ensure that every student has access to an equal education.
- Should a student indicate a desire to use a single sex facility that the student identifies with or to be addressed by a non-conforming pronoun, the administration will work with the student and their family on an individual basis to ensure that no student is discriminated against and that the privacy of all students is ensured.

Mr. Belter seconded. There was discussion. Mr. Ellerd, Mr. Westawker, Ms. Gumbiner Hungs, Ms. Lehman, Ms. Hobbs, Mr. Mason, Mr. Greenfield, Mr. Belter, Ms. Johnson-Nicholie, and Ms. Lewine voted in favor. Ms. Brodeur abstained. The motion passed.

**D. Cancellation of Cady Building Maintenance, Inc**

Mr. Greenfield, “Resolved that Board approves the cancellation of contract with Cady Building Maintenance, Inc.” Mr. Belter seconded. The motion passed unanimously.

**E. Second Reading and Approval of Nova Board Policy 524**

Ms. Hobbs, “Resolved, that the Board approve Nova Board Policy 524, Internet Acceptable Use, effective immediately.” Ms. Lewine seconded. The motion passed unanimously.

**F. Second Reading and Approval of Nova Board Policy 500**

Mr. Belter, “Resolved, that the Board approve Nova Board Policy 500, Personal Electronic Devices, effective immediately.” Mr. Westawker seconded. The motion passed unanimously.

**G. Third Reading and Approval of Nova Board Policy 609**

Ms. Hobbs, “Resolved, that the Board approve Nova Board Policy 609, Religion, effective immediately.” Ms. Brodeur seconded. The motion passed unanimously.

**H. Third Reading and Approval of Nova Board Policy 208**

Mr. Ellerd, “Resolved, that the Board approve Nova Board Policy 208, Development, Adoption, and Implementation of Policies, effective immediately.” Ms. Lewine seconded. The motion passed unanimously.

**I. Third Reading and Approval of Nova Board Policy 214**

Mr. Greenfield, “Resolved, that the Board approve Nova Board Policy 214, Out of State Travel, effective immediately.” Ms. Gumbiner Hungs seconded. The motion passed unanimously.

**J. Enrollment of grade 9**

Ms. Hobbs, “Resolved, that the Board approve the over-enrollment of grade 9 to 88 for the 2016-2017 school year through the end of the current 2015-2016 school year on June 7, 2016.” Mr. Belter seconded. There was discussion. The motion passed unanimously.

**K. Enrollment of grades 6 through 8**

Ms. Hobbs, “Resolved, that the Board approve the over-enrollment of grades 6 through 8 by two students per section through the end of the 2015-2016 school year in accordance with Nova Classical Academy Policy 305 III C.” Mr. Westawker seconded. There was discussion. The motion passed unanimously.

**L. 2016-17 Calendar**

Ms. Lewine, “Resolved, that the Board approve 2016-17 calendar as submitted.”  
Mr. Greenfield seconded. There was discussion. The motion passed unanimously.

**M. Academic Excellence Committee**

Ms. Hobbs, “Resolved, that the Board charges the Academic Excellence Committee to support and drive ongoing efforts to promote a consistent understanding of Nova’s approach to classical education.” Mr. Belter seconded. The motion passed unanimously.

**VIII. Board Personnel Action Items**

**A. Approve to Post for Custodial Positions**

Mr. Ellerd, “Resolved, that the Board approves the posting for two custodial positions.” Mr. Westawker seconded. The motion passed unanimously.

**B. Approve to Post HR Positions**

Mr. Ellerd, “Resolved, that the Board approves posting part and full time HR positions.” Mr. Westawker seconded. The motion passed unanimously.

**IX. Next Meeting Date/Agenda Items**

The next regular Board meeting will be on Monday, February 22, 2016 beginning at 6:30 PM.

**X. Adjournment**

Mr. Belter moved to adjourn. Ms. Gumbiner Hungs seconded. The motion passed unanimously. The meeting adjourned at 10:13 PM.

Minutes submitted by Laura Hobbs.

## **Public Comment "Rules of Engagement"**

**January 25, 2016**

Before we get started this evening with the public comment section of the Board Meeting, I would like to take a few minutes to go over Policy 203, *Meetings of the Board*, Section V, *Rules of Order for Members of the Public*. We have not been adhering to these rules as we should leading to some of the discord and faltering decorum we have witnessed at some of these meetings this year.

It is important for us to restore decorum to these Board Meeting proceedings. When decorum wavers, disorganization creeps in and most people, adults included, don't perform at their best under disorganized situations. This can manifest itself in several ways, including people losing focus of the issues, people feeling unsettled and not presenting their point of view most effectively, focusing on the person and not what the person is saying and maybe most importantly, not actively listening.

So with that in mind, allow me to review Section V with you. Please don't get the impression that I am attempting to scold or threaten one bit...I am only attempting to make sure all of us are clear on the understanding of the proceedings.

### **Policy 203 - Meetings of the Board (Adopted 6/15/2009; revised and made effective 7/30/2012)**

#### **V. RULES OF ORDER FOR MEMBERS OF THE PUBLIC**

A. Any person wishing to address the board during the public comment period shall sign in prior to the public comment portion(s) of the meeting, and provide such additional information as may be required by the board. A person addressing the board shall give his or her full name and be recognized by the chair that shall have discretion to limit their comments; comments shall be confined to matters pertaining to the agenda or otherwise germane to matters of administrative concern. The board chair shall rule on the pertinence and/or germaneness of any speaker's comments as may be requested by any member of the board.

B. There shall be no demonstrations during or at the conclusion of any speaker's presentation. A person addressing the board shall refrain from the following:

- (1) Attempting to engage individual board members in conversation;
- (2) Attacks against any person in his or her personal capacity;
- (3) Comments which refer to Nova Classical Academy students by name or other data sufficient to portray individual students in a negative or unflattering context;
- (4) Comments that are unduly repetitious;
- (5) Comments that exceed the time limit set by the chair, and/or conduct and/or comments that disrupt, disturb, or otherwise impede the orderly conduct of the board meeting.

C. Any person who breaches these rules shall, at the discretion of the chair or by a majority vote of the board, be given an oral warning by the chair to refrain from disturbing or disrupting the meeting. If, after receiving such a warning, the person continues to breach these rules, he or she will be barred from further audience before the board at that meeting. If the person persists, the chair may order him or her to leave the meeting.

D. The board may issue guidelines from time to time to ensure that public comment is respectful and consistent with this policy 203.

In addition to the above, as Board Chair I am adding some additional guidelines to improve the public comment process.

1. While we are certainly interested in hearing from the non-Nova general public so as not to be considered insular in our views, we also intend on limiting the amount of general public input allowed. If you are a member of an organization of people attending a Nova Board Meeting to provide input on an issue, I ask that your group elect a spokesperson to speak on behalf of the entire group as opposed to each of you speaking your mind.
2. Referencing item 4 above, I want to ensure that comments are not repetitious. If your point has already been made, please indicate so and add anything not already shared.
3. The Board is bound by the Family Education Rights Privacy Act, the Data Practices Act and its own data privacy policy. As a result, if comments are made that identify or could identify any individual, I will ask the speaker to stop and redirect their comments in the time remaining.
4. Unless modified, the public comment section of the Board meeting will be limited to 30 minutes in length. The time limit can be extended depending on the issue as long as we are following the spirit of Policy 203, Section V.

As a reminder, submitted public comment must be received by 12:00 PM the Thursday before the scheduled board meeting allowing time for this packet to be assembled and giving people time to review it. The exception to this is when a public comment was submitted on time but was inadvertently left out of the board packet. People submitting the public comment late have the option of either coming to the board meeting and sharing it verbally or it will be included in the following month's board packet.

You may have noticed that some of the submitted public comment documents were redacted. I feel I owe everyone here an explanation. This was done in an attempt to follow sub-section B above as well as the law on data privacy. Under my instruction, Administration removed information that could lead to personal identification of individuals or groups of individuals. While the Board is very open to and interested in hearing the views of the community, we simply want to make sure that the focus of public comment is on the issues and not people.

Now that we have restated the “ground rules” for public comment, there will be less need for redaction of personally identifying information because Nova community members and the general public will follow these guidelines.

I truly believe our adherence to these guidelines will allow the public comment portion of each meeting to be much more effective. So with that, let’s begin this evening’s public comment section.

Thank you.

*(Shared by Paul Mason prior to public comment on Monday, January 25)*

## **Board Chair Comments**

**January 25, 2016**

I would like to use my Board Chair Report time to speak for a couple minutes on the upcoming Resolution for Development of a Gender Inclusion Policy for Nova Classical Academy. I think it is important to lay out why I am asking the Board of Directors to take up this matter at this time.

First, the Nova Board is committed to ensuring that all students are welcomed, included and free from discrimination at Nova. This includes students who are gender conforming (also known as “cis-gender”) and students who are gender non-conforming (people whose behaviors or gender expression falls outside what is generally considered typical for their assigned sex at birth) and transgender students (people whose gender identity is different from what is generally considered typical for their sex assigned at birth). I recognize that some of this may conflict with your personal beliefs about gender and you are entitled to those whether a Nova community member or not. However, no one is permitted to act in a way that interferes with a student’s right to a safe, classical education here at Nova.

From what I have heard and read from the Nova community, adults and students alike appear united in their belief that every student deserves a school environment where they feel safe, welcomed, accepted and valued thereby allowing them the opportunity to flourish and thrive academically, socially and emotionally. We are fortunate to have this strong foundation that our community can build upon going forward.

Second, it is important that the Board make an intentional effort to recognize and include all students regardless of their gender identity or expression. It is through intentional efforts that change and acceptance of that change occurs. Recall there was a time in our country’s history where women didn’t have the right to vote, people of color were forced to use different bathrooms and drinking fountains and told to sit at the back of the bus. There was a time when women more so than men, were threatened by and had no recourse for being harassed in the workplace, including sexual harassment. It was not without intentional efforts to change these biases and discrimination that these wrongs were righted. We find these situations to be reprehensible today and our children wouldn’t even believe that this was possible. And yet much of the change I mentioned happened for many of us, during our lifetimes.

Third, developing a Gender Inclusion policy is a natural extension of Nova’s recently adopted *Guiding Principles and Goals of Nova’s Anti-Bullying Curriculum*, which states: *Create a safe and welcoming environment for all students, helping students to thrive, regardless of who they are and what they believe. And goes on further to say, Nova will not denigrate nor endorse a belief system, but will welcome every student and affirm the right of each student to believe what they take to be correct.* A Gender Inclusion policy also is an important extension of Nova’s Bullying Prevention Policy 514 and dovetails with Nova’s existing Policy 102, Equal Educational Opportunity, which states, *It is the school districts policy to provide equal educational opportunity for all students. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, parental status, status with*

*regards to public assistance, disability, sexual orientation or age. The school district also makes reasonable accommodations for disabled students. It goes on further to say, The school district prohibits the harassment of any individual for any of the categories listed above.*

And fourth, the development and adoption of a school district Gender Inclusion policy is one more way in which Nova Classical Academy can positively differentiate itself from other public and private school choices. We have a strong tradition of differentiating ourselves from other schools through our academic, extracurricular and athletic program performances. Adoption of this policy allows us to differentiate ourselves from a social acceptance standpoint as well. Rather than resist this opportunity we should embrace it knowing it will make the school offering stronger for all students and families going forward.

A task force of the Board of Director will be charged with the policy development process. Assuming resolution passage by the Board this evening, I ask that we allow this group to go off and do this important work and come back to the community with a recommendation in March. Public comment will be allowed at the March board meeting, input will be considered and modifications potentially made and represented. This process may occur once or twice at the monthly board meetings and then at some point the recommendation will be locked down and will need to go through two readings before a vote is called to adopt the policy. I want to lay this out ahead of time so we are clear on process and timing expectations. It is always best to “plan your dive and dive your plan”.

I fully recognize that while it appears the majority of Nova community members heartily support non-discrimination and inclusion of all students, there are some areas like uniform dress, pronoun usage, athletic team involvement, and most often cited, bathroom and locker room access on which people have differing views on. This has lost on me. The task force will be given information provided to the Board and Administration to date and will be charged with looking at the law, best practices and what will be most successful in Nova’s classical education framework.

In the meantime and until the timing of an adopted policy, it is important for all of us to remember:

- the practice at Nova has been and continues to be that students who are gender non-conforming or transgender are protected from harassment, discrimination and bullying by *Nova's Bullying Prevention Policy*, the *Minnesota's Safe Schools Act* and *Minnesota's Human Rights Act* and under Title IX as interpreted by the Minnesota Federal District Court in *Montgomery v. Duluth Public Schools*.
- Students have been taught that negative, hurtful and harassing comments about another student’s choice of uniform or any gender based actions are not acceptable and violate Nova’s policies and the law.

- To that end, Nova's dress code policy as currently written will be implemented to allow a student to wear the uniform that they choose based on their gender identity or expression. It is and continues to be Nova's practice to include all students regardless of gender identity and to ensure that every student has access to an equal education.
- Should a student indicate a desire to use a single sex facility that the student identifies with or to be addressed by a non-conforming pronoun, the administration will work with the student and their family on an individual basis to ensure that no student is discriminated against and that the privacy of all students is ensured.

We have a tremendous community at Nova and one for which we should be very proud. We have shown before that when we come together we can do some amazing things. I am confident that we can shoulder together and get this important work done as well. Thank you for listening.