



1000 Fifth Avenue SE, Hutchinson, Minnesota 55350 320.234.6362(w) 320.234.6300(f) [www.newdiscoveries.org](http://www.newdiscoveries.org)

### Official Board of Directors

#### Meeting Minutes

Monday, September 21, 2020 – 5:30 p.m. – NDMA and Electronically via Zoom due to pandemic

(Contact [tara.erickson@newdiscoveries.org](mailto:tara.erickson@newdiscoveries.org) for Zoom link information or see website

<https://newdiscoveries.org/agendas-minutes/>.)

The Official Board Meeting of New Discoveries Montessori Academy of Hutchinson, MN was held at New Discoveries Montessori Academy, Hutchinson, MN and electronically due to Covid-19.

1. Call Meeting to Order – The meeting was called to order at 5:33 p.m.

Voting members present: Peggy Enerson, Spencer Kangas, Tara Oberg, Amanda Sundblad, Patti Hoerner, Meytal Stancek, Patrick Selchert. Absent: Shari Colvin.

Non-voting members: Dave Conrad, Kirsten Kinzler, Tara Erickson, Dustin Reeves.

2. Guests: James Ewer, Osprey Wilds; Mary Holtz, Tamara Polzin, Cara Cline, Michelle Nadeau, Michelle Brewster, Briana Chimal, Ethan Marcus, Rhonda Rossing, Catherine Frisbie, NDMA staff members.

3. Spotlight Report – No report this month

4. Agenda – MS (Enerson/Hoerner) to approve the agenda, roll call vote unanimous; motion carries.

5. Consent agenda – MS (Hoerner/Kangas) to approve the consent agenda, roll call vote unanimous; motion carries.

- a. Minutes of Aug 17, 2020 Meeting
  - b. Submitted Committee Reports

6. Financials

- a. Received August 2020 financial statements
  - b. MS (Hoerner/Hoerner) to approve July 2020 supplemental information report, budget questions were discussed, roll call vote unanimous; motion carries.

7. Reports

- a. Executive & Associate Directors - attached
    - i. Personnel changes – resignations, dismissals, reassignments, and new employments
    - ii. Strategic Plan Update
    - iii. Environmental Education Update
    - iv. Academic Testing and Achievement Update- almost through Fall academic testing.
    - v. Enrollment Update
    - vi. Activities and Happenings related to the school, staff, students, families, community
  - b. Board Activities
    - i. Work on Strategic Plan Goals – temporarily on hold
    - ii. Board training

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8. Old Business

a. Board Committee membership

- i. Facility
- ii. Finance Committee P.E., T.O., S.C.
- iii. Policy Committee S.C., T.O.
- iv. Tech Committee P.S.
- v. Marketing Committee A.S., S.K., P.H., M.S.

- b. MS (Enerson/Hoerner) to accept the proposed amended FY21 calendar. Ms. Polzin presented on behalf of the ILT team to adjust the calendar and schedule, after much discussion, roll call vote unanimous; motion fails.

9. New Business

- a. Motion from finance committee – NDMA will not offer the federal payroll tax deferral option to employees, roll call vote unanimous; motion carries.

10. Upcoming Meetings/Events/Announcements

- a. Special Board Meeting, September 29, 2020 – 4:30 p.m.
- b. Next board meeting, October 19, 2020 – 5:30 p.m.
- c. Finance Committee Meeting, October 12, 2020 – 12:00 p.m.
- d. Policy/Governance Committee Meeting, tbd

11. Adjournment 7:15 p.m.

Respectfully submitted,

Tara Erickson

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## Executive Director Report for NDMA's Board of Directors – Dave Conrad, Monday, September 21, 2020

### 1. Employment Report

- We still have one vacancy for a licensed Teaching position at NDMA: early childhood (preschool/kindergarten – Children's House), full-time. I reposted the vacancy today.

### 2. Contractual Performance Areas for Osprey Wilds (OW)

- a. Academic performance related to charter contract goals
- b. Environmental education performance related to charter contract goals/environmental literacy plan (ELP)
- c. Financial performance for FY 21
  - i. Enrollment: as of 09/21/2020 204 actuals, of 219 budgeted.  
This does not include voluntary pre-k #s.
  - ii. Unaudited Fund Balance for FY 20: \$35,267.00
- d. Board training & Development
- e. Open Meeting Law 13D.01
  - i. Date, time, place posted properly on school website and/or onsite at school
  - ii. Board member participation via interactive compliant with MN Statute 13D.021
    - 1. On agenda?
    - 2. Location of off-site individual(s)?
    - 3. Video and audio of all participants?
  - iii. Quorum
    - 1. Convening of meeting
    - 2. Action items



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- iv. Board materials available for public inspection
  - 1. On-site
  - 2. On-line

### **Contractual Performance Areas for Osprey Wilds (OW)**

*(continued)*

- v. Closed meeting? 13D.03
- vi. Actions clearly articulated
- vii. Motion and Second clearly articulated
- viii. Result of voting articulated by Board Chairperson, including tally of votes
- ix. Performance Improvement Plan consistent with Charter contract
- x. Follow meeting agenda
- xi. Board packet inclusive of all materials relevant to meeting agenda

### **3. Renewal Charter Contract Statutory Compliance Review Rubric for NDMA and Osprey Wilds**

- I will pass around a copy of the MDE Statutory Compliance Review for our contract renewal with Osprey Wilds. There is one item that is deficient and requires action: Minnesota Statutes, section 124E. Subdivision 1(a)(2): a declaration of the additional purpose or purposes in section 124E.01, subdivision 1, that the school intends to carry out and indicate how the school will report its implementation of those purposes to its authorizer.
- I believe it is up to Osprey Wilds to address the deficiency.
- I have not heard from Osprey Wilds in this regard.





#### 4. COVID-19

- I sent a copy of "Important Clarification on COVID-19 Exclusion Guidance to Staff members today. The MDE document clarifies when students or staff members should stay home from school and for how long if/when experiencing symptoms of COVID-19.
- I also sent a document to families today that provides attendance guidance for families which lays out several scenarios and appropriate steps for students and family members.
- Confirmed positive McLeod County COVID-19 cases continue to decline. I am happy to report that, although we have had several families self-quarantine, and we have sent home a couple of students who were displaying symptoms, we've had no confirmed positive cases among us.
- It has been WONDERFUL to be serving students on-site since the first day of school, August 24<sup>th</sup>. I am truly grateful to Staff, Students and Families for following protocol, and making this possible.



**1) Student Achievement - Data/Assessments – Academic Goals**

Fall NWEA MAP testing will be completed by the end of September. We have been able to get 30 of our 40 Distance Learners in to test as well! Much to our surprise, the students are doing well on the assessments. So far, it appears as though our spring 2020 distance learning helped our students maintain their knowledge during the closure/remote/summer days.

**2) Environmental Education/Focus on our environment – Environmental Literacy Plan (ELP)**

I am completing an update to our 20-21 Environmental Literacy Plan. Our past ELP is attached. Any comments/feedback/suggestions on goals is appreciated.

**3) Marketing/Fundraisers - PTO**

We sent out a postcard and posted the mailer on our Facebook page.

I also added the following to our post: Enroll now!, Openings in grade 1-8!, All grades are on-site, everyday in a self-contained, multi-age classroom that supports a collaborative approach focused on Montessori principles! Call us at 320.234.6362.

PTO has not met in September. There are currently no Restaurant Fundraisers scheduled.

**4) School Happenings**

This Friday, September 25<sup>th</sup> we will have our first Professional Development day of the school year. Jane Schuette will be our presenter from 8:30am-12:30pm. Our focus will be (a) Setting boundaries, (b) Need for self-care (c) Team building. Staff will be able to work in their classrooms following the professional development.

**5) Other**

**Performance Improvement Plan (PIP)** – As part of our contract renewal process, NDMA needed to address specific shortcomings. These areas of improvement are articulated in the Performance Improvement Plan (PIP) and have timeline indicators and person(s) responsible. Ongoing check-in: Enrollment – Monthly (Dave's Report); Instructional Approach aligned to standards – Monthly (PLC), Open Meeting Law – Monthly (Board Meetings); EE Goals – Quarterly (Kirsten); Epicenter/Website Updates/Submissions – Weekly (Kirsten).

**SOUNDING BOARD:** Duties and Responsibilities of Charter School Board Members Governance vs. Management Review newsletter. Are there any practices that our board needs to adopt or change to stop managing and start governing?

- See Dave's Weekly Update/Board Report for other information...

## Indicator Area 1: Awareness

*Students demonstrate an awareness of the relationship between the environment and human life and the diversity of life that shares the earth with humans.*

**Goal:** Students and staff at *New Discoveries Montessori Academy* have the awareness, or are increasing their awareness, of the relationship between the environment and human life.

### Strategy 1.1

- All classrooms (Grades K-7) will have a designated Outdoor Classroom Space where they will focus on the outdoor environment at least 20 minutes per week.

### Evaluation method 1.1.1

- Each week, classrooms will track and document time spent on the Outdoor Classroom Space calendar page in the Environmental Education binder. Minimum school year results will be 36 weeks x 20 minutes/week = 720 minutes or 12 hours spent in Outdoor Classroom Space per classroom. By exploring the outdoor environment, students will demonstrate their awareness and their relationship with the environment with reflections of time spent in their Outdoor Classroom Space articulated in their Environmental Journal.



## Indicator Area 2: Knowledge

*Students have knowledge of how natural systems function and how human systems interact with and depend on them.*

**Goal:** Students and staff at *New Discoveries Montessori Academy* have the knowledge, or are increasing their knowledge, of human and natural systems and processes.

### Strategy 2.1

- Students and staff will be able to identify the trees, plants, birds and animals that are found on school grounds.

### Evaluation method 2.1

- Student Environmental Journal will contain a checklist of the trees and plants found on the property. 80% of E1 students (Grades 1-3) will complete the checklist over the course of the school year.

### Strategy 2.2

- E2/E3 students (Grades 4-7) will learn about climate change and its effects on our environment.

### Evaluation method 2.2

- Post-assessment on climate change will reflect an increase in knowledge and 80% of E2/E3 students (Grade 4-7) will be able to articulate one way in which they can positively affect climate change.

## Indicator Area 3: Attitudes

*Students demonstrate respect and concern for the earth's health and the motivation to participate in environmental stewardship.*

**Goal:** Students and faculty at *New Discoveries Montessori Academy* have an attitude, or are increasing their attitude of, appreciation and concern for the environment.

### Strategy 3.1

- Students will be able to model recycling practices in their classrooms and school, describe why it is important to recycle and share their knowledge with their families at home.

### Evaluation method 3.1

- E2 students (Grades 4-6) will collect the recyclables in the school each week as part of their classroom jobs. Recyclables are brought to the McLeod County Solid Waste Management site 2x's/week and will be tracked on a calendar indicating a commitment to school-wide recycling practices.

### Evaluation method 3.1

- Student/Staff/ Family Satisfaction Surveys will include the following survey questions about recycling: (yes or no)
  - I recycle at school. (students/staff)
  - I/We recycle at home. (students/staff/family)
  - Students and staff actively engage in recycling. (staff)
  - My child knows how to recycle paper, plastic, glass and aluminum. (family)

Responses will indicate at least 50% of the respondents will say "yes" to the above statements. Tracking the survey responses from year to year will indicate an increase in awareness in environmental stewardship.

## Indicator Area 4: Skills

*Students possess the skills needed to identify and critically analyze environmental issues, and to contribute to resolving the root of environmental challenges.*

**Goal:** Students and faculty at *New Discoveries Montessori Academy* have or are increasing their problem solving and critical thinking skills as it relates to the environment and human life.

### Strategy 4.1

- Students at New Discoveries will care for their outdoor environment by planting trees, cleaning up the grounds and working in the gardens.

#### Evaluation method 4.1.1

- The 3<sup>rd</sup> grade students will learn how to plant trees on the property in the spring of each year. This will be documented in their Environmental Journal. When surveyed, 80% of the students will write or verbalize how trees are important for environmental health, what causes trees to die and why we need to remove and replace diseased trees.

#### Evaluation method 4.1.2

- Kindergarten students will learn how to plant, identify, weed, harvest, cook and donate garden vegetables from our gardens. Teachers will take photos of students at each phase of the gardening process and 80% of Kindergarten students will be able to list ways in which this impacts the environment.

## Indicator Area 5: Action

*Students have the capacity, or are increasing their capacity, to perceive and interpret the health of environmental and social systems and take appropriate action to maintain, restore, or improve the health of those systems.*

**Goal:** Students and staff at *New Discoveries Montessori Academy* demonstrate the capacity, or are increasing their capacity, to work individually and collectively toward sustaining a healthy natural environment.

### Strategy 5.1

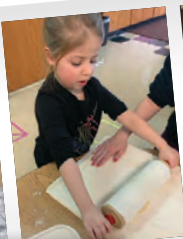
- Through adult instruction, modeling, and student practice, all NDMA students (Grades K-7) will compost their breakfast and lunch food at the compost center.

### Evaluation method 5.1

- Breakfast and lunch garbage waste will be tracked reflecting a reduction from 4-6 full garbage bags of waste to less than one garbage bag per day of waste improving waste management at NDMA and overall environmental health. Compost bags will be tracked on a calendar and delivered daily to a local farm where animals will eat the composted food. Through tracking the number bags, students will become aware of the impact their food waste and garbage affects the environment, discuss ways to reduce both and improve the environment.

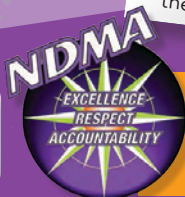
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ADDRESSING

## Exhibit S: Performance Improvement Plan – Probationary Contract

**School Name:** New Discoveries Montessori Academy

*Below is a detailed action plan to address specific shortcomings that may exist in order to achieve the school's intended and required academic, financial, operational, and/or environmental education outcomes. This written plan outlines specific benchmarks related to the school's renewal evaluation, a specific timeline, and identification of resource needs (time, money, expertise) to accomplish the milestones set forth in the plan. ACNW will monitor the school's progress and if benchmarks are not satisfactorily met as determined by ACNW, ACNW will proceed with Charter Review as outlined in **Exhibit Q: Range of Possible Interventions**.*

The following provides a summary of the deficiencies and other issues evident in the school's Renewal Performance Evaluation (Exhibit O) and how they will be addressed during this contract term:

### Academics

- A.3 Reading Growth
  - Addressed through Exhibit G
- A.4 Math Growth
  - Addressed through Exhibit G
- A.5 Reading Proficiency
  - Addressed through Exhibit G
- A.6 Math Proficiency
  - Addressed through Exhibit G

### Environmental Education

- EE.1 Awareness
  - Addressed through Exhibit H
- EE.5 Action
  - Addressed through Exhibit H

### Financial

- F.2.2 Days Cash on Hand
  - Addressed below
- F.2.3 Enrollment Variance
  - Addressed below
- F.3.1 Fund Balance Percentage

- Addressed below
- F.3.3 Debt to Asset Ratio
  - Addressed below

#### Operations

- 0.1.2 Instruction & Assessment
  - Addressed below
- 0.2.1 Board Composition & Capacity
  - Addressed below
- 0.2.2 Board Decision-Making & Oversight
  - Addressed below

<b>Milestone</b>	<b>Indicator(s) Addressed</b>	<b>Description of strategies and /or activities designed to meet the identified milestone.</b>	<b>Timeline</b>	<b>Person(s) Responsible</b>
The school's days cash on hand meets standard by the end of the contract.	F.2.2	Days cash on hand measurement (Calculations) will be included in the budgeting process and monitored monthly by the Finance Committee.	Monthly through June 30, 2023	Finance Committee
The school consistently meets enrollment projections.	F.2.3	The working budget will be updated monthly to reflect current ADM Projections versus current month actual ADM Reporting.	Monthly	Finance Committee
The school's fund balance meets standard by the end of the contract.	F.3.1	The Finance Committee will present a budget to the Board annually with increases that are inclusive of the contract goals. The school will ensure the targeted balance is budgeted for and will make changes to expenditures according to what is feasible to ensure that the fund balance goals are met.	June 30, 2023	Finance Committee
The school's debt to asset ratio meets standard by the end of the contract.	F.3.3	The School will implement a calculation to reflect the Debt to Asset Ratio on monthly board reports so that the Board of Directors has a visual representation of what the goals are, compared to where current actual data is.	June 30, 2023	Finance Committee
The school's instructional approach is	0.1.2	12.12.19 response. We may be using a variety of curriculum sources and teachers may vary in the level	Monthly	NDMA PLC, ILT



rigorously and consistently aligned to standards.		of training, but the curriculum used is aligned to the standards through the Year Long Learning Progression (YLLP). We will continue to work to find what works for both students and educators (and meets state and federal standards). That will mean that a variety of materials and approaches will always be appropriate.		
All board members will complete statutorily required initial and ongoing training within mandated timeframes.	0.2.1	12.12.19 response. We had no new members the past year, so we did not need to go through all the required training for new members. The only person who may not have met all requirements was Jennifer Thompson, and she did not attend any meetings after 6 months of her being seated.	Yearly	NDMA Board
Board meetings are held consistent with Open Meeting Law.	0.2.2	The board meetings will continue to be held consistent with Open Meeting Law. Board members will not participate via conference call, and if there are board members that participate via interactive TV, advance notice will be posted on the agenda with the members' location (which will be accessible to the public) and will ensure all members can see and hear one another.	Monthly	NDMA Board
The board reviews its progress toward contractual academic and EE goals at least four times / year.	0.2.2	The board will monitor the contractual goals regarding the academic and environmental education progress at least quarterly which will be documented in board meeting minutes.	Quarterly	NDMA Board/ Associate Director
The board monitors progress toward its contractual performance improvement plan (PIP) at least four times / year.	0.2.2	The board will monitor progress towards its contractual performance improvement plan (PIP) at least quarterly which will be documented in board meeting minutes..	Quarterly	NDMA Board
The school's aggregate on-time percentage for Epicenter submission is 80% by the next contract evaluation period.	0.6.3	The Associate Director will check-in with the Administrative Assistant each week regarding Epicenter tasks and ensure timely submission.	Weekly	Associate Director / Administrative Assistant

The school website meets statutory and contractual requirements in each year of the contract.	0.6.3	The Associate Director will check-in with the Administrative Assistant weekly regarding the school website ensuring statutory and contractual requirements are being met.	Weekly	Associate Director / Administrative Assistant
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# Sounding Board

*A publication of Osprey Wilds Environmental Learning Center Charter School Division*

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*Promoting Quality Charter School Governance*  
ISSUE 17



## Duties and Responsibilities of Charter School Board Members Governance vs. Management

Charter School Board members collectively form the governing body of a charter school and as a group is the legal entity to which the school is granted authority to operate under Minnesota statutes. Without a board of directors (i.e. school board) charter schools cannot legally operate and would not be eligible for state or federal funding and other educational support. Charter school board members in Minnesota play a vital role in the overall success and sustainability of their schools and the school communities they serve. It follows then that there is a direct relationship between the effectiveness of a school board and the success of the school it is governing. In other words, school boards matter; thus school board members matter too.

This means that the most successful charter schools have the most successful school boards and since the boards are made up of individual members, it is the experience, training, interest, commitment, and energy that board members bring, both individually and as a group that creates the opportunity for success. Board members sometimes bring common experiences with them and often they bring unique qualifications and experiences with them. It is this mix of common experiences and commitment with unique experiences and energy that can form a cohesive, well-functioning, and effective governing body.

Charter school members are required to participate in initial training within the first year of their board service (see MN §124E Subd.7) and this initial training includes topics such as charter school finance, employment, and board member roles and responsibilities. Within the board member roles and responsibilities training, the concept of governance vs. management is often briefly discussed. However, based on the observations of Osprey Woods staff and consultants, it seems that further consideration of this topic is in order, not only for new board members, but also for experienced board members whose board service may span a number of years. In fact, a full board discussion where board members and school leaders can have an open and candid conversation about the specific roles of both parties is a worthwhile use of continuing Board development time. This Sounding Board is intended to contribute background information for those conversations about governance vs. management among school leaders and school board members.

**Note:** A professional facilitator can provide an environment for this discussion that allows everyone to participate in it without the need for a discussion leader who would otherwise need to be a board member.



# What Do Minnesota Statutes Say About the Duties and Responsibilities of a Charter School Board?

Per MN §124E (Charter School Law), the board is responsible for three main things:

1. Policy matters related to operating the school, including budgeting, curriculum programming, personnel, and operating procedures (MN §124E.07 Subd. 6)
2. Personnel evaluation policies and practices that result in specific outcomes (MN §124E.07 Subd. 6)
3. Establish qualifications for all persons who hold administrative, supervisory, or instructional leadership roles, and use those qualifications as the basis for job descriptions, hiring, and performance evaluations (MN §124E.12 Subd. 2)

***In other words: TO GOVERN***

## What Does This Mean in Practical Terms?

Note that the Minnesota statutes summarized above specifically calls out that the board's responsibilities are for policy matters related to operating the school, but not for the actual day to day operation of the school. That the board is solely responsible for policy matters for the school seems to be a straightforward enough concept; and, in general it is easy to understand that policy development is different from the day to day operational decisions that are made by school staff, school leaders and other staff members. Board adopted policies, including bylaws, along with MN Statutes provide the structure for all aspects of the school's operation. Board policies reflect the overall vision and priorities the board has for the school's success, and should align with the school's mission.

The flip side of the above concept of the board having responsibility for policy matters for the school is that school leaders' and school staff members' responsibilities are to carry out the policies adopted by the full board, and not to make board policy on their own. The board deliberates the parameters of school policies (hopefully and with the expectation of school leaders' input) and, after those deliberations and administrative input, a policy or policies are adopted by the board in as much detail as the board wishes to include. The school leader must then carry out those policies as adopted. If appropriate and/or necessary the school leader may report back to the board the effects of those policies (the intended and unintended consequences), and may, from time to time, make recommendations to the board about possible policy revisions.

The most successful schools intentionally work to create and maintain the proper relationship between the board's policy responsibilities, and school leaders' daily operations or management responsibilities. However, at times and even without malintent, there can be confusion, misunderstandings, and/or disagreements about which activities are policy related and which activities are management related. These situations can develop for a variety of reasons and the sooner clarity and agreement about the role of the board and the role of the school leader(s), the better for the board, for school leaders, and for the school.

## Sample Scenarios Where There Can Be Governance VS. Management Confusion

1. A parent contacts a board member about a concern s/he has about the teacher of her child's class. The board member should:

- A. Hear the parent out then talk with the teacher, and get back to the parent
- B. Tell the parent to contact the teacher
- C. Tell the parent to contact the board chair
- D. Tell the parent to contact school leader
- E. Tell the parent it's not their job to hear complaints about teachers

*Response: B or D. This is a management issue and in a most respectful way, early in the conversation, the board member should encourage the parent to contact the teacher and if they have already done so, then recommend that the parent contact the school leader. The board's role is to adopt a teacher evaluation policy in accordance with 124E.03, subdivision 2, paragraph (h), not to administer it on a daily basis.*

2. During a monthly board meeting, a board member notices that several categories (line-items) in the monthly financial report on the status of the school's current budget are already overspent for the entire school year and it is only February. One of the overspent categories is in the school leader salary and benefit area. The board member should:

- A. Ignore the situation and expect the finance committee to take care of it
- B. Talk with the school leader after the meeting
- C. At the meeting, ask for an explanation as to the reason for the over-expenditures, if none is provided in the financial reporting at the meeting
- D. Talk with the board chair after the meeting
- E. Talk with the board treasurer after the meeting

*Response: C. This is a governance issue since the school's annual operating budget was adopted by the board, as required by Minnesota Statutes, and it is the school leader's responsibility to implement/administer the budget within the parameters provided by the board when the budget was adopted or revised by the board. There may be a very reasonable explanation for the over-expenditures, i.e. there may be an error in the financial reporting, or there may be something amiss that the board should address. In any event, the topic should be discussed in an open meeting by all board members and not in private by a just a few board members.*

3. As a board member you hear that students at the high school are leaving campus during the school day, for lunch or for other purposes. You check with your own high school student and discover that it is true that students are leaving campus during the school day for lunch or for other purposes. This concerns you from student safety and school liability perspectives. The board member should:

- A. Check the student parent handbook to see if and or how this topic is addressed
- B. Check the board adopted policies to see if and or how this topic is addressed
- C. Talk to the school leader and tell him to stop allowing students to leave campus during the school day
- D. After doing A and/or B, raise your concern at an open board meeting
- E. Ignore the situation and assume the school leader approves of the situation and thinks it is okay

*Response: A and/or B and/or D. This could be either a governance issue or a management issue.*

**Management issue:** *If the board has approved a policy allowing students to leave campus during the school day for lunch or other reasons, then the only issue is whether or not the school leader is administering the policy as written. If the school leader is adhering to the board policy, then there is no problem. If the school leader is not adhering to the policy as approved by the board, then the topic warrants a discussion at the board table to understand the reason the school leader has administered the policy differently than as specified by the board. The board then can either modify the policy based on the school leader's rationale for the deviation from policy or require the school leader to adhere to the policy as written and approved by the board.*

**Governance issue:** *If the board has no policy in this regard, it could allow the practice to be an administrative matter, deferring to the school leader as to whether or not the practice should be continued and to allow the leader to set limitations on the practice, if any. However, if the board has not adopted a policy allowing students to leave campus for lunch or other reason and the board wishes to prohibit such from taking place, then the board should adopt a policy prohibiting the practice and the school leader would then stop the practice in accordance with the provisions the board adopted policy.*



4. The board is considering adoption of a new policy related to face coverings, including a medical verification for exemption form. While the policy is in line with guidelines from the Minnesota Department of Education and the Minnesota Department of Health, there are teachers and students who do not want to wear masks all day and oppose having a strict policy. The board member should:

- A. Contact a select group of teachers and families by email to discuss the ideas they feel would be a good fit for the policy
- B. Send an email to other board members to find out what their thoughts are about the policy ahead of time so the board has a united voice at the next meeting.
- C. Research other charter school and district policies to see how it has been addressed in similar settings
- D. Ask the school leader to gather feedback from teachers, staff, students, and families to present at the next board meeting
- E. Invite school stakeholders to share their thoughts during a public comment period at the next board meeting

*Response: C and / or D and / or E. A board member should not directly reach out to the teacher, parents, or any other stakeholders about a policy under consideration. It is appropriate, however, to ask the school leader to gather feedback or invite teachers, families and other stakeholders to share their opinions during the public comment period of an upcoming board meeting (or submit their comments via email to the board chair, which will then be read aloud during the public comment period). It is also acceptable (and good practice) to conduct additional research by reading relevant policies from other schools or studying the MDE and MDH guidance in preparation for the board meeting discussion.*

*In any instance, scenario B is inappropriate and illegal. Board discussion and decision-making should take place in a public forum. It is a violation of MN §13D.015 "MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS." This section applies only to "a state agency, board, commission, or department, and a statewide public pension plan..." and not charter school boards. What it means is that charter school boards may not have meetings via other electronic means, such as email, and may not hold votes via email. The school must ensure that any policy language complies with current law articulated in Mn State Statute or Executive Order.*

It is not unusual for governance vs. management situations, similar to the above, to occur in many nonprofit organizations such as charter schools. That the line is sometimes a bit blurred between governance and management is also not unusual and when this occurs, the savvy school board will recognize the situation for what it is and will conduct constructive activities to resolve the questions that have arisen. Having a public body discuss these matters in open public meetings can contribute to an environment of transparency, assist in building and/or maintaining staff, parent, and public trust, and model a safe and productive conflict resolution process for all.



In order to be proactive regarding the agreed upon boundaries between governance and management, your school board and school leaders may want to conduct a training session on this topic. During that session there could be a discussion about various situations, perhaps similar to the above examples, that have actually occurred in the recent past or situations that have not yet arisen and about which board members may wonder whether those situations are governance or management issues.

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More resources can be found on our [website](#)