

<i>Present: (voting members in bold)</i>					
Anthony Dietz, President	P	Carlos Contreras, Vice President	P	David Garcia, Secretary/Treasurer	P
Javier Cárdenas, Past President	P	John Snider	P	Alexander Laing	P
Betty Hum	P	Marcia Mintz	P	Kevin Allen	P
Allison Otu	P	Karen Lugosi	P	Ed Finn	P
Heidi Jannenga	P	John O’Neal (Pending)	P	Ricky Livoni, Honorary Academic Faculty	P
Aaron Thacker, Honorary Arts Faculty	P	Jesus Lopez, Honorary Alumni	P	Leah Fregulia, Head of School/CEO	P
Sara Maline Bohn, Principal	P	Leslie Tan Religioso, Development & Marketing Director	P	Carolyn Smith, Executive Assistant	P
Liz Clark, Vice Principal	P	Monica Anthony, Arts Director & Vice Principal of Student Services	P	Jessica Wooley, Attendance Clerk/Front Desk	P
Marc Wancer, Investment Principal, Equitable Facilities Fund	P				

Call to Order

Dr. Anthony (Tony) Dietz, Board President, called the meeting to order at 5:32 pm.

Tony recognized Marc Wancer from EFF who shepherded the Board through the school’s Bond refinancing and who was in attendance for the meeting. He also recognized Jesus Lopez who is the new Honorary Alumni Board member and Board Member Marcia Mintz who provided the opportunity to contract for off-campus space during school hours at the Colangelo Boys & Girls Club for students whose parents are essential workers and cannot stay at home.

School Update

Sara Maline Bohn, ASA Principal, provided an overview of the first week of school including minor technical challenges and a new type of learning environment. Twelfth grade enrollment is down to eighty students from an average in the low nineties and it is unlikely that we will be able to fill those slots. Successes included good attendance, and engagement by and connection with the students. The school has made adaptations to current conditions especially arts classes, digital orientation and Welcome Night that allowed for greater participation and excellent feedback from parents. Highlight of the week was Friday’s Tunnel of Love for the Senior class that allowed the students and parents to celebrate their Seniors and kick-off the year.

Mission Moment

Leah Fregulia, ASA Head of School/CEO, presented an overview of the charter school structure and a short history of the origins of ASA beginning with the Charter School movement in the early 1990s, the development of ASA’s unique curriculum and the admissions processes as it related to State laws and guidelines. Leah also discussed the transition to the present day and the need to develop a wider student recruitment process to create more diversity and to adjust the arts curriculum accordingly as the Faculty and Board have begun to do over the past few years. The presentation highlighted ASA’s growing awareness of the inequities in the education system in general and at ASA in particular and the school’s efforts to close the gap. Leah closed the presentation with a reaffirmation of ASA’s Six Commitments to Equity and the recognition that this will help guide the future of ASA.

Board Orientation Informational Presentations

Anthony Dietz began the Orientation by explaining the August meeting serves as an orientation for new Board members and a refresher for current Board members:

>Carolyn Smith, ASA Executive Assistant, gave a quick tour of the Board Portal showing members where to find meeting documents as well as necessary forms.

>Dr. Javier Cárdenas and Marcia Mintz then presented on the responsibilities and duties of a Board member stressing the importance of fiduciary responsibility; the Duty of Care of the assets of a non-profit including the people and their primary oversight is to hire, fire and evaluate the CEO; the Duty of Loyalty is to put the needs of the school above their own and noting any conflicts of interest; The Duty of Obedience which is following the laws and bylaws that govern the school. Also discussed was the relationship between the Board and the CEO; the primary responsibility of the Board and Board Chair is governing and oversight, not to interfere with the operations of the school. Tony Dietz affirmed that the importance of keeping the line between Board role and CEO role; keeping an eye on things without trying to influence the day-to-day operations.

>In Board Commitments and Fundraising, Javier stressed the Board's responsibility to the school's financial health particularly the annual fund. The Resources Development Committee is exploring creative ways to raise funds in the current environment and are committed to taking leadership roles in fundraising and going before parents and others in stressing the import role arts plays for our students, being the first line to say "thank you" and imbedding equity in the fundraising. Dr. David Garcia expanded that being creative with fundraising means that the Board will need to try things it never has done before. Tony Dietz reminded Board members that Leah would be getting in contact with each of them individually to discuss their efforts to the Board's \$100K fundraising goal.

>Betty Hum gave an overview of Open Meeting Law as it relates to charter schools and the necessary transparency in the form of public meetings, posted notices, and agendas as well as actions of Board Members as they relate to Open Meeting Law especially in forming quorums, what can and cannot be presented or discussed at Board meetings, in electronic communications and in Executive Session. Dr. Ed Finn asked when discussions with Leah crossed the line of transparency and was told by Betty and Leah that as long as the discussion is informational and not expressing opinion it is fine. David Garcia asked if discussions in Committee meetings could pose a violation of Open Meeting Law but was told by Betty and Leah that since the Committee meetings have posted notices with public agendas, they are within the bounds of the law. Leah advised that those who thought they needed a deeper training, could attend the Board training usually held in the Spring by the Arizona School Charter Association.

>New Member Recruiting priorities were tabled to a later meeting by Tony Dietz when there can be a more in-depth discussion.

>John Snider presented a review of ASA's financial structure explaining the calculations made by the State in order to provide funding including how students are counted (the school's biggest source of funding), results for last year and the budget for this year. John shared an overview of how Arizona public schools are funded and the difference between charter schools and district schools; on average school districts receive \$1K per student per year than charter schools. ASA's largest source of public funding is the payment received based on the student information given to the State during the first 100 days of school, weighted by grade level of the students and special needs of students. John then showed the breakout of final revenues and expenses for Fiscal Year 2020; it was unaudited, but anticipated to be accurate based on previous years. The school receives 81% of funding from student count alone plus ASA gets no additional funding from the State for the arts programs; arts programs are funded from regular state funds and fundraising.

>Javier updated the Board on community health related to COVID-19 and the lowering community infection and hospitalization rate, but State data cannot be wholly relied upon for the school's reopening thresholds because of the way the data is gathered and calculated by ADHS. For now, we will be continuing with the distance learning plan for the first quarter of school and revisit opening at a later date when more data is available. Javier fielded a question from Betty Hum about cohorting as part of reopening and stated that he would speak more in-depth about it at a later meeting. Tony recommended reading the information from ADHS, CDC and AAP that is on the portal for more detailed information.

>Tony Dietz reminded Board members about the Conflict of Interest and Confidentiality Statements that need to be signed and returned to ASA administration each year as well as the Committee Sign-ups for those interested in joining the various Board committees. All documents are available on the portal and should be signed within the next week.

Reports/Information Only

Leah Fregulia told the Board that the school's legal firm, Osborn Maledon, developed a mask policy for students that is similar to the faculty mask policy. It has been reviewed by the Executive Committee and John O'Neal, Karen Lugosi and Betty Hum and does not need to be voted upon. It is available on the Board portal for review.

Discussion and Decision

>Tony Dietz explained that a newly revised Title IX policy has come down very quickly from the Federal level and will need to be reviewed and voted upon tonight as the school must adopt the policies to receive Federal funding. Leah explained that Title IX policies deal with non-discrimination and sexual harassment and the new policies put a stricter interpretation on the rules and the burden of investigation and determination on the school that had not previously been there. The policy was provided by Osborn Maledon for ASA.

>Tony Dietz gave an overview of the improvements proposed by the City of Phoenix on 3rd Street in front of the school and that overall it will be beneficial to the school in terms of appeal and traffic flow. Tony then explained that the City has made an offer to purchase two small pieces of land for the improvement project; we made a counter-offer which was rejected and the original offer is what is being discussed. Leah said that the proposal has been in the works for quite a while and that the two small pieces of land are on the corner of McDowell and 3rd Street and another small piece for curbing that will allow better access to our property. The City has already begun work on the project near ASA, and we hope that it will be finish by October 17th to create a as little disruption to the school when we reopen. The purchase price and compensation for the temporary easements required for the project to be completed amount to \$32,000 to be paid to ASA. Formal documents and payment will be made in the next month.

Action Items

Approval of Minutes – July 27, 2020

Marcia Mintz moved to approve the Minutes – July 27, 2020. The motion was seconded by Heidi Jannenga and passed unanimously without further discussion. (Dietz, Contreras, Garcia, Cárdenas, Snider, Allen, Mintz, Laing, Hum, Otu, Lugosi, Finn and Jannenga voting in favor.)

Ratify Approval of the ASA Student & Parent Technology Policy

Javier Cárdenas moved to ratify approval the ASA Student & Parent Technology Policy. The motion was seconded by David Garcia and passed unanimously without further discussion. (Dietz, Contreras, Garcia, Cárdenas, Snider, Allen, Mintz, Laing, Hum, Otu, Lugosi, Finn and Jannenga voting in favor.)

Ratify Approval of the ASA Distance Learning Plan

Carlos Contreras moved to ratify approval of the Distance Learning Plan. The motion was seconded by Ed Finn and passed unanimously without further discussion. (Dietz, Contreras, Garcia, Cárdenas, Snider, Allen, Mintz, Laing, Hum, Otu, Lugosi, Finn and Jannenga voting in favor.)

Ratify Approval of the ASA Mitigation Plan

Javier Cárdenas moved to ratify approval of the ASA Mitigation Plan. The motion was seconded by Karen Lugosi and passed unanimously without further discussion. (Dietz, Contreras, Garcia, Cárdenas, Snider, Allen, Mintz, Laing, Hum, Otu, Lugosi, Finn and Jannenga voting in favor.)

Ratify Approval of Reaffirmation of the Board's Decision to Open School Online 08/18/20-10/17/20 (correction from Agenda)

Javier Cárdenas moved, based to the data that has been provided to us thus far from State (ADHS) agencies, to ratify approval of the Reaffirmation of the Board's original decision to open the school virtually until the date that signifies the end of the first quarter. The motion was seconded by Carlos Contreras and passed unanimously without further discussion. (Dietz, Contreras, Garcia, Cárdenas, Snider, Allen, Mintz, Laing, Hum, Otu, Lugosi, Finn and Jannenga voting in favor.)

Approval of ASA's Commitment to Equity, Action Plan & Accountability Measures

Betty Hum moved to approve ASA's Commitments to Equity, Action Plan & Accountability Measures. The motion was seconded by Ed Finn and passed unanimously without further discussion. (Dietz, Contreras, Garcia, Cárdenas, Snider, Allen, Mintz, Laing, Hum, Otu, Lugosi, Finn and Jannenga voting in favor.)

Approval of Title IX Revised Policies

Carlos Contreras moved to approve the Title IX Revised Policies. The motion was seconded by Heidi Jannenga and passed unanimously without further discussion. (Dietz, Contreras, Garcia, Cárdenas, Snider, Allen, Mintz, Laing, Hum, Otu, Lugosi, Finn and Jannenga voting in favor.)

Approval of the Sale of Two Small Pieces of Land and Temporary Easements for The City of Phoenix 3rd Street Improvement Project

Marcia Mintz moved to approve the sale of two small pieces of land and temporary easements necessary for the City of Phoenix to complete the 3rd Street Improvement Project amounting to \$32,000.. The motion was seconded by David Garcia and passed unanimously without further discussion. (Dietz, Contreras, Garcia, Cárdenas, Snider, Allen, Mintz, Laing, Hum, Otu, Lugosi, Finn and Jannenga voting in favor.)

Adjournment

Ed Finn made a motion to adjourn. The motion was seconded by Javier Cárdenas and passed unanimously without further discussion. (Dietz, Contreras, Garcia, Cárdenas, Snider, Allen, Mintz, Laing, Hum, Otu, Lugosi, Finn and Jannenga voting in favor.)

The meeting adjourned at 7:29 p.m.

Minutes reviewed and accepted on this date 09/24/2020.

By:  Board Member.
