



# Board of Trustees

## Minutes of Regular Board Meeting

October 18, 2016

1. President Matt Norton called the meeting to order at 2:04 p.m.
2. Roll Call/Guests:

	Board Members	Present	Absent	Participating by Phone	Time of Arrival After Call to Order
1	Kelly Arndt – Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2	Adam Davenport – Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3	Tim Dirrim – Member	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4	David Kalman – Board Vice President	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5	Gina Lopez – Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6	Jacob Moeller – Board Treasurer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7	Matt Norton – Board President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8	Ron Simon – Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9	Stephen Vasquez – Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10	Sarah Zimmerman – Board Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11	Lenny Schafer – OCCS Ex Officio Representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**Also in attendance were:** Senior Head of School Dr. Kristin Stewart; Operations Manager Dan Zawisza; School Finance Manager Regina Krotzer; SVP Northern Region K12, Inc. Jennifer Sims; Designated Fiscal Officer Kate Diu; Board Legal Counsel Renisa Dorner; Courtney Rahe and members of the K12 administrative team.

3. Public Participation on Agenda Items: None.
4. Public Participation on Non-Agenda Items: None.
5. Minutes of the Regular Meeting of August 9, 2016 were approved as written.

**Moved:** Arndt

**Seconded:** Zimmerman

**Vote:**

Arndt	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Davenport	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Lopez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Moeller	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Norton	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Vasquez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Zimmerman	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>



**6. Personnel / Staff Development**

**a. HR Committee Report**

Mr. Davenport reported that due to the only approvals necessary were new hires and resignations and such was reviewed by email. Mr. Norton asked if there was going to be any further report to the Board regarding the salary comparison survey. Dr. Stewart indicated that she will present that information at the next HR Committee meeting.

**b. New hire / resignations**

**Motion I: Resolution regarding employee hiring**

**BE IT RESOLVED THAT** the Board of Trustees of OHVA hereby approves the hiring of the following individuals as recommended by the Head of School and the HR Committee.

STAFF MEMBER	TITLE	HIRE DATE
Szymanski, Margaret S.	Related Services	8/22/16
Hyman, Talia	Speech and Language	9/12/16

**Moved:** Davenport                      **Seconded:** Zimmerman                      **Vote:**

Arndt	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Davenport	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Lopez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Moeller	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Norton	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Vasquez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Zimmerman	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>

**Discussion:** Dr. Stewart indicated the additional hires were due to the needs of the school. The school is still looking for hiring an intervention specialist as well as speech and language pathologists.

**Motion II: Resolution regarding employee resignations**

**BE IT RESOLVED THAT** the Board of Trustees of OHVA hereby accepts the resignations of Julene Knudson, Katherine Linn and Joshua Singer and rejects the resignations of Cassie Collins and Melissa Hamm (who have abandoned their positions based upon the date of resignation set forth below) as recommended by the Head of School and the HR Committee.

STAFF MEMBER	TITLE	RESIGNATION DATE
Knudson, Julene	Family Success Liaison	8/9/16
Linn, Katherine	Intervention Specialist	8/9/16
Singer, Joshua	HS Teacher	8/11/16
Collins, Cassie	Intervention Specialist	8/17/16
Hamm, Melissa	Intervention Specialist	9/21/16



**Discussion:** Dr. Stewart explained that the law now indicates that licenses with regard to charter schools will be subject to review by the Ohio Department of Education when a teacher fails to honor the contract in which they have signed with the charter school. As a result, the prior reports to the Ohio Department of Education which went on deaf ears will now be reviewed and action can be taken on the licenses of teachers who resign mid-school year. Dr. Stewart recommended the accepting of the resignations of three individuals who resigned prior to students starting school but rejecting the resignations of those individuals who sought to resign after the school year had begun.

**Moved:** Zimmerman

**Seconded:** Lopez

<b>Vote:</b> Arndt	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Davenport	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Lopez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Moeller	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Norton	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Vasquez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Zimmerman	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>

## 7. Compliance

### a. OCCS Update

Mr. Schafer reported that the audit report is still coming and that the auditor’s office has indicated that there were no concerns expressed regarding the investigation performed by OCCS previously or the process utilized by Ohio Virtual Academy and its truancy and attendance records. Mr. Schafer also indicated that he performed a recent site visit regarding the orientation of children and was impressed with the manner in which orientation of new students is accomplished. He was also impressed with the manner in which the school tracks offline learning in order to address those issues expressed by the ODE. Dr. Stewart responded that she feels very good about the system of tracking employed by the school. Ms. Sims indicated that there is a meeting that will be held in the next few weeks with ODE regarding the attendance audit that will be performed by ODE this year. Mr. Schafer also indicated that on November 7, OCCS is offering regional training at Mancy’s Steakhouse which qualifies as the required Sunshine Law training for all Board members. Additionally, Mr. Schafer reported that November 16 is online learning day and OCCS is inviting every parent in every high school as well as every Board member to attend the activities scheduled in Columbus on this day.

### b. Allergy Policy

#### **Motion III: Resolution regarding the Allergy Policy**

**BE IT RESOLVED THAT** the Board of Trustees of OHVA hereby approves the Allergy Policy (a copy attached hereto) as recommended by the Head of School.

**Discussion:** Dr. Stewart reported that the policy proposed to the Board reflects a requirement by ODE. Ms. Dorner indicated that the policy has been revised to be more consistent with OHVA since the school does not provide meals on a regular basis.



**Moved:** Vasquez

**Seconded:** Simon

<b>Vote:</b> Arndt	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Davenport	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Lopez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Moeller	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Norton	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Vasquez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Zimmerman	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>

**c. Missing Children Policy**

**Motion IV: Resolution regarding the Missing Children Policy**

**BE IT RESOLVED THAT** the Board of Trustees of OHVA hereby approves the Missing Children Policy (a copy attached hereto) as recommended by the Head of School.

**Discussion:** Dr. Stewart indicated that while the policy is already in the handbook, it is a policy that needs to be approved annually and even though the handbook had been previously approved, we thought it was necessary to have it separately approved again by the Board.

**Moved:** Zimmerman

**Seconded:** Moeller

<b>Vote:</b> Arndt	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Davenport	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Lopez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Moeller	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Norton	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Vasquez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Zimmerman	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>

**d. Annual Report**

**Motion V: Regarding Annual Report**

**BE IT RESOLVED THAT** the Board of Trustees of OHVA hereby approves the 2015-2016 Annual Report (a copy attached hereto) as recommended by the Head of School.

**Discussion:** Dr. Stewart explained the various aspects of the Annual Report including the information contained therein. Dr. Stewart thanked Courtney for her work in putting together the Annual Report. The Annual Report must be submitted to OCCS and then to ODE.

**Moved:** Vasquez

**Seconded:** Davenport

<b>Vote:</b> Arndt	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Davenport	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Lopez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Moeller	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Norton	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Vasquez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Zimmerman	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>

**e. OCCS Sponsor Review**

Mr. Schafer explained the recent scoring of the charter sponsors conducted by the ODE. OCCS received an ineffective rating for 2015-2016. Charter sponsors do not have a safe harbor with respect to academics unlike the schools currently. While OCCS was exemplary in two of the three areas evaluated, because they received a 0 in the academic measure, then such would result in an ineffective finding. If OCCS has three years of being ineffective, it must close. The biggest issue for OCCS is the academic



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metric which is based upon the results of state-conducted tests by all schools which are sponsored by OCCS. Because the e-schools have struggled academic, that is effectively bringing down OCCS. OCCS is not going to discard the e-schools to save itself but seeks to fight the manner in which the sponsor evaluations are performed. OCCS and other charter sponsors are seeking a legislative remedy as ODE put in a business rule saying that a zero in any one of the three areas would result in an immediate ineffective rating. OCCS is formulating a plan and developing a strategy to address the sponsor reviews and the manner in which the academic review causes an ineffective rating. Dr. Stewart and Mr. Norton both expressed support for OCCS and expressed the deep concern that this may be the mechanism which ODE has chosen to close down e-schools.

**f. K12 Contract Meeting**

Mr. Norton reported that the contract committee of Matt Norton, Steve Vasquez and Kelly Arndt have been reviewing the new contract offered by K12. They have also engaged legal counsel Renisa Dorner to be included in review upon her agreement to accept a reduced fee for her work on the contract. The committee has decided that, rather than to write a new contract, it intends to amend the current agreement between K12 and OHVA and forward that amended contract to Allison Cleveland. The goal is to make limited changes but at the same time, seek clarification and make suggestions on how to get better results.

**8. Operations**

**a. Head of School Report**

Dr. Stewart provided a report of six pages in length. Current enrollment is 9,162. Dr. Stewart also expressed that the withdrawals are now about the newest enrolled students and not the returning students moving forward. She also expressed concern regarding the report card information as the information provided does not provide enough information to drive instruction. She is going to break down the report card into three meetings to review the information contained in it to the academic committee.

**b. Public Affairs Update**

Drew Mitten joined the meeting telephonically to provide a brief update concerning legislative actions. No legislative session is expected until after the election and at that point, it will be a lame duck session. There is not expected to be any charter school issues discussed or passed during the lame duck session. The sponsor evaluation issues are getting a lot of attention. Concern has been expressed that the ECOT lawsuit in which a following of finding by the State of Ohio that ECOT owes \$60 million back may have some negative impact on OHVA. During the lame duck session, there will be six months of intense activity and legislature to enact the state budget by June 30, 2017 which may include possible cuts in education. The probability is that the education will remain at status quo.

**c. Head of School Report Continued**

Dr. Stewart presented a PowerPoint presentation of 27 slides which will all be sent to all Board members. Dr. Stewart reported that in grades 3-5, value added and gap closing was higher and the high school meets or exceeds similar school's findings but middle school is an area of great concern. Based on the information provided so far, there is no change in the academic plan but rather more in the enforcement of the requirements of the school. The middle schools are enforcing synchronis learning in which students are required to attend all ClassConnect sessions



if they are proficient or below. Those students who are advanced or accelerated can be more flexible in their ClassConnect sessions. The graduation rate has gone from 36% in 2013 to 53% in 2015. The potential legislation in which the student’s rating regarding graduation rate is reflected by the school who the student attended the most and not the one they attended last. The state testing will be conducted in March. Mr. Vasquez asked if all states have moving targets for achievement like Ohio. Dr. Stewart indicated no, Ohio is unique in the manner in which it has been changing its state testing and the scores necessary to pass them. Dr. Stewart explained that the state Board of Education has 11 elected members and 8 appointed members. Ms. Zimmerman expressed concerns that the changing of the moving targets is something that we wouldn’t do to our own students but yet they are doing it to the schools.

**9. Finance**

**a. Financial / Audit Oversight Committee**

Mr. Moeller indicated the school continues to strengthen the enrolled students but that the finances remain in solid shape due to a great deal of the efforts by Ms. Krotzer and Ms. Diu.

**b. Bank Reconciliation**

**Motion VI: Resolution regarding filing of the Bank Reconciliations**

**BE IT RESOLVED THAT** the Board of Trustees of OHVA hereby approves the filing of the bank reconciliations for the months of August and September 2016 as presented by the School Treasurer and reviewed by the Audit and Financial Oversight Committee.

**Discussion:** Mr. Moeller confirmed he had an opportunity to review the bank reconciliation for August and September 2016 and it appeared appropriate.

**Moved:** Moeller

**Seconded:** Norton

<b>Vote:</b> Arndt	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Davenport	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Lopez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Moeller	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Vasquez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Zimmerman	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>

**c. Five Year Forecast**

**Motion VII: Resolution regarding Five Year Forecast**

**BE IT RESOLVED THAT** the Board of Trustees of OHVA hereby approves the Five Year Forecast (copy attached hereto) as presented by the School Treasurer and reviewed by the Audit and Financial Oversight Committee.

**Discussion:** Ms. Krotzer explained that the Five Year Forecast is based upon a cash basis review whereas our accounting is on an accrual basis. The school is actively involved in an audit with hopes of completing that by the end of November.



**Moved:** Moeller

**Seconded:** Arndt

**Vote:**

Arndt	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Davenport	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Lopez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Moeller	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Vasquez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Zimmerman	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>

**d. Fiscal Year 2017 Final Budget**

**Motion VIII: Resolution regarding Fiscal Year Budget**

**BE IT RESOLVED THAT** the Board of Trustees of OHVA hereby approves the Fiscal Year 2016-2017 budget (copy attached hereto) as presented by the School Treasurer and reviewed by the Audit and Financial Oversight Committee.

**Moved:** Moeller

**Seconded:** Arndt

**Vote:**

Arndt	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Davenport	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Lopez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Moeller	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Vasquez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Zimmerman	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>

**Discussion:** Ms. Krotzer explained that the budget has been reduced by another 500 students based upon current enrollment. This also has an effect in reducing the revenue based on enrollment. The school is experiencing a 3% increase in special education population and there is also an additional 4-5 teachers needed due to the mandated limits as to the student / teacher ratio with regard to special education. The benefit shows a slight increase based upon the chewed-up rate from Fiscal Year 2016. The budget shows a final surplus of \$156,000. Mr. Norton asked Mr. Zawisza if he was able to communicate with Connections Academy on addressing the cost of state testing to see if the two schools could work together in the renting of facilities as well as the cost involved in performing the state testing. Mr. Zawisza indicated that this was not able to be accomplished this year but further review will be made for next year. Ms. Krotzer also explained a new budget form that the ODE is requiring which only sets forth the expenses of the school but does not include revenue of the school. This new budget format will be uploaded by OCCS which will then upload to the ODE.

**e. Testing Computer Reports**

A request for quotes was set forth in the Toledo Blade. Only one phone call was received and the only bid received was from K12 in the amount of \$1.2 million which is down from last year's cost of \$1.3 million. This being the only received bid for the providing of services and computers for state testing, K12 will provide such services.



**10. Executive Session**

Executive Session to consider pending or threatened litigation. Matt Norton moved; Kelly Arndt seconded. By roll call vote:

<b>Vote:</b>	Arndt	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Simon	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Vasquez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Zimmerman	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Davenport	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Moeller	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Lopez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Norton	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>

Mr. Norton invited Ms. Sims and Dr. Stewart to join the meeting. Upon motion by Vasquez, seconded by Zimmerman to return to regular session at 4:25 p.m. By roll call vote:

<b>Vote:</b>	Arndt	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Zimmerman	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Vasquez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Moeller	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Simon	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Davenport	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Lopez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Norton	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>

**Motion IX: Resolution regarding the Resolution Agreement with OCR and MOU with K12**

**BE IT RESOLVED THAT** the Board of Trustees of OHVA hereby approves the Resolution Agreement with the U.S. Department of Education, Office for Civil Rights in Docket No. 15-16-1299 (copy attached) as well as the Memorandum of Understanding with K12 Virtual Schools LLC (copy attached) regarding the same. Further, the Board authorizes Head of School to execute the Resolution Agreement and Board President Matthew Norton to execute the Memorandum of Understanding, and take all actions necessary to effectuate the terms and conditions set forth in the respective documents.

**Moved:** Lopez

**Seconded:** Zimmerman

<b>Vote:</b>	Arndt	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Davenport	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Lopez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Moeller	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Vasquez	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
	Zimmerman	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>

**Discussion:** Legal counsel Renisa Dorner explained that the U.S. Department of Education Office of Civil Rights had received a complaint involving investigating such a complaint. It was deemed reasonable for OHVA to negotiate a resolution of such a complaint and such was effective. Because the resolution required various steps to be taken, all steps will be taken by K12’s administrative team, a Memorandum of Understanding was also executed between K12 and OHVA’s Board.

The meeting was adjourned at 4:30 p.m.