



Special Meeting: Thursday Feb. 9, 2017

Final

I. Opening Items

The Sherwood Charter School Board of Directors met in the Humanities Room for a special meeting on Thursday, January 5, 2017. The meeting consisted of an executive session (no public allowed) followed by a special meeting (public allowed but no public comment).

II. Executive Meeting

An executive meeting occurred before the special meeting, whose minutes are seen below.

Executive meeting minutes

1. The meeting was called to Order at 6:36 pm by Chair, Brian Craker.

Members present: Michelle Chidlaw, Brian Craker, Perry Francis, Chris Gerlach, Carolyn McBee, Shari Scholz, Steve Schweitzer

Members absent: Joy Raboli

2. The Sherwood Charter School Board of Directors met in Executive (Non-Public) Session pursuant to ORS § 192.660(2)(b)&(i) to review performance and/or complaint of a public employee.
3. At 8:25 PM the board chair closed the executive meeting portion of the special meeting. Public was then invited to join us after a break for the special meeting.

III. Special Meeting

The Sherwood Charter School Board of Directors resumed the public section of the special meeting at 8:32 PM, Thursday, February 9, 2017.

The **February 9, 2017 special meeting** was **called to order at 8:32 pm** by Chair, Brian Craker.

Members present: Michelle Chidlaw, Brian Craker, Perry Francis, Chris Gerlach, Carolyn McBee, Shari Scholz, Steve Schweitzer

Members absent: Joy Raboli

SCS Staff present: NONE

Public present: Brenda Carlson, Kryste Sturm, Liz Vohland, Susanne Werle

A discussion item arose from the executive meeting that the board held until now, given the necessity to discuss the topic in public:



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- Recording of board and others meetings has occurred in public meetings

The board would like to bring this topic to light in a public meeting so that the board can discuss the topic. The immediate reason this point arose was due a situation in a recent (January 2017) finance committee meeting where meeting recording occurred. The board did not address this topic beforehand as it was not an item of concern. But given that the finance committee meeting recording did occur and the fact that Brian and other board members were aware of recording has occurred in board meetings the board wanted to broach the topic.

The discussion centered on the fact that while some of the board members had seen members of the public recording the audio of meetings with personal phones some were not aware the recording had occurred. The board chair interacted primarily with Brenda Carlson and Liz Vohland about the topic. Brian asked them if they had recorded meeting audio for past meetings and they suggested they had recorded the meetings. Brian asked various questions of the attendees (When did the recordings start? Was the meeting audio shared? Was the meeting audio shared or were they requested?).

Essentially based upon a statement from OSBA (Spencer Lewis) meeting minutes can be recorded legally if:

- Recording is publically announced
- Once that intention is announced the audio file and the recording device have to be made available to the board and school as it is a public record.

These points were listed to help clarify the topic for the parents recording. Potentially the parents had illegally recorded the meeting audio as they had not followed the established protocol.

Because the audio files were technically a public record, Brian asked for the past audio files from the public attendees. The concern is that someone could suggest that their own, unofficial version of the audio meeting records were official while in fact they were not. The situation could potentially arise where someone edits the audio file in a malevolent way so as to support their personal agendas. Having the official copy reside with the board/school would not allow this to occur.

Since the topic was broached, Brian asked the board if they would like to record meetings going forward. They would then be the official public audio record of the meetings, thus allowing parents to clearly record audio for their own purposes (non-official records).

Liz disagreed with the OSBA legal stance Brian passed along about recording source guidelines when recording public meetings (She contends that the board has to make recordings public but



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that public are not subject similar records request e.g. public recordings cannot be made public record). The suggestions was that if the recording is not announced it was considered a secret recording. In that case one could be accused of inappropriately taking parts of a recording and using them out of context to further their point while denigrating another point of view. We (the board) don't have problems being recorded but those recordings should be made available to public. The board/school being the holders of public records requires us to make the recordings available.

The question was posed by one of the public meeting attendees of using Facebook Live for streaming board meetings live. Brian suggested the board could talk about that. Given the fact that the actual video/audio file would need to be transferable and be made available on the schools' website and wasn't sure that was technically possible.

Brian asked for the original audio files to be sent to the board so no accusation of impropriety could be leveled. The public members weren't sure if they could find all the files (Brian only wanted the recordings from last September 2016). He also asked if this meeting was being recorded and the public members responded that it was being recorded. Brian asked for a copy of the unedited file to be provided but the public attendees weren't sure that seizure of public files was legal.

In the end, the board discussed the situation and agreed to employ audio recording at the next board meeting in February. We would also explore other options (such as video + audio or Facebook Live) after the audio option is tested and implemented.

Agenda Business Item: Approve beginning to record the audio of our board meetings.

Motion by – Michelle Chidlaw

Seconded by – Shari Scholz

Discussion:

Can others like the public then record audio? Yes, as the board's version serves as the de facto original.

Board Vote: all ayes; **motion passed unanimously**

A. Request from Teacher Turnover Taskforce

Steve discussed the teacher turnover task force meeting that occurred recently. Items were brought back to board for discussion. Sideline: the committee did not vote on Items being brought to the board unfortunately and does not know if it is a major concern. Someone mentioned to him after the meeting there was no vote and so questions the validity of the requests. Brian suggested these can become an inquiry from taskforce and so it is okay to bring them without a committee vote. The committee requests:



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1. Expanding the scope of the task force to try and query the departed teachers from the previous academic year – 2014-15 in addition to what is available from 2015-16 (data is limited that currently exists and bringing in others might broaden data made available to the task force and therefore the board)
2. More specifics on the third-party person who is gathering this data – how was the person selected, and what was the criteria from OSBA?
3. Access to teacher letters of resignation provided to board; Access to teacher resignation letters left letters presented to board can the task force read them

Brian – 1) Scope expansion (discussion of board)

Carolyn wondered how many teachers left in prior academic year in question? Brian mentioned that past six months is tight and verging on a hard deadline to contact departed teachers to query as we did with the 3rd party person in December. When is the deadline for contact inappropriate? These requests cannot be harassing or attempts at conducting an exit interview which was the main reason to pushing for December timing to get questions out to 3rd party. It is too far out to query teachers from 2014-15 given the time that is pass and the concern about it being labeled harassment.

Brian reads TTT document and reports the reason for the taskforce was for it to research, analyze the situation and bring the data to the board at large so that they can take action. Original intent was to see how to stop teacher turnover, finding root causes. When can we get this information now from the task force to take action in 2017?

Chris discusses statistically the idea of examining the situation with the type of query the 3rd party completed. When will the sample size be big enough to make it statistically relevant? Currently not statistically relevant with only three responses out of five total requests. Brian asks would these relevancy numbers improve if we the expanded scope of the task force? The sampling would still be too small and therefore statistically we cannot draw any conclusions. Expanding one year would still give us a 55.5% margin of error. To be successful we could not be selective and would have to go all the way back to the beginning of SCS. The sample size needs to be larger (40-63) to raise level of error to sufficiently good values. That sampling size is not practical or reliable. What the task force has now is great and will help as we can't change the past and can only improve for the future.

Brian says the general idea for the TTT was to connect with SCS teachers who left in 2015-16 and find out reasons for their departure in order to compare that data with other sources of information listed in TTT document (connect with other charter schools, local school districts, OSBA, SCS administrator to access recent teacher turnover rates and reasons). We would then need to go back in time and compile those other sources of information too, not just obtaining prior year's teachers and their reasons for leaving. This way we can compare all the data collected.



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Steve suggests that the data that the task force had was not enough to make an informed conclusion and thus the expanded scope. Brian says we commissioned the task force to report so that we can use that information going forward – we need the task force to give their data to the board. We will also give the teacher resignation information to the task force as is possible. Brian asks the board if we want to go back and expand scope? Carolyn is reticent and others concur. Brian asks when the next meeting for the teacher task force - next TTT meeting 3/8/17.

Chris asks if we can continue to use a 3rd party in future years when teachers depart and have that information sent directly to board?

Brian suggests the task force should call another meeting soon so that we can get the results so far so that we have something to go on. We will ask for results & recommendations and we can keep the task force together to continue to work. We could also ask the board to do an investigation. We can ask for a meeting and the board can discuss the results in executive session.

The TTT should:

- Finish up investigation with data available
- Provide a report to the board

The board will read the report at a special meeting and figure out what to do

2) 3rd party interviewer information – Brian.

- Task force sent a request to board for permission to talk to lawyer (or legal council). From that two options arose: one paid and one SCS has to pay for. The school's attorney would cost money. An OSBA attorney is part of our package gained by paying dues and is therefore no extra cost.
- SCS is in a unique situation because we are not unionized – in schools with unions, they would serve as the intermediary to query teachers. Our board cannot do exit interviews.
- Brian pushed back to OSBA saying we have a real need to pursue having these questions answered. Decided then that we can go through an unbiased 3rd party (by law, the administrator is first allowed by law). If administrator questioned the teachers the teachers might not feel comfortable responding honestly, if there was an administrator-based reason for leaving.
- OSBA suggested the board come up with the questions (only the board as a whole can decide on questions and not taskforce as the blame rightly falls on board if construed as exit interview).



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- OSBA could have made the calls but there would be a fee. They recommend not using OSBA as 3rd party because that could raise a red flag too, as someone might question the motives of OSBA.
- Unaffiliated 3rd party was difficult as it had to preferably be no one in Portland area
- Brian thought of unaffiliated 3rd party, a spouse of co-worker who Brian did not have a personal relationship with, from bay area who moved here. They are a former teacher and the two had only spoken a couple of times. They did this for no charge during the Christmas break (the board needs to send a thank you gift) as to get the information to task force quickly to be used in the New Year.
- Brian Passed along questions to the 3rd party person and gave Steve’s contact information for contact going forward. Steve received the 3rd party’s information right before last TTT meeting.

3) Teacher exit letters

- Can we make available? Brian talked to OSBA and if letter submitted to the board we can review and pass onto the TTT
- Letters sent only to the administrator need redacting and compiling
- Brian will circle back to Spencer to be sure we are okay to make available to the task force. Other letters sent to administrator are ones we can only access under specific information.
- Question: five teachers left last year; were there any letters sent to the board? We think there might be one and otherwise if they turned something in we might have access to for the taskforce.
- Concerning the administrator-only letters, Brian will contact Ms. Raboli and ask if any such items exist using proper guidelines and forward to HR representative Carolyn to take to the task force.

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B. Annual Survey	Board	Possible Vote
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There is discussion to push this to the next meeting (2/16/17) as the hour is late.

Agenda Business Item: Table annual survey discussion until 3/16/17. (Steve amended to 2/16/17)

Motion by – Steve Schweitzer

Seconded by – Shari Scholz

Discussion: none

Steve amended date to 2/16/17 as he listed 3/16/17 incorrectly.

Board Vote: all ayes; **motion passed unanimously**

IV. Closing Items

- A. Adjourn Meeting



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At 9:39 PM Chair Craker closed the meeting.

Recording and submission of minutes completed by Board Secretary, Perry Francis. Minutes are considered in DRAFT form until approval by Board of Directors.

(NOTE: Minutes approved on April 20, 2017 by the SCS Board of Directors.)