

**ASD Board Meeting  
September 28, 2011 @ 6:30 p.m.**

Board Members Present: Matt Collins, Thomas Frischknecht, Kent Glossop, Jim Hochberg, Idina Holden, Patty Humphrey, Brandon Jackson, Kim Lavallee and Michael White

Board Members Absent: Jack Donovan, Karen Graham and Rebecca Paquette

The meeting was called to order at 6:40 p.m.

**1. Public Comments**

*Fred Teeboom:* Mr. Teeboom returned in front of the Board tonight to provide several definitions of “aptitude”. Mr. Teeboom emphasized that charter schools are permitted to discriminate on the basis of aptitude. He also felt that lotteries which give preference to some students are permitted, as long as it is consistent with applicable state law. To summarize, Mr. Teeboom asked the Board to maintain and clarify its current admissions policy. Mr. Teeboom spoke for 6 minutes.

*Elizabeth Putnam:* Ms. Putnam is an ASD parent whose children have attended the school since 2007. She informed the Board that every senior and some juniors are taking courses outside of ASD, because they aren’t getting what they need at ASD. She has learned that the majority of dual credit courses are not actually dual credit. By the time she and others were told about the problem, there was not enough time to register the students into other courses. She asked the Board to look into the issue immediately because of its time-sensitive nature. Ms. Putnam introduced two students, Rachael Putnam and Sienna Mayer, who distributed a letter to the Board that they had written. Ms. Putnam spoke for 5 minutes.

Mr. Frischknecht responded to the concern: He was made aware of the issue prior to the meeting and has worked with Mr. Chauvette to organize an informal meeting to hear the concerns and work out a plan to address them. The meeting is scheduled for tomorrow at 2 p.m. at ASD. For those who are concerned and are unable to meet at that time, minutes or a meeting summary will be sent out following the meeting.

*Jennifer Minicucci:* Ms. Minicucci believes that there are many ways to measure aptitude and added that standardized tests are notoriously discriminatory against low income and students with English as a second language. She said it would be difficult for a public school to explain to a student from one of those backgrounds that a 79% on a particular test renders them unable to attend the school. Ms. Minicucci’s comments were not timed.

**2. Approve Minutes from Previous Meeting**

Ms. Humphrey asked that the minutes be updated to reflect that, during the discussion about teaching to mastery, she protested Mr. Chauvette’s presentation that we would do it because the Department of Education had requested it.

Ms. Lavallee moved that the Board postpone approving the minutes subject to the requested change. This was seconded by Mr. White and approved unanimously.

**3. Policy Review**

**a. Curriculum**

**i. IB – Academic Freedom**

The Board discussed whether the policy was needed. Ms. Humphrey said she would like teachers to be able to occasionally digress from the curriculum and can create their own curriculum within a broad framework. Mr. Chauvette said he would like to have the policy: Although teachers have

the freedom to teach as they will, there needs to be some parameters because teachers can, intentionally or unintentionally, make political statements that create fervor in others. After some discussion, Mr. Chauvette said that he thought it would be appropriate and would give the Director a foundation from which to take action should a situation arise.

Ms. Holden moved that the Board not include this as policy and instead give it to the Administration to incorporate into procedure if they so choose. This was seconded by Mr. Jackson and approved unanimously.

ii. ICA – School Calendar

Mr. Jim Overman asked if the school makes a local change to the calendar that differs from the one that was approved by the Board, who has final say? The Board discussed recent changes to the calendar made by Mr. Chauvette. Mr. White agreed that calendar changes should be at the Director's discretion.

Ms. Holden moved that the policy be sent back to the Committee to make changes reflecting that the Director can make calendar changes without Board authorization. Ms. Lavalley clarified that the Director should have the authorization to make changes as long as it doesn't change the ability to make the required student seat time. Ms. Holden updated her motion accordingly. Ms. Humphrey seconded the motion, and it passed unanimously.

iii. IF – Instructional Approach

Ms. Humphrey asked why this procedure is needed as it doesn't say much, and what it does say is also in the charter. Mr. Chauvette said he would prefer to have the policy, because he is thinking about what would happen if someone isn't following the desired instructional approach. Mr. White asked if Mr. Chauvette had dealt with teachers not following this approach in the past. Mr. Chauvette said that he had not renewed teachers in the past for this reason. He is informing the Board that he sees a potential problem and not having the policy could make the battle harder. Ultimately ASD would win, he thinks, because it is an 'at will' state, but with the policy it would be quicker and cleaner.

Ms. Humphrey moved that the Board deny the policy. The motion was seconded by Ms. Lavalley and passed unanimously.

iv. IHAMC – HIV/AIDS

Mr. Glossop said that there are two other policies in other sections that cover the same topic, and he finds the policy redundant.

Mr. Glossop moved that the policy be returned to the committee with the comment that if it is a duplicate of others it should not be sent back. The motion was seconded by Ms. Lavalley and passed unanimously.

v. IHCD – Advanced Course Work and Advanced Placement Courses

Ms. Humphrey asked if this policy could go into the curriculum handbook instead. Discussion covered the relative merits of policies or handbooks. Ms. Jill Cane said that one of the reasons for policy is litigation, another is accreditation. The discussion considered the potential impact on accreditation. Ms. Holden said that the policy felt like it makes a difference, especially after all the debate on the topic over the past six months.

Ms. Holden moved that the policy be passed on for a vote by the Board. Mr. White seconded the motion. The motion passed with 5 in favor, 2 opposed and 1 abstention.

vi. IKB – Homework

Ms. Humphrey said the policy is not needed. Ms. Overman disagreed. Ms. Denise Gilks said that if the Board is going to support learning, it needs to support learning. Mr. Chauvette said that there is a volume of work needed to help the students keep up and homework is a fact of life for ASD. The school has not renewed teachers before for not handing homework back. The Board considered whether the policy was needed. The Board discussed the possibility of accreditation in more detail and the potential impact of this policy on accreditation.

Ms. Humphrey moved that the Board deny the policy. There was no second.

Ms. Holden moved that the policy be passed on for a vote by the Board. Mr. White seconded the motion. The motion passed with 5 in favor, 1 opposed and 2 abstentions.

vii. IK – Earning of Credit

Ms. Overman explained her comment in the policy: She felt the definition in the policy was different from what was approved according to earlier Board meeting minutes.

Mr. Jackson moved that the Board send the policy back to get the definition in the policy to align with the wording in the Board meeting minutes. Ms. Humphrey seconded the motion and it passed unanimously.

Mr. White asked whether there have been situations where ASD students have earned mastery without taking the course. Mr. Chauvette answered in the affirmative, saying that students who only take the end of course exam and pass will show on credit for the course on their transcript, but no grade.

**b. Policy**

Ms. Lavallee asked and received the Board's permission in allowing Ms. MacDonald to step in where needed.

i. BBB – School Board Member Selection

Mr. Jackson moved that the policy be passed on for a vote by the Board. Ms. Glossop seconded the motion. The motion passed unanimously.

ii. EGA – School District Internet Access for Students

It was noted that we are now legally two schools so the terms "school" and "district" cannot be used interchangeably.

Mr. Jackson moved that the policy be sent back to the Committee to change "school" back to "district." Mr. White seconded the motion. The motion passed unanimously.

iii. EGAD – Copyright Compliance

Mr. Jackson moved that the policy be sent back to the Committee to change "school" back to "district." Mr. White seconded the motion. The motion passed unanimously.

iv. EH – Public Use of School Records

Mr. Jackson moved that the policy be sent back to the Committee to change “school” back to “district.” Mr. White seconded the motion. The motion passed unanimously.

v. EHAA – Computer Security, Email and Internet

Mr. Jackson moved that the policy be sent back to the Committee to change “school” back to “district.” Ms. Humphrey seconded the motion. The motion passed unanimously.

vi. EHB – Data/Records Retention

Mr. Chauvette confirmed that the school would be in compliance with this policy if it passed. The Board discussed the saving, back up and recovery of electronic records. Mr. Frischknecht invited Mr. Overman to propose to the Board what he needs to be in compliance with the policy. The discussion moved on to the policy of email retention. Mr. White and Mr. Overman discussed the technology needs in more detail, and how they are being pursued. Mr. Chauvette mentioned an option to charge a technology fee to all students.

Mr. White moved to pass the policy on for a vote by the Board. Ms. Humphrey seconded the motion and it passed with 7 in favor and 1 opposed.

vii. EI – Risk Management

Mr. Chauvette said that he believes we are complying with this procedure as it is. Mr. White asked if Mr. Chauvette does an annual risk management audit report now. Mr. Chauvette answered that he does not, but LGC comes in annually to review. If the policy passes, he would take what LGC does and submit it to the Board.

Mr. White moved to pass the policy on for a vote by the Board. Mr. Glossop seconded the motion, and it passed unanimously.

viii. EIB – Liability Insurance

Mr. White asked why the Director is responsible for risk management and the Board is responsible for purchasing liability insurance. Mr. Frischknecht responded that the Director can execute but cannot sign an agreement.

Ms. Holden moved to pass the policy on to the next meeting, with a correction to change “school” back to “district” wherever it appears. Mr. White seconded, and it passed unanimously.

ix. IJOC – Volunteers

Mr. Glossop thought the policy already exists somewhere else. Mr. Chauvette related the policy to activities at the school, and discussed the school’s role in these activities, including letting them use the building and having liability for accidents when the activities travel. Mr. Chauvette recommended the policy be sent back for further consideration. Mr. Phil Cassady suggested that an activity fee could be used to fund staff to be on site to supervise a particular event. Mr. Chauvette said that by doing that, the school would have to adopt the program.

Mr. Jackson moved to send the policy back to the committee for further consideration. Ms. Lavalley seconded the motion, and it passed unanimously.

Mr. White said, regarding Ms. Overman's comment about Jim's weekends, it doesn't seem right that any one employee should have to come in, in order to satisfy an employee presence every weekend.

- x. JBAA – Sexual Harassment and Violence – Students  
Mr. Chauvette said that the Human Rights Officer would be the Assistant Director.

Mr. Jackson moved that we pass the policy on for a vote by the Board. Ms. Lavalley seconded, and it passed unanimously.

- xi. EEAEA – Mandatory Drug Testing for School Bus Drivers  
Ms. Lavalley indicated that the policy committee has determined this is not applicable.

Mr. Jackson moved that the policy be denied. Ms. Lavalley seconded the motion, and it passed unanimously.

- xii. KI – Visitors to Schools  
Ms. Holden moved that the policy be passed on for a vote by the Board. Ms. Humphrey seconded, and the motion passed unanimously.

Mr. Jackson asked if Board Members were subject to the same policy. Ms. Overman said that Board Members should actually be announced in advance. Some follow-up discussion took place on whether the policy was really needed.

- xiii. IGD – Curriculum Adoption  
Ms. Humphrey registered "the usual comment." She said that there should be a way for teachers or the Director to make a change without notifying the Board. Mr. Chauvette answered that he agreed with Ms. Humphrey. The Board discussed adding classes and canceling courses in a particular year without eliminating them.

Ms. Lavalley moved that the policy be sent back to the Curriculum Committee, and they be asked not to bring it back to the Board. Ms. Humphrey seconded. The motion passed with 4 in favor, 3 against and 1 abstention.

Mr. Glossop said that if the policy is ditched, then the Board doesn't say anything about how curriculum is proposed and approved. Mr. Jackson said that the charter has the courses that are required for the school. There is a certain minimum level provided by the charter.

### **c. Admissions Policy**

Ms. Lavalley explained that the policy was generated by looking at the Charter and other areas to find pieces of policy and procedure. The policy has been reviewed by Matt Southerton, Jennifer Minicucci and several Board members and all seem to be satisfied. The four criteria of eligibility for admission are taken from the charter.

Mr. White said that the 2<sup>nd</sup> and 3<sup>rd</sup> criteria seem to be very easy to accomplish, but the 4<sup>th</sup> essentially gives the committee veto power over any applicant. Mr. Glossop said that the policy should state what criteria the committee is allowed to use; the Board doesn't need to nail down what the criteria are. Mr. Glossop felt the policy should state whether the 4<sup>th</sup> criteria is testing based or something else. Ms. Holden suggested that the Committee come up with the criteria based on data. Mr. Glossop thought there should be something in the procedure that says the 4<sup>th</sup> criteria is being left undefined, and the Board expects the Committee to send us the criteria. Ms. Humphrey thought that the Board needs to hear and vote on the committee's recommendation. Ms. Lavalley said she had not felt comfortable adding to the criteria in the Charter.

Ms. Putnam offered her assistance in designing the policy and procedure.

Mr. Teeboom suggested that the criteria concentrate on aptitude, because that is what is allowed under state law. Ms. Overman shared her experience when she ran admissions two years ago: She was successful in explaining to most parents why the school would not be the best choice for their student. Several students enrolled anyway and have since left. Mr. Teeboom added that if the student insists on coming and does not have the aptitude, they could hold everyone else back.

Mr. Cassady asked why there were dates in the policy. Ms. MacDonald explained that by the time the policy is approved we would already be out of compliance, so exception dates need to be documented for this year.

Ms. Lavalley intends to notify the Union Leader and two local libraries of the admission period to meet the notification policy.

Discussion continued on the level of detail in the policy. Ms. MacDonald said she hopes that the Board would tighten up the charter to allow the policy to be streamlined. Ms. Overman asked why a birth certificate is required. Ms. Lavalley explained that the requirement is in the charter. Ms. Overman asked if she would need to get copies of birth certificates from current students. Ms. Lavalley said "No." Mr. Glossop suggested that the Board may want to do a charter amendment between now and the admission period. For example, he would like the charter to say only that an admissions packet is required, and the policy should say what is included in the packet.

Mr. Teeboom asked if the student could take the admission test more than once. He read the policy that the student could have two shots at the same test. Ms. MacDonald agreed with the change. Mr. Glossop said that he is fine with the test being taken more than once when it is used as criteria for counseling, but he questions whether a student should be allowed to take the test more than once if it will be used as a hard cutoff for admission. Ms. Overman said that in the past students have been allowed to take the same test twice. The new test has a pool of 8 or so variations so they would not be taking the identical test.

Ms. Holden expressed concerns about 80% as a hard cutoff. Mr. Glossop recommended taking the blue text and asking the committee to confirm the criteria. Ms. Lavalley answered that the test would just be used as a way of having the counseling conversation with student and parent. Discussion continued on the number selected and its significance. Ms. MacDonald explained that, originally, they hoped to have every applicant sit through a counseling session, then realized it would be impossible given the expected number of applicants. Mr. Hochberg asked Ms. Overman to provide data that 80% is a valid number. Mr. Jackson asked if a

number is needed. Mr. Glossop suggested that the policy say the Admission Committee set appropriate criteria. Mr. Frischknecht answered that would not be transparent. Ms. Overman suggested the number could be in the procedure instead of the policy. Discussion continued over whether counseling sessions should include both parents and students. Ms. Lavallee said that the Committee sees that it is ASD's job to let the child and adults know what they're walking into.

Mr. Glossop moved that the specific number be stricken, or that the admission committee be asked to rework the blue paragraph. Ms. Holden seconded. The motion passed unanimously.

In discussing data to support the number to be used as a cutoff, Mr. Chauvette felt that current data is going to be useless—the test used last year was the first normalized, valid test, and there are only a few months of data for the students that took it. Mr. Glossop said that each year the Admission Committee will have better data and could refine the target number with new information. Ms. Lavallee and others continued discuss back and forth whether the number should be in the policy or the procedure.

Ms. Humphrey moved that the 80% be put back into the policy, in other words that the policy be left as written. Mr. White seconded the motion, which passed with 5 in favor and 3 against.

Ms. Overman suggested that “an information session” be changed to “one information session.” Mr. Cassady asked what if the student doesn't attend the information session. Ms. Lavallee replied that they would not meet the requirement.

Mr. Teeboom asked if everyone is included in the lottery. Ms. MacDonald said that everyone is included if they completed the application and if they met the criteria in the charter. Ms. Overman added, “And if they choose to be.” People could withdraw prior to participating in the lottery. Ms. Lavallee clarified that is what is expected from the counseling session. The counseling session would follow a checklist, and everyone would get a consistent message.

Mr. Jackson compared the statement that everyone who successfully completes the application gets in the lottery to the 4<sup>th</sup> criteria higher in the policy, and indicated that the 4<sup>th</sup> criteria should be repeated down below. Ms. Lavallee said that the policy has to include the grandfathered kids from last year, and we don't know that they're going to benefit from the school. Ms. Overman suggested that the policy include a statement that people who have been counseled may choose to withdraw. Mr. Jackson asked again whether the statement “and they would benefit from the program” should be repeated down below. Ms. MacDonald said that the Board needs to decide whether it is going to stand its ground going forward and say there's a hard line for admission. Does the Board want to say its 80%? Ms. Humphrey replied that we have already decided that. Ms. MacDonald said, “No, that was for counseling.” Mr. Glossop answered that they can get in, but they won't survive. Mr. Chauvette says that the state's position is that anyone who applies is automatically entered in the lottery, and everything else is irrelevant. After more debate, Ms. Overman mentioned a student who did not perform well at all on the placement and was strongly counseled not to attend, and he ended up being a star student. Mr. Glossop answered, “That's exactly what I'm afraid of.” Mr. Frischknecht pointed out that the policy today doesn't call for a hard line. Ms. Lavallee hesitated to put a cutoff level in tonight, without doing more research.

Mr. White moved to pass the policy along to the Board for approval, as written with the comments discussed. Mr. Collins seconded the motion, which passed unanimously.

The Board reviewed the procedure. Ms. Lavalley explained that the forms would be tracked online and linked with a case number/student ID. Documentation and communication is described in the procedure. Mr. Hochberg asked whether the dates leave enough time for the activities to take place. Mr. Chauvette confirmed that it did. Ms. Lavalley highlighted changes to the application package requirements and how the placement test reservations would occur. Test results will be sent by certified mail, and the parent will send back a form indicating they intend to continue with enrollment. We can add a statement that we recommend counseling to packets where the student scores below a certain level.

Mr. Teeboom asked if there would be timed tests. Mr. Chauvette said it was not last year, but this year it would be. The group discussed which subjects would be tested. The mandatory information sessions are new this year and are required to make sure that everyone knows what the school will be like.

Ms. Lavalley reiterated that the counseling session would be recommended, but parents who opt out need to sign a waiver. Ms. Holden said the waiver should be clear that we don't think your student will be able to make it. Mr. Chauvette added that it should also indicate that we will not modify the curriculum to meet the child's needs. Ms. Lavalley pointed out that grandfathered kids this year will still go through the whole application process, same forms, same everything.

Mr. Glossop thanked the Committee for all the work that they have done. Ms. Lavalley added her thanks to Ms. MacDonald for all her work on the process.

#### **4. Adjourn**

Mr. Jackson moved that the Board adjourned. Ms. Lavalley seconded. The motion passed unanimously. The Board adjourned at 10:07 p.m.