

**Independence Charter School
Board of Trustees Meeting
May 9, 2007 7:00 pm**

Board Members Present: Becky Baehr, Anyabwile Banko'le, Ryan Boyer, Eric Cramer, Susan Gobreski, Sean Hennessy, Rosina Miller, Laval Miller-Wilson, Nicole Perkins Kilcullen, Pam Prell

Board Members Absent: Michelle Campbell, Joana Davis-Diaz, Lisa Nelson-Haynes

Others Present: Ramzy Andrawos, Operations Manager; Sean Gallagher, Vice Principal; Jurate Krokys, Principal/CEO; Jerry Santilli, Santilli and Thomson; Megan Steelman, Administrative Assistant; Amy Leigh, Tienne Martin, Begona Munoz & Andrea Yanez, ICS teachers; Sandra Aidar, Rona Buchalter, Jane Fitzgerald, Stephanie Kindt, Tina Kluetmeier, Robin Kohles, Robert Kopf, Kristin Nocco, Karl Olsen, Amy Rivera, Cristina Veal & David Webber, parents

I. Call to Order

President Rosina Miller called the meeting to order at 7:19pm.

II. Approval of Minutes

Rosina asked if there were any changes to be made to the April minutes that were circulated. Becky moved to accept the minutes; Sean seconded. Nicole noted that the only changes made to the minutes were in the attendance section. The minutes were approved unanimously.

III. Public Comment Period

- Sandra Aidar: I understand about the rules that have been adopted for the public comment period and the Board having the option whether or not to respond. I think it could add to communication if when an issue has enough merit, it gets sent to a committee or to the principal. The SRC (School Reform Commission) gives five minutes and responds immediately. I also suggest making our lottery a public event so that it is totally transparent.
Sean responded that he agrees that a time limit is needed and that maybe ours is too short. Rosina recommended that this discussion continue at the Policy Committee.
- Stephanie Kindt: I agree that two minutes is too narrow. I also have a concern about Board member term limits. I thought that when I was on the Board there were limits, but the by-laws seem to have been revised to allow unlimited terms for Founders and that concerns me. I feel that all items for committee work should come from the strategic plan and that we should make sure that we have the needed skill sets on the Board to move us forward. I know it's hard to let go, because this is an amazing place. Maybe Board members just need a break of a few years and then could run again.
Rosina responded that no revisions were made to the by-laws in this regard; we just don't have limits on how long you can stay on the Board.
- Kristin Nocco: How do parents and other people have easy access to the by-laws? It's important for them to be accessible. Also, when and how will the strategic plan be distributed? Now that the strategic plan is completed, will we be filling the two vacant Board seats, since that was the reason for holding off on doing that?
Sean responded that he is very glad that so many people are here at the meeting and interested, because there was a time before he came on to the Board when he was the only non-Board member who would attend any Board meetings. Eric stated that he agrees that information like the by-laws should be on the ICS

website. Rosina added that the strategic planning consultant had recommended that we first review the “Lay of the Land” section of the plan before making it public. The rest can be publicized immediately. Susan stated that the plan itself is public and that the “Lay of the Land” section was actually a tool for the use in developing the plan. Rosina clarified that there are currently two unfilled seats on the Board and that four seats are soon coming to the end of their terms. Those near the end of their terms are: Becky, Michelle, Susan and Nicole. She also stated that Anyabwile’s parent seat is also nearing the end of the term. She also stated that the Board is currently reviewing the size of the Board. Susan suggested that this discussion be continued over the summer when things are slower and we tend to be able to work more on things like by-laws.

IV. CEO Report

Jurate reported that ICS will be honored by the Center for Education Reform (CER) as one of 52 outstanding charter schools nationwide; the celebration will take place in Washington, DC on May 16th. The CER is asking that the honorees not make any widespread announcements until after the 16th. On June 8th, the IEAC is coming to Philadelphia; the goal of this group is to bring international education to more schools. Jurate also reported on the symposium she recently attended in Seattle, Washington. She also requested that the Board consider changing the June early dismissal day from Wednesday, June 13th to Thursday, June 14th. The reason for this request is that the lower school Field Day is the 13th and the 8th grade graduation is scheduled for 2p.m. on the 14th. Pam asked what happens to that chunk of meeting time. Jurate stated that we don’t conduct CSAP meetings in June and that the majority of the time will be spent on summer packets, etc. Nicole asked if this means the teachers wouldn’t be using this time if it wasn’t graduation and said she feels we first have to know how many teachers will be involved with graduation. Rosina stated that she feels this is an administrative decision. Susan replied that she feels it’s a Board decision, since the Board approves the calendar and that she agrees with this change. The Board members voted and agreed to this change.

Jurate stated that a first draft of a safety plan has been circulated and she asked that everyone forward their comments to Ramzy. She also requested that everyone review the draft calendar for 2007-2008 in hopes of having it passed at the June meeting. Since the School District hasn’t yet approved its calendar, we can’t compare ours to theirs yet. The biggest change is that we’re requesting two early dismissal days in order to allow adequate meeting time for teachers. Rosina asked that the Board discuss this now. Pam asked what type of feedback was received from parents when we had the enrichment days. Jurate stated that we continued to provide free care until 3:30, so that wasn’t an issue and stated that there is an impact on teachers when there’s not enough meeting time. Becky noted that having more meeting time was a specific request from teacher to the HR Committee. Pam stated that the Curriculum Committee meets tomorrow and will discuss this issue. Sean asked Jerry what is typical in regard to teacher meeting time. Jerry replied that some schools totally close the school once a month; others close early once a week. Susan stated that we need to compare the total professional development time, plus early dismissal time and we need to make sure our Spring Break matches the School District’s. She added that we need to find ways for this to work and that the teachers’ contracts also include staying to work after school sometimes. Becky agreed that extra meetings are still in the teachers’ contracts, but stated we need to make sure we’re on par with other schools. Jurate stated that one concern of the teachers is the need to meet more frequently. Laval asked what ICS’s policy is in regard to religious holidays and stated he’d like to see more of the professional development days at the end

of the school year to talk about each and every kid to help prepare for next year. Tienne stated that the teachers really feel a disconnect this year from not meeting regularly. Amy added that this year the whole staff meetings are too spread out. Becky stated that giving teachers time to meet is something we can, as a Board, give to teachers---even though we can't match the School District dollar for dollar. Laval stated that he wants to push the idea of meeting and discussing each child. Pam asked how kids are identified for CSAP. Jurate stated that those kids are found to be at risk in some way. We first check to make sure their eyes and hearing are checked. Three to four students in both the upper and lower school are introduced each month. She added that she thinks Laval's idea is interesting and could involve setting a few goals for each child. Nicole agreed that it's a great idea about individual plans, but stated that it's her guess that this probably happens from one grade to the next as teachers meet and discuss. Jurate replied that sometimes the non-problematic students are missed. Laval stated that he'd like all grade level teachers to be familiar with kids from all different grades and that he went through this at a 350 kid high school. Rosina asked Jurate to take these thoughts as she works on the calendar. Pam suggested that we think about the once a week 2p.m. dismissal. Eric asked if there are urgent issues in the safety report that need to be addressed right away. Jurate stated that she doesn't think so and that right after the Virginia Tech incident, we met to make sure that all the things we have in place are working. Pam asked what kind of relationship we have with the local police. Jurate stated they're right next door and have been very efficient. Susan asked what the next step is on the safety report. Jurate stated that we've been collecting cost information and the report will return to the Healthy Kids Committee. We'll be having weekly meetings for a few weeks to get it completed. Rosina asked whether we'll have a final report and action steps by the June meeting; Jurate stated that will be done. Susan asked whether we can say that in general we have a safe school? Jurate said, "Yes." Nicole asked that the Board be given a one-page summary of the plan once it's complete. Susan asked for details about the student volunteers from Constitution High School. Jurate explained that Kristen Denahan is coordinating this service learning project; the high schoolers are tutoring some of our younger kids.

V. PTA Report

Cristina shared that Meredith School has early dismissal every Friday. She asked how the PTA can help recruit candidates for the Community Board seats that will be coming up? She also asked when do policies, like the absence policy, become effective----as soon as they are passed or on a certain date? Susan stated that this particular one didn't have a date on it, but often they do. She added that the absence policy will go into effect for the next school year. PTA representatives have met with the Curriculum Committee to see how the PTA can help. The PTA is looking into potential performance space at the Public Ledger Building and at Old Pine Community Center. Cristina reminded everyone that the Silent Auction is this Saturday; signs will be posted in Spanish and in English. Cristina also asked for input from the Board as to how the PTA should respond when approached by parents on different topics, like the recent letter. She asked the Board to outline specifics.

VI. Teachers' Report

Amy reported that several teachers presented at the PA Charter School conference. She also reported that teachers and students are very happy with the computer lab and the mobile lab. The 7th and 8th grades will be going on a field trip to the wetlands at the NJ shore later this month. She also stated that the 8th grade dance was a big success. Classes are now preparing for the International

Festival. Tienne added that the teachers who answered a recent informal survey said they wanted more meeting time.

VII. Committee Reports

Rosina stated that the HR Committee report will go at the end of the committee reports.

A. Finance

Sean reported that there is a change in the Committee minutes in that we are not yet in compliance with the asbestos plan until we send a letter to parents. Once that occurs, we'll be in compliance. He stated that two HVAC units on the second floor need to be replaced at a total cost of \$13,000; he added that it's ambiguous in our lease as to who is responsible to pay for these replacements. Sean stated that we need at least one more member on the Audit Committee; Lisa is currently the only member. Susan volunteered. Sean then asked Jerry to give a brief tutorial about reading the financial spreadsheet.

Jerry highlighted several items:

- 1) make sure you're liquid enough, which means you always have enough to pay one month's bills
- 2) make sure consumables don't remain on the sheet for a long time.
- 3) always ask if you don't understand something
- 4) liabilities are expenses that have not yet been paid for
- 5) the fund balance is savings
- 6) current operations is where we are now

Jerry recommends that after ICS buys a building, the Board should consider a fund balance policy. This is a decision about how much to keep in reserve--- either a certain percentage or a certain amount. One caution is that there has been some legislation proposed to say that charter schools shouldn't be able to save any money, because it's taxpayer money. However, he added that sound financial planning means you need a reasonable amount of savings and bond issuers require a certain amount of savings. Jerry recommends that ICS reserve about \$500,000. This is equal to monthly disbursements, plus two payroll periods; payroll information is not distributed at Board meetings, since it contains confidential information. Laval asked why schools only reserve one month's expenses, while families are advised to reserve three months. Jerry stated that would be a lot of money for a school to save.

Jerry explained that "budget to actual" is a good management tool, because it helps point out early if a problem exists. He added that we also adjust the budget on a quarterly basis, but it can always be compared to the original budget. Jerry stated that you also need to make sure you don't have a structural deficit, which means spending more than you're taking in. Doing this will only make a problem worse over time. Likewise, a budget should never be balanced using a one-time non-recurring source of revenue.

Jerry stated it's always good to list disbursements. Pam asked why YET only has \$7,000 listed. Jurate explained that we didn't know we were getting YET until after the budget was developed and that the payments come in on a periodic basis.

Sean moved the resolution regarding March disbursements; Eric seconded. Eric asked about #3234 in regard to attorney fees; Jerry stated the attorney will need to write off the rest. Susan stated we had an agreement that stated "not to exceed" a certain amount of money. Eric asked whether they came back to say

the amount changed. Rosina said they had not. Nicole stated they initially never gave us a bill and just called us to say the services had exceeded the amount we agreed to so we passed it to the Legal Committee which then asked to see a bill. Rosina stated it is a negotiation and that she had sent a request to Jerry to pay the \$5,000. Jerry ended his tutorial by saying that if the Board doesn't like reports in the format they are sent, they should let him know, because they can be organized differently. The resolution was passed unanimously.

B. Curriculum

Pam introduced ICS parent Rona Buchalter, who gave an overview of the main points that came out of the brainstorming session at the last professional development day in regard to unifying the two programs; she explained that a formal plan will be presented to the Board in June. She explained that the strategic plan calls for ICS to decide on two programs or one. She stated that she and Pam did some research and found that the research is not very compelling, because of a lack of good studies. Since the Board took an informal vote with a 4,5,2 outcome, the Committee decided to look at the situation differently. Pedagogically, we can argue either way and either is workable. We decided to look at how to get rid of the chasm between our two current programs. The teachers came up with three main issues: 1) Create villages by grades; this would include combining all non-regular classroom activities, blended and consistent all year. The curricular activities of both programs would be preserved. Rona stated that she'll be meeting with the kindergarten and fourth grade teachers at the next professional development day. Kindergarten and fourth were chosen, because fourth grade is already working with the village concept and kindergarten, because the group felt it's important to start as early as possible. 2) Bolster and rename the FLES program; we need to re-define this program in terms of how much Spanish the kids are learning. 3) Creating more of a bi-lingual ICS--- through signage, etc., emphasizing that we are bi-lingual for all of our students. Rona added that the group wasn't sure what had to go to the Board and what didn't.

Becky stated that she agrees that we need to re-name FLES. However, she stated that she doesn't want that to mean that the immersion program gets neglected, or goes down while we're trying to bring the FLES program up. Rona replied that the individual programs would stay totally in tact and that there is so much non-classroom specific time where kids can be blended. Susan stated that she loves so much of this, but wants to make sure the new FLES name reflects the intense language instruction, as opposed to being non-immersion. She stated that she's also concerned that blending would mean missing some opportunities together as immersion. In regard to in-coming kindergartners, Susan asked if it might be good to keep their work small. Pam stated that the idea of mixing the kids could also more Spanish for all the kids; for example, two of the four village teachers would be speaking Spanish all the time. Rona stated that the fifth grade teachers recommended that kids in a grade level be able to feel that all the grade level teachers are their teachers. The question came up as to how to better mix all ICS students to be immersed in Spanish as much as possible. Rona emphasized that there was so much agreement among teachers in regard to these points. Rosina stated that she knows the blending is being done now with second grade and asked how that is going. Amy stated that what came out of the brainstorming session was that it should start earlier, since it was kind of abrupt starting in second grade. Andrea Yanez stated that it had been thought that we should wait until second grade, but that we've learned we should really start in an earlier grade. Rona added that it's important to continue to keep the mixed groups together through the years for the kids to bond. Laval stated that it sounds like

good progress is being made, but that he still thinks we need to vote next year as to whether to have one program or two. Pam stated that particular decision was postponed under the strategic plan, because we wanted to wait for a fuller middle school immersion model before deciding. We want to make sure we're doing the two programs as best we can, before thinking about changing. Rona restated that there is not good research to help make this decision. Pam stated that if there are things on the draft plan that aren't identified as needing to address, let her know. Pam added that the teachers felt it's very important to have more FLES parents on the Board. Rosina thanked Rona for her presentation. Cristina stated that she grew up in an immersion, Italian and German, area and that kids would always talk with the majority language.

C. Policy

Susan reported that she agrees with the friendly amendment that has been made to add "gender identity" to the language in the Sexual Harassment Prevention Policy. David Webber clarified that gender identity is a situation when someone looks like one gender, but has a different orientation. Susan moved the resolution; Sean seconded. Amy stated that one teacher asked whether this affects friendly competition of boys versus girls. Eric stated that would only be a problem if there's favoritism involved. The resolution passed unanimously.

Susan then introduced the absence policy resolution; she explained that we already have truancy reporting requirements. Susan moved the resolution; Sean seconded. Rosina asked when we get testing dates; Jurate said they come in late August of September. Eric stated we should change "principal" to "CEO" and asked if Jurate agrees with this policy; Jurate said she does agree. Becky asked whether we had something about notifying parents in writing. Susan clarified that resolution was passed last month. Sean asked for clarification as to whether Jurate is saying this policy allows flexibility, but that we still be within the policy; Jurate agreed. The motion passed unanimously.

Sean stated that the Board sent home a letter about what gets sent home in backpacks and that he thought the Board agreed there needed to be a mechanism. He said he understands there was a discussion at the Policy Committee meeting, but that no policy has been recommended. Susan stated that it was referred to the Policy Committee, but we also had other business like the absence policy to discuss and it is in the hopper. The question is, "Do we need a policy?" We will continue the discussion. Jurate stated that when you have two organizations---the Board and the PTA, that are connected to the school, what effect will one have on the other? For example, the PTA may decide they have their own policy. Maybe the Board and the PTA can make an agreement----the Board sends home information via backpacks, the PTA puts information on the counters, or something like that. Nicole stated that the Policy Committee did have a discussion and one thing that came out was that if a letter goes out under the Board or PTA, that it should be identified and that group needs to take responsibility for the content. We need to add staff to that mix. Eric stated that that he's never objected to things being sent home; Becky stated that she's had objections as a parent. Pam suggested having some more discussion and then make recommendations, as opposed to a policy. Sean recommended there should be CEO discretion.

D. Facilities

Nicole announced that she has resigned as the Chair of this committee, effective immediately. She reported that the facilities committee information analysis of the Hawthorne School found that it is similar to Durham regarding style and

renovation costs. The owner's analysis seemed to be trying to stay within our budget and the costs do not seem actual; we would need an addition to fit the core program. The North American Street property is now about \$18 million and would accommodate the wish list program. Sean suggested reviewing where we are with Liberty Square. He stated that the November letter of intent expired in April. He asked, if we had signed that letter of intent, what would the cost have been? Rosina clarified that it's possible that the building could be bought as a non-profit then leased back for the parts we'd be using. Nicole said the cost would be about \$12 million. Sean asked whether we'd then need to share some costs? Rosina stated there would possibly be a one-time cost of buying out the third floor tenant and suggested that this discussion be continued during the Executive Session.

E. Executive

Rosina reported that she attended the Sunday sessions of the PA Charter Schools Conference in Philadelphia. Susan asked that these announcements be sent to the whole Board. Rosina agreed to do that. Rosina asked Nicole to report on the national charter school conference she attended. Nicole stated she recommends always sending a Board member and possibly someone from the administrative staff. She attended sessions on financing, how to have sports teams, etc. She stated that our Board seems to function like the majority of all other charter school boards. She stated that there was an emphasis at the conference on the fact that many people want charter schools to fail and that because only a very small percentage of them are succeeding that the whole charter school model is at risk. She added that charter school Boards need to be focused primarily on excellence in the classroom. A good model of clarification was presented at the conference regarding "who owns the school?" It's not the Board or the stakeholders; it's the public, which is different than the stakeholders. It is the public that "invested" in the school. The Board owns the mission and vision. The Board needs to make sure the public gets a good return on their investment by producing excellence in the classroom. The Board governs, the CEO and staff manages. Nicole also noted that the recommendation for charter school board size is as follows: 7-9 members is ideal; 9-11 can be manageable depending upon the school and the members; 11 and over creates serious dysfunction. Nicole also commented on the recommendations for public comment periods. The two minute term is common and recommended practice. It is not recommended to for board members to respond to public comments for management of the meeting and because of liability issues. One recommendation for "hot topic" issues is to provide for a "workshop" session for board members and the public prior to the actual meetings.

F. Human Resources

Rosina asked that we consider the new hire resolution first. Becky moved the resolution; Eric seconded. Jurate stated that we've seen a lot of candidates and publicly thanked the teachers who have hosted the guest teachers. We've used a standard observation form to critique the demonstration lessons. Pam asked whether these are two new special education positions. Jurate stated that are not; one teacher is moving out of state and another is moving to a different position within the school. The motion passed unanimously.

Becky reviewed the HR Committee report and asked Jurate to discuss the proposed changes for upper level staff. Jurate stated that she's concerned about confidentiality since everything's connected. Becky stated there can be public discussion of the situation without naming individuals. Susan asked whether discussing this in June will give us enough time. Laval stated he would like to go

into Executive Session for this. Nicole asked for the model to be distributed and then we can decide. Jurate distributed the draft organizational chart and job descriptions to the Board. She explained that this model is where she sees ICS in year six and explained that a sister school, Wissahickon Charter, has a totally different model; there is no one right answer. She stated that when some schools undergo audits, they are told they have too many administrators, ICS has not been told that. Sean suggested that the arrows should state who report to who and asked what “support staff” is. He asked whether too many people are reporting to the CEO? Jurate stated there are others who support. Sean asked if it’s too many? Jurate stated that ultimately, it’s her responsibility. Anyabwile stated there should also be a list of direct reports, but that it still looks like too many people report to the CEO. He stated everyone should know to whom they report and that ultimately it’s the CEO’s responsibility. Nicole stated she would like to see the current model in order to compare. Becky stated that the PTA doesn’t belong on the chart. Jurate asked about the business manager and consultants. Becky stated they belong, since we pay them. Eric stated the Board should be removed from the chart.

VIII. Executive Session

Rosina asked everyone except the Board to leave the room while the Board went into Executive Session at 10:40p.m. She explained that the items to be discussed in this session are the administrative model as it relates to specific personnel and confidential real estate negotiations related to Liberty Square. The Board came out of this session at 11:25p.m.

IX. Old Business

Absence policy and the revised sexual harassment prevention policy were discussed under committee reports; the other two agenda items were not discussed.

X. New Business

Agenda items were discussed at the time of committee reports.

XI. Adjournment

Becky moved for adjournment; Sean seconded. The meeting was adjourned at 11:28 p.m.

Handouts circulated at this meeting:

Agenda
Minutes from the April 2007 meeting
CEO report
Curriculum Committee Report
Finance Committee minutes
March financial report
Human Resources Committee report
Organizational Chart Proposal & Job Descriptions (distributed to Board members only)
Draft Safety Plan
Board Task Force Preliminary Plan for Unifying the School
Facilities Report
National Charter School Conference Notes

**Independence Charter School Board of Trustees Meeting
May 9, 2007**

Resolutions

Adopted

March Disbursements

Be it resolved that the Independence Charter School Board of Trustees hereby approves disbursements from March 2007 in the amount of \$216,821.22 as detailed in the attachment.

Revised Sexual Harassment Policy

Be it resolved that the Independence Charter School Board of Trustees hereby adopts the attached policy for preventing sexual harassment of students.

POLICY FOR PREVENTING SEXUAL HARASSMENT OF STUDENTS

Definition

This is to reaffirm the policy of Independence Charter School that sexual harassment of a student is prohibited. Sexual harassment, or harassment because of one's gender, gender identity, or sexual orientation, has been defined by the Equal Employment Opportunity Commission (EEOC), as well as by federal, state and local laws. For the purpose of this Policy, the School has adopted the following definition. This policy covers student on student as well as employee on student sexual harassment.

Sexual advances, request for sexual favors, or other verbal or physical acts of a sexual nature constitute sexual harassment when:

- (1) submission to such conduct is made either explicitly or implicitly a term or condition of a student's success in school,
- (2) submission to or rejection of such conduct by a student is used as the basis for school decisions affecting such student, or
- (3) such conduct has the purpose or effect of unreasonably interfering with a student's work performance or creating an intimidating, hostile, or offensive school environment.

Court cases have recognized acts of harassment directed at a person on account of his or her gender to be sexual harassment, regardless of the intent of the person doing the act and even if there was no malicious intent. The School adopts this interpretation as part of its policy.

Any student who feels he or she is being subjected to sexually harassing behavior of any kind is encouraged to object to the behavior and report the behavior to his/her CEO or other appropriate officials as indicated in the "Procedures for Processing Sexual Harassment Complaints" and Board Policy which is incorporated herein. It is a violation of this policy to retaliate or engage in any form of reprisal against a student who has, in good faith, raised a concern, filed a complaint of, or been a witness to sexual harassment. Whomever receives a sexual harassment complaint, or who has reason to believe sexual harassment is occurring, shall refer to the procedures for processing sexual harassment complaints in the Employee Handbook.

It shall also be the policy of the School that the basic rights of all concerned must be respected at all times.

Prohibited Conduct

The following are examples of acts which violate our Sexual Harassment Policy. These examples are not to be construed as an all inclusive list of prohibited acts under the policy:

- A. Physical assaults of a sexual nature, such as:
 - (1) rape, sexual battery, molestation or attempts to commit those offenses, or committing an act with intent to cause fear in another of immediate bodily harm or death; and
 - (2) intentional physical contact which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against or poking a student's body, or touching of the clothing covering the immediate area of the complainant's intimate body parts.

- B. Unwelcome sexual advances, propositions or other sexual comments such as:
 - (1) sexually-oriented gestures, sounds, remarks, jokes, or comments about a person's sexuality or sexual experience directed at or made in the presence of any student;
 - (2) preferential treatment or promise of preferential treatment for submitting to sexual conduct, including soliciting or attempting to solicit any student to engage in sexual activity for compensation or reward; and
 - (3) subjecting, or threatening to subject, a student to unwelcome sexual attention or conduct or intentionally making success in school more difficult because of the student's gender, gender identity, or sexual orientation.

- C. Display of publications anywhere within the School's control such as:
 - (1) Displaying pictures, posters, cartoons, calendars, graffiti, objects, promotional materials, reading materials, music or other materials that are sexually suggestive, sexually demeaning, or pornographic.
 - (2) displaying or publicizing, in the classroom environment, materials that are sexually revealing, sexually suggestive, sexually demeaning or pornographic;
 - (3) displaying signs or other materials purporting to segregate a student by gender in any area of the school (other than rest rooms and similar semi-private lockers/changing rooms); or

- (4) possession of such material in a manner that it is reasonably foreseeable that they might be seen by others.

Exceptions shall be made in situations where nudity or sexually explicit language is necessary to convey a message important to public health and/or safety or where they are pedagogically appropriate.

Subject to the foregoing exceptions, visual material shall be presumed to be sexually suggestive if it depicts a person of either sex who is nude or seminude and/or who is posed for the obvious purpose of displaying or drawing attention to private portions of his or her body.

D. Sexual Favoritism. Impact on other students:

The granting or withholding of school opportunities and benefits including, but not limited to, assignments, discipline, and evaluation constitutes sexual harassment when it is based on sexual favoritism, and is prohibited.

E. Other Forms of Prohibited Sexual Harassment:

Other conduct that has the purpose or effect of unreasonably interfering with a student's work performance or learning conditions on the basis of gender, gender identity, or sexual orientation may also constitute sexual harassment, and therefore, is prohibited. Examples of conduct which, when based upon gender, gender identity, or sexual orientation, constitute prohibited sexual harassment include:

- (1) Assigning disagreeable or unsafe duties; or not making comparable assignments that would tend to disadvantage a student's development;
- (2) withholding information, materials, equipment or supplies which are necessary for the efficient performance of an assignment;
- (3) unreasonably failing to cooperate or assist students with school-related matters;
- (4) interfering with a student's efforts to satisfactorily complete an assignment;
- (5) maintaining unequal standards of performance;
- (6) ostracizing students, or otherwise making it known to students that they are not welcome because of their gender, gender identity, or sexual orientation; or
- (7) referring to students by sexually denigrating or insulting names because of their gender, gender identity, or sexual orientation.

F. Retaliation for sexual harassment complaints. Examples of retaliation may include:

- (1) Arbitrary discipline, threats, unwarranted change of assignments, providing inaccurate information, or failing to cooperate or discuss school-related matters with any student because that student has complained about, been a witness to or resisted harassment, discrimination or retaliation; and
- (2) intentionally pressuring, falsely denying, lying about, or covering up or attempting to cover up conduct such as that described in any item above.

Procedures for Making Complaints

The School is committed to resolving these complaints as quickly and efficiently as possible. Persons who believe they have been sexually harassed, or have knowledge that others have been sexually harassed, are encouraged to contact the CEO. Should the CEO be the person accused of the sexual harassment or should the complainant feel that the CEO is in some way responsible for the sexual harassment, the complainant may bring his/her concerns directly to the attention of the Board President, who will follow the procedures outlined below. Staff making reports should notify the CEO. Students can make reports to the nurse, any teacher, the counselor, the Dean or the Principal. All staff members are required to make an immediate report to the Dean or the Principal within 24 hours. If a report is made to the Dean, the Dean will immediately notify the Principal.

The student may seek either an informal or formal resolution of his/her complaint:

A. Informal

The student or his/her parent may request that the CEO intervene by notifying the alleged offender that the specific offensive behavior(s) will not be tolerated. In such case the CEO must discuss the matter with the alleged offender, and, if warranted require that he/she participate in non-disciplinary counseling. The CEO shall document actions taken in writing. Copies will also be forwarded to the Board President. The accused, if he/she is a student shall have the right to have his or her parent present during the interview.

B. Formal

An individual who believes that he/she has been sexually harassed or parent who believes that his/her child has been sexually harassed can file a complaint requesting an investigation into the allegation. Formal complaints shall be taken in writing and signed by the complainant. A thorough and complete investigation shall be conducted by the CEO.

To the extent possible and allowed by law, confidentiality shall be maintained within the confines of the investigation of the alleged prohibited behavior. The complainant must recognize, however, that his or her identity must be revealed to the accused, and possibly other witnesses, as part, and within the confines, of the investigation. All parties will be treated with dignity and be provided due process.

Procedures for Investigating and Resolving Complaints

A. ROLE OF CEO

The CEO conducts a thorough and complete investigation. The CEO shall seek advice and assistance from the Board of Trustees if the CEO believes that he/she lacks the capacity to conduct a thorough and complete investigation of the alleged misconduct. If the CEO or is the alleged harasser or is alleged to have been responsible for the harassment, the Board President shall conduct the investigation.

B. Conducting Investigations

The CEO, after receiving a complaint of sexual harassment, shall take the details of the complaint in a written statement and have the complainant sign and date it. Copies of this document will be forwarded to the Board of Trustees. All complaints of sexual harassment against an employee or student shall be received, investigated and disposed of in accordance with the procedures set forth in this Policy. Complainants and the accused shall be notified of the final disposition/action taken.

If the complaint involves sexual assault, rape or conduct of a criminal nature, the Philadelphia Police Department shall be immediately contacted and be asked to make a formal report of the incident. If there is any question of whether the conduct complained of constituted criminal activity, the President of the Board of Trustees should be immediately contacted and consulted.

The CEO shall attempt to secure statements from all participants in, and witnesses to the alleged incident. The accused, if he/she is a student, shall have the right to have his/her parent present while his or her statement is being taken.

All reasonable efforts shall be made to complete the investigation within ten (10) days from the date the complaint was first formally lodged.

If the charge is substantiated, the CEO shall determine the appropriate level of discipline consistent with the School's policy against sexual harassment. Such discipline as is deemed appropriate will be initiated in accordance with School disciplinary procedures. Documents regarding substantiated charges of sexual harassment against an employee shall be placed in the accused employee's personnel file. Documents regarding unsubstantiated charges shall not be placed in personnel files, but shall be maintained by the Board of Trustees in a confidential file established expressly for retaining complaints of sexual harassment against students.

C. Training

It is the responsibility of the School to insure that all staff fully understand and adhere to this policy.

CONCLUSION

If any section of this procedure is declared invalid, the remaining sections shall remain valid and unaffected.

Student Absence Policy

Be it hereby resolved that the following language be adopted as a policy with regard to student expectations and added to the student and parent handbook: In general students are expected to be absent no more than 5% or approximately 10 days of the school year,

including routine illness and activities and/or vacations that may conflict with a school schedule. The school administration is responsible for determining when chronic or serious illness provides for exceptional circumstances. Parents who wish to arrange for absence for non-illness items should consider that attendance is part of a child's and the overall classroom environment and should minimize the amount of time a child is out of school. Parents should provide at least 2 weeks written notice for planned absences of more than 2 days and should make arrangements with a child's teacher for schoolwork. Absences of more than 7 consecutive days are strongly discouraged. Parents who think this may be an issue for their family should contact the CEO to discuss the circumstances and should be advised that excessive absences may be unexcused and may be recorded as such on the child's scholastic record. Parents are asked to check the school calendar and not to schedule any planned absences during state mandated testing periods. Parents who wish to appeal any individual decision regarding unexcused absences may do so by writing a letter to the CEO and the President of the Board of Trustees. The CEO shall ensure that a system is devised to keep an accurate recording of absences and that applicable staff are trained as needed.

New Hires

Be it resolved that the following individuals be offered full time positions as listed for the 2007-2008 school year under the terms and conditions specified by the CEO and the ICS contract:

- Janet Candura- Middle School Math
- Kelly Nelms- Middle School Science
- Suzanne Cilli- Grade 2 FLES
- Alison Andrawos- Grade 3/4 Immersion English Language Arts
- Eisa Jackson- Dance/Movement
- Michael Farrell- Special Education
- Tonya Haynes- Special Education

Resolutions Not Moved

Durham

Be it resolved the Independence Charter School Board of Trustees hereby authorizes its executive committee to attempt to complete the existing agreement for the purchase of the Durham School, or to negotiate another agreement that accomplishes essentially the same result.

Northern Liberties

Be resolved that the Independence Charter School Board of Trustees hereby authorizes its executive committee to negotiate and execute a letter of intent to purchase 827-851 North American Street, 208-210 Poplar Street and 822-836 North American Street under the terms approved by the Board in executive session.