

Uplift Education Board Meeting Minutes

Tuesday, June 21, 2022, at 4:30 p.m.

A meeting of the Board of Uplift Education was held on the date and time listed above.

Called to Order: 4:30 p.m.

Adjourned: 7:30 p.m.

Executive Committee Members Present:

1. Richard Frapart
2. Cullum Clark
3. Dawn Davidson
4. Dr. Lael Melville
5. John McPherson
6. Michael Stack
7. Yasmin Bhatia

<i>TOPIC</i>	<i>DISCUSSION/CONCLUSIONS</i>	<i>ACTIONS</i>
I. Call to Order and Announcements	R. Frapart welcomed the Board to the meeting and took attendance. A quorum being present, the meeting was called to order at 4:30 p.m.	
II. Community Forum	No community members were present to speak during the Community Forum.	
III. Board Minutes	R. Frapart introduced the May 24, 2022, minutes for approval. The Board was provided the minutes for review in their pre-read. <u>ACTION ITEM</u> – Consider and take action on approving minutes from the May 24, 2022, Board meeting.	Upon a motion to approve the May 24, 2022, Board meeting minutes, as presented, by J. McPherson, and seconded by C. Clark, the Board unanimously approved the motion.
IV. Mission Moment	Y. Bhatia presented on the Mission Moment and spotlight to the Board.	
V. Enrollment Status Update	Y. Bhatia announced the Enrollment Status Update was built into the Finance Update. As such, there was not a separate Enrollment Status Update to provide by D. Bigham.	
VI. Finance Update	J. Jahnke presented the Finance Update. J. Jahnke first presented on the FY22 Finance DashBoard, followed by an overview of the FY23 budget. Regarding the FY23 budget, J. Jahnke made the following notes: <ul style="list-style-type: none"> • Budgeting only 400 additional scholars • Reduced State Comp-Ed and TIMA <ul style="list-style-type: none"> ○ Lower F&RL eligible scholars ○ TIMA is Biennium program for instructional materials and was front loaded, heading into second year ○ No planned State increase in per pupil funding given off-legislative cycle • \$8.1M increase in payroll costs due to COLA, salary schedules, and newer schools still scaling up sections 	

	<ul style="list-style-type: none"> • At this point in time, several Revenue items are not yet determined <ul style="list-style-type: none"> ○ TEA has not given guidance on Basic Allotment per student and other rates ○ It has not yet been announced if the Child Nutrition Program will return to the pre-pandemic program where only “qualified” scholars receive free and reduced meals and if reimbursement rates will be lower ○ At this point in summer, there still is a great deal of variability in the number of scholars that will be enrolled for the year • Several Expense items are known <ul style="list-style-type: none"> ○ Section counts drive # of School based employees ○ Approximately 76% of Salary rates are based on years of service salary schedules ○ Other 24% will receive COLA ○ Flat benefit costs (TRS holding employee health care rates year over year) ○ Upward cost Pressures in several Non-Payroll categories • Will bring Amended Budget for approval in the Fall • Budget is built on 21,871 scholars with (+-500 scholars) <p>J. Jahnke next presented on the path to 2022-2023 enrollment and discussed the following items:</p> <ul style="list-style-type: none"> • 23FY budget revenue assumptions • Non-payroll costs <p>The Board discussed teacher and staff revenues.</p> <p>J. Jahnke next presented the FY23 proposed budget, including FY22 May amendment, FY23 proposed budget, and variance numbers, as well as key dates to remember.</p> <p><u>ACTION ITEM:</u> Consider and take action on approving the fiscal year 2023 budget.</p> <p>The Board was informed it does not need to address State Compensatory Education Guidelines and Procedures.</p>	<p>Upon a motion to approve the FY23 budget, as presented, by M. Stack, and seconded by J. McPherson, the Board unanimously approved the motion.</p>
<p>VII. Review of Network Safety Measures and Safety Audit Results</p>	<p>Alan Tolleson, Regional Director of Operation, presented on this agenda item and included for the Board an update on Uplift’s current approach to safety and security as well as state guidance on safety and security post the Uvalde tragedy.</p> <p>Y. Bhatia informed the Board the Commissioner Morath will be hosting a call on June 3, 2022, in which we expect to have more information regarding state guidance on safety and security post the Uvalde tragedy, and that Administration would present on it to the Board in the future.</p>	
	<p>Dr. Lael Melville, Chair of the Uplift School Engagement Committee, provided the update on the Committee’s efforts during the school year.</p> <p>First, Dr. Melville identified the mission and purpose of the Committee and recognized and celebrated the Committee members, community volunteers, and Uplift team members.</p> <p>Dr. R. Washington presented on this agenda item, including the following:</p> <ul style="list-style-type: none"> • An Executive Summary addressing the following areas: <ul style="list-style-type: none"> ○ Literacy 2022 STAAR/EOC Performance ○ STEM 2022 STAAR/EOC Performance ○ Emerging Bilingual Scholar Performance ○ Standout Campus Performance ○ New School Performance ○ Fort Worth School Performance 	

<p>VIII. Academic Update and STAAR 2022 Performance Results</p>	<ul style="list-style-type: none"> • Review of STAAR/EOC Assessment Scoring <ul style="list-style-type: none"> ○ What is The STAAR/EOC? ○ How is Scholar Performance Reported? • Dr. R. Washington discussed in more detail the following topics regarding literacy and STEM: <ul style="list-style-type: none"> ○ Comparison on Uplift and Dallas ISD STAAR Spring/22 Comparison ○ Comparison of Uplift and Dallas ISD STAAR EOC Spring '22 Comparison ○ Emerging Bilingual STAAR Reading/English I YOY Comparison ○ Emerging Bilingual Reading/English I STAAR/EOC 2022 Comparison ○ Emerging Bilingual Mathematics/Algebra I STAAR/EOC YOY Comparison ○ Emerging Bilingual Mathematics STAAR Comparison ○ Overall Uplift Education & Fort Worth Spring Reading STAAR '22 (Grades 3-8) Meets/Masters ○ Overall Uplift Education & Fort Worth Spring Mathematics STAAR '22 (Grades 3-8) Meets/Masters ○ Overall Uplift Education & Fort Worth STAAR EOC Spring 2022 Meets/Masters • Dr. R. Washington next discussed vision, goals, and next steps: <ul style="list-style-type: none"> ○ A review of the Network Vision Statement ○ Annual targets to hit goals ○ 22-23 key strategies to narrow our focus ○ Continue crafting plan for math acceleration with the Academic Team to ensure teachers and leaders have what they need to increase scholar outcomes in math. ○ Work with the network team, leaders, and teachers to make sure we build on our strong literacy performance and improve performance in all tested subject areas. ○ Ensure that we provide teacher and leader development needs throughout the year that is differentiated, so that we can support both our new and experienced teachers as new challenges arise. ○ Ensure comprehensive monitoring and analysis of summer programming to make sure scholars have multiple opportunities to master grade level content and can begin the school year near or on grade level with their peers 	
<p>IX. Annual Board and Officer Elections</p>	<p>Alex Berk presented on the FY23 annual Board and officer elections and provided an overview of the ballot and results.</p> <p>The results of the elections included the following results:</p> <ul style="list-style-type: none"> • Trustee Ballot: <ul style="list-style-type: none"> Michielle Benson 2nd Term Pilar Davies 2nd Term Michael Stack 2nd Term Ed Tauriac 3rd Term • There were no people up for election on the At-Large Executive Committee ballot. • Executive Committee Ballot: <ul style="list-style-type: none"> Cullum Clark Executive Committee Chair 	

	<p>Dr. Lael Melville Vice-Chair John Beckert Development and External Affairs Dawn Davidson Governance Andre McEwing Fort Worth Advisory Council Cameron Johnson Real Estate John McPherson Strategic Planning Pilar Davies School Engagement Committee Co-Chair Christine VanDeVelde School Engagement Committee Co-Chair Michael Stack Finance James Stanton Advocacy Ed Tauriac Audit</p> <ul style="list-style-type: none"> Officer Ballot: Cullum Clark Executive Committee Chair Dr. Lael Melville Vice-Chair Yasmin Bhatia CEO Dr. Remy Washington President Jim Jahnke CFO Alex Berk Secretary <p><u>ACTION ITEM: Consider and take action on approving Board and officer election results.</u></p> <p>Y. Bhatia next led a celebration of Richard Frapart, departing Board Chair, and numerous Board members spoke on the success and accomplishments of Richard Frapart and gave thanks for his commitment to Uplift.</p> <p>The Board resigned for a five minute recess and the meeting was reopened at 5:58pm with the same quorum of the Board present.</p>	<p>Upon a motion to approve the FY23 annual Board and officer elections, as presented, by M. Stack, and seconded by L. Melville, the Board unanimously approved the motion.</p>
<p>X. Administrative Action Items</p>	<p>Administration presented the administrative action items to the Board, including the following action items:</p> <p><u>ACTION ITEM: Consider and take action on resolution approving forgiveness of overpayments for insurance premiums for benefits.</u></p> <p><u>ACTION ITEM: Consider and take action on approving safety audit results.</u></p> <p>The Board discussed safety rules for staff and the consequences are needed for violations.</p>	<p>Upon a motion to approve the resolution approving forgiveness of overpayments for insurance premiums for benefits, as presented, by J. McPherson, and seconded by C. Clark, the Board unanimously approved the motion.</p> <p>Upon a motion to approve the safety audit results, as presented, by C. Clark, and seconded by L. Melville, the Board unanimously approved the motion.</p>
<p>XI. Closed Session</p>	<p>The Board did not enter closed session.</p>	
<p>XII. Hear and Consider the Parent Grievance Appeal of Q.V.</p>	<p>Alex Berk, Chief Legal Officer, managed the parent grievance appeal for the Board, and reviewed the rules and procedures for the Board and parties present.</p> <p>Alex Berk explained to Parent Q.V. (“Parent”) that Parent had the option of electing whether the Board would hear Parent’s grievance appeal in open or closed session. A. Berk explained the options, including the fact that closed session meant the hearing would not be recorded or posted in compliance with the Texas Open Meetings Act, and that any visitors present would not be asked to leave. A. Berk explained that if Parent elected closed session, the hearing would not be recorded or posted and all visitors would be asked</p>	

to leave the hearing room. After comprehensively explaining the Parent’s options, the Parent elected for the hearing to be heard in open session.

Out of their ten total minutes available to them, Administration and the Parent elected to present for seven minutes and save three minutes for rebuttal.

Though procedure typically calls for the Parent to present first, the Parent requested Administration present first and the Board permitted it.

Administration provided the following arguments in support of the best-interest determination and denial of the grievance:

- The McKinney-Vento Homeless Assistance Act provides protections for homeless children to help ensure stability of educational services.
- The Act requires Local Education Agencies (“LEAs”) to arrange transportation services for the homeless child, even where those services are not offered to others.
- An LEA must consider and make a best interest determination regarding the appropriate school placement for the homeless child as the child may move in and out of school attendance zones throughout the year.
- In making the best interest determination, the LEA must “presume that keeping the child or youth in the school of origin is in the child’s or youth’s best interest.” However, an LEA may determine that enrollment in the school of origin is not in the best interest of a homeless child after having considered “student-centered factors related to the child’s or youth’s best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children, giving priority to the request of the child’s or youth’s parent or guardian.”
- The Department of Education also “encourage[s] an LEA to also consider the school placement of siblings when making this determination.”
- Scholar of Parent Q.V. (“Scholar”) enrolled in Uplift Education at the beginning of the 2021–2022 school year as a homeless scholar under the McKinney-Vento Act.
- Scholar remained enrolled until March 25, 2022, when Uplift learned that he had been enrolled in a school district out of state. On May 2, 2022, Scholar returned and requested to reenroll.
- On May 5, 2022, Uplift Chief Legal Officer Alex Berk provided a letter to Parent explaining that Uplift did not believe that Scholar’s reenrollment in Uplift was in his best interest. The letter cited Scholar’s more than forty (40) absences prior to his March 25 withdrawal and the enrollment of his siblings at another elementary school outside of the Uplift network as part of its rationale.
- Parent appealed Uplift’s best interest determination, and Scholar was reenrolled at Uplift Grand Primary pending the resolution of the grievance. On May 17, 2022, a level two grievance conference was held at the Uplift Grand Primary campus.
- After considering the evidence presented, the Hearing Officer upheld Uplift’s best interest determination and denied Parent’s grievance.
- The Hearing Officer’s rationale for upholding the best-interest determination and denying the Parent’s grievance included the following: during Scholar’s first enrollment, he accumulated more than forty (40) absences and was late or left early for many more; after Scholar returned and re-enrolled in Uplift Grand Primary on May 5, 2022, his absences continued; Uplift provided Parent with over \$500.00 in fuel gift cards and contracted with an outside vendor to provide direct transportation for Scholar; In addition to transportation, Uplift provided Scholar with counseling services provided by the school’s Social/Behavioral Counselor, which had little, if any, impact

	<p>on his attendance; Scholar's inconsistent attendance also prevented him from developing strong ties to the Uplift Grand Primary campus, teachers, and peers.</p> <ul style="list-style-type: none"> Uplift did not punish Scholar for his attendance issues. Rather, Uplift determined that, based in part on his lack of attendance, Scholar was not receiving the benefit of his enrollment at Uplift Grand Primary and would be better served where he could attend school more regularly. The enrollment of his siblings in an elementary school in another district provided additional evidence that Scholar could be more appropriately served by that district. This streamlining of schools for Scholar and his siblings to one campus with one calendar and one daily schedule should enable Scholar to attend school more regularly which is, ultimately, what is in his best interest. <p>The Parent provided the following arguments in support of Parent's grievance:</p> <ul style="list-style-type: none"> The McKinney-Vento Act guarantees rights to homeless scholars and families, including the following: enrollment for Parent's scholar; representation and advocacy for Parent's rights by the LEA's Homeless Liaison; guarantee of other educational services without the right of the LEA to interfere with those rights, such as a right to attend school, receive any right or service any other scholar receives, and the right of Parent to receive services. The Parent alleged Uplift engaged in the following improper activities: improperly withdrawing Parent's scholar; failure to enroll Parent's scholar during the course of the grievance process; refusing to provide requested documents; not providing Parent with appropriate hearings; not providing Parent with appropriate representation by the Homeless Liaison at the hearings; not providing Parent or Parent's scholar with the same services all other scholars at the school received; not communicating with Parent properly; refusal by staff to meet with Parent; and violating other rights owed to Parent. <p>The Board next retired to closed session pursuant to Section 551.071 of the Texas Government Code to consultation with the Board's attorney.</p> <p>The Board next returned to open session with the same quorum present.</p> <p><u>ACTION ITEM:</u> Consider and take action on the parent grievance appeal of Q.V.</p>	<p>Upon a motion to deny the parent grievance appeal of Q.V. and uphold the Level Two determination, as presented, by C. Clark, and seconded by L. Melville, the Board unanimously approved the motion.</p>
<p>XIII. Adjournment</p>	<p>There being no further business before the before, R. Frapart adjourned the meeting at 7:30p.m.</p>	

Respectfully submitted by Alexander S. Berk, Secretary.