

THE DELTA ACADEMY
BOARD MEETING MINUTES
TUESDAY, AUGUST 10, 2021
N. LAS VEGAS, NV 89030

Present:

Morlon Greenwood
Clarissa Cota
Mark Ross
Vikki Courtney

Guests:

Kyle Konold
Bruce Congleton
Jesse Fox

1. Call to Order and Roll Call

Meeting called to order by Mr. Morlon Greenwood and roll call.
A quorum was declared.

****Note:** Board Member Ross requested a change to the order of the agenda items. All board members present agreed to the proposed agenda sequence.

2. Approval of minutes from June 7, 2021

Motion to Approve: Vikki Courtney Second: Mark Ross Vote: Unanimous

3. Review of Errors and Omissions Liability Policy

Dr. Konold provided the board members with a copy of The Delta Academy's liability insurance policy as it pertains to the board members. Mr. Ross expressed concern over knowing what limitations and exceptions are laid out in the policy and the potential personal financial liability while serving on the board. All board members expressed their wish to have the school's attorney provide some clarification and guidance on the potential personal liability of the board members. Dr. Konold said that he would have the attorneys look in to this matter and present their findings.

4. Governing Board Training

Mr. Greenwood explained that he has been in touch with Billie Rayford and that she is willing to provide board training. All board members agreed that the training would be beneficial so that they can become more familiar with the roles and responsibilities of serving on a charter school board. Ms. Courtney stated that she would prefer the training to be presented face-to-face or via a live Zoom session. The synchronous session would allow for more interaction and real-time Q&A. Ms. Courtney asked what the budget limit would be for training. Dr. Konold said it would be whatever the board sees fit so as to accomplish what they need. He would present a budget amendment to include the training at the next board meeting. A motion was made to authorize Mr. Greenwood, as board president, to speak with Billie Rayford regarding board training, the subject areas to be covered, and the amount to be paid.

Motion to approve: Vikki Courtney Second: Clarissa Cota Vote: Unanimous

5. Reaffirmation of Delta Academy Bylaw Section XI. B. "Execution of Instruments"

The board members agreed to table this item until it can be reviewed during training as discussed in the previous agenda item.

6. Vendor Review and Evaluation

Dr. Konold shared with the Board members a draft of the procurement process with bid assessment worksheet. Dr. Konold explained the various criteria that can be used to evaluate procurement bids. Mr. Ross asked if this evaluation process was new. Dr. Konold explained that this review and evaluation process was required and used for the e-Rate Federal Connectivity Fund grant program in February of 2021. He went on to say that Delta's Accounting Procedures Manual was revised using the federal guidelines provided to him by the school's e-Rate representative and from the Title I Department at CCSD. A draft of the revised accounting manual was provided to the board members. This draft revision was one of the requirements outlined in the Breach of Contract letter from CCSD. Dr. Konold also presented the draft of a newly created contract evaluation tool, which was also a requirement in the Breach of Contract letter. Dr. Konold submitted the following three contract evaluations to the board: Edgenuity, which is Delta's online curriculum provider and received a score of 68 out of 70; K3 Systems which provides IT and bookkeeping services and received a score of 70 out of 70 and; Integrated Education Systems which provides leases non-licensed employees and received a score of 70 out of 70. Dr. Konold did ask the board to think about a contract amount threshold for which contracts would need to be evaluated. Dr. Konold stated he did not think smaller contracts such as pest control and/or Sparkletts water would need to be evaluated. Member Ross asked if there were state regulations to follow in regards to thresholds to which Dr. Konold replied that there was not. The board members all agreed that this would be a great question for Billie Rayford during their training.

7. Corrective Action

The board has been given a deadline of August 15, 2021 to respond a Breach of Contract letter dated May 11, 2021. In addition to a response, the board needs to create a corrective action plan. All board members were in agreement that they need more information and training in order to adequately address all issues presented in the Breach of Contract letter. Ms. Courtney requested that the initial response include a statement that the board is comprised of mostly new board members who are seeking guidance and training on the roles and responsibilities of serving as a board member. Mr. Ross agreed that the board can respond outlining the steps that are being taken and that the board is still in the process of ensuring they are in complete compliance. It is the board member's desire to show CCSD that they are aware of the issues at hand and that they are taking action, but need additional guidance from the school's attorneys and board training from Dr. Rayford before a final action plan can be submitted. Mr. Greenwood offered to call Heidi Arbuckle to find out if an extension can be filed. Mr. Ross expressed that if Mr. Tafoya is wanting the school board to improve and move forward, then it is not unreasonable to ask for a 60-90 day extension to allow for the proper training. Ms. Cota asked if the board could provide the documentation requested in section two of the Breach of Contract letter. Dr. Konold replied that all of the past and present contracts have already been submitted to CCSD and that draft versions of the other documents have been prepared and can be submitted. He went on to ask if when the draft documents are presented the board could ask CCSD to provide feedback just to ensure full compliance. Mr. Greenwood stated that he would

get in contact with Mr. Dan Tafoya's proxy to find out how this type of response for extension can be handled and would relay that information back to all board members.

8. Vendor Contracts and Evaluations

Dr. Konold provided the board members with the bid assessments on six vendors for two projects that are time sensitive. The first bid assessment of three potential vendors would allow the school to purchase 70 new laptops for student use. The school is in short supply of laptops to allow online students who do not currently have a personal device to complete their schoolwork. The second bid assessment of three potential vendors is to contract for the development of the integrated information data system. This data management system will save staff hundreds of hours of time spent manually entering data into Delta's two current systems. The data system will also generate reports that aggregate student-centric data from multiple sources, which is necessary for grant applications. A motion to approve K3 Systems in the amount of \$84,000 to purchase 70 Dell laptops and to approve Fair Winds Group in the amount of \$175,000 to develop the data management system contingent upon the attorney's response to the question regarding the potential personal liability for the board members.

Motion to approve: Vikki Courtney

Second: Mark Ross

Vote: Unanimous

9. Administration Report

Dr. Konold provided the board with data showing student enrollment growth since 2013. Mr. Congleton added that there were over 150 kids on campus the first two days of school and that the students were excited and optimistic about being back at school. Mr. Congleton also shared that he feels The Delta Academy is in good hands with the exceptional leadership of Dr. Konold. Ms. Cota shared the positive news article featuring The Delta Academy and their new music program. All other agenda items were agreed upon to be tabled until attorney consultation and training were complete.

10. Public comment and discussion

There was no public comment or discussion.

11. Adjournment

Mr. Greenwood adjourned the meeting without objection.