

NOTICE OF THE BOARD OF DIRECTORS OF FLAGSTAFF ARTS & LEADERSHIP ACADEMY, INC. (FALA)

FALA Mission: *We are an inclusive and transformative learning community that cultivates creativity and critical inquiry. Come as you are; we'll grow together.*

Pursuant to A.R.S. §38-431.02, notice is hereby given that the Board of Directors of FALA will hold the following:

- Event: **Regular Board** meeting open to the public
- Date: November 28, 2022
- Time: 5:30 PM
- Link: <https://meet.google.com/xvm-jriz-rpj>
- Phone #: +1 475-558-0179; PIN: 428 873 057#

Event information:

- The Board/committee may consider any item on this agenda in any order and at any time during the meeting.
- Pursuant to A.R.S. §38-431.4, members of the Board/committee may participate either in person or by telephone, video or internet conferencing speakerphone or other technological devices.
- The Board may vote to hold an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3).
- Persons with a disability may request reasonable accommodation, such as a sign language interpreter, 24-hours in advance by contacting Eli Cohen, Executive Director, 928-779-7223.
- Materials for this meeting are available at the following:
 - <http://flagarts.com/category/news/>
 - 3401 N. Fort Valley Road, Flagstaff, AZ 86001

I. Call To Order - Virtual Meeting Process:

- A. James calls the meeting to order at 5:32 pm.

II. Roll Call:

- A. James Yih, President – **Present**
- B. Dr. Kyle Winfree, Vice President – **Present**
- C. Ron Borkan, Treasurer – **Not Present**
- D. Andy Bessler, Secretary – **Present**
- E. Debra Edgerton, Member – **Present**

III. Approval of Agenda

- A. James motions to rearrange the agenda such that Items F and G come first, followed by Items A, C, B, D, then E. Kyle seconds. James Aye, Kyle Aye, Andy Aye, Debra Aye. Motion passes 4-0, 0 abstentions.

- B. The minutes reflect the modified order.

IV. Call to the Public:

- A. To indicate your desire to speak during the public comment period, please fill out this Google Form: <https://forms.gle/HxUPjcH3DfqL57Rd9>. Alternatively, members of the public may fill out a *Request for Public Comment Form* available at the school front office and deliver it to the Executive Director, who will then notify the Board President.
- B. Members of the public must be present during the meeting to speak their comment.
- C. This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date.
- D. Each individual has up to two minutes to make a public comment.
- E. For the record, please state your first name and last name before you begin.
- F. Requests for public comment will be accepted up to the start of the meeting.

Public Comments

Eli Cohen: Request that this process be moved along more quickly and more transparently. We are currently having negative impacts on staff and the community. The longer the process is dragged out and there is uncertainty, we are seeing impacts on staff and students. This is not a healthy way to do it. The follow up process

is in executive session, which it needs to be but is not transparent and people are questioning more and more if we are certain as to the plan is moving forward. This is having negative impacts. We already have staff members looking for other work. We have staff members who are asking for recommendations. The flip side of this is that the staff is pushing through and I am super impressed. Despite the fact that everyone is sacred, I think the staff is doing a brilliant job because they support students and support each other. I am honored to work with all of these people.

Melissa Ruyle: Thanks for the time. I have been a FALA parent for 3 years. FALA was once a school that I was proud to send my child to, however the situation over the past couple years has worried me. While I know you may not be able to divulge the situation for legal reasons, it's been concerning to hear what has been going around the rumor mill. My question for the board is were you aware of the relationship that Eli had with his facility? I understand that you are unable to answer the questions but I am still going to ask them because I think they are important to say. My question would be: Where has HR been this whole time? The attrition rate of the faculty members has been extremely concerning and I just wonder how many of these faculty members can leave without it raising serious questions. Along with the initial situations that have prompted all these board meetings, the behavior in response by Christina and Eli to the board actions is concerning to me as well. Pulling in the community into their personal matters with the board without any regard to how it would impact FALA as a whole is and more importantly the students are seriously concerning to me. I have also noticed that the enrollment of students has been down and just kind of wondering if the current enrollment rate is even sustainable for FALA to continue if it remains this low? I noticed in the finance committee meeting minutes it was mentioned that with the current enrollment rate, typical decisions will need to be made for next year and does this mean that there are budget issues looming that have not been discussed or even ignored? I know some of these things can be discussed in the open but what I have been hearing is alarming. I personally have been questioning if I should keep my students at FALA with this kind of leadership is the right thing to do. I am deeply disappointed with the lack of integrity with the leadership at FALA. One of the values in FALA's mission statement is to build a functional community by evaluating the impact of individual actions.

Christine Burton: Thank you. Sorry my camera is not working. I normally like to be on the screen when I am talking but I am using my daughter's computer. For background, I am a public school teacher with a special education background. I have taught everything from high school to kindergarten. My daughter has been at FALA for 5 years now. She was one of the first 6th graders. She loved it. I chose this school because of its arts program. And the arts program is slowly seeming to die. I am aware of at least 2 students that have left FALA to go to Flag High for their theatre program. It is in our name. I feel like our arts program needs to be more established. Also I am little concerned about the teacher turnover rate. There are some amazing teachers that are still there and that my daughter has an amazing connection with. But there is a lot that have dropped off. I am not entirely sure why. I know we are not privy to all of the staff background knowledge but I can only imagine it is an environment. I am a teacher myself and I know people leave for environmental things going on. It really is saddening to me and I am questioning if I have to put my daughter in another school. I want her to do her junior and senior year here at FALA. She loved it. I just want it to be back where it was. A side note: My daughter is on a 504 plan and just recently got a new diagnosis for an IEP. I have been told by parents not to get her on an IEP b/c things are not done up to par and myself as a teacher, I have heard within our community that things are not being done legally. That concerned me greatly, having my knowledge in special ed, if things are not done legally, our school can get shut down and I would hate to have that happen.

Lauren Botti: Thanks everyone for being here. I am a FALA parent of 2 students and I am also a teacher at FALA. I know at every institution, there are going to be people that are not happy, people that are happy. There are people that are leaving one institution and going to ours at any given time. I think that this is the nature of perhaps every school. FALA is a small school, there is no doubt about it. We are not run by public funds. As a teacher and a parent, raising funds for FALA, bringing in funds for FALA and getting people to come in to be part of that community. It's gotta come from someplace other than the teachers, rights? Some of that fundraising and whatnot, so it is difficult to hear the, "we want this and we want that." It is a small school and it needs a lot of support. And that support needs to come from other than just the teachers. We can't do everything. And it is not just all of Eli and Christina. I don't know what happened, none of us truly know what happened but I know this. I know from my husband being a partial owner in one of the longest run private businesses in Flagstaff. Working on the boards of multiple businesses at times, working with nonprofits on the board and then myself, volunteering at many schools. This is not the way boards do business. It is just unbelievable to me. There is a better way to go about supporting the community and coming up with a solution.

AnnaMarie Hill: Hi, good evening Mr. James. I am newly employed at FALA but am a parent and I need to ask: Did the board send satisfactory emails to the parents, students and staff since October 21st? Are you allowed to answer?

James indicated that the board does not accept questions at this time and started her 2 minutes.

AnnaMarie Hill: Okay, so I want to know if the board is going to share what the problem is that we are here for. And if you are not, from my perspective, it leaves suspicion for everything from office banter, to stolen funds, to the imagination of parents and students. Good evening to the board and due to the board's refusal to be transparent and invite back and forth discussion, I strongly urge parents, staff and students to start emailing your voice. 2 minutes is not enough time and this process is starting to feel like a mistrial. I will just repeat what I shared initially: The pandemic was a national crisis, not a FALA shortcoming. Christina and Eli have both held our school together and are now being punished for working too hard and being short staffed.

Now is the time to support them as they have supported us and stand in solidarity with them. If you take away our leaders, you will directly be responsible for another wave of trauma on our kids. And that is the most important thing here. The kids. The board does not seem to align with FALA's core values of back and forth discussion, habits of hearts and mind and conflict resolution. Unfortunately, the board's actions feel deliberate, unforthcoming and fueled by a one-sided narrative. This is not the way FALA works and allowing this to continue is unacceptable. Please make the right choice and stop this. Move this into a mediated counselling session where it belongs. Because if the issue was huge, we would know it by now. FALA is moving forward in a healing and happy place for 22-23 and the board is dragging us back. And I am so sorry but my fingers are pointing at you, the board. This is just getting outrageous. Thank you.

Audrey Baird: Hello FALA Board of Directors, staff, students and community members. My name is Audrey Baird and I am the Curriculum and Instruction Lead for academics here at FALA as well as one of the high school science teachers for the past 6 years. As a teacher and member of the leadership team, I have found that engaging in collaborative and restorative problem solving is the best way to solve concerns both in the classroom and on the personal level. When confronted with an issue, it is best practice to gather all information from involved individuals. If any follow up action needs to be taken given that information, it is beneficial to communicate this to said individuals and involve them in a process of restoration with the community-centric support. Usually, this involves a plan of support for the involved individuals to help them grow and succeed. This doesn't mean we should just forget about what occurred however. This needs to be another reflection in how we can support individuals moving forward. Sometimes, people are not entirely truthful when sharing information. I have learned that even when multiple students share the same story, it can be far from the truth. While I might not be a parent at first, digging deeper into each side of the narrative is important, not only for uncovering more of the truth, but for exploring the potential if there is room for growth in everyone and in every process. I am frustrated and saddened that the board continues to entertain this one-sided narrative in choosing to act without a second thought. This is not restorative, collaborative or even problem solving by my definition. I would not determine a potential action without understanding the fuller picture of substantiating claims. This is hurting our school and our community. Please look deeper. Repair the relationship with the FALA community and please support our students and staff. Thank you.

Betsy Hamill: I did not prepare anything. That sounds shocking to some of you. Here is my two cents: When I started teaching at FALA 12 years ago, my older son, who is now 24, was here. His focus at the time was nothing. He was not sure what electives to sign up for. Long story short, I signed him up for theatre. He was mad. He is currently an actor. He is getting work and doing really well in Los Angeles. I attribute that to an educator and a school that fosters cohesion and love. And the people that I know that work at FALA exemplify that and taught me that. I am not here to take sides. I am not here to pitch anything but I am here to basically show that some people that may not be understood, who left might not be understood as to why they left. There are people who worked here 20+ years that didn't want to leave. It was their dream job and the students respond to that. We have had students that have gone onto Sanford, Harvard, many other top arts colleges and are now fighting the good fight because they actually exemplified all the habits. The habits were born in 2012. They weren't born in the beginning. And there is a lot of intuitional knowledge I can offer people but the thing we gotta understand at the core: Is that everyone has a story to tell. For the people who left, I am not hearing their story and I am not going into why. But they have stories to tell as well and they are not terribly sorted stories but they are things that I think, nobody currently knows because everyone is new. One last thing, I want everything to work out for FALA, so whatever we do, let's do it in love.

Megan Wildblood-Crawford: I am the Front office coordinator of FALA. This is my second year here however my 6th year as a front office coordinator and 10th year in public education in Flagstaff. As the front office coordinator, I tend to work in the middle of the office and am constantly aware of people's actions, words and moods. My concern with the action of the board is that the demeanor of our school has dropped in both students and staff. I know a handful of people querying to stay at FALA because of it or to not stay at FALA because of it. And people we don't want to lose if retention is a true part of the issue, then know that retention will become a major issue

depending on the outcome. This is alarming. I know retention is an issue in Arizona in general, not FALA alone. My former school/employer lost 52% of their people in a 2 year period. The amount of extra time and effort this has put on FALA employees has made the environment more stressful for the community. I have noted incredible projects put on hold due to the board's handling of this issue. I see several people including those not directly involved emotionally drained and becoming unwell. If two or even one of our leadership team is currently dismissed the impact on our community will be devastating. Staff truly cares about this leadership team as this year we made huge leaps under them. After three exhausting years of the pandemic I saw fresh energy charge the school this year until this current action by the board. I hear you say you are looking after our and the student's best interests but we fail to see it because of how long this is continuing. So I challenge you, the board, before making judgements and major decisions around the daily running of the school, to actually spend a week at the school. And I especially challenge you to spend a week in an ESS or SPED Department at any school. I can assure you that this department anywhere is presented with multiple challenges on a daily basis which are alarming to the average person on any given day. I also have a concern that parents are overseeing the action plan. As an office coordinator, I have gained a rapport with multiple people.

Lindsey Epperson: Thank you. I am currently the ESS assistant and I work with Christina. We ensure compliance and do paperwork. In meetings, I have heard the board is acting in the best interest of the school. Our staff and community have been directly impacted by the board's actions and also lack of action. Last year after the global pandemic, every school in the nation was crumbling. We all had to figure out how to move forward. We took a big learning curve in how FALA operates. People have gone and retired because they chose to leave. We have worked diligently to overcome challenges to build better policies and procedures and to even build a stronger foundation. Many of us have worked hard with teachers and staff but no one has worked as hard as Eli and Christina have. This is evident in their daily action, commitment and continued professionalism. They are committed to excellence and to this school and we are committed to them. I would like to extend a formal invitation to the board. Come sit in on our practice. Observe the people inside the rooms. Come to the performances. Come to the middle school lunch meeting where student behaviors are discussed and alternative strategies are taught. Come visit our cross department weekly meetings where we review protocols, discuss department needs and to ensure our legal success. Come to afternoon pickup. Please come to school and visit. Relationships are being born and that is what FALA does. These are the daily components of that show FALA in action. I disagree with how this situation has occurred and has been handled. This prolonged action has taken a physical and emotional toll after every meeting that has occurred. We are left in the dark.

Sun Johnston: I am currently the Lead Interventionist at FALA. I work in the office of student services, so I see a lot of interactions between students, communicate with families and be in classrooms and I am all over FALA. Anywhere and everywhere you will see me pushing my little cart around. I really feel called to speak from the heart. I always write out what I want to say but I think the first thing to share is a lot of pride for people speaking. I know many of us are in the same boat about feeling fearful about sharing how much we love and care about our current community at FALA based on the harmful practices that the board has taken. I do believe what Baird has said about Restorative practices in which the board had not only agreed upon but approved in the summer and I am confused as to why restorative practices for resolution or improvement are not being utilized. Given the procedures that have been utilized, it has created a culture of harm and concern. It is felt by all of us. Every staff member feels deeply impacted by the actions of the board and that leaks to our students. We are doing the best that we can at student service to hold them and love them and show them we can get through this together. But again, I am so grateful for the staff who continue to show up to these meetings. The fact that there are 30+ people here after 40 hours of meetings that have taken place. We have waited. We have wanted to be a part of the solution. But the lack of transparency, the lack of restorative resolution, the lack of a timely resolution is harmful and we are left hanging confused and concerned. If there truly are safety concerns with our students, then we deserve to know. They deserve to know. We deserve to be able to take actions to support our students. And the best thing that we can do for kids and staff including the board is to stand together. What is the best way we can all stand together to collaborate together and to move forward as an accountable, restorative community.

Christina Wiede: Thank you for allowing me a moment to say a few things. I am an ESS case manager/teacher for 6-8 grade and I work directly under Christina Wolfe. I do mirror what Sun said in terms of speaking from the heart. I have seen nothing but integrity and a desire to pursue excellence in our discipline of special education. And that is something that I have seen working under Christina Wolfe. I have had the opportunity to experience that level of excellence and that level of attention and detail meeting kids where they are at an individual level. I would not place my graduate degree as well as my career as a mom of 4 children with kids in the FUSD. I would not place my name on the line if I did not believe in my director. I would like it to be heard that as someone who is directly under Christina Wolfe, I have seen nothing but integrity. Thank you.

V. Summary of Current Events - Items to be heard only; the Board will not propose, discuss, or take legal action during the meeting unless the specific matter is properly noticed for legal action.

- A. Directors
- B. Executive Director – Eli Cohen

- i. Market Research

Finding out what are trends in Flagstaff for students and parents considering schools. Research is meant to help in looking at areas for improvements, what additional programs, etc and should help. 6 surveys to help make decisions on how to move forward.

- ii. Transportation Grant

A for Arizona: Transportation modernization grant. We will become title one school based on population. Based on that, it would be helpful to get out to more distance communities. 3 vehicles and drivers. We are in 2nd round of grant.

- C. Leadership Team – Represented by Christina Wolfe

- i. Operating as normal. Discussion around how to keep motivation up with acute behavior challenges in some grades. The Master schedule committee has a new concept for next year. Many hours researching this. Leadership team will host work sessions exploring options to see best feasible option. Otherwise, chugging along. Trying to be mindful for moral because people are struggling right now.

VI. Consent Agenda:

- A. Approval of Board Meeting Minutes:

- i. [2022-11-16 Special Meeting Minutes](#)
 - ii. **James motions to approve. Kyle seconds. James aye, Kyle aye, Andy aye, Debra aye. Motion passes 4-0, 0 abstentions.**

VII. Action Items:

- A. (PREVIOUSLY ITEM F) *Discussion and possible action regarding renewal or non-renewal of contract for Exceptional Student Services Director Christina Wolfe. (*Possible executive session per A.R.S. 38-431.03(A)(1) (personnel) and A.R.S. 38-431.03(A)(3) (advice from legal counsel)).

- i. **James motions to enter executive session. Kyle seconds. James aye, Kyle aye, Andy aye, Debra aye. Motion passes 4-0, 0 abstentions.**
 - ii. **The board enters executive session at approximately 6:14 PM.**
 - iii. **James motions to leave executive session and return to open session at 10:25 PM. Kyle seconds. James aye, Kyle aye, Andy aye, Debra aye. Motion passes 4-0, 0 abstentions.**
 - iv. **Andy motions to non-renew Exceptional Student Services (ESS) Director Christina Wolfe's contract at the end of the current contract period, ending June 30, 2023 due to a reduction in force, and to appoint Dr. Kyle Winfree to head a committee to explore economic efficiencies and improvements in the ESS Department with involvement from the faculty, staff, parents, students, and other community members. James seconds. James aye, Kyle aye, Andy aye, Debra aye. Motion passes 4-0, 0 abstentions.**
 - v. Andy: We've been deliberating with thoughtfulness and care. We can move forward in a positivity and growth. This has been tough for everyone and it involves confidential information we cannot disclose. Please trust that we are working in the benefit of the school, legally and for the care of the students. We've been acting carefully and legally under Arizona Open Meeting Law. Thank you for your patience. We will get through this.

- B. (PREVIOUSLY ITEM G) *Discussion and possible action to administratively reassign Exceptional Student Services Director Christina Wolfe. (*Possible executive session per A.R.S. 38-431.03(A)(1) (personnel) and A.R.S. 38-431.03(A)(3) (advice from legal counsel)).

- i. **James motions to enter executive session. Kyle seconds. James aye, Kyle aye, Andy aye, Debra aye. Motion passes 4-0, 0 abstentions.**
 - ii. **The board enters executive session at approximately 10:32 PM.**
 - iii. **James motions to leave executive session and return to open session at approximately 11:05 PM. Andy seconds. James aye, Kyle aye, Andy aye, Debra aye. Motion passes 4-0, 0 abstentions.**

iv. **Kyle motioned to direct Executive Director Eli Cohen to provide the board with the current ESS Director job description and duties, as well as a copy of the job posting by the end of business Tuesday November 29, and to table this and remaining items for a future board meeting. Andy seconds. James aye, Kyle aye, Andy aye, Debra aye. Motion passes 4-0, 0 abstentions.**

C. (PREVIOUSLY ITEM A) *Discussion and possible action regarding Executive Director Eli Cohen's grievances against the Board of Directors. (*Possible executive session per A.R.S. 38-431.03(A)(1) (personnel) and A.R.S. 38-431.03(A)(3) (advice from legal counsel)).

D. (PREVIOUSLY ITEM C) *Discussion and possible action regarding formal or informal disciplinary or corrective action against Executive Director Eli Cohen. (*Possible executive session per A.R.S. 38-431.03(A)(1) (personnel) and A.R.S. 38-431.03(A)(3) (advice from legal counsel)).

E. (PREVIOUSLY ITEM B) *Discussion and possible action to review draft Performance Improvement Plan for Executive Director Eli Cohen. (*Possible executive session per A.R.S. 38-431.03(A)(1) (personnel) and A.R.S. 38-431.03(A)(3) (advice from legal counsel)).

F. (PREVIOUSLY ITEM D) *Discussion and possible action to administratively reassign Executive Director Eli Cohen. (*Possible executive session per A.R.S. 38-431.03(A)(1) (personnel) and A.R.S. 38-431.03(A)(3) (advice from legal counsel)).

G. (PREVIOUSLY ITEM E) *Discussion and possible action to appoint an Acting Executive Director. (*Possible executive session per A.R.S. 38-431.03(A)(3) (advice from legal counsel)).

VIII. Future Agenda Items:

A. Standing Items

- i. Finances – Monthly
- ii. Strategic Plan Updates – Quarterly
- iii. Sexual Health Education Curriculum – by August of each year
- iv. Annual Board Meeting – August
- v. Annual Financial Audit Review and Approval – December

B. Additional Potential Items

- i. Policies
 - Review adopted grievances policy and faculty handbook grievance process
 - New ASBA policies (Immunizations, Seizures)
 - New Finance policies
 - PTO payout/use policy
 - Trip Chaperone policy - Field Trip section (IJOA-R)
 - Facilities Rental policy
- ii. Board
 - Interview board candidates
 - Potential training
- iii. Review of Market Research
- iv. Review of Staff Attrition

IX. Adjournment:

A. **James motions to leave executive session and return to open session at approximately 11:06 PM. Kyle seconds. James aye, Kyle aye, Andy aye, Debra aye. Motion passes 4-0, 0 abstentions.**

B. **Meeting adjourned at approximately 11:06 PM.**

Agenda Posted: 2022-11-21 01:40PM
Minutes Posted (v 1.0): 2022-12-01 08:10AM
Minutes Posted (v 2.0): 2022-12-06 04:35AM
Minutes Approved: Dec 12, 2022 Meeting