

# DISCOVERY CHARTER SCHOOL BOARD OF TRUSTEES MEETING AGENDA

April 28, 2023 8:00-10:00 a.m.

**Location for Public Meeting: 133 Hoover Drive, Rochester NY 14615**

**Remote Attendance for Public Meeting Option: Zoom Link**

**The meeting information was included in Public Notice as well as on the school's website:**

**Topic: Discovery Charter School- Board of Trustees Meeting  
4.28.2023**

8:00 AM Eastern Time (US and Canada)

Zoom link:

<https://us06web.zoom.us/j/86450663136?pwd=RkdPU3dTRGJmNkFzKy9CUlc2Nys0QT09>

Meeting ID: 864 5066 3136  
Passcode: Discovery

1. Call to Order
2. Proof of Public Notice of Meeting
3. Conflict of Interest Reminder
4. Public Comment
5. Consent Agenda (*Action Required*): Approve Minutes for Meeting of 4.17.2023.
6. Committee Reports: Update on Annual Review of Policies
  - a. Audit & Finance Committee Report
  - b. Governance Committee Report—Minutes Included in Board Materials
  - c. Executive Committee Report
  - d. Academic Excellence Committee
  - e. Personnel Committee Report
  - f. Committee on Diversity, Equity, and Inclusion
  - g. Parent Representative
7. 23-24 Budget
8. School Director Report: 23-24 Lottery, State Tests, Update on Hiring
9. Executive Session
10. Motion to Adjourn (*Action Required*)

Next Regular Meeting: May 19, 2023, 8:00 a.m.

**DISCOVERY CHARTER SCHOOL BOARD OF TRUSTEES**

**MEETING MINUTES**

**April 17, 2023; 5:30 P.M.**

**133 Hoover Drive, Rochester, New York 14615**

**Physical Location for Public Meeting: 133 Hoover Drive, Rochester NY 14615 (Art Room)**

**Remote Attendance for Public Meeting Option: Zoom Link**

**The meeting information was included in Public Notice as well as posted at the school and on the website**

**Topic: Discovery Charter School- Board of Trustees Meeting 4.17.2023**

**Time: April 17, 2023 5:30 PM Eastern Time (US and Canada)**

**Join Zoom Meeting**

**<https://us06web.zoom.us/j/86450663136?pwd=RkdPU3dTRGJmNkFzKy9CUlc2Nys0QT09>**

**Meeting ID: 864 5066 3136**

**Passcode: Discovery**

**Trustees Present:** S. Varhus (Chair), L. Lewis (Vice Chair), S. Adair (Treasurer), R. Stiles, E. Stubbs, M. Galarza-Ruiz, C. Wilkins, D. Braveman

**Trustee Participating Remotely:** S. Fazili

**Trustees Excused:**

**Also Present:** S. Castner (School Director), M. Bradstreet (Data Coordinator),

**Participating Remotely:** S. Polowitz (Legal Council)

**1. Call to Order**

a. The Chair called the meeting to order at 5:34, and it was determined that a lawful quorum of eight was present.

**2. Proof of Public Notice of Meeting**

a. Public Notice was provided in the *Democrat and Chronicle*, posted at the school and on the school website

**3. Conflict of Interest Reminder**

a. The Chairperson read the following statement: "The Chair reminds everyone that, if a potential conflict of interest exists concerning a subject under discussion by the Board, you have an obligation to disclose the potential conflict and, if deemed a conflict, recuse yourself and leave the room during any discussion and vote on the subject."

**4. Opportunity for Public Comment:** no public comment

**5. Consent Agenda:** Approve Minutes for Meeting of 2.27.2023 and **Resolution #484** for Checks over \$5000 - Moved by D. Braveman, seconded by Lisa Lewis; approval was unanimous.

**6. Committee Reports**

a. Executive Committee: (*Minutes Included in Board Materials*) S. Adair moved to Ratify the 3.31.2023 Executive Committee Resolution to engage the Coppola Firm to investigate formal complaints submitted to the Board by several staff members, seconded by L. Lewis and carried unanimously.

b. Academic Excellence Committee: No Report

c. Governance Committee Report: (*Minutes Included in Board Materials*) D. Braveman reported that the Governance Committee has interviewed LaQuoisha Bridges and will

advance her nomination to the Board of Trustees. The Committee has interviewed an additional trustee candidate.

d. Personnel Committee Report: *(Minutes Included in Board Materials)*

e. Audit & Finance Committee Report: *(Minutes included in Board Materials)*, trending towards a surplus at this time due to additional stimulus funds and reduced salary expenditures. Possible additional funds may be coming. The 990 tax return will be finalized 4/17. Approval of the DCS 990 for 2022 was moved by R. Stiles, seconded by D. Braveman, and approved unanimously.

f. Committee on Diversity, Equity & Inclusion: No report. The Board discussed the need to circle back to the discussion of DCS services to support equity.

g. Parent Representative Report: The family liaison submitted their two week notice and S. Castner is asking staff for interest in filling the position.

**7. School Director Report:** S. Castner reported that she was selected for the Leverage Fellowship, which will fulfill her Professional Development expectations.

The NY Board of Regents Committee approved the revision to add 20 additional students for the 23-24 school year.

The draft 23-24 calendar was shared and approved (Moved by C. Wilkens, Seconded by M. Galarza-Ruiz; the motion was approved with one abstention (S. Fazili), pending the change of wording from Columbus Day to Indigenous Peoples' Day.

**8. Executive Session:** Motion to enter into Executive Session to discuss a legal matter was made by S. Adair, seconded by L. Lewis and carried unanimously. Motion to leave Executive Session was made by S. Adair, seconded by R. Stiles and carried unanimously.

**9.** After moving out of the Executive Session, D. Braveman moved and S. Varhus seconded the following motion, which was unanimously approved : The board accepts the investigation report and its findings (as referred to in 6. a. above) conducted by the Coppola Firm and that based on the Board's review and consideration of the investigation report and all backup and supporting documentation the Board, at its Board meeting scheduled for 4/28/2023, shall review and approve its final response to all complainants indicating that there has been no violation of law or school policy.

**10. L. Lewis moved and D. Braveman seconded a motion to adjourn, which was approved unanimously.**

Next Regular Meeting: 4/28/23 8:00 AM

Minutes submitted by M. Bradstreet

Governance Committee Meeting Minutes  
April 20, 2023, 5:00m pm  
Minutes Recorded By: Sara Varhus

<b>Committee Chair:</b>		<b>Daan Braveman</b>		
<b>Committee Members</b>	<b>Name</b>	<b>Present</b>	<b>Excused</b>	
	Daan Braveman	X		
	Robert Stiles	X		
	Christian Wilkens		X	
	Sara Varhus	X		
Also present: Joyce Johnson, potential board member				
<b>MEETING AGENDA, MINUTES AND ACTION ITEMS</b>				
<b>Agenda Item</b>	<b>Discussion</b>	<b>Action Item</b>	<b>Responsible Party</b>	<b>Due Date</b>
Interview Joyce Johnson	The Committee discussed possible board membership with Joyce Johnson. All are interested in moving forward to a nomination.	Invite Joyce to visit DCS, meet Sara Castner	Sara Varhus and Daan Braveman	May 19, 2023

# DISCOVERY CHARTER SCHOOL

## RESOLUTION #485

At a Regular Meeting of the Board of Trustees of Discovery Charter School (the “School”) held on the 28th day of April, 2023 at 133 Hoover Drive, Rochester NY 14615 with the option for attendance via Zoom link:

Zoom link:

<https://us06web.zoom.us/j/86450663136?pwd=RkdPU3dTRGJmNkFzKy9CUlc2Nys0QT09>

Meeting ID: 864 5066 3136

Passcode: Discovery

the following Resolution was adopted by the Board of Trustees:

**WHEREAS:** Between March 21, 2023 and March 29, 2023, the Discovery Charter School (DCS or School) Board of Trustees (Board) received several formal complaints filed by a total of five (5) DCS staff members each complaint alleging the same violations of law and School policies by the DCS Head of School, including violations of NY Human Right law and the School’s Whistleblower and Non-Discrimination policies. These complaints were properly brought under the DCS Complaint Policy; AND

**WHEREAS:** The Complaint Policy requires that any complaint filed with the Board be heard at the next Board meeting, unless the complaint is made within 7 days of the next board meeting, in which case it will be heard at the following meeting. The Board scheduled a Board Executive Committee meeting on March 31, 2023 to commence review of the complaints; AND

**WHEREAS:** At the March 31st Executive Committee meeting, the complaints and all back-up documentation and statements from the complainants and Head of School were reviewed and discussed, and the committee was able to meet with two of the complainants, one via Zoom and the other in person; AND

**WHEREAS:** The Executive Committee directed its law firm to investigate the complaints, and to provide an investigation report to the Board for review prior to the Regular Board meeting scheduled for April 17, 2023; AND

**WHEREAS:** At its April 17<sup>th</sup> meeting, the Board reviewed and discussed the investigation report and all back-up and supporting documentation filed in connection with the complaints and determined that the Complaint Response be finalized and approved at an already scheduled Board meeting to be held on April 28, 2023; IT IS THEREFORE

**RESOLVED:** That the Board approves and adopts the DCS Board Complaint Decision attached hereto finding no violation of law or DCS policy, and hereby directs that the Board Chair share this Decision with the Complainants and Head of School.

Date: April 28, 2023

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Sareer Fazili, Secretary

**ATTORNEY WORK PRODUCT**  
**ATTORNEY-CLIENT CONFIDENTIAL**

Between March 21, 2023 and March 29, 2023, the Discovery Charter School (DCS or School) Board of Trustees (Board) received several formal complaints filed by a total of five (5) DCS staff members each complaint alleging the same violations of law and School policies by the DCS Head of School, including violations of NY Human Right law and the School's Whistleblower and Non-Discrimination policies. These complaints were properly brought under the DCS Complaint Policy.

The Complaint Policy requires that any complaint filed with the Board be heard at the next Board meeting, unless the complaint is made within 7 days of the next board meeting, in which case it will be heard at the following meeting. The Board scheduled a Board Executive Committee meeting on March 31, 2023 to commence review of the complaints.

At the March 31st Executive Committee meeting, the complaints and all back-up documentation and statements from the complainants and Head of School were reviewed and discussed, and the committee was able to meet with two of the complainants, one via Zoom and the other in person. The Executive Committee directed its law firm to investigate the complaints, and to provide an investigation report to the Board for review prior to the Regular Board meeting scheduled for April 17, 2023. At its April 17<sup>th</sup> meeting, the Board reviewed and discussed the investigation report and all back-up and supporting documentation filed in connection with the complaints and determined that the Complaint Response be finalized and approved at an already scheduled Board meeting to be held on April 28, 2023.

Upon review and consideration of the investigation report and all back-up and supporting material filed with the Board in connection with the complaints, the Board finds as follows:

1. There was no violation of either the law or School policy. No individual's gender identity was revealed without consent and there was no discrimination.
2. There is no evidence of retaliation.
3. The Complaint and Whistleblower policies worked as intended. Both permitted the complainants to bypass the Head of School and bring their complaints directly to the Board.
4. Ms. Castner has sent an email of apology and clarification to DCS staff.
5. SUNY Geneseo has been notified of the complaints' allegations.

Per the school's complaint policy, you have the right to appeal this decision. A copy of the complaint policy is attached.





## COMPLAINT / GRIEVANCE POLICY

3500

A. Any individual or group may bring a complaint to the board of trustees (the “Board”) of the **Discovery Charter School** (the “School”) alleging a violation of the provisions of New York charter school act, the School’s charter, or any other provision of law relating to the management or operation of the School. Any such complaint may be hand delivered, mailed or sent by overnight carrier to: Chair of the Board of Trustees, **Discovery Charter School** 133 Hoover Drive, Greece, New York 14615, or in the alternative via email to: BoardChair@rochesterdiscovery.com. The complaint should contain a statement of the complaint including the provision(s) of the School’s charter or law that is/are alleged to have been violated, and should include copies of all relevant correspondence and/or documentation. Any such complaint shall be addressed by the Board of Trustees at the first Regular Board meeting following receipt of the complaint, provided that the complaint is received no later than seven (7) days prior to said next Regular Board meeting. In the event the complaint is not received within said timeframe, then the appeal shall be heard at the following Regular Board meeting.

If, after presentation of the complaint to the Board of the School, the individual or group determines that the Board has not adequately addressed the complaint, they may present that complaint to the Board of Regents, which shall investigate and respond. The Board of Regents shall have the power and the duty to issue appropriate remedial orders to the School to effectuate the provisions of the law.

The Board of Regents has delegated the authority to the Commissioner of Education of the New York State Department of Education to handle complaints brought to the New York State Department of Education or the Board of Regents concerning charter schools. All such complaints brought to the New York State Department of Education or Board of Regents concerning charter schools must be submitted in writing to the State Education Department’s Charter School Office, either via mail at: Charter School Office, NYS Education Department, 89 Washington Avenue, Albany, NY 12234, or via email to: [charterschools@nysed.gov](mailto:charterschools@nysed.gov).

The subject line of the email should read: Complaint: Discovery Charter School.

The contents of the letter/email should include:

- A detailed statement of the complaint including the provision of the School’s charter or law that you allege has been violated.

- What, if any, response you received from the School's Board of Trustees.
- Copies of all relevant correspondence between you and the School (You should maintain copies of all correspondence and materials for your own files.)
- What specific action or relief you are seeking.
- Contact information for you – name, address, email address, telephone number.

**B.** Any individual or group may, if they so choose, elect to bring an initial complaint to the School's Head of School by submitting a letter of complaint explaining the reason(s) for the complaint and the remedy sought. In such case, the letter of complaint shall be addressed to the School's Head of School who shall investigate and make a decision regarding any such complaint. The letter of complaint may be hand delivered, mailed or sent by overnight carrier to: Head of School, **Discovery Charter School** 133 Hoover Drive, Greece, New York 14615, or in the alternative via email to: [scastner@rochesterdiscovery.com](mailto:scastner@rochesterdiscovery.com)

If the complaining party or parties is/are not satisfied with the Head of School's decision/response to the complaint, then the individual(s) shall follow the complaint process set forth in section A. above, commencing with bringing the complaint to the School's Board.

NB: This policy is found in Article IX of the Bylaws

Approved by the Board of Trustees

May 12, 2011

Revised by the Board of Trustees

April 27, 2017

Revised by the Board of Trustees, February 27, 2023

## DISCOVERY CHARTER SCHOOL Budget

	2020-21 Budget		2021-22 Actual	2022-23 Budget Approved	2022-23 Revised Budget	2023-24 DRAFT (03.13.23)	Notes
<b>Income</b>							
410-010 Per Pupil Allocation Income	\$ 3,780,021	\$ 3,827,209		\$ 4,100,000	\$ 4,000,000	5% Raise minus 4 positions	
410-025 High Cost Aid	350,000	180,345		200,000	175,000	\$ 4,198,572	Based on 300 for CSO
450-050 Federal IDEA	31,626	37,357		37,358	37,090	250,000	May increase depending on need
450-030 Title I A&D	166,000	169,897		186,000	212,719	38,000	
450-020 Title IIA	33,949	23,962		23,900	24,516	215,000	
450-035 Title IV	33,949	13,106		13,000	13,701	25,000	
CRRSA Act Funding	166,173	320,939		630,000	261,820	14,000	
ARP Act Funding	-	427,216		-	368,180	396,598	
CARES Act	-	-		-	132,939	-	
415-010 Contributions and donations	-	2,951		-	791	1,500	
415-020 Miscellaneous	-	2,534		-	275	500	
410-020 Food Service Income	60,000	362,240		334,668	325,000	315,000	
425-010 Uniform Income	-	-		-	440	-	
450-040 Fresh Fruits & Veg Programs	18,000	24,892		16,800	16,800	16,800	
490-010 PPP Loan Forgiven	-	-		-	-	-	
Other Grants	10,000	-		-	66,350	11,250	Primary Project
E-rate Reimbursement	32,886	10,862		18,298	3,530	3,600	
In-Kind District Textbooks	16,310	16,427		17,687	17,687	18,000	
<b>TOTAL INCOME</b>	<b>\$ 4,698,914</b>	<b>\$ 5,419,937</b>		<b>\$ 5,577,711</b>	<b>\$ 5,656,838</b>	<b>\$ 5,503,820</b>	
<b>Expense</b>							
<b>520-010 Salaries &amp; Wages</b>	<b>\$ 2,354,525</b>	<b>\$ 3,451,359</b>		<b>\$ 3,233,318</b>	<b>\$ 3,185,000</b>	<b>\$ 3,050,795</b>	
525-045 HSA Employee Contribution	-	9,000		9,000	9,000	9,000	
525-016 Vision Insurance	-	2,304		4,067	2,500	2,500	
525-017 Dental Insurance	-	18,891		12,561	18,000	19,000	
525-010 FICA	-	246,812		247,381	244,000	233,386	
525-015 Health Insurance	-	256,734		380,000	225,000	245,000	
525-020 NYS Disability	-	4,520		13,333	4,600	5,500	
525-021 Disability - Supplemental	-	2,389		10,643	2,700	3,000	
525-030 Life Insurance	-	2,834		15,342	3,000	3,250	
525-025 Retirement Expense	-	225,466		282,326	227,000	215,388	
525-035 Workers Compensation Insurance	-	26,433		23,000	26,000	27,000	
525-040 Unemployment Insurance Expense	-	31,281		22,148	30,000	32,000	
<b>Total 525 Employee Benefits</b>	<b>787,212</b>	<b>826,664</b>		<b>1,019,801</b>	<b>791,800</b>	<b>795,024</b>	
<b>Total Personnel Expense</b>	<b>3,141,737</b>	<b>4,278,023</b>		<b>4,253,119</b>	<b>3,976,800</b>	<b>3,845,819</b>	
<b>530 School Operations</b>							
540-115 Minor Equipment/Furniture	8,000	20,248		40,000	30,000	25,000	
530-053 Transportation	10,000	5,042		10,000	40,000	40,000	
530-120 Yearbook	2,000	-		2,000	3,091	4,000	
530-105 Miscellaneous Expense	-	2,889		-	500	2,500	
530-005 Office Supplies	18,000	22,737		20,000	18,000	25,000	

530-010 · Classroom Supplies	26,000	28,168	36,000	36,000
530-015 · Special Education Supplies	2,500	-	3,500	2,000
530-025 · Food Service Supplies	3,000	1,807	5,000	2,200
530-030 · Postage	2,500	402	2,500	750
530-035 · Printing/Copying	15,000	8,085	22,500	9,000
530-040 · Telephone	17,500	17,614	17,500	18,000
530-045 · Marketing & Advertising	9,000	7,992	9,000	9,000
530-055 · Travel	4,000	373	4,000	2,000
530-060 · Professional Development Exp	13,000	9,878	15,000	17,000
530-070 · Board Expense	850	887	850	850
530-075 · Expedition	13,500	-	-	2,200
530-080 · Staff Recruitment & Retention	25,000	86,587	40,000	7,500
530-085 · Textbooks	2,500	6,627	4,000	42,000
530-120 · Student Uniforms	100,000	74,249	100,000	6,500
530-020 Computer Supplies & Software	1,500	1,322	1,500	75,000
530-065 Meeting Expense	10,600	1,615	10,600	1,500
530-050 Dues and Subscriptions	6,500	19,602	6,500	10,600
530-095 · Student Testing	290,950	316,124	350,450	20,000
<b>Total 530 · School Operations</b>			<b>331,891</b>	<b>358,600</b>
<b>Actual YTD School Op Exp vs Full Year Budget</b>				
<b>540 · Contracted Services</b>				
540-005 - Auditing	18,000	16,156	22,000	27,500
540-006 - Accounting Services	10,000	7,155	12,000	-
540-045 - Other Purchased/Prof/Consult	40,000	4,750	32,000	20,000
540-040 · Enrichment - After School	-	1,844	-	-
540-041 · Enrichment - Summer Learning	20,000	27,919	100,000	25,000
540-010 · Legal Fees	14,000	29,586	20,000	20,000
540-012 · Landlord - Admin Services	99,350	90,922	90,000	90,000
540-015 · Expeditionary Learning Fees	-	-	-	-
540-025 · Food Service Fees	60,000	307,123	315,000	300,000
540-030 · Payroll Processing	3,800	3,997	4,500	30,000
<b>Total 540 · Contracted Services</b>	<b>265,150</b>	<b>489,452</b>	<b>595,500</b>	<b>512,500</b>
<b>Actual YTD Contracted Svcs Exp vs Full Year Budget</b>				
<b>550 · Facility Operation</b>				
550-005 · Insurance	30,679	39,867	52,000	44,000
550-010 · Janitorial	8,000	126,102	114,000	160,000
550-015 · Maintenance & Repairs	433,886	361,377	362,000	14,000
550-021 · Facility Lease - Hoover	50,000	68,165	55,000	365,000
550-050 Utilities	1,326	671	2,000	68,000
550-055 Property Taxes	11,000	9,163	10,000	1,000
550-030 · Equipment Lease	1,153,434	618,543	595,000	10,000
<b>Total 550 · Facility Operation</b>			<b>640,000</b>	<b>662,000</b>
<b>Actual YTD Facility Op Ex vs Full Year Budget</b>				
<b>Other</b>				
560-090 Fraud Expense	-	-	-	-
550-090 · Depreciation	93,667	110,787	108,000	112,000
Contingency	-	-	25,000	-

TOTAL EXPENSE	4,944,938	5,812,929	5,927,069	5,582,544	5,490,919
Actual YTD Expense vs Full Year Budget					
NET OPERATING SURPLUS/(DEFICIT)	\$ (246,024)	\$ (392,992)	\$ (349,358)	\$ 74,294	\$ 12,901