

The Classical Academy
975 Stout Road
Colorado Springs, CO 80921

Board of Directors Special Meeting
North Campus
Monday, February 16, 2009

- I. Call to Order. Chairman Matt Carpenter called the open session to order at 7:05p.m.
- II. Pledge of Allegiance/Roll Call
 - A. Matt Carpenter led those present in the Pledge of Allegiance.
 - B. Roll Call. The following Directors were present: Steve Pope, Chris Bender, Vance Brown, Lisa Sutton, and Jim Kretchman. Clark Miller excused. Also present: Mark Hyatt, President.

Matt Carpenter requested the Board hear from the Administration with an update on the Agenda Item about racial harassment and discrimination and steps taken.

III. Update on Racial Harassment and Discrimination at The Classical Academy

Item: To update the Board on steps taken during the week of Feb 9th concerning racial harassment and discrimination as well as discuss future steps

Presenter: Mark Hyatt


For: Information/Discussion

Mark Hyatt began by saying it has been a busy week. One of TCA's students read a gut-wrenching story at the last Board Meeting on Feb 9th that broke all of our hearts with what this young lady dealt with at school with racial harassment. The Administration found out about it in November 2008. There were other signs of racism associated with the Presidential election that Administration should have picked up on. The Administration handled the accusations promptly when they were brought forward. The primary offender was disciplined and has not reoffended since that time. Unfortunately, other students at TCA conducted themselves inappropriately. The Administration received another report from the same student in January, with this harassment ultimately leading to her leaving to attend another high school. As terrible as these incidents were, the worst part is that many students may have known about these remarks and tolerated them. Mark commissioned an investigation after hearing of the second offense. He discovered TCA has deeper problems with intolerance than previously thought and there was a lot more going on during the election season, from Kindergarten through 12th grade. Teachers saw what was thought as isolated incidents throughout the fall. The Administration admitted to failing to see the election as a catalyst to racial incidents.

Steve Pope asked if the Administration felt these incidents were politically or racially based. Mark replied he felt they were all of the above. The Administration found there was a culture of intolerance that we have to work on. The president and education chair of the local chapter of the NAACP joined TCA's staff at the Character Symposium on Feb 13. They seemed pleased with the actions TCA has taken so far but want to check up on us to see how we're progressing. Mark stated his goal is to be the "Gold Standard" on how to react to these types of incidents. Other schools are looking to TCA to lead the way.

The Administration comes to the Board with a lot of good news to go with the bad news. Peter Hilts and Mark Hyatt stood in front of the high school students on Thursday, Feb 12, at a Distinguished Lecture Series Assembly and asked the students to search their hearts. Furthermore, on Thursday afternoon, students lined up outside of Peter's door, confessing to their behaviors and wanting to do better. More students shared these same thoughts to Peter at the Valentine's Dance on Feb 13. Mark concluded by saying TCA is better today than we were a week ago today.

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Steve Pope thanked the Administration for taking this issue head on and getting down to business. The Board appreciated the response from Mark and the Administration.

Mark then introduced Peter Hilts. Peter prepared and shared with the Board a timeline as a supplement to the Investigative Report. It contained names of individual students so it is not a public copy. The first two pages are a table of significant events; the third page a summary from high school assistant principal, Hugh DiPretore; the final page included notes on how principals handle situations like this.

Peter stated the Administration takes the student's report at face value. Even if there are items listed that the Administration cannot verify, the handout provided to the Board validates the student's documentation and provides further clarification. This handout lists the actions taken by the Administration and speaks to the concern the Administration did nothing when reported. On Nov 20, 2008, a specific incident was addressed and the student involved did not reoffend. On Nov 21, 2008, a Safe2Tell report led to Police Officer Kniffen to visit and investigate. He did not recommend further action. On Dec 16, 2008, Mr DiPretore followed up with the TCA student who had reported being racially harassed and the student stated she was okay. Jan 15, 2009, a series of phone messages in an attempt to setup a meeting, but a meeting was not scheduled. On Jan 23, 2009, the TCA student reported to her teacher racially derogatory images and text on an assignment from Jan 20, 2009. The teacher and Mr DiPretore met with the parents of the student who reported the images and text on that day, including a disciplinary investigation and concluded Jan 26, 2009. Peter, Mr DiPretore, Dr Hering, and the TCA family met on Jan 28, 2009. At that meeting, the Administration had first notice of additional comments from the TCA student. Finally, on Feb 12, 2009, the Administration received a letter from the parents of the offending student that was apologetic. The 3rd and 4th pages of the Board's handout include specific students and how the TCA Administration responded. The final page notes the constraints on the Administration by only applying disciplinary consequences for what can be verified and discussing confidential disciplinary consequences is a violation of the "Family Educational Rights and Privacy Act (FERPA)." This documentation talks to the repeated accusation that the school knew of the racial harassment and did nothing. In response, something was done and the disagreement is to how it was done.

Jim Kretchman and Vance Brown thanked the Administration for their work on the Investigative Report. Vance was concerned over what the Board knew about the incident and when. They knew about the racial remarks but the details behind the letter that the TCA student read at the Feb 9, 2009, Board Meeting was not known. Jim suggested looking into categories and guidelines for the Administration and Board for when and what type of information should be reported to parents. For example, what are District 20's policies?

Jim went on to discuss the difference between being on the Board and sitting in the audience; the Board receives privy information that they are not allowed to share. He offered that it would bring comfort to the community to remind them of the rules and regulations on when and why information cannot be shared. Peter replied that a disclaimer was included in the handbook this year. Jim continued to challenge the Administration and Board to discuss what the community can expect in the future. What is TCA doing to manage the crisis of intolerance for education future TCA students? He hopes TCA can build something into our system that is not just a short-term fix but rather part of the education process.

Vance spoke on "educational like-mindedness," saying the TCA family has a lot of like-mindedness in the educational realm. He is glad we are addressing the political, racial, and religious intolerance we're not dismissing it and we are saying it is a problem. He continued by asking how to we promote rhetoric?

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Jim, a TCA founder, replied by saying how much the founders wanted civility from the beginning. A cover of Newsweek recently discussed the “loss of civility” in our kids. We’ve learned to be entertained by tv’s talking heads, but can our children take a position, back it up, and shake hands when the discussion is over, even if they don’t see eye to eye? In speaking with TCA graduates, Peter found the graduates felt TCA needed the rhetoric class. It makes them comfortable in talking with adults, however, find it challenging to engage other students who are not so rational. Rhetoric is addressed at the Senior Seminar. Seniors are asked to lead their school as Seniors and to not include offensive nicknames in their conversations. The remarks made to the TCA student were found to be hateful and malicious. If the election brought it out, then it may have been something they were thinking about, but the election brought it more to the front of people’s minds.

Lisa Sutton offered that any reports on the Safe2Tell line should be immediately sent to the Board. The Board agreed to open a discussion of what’s on the “report to the Board” list and refine the list over the next few months. Lisa and Steve Pope as well, also asked about the possibility of getting a timeline of the TCA student’s documentation to the public without disclosing personal information. Vance, Jim, and Matt were hesitant to send anything that may have unintended consequences.

Lisa also inquired about having an outside person conduct any investigations at TCA to protect partiality. Mark replied that there are possibly 3 investigations per school year and that he trusts who is assigned to investigate. Jim and Steve added that an external investigator would give better objectivity and that there may be categories of investigations that would go to a contracted service.


IV. Comments from Audience (second)

Ken Childress, a TCA parent of a 12th, 8th, and 4th grader, wanted to discuss zero tolerance with the Board. School policies include zero tolerance for weapons, but we need to have zero tolerance for bullying. The school needs to have no choice but to believe the person bringing the complaint; give the accuser the benefit of the doubt. On another note, the recent election season did have a racial component. The hope is to have the parents to teach their kids to support the candidates for their values and policies and not base the political decision on looks. The goal is to have a civil discourse as long as we’re all speaking factually and objectively. Mr Childress recommended a radio show host who mandates his guests to speak the truth first, then give their opinions.

Barb Childress, also a TCA parent, asked the Board to consider a second route to the Board, vice going through the Administration first, by having a Board Gatekeeper. She did not want to encourage all cases to go around the Administration but at times felt it was appropriate. With a Gatekeeper role, the Board could be dealing with adverse circumstances prior to those situations going first to the media. Mrs Childress is also a substitute teacher with TCA and has experienced TCA students not showing their best character in class. At times, students have turned their back on the hours of character training they’ve received. Finally, Mrs Childress shared with the Board that there is the perception in the community that the Board is hiding behind its rules and regulations with the impression that the Board seemed to be backing off the role of being a parent-advocate.

Tracy Hilts, a TCA parent and wife of Peter, the high school principal, handed the Board written comments. She continued by sharing with the Board that the TCA student was a victim of racism and will likely be a victim of racism again. Racism exists at TCA and will always exist at TCA since it is an issue of the heart; an attitude that represents anger and immaturity. Mrs Hilts, her children, and her husband have all been victims of racism. Mr Hilts is a victim because of his love for the 7 people of color that he lives with. Its ridiculous to paint him as a racist. Racism is too legitimate of an issue to be hijacked by those trying to use it to promote their agenda. These same people anonymously use the media blogs to paint the broad brush of racism. If it was legitimate, they would be willing to come out into the light and use their real names, like the TCA student did. Unfortunately, the

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community will continue to hear from these people until their particular agenda is met, not until racism is eradicated from TCA. Mrs Hilts urged the Board not to have fear as the motivating factor to address racism. Racism needs to be addressed because it is a destructive cancer and the TCA student provided TCA an opportunity to expose racism as the cancer it is. TCA will continue to fight racism because it is the right thing to do, not because of fear. Please do not assume that Sarah's experience is the same experience for every child of color at TCA. At the same time, the hateful attitudes of some are not reflective of all Caucasian children at TCA. Mrs Hilts requested the Board address what a school should address; the behaviors of racism. Parents need to discuss the issues of the heart. She asked the Board to stand firm.

Sue Obenauf, a TCA parent of an 11th grader, posed questions to the Board. Does TCA have consistent guidelines for dealing with instances of racism? Were the consequences in the TCA student's case within those guidelines? Mrs Obenauf also reiterated what Ms Childress said about having an alternate route to the Board. She proposed coming to the Board, without having the Administration present, still as a public, formal channel to discuss issues.

Ken Blumenberg, a TCA parent with three daughters, thanked the Board for their opportunity to come and speak. He emphasized the TCA community puts a lot of trust in the Board and it's good to hear there is a lot that the Administration and Board cannot share with the public because of confidentiality. It would help parents and families to know the range of guidelines for intolerance and the consequences for going outside those guidelines. Mr Blumenberg stated that intolerance can start at home. He applauded what the Administration is doing for the students but asked them to consider some sort of newsletter to the parents to educate them on the consequences of intolerant behavior. The attitudes that come into TCA can manifest themselves in behavior that can get their children kicked out of TCA.

The Board thanked the community for sharing with them what were on their hearts and minds.

Vance Brown, an original drafter of the Conflict of Resolution Policy, spoke on his rationale for how the policy was drafted. Directly confronting the person of which you have a conflict then having them present when you discuss your conflict with another person is based on a basic Judeo-Christian value. The consequences of not doing it that way, breeds a lack of confidence and distrust. Vance is adamantly opposed to having separate means for the public to speak to the Board without having the Administration present. One of his biggest fears is having the school divided and conquered from within. In a court of law, both sides get to present; the accuser faces his accused. It's not a perfect process, but it is a core value we need to protect.

Mrs Obenauf stated that because the Administration is in the position of authority over kids, if a parent says something critical of the Administration, their child may not get treated fairly at school. In a judicial situation, there is judge and a jury. In the past, it has been seen that the Board has taken the Administration's side.

Vance continued that the Board is comprised of seven elected volunteers, hopefully trusted to know more than the community at large knows. He has sat on three different TCA Boards and taking the side of the Administration has been the complaint since the beginning. The Board takes its job very seriously and discusses difficult situations sometimes. Personally, he stated he is not a "yes man" to the Administration.

Jim Kretchman appreciated the dialogue between the parents and the Board. He was glad of the spirit of the conversation and loves getting parents involved in discussions of character. Jim said the Administration has nothing over the Board members and wonders why seven parents would be "yes men" to the Administration. The Board does the President's evaluation, not the other way around.

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Mrs Obenauf thought it was helpful to hear what the Board is thinking. Because there isn't confrontation in Board meetings, it can appear as too close of a relationship. Mark Hyatt replied that he respects the Board for praising the Administration in public and criticizing in private.

Mr Blumenberg understands the Board is constrained by what everyone can say. If the community would know the range of consequences, they would better understand what would be happening during an investigation. The Administration has to make judgment calls within those guidelines and if there is a disagreement, the family can come to the Board.

Mr Childress wanted the Board to realize there is a degree of mistrust of the Board and Administration. The level of trust varies from family to family. Although he has not witnessed it first hand, Mr Childress has heard of discussions of retribution from the Administration.

Jim Kretchman is very interested for a family to bring a true case of proven retribution to the Board; if proven, then actions will be taken. Rumor, innuendo, and opinion of a person are easy to say. There is a gap between rumor and a provable case. In Jim's mind, he is willing to hear anyone who wants to go through a retribution process. What the TCA community cannot do is begin to believe things where the one side has been heard and pass judgment before the other side has spoken.

Vance Brown never wanted TCA to get away from accountability and responsibility, but also not get away from being a school that gives grace. Vance regrets from the beginning of the school that the motto was only "Excellence with Honor" when it should have been "Excellence with Honor and Grace". Grace is what breaks you, not discipline.

Matt Carpenter thanked Tracy Hilts for her comments. He felt a big difference between the TCA student's comments and the rest of the audience comments at the Feb 9th Board Meeting. The Board and Administration is addressing the student's comments separately vice a united presentation.

Mark Hyatt wanted to remind the Board and the community that the high school kids are good kids. TCA is the #5 high school academically out of approximately 350 in the state of Colorado. There are great things going on in the TCA high school.

The Board tasked the Administration to look at "where do we go from here" and present the Board options for consequences and guidelines and how the Board and Administration is going to present it to the community. The Board requested short term and long term approaches. The discussion will continue at the March 9th Board Meeting and future Board Meetings.

V. Executive Session - per C.R.S. § 24-6-402(4)(d)(f) and (h), for the purpose of discussing specialized details of security arrangements or investigations, individual students, and personnel matters.

Moved by Vance Brown, seconded by Steve Pope, to adjourn to executive session per C.R.S. § 24-6-402(4)(d)(f) and (h) at 8:44p.m., for the purpose of discussing specialized details of security arrangements or investigations, individual students, and personnel matters. Roll Call. Approved by unanimous vote.

Moved by Steve Pope, seconded by Vance Brown, to adjourn to public session at 10:18p.m. Roll Call. Approved by unanimous vote.

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VI. Adjournment

Moved by Lisa Sutton, seconded by Steve Pope, to adjourn meeting at 10:19p.m. Roll Call. Approved by unanimous vote.