

# PUBLIC CHARTER SCHOOL COMMISSION

## APPROVED MEETING MINUTES

A regular meeting of the Public Charter School Commission (PCSC) was held Thursday, December 11, 2014, at 700 West Jefferson Street, in the East Wing of the State Capital Building (EW 41). Chairman Alan Reed called the Commission to order at 9:01 a.m. The following Commissioners attended or were excused:

Alan Reed	Phone	<input type="checkbox"/>	Person	<input checked="" type="checkbox"/>	Not present	<input type="checkbox"/>
Gayle O'Donahue	Phone	<input type="checkbox"/>	Person	<input checked="" type="checkbox"/>	Not present	<input type="checkbox"/>
Nick Hallett	Phone	<input type="checkbox"/>	Person	<input checked="" type="checkbox"/>	Not present	<input type="checkbox"/>
Brian Scigliano	Phone	<input type="checkbox"/>	Person	<input checked="" type="checkbox"/>	Not present	<input type="checkbox"/>
Wanda Quinn	Phone	<input type="checkbox"/>	Person	<input checked="" type="checkbox"/>	Not present	<input type="checkbox"/>
Esther Van Wart	Phone	<input checked="" type="checkbox"/>	Person	<input type="checkbox"/>	Not present	<input type="checkbox"/>
Gayann DeMordaunt	Phone	<input type="checkbox"/>	Person	<input checked="" type="checkbox"/>	Not present	<input type="checkbox"/>

Kirsten Pochop, new Charter Schools Program Manager, was introduced to the Commission.

### A. COMMISSION WORK

#### 1. Agenda Review / Approval

**M/S (Quinn/Scigliano):** To approve the agenda as presented. *The motion carried unanimously.*

#### Minutes Review / Approval

Commissioner Quinn advised that the minutes should reflect that she was present for the PCSC meeting on October 9, 2014.

**M/S (Quinn/O'Donahue):** To approve the minutes for August 12, 2014, and October 9, 2014, as corrected to reflect Commissioner Quinn's presence at the October 9, 2014, meeting. *The motion carried unanimously.*

#### 2. Commission Education: Impact of Fiscal Letters of Concern

Tim Hill, Deputy Superintendent of Public School Finance for the State Department of education, provided information regarding the funding disbursement schedule applicable to public charter schools and how it is modified by issuance of fiscal letters of concern. He noted that, since funding decisions are based on estimates due to the timing of the payments, the state must look for additional ways to protect taxpayer monies.

The PCSC and Mr. Hill discussed whether the situation could be addressed through closure procedures or modifications during a charter school's early years. They also discussed the effectiveness of notices of concern, since early school closure could be based on non-fiscal issues. It was agreed that all parties are willing to work together toward a solution.

## B. CONSIDERATION OF PROPOSED CHARTER PETITIONS

### 1. Coeur d'Alene Charter Academy (CCA) Transfer Petition – Second Hearing

Dan Nicklay, administrator, and Paul Franz, board chairman, represented CCA in person. Amy Verhaeghe, board member, attended by phone, and Glenn Mabile, business manager, joined the meeting by phone at a later point in the proceedings.

Mr. Nicklay briefly discussed CCA's response to remaining issues cited in the Petition Evaluation Rubric (PER).

Commissioner DeMordaunt noted that the PCSC encourages newly authorized schools to use a variety of avenues to advertise their enrollment lotteries, ensuring reach into a variety of communities. She emphasized that every student should have the opportunity to participate in CCA's lottery.

Commissioner Hallett inquired regarding the differences between CCA's original, amended, and projected year end general fund balance.

Commissioner DeMordaunt encouraged CCA to consider offering student transportation, particularly in light of their strong financial position.

Mr. Nicklay agreed that CCA would perform a feasibility analysis regarding the provision of student transportation to students in its large attendance area.

Commissioner O'Donahue noted that many schools with smaller budgets than CCA's do provide bussing across large areas.

Commissioner Quinn inquired whether CCA could accommodate an increase in their special education budget, should enrollment of special needs students increase to the more typical level of about 7%.

Commissioner Van Wart emphasized the importance of community perception, stating that families with special needs students must feel welcome to attend. She advised that bussing opens up the possibility of attending CCA to more diverse students.

Commissioner Hallett inquired of counsel whether the law prohibits schools from transferring money from general funds to building funds.

Deputy Attorney General Swartz stated that she would need to research the issue.

**M/S (DeMordaunt/Van Wart):** To approve CCA's transfer petition and performance certificate contingent upon the finalization of all revisions necessary to bring all elements of the PER up to a score of 2 or higher (Meets or Exceeds Expectations), as evaluated by PCSC staff, prior to 8:00 a.m. MT on February 12, 2015. *The motion carried unanimously.*

**M/S (DeMordaunt/Hallett):** To ask staff to request that CCA provide a feasibility analysis regarding student transportation. *The motion carried unanimously.*

### 2. Hayden Canyon Charter School of Expeditionary Learning New Charter Petition – First Hearing

Glen Lanker, HCCSEL board chair, appeared in person. Board members Terry Wright, Charlene Beach, Jason Ball, Cynthia Reyburn, and Bonnie Russell Hunt appeared by phone.

Mr. Lanker introduced the HCCSEL new charter petition.

Commissioner Hallett clarified with Mr. Lanker that the developer would own the land and school building, and the school would lease the facility.

Commissioners DeMordaunt and O'Donahue raised questions regarding attendance-area growth projections and accessibility of the school to the broader community beyond the Hayden Canyon development.

Commissioner Scigliano expressed concern that HCCSEL would not achieve adequate enrollment if homes within the development did not sell as anticipated.

Chairman Reed inquired about the accuracy of the lease numbers provided in the budgets.

Mr. Lanker said that HCCSEL could gather additional information regarding community interest, as well as develop a draft facility lease.

The PCSC requested specific growth projections for the primary attendance area, as well as budgets reflecting various enrollment scenarios and a timeline coordinated with the development. They noted that many, significant questions about the nature and viability of the petition remained outstanding.

Mr. Lanker acknowledged that HCCSEL would need more than 30 days to revise the petition adequately. He asked how a denial would impact the petition.

Ms. Swartz explained the appeal process described in statute. She noted that HCCSEL also has the option to withdraw, then resubmit the petition when they are ready.

Chairman Reed allowed a 15 minute break for the petitioners to discuss their options.

Mr. Lanker stated that HCCSEL wished to withdraw the petition, and agreed to provide a letter to that effect.

**M/S (Quinn/Hallett):** To accept HCCSEL's withdrawal of the petition for Hayden Canyon Charter School of Expeditionary Learning. *The motion carried unanimously.*

## **C. CHARTER SCHOOL UPDATES**

### **1. Bingham Academy Fiscal Status Update**

Holly Lilya, board chair; Jeff Robbins, board member; Patricia Kolbet, business manager; and Fred Ball, administrator, attended on behalf of Bingham Academy.

Mr. Ball expressed BA's agreement with the recommendation for issuance of a letter of concern. He stated that BA is facing a significant shortfall in FY15.

**M/S (O'Donahue/Hallett):** To direct staff to provide the SDE with written notice of concern that the PCSC has reason to believe that Idaho STEM Academy DBA Bingham Academy cannot remain fiscally sound for the remainder of its certificate term. *The motion carried unanimously.*

## D. OTHER

### 1. Commission Discussion: Implementation of NACSA Recommendations

The PCSC discussed recommendations provided in NACSA's formative evaluation, which was presented by NACSA at the August meeting. It was acknowledged that the PCSC lacks adequate funding and staffing resources to follow up on many of the recommendations. Obtaining additional resources to increase capacity is the top priority.

The PCSC and counsel discussed the possibility of implementing a temporary moratorium on approval of transfer petitions, due to lack of resources. It was noted that district-authorized schools would be able to continue operating under their current authorizers. An additional 1.5 FTE for PCSC staff would likely be adequate to enable the PCSC to lift the moratorium.

**M/S (Quinn/O'Donahue):** To establish a temporary moratorium on the approval of transfer petitions until such time as the PCSC has adequate resources to manage their consideration and oversight. *The motion carried unanimously.*

The PCSC expressed agreement with the priorities recommended by staff in the materials. They requested an estimate of how much staff will be needed to sustain PCSC operations over the long term.

**M/S (O'Donahue/Hallett):** To adjourn the meeting. *The motion carried unanimously.*

The meeting adjourned at 1:47 p.m.