

**REFERENCE: APPROVED MINUTES – November 30, 2006 Public Charter School  
Commission Meeting**

**PUBLIC CHARTER SCHOOL COMMISSION MEETING  
THURSDAY, NOVEMBER 30, 2006  
BOISE CENTER ON THE GROVE, MERLINS ROOM  
850 WEST FRONT STREET, BOISE, IDAHO**

A meeting of the Idaho Public Charter School Commission was held on Thursday, November 30, 2007 at the Boise Center on the Grove, Merlins Room, at 850 West Front Street, Boise, Idaho. Chairman Hammond presided. The following members were present:

Joe deVera	Bill Goesling	Alan Reed
Paul Powell	Ann Souza	Esther Van Wart

Chairman Hammond called the meeting to order at 9:05 a.m.

**1. Commission Work**

The Commission presented appreciation plaques for former Commissioners Kirk Miller and Marianne Donnelly.

Chairman Hammond inquired whether there should be any changes to the agenda. No changes were requested.

The Commission considered dates and times for the next regularly scheduled meetings.

**M/S (Powell/deVera): To set February 8, April 5, and May 31 in Boise, Idaho, as the dates and locations for the next regular Commission meetings. *The motion passed unanimously.***

The Commission considered minutes submitted from the October 5, 2006 meetings.

Commissioner deVera noted a correction to the minutes, citing Commissioner Goesling as second to a motion to hold the Xavier Charter School decision.

**M/S (Powell/Reed): To approve the minutes from October 5, 2006 as amended. *The motion carried unanimously.***

**2. Xavier Charter School Petition**

Cindy Fulcher, XCS founder, thanked Commission staff for its input and support in preparing the petition. She said XCS would be located in the Twin Falls school district

and would focus on character building and a classical, core-knowledge education.

Tamara Baysinger, Commission staff, said staff had one outstanding concern regarding the loan conditions cited in a letter to XCS from DL Evans Bank, which required state assurances that could not be provided.

Ms. Fulcher provided a fax of the revised letter from DL Evans Bank, from which the item of concern had been removed.

Ms. Baysinger said staff had no further concerns. She addressed two citizen concerns about the XCS bylaws raised at the October 5, 2006 Commission meeting and said the issues had been resolved.

Commissioner Powell asked about an apparent inconsistency in the bylaws regarding whether or not the non-profit corporation would have members. He also questioned the consistency of term length for board members.

Ms. Baysinger said staff has communicated with Xavier regarding these “clean-up” items.

Becky Baird, chairman of the XCS board, said the changes have been made and are currently under review by the petitioners’ attorney.

Commissioner Powell asked whether XCS is planning to contract with Core Knowledge and Great Expectations for curriculum.

Ms. Fulcher said Core Knowledge and Great Expectations will provide professional development for XCS staff, but there is no licensing agreement with these entities.

Commissioner Van Wart advised the petitioners to consider including more outside influence in their plans for annual programmatic audits. She clarified several other, minor points with the petitioners, including whether charter schools are required to provide transportation.

Ms. Baysinger said the statute is open to interpretation regarding whether or not charter schools must provide transportation, a fact which accounts for the differences between the XCS petition’s commitment and the Department of Education’s sufficiency review on the subject.

Commissioner Powell asked whether XCS wishes to provide transportation.

Ms. Fulcher said the XCS board has not discussed its preference, but rather tried to comply with the SDE’s request. She noted that transportation is a difficult and expensive service to provide, but she understands its benefit to students and would prefer to find a way to offer transportation rather than let the issue delay approval of the petition.

Commissioner Goesling asked how XCS will provide meals for students who have forgotten or brought inadequate lunches. He said he would like to see more in the charter on the subject.

Ms. Fulcher said XCS would like to have a plan for providing such lunches and that the plan would be added to the charter.

Chairman Hammond clarified for the Commission that Commissioner's Goesling's suggestion does not constitute a legal requirement for the school.

Commissioner Van Wart emphasized, with reference to the referral letter from the Twin Falls school district, her feeling that it is best for charter schools to work with their districts as authorizers whenever possible.

Commissioner Powell agreed with Commissioner Van Wart. He asked how XCS is progressing with regard to facilities.

Ms. Fulcher said the petitioners prefer the scenario in Budget A, which centers on a lease of an existing structure due to the difficulty of projecting cost and timeframes of development of bare land for portables. She noted that Budget A requires XCS to begin leasing the building in January 2007.

Commissioner Powell asked after the likelihood of XCS obtaining a loan.

Debbie Jackson, XCS board member, said DL Evans Bank has agreed to the loan pending Commission approval of the petition.

Chairman Hammond noted that the \$38,000 included in the budget for remodeling seemed too low.

Ms. Jackson said the construction work would be provided by family for a reduced rate.

Commissioner deVera clarified with staff that charter schools must go through the bidding process. He encouraged the petitioners to follow up with their attorney to be sure the correct procedure is followed.

**M/S (Souza/Goesling): To approve the Xavier Charter School petition considering Budget A as the approved budget, subject to final staff review. *The motion passed unanimously.***

### **3. Garden City Community School Update**

Ms. Baysinger stated that due to problems with their facilities plan, GCCS has encountered financial difficulties. She said the school is working to obtain a lease on an existing facility in place of their original plan to put leased portables on leased land.

This will require breaking the portables and land leases, resulting in unknown costs. She said GCCS has secured a \$52,000 line of credit from Wells Fargo for use in case of unexpected costs. Also, she noted GCCS successfully administered the Fall ISAT within the extended testing window.

Barbara Gaston, GCCS board chair, noted the recent resignation of one board member, resulting in a remaining board of seven members. She said the GCCS stakeholders and board have agreed to lease an existing building located on Chinden Boulevard, at which minimal remodeling will be required.

Ms. Gaston said the portables lessor is willing to work with GCCS on generous terms for breaking the lease. The land lessor is also working positively with the school.

Chairman Hammond clarified with Ms. Gaston that the new location is within GCCS's attendance area. He asked how the school will provide space for recess.

Ms. Gaston said GCCS has received approval to fence part of the parking lot for recess.

Commissioner Goesling clarified with Ms. Gaston that the surrounding businesses are acceptable and that children will be safe moving from building to building.

Commissioner Powell asked how GCCS intends to use the \$52,000 line of credit.

Ms. Gaston said the line of credit is in place for contingency only and agreed to notify Commission staff if GCCS uses the line of credit. She said enrollment is currently at 93, shared results from recent standardized tests, and updated the Commission on GCCS's staffing and professional development.

#### **4. Falcon Ridge Public Charter School Corrective Action Plan**

Ms. Baysinger stated that, at its October 5<sup>th</sup> meeting, the Commission voted to issue to FRPCS a notice of defect on the grounds of failure to meet generally accepted accounting standards of fiscal management. She said staff has received a corrective action plan and proof of a \$178,000 loan FRPCS has obtained from Mr. Bob Barnes. Also, FRPCS has signed a lease with Kuna Life church to use part of the church building to house high school grades next year.

Commissioner Powell asked for clarification regarding a large loan payment in Year Three of the FRPCS budget.

Susan Buxton, FRPCS counsel, said the budget shows a land payment that will come due in September 2008. She said FRPCS anticipates another loan to avoid the shortfall in cash flow apparent in the current Year Three budget. She said she believes that the September 2008 payment is not a balloon payment, but it does represent the last payment on the land.

Commissioner Goesling expressed concern regarding FRPCS's plan to use one loan to pay off another. He inquired whether the school has fully resolved its shortfall due to site preparation costs.

Bob Purbeck, FRPCS board chair, clarified that all site work costs have been paid in full using the loan from Mr. Barnes. He said FRPCS has approximately \$35,000 of the Barnes loan remaining for another use.

Commissioner Powell said he is satisfied with the corrective action plan.

Commissioner Souza inquired whether it would be of detriment to the school if the Commission elected to keep the notice of defect in effect.

Commissioner Powell said he felt FRPCS had done everything the Commission asked and that to keep the notice of defect in effect would be detrimental.

Commissioner deVera said it appears the corrective action plan represents a valid means by which to resolve FRPCS's financial difficulties.

**M/S (Powell/deVera): To accept Falcon Ridge's corrective action plan as presented.** *The motion passed unanimously.*

## **5. Liberty Charter School and Victory Charter School**

Ms. Baysinger said that in June 2006, the Commission asked Liberty and Victory to consider whether their resources would be better used by combining the schools.

Leslie Mauldin, chair of the Victory board, said the Liberty and Victory boards and administrators discussed the Commission's suggestion. She said the schools' stakeholders all felt the schools offered two extremely different cultures and preferred the current arrangement of two small schools rather than a single, larger school. She noted that even as separate schools, Liberty and Victory educate students at lower cost than do traditional public schools. She also said Liberty and Victory are pleased to share transportation and some facilities, such as a gymnasium.

Chairman Hammond thanked the schools for their consideration of the Commission's question and said he agreed with their decision. Commissioner Powell also expressed his appreciation.

Commissioner deVera asked whether Liberty and Victory have different mission statements.

Ms. Mauldin said the schools' mission statements are similar because both schools use the Harbor Method. She said the schools have discussed modifying their mission statements to clarify their different focuses, and that these differences will be more obvious when high school grades are added to Victory.

Commissioner Van Wart expressed her approval of the schools' efforts to cooperate with each other while serving their unique student populations.

Ms. Mauldin shared the story of a recent vandalism at Liberty and how its outcome illustrated the benefit of a small-school atmosphere.

## **6. Richard McKenna Charter High School**

Ms. Baysinger said Richard McKenna failed to make AYP in Language Usage in Fall 2006. She said the school's representative would report on why scores were low and what efforts were being made to improve them.

Larry Slade, administrator at Richard McKenna, said about 65% of the school's population is defined as at-risk for academic or behavioral problems. He also noted that the school's online program has high turnover due to its offerings to students who need only a few classes or who have recently dropped out of traditional schools, so the results of any particular test will reflect scores of students enrolled only for a short period. Therefore, the test results don't necessarily give an accurate picture of the quality of education provided by Richard McKenna.

Commissioner Goesling asked whether Richard McKenna tracks students who return to the traditional school system.

Mr. Slade said many students go back and forth between Richard McKenna and traditional schools. He said the Richard McKenna is looking for ways to track student data as the students move from school to school and noted the difficulty of keeping tabs on all students.

Commissioner Goesling asked about the Commission's responsibility to assist Richard McKenna in tracking its students who return to traditional schools.

Chairman Hammond stated that while the Commission authorizes Richard McKenna, it is the charter school's board, not the Commission, that remains responsible for the operations of the school. He said he did not wish to put upon the Commission responsibility that did not rightfully belong to it.

Commissioner Van Wart said she appreciates the service Richard McKenna offers to students who need a second chance. She asked staff what will happen if Richard McKenna continues to be unable to make AYP due to the nature of the school.

Ms. Baysinger said NCLB does not make exception for circumstances such as those faced by Richard McKenna, so the charter school faces the same chain of events as any other school that fails to make AYP.

Commissioner Souza suggested that the Commissioners use their influence to

encourage legislative change allowing flexibility in NCLB for schools such as Richard McKenna, which are unfairly represented within the current “one size fits all” structure. She also suggested Richard McKenna seek a means by which to show the progress of students who do stay with the charter school over an extended period.

Mr. Slade emphasized that he is actively engaged in finding ways to track student data.

## **7. Election of Commission Officers**

**M/S (Souza/Van Wart): To elect Bill Goesling as Chairman of the Public Charter School Commission.** *The motion was approved unanimously.*

**M/S (Souza/Van Wart): To elect Paul Powell as Vice-Chairman of the Public Charter School Commission.** *The motion was approved unanimously.*

Chairman Hammond explained the legal conflict between his election to the Idaho Senate and continued service on the Commission, resulting in his upcoming resignation from the Commission. He expressed his appreciation for the opportunity to serve on the Commission.

The Commission shared its appreciation of Chairman Hammond’s service on the Commission.

Chairman Hammond adjourned the meeting at 11:30 p.m.