

**REFERENCE: DRAFT MINUTES – April 12, 2007 Public Charter School
Commission Special Meeting**

**PUBLIC CHARTER SCHOOL COMMISSION SPECIAL MEETING
THURSDAY, APRIL 12, 2007
650 WEST STATE STREET
BOISE, IDAHO**

A special meeting of the Idaho Public Charter School Commission was held by teleconference on Thursday, April 12, 2007 at 650 West State Street, Boise, Idaho. Chairman Goesling presided. The following members were in attendance:

Joe deVera	Alan Reed	Esther Van Wart
Paul Powell	Ann Souza	Gayann DeMordaunt

Chairman Goesling called the meeting to order at 9:00 a.m.

M/S (Powell/Goesling): To move to executive session pursuant to Idaho Code Section 67-2345(1) section b, d, and e. *The motion passed unanimously.*

1. Vision Public Charter School

Lee Hannah, Vision board chair, described the school's ongoing efforts to locate temporary and permanent facilities. She proposed a temporary site in the Skyway Business Park, which is within the Vallivue School District and said no permanent site has been identified.

Commissioner deVera asked whether the proposed temporary location would affect Vision's attendance estimate.

Ms. Hannah said enrollment is anticipated to remain full at 230 students, though some families may withdraw and be replaced with students on the waiting list.

Commissioner Powell verified with Ms. Hannah Vision's budgeted reserves and facilities financing estimates.

Ms. Hannah explained that the current budgets reflect a proposed building to house grades K-12, but only assume K-8 enrollment.

Commissioner Reed asked whether other charter schools have had temporary sites located outside their attendance areas.

Tamara Baysinger, Commission staff, said nothing in statute prevents a charter school

from being located outside its attendance area, and the decision whether to allow such is within the Commission's discretion.

Commissioner Reed said that he believes a charter school should be located within its attendance area.

Ms. Hannah summarized the history of approved changes to Vision's attendance area. She said it is her understanding that Rolling Hills Public Charter School's temporary site was located outside Rolling Hills' attendance area.

Ms. Baysinger clarified that, while most of Vision's attendance area is in the Middleton School District, the attendance area also includes a long, narrow strip of Vallivue School District land in which Vision hopes to find a permanent site. The proposed temporary site is located outside the attendance area, but inside the Vallivue School District.

Commissioner Powell said he believes Rolling Hills' temporary site was located outside the school's attendance area, creating precedent for such a situation.

Karen Echeverria, State Board of Education Staff, said it was her recollection that the temporary Rolling Hills site was within the school's attendance area.

Commissioner DeMordaunt said the Rolling Hills website indicates that the temporary site was located outside the attendance area.

Chairman Goesling asked Ms. Hannah to describe Vision's efforts to locate a permanent site.

Ms. Hannah said the portion of Vision's attendance area that is in the Vallivue School District includes significant opportunity for the school to obtain land for a permanent site. She said the primarily agricultural land is in the process of being developed, and Vision is working with developers to secure a site in a subdivision. She said Vision will commit to identifying a permanent site by July 2008.

Commissioner Van Wart said she remembered Vision describing the Vallivue section of Vision's attendance area as very small and a difficult place to locate the school. She asked what has changed to make Vision sure it can obtain a site.

Ms. Hannah and Jodi Benson, Vision vice-chair, said opportunities will open up as utilities are brought to the developing land, but not in time for Fall 2007.

Commissioner Van Wart asked whether Vision is looking and a particular parcel of land and whether it will remain affordable until a purchase may be finalized.

Ms. Benson said Vision will obtain an option with a developer guaranteeing the availability of land.

Ms. Baysinger noted that the most recently proposed charter revision says Vision “hopes to have a permanent site identified...by July of 2008.” She recommended the Commission require the school to clarify the language to establish firm commitment to a particular day in July.

Commissioner DeMordaunt noted that although Rolling Hills’ temporary site was located outside the school’s attendance area, Rolling Hills was already in possession of an appropriate, permanent site upon approval of the temporary site.

Chairman Goesling verified with Ms. Baysinger that statute does not preclude a charter school from having a temporary location outside the primary attendance area.

M/S (deVera/Powell): To approve the proposed charter amendment for a temporary site at Lot 3 Block 1 Skyway Business Park, revised to establish an exact commitment date for identification of a permanent site.

Commissioner Souza asked staff for a definition of “defect” as used in statute with regard to notices of defect.

Ms. Baysinger said that the word “defect” in the referenced context refers to the circumstances described by I.C. 33-5209(2)(a) through (e).

Commissioner Souza verified with Ms. Baysinger that Vision would be in defect pursuant to I.C. 33-5209(2)(a) if it failed to identify a permanent site by the commitment date included in the charter revision.

The motion passed 4-3 with Commissioners Reed, Souza, and Van Wart voting nay.

Commissioner Goesling asked the Commissioners who voted nay to explain their votes.

Commissioner Reed said his concern is that Vision will be located outside its primary attendance area and has not identified a permanent site.

Commissioner Van Wart added that she is concerned about precedent.

Commissioner Souza said she is concerned about Vision’s ability to be accountable and follow appropriate procedures.

Commissioner Powell said he does not share the other Commissioners’ concerns about the attendance area issue, Vision’s budget, or the Vision board’s reliability. Commissioner DeMordaunt and Chairman Goesling agreed.

Ms. Hannah and Ms. Benson thanked the Commission for the revision approval and said Vision Charter School will not disappoint the Commission.

Chairman Goesling adjourned the meeting at 9:50 a.m.