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**REFERENCE: DRAFT MINUTES – June 26, 2008 Public Charter School Commission Meeting**

**PUBLIC CHARTER SCHOOL COMMISSION MEETING  
THURSDAY, JUNE 26, 2008  
AMERITEL INN BOISE TOWNE SQUARE  
7955 W. EMERALD, TABLEROCK ROOM  
BOISE, IDAHO**

A regular meeting of the Idaho Public Charter School Commission was held on Thursday, June 26, 2008 at 4965 W. Emerald, Boise, Idaho. Chairman William Goesling presided. The following members were in attendance:

Alan Reed                      Esther Van Wart                      Brad Corkill                      Gayle O'Donahue  
  
Joe deVera

Commissioner Gayann DeMordaunt was absent.

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

**1. Commission Work**

Chairman Goesling introduced new Commissioner Gayle O'Donahue and noted that both he and Commissioner DeMordaunt had been reappointed by the governor.

Chairman Goesling confirmed that there were no changes or additions to the agenda.

**M/S (Reed/deVera): To approve October 16, 2008 as the date and Boise, ID as the location for the regularly scheduled Commission meeting to follow the August 21, 2008 meeting. *The motion passed unanimously.***

**2. Southern Idaho Learning Center New Charter Petition**

Melody Lenkner, director of the Southern Idaho Learning Center, said the SILC has identified a need to support middle school students with learning disabilities. She said the SILC Lab School is designed to address unique learning styles to prepare students for high school though training in social and executive skills and project-based academics.

Commissioner Goesling asked why the local school district did not wish to authorize the SILC LS.

Ms. Lenkner said the district seems to have a general policy of not authorizing public

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charter schools.

Commissioner Van Wart inquired about the legality of operating a public charter school specifically for learning disabled students.

Ms. Lenkner clarified that although the SILC LS is designed specifically to serve the needs of learning disabled students, the school will be equally available to all students. She said the SILC LS's differentiated instruction design will benefit all learners.

Commissioner deVera asked whether the area's student population was sufficient to sustain a new school, particularly one designed to serve a sub-group of students. He asked how the SILC LS will market to its target demographic and how the school will respond if it fails to enroll an ideal number of learning disabled students. Commissioners Van Wart and Reed expressed similar concerns.

Ms. Lenkner said there are approximately 3,900 middle school students in the Magic Valley, and about 15% of them have learning disabilities. She said the SILC is aware of many families looking forward to the establishment of the SILC LS and will market aggressively to that group, but the school will provide an excellent education to non-learning disabled students as well.

Commissioner Corkill asked about the relationships among the Scottish Rite Foundation and the SILC.

Ms. Lenkner said the Scottish Rite has a charity focused on learning disabilities, and the SILC was founded as part of this charity. SILC is now primarily community funded, though it remains an entity under the Scottish Rite Foundation's non-profit umbrella.

Chairman Goesling asked about the SILC LS's facility plan.

Ms. Lenkner described a proposed Year One site in a leased, existing building that would require minimal renovations and a backup site in the building currently occupied by Xavier Charter School. She said an investment group has offered to work on a build-to-suit facility in the future.

Commissioner deVera asked for information about instructor qualifications, and Ms. Lenkner said the SILC LS will seek teachers who are certified and experienced with special needs students.

Commissioner deVera asked about SILC LS's plan should facility renovations or other expenses exceed budgeted amounts.

Ms. Lenkner described community partners and grants to assist in such a situation.

Commissioner deVera cautioned that the salaries budgeted for the SILC LS administration may prove inadequate, and that the school is likely to require a full-time

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administrator.

Commissioner Van Wart requested an organizational flow chart clarifying whether staff or board members would be shared between SILC and SILC LS, as well as further documentation of budget estimates.

**M/S (deVera/Corkill): To hold the decision on the Southern Idaho Learning Center Lab School petition until the next meeting of the Commission and to direct Commission staff to work with the petitioners to address concerns expressed during this meeting. *The motion passed unanimously.***

### **3. Idaho Science and Technology Charter School Petition**

Marc Isom, ISTCS board chair, said ISTCS would like to serve Blackfoot area students in grades 6-8. The proposed new school would absorb the existing Blackfoot Charter School's currently overflowing 6<sup>th</sup> grade class, and would offer a science and technology focus.

Commissioner deVera asked for information about the middle school student population in the Blackfoot area and community interest in ISTCS.

Mr. Isom said there are about 4,700 middle school students distributed among three Blackfoot-area middle schools. He said several parents have contacted the founders to express interest in ISTCS.

Chantel Macy, Blackfoot Charter School board member, said individuals have also contacted the BCS for information about ISTCS. The calls have not been counted.

Commissioner Van Wart reminded the petitioners of the importance of proof-reading the charter petition.

Commissioner Reed asked whether any BCS 6<sup>th</sup> graders' parents have committed to enrollment at ISTCS, should ISTCS be approved and the BCS 6<sup>th</sup> grade class offering eliminated.

Mr. Isom said such commitments have been attained.

Commissioner Reed requested clarification regarding proposed enrollment number discrepancies in the budget.

Mr. Isom said a different individual prepared the budget and he was unable to answer the question.

Commissioner Reed requested additional, written documentation with regard to ISTCS's facility plans.

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Chairman Goesling recommended that the Commission delay further discussion of the petition until ISTCS can return with an individual prepared to answer budget questions. He wondered if BCC and ISTCS should explore whether the district would consider incorporating the ISTCS proposal into the existing BCC.

Commissioner Van Wart said the district has struggled with its choice to authorize BCC and said she doesn't believe there is any opportunity for expanding BCC via incorporation of ISTCS.

**M/S (Van Wart/deVera): To hold the decision on the Idaho Science and Technology Charter School petition until the next meeting of the Commission and to direct Commission staff to work with the petitioners to address concerns expressed during this meeting. *The motion passed unanimously.***

#### **4. Palouse Prairie School of Expeditionary Learning Appeal – Consideration of Hearing Officer's Recommendation**

Nils Peterson, PPSEL board chair, introduced a new facilities option for the school. This option, the Now & Then facility, was not available when the Commission denied the PPSEL charter petition in March 2008. Mr. Peterson described the facility and related zoning and budgetary information, including quotes for renovations. He also updated the Commission on the status of the Silos facility option and reviewed the advantages and disadvantages of each facility. He answered Commissioners' questions about details of the facilities, including ADA compliance, HVAC installation, and classroom lighting.

Commissioner Corkill inquired of staff whether there was a legal problem with the proximity of the Silos café, which holds a liquor license, to the potential Silos school site.

Jennifer Swartz, Commission counsel, said the existing café does not present a legal obstacle because the school would be established after the café received its liquor license.

Commissioner deVera said he felt the Silos facility was a more viable option due to the greater number of budgetary uncertainties associated with the Now & Then facility.

Commissioner Corkill verified with Mr. Peterson that PPSEL would outgrow the Silos facility in three years.

Shirley Rau, School Choice Coordinator for the Idaho State Department of Education, spoke in support of PPSEL. Similar educational programs in other Idaho locations demonstrate strong academic success and said North Idaho families have fewer school choice options than do families in other parts of the state. She said the Commission holds its schools to a higher standard than do most district authorizers and noted that, nationwide, state authorized charter schools are more successful than locally authorized charter schools. The federal Charter Start grant and the Albertsons grant will be

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available to PPSEL, a fact not represented on the PPSEL budgets considered by the Commission in March 2008. She cited research demonstrating that highly stringent authorizing criteria tends to preclude diversity among charter school applicants but does not effectively reduce the risk of school failure.

Chairman Goesling said the Commission's options were to affirm its original denial of the PPSEL petition, reverse its original denial and approve the revised PPSEL petition, or delay a decision for up to ten days.

Ms. Baysinger added that, should the Commission affirm its denial decision, the PPSEL petitioners could appeal to the State Board of Education.

Commissioner Corkill said he would not consider approval of the revised PPSEL petition to be a reversal of the original denial decision, as an approval at this time would be based on new information that was unavailable to the Commission at the time of the March 2008 denial.

Commissioner Goesling said that, due to the limited options available to the Commission, an approval would need to be termed a reversal.

Commissioner deVera asked whether the Commission could require the petitioners to pursue a particular facility option.

Ms. Baysinger said that while it would be appropriate for the Commission to encourage a particular option, PPSEL would not be in violation of its charter if it reverted to an alternate facility option described in the petition.

Commissioner Van Wart said she would appreciate an opportunity to further consider the facility information submitted by the petitioners. She asked whether Commissioner deVera was of the opinion that PPSEL's facilities options were financially viable.

Commissioner deVera said the Silos facility option appeared to be financially viable.

**M/S (deVera/Corkill): To reverse the Commission's initial decision to deny the charter petition for Palouse Prairie School of Expeditionary Learning, and to approve the charter with the understanding that the charter will be amended to Commission staff's satisfaction to reflect that PPSEL will use one of the facility plans presented at this meeting. *The motion passed unanimously.***

The Commission directed PPSEL to provide an update on its facility plans at the August 21, 2008 regular Commission meeting.

Mr. Peterson verified with the Commission that he has adequately addressed the Commission's previous request to see additional business expertise on the PPSEL board.

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## 6. Liberty Charter School Proposed Bylaws Amendment

Sheila Bryant, Liberty Charter School board vice-chair, introduced Liberty's proposed bylaws amendment that would change the school's board member election process to an appointment process.

Commissioner Van Wart said she understands that, due to limited interest in board service, Liberty has not experienced a need for elections in the past. She asked why Liberty cannot continue to offer the elections process in case of future interest.

Ms. Bryant explained that the elections process requires significant effort that is unnecessary in situations involving only one candidate. She clarified that the long-term benefit of an appointed board would be protection of the school from potential mission drift.

Commissioner deVera noted that one of the legislative intents for charter schools was to provide more opportunity for parent involvement.

Ms. Bryant said she feels there is still significant opportunity for parent involvement in the officer appointment process. She emphasized the importance of a board that understands the original mission of the school. In the event a parent vehemently disagrees with a charter school's mission, the parent has other educational options within the community. As a result, a board that failed to listen to parent opinions would find enrollment dropping and would be forced to make changes.

**M/S (Reed/O'Donahue): To approve Liberty Charter School's proposed bylaws and charter amendments.** *The motion passed 2-1 with Commissioner Van Wart dissenting. Commissioners deVera and O'Donahue abstained.*

## 7. Victory Charter School Proposed Charter Amendment and Annual Update

Leslie Mauldin, Victory board chair, said Victory's new school building is open and functioning well.

Dr. Marianne Saunders, Victory administrator, provided an annual update including enrollment data, test results, budget, and facility. She introduced Victory's proposal to revise the charter to reflect an accelerated math and science focus for its high school. She said the school facility already includes the labs necessary for advanced science courses.

Commissioner deVera asked how Victory will staff its special courses.

Ms. Mauldin said the school plans to use some part time staff for highly specialized coursework.

**M/S (Van Wart/deVera): To approve Victory Charter School's proposed charter**

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**amendment establishing a math and science focus in the school's high school grades.** *The motion passed unanimously.*

## **8. North Valley Academy Proposed Charter Amendment and Pre-Opening Update**

Deby Infanger, NVA board chair, provided a pre-opening update including enrollment, budget, facilities, professional development, policy, and curriculum. She introduced a proposed charter amendment that would permit NVA to add grades 9-12 in Year Two, explaining that this is a more fiscally sound option than attempting to add high school grades one at a time. Also, the addition of all grades at once will enable NVA to provide academies within the school as described in the charter.

Gayle Yankovec DeSmet, NVA founder, further described NVA's high school plan, including a hiring plan.

Commissioner deVera asked why NVA is asking for the high school amendment before the school has started its first year of K-8 operations.

Ms. Infanger said waiting until spring would allow too little time for NVA to develop the high school program. She also said the federal grant funds must be spent within the term of the grant, and such funds are critical to starting the high school. Additionally, that high school expansion should be completed while NVA's founders are still involved.

Commissioner Corkill asked whether NVA anticipates difficulty enrolling a sufficient number of students, particularly in the upper grades.

Ms. Infanger said the Gooding area's current high schools are suffering and parents have expressed interest in educational choice. She noted that part of the purpose of charter schools is to encourage all schools to perform better due to the competition created by school choice.

Ms. Infanger also requested that the Commission approve a charter amendment limiting all class sizes to 24. She said this would not cause problems with NVA's current enrollment because all classes have fewer than 24 applicants.

**M/S (deVera/Corkill): To approve the proposed charter amendment reducing North Valley Academy's class sizes to 24 students.** *The motion passed unanimously.*

Commissioner Van Wart verified that NVA has a plan for continuation should its critical founders be unable to continue their efforts for school expansion.

Chairman Goesling expressed his confidence that, should NVA encounter difficulties in developing their high school, they will approach the Commission to request a delay or eliminate plans for the high school's opening.

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Commissioners deVera and O'Donahue cautioned NVA regarding the difficulties of maintaining a high school program.

**M/S (Corkill/Van Wart): To approve the proposed charter amendment allowing North Valley Academy to add grades 9-12 in Year Two, subject to positive updates at three, six, and nine months. *The motion passed unanimously.***

#### **9. iSucceed Virtual High School Pre-Opening Update**

Don Pena, iSucceed board chair, updated the Commission on the school's preparations for opening in Fall 2008. He addressed staffing, recruiting and enrollment, and program development.

#### **10. Vision Public Charter School Facilities Update**

Lee Hannah, Vision board chair, and Wendy Oldenkamp, Vision administrator, said Vision's plans for a permanent facility would require a substantial increase in enrollment. They proposed a charter amendment that would add a second classroom for each grade, thereby serving more students on the school's extensive waiting list and enabling the school to pay off its permanent facility within three years. They described the school's facility plan, including land purchase, building design, and timelines, then answered Commission questions about details of the plan.

Commissioners deVera and Van Wart said they felt Vision is attempting to take on too much development at one time.

Chairman Goesling reminded the school that the Commission had very little time to consider the facility proposal, as it was not presented until the meeting, and that it is the Commission's policy to accept no new information on the day of a meeting.

**M/S (Corkill/Reed): To table a decision on Vision's proposed charter amendments until the August 21, 2008 regular Commission meeting. *The motion passed unanimously.***

#### **11. Taylor's Crossing Public Charter School Update**

Gail Harding Thomas, TCPCS administrator, provided an annual update on the status of the school.

#### **12. The Academy Update**

Annie Dixon, The Academy board chair, provided an annual update on the status of the school.

#### **13. Idaho Virtual Academy Update**



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Kerri Hoffman, director of academic services for IDVA, provided an annual update on the status of the school.

Chairman Goesling adjourned the meeting at 4:50 p.m.