

**APPROVED MEETING MINUTES
PUBLIC CHARTER SCHOOL COMMISSION MEETING
TUESDAY, JULY 24, 2012
700 W. STATE STREET, BOISE, IDAHO
JRW WEST CONFERENCE ROOM**

A regular meeting of the Idaho Public Charter School Commission (PCSC) was held Tuesday, July 24, 2012, at 700 W. State Street, Boise, ID, in the JRW West Conference Room. Chairman Alan Reed presided.

The following members were in attendance:

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| Brad Corkill | Nick Hallett |
| Gayle O'Donahue | Wanda Quinn |

Absent: Gayann DeMordaunt
Esther Van Wart

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

1. Commission Work

M/S (Quinn/Hallett): To approve the agenda as published. *The motion passed unanimously.*

M/S (Corkill/O'Donahue): To approve the meeting minutes from May 31, 2012, as submitted. *The motion passed unanimously.*

2. Commission Education: Certification and Provisional Authorization

Cina Lackey, Certification/Professional Standards Coordinator at the State Department of Education (SDE), gave a presentation regarding teacher certification requirements. She said Idaho Code § 33-1201 addresses Idaho requirements for teacher certification, and charter schools are not exempt from this statute. Many charter schools inquire about the use of paraprofessionals for core courses. This is not allowable, and paraprofessionals must work in sight of the teacher of record, who cannot be a paraprofessional. The SDE's website outlines the requirements for this provisional administrative certification.

The link to the Teacher Certification homepage is:

http://www.sde.idaho.gov/site/teacher_certification/

The link to the Alternative Authorizations / Routes to Certification is:

http://www.sde.idaho.gov/site/teacher_certification/alt_routes.htm.

3. Commission Discussion: Consideration of Hearing Officer's Recommendation Regarding Summit Public Charter School Petition Denial

Chairman Reed opened the floor for Commission discussion.

There was no discussion.

M/S (Quinn/Corkill): To affirm the Commission's initial decision to deny the petition for Summit Public Charter School. *The motion passed unanimously.*

Tamara Baysinger, PCSC Director, indicated that the petitioners have three options at this point in time:

- Not to proceed further
- File an appeal with the Idaho State Board of Education
- Re-start the petitioning process from the beginning, as with a new petition

4. American Heritage Charter School (AHCS) New Charter Petition

Deby Infanger, Founder and Board Chairman of NVA; Gayle DeSmet, Founder and Principal of NVA; Kathy Thompson, Founder and Clerk for NVA; Sara Schofield, Board Secretary; Michael Infanger, Founder; Michael Batt, Board Treasurer; represented American Heritage.

Ms. Infanger said AHCS will be a K-8 school expanding into K-12 in the future. The school has enough students interested to reach 90% enrollment. Blended learning will be added to the educational program in 2015. The board's experience with NVA and an alliance with the VanderSloot Foundation increase the likelihood of the school's academic and fiscal success.

Commissioner O'Donahue requested additional evidence of market interest.

Frank VanderSloot said community interest in AHCS has been high, despite little marketing to date.

Commissioner O'Donahue does not doubt the passion of those involved that the interest is there. However, she cautioned the school to get documentation.

Commissioner Quinn noted that some charter schools in the area have not reached capacity.

Ms. Infanger said there are no charter schools on the west side of Idaho Falls, where AHCS will be located. Even if AHCS does not get the enrollment expected, fiscal stability is assured by their experience and support from the VanderSloot Foundation.

Commissioner Corkill verified with Ms. Infanger and Mr. VanderSloot that the necessary financial gifts are guaranteed.

Ms. Infanger noted that the line item donations are to replace the Federal Start Up Grants and nothing more.

Chairman Reed said one version of the budget does still show large donations beyond the first three years.

Frank VanderSloot said he is the donor and 100% certain the funds will be available through the VanderSloot Foundation. However, he is not certain all of the funds will be necessary. AHCS will cover utilities, but the Foundation will provide the facility and building maintenance. The goal is to provide a better education to the community through a charter school alternative.

Commissioner Corkill commended the Foundation for their generosity.

Commissioner Hallett is uneasy that the fund balance is small in the “most likely” budget scenario.

Ms. Infanger said the small fund balance is due to the fact that AHCS is heavily relying on the VanderSloot Foundation and the school plans to become self-sustaining through growth.

Frank VanderSloot said the Foundation has provided assurance that they will cover any deficit fund balance, if the need arises.

Ms. Infanger has been stunned by the support of the VanderSloot Foundation.

Commissioner Hallett expressed discomfort with the self-perpetuating board.

Ms. Infanger said recruiting for board members is very difficult. AHCS would be happy to change to more elected positions at the direction of the Commission.

Commissioner Hallett noted that administrators must approve teacher hiring decisions pursuant to I.C. § 33-523.

Commissioner O'Donahue questioned the choice to open grades 9 through 12 in Year Two.

Ms. Infanger said the plan was based on NVA's experience. Having the flexibility of grades 9 through 12 is the only way to make the budget work and pay for the necessary teachers.

Commissioner Quinn asked about the impact of AHCS on the Idaho Falls School District.

Chairman Reed read an excerpt from an email from Dave Lent, Chairman of Idaho Falls School District #91: *We are not opposed to the opening of AHCS and plan to work collaboratively with them.*

Chairman Reed noted that several concerns previously identified by PCSC staff require attention prior to petition approval.

The petitioners said it would be helpful for AHCS to gain approval today, due to facility preparation timing issues.

M/S (Quinn/Hallett): To hold the decision on the American Heritage Charter School petition until such time as PCSC staff feels the petition is complete, and to then convene a special meeting for consideration of the petition.

The motion passed, with Commissioner O'Donahue voting nay.

5. Heritage Community Charter School (HCCS) Corrective Action Plan (CAP) and High School Pilot Update

Lon McCrae, Board Vice Chairman; Archie Buck, Teacher and Assistant to the Administrator; Javier Castaneda, Administrator; Richard Hammond, Board Chairman; and Rob MacDonald, Board Member, represented HCCS.

Mr. Hammond said HCCS' board has made a unanimous decision to discontinue the high school pilot program at this time. The school may request to expand back into high school at a later date.

Mr. Hammond asked how the school should request an enrollment expansion of 30 students in the 8th grade.

Ms. Baysinger said HCCS would need to submit a proposed charter amendment just as for any other proposed charter amendment.

Commissioner O'Donahue inquired about the status of HCCS's former high school students' attempts to get their HCCS credits accepted at other schools, given HCCS's failure to obtain provisional accreditation.

Mr. Castaneda said HCCS is working with the surrounding high schools to make sure the 28 affected students either have their credits accepted or that HCCS provides support.

Commissioner O'Donahue requested continued updates on the status of these high school students to ensure these students have been assisted.

M/S (Hallett/Corkill): To lift the notice of defect previously issued to Heritage Community Charter School with regard to Latin instruction, maintenance of an

expenditure website, and administrative certification. *The motion passed unanimously.*

Commissioner Quinn reminded HCCS of the request at the July 24, 2012 Commission meeting for the following status reports:

- Board of Directors
- School Administration
- Fiscal Status
- High School Pilot Program - Student Mediation
- Academic Status
- Accreditation

6. DaVinci Charter School Fiscal Status and Special Education Report

Matthew Shapiro, Board Member; Darin Vickery, Board Member; and Tim Richey, Board Treasurer, represented DaVinci.

Mr. Shapiro said DaVinci's fiscal circumstances resulted from a tight budget combined with unexpected facility move expenses and a SDE disbursement that the school expected in June but received in July. The result was a FY12 shortfall of approximately \$23,000. DaVinci's board recognizes that the tools they have been using to assess the school's fiscal health are inadequate for cash-flow management. They are working on a new system to address this concern.

Mr. Shapiro said DaVinci took immediate steps to get back into Special Education compliance. Their review of the circumstances revealed that the vast majority of the complaints (seven out of eight) were the result of poor note taking. DaVinci received 16 out of 16 points from SDE for the Special Education program.

Commissioner Hallett asked when the school would be able to provide a response to PCSC staff's questions regarding details in the budget.

DaVinci said it would be the beginning of August before the Business Manager returns.

The Commissioners asked the school to address all the issues identified by the next scheduled Commission meeting.

Commissioner Quinn and Chairman Reed emphasized that the special education issue is extremely serious and should not be taken lightly.

M/S (Hallett/Quinn): To direct PCSC staff to issue to DaVinci Charter School a notice of defect on the following grounds:

1. Committed a material violation of any condition, standard, or procedure set forth in the approved charter, specifically with regard to providing special education services;
2. Failure to demonstrate fiscal soundness;
3. Violation of a provision of law, specifically with regard to the following special education laws: 34 CFR §300.111, 34 CFR §300.301, 34 CFR §300.304, 34 CFR §300.306, 34 CFR §300.503, 34 CFR §300.504, and 34 CFR §300.530.

The motion passed unanimously.

7. Falcon Ridge Public Charter School (FRPCS) Academic Status Report

Mark Green, Administrator, represented FRPCS.

Mr. Green and the Commission discussed whether FRPCS had properly amended the MSES in the approved charter, and whether the MSES were met. The Commission noted that the confusion should not overshadow their commendations to FRPCS for their desire to achieve high standards. They encouraged the school to continue work on revising the MSES, particularly with regard to the IRI.

M/S (Quinn/Hallett): To lift the notice of defect issued to Falcon Ridge Public Charter School on the grounds of failure to substantially meet any of the measurable student educational standards in the approved charter. *The motion passed unanimously.*

8. North Idaho STEM (NI STEM) Pre-Opening Update

Scott Thomson, Founder; and Colleen Thomson, Project Coordinator and Founder, represented NI STEM.

Mr. Thompson said NI STEM purchased four acres outright and has built a cafeteria/gym/auditorium. The infrastructure is in place and all teachers are hired in accordance with NCLB guidelines. There is a meeting scheduled with the City of Rathdrum, furniture is being ordered, curriculum has been purchased, and SDE paperwork is completed for payments to be received in August.

Commissioner O'Donahue commended the school for recognizing the need to delay their opening, making the decision to do so, and for their patience throughout the process.

Commissioner Hallett asked after the status of the 8th grade.

Mr. Thompson reported that 8th grade is full and there is a total enrollment of 264.

Commissioner Quinn said there has been a lot of excitement in Northern Idaho regarding the opening of NI STEM.

Chairman Reed thanked the school for their efforts. The commission no longer requires monthly updates from the school.

9. Another Choice Virtual School (ACVS) Annual Update

There were no representatives from ACVS in attendance. The PCSC consented to move the item to later in the agenda.

10. Idaho Virtual Academy (IDVA) Annual Update

Kelly Edginton, Director of Academic Services; Allen Wenger, Business Manager; Desiree Laughlin, Head of School; and Dave Malnes, Board Chairman and Parent, represented IDVA.

Ms. Laughlin provided a PowerPoint presentation regarding the status of the school. She noted that returning enrollment has increased, up over 67% from two years ago, but attrition is historically high within virtual education. IDVA's MSES are not as measurable as they need to be, and the board has approved a committee to work on amendments to this section of the petition, as well as the mission and vision statements. The school's pilot, hybrid alternative program for at-risk students has been discontinued. Next year, IDVA will offer expanded, blended learning opportunities to all students. New programs will be launched in the fall using iPads, phonics for young children, math and writing workshops, field experiments, and Idaho history videos and movies. Surveys showed that the Tier II program was not rigorous enough. This will be addressed in the upcoming year.

Mr. Wenger clarified details regarding IDVA's contract with K12.

Ms. Laughlin said IDVA's board interprets the charter's description of parent/teacher contact in such a way that it believes the school is not in violation. She summarized the level and variety of contact that takes place.

Commissioner Corkill asked about the differences in the budgets for the following categories:

- Special Education
- Transportation
- Management Services
- Textbooks
- School Supplies
- Computer Services

Mr. Wenger stated \$20,000 for Special Education is for the current month.

Transportation includes the state reimbursement of \$900,000. The management services variance was due to a change in how the K12 charges were computed. Changes were also made in how IDVA budgets were configured. The textbook category now includes all curriculum materials (textbooks, software, science supplies, etc.). Computer Services was moved into areas that fit more into a brick-and-mortar setting. IDVA pays approximately \$900,000 per year for 3,000 computers.

The Commission requested that IDVA divide K12's billing into "instructional" and "non-instructional" expense categories and provide information in this format.

Chairman Reed and Commissioner Corkill expressed concern that K12's services are overpriced and the contract is structured such that K12 will always receive as much money as possible.

Mr. Wenger noted that K12's contract works similarly in other states, which tend to fund public schools at a higher rate. Therefore, K12 profits less from IDVA than from other schools that use K12.

Commissioner Hallett said it appears K12 is providing "insurance" that IDVA will not have a deficit, and such insurance may come at a significant cost to IDVA. He feels a breakdown between instructional and non-instructional line items will assist in answering these questions.

Chairman Reed asked about the length of the contract.

IDVA reported that the contract with K12 concludes in 2014.

11. Taylor's Crossing Public Charter School (TCPCS) Update

Aaron Clegg, Board Chairman; Justin Judy, Board Treasurer; Laila Kammerman, Board Secretary; Erica Radford, Board Member; Jared Emfield, Principal; Jamie Toop, Financial Director; and Teresa Adelizzi, HR Director, represented TCPCS.

Mr. Emfield provided a PowerPoint presentation regarding the status of the school.

Chairman Reed and Commissioners Quinn and Hallett commended the school for the positive changes made since last fall.

Chairman Reed inquired about stakeholder dissatisfaction regarding extracurricular activities.

Mr. Emfield said the school needs to do a better job of communicating that, as a Harbor school, TCPCS focuses on academics rather extracurricular activities.

12. Wings Charter School Annual Update

Kay Jones, Board Chairman; Tony Adkins, Board Secretary/Treasurer and CPA; Letha Blick, Administrator; Kristie Oberg, Special Education Teacher; and Melody Lechner, Founder, represented Wings.

Ms. Blick provided a PowerPoint presentation regarding the status of the school.

Commissioners Hallett and O'Donahue commended the school for taking on underachieving students. They emphasized the PCSC's expectations that the school follows charter school laws and requirements, operates in compliance with the charter, submits meeting materials and other reports in a timely fashion, completes work on necessary charter revisions done, and provides quality education for students.

Chairman Reed expressed concern that the administration is not adequately supported by the board. The school isn't fulfilling the mission described in the charter and the CAP has not been successful in curing defects.

Wings reported they are close to having the charter revisions done, now that they can rely on historical data to help them craft reasonable goals.

Commissioner Quinn asked about the school's facility concerns.

Ms. Blick said the school has been unable to renegotiate the expensive lease. A possible purchase is under discussion; this would reduce monthly costs if the school is able to find a lender.

M/S (Hallett/Corkill): To direct PCSC staff to issue to Wings Charter School a notice of defect on the grounds of failure to substantially meet any of the measurable student educational standards in the approved charter.

Chairman Reed said the seriousness of the school's academic status cannot be understated. This defect has been repeatedly addressed by the PCSC and Wings needs to improve.

Commissioner Hallett said the development of a quality charter school is a team effort, and he feels that Wings' board needs to step up and help the school resolve these problems.

The motion passed unanimously.

9. Another Choice Virtual School (ACVS) Annual Update

Donna Meyers, Business Manager; Dr. Laura Sandidge, Part-Time Administrator; Kim Hunter, Community Liaison and Registrar; and Kelsey Williams, Full-Time Administrator, represented ACVS.

The ACVS representatives provided an update regarding the status of the school. ACVS projects a year-end reserve of \$66,000. Reading growth is apparent, but math and language growth needs to improve and programs to address this are being implemented. 34% of the student population qualifies for special education services. The school will be moving to a larger facility over the summer.

Commissioner Quinn noted that no board members were present for PCSC staff's site visit, and none attended this meeting.

ACVS said most of the board members are on vacation during the summer months. However, the school is in constant contact with board members. The board is very involved and supportive.

Chairman Reed asked about the utilization of Ron Clark's "Essential 55".

ACVS indicated they are not currently using that program, but will be working with PCSC staff to revise their charter.

M/S: (Quinn/Corkill): To direct PCSC staff to issue to Another Choice Virtual School a notice of defect on the following grounds:

- 1. Material violation of a condition, standard, or procedure set forth in the approved charter, specifically with regard to utilizing Ron Clark's "Essential 55" and Great Expectations.**
- 2. Failure to submit required reports to the authorizing chartering entity, specifically, the goals attainment report and stakeholder satisfaction results.**

The motion passed unanimously.

M/S (Hallett/Corkill): To adjourn the meeting. *The motion passed unanimously.*

The meeting was adjourned at 2:22 p.m.