

**APPROVED MEETING MINUTES
PUBLIC CHARTER SCHOOL COMMISSION MEETING
THURSDAY, SEPTEMBER 20, 2012
700 W. STATE STREET, BOISE, IDAHO
JRW WEST CONFERENCE ROOM**

A regular meeting of the Idaho Public Charter School Commission (PCSC) was held Thursday, September 20, 2012, at 700 W. State Street, Boise, ID, in the JRW West Conference Room. Chairman Alan Reed presided.

The following members were in attendance:

Brad Corkill	Nick Hallett	Gayle O'Donahue
Wanda Quinn	Brian Scigliano	Esther Van Wart

Chairman Reed called the meeting to order at 9:00 a.m. He introduced a new commissioner, Brian Scigliano.

1. Commission Work and Officer Election (Vice-Chairman)

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

Chairman Reed opened nominations for Vice-Chairman.

Commissioner Van Wart nominated Brad Corkill.

M/S (Van Wart/Quinn): To appoint Brad Corkill as Vice-Chairman. *The motion passed unanimously.*

M/S (Van Wart/Quinn): To approve the meeting minutes from July 17, 2012; July 24, 2012; and August 7, 2012, as submitted. *The motion passed unanimously.*

2. Odyssey Charter School (OCS) New Charter Petition (3rd Hearing)

Chris Peterson, Karl Peterson, Kimberly Evans Ross, and Lisa Nolan represented Odyssey.

Mr. Peterson thanked Ms. Baysinger for assistance in preparing for today's meeting. The questions on the MSES have been solved. The Buck Institute will provide teacher mentoring.

Commissioner Quinn said there seems to be many PCSC staff notes in regards to the petition and asked what was past practice when approving petitions in this status.

Tamara Baysinger, PCSC Director, said that once the petition document is approved, it is approved as it stands at the time of approval. There is no way to enforce promised changes once the petition is approved by the Commission.

Commissioner Quinn asked if the petition is a contract.

Ms. Baysinger said that technically it is not a contract, but it is the closest thing to a charter contract that we have in Idaho.

Commissioner Quinn asked if approval of the petition is time sensitive.

Ms. Baysinger said January 1st is the deadline for an opening date in 2013, so consideration of the petition in December is a valid option.

Commissioner O'Donahue said she has not been pleased with petitioners in the past who have promised to make changes once the petition is approved and then have not followed through.

Ms. Baysinger said Odyssey has been much more responsive of late than they had been previously. The petition has been further revised, though not in time for inclusion in meeting materials.

Commissioner Van Wart asked about the contract with the Buck Institute, which does not generally take on individual schools. She asked what the petitioners' expectations are of the Institute.

Mr. Peterson said the Institute will put on workshops and provide online mentoring for \$750 per month. The Institute is based in California and most of the support is online.

Ms. Nolan said Odyssey is committed to getting the charter document corrected and edited to the standards of the commission.

Chairman Reed noted that Odyssey's petition has more than the usual number of concerning issues.

Commissioner O'Donahue thanked the school for research they have done. She felt the budget was inadequate to absorb any unexpected costs.

Commissioner Hallett asked whether the high degree of collaboration needed to succeed in project-based learning is in place.

Mr. Peterson said Odyssey is looking into the possibility of a 4-day week to allow time for collaboration.

Commissioner Hallett emphasized that direction is as important as time.

Commissioner Corkill said there are four facility options and asked if the school has decided on a facility.

Mr. Peterson said the Bowen facility looks the most attractive. The plan is flexible and would allow Odyssey to purchase the land and build a permanent facility.

Commissioner O'Donahue cautioned the school to ensure their budgets align with what the builder is committed to providing.

The petitioners and PCSC agreed to a delay of decision until the December 4 PCSC meeting.

M/S (Van Wart/Hallett): To delay the decision on the petition for Odyssey Charter School until the next scheduled Public Charter School Commission meeting, by mutual agreement with the petitioners. *The motion passed unanimously.*

3. Chief Tahgee Elementary Academy (CTEA) New Charter Petition

Alexandria Alvarez, Vice Chairman/Secretary; Dr. Cyd Crue, Ex-Officio Board Member; Joel Weaver, Authorized Representative; Maxine Racehorse Edmo, Board Member; Merceline (Belle) Boyer, Board Member; Nancy Eschief Murillo, Board Chairman; Velda Racehorse, Ex-Officio Board Member; and Dr. Beverly Klug, Coordinator of Curriculum & Instruction, represented CTEA.

Ms. Edmo said CTEA is before the commission for approval as a PCSC authorized school. CTEA has property that is being donated by the Shoshoni-Bannock Tribe in perpetuity.

Commissioner Hallett encouraged the school to anticipate greater professional development costs in the early years of the school.

Mr. Weaver said CTEA would like to have more funds in this area, but they do have two community partners: University of Utah and Idaho State University.

Commissioner Hallett said the budget indicates that staff development is not a high priority, but the issue will make or break a school of this type.

Ms. Klug has worked with other schools providing staff development in this area. Incorporating culture in the classrooms has a positive influence on achievement.

Commissioner Hallett asked if the enrollment cap is sufficient to cover the community's need.

Ms. Edmo said they hope to enroll 100 students.

Ms. Alvarez said the initial surveys showed 192 students interested.

Commissioner Hallett encouraged the petitioners to increase their cap so it is high enough to include students that wish to attend.

Commissioner Quinn commended the school for their commitment to the culture. She noted that the bylaws refer to a Board of Trustees. She believes that, as a non-profit corporation, the board should be a Board of Directors.

Jennifer Swartz, PCSC counsel, agreed with Commissioner Quinn.

Commissioner O'Donahue recommended stricter attendance policies as a means of avoiding financial trouble. She asked for more information about CTEA's relationship with ISU.

Ms. Klug said there is memorandum of understanding (MOU) between the tribe and ISU, and this is the fifth year it has been in place.

Chairman Reed asked if there is a MOU with the school.

Ms. Crue said the MOU does state "with the school on the reservation".

Chairman Reed asked the petitioners to provide that documentation.

Commissioner Van Wart said she remains concerned in the petitioners' ability to find teachers who are proficient in both English and Shoshoni.

Ms. Boyer said there is program indentifying native language speaking individuals going into education courses. There are many also in paraprofessional coursework. She is aware of individuals who speak fluent Shoshoni.

Chairman Reed asked if they are certified teachers.

Ms. Boyer said some are certified teachers and some are retired teachers.

Ms. Klug said several tribal members are in the teacher education program now. They are excited about the school and wish to give back to their community.

Commissioner Corkill asked if they are fluent in Shoshoni.

Ms. Klug said they are not as yet, but ISU offers Shoshoni on campus and they will be taking those courses.

Ms. Crue said there is a teacher with 25 years of experience who is fluent in Shoshoni.

Ms. Edmo said there are fluent tribal members that have degrees and are willing to go back to school for teacher certification.

Chairman Reed asked the petitioners if they are agreeable to a delay in the approval decision.

Commissioner Hallett said the bylaws need work and encouraged the petitioners to rework them in regards to “qualified electors,” reducing the definition to stakeholders of the school.

Mr. Weaver argued that the PCSC should make a contingent approval.

Commissioner Corkill urged the petitioners to agree to a delay should that be what the Commission decides to do because if the commission remains hesitant to approve, the petition may face denial.

Chairman Reed asked the petitioners if they are agreeable to a delay.

Mr. Weaver requested a special meeting so curriculum can begin to be developed.

Ms. Edmo said the CTEA petitioners will agree to a delay.

The PCSC and petitioners agreed to a delay.

M/S (O’Donahue/Corkill): To delay decision on the Chief Tahgee Elementary Academy petition for a two week period of time from today until October 4, 2012. *The motion was amended.*

AMENDED M/S (O’Donahue/Corkill): To delay the decision on the Chief Tahgee Elementary Academy petition for up to 30 days, by mutual agreement with the petitioners. *The motion passed unanimously.*

4. DaVinci Charter School Corrective Action Plan and Academic Status Update

Darin Vickery, Board President; Cindy Hoovel, Administrator; and Michelle Roth, Business Manager, represented DaVinci.

Commissioner Hallett confirmed the CAP is with regard to special education and fiscal soundness.

Ms. Hoovel said the school has a frugal, balanced budget for 2012-2013 school year. Loan payments have been repaid as of August 20, 2012 and the line of credit

will be paid off in October. The board is focused on marketing and has recently partnered with Joe DeVera on the building plans and the school's finances.

Chairman Reed noted that the cash flow projection provided by DaVinci shows a negative of approximately \$131,000 in June.

Ms. Hoovel said the former board chair did not allow staff to proof documentation prior to sending. That figure is incorrect.

Commissioner Hallett reminded DaVinci the PCSC must take documents provided at face value.

Ms. Baysinger said she originally shared the PCSC's concerns. The information in the cover sheet reflects more recent information and included follow up with DaVinci's staff.

Commissioner Quinn feels a new CAP is needed.

Ms. Hoovel is happy to provide a new CAP.

Ms. Hoovel said the special education concern is being addressed through work with the SDE.

Commissioner Quinn asked if the special education manual was adopted in June of this year.

Ms. Hoovel said they were abiding by a special education manual, but adoption of the manual was not documented in the minutes.

Chairman Reed requested continued fiscal updates and a revised fiscal soundness cap.

5. Blackfoot Community Charter Learning Center (BCCLC) Academic Status Update

Kendall Murdock, Board Member; Kelly Jo Fisk, Teacher; Debbie Steele, Teacher; and Fred Ball, Administrator, represented BCCLC.

Mr. Murdock said the board is fairly new, learning, and working on the CAP. They are not prepared to make changes to MSES.

Ms. Fisk presented a PowerPoint regarding the school's academic status.

Commissioners Hallett and Quinn commended BCCLC on their students' growth.

6. Wings Charter Middle School Corrective Action Plan (CAP), Proposed Charter Amendments, and Academic Status Update

Kathleen Tanaka, Board Member; Kay Jones, Board Chairman; Tony Adkins, Board Secretary/Treasurer; Letha Blick, Administrator; and Melody Lenkner, Founder, represented Wings.

Ms. Tanaka said Wings is in school improvement level 2 and has submitted an improvement plan to SDE. They have made considerable adjustments in their instruction, curriculum, and school with a focus on professional development, mentoring/training, and collaborative time with experienced teachers. Teachers are aware that student achievement is a priority.

Commissioner Hallett emphasized that Wings' focus should be on student growth. It appears that Wings' students did not grow much compared to their academic peers. He asked the school to explain.

Ms. Blick said that the school has two new math teachers, a fact reflected in their low math scores. Additionally, enrollment increased from 140 students to 190 students within one month at semester. A teacher was hired mid-year due to the enrollment increase. Student behavior is another factor the school is working to improve.

M/S (Hallett/O'Donahue): To approve Wings Charter Middle School's proposed charter amendments as submitted. *The motion passed unanimously.*

7. Xavier Charter School (XCS) Fiscal Status Update

Justin Lanting, Business Manager; Debbie Burr, Board Chairman; Thad Biggers, Head of Schools; Mark Lambert, Board Member; Joan Hurlock, Board Vice-Chairman; and Melissa Crane, Board Member, represented XCS.

Ms. Burr received a report from auditors this morning that will be presented to the board tonight. All expenditures have been accounted for and this report will be submitted to SDE. It appears no federal monies will need to be repaid. However, the lease is 30% of the operating budget and is unsustainable. XCS has begun negotiations with the Utah landlord through an attorney and is awaiting the outcome. XCS is awaiting another letter from the IRS regarding the payroll tax issue. The school still believes no additional taxes will need to be paid. Additional accounting investigation has led the board to believe that the carryover from last year was close to \$100,000 instead of \$506,000 as previously reported. Checks and balances for financial transactions have been put in place.

Commissioner O'Donahue thanked the school for their diligence and communication with the PCSC and staff.

Mr. Biggers said the budget will be amended next month. Enrollment numbers were conservative, the copier lease was redesigned, and consulting fees will come down.

Ms. Burr said as soon as IRS communications are received, they will be forwarded to PCSC staff. The lease represents the most significant factor in the school's fiscal crisis.

M/S (Corkill/Hallett): To direct staff to issue to Xavier Charter School a notice of defect on the grounds of failure to demonstrate fiscal soundness as defined by I.C. §33-5209(2)(d). *The motion passed unanimously.*

8. iSucceed Virtual High School Annual Update

Don Peña, Board Chairman; and James McKenna, Business Manager, represented iSVHS.

Mr. Peña provided an update regarding the school's curriculum provider, which was selected by the board; enrollment, which dropped by 50% last year; finances, which benefit from a \$600,000 reserve; and star rating, which the school believes is inaccurately low with regard to graduation rate.

Commissioner Corkill noted the absence of a budget provided by iSVHS.

Chairman Reed asked what the projected balance is at the end of 2013.

Mr. McKenna said the estimate is approximately \$600,000.

Chairman Reed stressed that meeting materials must be submitted on time.

iSVHS takes full responsibility for missing the deadline and said it would not happen again.

M/S (Hallett/Scigliano): To direct staff to issue to iSucceed Virtual High School a notice of defect on the grounds that the school has committed a material violation of any condition, standard or procedure set forth in the approved charter, specifically with regard to: student portfolios, Community/Professional Counsel, Community Coordinator position offering, and prescription drug and infectious control policies. *The motion passed unanimously.*

The commission agreed that, in the future, schools that fail to submit timely meeting materials will be moved to the end of the agenda. PCSC staff will consider further means to attach consequences to materials submission deadlines.

9. Kootenai Bridge Academy (KBA) Annual Update

Charles Kenna, Administrator; and Dody Jordan, Finance Manager, represented KBA.

Mr. Kenna provided an update regarding the school's governance, academics, and finances. He said graduation rates are up, but are still low. KBA uses open enrollment, accepting students on the first of every month all year long. In the future, students' grade levels will be identified by number of credits earned rather than biological age, in order to better fit within the Star Rating System.

Commissioner Scigliano recommended discussing the possible facility purchase with an accountant, as leasing is often a better option for non-profits.

M/S (O'Donahue/Quinn): To amend the agenda changing the order of Victory Charter School and Monticello Montessori Charter schools in order to retain a quorum when Ms. O'Donahue recuses herself. *The motion was approved unanimously.*

10. Liberty Charter School Annual Update

Clyde Colbert, Board Member; Rebecca Stallcop, Co-Administrator; and Alane McKnight, Board Clerk, represented Liberty.

Commissioner O'Donahue recused herself from the discussion due to her employment at Liberty Charter School.

Mr. Colbert said Liberty met AYP and has a carryover of just over \$654,000.

Ms. Stallcop gave some examples of the culture at Liberty. She said Liberty's top priority is teachers and creating a beautiful environment for them so they are able to focus on the students. She also emphasized the importance of paying the bills out of entitlement funds and not taking funds from teacher's salaries.

The PCSC expressed its appreciation for Liberty as a quality school.

11. Victory Charter School Annual Update

Leslie Mauldin, Board Chairman; Niki Crow, Board Clerk; and Matt McDaniel, Co-Administrator, and represented Victory.

Commissioner O'Donahue recused herself from the discussion due to her employment with Victory Charter School.

Ms. Mauldin said there is a carryover of approximately \$361,000 going into next year.

Mr. McDaniel reported he is excited to be able to teach and be co-administrator. Academic standards are a result of maintaining fidelity to the Harbor Method. They model Liberty charter school. Victory had a 100% graduation rate last year. The valedictorian is entering college as a sophomore. He reviewed ISAT test scores.

Commissioner Van Wart asked how many students are on the waiting list.

Mr. McDaniel said waiting lists are 2,031 for Victory and 2,500 for Liberty.

12. Monticello Montessori School Annual Update

Mikki Scott, Board Vice President; Randy Crisler, Administrator; and Nora Menden-Hall, Business Manager, represented Monticello.

Mr. Crisler provided an update regarding the school's academics, governance, and finances. The school ended last year with a carryover of \$73,000.

Commissioner Hallett asked whether enrollment attrition is due to parents not understanding the Montessori methods.

Mr. Crisler said he does believe that parents do not understand the curriculum and style of teaching.

Commissioner Hallett asked if exit interviews are done.

Mr. Crisler said there are online surveys, but the school needs to initiate an exit interview process.

Commissioner Hallett asked why the school's AGP is below average.

Ms. Hall said Monticello has not taught students how to take tests in a computerized format. These test taking skills will be worked on in the classroom going forward. Montessori typically focuses on practical life experiences.

M/S (O'Donahue/Hallett): To direct PCSC staff to issue to Monticello Montessori School a notice of defect on the grounds of failure to submit required reports to the authorizing chartering entity, specifically: budgets, standardized test results, a goals attainment report, programmatic audit responses, stakeholder survey results, and student exit interview data. *The motion passed unanimously.*

Commissioner O'Donahue asked whether schools realize and understand that their scores need to be improved under the Star Rating System.

Ms. Baysinger said the Star Ratings are being taken very seriously. These are tools which have been needed for some time and now the data is available. Schools are not yet aware of the depth of the PCSC's concern, as we have only had the information for about a month. PCSC staff will be educating and monitoring 1 and 2 Star schools. Although the Star Rating System does not work well for a few schools (KBA, for example, because they are only a 11th and 12th grade school). In most cases, however, the Star Rating System appears to provide an accurate picture. She suggested the PCSC make clear to schools that low Star Ratings may result PCSC action if improvements are not made.

Commission Hallett suggested using and emphasizing adequate growth percentile as a measure of the school's success.

Ms. Baysinger said the SGP measures at the student level and compares to peer data. This is a very useful tool in measuring academics in specific schools.

Commissioner O'Donahue said the commission must set expectations and approve charters that are likely to meet them.

The PCSC would like a formal means of recognizing high-performing schools.

Commissioners Quinn, O'Donahue, and Van Wart will serve on a committee, supported by PCSC staff, to discuss possibility for recognizing high-performing schools.

13. PCSC Discussion: Proposed Rule Changes

Ms. Baysinger said there are two sets of proposed rule changes for consideration in the legislature this year. One updates the State Board of Education rules governing charter schools; this set has been approved by the board. The other is the Public Charter School Commission rules. Most of these proposed rule changes are small procedural and clean up changes to align the rules to statutory changes made over the past couple of years. She clarified that these are not related to statute changes having to do with model law and essential practices.

M/S (Quinn/Hallett): To approve the draft rules as submitted. *The motion passed unanimously.*

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

The meeting was adjourned at 2:12 p.m.