

June 17, 2014

---

1. Agenda Approval

Does the Public Charter School Commission (PCSC) have any changes or additions to the agenda?

COMMISSION ACTION

**A motion to approve the agenda as submitted.**

2. Minutes Approval

Does the Public Charter School Commission (PCSC) have any changes or additions to the meeting minutes from April 17, 2014 or May 1, 2014?

COMMISSION ACTION

**A motion to approve the meeting minutes from April 17, 2014, and May 1, 2014, as submitted.**

June 17, 2014

---

**DRAFT MEETING MINUTES  
PUBLIC CHARTER SCHOOL COMMISSION MEETING  
THURSDAY, APRIL 17, 2014  
700 WEST JEFFERSON STREET  
STATE CAPITAL, EW 41, BOISE, IDAHO**

A regular meeting of the Idaho Public Charter School Commission (PCSC) was held Thursday, February 13, 2014, at 700 West Jefferson Street, Boise, ID, in the State Capital in the East Wing 41 (EW 41) Hearing Room. Chairman Alan Reed presided and called the meeting to order at 9:00 a.m.

The following members were in attendance:

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

**A) COMMISSION WORK**

**1. Agenda Review / Approval**

**M/S (Quinn/Hallett): To approve the agenda with the addition of an Executive Session to discuss records exempt from disclosure pursuant to I.C. 67-2345. *The motion passed unanimously.***

**2. Minutes Approval**

**M/S (Van Wart/Hallett): To approve the meeting minutes from February 13, 2014, as submitted. *The motion passed unanimously.***

**3. Calendar**

**M/S (Van Wart/Scigliano): To reschedule the PCSC's June 12, 2014, regular meeting for June 17, 2014. *The motion passed unanimously.***

**4. Commission Education**

Blossom Johnston, Program Officer for The J.A. and Katherine Albertson Foundation (JKAF), and Andrew Bray, Consultant to JKAF, led a presentation outlining JKAF's new approach to charter school support in Idaho.

Ms. Johnston introduced the presentation, explaining that JKAF has significantly revamped its approach in order to better focus on the development, replication, and expansion of quality public charter schools throughout the state. JKAF has set a "20 in 10" goal to support the creation of 20,000 high quality seats in Idaho

**June 17, 2014**

---

charter schools in the next 10 yrs. Ms. Johnston introduced Mr. Terry Ryan, the President of the Idaho Charter School Network (ICSN), who has been working with Ms. Johnston on this plan. Ms. Johnston introduced Mr. Andrew Bray from the Charter School Growth Fund to assist in presenting the JKAF's strategy and process towards achieving the 20 in 10 goal.

Mr. Bray reported on the work he has been doing with the JKAF and discussed possible strategies for the 20 in 10 goal. He outlined strategies from other states that have been successful in developing high performing charter sectors. Mr. Bray reported that the JKAF is concentrating on two main areas, which is first to focus on the ecosystem of developing high performing charters; and second, to radically change the approach to the development of high performing charters. Mr. Bray indicated that the main point of today's discussion would be related to the latter. He pointed out some details of a high level strategy that include the development of home grown charter management organizations (CMOs), attraction of new CMOs into Idaho, expansion of current schools (5-6 high-performers), and opening new start-up schools (which has been the JKAF focus to date and will continue to be a part of the strategy). He reported that their strategy is an expansion strategy and not necessarily a new start-up strategy.

Commissioner Quinn requested a definition of CMOs, since different states and stakeholders may have different understandings. Mr. Bray responded that his definition of a CMO is a non-profit corporation that launches and operates more than one school. The difference between a CMO and an affiliation is that there is a central leadership team that has central control over hiring and firing the school leaders at the network schools.

Mr. Ryan stated that it is likely the authorizer would legally be in a relationship with the board of trustees.

Tamara Baysinger, Idaho Public Charter School Commission (PCSC) Director, stated that statute does not directly address the relationship between the authorizer, a CMO, and its schools; and it is possible that some legislative clarification may be necessary. Mr. Bray emphasized that this is an area that would require development.

Mr. Bray said JKAF is shifting its focus to quality and student outcomes, and is requiring schools to go through a more rigorous process in order to receive funding. In the future, it is likely that fewer than 50% of applicants will receive funding from JKAF. At the end of his presentation, Mr. Bray invited additional questions from the Commissioners.

Chairman Reed reflected that it currently seems unlikely that Idaho will attract CMOs because of limited school funding, and asked how this impacts the strategy. Mr. Bray responded that this is indeed an issue, particularly in terms of

attracting outside CMOs. Other states have faced similar challenges and have found ways to make it work in their state, and it would be important to determine how to customize this approach to Idaho.

Commissioner Hallett stated that at first look, it appears that CMOs are another layer of bureaucracy, and asked Mr. Bray to address this concern

Mr. Bray responded that when one looks at high-functioning CMOs across the country, they don't seem to get caught up in the bureaucracy. Focusing on student outcomes and having an appropriate structure (both the state and the organization) can help prevent bureaucratic issues.

Mr. Ryan added that the idea of CMOs is about an economy of scale, allowing leaders who are effective at one school to support more than one school.

Chairman Reed stated that he believes that CMOs can provide a layer of support to their schools currently lacking in Idaho.

Commissioner Quinn voiced her agreement.

## **B) CHARTER SCHOOL ANNUAL UPDATES**

### **1. Idaho Connects Online School (ICON)**

Idaho Connects Online School (ICON) provided a written report only. The Commission had no comments or questions regarding ICON's annual update.

### **2. Idaho Virtual Academy (IDVA)**

Idaho Virtual Academy (IDVA) provided a written report only. The Commission had no comments or questions regarding IDVA's annual update.

### **3. INSPIRE Connections Academy**

INSPIRE Connections Academy provided a written report. Karen Glassman, INSPIRE's new Administrator, introduced herself to the Commission and thanked the PCSC and staff for their support of the school and her during the administrative transition. Chairman Reed thanked Ms. Glassman for her attendance and introduction. The Commission had no additional comments or questions regarding INSPIRE's annual update.

### **4. iSucceed Virtual High School (iSVHS)**

Mr. Aaron Ritter, Executive Director, introduced Mr. Don Pena, Board Chair, and Ms. Timari Klum, Business Manager, who represented iSucceed Virtual High

School (iSVHS). The school presented information via a PowerPoint and video, which highlighted the changes and improvements the school has worked to make, and the strategies the school is using to improve its academics and finances.

Chairman Reed requested that Ms. Alison Henken, PCSC staff, explain the differences the PCSC sees between cash flows and budgets. Ms. Henken clarified that the schools' cash flows and budgets cannot match up cleanly, since there are revenue and expenditures that are budgeted in a given fiscal year but are received or spent in the next fiscal year. Specifically, schools receive funds for the previous fiscal year in July (the beginning of the new fiscal year), and also have encumbered costs in the summer that are budgeted, based on contracts, in the appropriate fiscal year even though they are paid later (specifically payroll).

Commissioner Quinn requested that Ms. Baysinger clarify the difference between the notice of defect (NOD) process and the financial concern letter process and impact.

Ms. Baysinger explained that the NOD process no longer exists due to statutory change. NODs were letters from the Commission to the school. They required action by the school (submission of a corrective action plan) and served as the first step in the revocation process if the identified defect were to go uncured.

A letter of concern is from the Commission to the State Department of Education (SDE) and does not require action by the school. The letter of concern is not punitive, nor is it a step toward revocation. Rather, its purpose is to protect taxpayers in the event of a mid-year school closure.

Statute provides that a letter of concern shall be issued by the PCSC if they have reason to believe that a public charter school won't remain fiscally sound for the remainder of the performance certificate term. Issuance of the letter gives the SDE the authority to modify its payment structure such that the schools payments are all equal, rather than front-loaded so that 80% of the school's funds for the year are disbursed by the end of autumn. The overall amount the school receives is unaffected, and the school's board retains autonomy to seek solutions to its financial situation.

Commissioner Quinn requested that iSVHS provide additional information regarding the differences between what they anticipate and what was presented to the PCSC in the budget materials.

Ms. Klum clarified that the school anticipates receiving facility and technology funding from the state for this fiscal year. They have also cut costs and are saving approximately \$25,000 based on staffing reductions. All added up, iSVHS anticipates additional revenue and savings to equal approximately \$107,000,

which would result in a small carryover at the end of the year.

Mr. Pena also stated that they are very conservative and are confident they will maintain a positive cash flow. He also raised the concern that if the SDE adjusts the school's payments, the school could face cash flow challenges in the next year or public perception could result in lower enrollment.

Commissioner Hallett stated his concern that the PCSC was lacking adequate information to make a decision regarding iSVHS (since there was new information presented). He said a decision would likely need to be made using the materials as presented.

Ms. Baysinger explained that budget reviews are extremely time-consuming for PCSC staff, and the late-arriving information could not be verified in time for today's meeting.

The Commissioners discussed whether or not a letter of concern regarding the school's finances should be issued, with consideration to the PCSC's statutory obligation and the potential impacts the letter could have on the school.

Jennifer Swartz, PCSC legal counsel, reminded the PCSC that the question before it is whether the PCSC believes the school can remain fiscally stable for the remainder of its certificate term. If so, there is no need to issue the letter; if not, statute obligates issuance of the letter.

Ms. Baysinger noted that the PCSC could instruct staff to include specific details in the letter, such as the fact that, based on new information, it appears that the school will have additional revenue and/or cost savings that could change the school's financial picture.

Commissioner Hallett stated that he would prefer to make the decision at the June meeting and asked if there is any negative impact in waiting.

Ms. Baysinger said that for the purpose of protecting taxpayers, a June decision would be fine because no payments for FY15 would have gone out by that time. However, waiting to issue the letter would give the school less time to prepare for resultant changes in the payment schedule.

Mr. Ritter thanked the Commissioners for their thoughtful discussion and consideration on the matter.

Ms. Henken clarified that when she provides a recommendation for Director Baysinger to review and potentially take to the Commission, she looks at two main things. First, whether the school is projecting a deficit in the current or next fiscal year, and second, whether they are projecting any months of negative cash

flow. These two points serve as predictors of fiscal stability; where negative cash flow points to a more short term problem, a deficit points to a potential long term problem.

There was additional discussion among Commissioners, and Commissioners Hallett and O'Donahue both voiced the desire to delay the decision until the June meeting.

**M/S (Quinn/Van Wart): To direct staff to issue to the SDE written notice of concern regarding iSucceed Virtual High School's fiscal situation. Such notice shall include a statement that new information provided by the school indicates that the school's changing fiscal situation may result in a more positive year-end outcome than could be verified at the time of this meeting. The motion passed 3-2, with Commissioners Hallett and O'Donahue dissenting.**

**5. North Valley Academy (NVA)**

North Valley Academy (NVA) provided a written report only. The Commission had no comments or questions regarding NVA's annual update.

**6. Xavier Charter School (XCS)**

Xavier Charter School (XCS) provided a written report only. The Commission had no comments or questions regarding XCS's annual update.

**7. Richard McKenna Charter High School (RMCHS)**

Richard McKenna Charter High School (RMCHS) provided a written report only. The Commission had no comments or questions regarding RMCHS's annual update.

**8. Wings Charter Middle School (WCMS)**

Wings Charter Middle School (WCMS) provided a written report only. The Commission had no comments or questions regarding WCMS's annual update.

**9. Heritage Academy (HA)**

Mr. Blair Crouch, Board Chair; Ms. Teresa Molitor, Board Member; Ms. Christine Ivie, Administrator; and Ms. Cheryl Kary, Business Manager, represented Heritage Academy (HA) via telephone.

Mr. Crouch began the school's presentation, indicating that HA continues to work with the USDA to re-finance the school's facility. This may be done through

upgrading their current building or possibly building a new facility; however, the board feels that the remodel will be more manageable financially than building a new facility.

Ms. Kary spoke briefly about the school's budget and stated that though the school's budget projection shows a carryover of \$2,400, they anticipate having approximately \$30,000 in cash at the end of the fiscal year. She is looking for non-critical cost cuts to put the school in the best possible situation at the end of the year. Ms. Kary stated that she does not believe that the school will have a negative cash flow in July based on the cost savings, state payment, and their request for an advance payment for fiscal year 2015 (since HA is adding eighth grade next year). The school now anticipates additional revenue that they did not include in the budget.

Ms. Ivie spoke about marketing and outreach strategies the school is using to reach families. She said the school is making improvements including student growth in reading, implementation of PBIS, and adjustments to the school's professional development.

Commissioner O'Donahue asked whether the school has provided the USDA with the additional information they need for their decision-making process and how the USDA feels about the school's financial stability.

Mr. Crouch stated that after the school's April 17<sup>th</sup> school board meeting, at which the USDA will make a presentation to HA, they may be invited to go on to next steps in a remodel and/or a new building. He also informed the PCSC that he is looking at a "Plan B" to fund the school through another route, do less remodeling, and focus on needed repairs. With a remodel, they will need to ensure ADA compliance. There would need to be assurance of no asbestos and a few other items that would reduce lender concerns about problems that could arise during a remodel.

Commissioner Scigliano asked Mr. Crouch to further describe the school's Plan B for financing and address how they will deal with the balloon payment scheduled for July 2015.

Mr. Crouch responded and that Plan B is to seek local bank financing.

Commissioner Van Wart asked if the school has worked with a bank and submitted an application for pre-approval.

Mr. Crouch stated that HA has been working with a local bank. The USDA wants HA to apply for a construction loan through that bank, then USDA would take over the completion and guarantee the loan. The same local bank may work with HA without USDA involvement; this is Plan B. HA has not yet submitted an

**June 17, 2014**

---

application because they are waiting until after the USDA presentation and school board meeting this evening.

Commissioner Hallett pointed out that the school may have to make a balloon payment of approximately \$230,000 in July 2015. He asked the school to describe how they would handle that.

Mr. Crouch responded that both Plan A (USDA) and Plan B (local bank) would allow the school to acquire the building and would eliminate the balloon payment.

Commissioner Hallett followed up by asking if the school has a "Plan C" if they cannot get financing to purchase the building.

Mr. Crouch said HA could try to renegotiate with Magic Valley Christian School to adjust HA's continued payments. Commissioner Hallett asked whether the school could afford to pay the balloon payment.

Mr. Crouch responded that the school does not currently have the funds in the bank to make the payment. He added that HA would reduce staff as needed, perhaps by four teachers, to make the balloon payment.

Commissioner Quinn requested that, for the benefit of the school, Ms. Baysinger again clarify the difference between the notice of defect and the letter of concern.

Ms. Baysinger again clarified the difference between the two.

**M/S (Van Wart/Scigliano): To direct staff to provide the SDE with written notice of concern that the PCSC has reason to believe that Heritage Academy cannot remain fiscally sound for the remainder of its certificate term. *The motion passed unanimously.***

Commissioner Quinn asked the school to provide information about its academics and identified special education non-compliance.

Ms. Ivie responded that HA had significant turnover between 2012 and 2013, and that the school's focus is on academic growth. They believe that, based on their internal benchmark assessments, student outcomes are improving. Regarding special education, the school started the 2012-2013 school year with less than 5% of students needing services; the special education population increased to 25% during that school year. They made efforts over the summer to address the resultant challenges. Ms. Ivie stated that she feels the school's non-compliance was due to paperwork issues rather than lack of services. She stated that the SDE recently cancelled two, scheduled visits because they no longer have concerns.

Commissioner Hallett asked how the school will measure student growth since it will be a couple of years before we have standardized test data due to the transition to the Smarter Balanced Assessment. Ms. Ivie responded that HA will use the IRI and curriculum-based assessments and spoke about some of the changes the school is making to its educational program and schedule.

## **C) OTHER CHARTER SCHOOL UPDATES**

### **1. Chief Tahgee Elementary Academy Financial Status Update (CTEA)**

Ms. Velda Racehorse, Board Chair; Mr. Joel Weaver, Administrator; and Dr. Cyd Crue, Coordinator, represented Chief Tahgee Elementary Academy via telephone.

Mr. Weaver provided a brief update about the school's financial situation, saying the school has secured a line of credit that will allow them to prevent a negative cash situation. He indicated they are progressing and working the plan that they presented at the PCSC's last regular meeting.

In response to Chairman Reed's query, Ms. Baysinger said the school will need a nearly 30% enrollment increase to remain fiscally stable. She said the question before the PCSC is whether or not the Commissioners feel the school will be able to reach that mark and otherwise follow its plan to ensure fiscal stability.

Commissioner Quinn asked how CTEA's marketing strategy is different from last year's, and asked for an update on completion of activities to date.

Mr. Weaver said the marketing plan is similar to what it was last year. He noted that the line of communication on the reservation relies heavily on word of mouth. He indicated they hope to reach their enrollment projection target of 111 students by June 1<sup>st</sup>.

In response to Commissioner Quinn's query, Ms. Baysinger said an update at the beginning of the new school year would be most useful in obtaining confirmed enrollment numbers.

The PCSC commended CTEA for their work in addressing their financial challenges and thanked them for the update.

### **2. Heritage Community Charter School Financial Status Update (HCCS)**

Mr. Robb MacDonald, Board Chair; Ms. Tamara Strikwerda, Board Member; Mr. Javier Castaneda, Administrator; and Ms. Elizabeth Moore, Business Manager, represented Heritage Community Charter School (HCCS).

Mr. MacDonald provided an update on the school's finances. He reported that they have successfully renegotiated their lease to reduce payments dramatically for the next five years. Based on new information the school has received from the state, HCCS believes their FY15 carryover will be approximately \$400,000 at end of FY15. The school is working with Building Hope on a possible refinance of the school's facility. The school also announced that they recently had their accreditation review and have been informed HCCS will be recommended for accreditation.

Several Commissioners commended CTEA for its diligent work and expressed their happiness about the school's good news and improved financial situation.

**D) CONSIDERATION OF PROPOSED CHARTER OR PERFORMANCE CERTIFICATE AMENDMENTS**

**1. Odyssey Charter School Proposed Charter Amendment (Odyssey)**

Ms. Carrie Reynolds, Board Chair; Mr. Andrew Whitford, Vice Chair; Mr. Chris Peterson, Board Member; and Mr. Karl Peterson, Administrator, represented Odyssey via telephone.

Ms. Baysinger introduced the agenda item, indicating that Odyssey is proposing an amendment that would allow them to increase their rate of enrollment expansion. Based on the number and extent of challenges with which Odyssey is contending, staff recommends that the PCSC deny the amendment. Expansion or an increased rate of growth would be more appropriate for consideration after the school has established smooth and effective operations.

Dr. Dale Kleinhert, Director of School Accreditation for AdvancEd, confirmed that Odyssey is an applicant for accreditation but has not been given candidacy status at this time due to concerns with 9 of the 32 indicators.

Commissioner Hallett requested more detail about the accreditation process and what delayed it in Odyssey's case.

Dr. Kleinhert said the school applied in September, then completed a self-assessment before AdvancEd conducted the school's readiness review in December. Based on the visit, Odyssey was initially recommended for candidacy, but when Dr. Kleinhert reviewed the information in detail, he became concerned. Dr. Kleinhert requested that the school provide information about how they would address the 9 areas identified in the readiness review.

June 17, 2014

---

**M/S (Quinn/Scigliano): To deny the proposed charter amendments as submitted by Odyssey Charter School.** *The motion passed unanimously.*

**E) CONSIDERATION OF PROPOSED CHARTER SCHOOL PERFORMANCE CERTIFICATES**

**1. Odyssey Charter School (Odyssey)**

Ms. Carrie Reynolds, Board Chair; Mr. Andrew Whitford, Vice Chair; Mr. Chris Peterson, Board Member; and Mr. Karl Peterson, Administrator, represented Odyssey via telephone.

Ms. Baysinger provided information about the status of Odyssey's performance certificate. She confirmed that the PCSC subcommittee tasked with reviewing the certificate did not recommend it for either approval or denial because they felt the full PCSC should review the proposed conditions included in Appendix A.

Ms. Baysinger also re-introduced Dr. Kleinhert, who was invited to join the discussion since the school's accreditation status is one of the most critical conditions included in the certificate. She reported that Dr. Kleinhert had communicated to her that it may be feasible for the school to receive candidacy status this school year.

Dr. Kleinhert said he spoke with Ms. Baysinger before he received and reviewed the latest documentation from Odyssey. He provided details about the school's status in addressing AdvancEd's concerns, stating that though the school has sent documentation that addresses some of the 9 issues, some (including a financial plan, board policy, and special education) remain under-addressed or unaddressed. Mr. Kleinhert will not visit the school until he feels that the school has addressed the 9 issues. Some of the information Odyssey submitted to Dr. Kleinhert lacks necessary detail. After reviewing the documentation, Dr. Kleinhert stated that he believes it will be difficult for this to be resolved before the end of the school year, as his visit needs to be conducted while students are present.

Mr. Whitford said the school is working on the financial plan and that their business manager projects having it ready within a week. He believes that providing Dr. Kleinhert with the requested information about special education will take longer. Mr. Whitford also stated that before the school received the PCSC conditions, they had not planned to work towards candidacy until the school's second year of operation.

Commissioner O'Donahue asked Dr. Kleinhert to confirm that the accreditation process commonly includes schools achieving candidacy status within the first year and then working toward full accreditation in year two.

Dr. Kleinherst stated that schools should, and usually do, receive candidacy within the first school year. Once a school has candidacy status, they have two years to get full accreditation; however, most schools work towards full accreditation within one year after receiving candidacy status.

**M/S (Hallett/Van Wart): To approve the proposed the Performance Certificate for Odyssey Charter School as presented. *The motion passed unanimously.***

Chairman Reed recessed the PCSC meeting for a lunch break at 12:18 p.m.

Chairman Reed reconvened the PCSC meeting at 1:05 p.m.

At this time, there was discussion regarding a motion to approve the certificates of more than one charter school at once. That process was determined to be acceptable.

Commissioner O'Donahue recused herself from the discussion and vote regarding the performance certificates of Legacy, Liberty, and Victory because of her professional relationship with these schools.

**M/S (Quinn/Van Wart): To execute the Performance Certificates for Legacy Public Charter School, Nampa Charter School (commonly known as Liberty), and Victory Charter School as presented. *The motion passed unanimously.***

**M/S (Scigliano/Quinn): To execute the Performance Certificates for Sage International School of Boise, Xavier Charter School, Another Choice Virtual School, Bingham Academy, Monticello Montessori Charter School, and White Pine Charter School as presented. *The motion passed unanimously.***

## **F) OTHER BUSINESS**

### **1. Legislative Update**

Ms. Baysinger, PCSC Director, updated the PCSC on bills that passed during Idaho's 2014 legislative session that specifically impact public charter schools and/or the PCSC.

H568 provides that the spouse a of public charter school board member may be employed by a public charter school only when the charter school is located in a district whose fall enrollment comprises fewer than 1,200 students, only in a non-administrative position, and only under certain conditions. This legislation will

have a direct impact on Odyssey Charter School, as the school's administrator is the spouse of one of the school board members and the school is located in a district that is larger than 1,200 students. Odyssey has been notified of the legislation and the need to adjust their current situation to comply with statute.

S1264 clarifies the separation of roles between the Executive Director of the State Board of Education (SBOE) and the Director of the PCSC. The bill further clarifies policymaking and rulemaking authority of the PCSC and SBOE. The PCSC adopts policies, while administrative rule is the purview of the SBOE.

H521 requires all school districts and public charter schools to develop and maintain strategic plans focused on improving student performance. Strategic plans for 2014-15 must be developed by September 1 and include specific elements defined in the legislation. Charter schools will be expected to submit these plans. Ms. Baysinger stated that PCSC-authorized charter schools have already done some of the work in developing their performance certificates; however, it is likely that they will have to present the plan in another format. The PCSC does not need to be involved in the development of schools' strategic plans, but may find them informative in the future.

## **2. Discussion on Authorizer Practices in Michigan**

Commissioner Quinn presented on her observations of the charter authorizing practices in Michigan.

The J.A. and Katherine Albertson Foundation (JKAF) recently hosted a trip that included Chairman Reed, Commissioner Quinn (as a representative of the University of Idaho) and representatives from Boise State University, Idaho State University, College of Idaho, and Northwest Nazarene University, to visit two authorizers in Michigan.

Michigan has many authorizers, including universities. The issue the PCSC faces with university authorizers is not the same here as it is there. They have much larger budgets and more staff members than the PCSC. Commissioner Quinn came away from the visit feeling that Idaho's charter schools need more support and resources, and does not believe this is the PCSC's role (particularly given our budget, as noted by Chairman Reed), but it is important. In Michigan, some authorizers have resource / support arms to fill those roles separately from authorizing activities.

Chairman Reed reflected that he also feels it would benefit Idaho's charter schools if the universities would help with support and resources. They may be better able to help charters in this way than as authorizers.

**June 17, 2014**

---

Commissioner Quinn also noted that the financial support for charters and authorizers in Michigan is significantly higher than in Idaho. Additionally, she noted that the needs of the schools and authorizers are very different, given the population of the state and other differences (levels of poverty, more urban centers) and charter priorities in Michigan (such as focusing charters in struggling districts).

Commissioner Quinn and Chairman Reed informed the PCSC of a conversation they had in Michigan where they were encouraged to rely more on the work done by PCSC staff in developing recommendations. The Commission discussed how the PCSC can improve in writing policies and procedures for staff to use so the process is clear and open, enabling the PCSC to rely on the thoroughness of the research that staff has done rather than attempting to re-cover the same ground with a school during a meeting. Commissioners and staff further discussed how to set strong quality standards and procedures (such as the petition evaluation rubric), then follow through and be consistent in use of these processes.

The PCSC requested that staff present a written version of the procedures used to gather information and develop recommendations regarding action items for PCSC meetings for PCSC review and approval. A procedural checklist could be included with all relevant meeting materials to ensure public understanding of the background on which PCSC recommendations and decisions are based. There was also discussion about items that could be included on a consent agenda.

#### OTHER BUSINESS

**M/S (Quinn/Hallett): To move into Executive Session to discuss records exempt from disclosure.** *The motion passed unanimously.*

**M/S (Scigliano/Quinn): To leave executive session.** *The motion passed unanimously at 2:25 p.m.*

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

The meeting adjourned at 2:28 p.m.

June 17, 2014

---

**DRAFT MEETING MINUTES  
PUBLIC CHARTER SCHOOL COMMISSION SPECIAL MEETING  
THURSDAY, MAY 1, 2014  
650 WEST STATE STREET  
SUITE 307, BOARD ROOM, BOISE, IDAHO**

A special meeting of the Idaho Public Charter School Commission (PCSC) was held Thursday, May 1, 2014, at 650 West State Street, Boise, ID, in the Office of the State Board of Education, Suite 307 Board Room. Chairman Alan Reed presided by telephone and called the meeting to order at 9:01 a.m.

The following members were in attendance by telephone when the meeting was called to order:

Gayann DeMordaunt    Gayle O'Donahue  
Wanda Quinn            Esther Van Wart

Commissioners Brian Scigliano and Nick Hallett joined the meeting after it was in session. Commissioner Scigliano attended in person.

**Agenda Review / Approval**

**M/S (DeMordaunt/O'Donahue): To approve the agenda as presented. *The motion passed unanimously.***

**D) COMMISSION DISCUSSION**

**2. Proposed PCSC Alternative School Performance Framework**

Chairman Reed requested that Tamara Baysinger, PCSC Director, provide an introduction to the draft Alternative School Framework.

Ms. Baysinger provided an overview of the reasons for the creation of the Alternative School Framework, the status of the State Department of Education's (SDE) process of revising the Star Rating system with consideration for alternative schools, and the adjusted and new measures presented in the PCSC's draft Alternative School Framework. She summarized feedback the PCSC staff received from PCSC-authorized alternative schools, explaining that certain measures suggested by one school representative would be difficult to use due to issues with sample size and/or data collection. She provided particular detail about the same school representative's feedback regarding proposed Measure 1b. Written feedback from the Idaho Virtual Academy (IDVA)

**June 17, 2014**

---

raised concerns about the method used to calculate this measure. Ms. Baysinger explained the school's concern, the research the PCSC staff completed related to the measure, and the reasons that staff continued to include the measure in the draft. She recommended that the PCSC consider this information when making a decision about Measure 1b.

Chairman Reed asked if any of the stakeholders present for the meeting wished to give public comment.

Kelly Edginton, Administrator for Idaho Virtual Academy (IDVA), responded in the affirmative. She stated that she appreciates the creation of the alternative framework, and agrees that it may be difficult to get data for some of the measures she proposed in her written comments. She reiterated her interest in student persistence being considered, since alternative schools have students who graduate or persist in school that wouldn't have otherwise. However, she recognizes that the PCSC may not be able to track this type of measure. She highlighted the concern she included in her written comment regarding Measure 1b, emphasizing that if many alternative schools score high in the Star Ratings as a result of changes to the system, the measure may penalize some of them by placing them in low percentile groups despite their high scores.

Suzi Budge, lobbyist with SBS Associates, also provided public comment. She stated that she is always concerned about additional measures placed on schools on top of what is already required and believes that Measure 1b is an example of this since the percentile comparison is not required by the SDE. She also does not appreciate the school-to-school comparison, as she feels it creates a competition between schools. She believes the focus should be on how alternative schools help students grow.

Having heard public comment, Chairman Reed presented the agenda item for PCSC discussion.

Commissioner DeMordaunt asked Ms. Baysinger to clarify why staff proposed Measure 1b.

Ms. Baysinger responded that the measure was intended to be favorable for the schools, since the measure it replaced was related to the federal status designations that alternative schools are more likely than traditional schools to receive. An alternative school could be identified as a Focus or Priority school but still do well in comparison to its peers; the draft Measure 1b is intended to acknowledge this.

Commissioner DeMordaunt asked whether the PCSC could consider whether to include Measure 1b at a later time, perhaps after the PCSC receives the SDE's drafted changes.

**June 17, 2014**

---

Ms. Baysinger responded that this would be difficult since the PCSC has to sign performance certificates with all PCSC-authorized schools by July 1<sup>st</sup> and it may be unfair to schools to expect them to agree to a certificate without at least knowing the types of measures that will be included in the framework.

Commissioner Quinn asked whether the decision was between including Measure 1b or reverting to the previous measure as it is in the framework for general schools.

Ms. Baysinger replied that this is the primary consideration. The measure could also be eliminated. She also noted that the other alternative schools PCSC staff spoke to about Measure 1b gave positive feedback, saying they preferred the new measure over the one included in the original framework.

Commissioner Quinn asked for clarification of the number of alternative schools authorized by the PCSC.

Staff stated that four PCSC-authorized schools are alternative or have alternative programs in addition to general programs.

Chairman Reed asked Kelly Edginton if she had additional thoughts.

Ms. Edginton responded that she feels Measure 1b is unfair, based on the reasons she and Ms. Budge provided earlier. She also noted that the Star Rating will be adjusted for alternative schools, which may allow alternative schools to perform better in the system.

Chairman Reed asked Ms. Baysinger whether regular charter schools have similar concerns to those expressed by Ms. Edginton and Ms. Budge.

Ms. Baysinger replied that other schools do not have this concern, since there is no measure in the regular Performance Framework that compares schools to their peers.

Commissioner DeMordaunt said the good thing about this measure is that it provides context. She is also wondering about the idea of persistence that Ms. Edginton brought up, but understands the PCSC probably cannot implement it due to lack of an appropriate statewide data collection system. She asked for clarification on any additional benefits of Measure 1b.

Ms. Baysinger responded that the primary advantage of Measure 1b is the “apples to apples” comparison of alternative schools to other alternative schools, whereas the previous measure of designation categories impacts all schools in the same way, regardless of the types of students they serve. She also stated

**June 17, 2014**

---

that Ms. Edginton is correct that adjustments to the Star Rating system could impact alternative schools' scores, but the system will remain designed to give a score that accurately reflects alternative schools' statuses.

Commissioner DeMordaunt noted that all of the schools except one have favorable opinions. She wondered whether the PCSC should consider using the measure outside of the framework.

Commissioner Quinn stated that she does not believe would be fair to have off-the-books measures that are not included in the framework.

Commissioner O'Donahue reiterated that the other schools are favorable of the measure, but that she wonders how strongly they feel and how they feel about this measure versus the old one.

Ms. Baysinger responded that Commissioner O'Donahue's question was difficult to answer, since she didn't want to speak for the schools in their absence. She said the schools had expressed greater comfort with being compared to their peers rather than with being evaluated on their state accountability designations, since alternatives are more likely to be Focus or Priority schools. She noted that the comments from the other schools were verbal, as opposed to the formal, written comment provided by IDVA, and some of them may not have considered the measures in the same depth as did Ms. Edginton.

Ms. Baysinger also addressed the question of the PCSC using additional data outside of the framework, noting that use of context will be necessary and helpful. PCSC staff has communicated to schools that they will be able to provide additional information at the time of renewal consideration, and the PCSC will likely need to do so as well. Contextual information will be critical to making wise decisions in light of changing situations such as standardized testing and community circumstances.

Commissioner DeMordaunt asked if there is any chance that the SDE will look at this measure and possibly consider adopting it.

Ms. Baysinger said her understanding is that the SDE considered a similar measure but decided against including it.

Commissioner Reed stated that, based on discussion, it appeared that Measure 1b was the only measure that Commissioners had concerns about. He asked for clarification of whether the PCSC is waiting for additional information from the SDE.

Ms. Baysinger clarified that while the PCSC is waiting for information from the SDE to complete the proposed measures, statute requires the PCSC to sign

performance certificates with all schools before we will have that information, so we will need to sign the performance certificates with the framework as it is and then clarify the rating categories later. This has been discussed with the affected schools; they all understand the situation and have expressed a reasonable comfort level with it.

Commissioner Reed said it is difficult to adopt the framework without the all the necessary information; the timing has put the PCSC in an uncomfortable situation.

Commissioner Hallett asked for clarification of whether Measure 1b had been discussed with all of the PCSC schools or just the alternative schools.

Ms. Baysinger said the draft Alternative School Performance Framework, including Measure 1b, has been discussed point-by-point with the four alternative schools authorized by the PCSC. Three schools expressed that they like Measure 1b, and one school stated that it does not.

Commissioner DeMordaunt believes that, based on the two years of data run by staff, the measure seems favorable to the previous one; that is, it would be more beneficial to alternative schools. She asked whether the commission would have the option to re-evaluate or change the measure later.

Ms. Baysinger clarified that the framework will need to remain the same through the performance certificate term. The PCSC could re-evaluate and amend the framework if necessary during the first round of renewals. Additionally, if there is a measure in the framework that is clearly not working well, the PCSC can look at the results in that context and place less consideration on that measure. Ms. Baysinger then provided the PCSC with an overview of the 2013 data related to Measure 1b, noting that based on that data, the top percentile (exceeds expectations) included 5 Star, 4 Star, and 3 Star schools; the 50% to 75% percentile group (meets expectations) included 3 Star and 2 Star schools; the next percentile group (does not meet) included 2 star and 1 Star schools, and the lowest group (falls far below) included only 1 Star schools.

Alison Henken, PCSC staff, provided additional information on the data, the potential changes to the Star Rating system, and gave the PCSC information on the types of changes that would need to occur for high-performing schools to be penalized by Measure 1b. Based on the data from the previous two years, Ms. Henken noted that there would have to be a dramatic improvement in performance by many of the alternative schools. Ultimately, for a 5 Star school to not be in either the Meets or Exceeds categories, more than half of the alternative schools would have to receive a 5 Star rating. That would be unlikely even in light of the modifications for alternative schools. Additionally, and having so many schools receiving the top rating would likely raise concerns at the SDE

**June 17, 2014**

---

regarding the functionality of the accountability system.

Commissioner Reed stated that he appreciates the clarity on the data, but also noted the mathematical possibility of risk. He would hate to see a well- or adequately- performing school get penalized.

Commissioner Van Wart said she understood that this measure was being proposed because the non-alternative Measure 1b was more likely to penalize alternative schools. She asked for clarification on the concerns raised by one of the schools.

Ms. Baysinger summarized the school's feedback, stating that the school's primary concerns relate to the risk of a high-performing school landing in a low percentile if the majority of its peers also perform very well, and the feeling that the affected schools may be scrutinized in a way that other schools are not.

Commissioner Van Wart requested that Commissioner DeMordaunt clarify her concerns or reasons for wanting to delay the inclusion of the measure.

Commissioner DeMordaunt responded that she is in favor of including the measure and believes this measure is better for alternative schools than the one in the general framework.

Commissioner Scigliano said he appreciated the thorough discussion. Though he does not feel Measure 1b is perfect, he thinks it's an improvement beneficial to alternative schools, and with the majority of the impacted schools in favor of it, he supports the draft.

Chairman Reed asked for clarification regarding whether the majority of schools are in favor of the measure, asking if they had provided comment.

Ms. Baysinger replied that the input from three schools was positive but verbal, received in-person during site visits and during phone meetings at which the measures were specifically discussed. IDVA was the only school to provide written comment, and they were not in favor of the measure.

Commissioner Quinn stated that she believes that the draft framework is designed to be favorable for the schools.

**M/S (Quinn/O'Donahue): To adopt the Alternative School Performance Framework as proposed.**

Chairman Reed inquired whether the PCSC could choose to strike Measure 1b altogether rather than reverting to the old measure if they chose not to use the currently proposed one.

**June 17, 2014**

---

Tamara Baysinger responded that this could be done. Adjustments would need to be made to the points allocated to other measures in order to ensure the weighting would remain similar.

Chairman Reed suggested it may be better to strike the measure entirely than to approve the measure in the hope it will operate correctly.

Commissioner O'Donahue stated that she feels the schools are generally communicative and would have expressed concern if Measure 1b was unpalatable to them. Schools did note their discomfort with the focus/priority measure. She also reminded the PCSC that that this one measure has only a small impact on each school's overall score and renewal decision.

Chairman Reed noted that the school not in favor of the measure may have the most alternative students. He then asked if the Commissioners were ready to vote.

*The motion passed unanimously.*

After the vote, Commissioner Quinn asked for clarification about how a school gets to be identified as alternative

Ms. Baysinger said schools that wish to receive alternative designation must apply for designation as such and meet certain qualifications.

Commissioner Quinn whether a school could meet the qualifications but choose not to be designated as an alternatives school.

Ms. Baysinger said she believed this was possible.

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

The meeting adjourned at 9:57 a.m.