

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 PCSC have any changes or additions to the meeting minutes from April 12, 2018?

Does the PCSC have any changes or additions to the meeting minutes from May 14, 2018?

COMMISSION ACTION

A motion to approve the meeting minutes from April 12, 2018, and May 14, 2018, as submitted.

**DRAFT MEETING MINUTES
IDAHO PUBLIC CHARTER SCHOOL COMMISSION**

April 12, 2018

700 W. Jefferson Street, Boise, Idaho
Idaho State Capitol Building, East Wing 41

The meeting was called to order by Chairman Reed at 9:00 a.m. The following Commissioners were in attendance:

Alan Reed
Brian Scigliano
Wanda Quinn
Sherilynn Bair (by phone)
Nils Peterson (by phone)
Kitty Kunz

Commissioner Kelly Murphey was absent and excused.

TAB A: COMMISSION WORK

1. Agenda Review/Approval

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

2. Minutes Review/Approval

M/S (Peterson/Kunz): To approve the minutes from February 8, 2018, after amending to clarify that Commissioner Quinn's concern with the potential STEM diploma bill was with regard to absence of a math requirement for seniors. *The motion passed unanimously.*

M/S (Scigliano/Kunz): To approve the minutes from February 16, 2018, as presented. *The motion passed unanimously.*

M/S (Scigliano/Kunz): To approve the minutes from March 1, 2018, as presented. *The motion passed unanimously.*

TAB B: PROPOSED CHARTER AND PERFORMANCE CERTIFICATE AMMENDMENTS

1. Idaho Science and Technology Charter School

Kirsten Pochop, PCSC Senior Accountability Program Manager, summarized ISTCS's proposed charter amendments.

Kelly Moulton, ISTCS Board Chairman, presented the background on ISTCS and explained their proposal to expand to include grades K-3rd. She stated that they would like to increase their enrollment cap from 370 to 460 students.

Becki Adams, ISTCS Vice Chairman, explained why they would like to expand due to the demand from stakeholders.

Tami Dortch, ISTCS Administrator, explained that they have been working hard to reflect the school's true identity, which they feel is a project based approach. The original charter reflected a STEM-based approach.

Ms. Moulton reviewed the school's finances in the context of the proposed amendment.

Commissioner Quinn complimented ISTCS on their work on the amendments, as well as their performance in their geographic area. She questioned why they think there was a disadvantage with the educational model focusing on careers, but said she did understand moving to a project based curriculum.

Chairman Reed asked why ISTCS believes the school can reach a higher enrollment cap when it is currently below its existing cap.

Ms. Moulton explained that the focus on careers is more suitable for high school grades, rather than younger students such as ISTCS serves, and feel their identity has already shifted to project based learning.

Commissioner Peterson expressed his confidence that adding lower grades will help meet enrollment caps. He also inquired about why they are four percentage points below the academic status of good standing.

Ms. Pochop, explained that their math growth is what lowered their score.

Brian Crest, Superintendent for Blackfoot School District, expressed his concern that the number of charter school seats in Blackfoot is challenging for a small district. His concerns include loss of funding, teacher shortages, and some past events surrounding ISTCS.

Commissioner Quinn explained the PCSC's role is to look at charter schools and providing options for families.

Commissioner Peterson inquired about what kind of transportation ISTCS provides for students.

Ms. Dortch stated that they contract for bussing for all students in the primary attendance area.

Commissioner Bair recused herself from voting because her daughter serves on the ISTCS board of directors.

M/S (Kunz/Quinn): To approve the proposed charter and performance certificate amendments as submitted by Idaho Science and Technology Charter School. *The motion passed unanimously.*

TAB C: OTHER

1. Proposed PCSC Policy Amendments – Second Reading

Ms. Pochop explained that this is the second reading for the proposed amendments to PCSC policies that were last updated in 2015. She stated that the majority of the changes are intended to align the policies with current statute.

Suzanne Budge, lobbyist for K12 Inc., said she feels the PCSC needs to increase opportunities for stakeholder input during the policy amendment process. She expressed concern about the addition of the words “academic” with regard to expansion eligibility, as well as the meeting materials submission deadline.

Chairman Reed requested Ms. Budge provide written testimony.

Commissioner Quinn asked whether the PCSC’s policy amendment process is the same as negotiated rulemaking, and whether the State Board of Education uses a similar process.

Ms. Budge explained her opinion that the PCSC’s process appears different than that of other agencies.

Becky Ophus, Deputy Attorney General, stated that the PCSC has authority in statute as an authorizer to provide and create policies. There is no need to go through formal rulemaking to create policies. As long as the policies are complying with statute and administrative rule, the PCSC has the authority to create them and to decide the process by which they are developed.

Commissioner Peterson, explained that the rulemaking process already happened in 2017 when the statute passed, and that process allowed for stakeholder feedback. He stated that the PCSC is working to align its policies with the rules that were adopted in 2017.

Theresa Harper, lobbyist for the Association of Charter School Leaders, stated that she would like to have the opportunity to participate in committee meetings. She also feels there are changes in the policies that go beyond the changes that were made in the rules in 2017. She said she is saddened by the emphasis that has been placed on school outcomes.

Commissioner Quinn asked for clarification of the timeline for adopting these policy amendments.

Ms. Pochop explained the timeline is at the discretion of the PCSC, but the current absence of appropriate policies causes difficulty for petitioning groups.

Chairman Reed has requested that stakeholder feedback be gathered prior to holding a roundtable discussion regarding the proposed policy amendments in May.

2. Staff Update: 2018 Legislative Session

Kirsten Pochop summarized legislation that passed for the 2018 legislative session and that directly impacts public charter schools.

Commission Bair clarified with Ms. Pochop that S1267a does not effectively remove the senior math requirement due to administrative rule that remains in place. She requested that staff provide a list of relevant exceptions to the PCSC.

3. Staff Update: New Charter School Pre-Opening Update

Jenn Thompson, PCSC Finance and Resource Program Manager, reviewed the support that the PCSC office provides to schools during the preopening process. Topics include leadership structure, facilities, finances, enrollment, operation, and conditions of approval, if applicable. Ms. Thompson provided a progress update regarding each of the four schools that are currently in the preopening phase.

4. Renewal Committee Update: Communication Opportunities

Ms. Pochop gave an update on the discussions the renewal committee has held regarding increasing opportunities for communication among commissioners, school leaders, and school boards.

Commissioner Quinn discussed the results of a survey in which schools were invited to participate. She said the committee concluded that it would be best to encourage commissioners to attend school events in order to build relationships.

Ms. Thompson gave a brief update on the New School Leader Orientation document and its purpose to assist school leaders in understanding the relationship between public charter schools and authorizers.

5. Commissioner Update: Officer Elections

At Chairman Reed's request, Ms. Pochop reviewed the election process.

M (Quinn): For Alan Reed to continue as the Idaho Public Charter School Commission Chair. *The motion passed unanimously.*

M (Quinn): For Brian Scigliano to continue as the Idaho Public Charter School Commission Vice Chair. *The motion passed unanimously.*

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

The meeting adjourned at 11:47 A.M.

**DRAFT SPECIAL MEETING MINUTES
IDAHO PUBLIC CHARTER SCHOOL COMMISSION**

May 14, 2018

650 W. State Street, Boise, Idaho
Len B. Jordan Building, 3rd Floor
State Board of Education Office

The special meeting was called to order by Chairman Reed at 10:30 a.m. The following Commissioners were in attendance:

Alan Reed
Brian Scigliano
Wanda Quinn
Sherilynn Bair
Nils Peterson
Kitty Kunz

**1. Proposed Public Charter School Commission (PCSC) Policy Amendments:
Opportunity for Stakeholder Comment**

Chairman Reed said the purpose of this meeting is to hear stakeholder comment regarding proposed PCSC policy amendments.

Teresa Harper, lobbyist for the Association of Charter School Leaders, said she was concerned about the process by which the policy amendments were drafted.

Chairman Reed explained that PCSC policies are not the same as administrative rules and do not need to go through the negotiated rulemaking process.

Tamara Baysinger, PCSC Director, said the content of the proposed amendments has been addressed in public meetings and through multiple opportunities for stakeholder feedback over the past eighteen months. The proposed amendments regarding the petitioning process dovetail with administrative rules developed through the State Board of Education's negotiated rulemaking process and approved by the legislature.

Suzi Budge, lobbyist for K12 Inc., said she is accustomed to a different policy development process and would like to ensure that she is able to participate in that process.

Director Baysinger said the proposed amendments regarding the petitioning process dovetail with administrative rules developed through the State Board of Education's negotiated rulemaking process and approved by the legislature. Most of the language pertinent to renewals already appears in the performance framework that was adopted in 2017 after many months of stakeholder engagement. The opportunities for public comment regarding the policy amendments under consideration exceeds legal requirements.

Ms. Harper inquired about the reason for the thirty-day deadline with regard to the submission of meeting materials.

Director Baysinger explained that the PCSC adopted this deadline about ten years ago in order to allow time for staff to review the material and prepare it for PCSC consideration. Exceptions to the deadline are made when necessary and possible to ensure the PCSC has thorough information, and the PCSC office has not heard from any schools that they are concerned about the deadline. The deadline does not extend to public comment, which is accepted at any time.

Upon discussion, it was agreed that a definition of “meeting materials” should be added for clarity.

Commissioner Peterson said that, in his role as a petitioner and school board member, he found the materials submission deadline to be beneficial, rather than burdensome.

Kathleen Allison, Administrator iSucceed Virtual High School expressed concern that the policy regarding school enrollment expansion eligibility refers to “academic accountability” rather than just “accountability.” She said she felt this could be problematic for schools like iSVHS, which serves many at-risk students. She recommended that the PCSC include more measures that are designed to reflect success serving at-risk students.

Director Baysinger agreed that additional measures for at-risk populations may be appropriate, and noted that the first step in considering such measures is to develop a more detailed description of the populations in question.

Ms. Budge suggested removing the word “academic” from the sentence.

Director Baysinger explained that the reason the word “academic” was included was to ensure that schools struggling operationally or financially, but whose academics were strong, remained eligible for expansion. She also noted that the framework contains a commitment to the consideration of contextual factors, such as student demographics, when evaluating school outcomes.

Ms. Harper expressed concern regarding the language “enrollment expansion proposal for schools whose current academic designation is remediation are unlikely to succeed.” She feels that language shouldn’t be included.

Director Baysinger said this language already appears in the framework; the policy amendment is proposed simply for consistency and easy access to the information for stakeholders.

Commissioner Kunz said she supports the language of the amendment with regard to enrollment expansion.

Ms. Harper expressed concern with the language in section 3, which states that “the PCSC shall approve or deny proposed charter or performance certificate amendments at the time of the hearing at which they are considered.”

Director Baysinger explained that this language is included for consistency with a statutory timeline.

Ms. Allison questioned the rationale regarding the August 1 deadline for submission of mission-specific data.

Director Baysinger explained that the earlier due date is reflective of the amount of time it take to process mission-specific results.

Kirsten Pochop, PCSC Senior Accountability Program Manager, stated that the deadline can be modified within the framework as necessary for individual schools.

Ms. Harper said she feels that the PCSC's reporting requirements are over burdensome for schools.

Director Baysinger said the PCSC has reduced its required reports to only information that cannot be obtained from other sources. The only remaining required reports are an annual school leadership update and quarterly financial reports that are easily printed from schools' accounting software. Mission-specific data must also be submitted if the school chooses to include optional mission-specific standards in its framework.

Ms. Budge requested clarification on why the words "financial and operational" were stricken from the description of sections of the framework.

Director Baysinger explained that the re-wording was simply for efficiency, but said the more specific language could be included if that would make stakeholders more comfortable.

Ms. Budge said the language "points achieved in the corresponding section of the performance framework" is confusing.

Director Baysinger agreed and recommended that sentence be edited for simplicity.

Ms. Budge expressed concern regarding the removal of due process language from the renewal section of the policies.

Director Baysinger said the amendment was made to eliminate repetition of statutory language, but said it could be retained if the PCSC preferred such.

The PCSC discussed next steps with regard to the policy amendments.

Commissioner Bair said she feels this meeting provided sufficient opportunity for stakeholder comment and the PCSC should be able to adopt policies at the next regular meeting.

Chairman Reed requested that staff update the proposed amendments based on the discussion, post the updated version online two weeks in advance of the next regular meeting, and make stakeholders aware of the changes and continued opportunity to comment.

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

The meeting adjourned at 12:47 p.m.