

**MEETING MINUTES  
PUBLIC CHARTER SCHOOL COMMISSION MEETING  
THURSDAY, APRIL 2, 2009  
650 W. STATE STREET, BOISE, IDAHO  
CLEAR WATERS ROOM**

A regular meeting of the Idaho Public Charter School Commission (Commission) was held Thursday, April 2, 2009, at 650 W. State Street, Boise, Idaho. Chairman William Goesling presided. The following members were in attendance:

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

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

**M/S (Reed/deVera): To move into executive session for the purpose of considering records that are exempt from disclosure as provided in chapter 3, title 9, Idaho Code. The motion passed unanimously.**

**1. Commission Work**

Chairman Goesling asked for any changes to the agenda. Chairman Goesling recommended that Item #6 be moved to the last item of the agenda for the day and Item #3 to be Item #2 and Item #2 to be Item #3 to ease the flow of the meeting.

**M/S (deVera/Corkill): To approve the agenda per recommendations as stated. *The motion passed unanimously.***

**M/S (Van Wart/O'Donahue): To approve July 23, 2009, as the date and Boise, Idaho, as the location for a regularly scheduled Commission meeting following the May 28, 2009 meeting. *The motion passed unanimously.***

**2. Kootenai Bridge Academy and School District 271 Discussion**

**M/S (Van Wart/deVera): To amend the approved minutes from October 16, 2009 meeting minutes, Item 5, Page 6 by striking out and inserting words for purposes of clarifying statements made. The amended minutes would strike out "*terminate*" and read "*collapse the Bridge and move its staff and students into Project Coeur d'Alene.*" *The motion passed unanimously.***

Hazel Bauman, Superintendent of Coeur d'Alene School District 271, stated that the petitioners, Kootenai Bridge Academy, are presenting a case for a duplicate of service that is redundant and expensive. She said that, based on the October 16, 2009 meeting minutes, it appears the Commissioners were led to believe that the district's Bridge Academy had been terminated, or at least compromised, by the move and consolidation with Project CDA. The Bridge Academy students have full access to all facilities and services at the new location, and the district has rehired the staff and committed to a Novanet contract for three years. 204 students are enrolled in the Bridge Academy. Having another virtual option in the immediate vicinity will further exacerbate the financial situation.

Charles Kenna, founding Board member of Kootenai Bridge Academy, Lisa Lewis, Shelby Daniel and Mike Bowden, three colleagues who were also at the October meeting, were in attendance. Mr. Kenna stated that KBA charter will have a minimal financial impact on the district's operations. KBA has already secured funding from the Federal government and private contributors that will result in no cost to Idaho taxpayers. Over \$500,000 will be spent on local businesses and suppliers of technology. Although less money will be in the direct control of the school district, but this amount will not be nearly as significant as represented by Ms. Bauman.

Mr. Kenna said that, although the district claims the program they have in place at CDA delivers the same quality of education it did in the past, and that KBA would be duplicative, KBA provided the Commission with numerous documents showing a dramatic drop off in student productivity, lessons completed, attendance and graduation rates. The first time School District 271 showed any inclination to have a virtual option was shortly after KBA was approved. Evidence of this has been provided to the Commission. The only document the school district has regarding their virtual education is a use agreement requiring students to physically attend school every day, which is not a virtual program.

Mr. Kenna expressed concern regarding the issue of whether the truth was spoken to the Commission last October. He said honest communication is a critical part of the school-authorizer relationship.

Ms. Bauman said that, when the district decided to co-locate the Bridge Academy at the Project, the staff members of both schools were unhappy. However, co-location was a good financial decision. The quality of the program may have suffered due to several very disgruntled employees.

Charles Kenna said that to suggest the reason the Program is floundering is the fault of the people working there, is grossly unfair.

Jennifer Swartz, Commission counsel, clarified that the Commission is not in a position to take any action with respect to the KBA charter, which was approved in October of last year. The commission can only revoke a charter under specific circumstances enumerated in statutes. None of those are present based on any of the information she has reviewed.

Commissioner deVera reassured all positions involved that the Commission wants all students to be educated well. He expressed hope that, despite the disagreements heard here today, something can be worked out regarding concerns with duplication of effort and providing quality education. If KBA does not deliver on their charter, provide budgets, funding and the educational experience they promised to do in their charter, the Commission would then be in a position to issue a notice of defect.

Ms Bauman asked whether, had the district presented at the time the Commission was considering the petition, Commissioner deVera would have granted the charter.

Commissioner deVera said he would, because KBA proposed a good alternative to what the district has.

Ms. Bauman asked whether the Commission has a rubric by which it will assess the success of KBA.

Chairman Goesling said the Commission reviews schools' progress in accordance with their charters and investigates potential problems. He said the Legislature may wish to further consider how districts should be notified of charter petitions.

Commissioner Van Wart reminded the gathering that children are watching their elders as examples of how to handle conflict and encouraged educators to work together toward a mutual purpose.

Senator John Goedde said that his concern with this issue was that the Commission's approval may have been made based on a misrepresentation of materials. He said that if the law states that the Commission can't go back on a decision because of material misrepresentation, then we need to change the law.

David Rawls, a member of the public who had signed up to speak, declined to do so.

### **3. EPIC Academy New Charter Petition**

Danielle Baumgarten-Pickett, chairman of the founding Board for EPIC Academy; Marcia Dettmann, secretary; Margaret Bell, treasurer; and Barbara Webb presented for EPIC. They provided rationale for a charter school in Kootenai County in Northern Idaho, to include Couer d'Alene, Rathdrum, Hayden, Apple, and Post Falls. EPIC stands for Experiential Participatory Integrated Community and is based on a hands-on, goal-oriented philosophy of education. EPIC will individualize education for all students and specializes in educational strategies for children on the autism spectrum.

Ms. Baumgarten-Pickett said EPIC wishes to open a middle school first because the traditional schools tend to put middle school students into special education classes instead of integrating them into the regular classroom. She said EPIC's funding will come from state, Title 1, special education, and Medicaid funds. Grants are another possible source of income. The school would like to begin facility construction in Hayden in fall 2009, though many planning steps must be accomplished first.

Commissioner Corkill confirmed that EPIC will need a minimum of 60 students to be economically viable. He inquired whether there is any data within the school districts indicating how many autistic students there are in grades 6 – 9.

Ms. Baumgarten-Pickett said approximately 160 students, or 7% of the entire current student population of Kootenai County, are on the autism spectrum.

Commissioner Reed said he admires what EPIC is trying to do. However, the charter petition requires extensive additional work.

Commissioner deVera said it appears EPIC's ending balances will drop after year two and asked what will happen if enrollment doesn't meet projections. He also noted that the technology budget is low for a school that intends to offer substantial technology education. He noted that the budget does not appear to include adequate funds for debt retirement.

Ms. Baumgarten-Pickett said the seller will build to suit and increase rent as the structure is expanded.

Chairman Goesling recommended that the EPIC board focus on getting assistance with budgets and legal advice.

Commissioner DeMordaunt said EPIC's distinguishing features do not include an academic focus and she would like to see more specifics in the curriculum delivery, in addition to measurable success targets. She inquired about the relationship between EPIC and the Panhandle Autism Society?

Ms. Baumgarten-Pickett said the entities are friends and colleagues, but we do not interact beyond referrals of students to EPIC for pre-enrollment.

Commissioner deVera cautioned EPIC not to rely on fundraising as part of the budget.

Commissioner Van Wart expressed concern about EPIC's potential financial impact on the district. She asked whether EPIC has made a down payment in association with the signed purchase agreement.

Ms. Baumgarten-Pickett said the seller waived the down payment and deposits of any kind.

Commissioner Van Wart asked how the districts reacted to EPIC's petition?

Ms. Baumgarten-Pickett said the petitioners worked with the CDA school district and were denied. They then approached Lakeland School District and received a supportive referral to the Commission. EPIC has not yet spoken to Post Falls. The site location is centrally to these three districts boundaries.

**M/S (deVera/Van Wart): To hold the decision on EPIC Academy's petition until the May 28, 2009 meeting and direct EPIC's staff to address budget, educational, and governance issues, as well as academic clarity. *The motion passed unanimously.***

#### **4. North Valley Academy High School Development Update and Proposed Charter Amendment**

NVA High School provided a general update regarding the status of the school. Enrollment and test scores are strong and parent surveys indicate a high level of satisfaction. Budgets are adequate despite funding cuts, but the school is still seeking a facility to accommodate students in grades K-12 for the 2009-2010 school year.

Commissioner deVera clarified with NVA that the budget does not include grant dollars in addition to state ADA monies, and that the budgets are based on current enrollment numbers.

Commissioner Van Wart verified with the school that they have enough space for grades K-8 at ISDB.

Gail Yankovec-DeSmet, NVA board member, added that the school has an earnest money agreement for a building on Highway 26. Other options include modulars or renting space at a local church. ISDB does not wish to lease more space to NVA.

Commissioner DeMordaunt asked about NVA's attrition rate, and Ms. DeSmet said enrollment has been steadily moving up although a few students did leave during the year.

**M/S (deVera/Corkill): To approve North Valley Academy's proposed charter amendment to provide clarity regarding its high school offerings.** *The motion passed with one opposing vote.*

**M/S (deVera/Corkill): To revoke the above motion until after the Gooding School District's presentation.** *The motion passed unanimously.*

Heather Williams, Superintendent of the Gooding School District, said the Gooding School District is not opposed to being part of the charter school movement. Ms. Williams reviewed IRI scores comparing Gooding and NVA. She noted that ARTEC seats are full and in order for NVA to take some seats, a lottery would have to be held. GSD is in the process of revising its dual enrollment policy.

Ms. Baysinger clarified that ARTEC is a district-authorized regional professional technical charter school. ARTEC leases space from GSD, but its enrollment is separate from any other charter school or GSD.

**M/S (deVera/Corkill): A motion to approve North Valley Academy's proposed charter amendment to provide clarity regarding its high school offerings.** *The motion passed unanimously with Commissioner O'Donahue abstaining.*

**M/S (DeMordaunt/Van Wart): To direct NVA to provide, for the May Commission meeting, all State of Idaho testing scores as compared to all school districts from which NVA draws students, as well as demographics of home-schooled versus public schooled.** *The motion passed unanimously.*

## **5. White Pine Charter School Annual Update and Proposed Charter Amendment**

White Pine Charter School administrator Charlotte Arnold and business manager Anita Ogden provided an annual update on the status of the school. Ms. Arnold noted that although the school made AYP, one of the measurable student educational standards in the charter was not met.

Commissioner Corkill asked why the school came up short on its academic goal.

Ms. Arnold cited teacher attrition and resultant lack of continuity.

Ms. DeMordaunt asked when the parent stakeholder survey was performed, and Ms. Ogden said they are usually done in the spring.

**M/S (Reed/DeMordaunt): To direct staff to issue to White Pine Charter School a written notice of defect on the grounds of failure to substantially meet any of the student education standards identified in the approved charter.** *The motion passed unanimously.*

The WPCS representatives summarized their proposed charter amendment that would increase class sizes and grade offerings. Stakeholders have had opportunity to influence the proposed

amendment and budgets identify a number of financial opportunities depending on how WPCS utilizes the new flexibility.

Commissioner deVera noted that the WPCS balance sheet looks strong. He clarified that WPCS has a plan for dealing with probable attrition between elementary and middle school grades.

**M/S (DeMordaunt/deVera): To approve White Pine Public Charter School's proposed charter amendment giving the school board additional flexibility with regard to class sizes and grade offerings. *The motion passed unanimously.***

## **6. Rolling Hills Public Charter School Annual Update**

Rick Hart, RHPCS Board Chairman, inquired regarding how this portion of the meeting would be conducted.

Chairman Goesling said RHPCS's representatives would present first. The Commission chairman would then read an introduction followed by public testimony within the limits set by that introduction.

Mr. Hart said he would like an opportunity to respond to the public comment.

Chairman Goesling said such opportunity would be given, with a time limit of five minutes.

Mr. Hart said RHPCS is a small, safe, K-8 school serving northwest Boise and Eagle using the Harbor method. He said current enrollment is 251 and new students have been added weekly for the last two months. The school is in the process of marketing itself and obtaining information regarding how many current students intend to return next fall, as well as determining how the Harbor Method will be applied at RHPCS in the absence of the Harbor Institute. A board member has spoken with Harbor's founder, Rebecca Stallcop, to discuss how to apply the Harbor method at RHPCS. A recent Safe and Drug Free Schools report included no instances of substance abuse, insubordination, harassment, bullying, vandalism, weapons, or firearms. He said RHPCS's standardized test scores are some of the highest in the state, and fiscal audits indicate that RHPCS has consistently abided by generally accepted accounting principles. He described ways in which RHPCS is seeking out additional funding sources. He said that RHPCS's late opening date in fall contributed to lower than anticipated enrollment, and the board is considering an opening date more similar to that of surrounding schools. He highlighted some of the school's successes including class activities, community service, sports offerings, and excellent service to a large special education population.

Mr. Hart addressed concerns from a stakeholder complaint submitted to the Commission. He said it is his understanding that only some of the items in the complaint fall inside the Commission's scope of review, and that he would focus on those items. With regard to adherence to the bylaws as they pertain to board member elections, he said RHPCS has seen little interest in board service. Board member elections are held at annual meetings in summer, and these meetings are rarely attended by anyone other than existing Board members. The Board is considering amending the bylaws to state that elections will be held at a different time of year as a means of encouraging greater stakeholder involvement. Board vacancies are announced, one Board member is charged with recruitment, and information on board membership is available at the school's front desk. He said he doesn't believe the RHPCS board failed to abide by its bylaws with regard to board member elections.

Mr. Hart provided details of how piano keyboarding is being taught at RHPCS and noted that the school is looking for ways to make this program more robust. He detailed how health and environmental education are taught at RHPCS in a manner that meets or exceeds state thoroughness standards and read letters from RHPCS teachers explaining these programs. He said the school believes itself to be providing piano, health, and environmental education.

Mr. Hart cited ways in which the RHPCS board and PFA have interacted throughout the school year, including a letter from the school inviting participation and regular board member attendance at PFA meetings. He noted Commission staff's comment in the meeting materials indicating that the charter is vague with regard to whether the PFA president must sit on the school's board. He said the board has interpreted that position as ex-officio and noted a requirement that the PFA president sit on the board would be in violation of the bylaws with regard to board member elections.

Mr. Hart said RHPCS's last stakeholder survey was sent out in October 2007, and the board is working on developing a new survey.

Mr. Hart said RHPCS has a 12-page student handbook addressing supervision, medical insurance, homework, field trip permission, dress code, and attendance policies. He said the handbook includes a sheet that parents and students sign to indicate they have reviewed the document.

Mr. Hart said the board has interpreted the charter's commitment to develop personalized learning goals for students to be an item addressed through parent-teacher conferences. Report cards include notes indicating areas for student improvement.

Mr. Hart said his board agrees with the opinion of Commission staff, indicated in the meeting materials, that the public records request was filled to the best of the school's ability. He said the complaint submitted to the Commission included incomplete information regarding the school's attempt to meet a request for RHPCS budgetary information, and indicated a letter in which the school further responded to the request. The letter stated that the budgetary information was available for pickup at the front desk. He explained that the stakeholder complainants apparently misunderstood the school's financial situation due to lack of knowledge about the disbursement schedule, which results in the appearance of discrepancies between quarterly summaries and the school's overall budget.

Chairman Goesling said that, although the Commission is interested in the success and struggles of the schools it authorizes, its authority to intervene in school operations is limited under the law. Idaho Code Section 33-5209(2) identifies only five, specific types of defects which are grounds for Commission action. He asked interested parties to limit testimony to issues that fall within the Commission's oversight authority and to refrain from personal attacks. He said each individual's testimony would be limited to two minutes. He then read a list of complaint items on which the Commission could take action, including: failure to adhere to bylaws with regard to board member elections; failure to provide piano, health, and environmental education; lack of PFA involvement in school improvement planning and lack of PFA representation on the RHPCS board; failure to survey stakeholders; failure to develop a student handbook; failure to develop personalized learning goals for students; failure to fill a public records request; and denial of stakeholder access to RHPCS budget information.

Commissioner O'Donahue asked whether the Commission would be hearing from the RHPCS administrator.

Vickie Scheuffele, RHPCS administrator, said she had no presentation at this time.

Randy Mills, a member of the public, verified with Chairman Goesling that the Commission received a packet of letters provided by RHPCS teachers.

Heidi Christensen, a member of the public, expressed concern that groups of parents at certain charter schools tend to attack administrators.

Rick Harper, a member of the public, said he feels some longstanding noncompliance issues have been repaired in the past few weeks. He said the board has always appointed rather than elected members, the board has been slow to fill vacant positions and provide stakeholder surveys, and some staff members have not received performance reviews.

Chairman Goesling said the issue of performance reviews is not one the Commission can discuss.

Mr. Harper said many issues at the school have not been addressed by the RHPCS board in a timely fashion.

Nicole Morris, a member of the public, said she appreciates the exceptional education her children receive at RHPCS. She said RHPCS does have a piano program and environmental and health education. As a RHPCS board member, she has attended several PFA meetings this year and has met with the administrator and PFA president regarding fundraising plans.

Lonnie Morris, a member of the public, said many people have made significant investments in RHPCS as a school of choice, and he believes his efforts have been worthwhile for the education his children receive at the school.

Andrea Coddens, a member of the public, said her biggest concern is with regard to the rate of teacher attrition and its impact on the implementation of the Harbor method at RHPCS.

Chairman Goesling said teacher attrition is not an item for discussion at this time, and personnel issues are appropriately addressed by the RHPCS board.

Ms. Coddens said it is difficult to get a response from the RHPCS board.

Maureen O'Toole, a member of the public, requested a review of the list of items open for discussion, and Chairman Goesling re-read the list. Ms. O'Toole said she was PFA president at RHPCS for four years. She said the school has never held board member elections, and school leadership has treated PFA members so poorly that most PFA members have resigned.

Mary Kate O'Toole, a member of the public, said she is a former RHPCS student who received limited piano training and never saw a RHPCS handbook.

Commissioner DeMordaunt inquired whether the Commission office is in possession of a student handbook for RHPCS.

Chairman Goesling said that administrative rule requires submission of a student handbook as part of every charter petition.

Ms. Baysinger clarified that, although administrative rule requires submission of a student handbook as part of a charter petition, the RHPCS charter is one of the older charters not held to that standard. She said she does not believe the Commission office has an RHPCS student handbook on file.

Jessica Craig, a member of the public, read a letter from her father stating the opinion that the charter is being ignored in spirit and practice, particularly with regard to stakeholder surveys and inability of stakeholders to address the RHPCS board at meetings.

Michael O'Toole, a member of the public, said there is only one person on duty during student recess. He said that, as a RHPCS student, he has felt unsafe on the playground.

Commissioner deVera noted that Mr. O'Toole's testimony was outside the bounds set by the Chairman, and all testimony must be held to the same limitations.

A member of the public said she has reported an incident of bullying to RHPCS.

Commissioner deVera reminded the public to restrict testimony to the specified limitations.

The member of the public said she is disappointed in the schools' failure to offer stakeholder surveys and lack of PFA involvement on the RHPCS board.

Ms. Swartz, Commission counsel, noted that, although the Commission was given a list of complaints for review, some of which were outside the Commission's scope of review, today's testimony need not be limited to the complaints submitted, but rather to the scope of authority found in the Idaho statute referred to earlier by Chairman Goesling. She read the statutory list including: material violation of any condition of the charter; failure to substantially meet any of the student educational standards identified in the charter; failure to meet generally accepted accounting standards of fiscal management; failure to demonstrate fiscal soundness; failure to submit required reports; and violation of any provision of law. She said anything falling within these categories is appropriate for the Commission to hear, even if it wasn't identified prior to the meeting.

A member of the public inquired what constitutes "material violation."

Ms. Swartz clarified that, although this is a subjective phrase, it generally refers to a violation of some consequence rather than of a minor detail.

Jamison Chokrick, a member of the public, expressed concern that his and others' comments could result in repercussions for his wife, an RHPCS teacher, and her colleagues. He indicated his belief that the school board is incompetent and is making late attempts to repair longstanding concerns. He asked whether the Commission supports competition among its schools.

Chairman Goesling said that discussion is not appropriate at this time.

Commissioner DeMordaunt asked whether, in light of Ms. Swartz' counsel, it would be appropriate to invite those whose testimony was abbreviated to further share their thoughts.

Chairman Goesling asked whether the Commission would like to hear the additional testimony.

Commissioner DeMordaunt said the list of limitations on testimony to which she referred earlier in the meeting was not the list contained in the materials, but the list contained in statute.

Chairman Goesling noted that the Commission is not obligated to take public testimony. He said this opportunity has been offered to open communications between RHPCS and its stakeholders who have concerns. He said the Commission has identified the concerns at which it will look today and said he feels the testimony has been appropriately limited to those items. He said it was his decision not to re-open opportunity for previously abbreviated testimony.

Angela Stevenson, a member of the public, said her student with disabilities has done very well at RHPCS. She said her other children also succeeded at RHPCS, particularly in academics.

Mr. Chokrick interrupted the meeting, noting that Ms. Stevenson's remarks were not relevant to the Commission's stated limitations, and Commissioner deVera requested that he leave the room.

Commissioner DeMordaunt asked for clarification regarding whether all testimony was to be limited to the list in the meeting materials, regardless of whether such testimony is positive or negative.

Chairman Goesling affirmed such to be the case.

Commissioner DeMordaunt noted that the previous testimony in terms of safety was not within the limitations of the list.

Brenda Taylor, a member of the public, said that as RHPCS's PFA president, she has encountered difficulty availing herself of the school board and administration. She said the PFA has had no representation on the school board and has not been permitted to represent RHPCS parents to the school board and administration.

Paul Pieroni, a member of the public, said he is deeply committed to the school, but there are problems that need to be resolved.

Commissioner Reed noted that Mr. Pieroni's comments were outside the set list of items for discussion.

Janet Andrews, a member of the public, read part of a letter from the PFA president, which referenced the adversarial nature of the administration and school board and lack of opportunity to participate in board member elections.

Ann Moffett, a member of the public, asked whether it is possible for a teacher to speak today without jeopardizing her job status at RHPCS.

Chairman Goesling said anyone has the opportunity to speak at this meeting without jeopardizing their position.

Commissioner deVera said it is his belief that the Commission does not have the authority to ensure that no jobs are jeopardized as a result of a choice to testify.

Ms. Swartz confirmed the accuracy of Commissioner deVera's statement.

Ms. Moffett said her daughter experienced an unsafe atmosphere and poor treatment by the administrator during her enrollment at RHPCS.

Chairman Goesling said the testimony was off topic.

James Baker, a member of the public, asked the Commission to read his letter included with the materials and said RHPCS is an exceptional school both academically and in its efforts to accommodate the needs of its students.

Stan Bastian, a member of the public, said he believes the election of board members is a critical factor. He said RHPCS bypassed an opportunity to hire a music program director, and health and environmental education is lacking. He expressed concern about lack of communication among the board, administration, and PFA, as well as lack of stakeholder surveys and a student handbook. He said he felt the public records request in question was inadequately met.

Chairman Goesling said he believed enough information had been provided. He said he had some concerns and the step the Commission could take at this point would be to issue a letter of defect. He said that, without going back for dialogue with RHPCS, his position was that the Commission should establish a list of defects heard today and give the school time to effect change. He was concerned about the school's failure to adhere to bylaws with regard to board member elections. He was concerned about failure to provide piano, health, and environmental education, although he sees improvement in this area. He believed there has been a lack of PFA involvement in school improvement and representation on the board. He said he believed RHPCS has failed to adequately survey stakeholders and cited the school's failure to develop a student handbook and personalized learning goals. He said more effort should be made to expedite the filling of public records requests, noting that during his military experience, such requests were filled within 24 hours.

**M/S (deVera/Corkill): To direct staff to issue to Rolling Hills Public Charter School a notice of defect on the grounds of failure to adhere to bylaws with regard to board member elections; failure to provide piano, health, and environmental education; lack of PFA involvement in school improvement planning and lack of PFA representation on the RHPCS board; failure to survey stakeholders; failure to develop a student handbook; failure to develop personalized learning goals for students; failure to adequately fill public records requests; and failure to provide a safe school environment.**

Commissioner deVera noted he would like to be provided with a corrective action plan, already implemented where possible, at the Commission meeting scheduled for May 28, 2009. He expressed to the RHPCS representatives understanding of the difficulty of their positions.

Commissioner Corkill noted the school board's leadership will reflect directly upon the students.

Commissioner DeMordaunt said she agrees with the issuance of the notice of defect and clarified with Chairman Goesling his areas of concern.

Commissioner deVera said safety should be included in the motion as well.

Commissioner DeMordaunt further clarified the safety issue includes harassment.

*The motion passed unanimously.*

Mr. Hart asked questions regarding further clarification of the motion. Particularly, he inquired whether the Commission wished RHPCS to fill public records requests within 24 hours.

Chairman Goesling said in the system he was under, requests had to be met within 24 hours. He said RHPCS is not obligated to do the same, but that RHPCS may wish to set a certain time limit in which they will fill public records requests. He encouraged the RHPCS board to work with Commission staff for further clarification. He further encouraged all parties present to make every effort to work together for the good of the students.

Commissioner DeMordaunt asked staff to summarize the notice of defect process.

Ms. Baysinger said the Commission office will provide a notice of defect to the school, which will then have a reasonable period of time in which to provide a corrective action plan. A second, unspecified, reasonable period of time will be given in which the school should work to correct the defect in accordance with the corrective action plan. If the school fails to cure the defect within a reasonable period of time, the Commission could take further action.

Chairman Goesling expressed the hope that no individual who testified will incur negative feedback as a result of testimony provided at this meeting.

## **7. Taylor's Crossing Public Charter School Annual Update and Proposed Charter Amendment**

TCPCS representatives updated the Commission on the status of the school, including the closing of the loan on the school's new facility. The school proposed an amendment to increase class sizes and noted that most stakeholders were in favor of the amendment. The primary reasons for this request were budgetary impact, as the expansion would add \$100,000 of income, and to bring TCPCS in compliance with its charter.

Commissioner Van Wart said she had an opportunity to visit the school and was impressed with not only the building itself, but also the atmosphere among staff and children, and the innovative manner in which they raised funds to fill their building. She asked how TCPCS is providing training for its teachers now that the Harbor Institute has closed.

TCPCS said it immerses new teachers in its culture and program. Prospective employees spend two weeks in K-8 classrooms. Collaboration with other Harbor schools helps them to stay true to the mission and vision of Harbor education.

Commissioner deVera verified that the budgets provided are based on actual enrollment.

Commissioner DeMordaunt asked what TCPCS is doing to address mildly declining third grade Language Usage ISAT scores.

TCPCS said the school obtained training from a Harbor teacher from Liberty Charter School and has set up a more rigorous writing plan. The SDE offered additional ideas for improvement.

Mrs. Wallace, a member of the public, expressed her lack of support for the proposed charter amendment, stating she believed the stakeholder vote was taken on the issue after TCPCS had exceeded enrollment caps.

Chairman Goesling pointed out TCPCS was given a letter of defect based on this issue.

Ms. Baysinger indicated the law gives charter schools a reasonable amount of time to cure the defect. TCPCS is currently in that process.

Commissioner DeMordaunt verified with the school that 116 families voted in the anonymous survey, and 112 votes were supportive.

Chairman Goesling stated one of the challenges of the commission is that we work through each school's board of directors and rely on them for their efforts. If individuals have questions, they should be addressed directly with the school's board.

**M/S (deVera/Van Wart) A motion to approve Taylor's Crossing Public Charter School's proposed charter amendment permitting increased class sizes. *The motion passed unanimously.***

#### **8. Academy of Roosevelt Center Annual Update**

Commissioner Van Wart noted a potential conflict of interest as her daughter works as a part-time physical education teacher for The Academy.

ARC representatives provided an annual update on the status of the school, noting that the school failed, by a small margin, to meet two of the measurable student educational standards stated in the charter.

Commissioner deVera verified that the ARC's anticipated carry-forward balance after FY 2009 was approximately \$1.3 million.

Commissioner Goesling said that, to avoid the appearance of conflict of interest, he would exclude comments from Commissioner Van Wart.

Commissioner DeMordaunt commended the ARC for their Harbor training and assistance to other Harbor schools. She said that, by law, the Commission is required to issue a notice of defect on the grounds of not meeting educational standards as set forth in the charter.

**M/S (DeMordaunt/deVera): To direct staff to issue to The Academy at Roosevelt Center a written notice of defect on the grounds of failure to substantially meet any of the student education standards identified in the approved charter. *The motion passed unanimously, with Commissioner Van Wart abstaining.***

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

The meeting was adjourned at 4:40 p.m.