

**APPROVED MEETING MINUTES
PUBLIC CHARTER SCHOOL COMMISSION MEETING
THURSDAY, AUGUST 25, 2011
700 W. STATE STREET, BOISE, IDAHO
JRW WEST CONFERENCE ROOM**

A regular meeting of the Idaho Public Charter School Commission (PCSC) was held Thursday, August 25, 2011, at 700 W. State Street, Boise, ID, JRW West Conference Room. Chairman Alan Reed presided.

The following members were in attendance:

Brad Corkill	Gayann DeMordaunt	Nick Hallett
Gayle O'Donahue	Wanda Quinn	Esther Van Wart

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

1. Commission Work

Agenda Approval

The agenda was approved as published.

Chairman Reed welcomed new commissioner Wanda Quinn. Ms. Quinn provided a brief summary of her background.

Tamara Baysinger, PCSC Director, introduced new PCSC staff member Keelie Campbell, Charter Commission School Manager.

Rolling Calendar

M/S (Corkill/Van Wart): To approve February 9, 2012, as the date and Boise, Idaho as the location for the regularly scheduled PCSC meeting to follow the December 15, 2011, meeting. *The motion passed unanimously.*

Minutes Approval

M/S (DeMordaunt/Hallett): To approve the meeting minutes from June 28, 2011, as submitted. *The motion passed unanimously.*

2. Commission Education: Idaho System for Educational Excellence

Joyce Popp, IT Resources Manager, Communication and Government Affairs, at the State Department of Education presented regarding the Idaho System for Education Excellence (ISEE).

3. Rolling Hills Public Charter School (RHPCS) Fiscal Status Update

Cyndee Brock Larson, Board Chair; John Montgomery, Administrator; Niki Crow, Clerk, and Leann Gilberg, Board Treasurer, represented RHPCS.

The RHPCS representatives said RHPCS's fiscal audit indicates that a \$17,000 fund balance was carried over from FY 2011. Ms. Crow reviewed the school's five year budget plan.

Chairman Reed inquired regarding the status of RHPCS's debt to two founding families.

Ms. Crow said until RHPCS meets the required bank reserve of \$110,000, payments cannot be made on the founder debt. That debt is not addressed in the five year plan, as the reserve will not be met during that time period. Any additional revenue obtained during the five years will be applied to the reserve. No interest will be accrued on the founder debt of \$82,426.

Ms. Brock Larson said one of the founders has expressed interest in excusing their portion of the founder debt.

Commissioner Hallett asked how previous special education deficiencies identified by DHW have been addressed.

Dr. Montgomery said personnel changes were made and RHPCS has a new special education director. He indicated that enrollment is at 215. Some classes are larger than the estimated range in the charter due to the combination of morning and afternoon kindergarten classes. Natural attrition is expected to correct this issue.

Commissioner DeMordaunt confirmed with Dr. Montgomery that the RHPCS board has elected not to institute a student fee schedule.

Commissioner DeMordaunt said she reviewed the May PCSC meeting minutes and there was no action taken by the commission with regards to fees. The commission did not mandate that RHPCS cannot institute a fee schedule. She requested a future PCSC discussion with regard to student fees at all charter schools.

4. Wings Charter Middle School (Wings) Corrective Action Plan and Status Update

Claire Major, Board Chair; Lorri Prescott, Business Manager; Kristy Oberg, Special Education Director; and Letha Blick, Administrator, represented Wings.

Ms. Blick reviewed the CAP. She said Wings was unable to submit materials because they do not have Adobe Professional to combine files into less than five separate files. The proposed charter amendments Wings intends to submit have not yet passed sufficiency review through SDE.

Commissioner DeMordaunt asked PCSC staff what meeting materials are expected and what was received on time.

Ms. Baysinger said all materials submitted by Wings were on time, but the number of files exceeded the amount of files allowable according to PCSC policy. The meeting materials did include materials submitted in accordance with other due dates, but materials submitted by Wings in an improper format were not included.

Commissioner DeMordaunt expressed frustration with Wings' repeated inability to submit documents on time and in the proper format. She recommended that the school be removed from future agendas in the event they fail to submit materials properly.

Chairman Reed requested a quorum of Wings' board members to be in attendance at the October meeting.

Ms. Major said this would be difficult due to the schedules of the professionals on the board.

The Commission delayed any action until the October meeting.

5. Taylor's Crossing Public Charter School (TCPCS) Compliance Investigation

TCPCS was not represented.

Ms. Baysinger indicated that TCPCS was informed that its representatives were welcome, but not required, to attend today's meeting. This is due to the fact that any PCSC decision would be based on a conclusion provided by the SDE and would not be subject to debate. She said that, the evening before, the SDE provided its conclusion that TCPCS's teacher contract-plus-waiver is not a contract form approved by the SDE as required by statute.

Commissioners O'Donahue, Corkill, and DeMordaunt said they were under the impression that the school wishes to resolve the conflict and comply with the law.

Chairman Reed noted that the PCSC is statutorily obliged to issue a notice of defect if the PCSC has reason to believe the school is in violation of a provision of law.

Jennifer Swartz indicated the school is aware of the SDE's decision and her impression, based on the meeting materials provided, is that the school does not intend to comply. The superintendent of public instruction has not approved the TCPCS contracts and, therefore, the school is in violation of a provision of law.

Ms. Baysinger said the school is requesting an explanation from the SDE regarding why the contracts are in violation of law. This, however, is a matter for debate between TCPCS and the SDE. The PCSC's obligation is to consider the contract unapproved unless the SDE reverses its conclusion.

Commissioner DeMordaunt finds it difficult to issue a notice of defect without representation from the school and feels addressing this issue at the October meeting would be preferable.

Chairman Reed said the information in front of the commission is that the contracts are being used, and they are not approved by the SDE.

M/S (Corkill/Hallett): To issue to Taylor's Crossing Public Charter School a notice of defect on the grounds of violation of a provision of law, specifically, I.C. §33-5206(4), and committing a material violation of a condition, standard or procedure set forth in their approved charter, specifically, the provision that "Taylor's Crossing Public Charter School's staff will meet or exceed qualifications required by state law, including the following: ...All teachers and administrators will be on a written contract approved by the Superintendent of Public Instruction." *The motion passed unanimously.*

Commissioner O'Donahue said that, in her opinion, TCPCS's rationale that tenure rights are not in alignment with the Harbor philosophy is not an accurate representation of Harbor.

6. Heritage Academy (Heritage) Status Update

Kelly Bangerter, Board Chair; Anneli Crouch, Secretary; Andy Reddington, Principal; and Cheryl Kary, Finance Manager, represented Heritage.

The Heritage representatives updated the PCSC on the status of the school, including the recent facility purchase and renovations; enrollment; marketing efforts; hiring; professional development; and fiscal status. Ms. Kary indicated that the Kindergarten teacher will also serve as Title I coordinator. Mr. Reddington will serve as Special Education Coordinator in addition to his administrative duties.

7. Sage International School of Boise (Sage) Proposed Charter Amendment

Priya Mahalingam; Kim Carter-Cram, former Board Chair (Keith Donahue, Sage's new Board Chair was unable to attend); Suzanne Metzgar, Board Member; Lisa Lechner, Business Manager; and Don Keller, Administrator, represented Sage.

Mr. Keller briefly updated the PCSC on the status of the school and introduced proposed charter amendments clarifying the school's educational program and kindergarten format.

M/S (DeMordaunt/Corkill): To approve the proposed charter amendments as submitted by Sage International School of Boise. *The motion passed unanimously.*

8. North Valley Academy (NVA) Proposed Charter Amendment

Cheri Vitek, Principal; Cathy Thompson, Business Manager; Betty Frederickson, Special Education; Gayle Yakovac-DeSmet, Head Administrator; and Deby Infanger, Board Chair, represented NVA.

Ms. Yakovac-DeSmet introduced a proposed charter amendment that would permit increased class sizes at NVA. She said the change would not impact the educational program, but would have a positive fiscal impact on the school.

Commissioner Hallett said the budget comparison contained flaws that made him uncomfortable approving the amendment until the comparisons were clarified.

Commissioner Corkill noted that NVA is currently underenrolled by 55 students and inquired why NVA needs a cap increase.

Ms. Infanger indicated that elementary teachers asked that their class sizes not be increased, but the increases are necessary to add flexibility and remain financially sound based on new SDE funding formulas.

Commissioner Van Wart stressed that NVA needs to make sure their academic results are strong before asking for expansion. She expressed concern regarding ISAT results in math.

The NVA representatives said NVA's previous math teachers have not been effective. Ms. Yakovac-DeSmet described a series of poor experiences with math teachers at NVA. A certified teacher, partially funded by Title I, will assist in trouble areas.

Ms. Frederickson said that in the last two years, there has been more consistency in NVA's curriculum. The high school will fill as students progress through the grades. Based on other measurements, besides the ISAT, NVA students are doing well.

Ms. Vitek said high school students will generally not transfer to NVA due to uniform requirements, five-day class schedules, and limited access to sporting programs.

Commissioner Van Wart asked how the Gooding School District feels about the expansion and how it will affect them.

Ms. Vitek said she is in close communications with the Gooding School District and does not feel the district is threatened by the potential expansion.

Ms. Thompson said some of the additional students will not come from the Gooding School District, but from outlying school districts.

Chairman Reed noted that, based on a letter, the Gooding School District does not support the expansion of NVA.

Commissioner DeMordaunt said she felt NVA was proposing a conservative growth model.

Commissioner Quinn noted that NVA could benefit from the ability to add students from their existing wait lists.

Commissioner Hallett said approval should be delayed until clear comparisons are submitted.

M/S (DeMordaunt/O'Donahue): To approve the proposed charter amendments as submitted by North Valley Academy.

Commissioner Corkill said that while he understands the logic of increasing class sizes, the documentation necessary to support the decision is not available.

Commissioner O'Donahue said that, while she understands the challenges of serving students with a broad range of needs, all schools face this issue and she would like to see greater student achievement at NVA.

Commissioner Van Wart said clearer reports are needed, and noted that while NVA believes it has improved its math program through better hiring, the school has apparently held the same belief in the past and been proven wrong.

The motion failed 2 : 4 with Commissioners DeMordaunt and O'Donahue voting in favor and Commissioners Corkill, Hallett, Quinn, and Van Wart voting nay.

9. iSucceed Virtual High School (iSVHS) Annual Update

Don Peña, Board Chair; Monti Pittman, Executive Director; Petra Jauregini, Operations Manager; and Lisa McIntosh, Business Manager, represented iSVHS.

The iSVHS representatives provided an update on the status of the school. Mr. Pittman provided highlights of accomplishments over the past year including meeting AYP; 100% participation in Math and Reading ISATs; increasing community involvement; MSES attainment; student performance on state proficiency testing; academic progress; retention and graduation rates; demographics of graduates; parent satisfaction survey results; and professional development.

Ms. McIntosh and Mr. Peña provided a positive report on the school's finances.

Mr. Peña said iSVHS serves over 30% non-white students, and the school's retention rate has increased.

10. Kootenai Bridge Academy (KBA) Annual Update

Charles Kenna, Principal; and Dodi Jordan, Business Manager, represented KBA.

Mr. Kenna updated the PCSC regarding the status of the school. He noted that the school may need to revise its MSES to reflect student demographics.

The PCSC complimented KBA on its success.

11. Idaho Virtual Academy (IDVA) Annual Update

Desi Laughlin, Administrator; Kelly Edginton, Director of Academy Services; Kerry Heninger, Board Member; and Allen Wenger, Business Manager, represented IDVA.

Ms. Laughlin provided an update on the status of the school, including a positive update regarding the first year of its two-year hybrid pilot program for at risk students.

Mr. Hallett inquired why the school's year-end balance is zero.

Mr. Wenger explained that, because any deficit is contractually absorbed by K-12, IDVA would only have a reserve if there were a surplus at year end.

Commissioner Corkill noted that IDVA's copier costs, at \$20,000, appear unrealistically high.

Commissioner Hallett observed that K-12's guarantee must come at a built-in cost to IDVA, and therefore to Idaho taxpayers.

Commissioner Corkill asked if IDVA has ever ended a year in deficit.

Mr. Wenger indicated that IDVA has always had a deficit, but K-12 has always forgiven the difference to ensure a zero balance.

Commissioner DeMordaunt noted that, in IDVA's case, no fiscal reserve is necessary due to the service provider's agreement with the school.

Commissioner Quinn said that, from an auditor's perspective, a reserve is necessary.

Mr. Wenger stated that Bailey and Company performs the audits and has not indicated findings due to the lack of reserve because the K-12 contract language is clear.

Commissioner Corkill asked if it is safe to say that K12 is IDVA's underwriter.

Mr. Wenger said that is correct.

Chairman Reed expressed his appreciation for IDVA's efforts and their success in Idaho.

12. Commission Discussion: Draft Legislation

Ms. Baysinger presented to the PCSC draft legislation in accordance with direction given by the PCSC in May. She noted that, if the PCSC approves the draft, the language will be provided to stakeholders for input. Stakeholders have supported the growth cap and "clean-up" bills, but have expressed some concern with regard to the charter school funding bill.

Commissioner O'Donahue asked whether the cap elimination bill was likely to face difficulty in the legislature.

Ms. Baysinger said it is difficult to argue a strong need for raising the cap since there is currently no excess of charter school petitions in Idaho and the cap's impact on grant availability is not well quantified.

The commission approved the draft language as provided in the meeting materials.

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

The meeting was adjourned at 2:50 p.m.