

**APPROVED MEETING MINUTES  
PUBLIC CHARTER SCHOOL COMMISSION MEETING  
THURSDAY, APRIL 5, 2012  
700 W. STATE STREET, BOISE, IDAHO  
JRW EAST CONFERENCE ROOM**

A regular meeting of the Idaho Public Charter School Commission (PCSC) was held Thursday, April 5, 2012, at 700 W. State Street, Boise, ID, JRW East Conference Room. Chairman Alan Reed presided.

The following members were in attendance:

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

Absent: Wanda Quinn

Chairman Reed called the meeting to order at 8:30 a.m.

## **1. Commission Work**

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

The PCSC has approved May 31, 2012 and July 24, 2012, as the dates and Boise, Idaho as the location for its regularly scheduled meetings to follow the February 2012 meeting.

**M/S (DeMordaunt/Hallett): To approve September 20, 2012, December 4, 2012, and February 14, 2013, as the dates and Boise, Idaho as the location for the following regularly scheduled PCSC meetings. *The motion passed unanimously.***

Chairman Reed is not available for the December 4, 2012 date.

**M/S (Van Wart/O'Donahue): To approve the meeting minutes from January 20, 2012 and February 9, 2012, as submitted. *The motion passed unanimously.***

## **2. Commission Education: Star Ratings**

Nick Smith, Deputy Superintendent of Federal Programs at the State Department of Education, gave a PowerPoint presentation regarding the newly developed Five Star Rating System. Schools will be transitioned from the AYP system to the new system throughout this school year.

Chairman Reed asked whether individual schools are rated separately and whether that impacts the district's pay for performance.

Mr. Smith stated that ratings and pay for performance are not connected at this time.

Commissioner DeMordaunt stated that the PCSC has been encouraging charter schools to use growth models in their MSES measures.

### **3. Summit Public Charter School New Charter Petition – 2<sup>nd</sup> Hearing**

Heath Mitchell, Board Member; Jonathan Braack, Assistant Principal; Richard Kirkham, Board Member; Susan Hall, Board Member; Danis Adamson and Becky Hunter, Founders, represented Summit.

Mr. Braack provided a presentation regarding Summit that demonstrated community interest in having another charter school in the Pocatello area.

Mr. Mitchell reviewed Summit's budget projections.

Mr. Kirkham reviewed recent copyright concerns, issues, and questions surrounding the use of the Harbor name.

Commissioner Van Wart asked why some parents believed Summit was another Harbor school after attending the Spring Fair.

Mr. Braack stated that no staff members attending the Spring Fair mentioned the term "Harbor" nor was it on any of the documentation distributed. In fact, a statement was added to the survey flyer specifically stating Summit is not a Harbor school. The public comment provided by Ms. Stallcop was based on a misunderstanding of two documents that remained in the charter in error.

Chairman Reed stated that what happens between Summit and Ms. Stallcop is not part of the Commission's role. The commission's concern is approving a charter that will be adhered to.

Commissioner Van Wart asked if Summit's first choice of a facility is still the Westwood mall.

Mr. Adamson indicated that is still the first choice. Renovation costs are \$80,000 which includes \$65,000 to move the current resident.

Mr. Braack is confident in Summit's governing board regarding money management.

Commissioner Van Wart pointed out that the lease indicates that liquor can be served within 300 feet of the school. Please explain this further.

Mr. Adamson said the facility owners are trying to make sure to retain the value of the property.

Mr. Braack said it is for zoning and permit purposes. Anytime liquor would be served would be after hours and when students are not present.

Commissioner Van Wart inquired on whether there is statute regulating alcohol being served near schools.

Tamara Baysinger, PCSC Director, said there are regulations, but the responsibility is on the liquor provider to comply, not the school. Even if the school arrived after the liquor provider resided at the property.

Mr. Adamson does not foresee any problems with this issue. He is confident that the facility owners would work with the school to modify the clause if necessary.

Chairman Reed read the statute which does not refer to any "time of day" reference regarding the service of alcohol within 300 feet of a school.

Mr. Braack said the Westwood mall owners are willing to bend over backward to lease to Summit.

Commissioner Van Wart read further in the lease that Summit does agree that alcohol, beer, or wine will be served within 300 feet of the school.

Mr. Kirkham said that Westwood Mall is not the only facilities option for Summit. However, due to the commercial real estate climate currently in Pocatello, Westwood Mall is more than willing to work with Summit.

Ms. Baysinger said the commission only has four calendar days in which to decide on Summit's petition.

Commissioner Corkill said this issue must be resolved before the Commission can proceed.

Commissioner DeMordaunt asked petitioners to discuss the other facility options and what the budget projections are for those options.

Mr. Kirkham said the second option is an existing school which is already zoned appropriately and is an excellent opportunity. However, the location is not as desirable and is in an older section of Pocatello.

Commissioner O'Donahue asked if the alternate facility would be a lease.

Mr. Kirkham said it would be leased and remodeled. The first choice facility was only chosen due to its centralized location.

Commissioner Hallett said there was evidence of high demand for the school and asked if parents gave Summit a strong commitment to enroll.

Mr. Kirkham indicated a second round of surveys was conducted and results were encouraging.

Commissioner Hallett asked if parents understood what Summit school stands for now that they are not designated as a Harbor school.

Summit said they have made that clear to parents.

Commissioner Hallett asked whether Summit will have a Special Education Teacher on staff.

Mr. Braack said there will be a full-time staff member that will be a teacher, as well as fulfilling the role of Special Education.

Commissioner Hallett asked if the Teacher/Special Education/EA Specialist would be contracted or paid as general staff.

Mr. Braack said the position would be a staff member and paid from general funds.

Commissioner DeMordaunt clarified that the teacher would cover Special Education, but any other specialized services would be contracted.

Mr. Braack said that is correct.

Commissioner DeMordaunt commended Summit for taking the commission's feedback and responding accordingly by demonstrating community interest. Summit went above and beyond the commission's expectations. The alternate facility plan is a strong option. Her concern is having a self-appointed board without any elected board positions.

Mr. Kirkham said Summit would be happy to amend the board membership to include elected positions.

Chairman Reed cautioned that as schools develop, the commission has seen problems with self-appointed only boards.

Mr. Braack said Summit will concede to board elections and does believe stakeholders should have a voice in governance.

Commissioner Van Wart clarified, for the record, that Pocatello Expeditionary Learning is not a Harbor school.

Commissioner DeMordaunt liked the approach of high yield, best practices, and data driven decision programs. She looks forward to seeing these demonstrated in future reports by Summit. She is comfortable that Mr. Kirkham will make the right facility decisions.

Commissioner O'Donahue is concerned that \$65,000 of public funds will be used to relocate a tenant. She also asked why Summit they did not change the self-appointed board structure at the time PCSC staff directed them to do so.

Mr. Kirkham said it was a matter of practicality and Summit felt that it was simply a difference of opinion and not the consensus of the commission. Summit now realizes PCSC staff was speaking on behalf of the commission.

Mr. Braack said the entity moving from Westwood Mall will be moving anyway so there may be options that do not involve funding their move.

Ms. Baysinger said there are concerns that have not been addressed which could be potential problems should something not go as planned.

Commissioner DeMordaunt asked if these items can be corrected after today's action.

Ms. Baysinger said they can be corrected. However, the commission will not have authority to require the school to make those changes once the petition is approved.

Commissioner Hallett is concerned issues have not been addressed and he remains concerned regarding a fully self-appointed board.

Commissioner DeMordaunt has confidence in Summit's governing board and is confident that the board will make changes based on PCSC staff's direction. She does not feel that these issues are against statute.

Commissioner Van Wart stressed that Ms. Baysinger does know statute and the concerns of the commission.

Commissioner O'Donahue is struggling with the fact that the appendices attached to the charter petition were incorrect and she does not have the accurate appendices to review even after three months of delays in this petition. Another concern is that the school's opening is dependent on fundraising efforts. In her opinion, fundraising should not be counted on as it is not a guaranteed revenue source.

Chairman Reed indicated that the timeline is not a pressure to approve the petition. If there are outstanding issues of concern, the commission is not obligated to approve the petition simply due to the fact the petitioners have run out of time.

Commissioner DeMordaunt asked Ms. Baysinger to explain the process of approval or denial.

Ms. Baysinger said if the petition were denied, the petitioners can appeal the decision to the State Department of Education. If that appeal is also denied, the petitioners can appeal to the State Board of Education. If then denied, no further appeals would be available. Reasons for denial must be included in a letter to the State Department of Education.

Commissioner Van Wart asked what items were not corrected.

Ms. Baysinger said that the concern is that it took seven rounds of revisions to correct things initially outlined.

**M/S (DeMordaunt/NONE): To approve the petition for Summit Public Charter School.**  
*The motion failed.*

**M/S (Corkill/DeMordaunt): To approve the petition for Summit Public Charter School.**

Commissioner Van Wart has so many grave concerns needing to be addressed that require legal documentation before approval can be considered.

Commissioner Hallett asked PCSC staff if changes were made to the documentation.

Ms. Baysinger said that Summit, in sending meeting materials, sent the incorrect documents. She has received the corrected documentation and believes that the school has made some of the requested changes, but has not had the opportunity to review those documents to be certain.

Commissioner DeMordaunt does not feel denying the petition based on incorrect documentation is in order. She feels the school has everything in place, has met the requirements of the petition, and has an experienced superintendent involved on the school's board.

Ms. Baysinger said she believes that the initial hearing process would be a six week process.

Commissioner Hallett believes that Summit's lease violates state statute.

Jennifer Swartz, legal counsel, said there is nothing in the law that addresses whether the school will move as a stipulation of a lease. The two parties can agree to whatever terms they wish to agree to. However, the law does prohibit alcohol being served within 300 feet from a school. In her opinion, it is legal for them to agree to the terms in their lease, though it may not be prudent.

Commissioner O'Donahue feels it the responsibility of the petitioner to have presented all the documentation correctly. She remains concerned regarding the fundraising aspect required in order for the school to open.

Commissioner DeMordaunt asked PCSC staff to clarify the process if the petition were denied.

Ms. Baysinger said if the petition is denied, the petitioners have 21 days to submit an appeal hearing request to the State Department of Education, The Superintendent of Public Instruction appoints a hearing officer. The hearing is held within 60 days, when the hearing officer reviews the record and makes a recommendation to the commission. The commission then has the ability to reconsider their decision. If the commission denies the petition again, the petitioner can appeal to the State Board of Education for a second hearing. If that hearing is denied, the petition will receive not further consideration.

Ms. Swartz said with respect that the school has the ability to enter into a lease. They do have that ability. However, since the lease states that the school agrees to the service of alcohol, beer, or wine within 300 feet of the school, this is a violation of statute.

Commissioner Corkill asked if the school moves in and another tenant arrives that serves alcohol, will the school be required to move.

Ms. Swartz stated that in terms of the law, she would say no, but in looking at the lease, the landlord can give the school 30 days notice to vacate.

Commissioner Corkill said that if the school moves into the facility with their current lease, the commission runs the risk that the school has agreed to something they are not allowed to agree to.

Commissioner Van Wart asked if documentation is available for other facility options.

Ms. Baysinger said budgets were only provided on the most viable option, which was option one, based on the advice of PCSC staff. She further stated that information would be provided to a hearing officer based on the record as it currently stands today.

Commissioner Hallett asked if the hearing officer referred the petition back to the commission, can the petition provide new information.

Ms. Baysinger said the rule is silent on this point.

Ms. Swartz said that rule does allow for new information to be submitted at the discretion of the hearing officer. If the hearing officer refers the petition back to the commission, it would include any and all new information provided during the hearing process.

*The motion failed, with a vote of 2-3.*

**M/S (O'Donahue/Hallett): To deny the petition for Summit Public Charter School based on the following item(s):**

- 1) Concerns regarding facility option 1, Westwood Mall, particularly:**
  - **Uncertainty associated with the landlord's option to terminate the lease with 30 days notice based on events beyond Summit's control; and**
  - **Illegality of the Summit's agreement to the service of alcohol, beer, or wine within 300 feet of the school.**
- 2) Inadequate budgetary information and supporting documentation to indicate that Summit will have sufficient funds to remain fiscally viable in the event facility option 2 or facility option 3 is used.**
- 3) Failure to provide updated petition appendix materials with reference to use of the Harbor Method and training by The Academy removed; similarly, failure to remove outdated appendix materials.**
- 4) Additional, unaddressed concerns and recommendations contained in the March 26, 2012, Public Charter School Commission Staff Review of Public Charter School Petition, including:**
  - **Self-appointing school board;**
  - **Inconsistency throughout petition regarding minimum number of board members;**
  - **Inconsistency throughout petition regarding the name of the school;**
  - **Inclusion of professional development with The Academy in revised Albertson's grant budget (Appendix AA);**
  - **Insufficient documentation regarding estimated remodeling costs for facility option 1;**
  - **Unexplained inconsistencies between best-case and worst-case budget scenarios;**
  - **Apparent misunderstanding of dual-enrollment (Appendix M); and**
  - **Apparent inadequacy of planned budgetary expenditures to meet certain commitments, such as provision of contracted special education services and the goals listed in Appendix T.**
- 5) History of slow or incomplete action in response to recommendations from state agencies.**
- 6) Lack of a formalized Student Handbook.**

*The motion passed with a vote of 3-2.*

#### **4. Odyssey Charter School New Charter Petition**

Chris and Karl Peterson, Marketing/Sales–Real Estate Investors; Monica Couch, Board Member–Parent; Kimberly Evans Ross, Board Member–Corporate Attorney; and Lisa Nolan, Board Member–CPA, represented Odyssey.

Odyssey representatives gave a presentation including project based learning, enrollment, busing, student recruitment, staffing, teacher training, district magnet school, community needs, professional development, board/administration training & development, and curriculum development.

Commissioner O’Donahue said it will be interesting to see how a high school only charter school concept develops.

Odyssey feels there is a need in the community and they have many “feeder” schools to provide needed enrollment.

Commissioner Hallett asked Odyssey what their plans are to have curriculum ready when the school opens.

Mr. Peterson said they will be using a project-based curriculum that is already developed.

Commissioner Hallett asked if Odyssey has plans to address all subjects, even those that don’t lend themselves to project-based learning.

Mr. Peterson said there is a program that includes arts in STEM learning, called “STEAM”. There is the ability to incorporate electives.

Commissioner Hallett said it takes strong staff development to implement project based learning. He asked for further clarification on Odyssey’s plans in this regard.

Mrs. Peterson gave examples of how to find quality teachers that can “think outside of the box” and indicated that staff development would be an ongoing process.

Ms. Couch gave examples of how Odyssey will work with other schools on projects and online learning.

Commissioner Hallett said there was some discrepancy in materials between 6-12 or 7-12 grades being offered by Odyssey.

Mrs. Peterson said Odyssey will be offering sixth grade due to Rigby school district.

Commissioner Hallett said the budget did not include sixth grade which is on a different divisor.

Ms. Couch said Odyssey is considering a combined sixth/seventh grade class.

Commissioner Corkill asked if the district's magnet school will cover the same grades and whether they are currently operating.

Odyssey indicated that the magnet school will open in the fall with grades 8-12.

Commissioner Van Wart asked what grades American Heritage covers.

Odyssey stated K-12.

Commissioner DeMordaunt asked what the technology budgets look like.

Mr. Peterson said Odyssey will tap into cloud computing, Google docs, Google apps, internet, being as paperless as possible, Lenox running on lower grade computers, working with a Canadian company, laptops from the State Department of Education, and a reduced learning curve using familiar software programs.

Commissioner DeMordaunt is excited about this school.

Chairman Reed said Odyssey's charter states "technology rich" and that the term is subjective.

Odyssey said the idea of going paperless matches what is happening in schools, colleges, and the workplace. The term explains that we are, to the extent possible, being paperless, and using technology as much as possible in all learning.

Mr. George Boland, Idaho Falls School District Superintendent, gave public comment regarding Odyssey Public Charter School and addressed the impact of opening two charter schools in the same school district, one of which is a magnet school. He reviewed the development and planning of that magnet school. Odyssey's petition was reviewed by the Idaho Falls School District and he cannot imagine how Odyssey will be able to provide the staff development necessary on the budget they have to work with. The American Heritage petition is a mirror of North Valley, which gives them an advantage. In his experience with teacher recruitment coming out of college, teachers are not prepared to integrate technology into curriculums. Teachers are technology savvy, but using that knowledge extensively within curriculum is another matter. The revenue follows students, though expenses remain static for fixed costs. A 1% swing in ADA translates to \$400,000 in funding to schools. He is not opposed to either school's petition as the school district cannot possibly meet the varied needs of all students.

Commissioner DeMordaunt complimented and appreciates the respect of Mr. Boland's presentation to the charter school process.

Commissioner O'Donahue stressed the quality of petitions and having someone edit them thoroughly for grammar and spelling errors.

**M/S (DeMordaunt/Van Wart): To hold the decision on the Odyssey Public Charter School petition until the next meeting of the PCSC and to direct staff to work with the petitioners to address concerns. *The motion passed unanimously.***

## **5. Idaho STEM Academy (ISA) New Charter Petition**

Mark Fisk, Board Member-Veteran; Brian Thelin, Board Member-EMT/Parent; Pat Kolbet, Board Member-Dual MBAs/Business Owner; and Greg Sigerson, Vice Chairman/Business Owner, represented ISA.

ISA representatives gave a PowerPoint presentation including Mission, Vision, instructional methods, curriculum overview, student educational standards, dual credit program, STEM pre-engineering program, anticipated costs to ISA students for dual enrollment, facilities options, and transitioning to a governing board.

Chairman Reed indicated that PCSC staff provided a lengthy list of issues which need to be addressed.

Commissioner DeMordaunt has concerns regarding demand and being able to quantify that demand.

Mr. Sigerson is aware that more documentation regarding community demand is required.

Commissioner DeMordaunt would like to see a worst-case scenario based on an enrollment of 75 students.

Commissioner Corkill asked if Blackfoot School District was invited to testify.

Ms. Baysinger indicated that they did receive a letter of notification. However, it appears they chose not to attend today's meeting.

Commissioner DeMordaunt commended the Blackfoot community for recognizing the value of dual credit enrollment towards the likelihood of those students moving into college.

Commissioner O'Donahue cautioned the school that if students leave campus for dual enrollment classes, this may affect ADA funding.

Commissioner Hallett asked for clarification of the screening committee and who makes the determinations of those members. He asked petitioners to tighten up the language to make this clear. He was disappointed that Blackfoot School District chose not to attend.

**M/S (DeMordaunt/Hallett): To hold the decision on the Idaho STEM Academy petition until the next meeting of the PCSC and to direct staff to work with the petitioners to address concerns. *The motion passed unanimously.***

## **6. Chief Tahgee Elementary Academy (CTEA) New Charter Petition**

Alexandra Alvarez, Board Vice-Chairman/Secretary and Miss Shoshoni-Bannock; Maxine Edmo, Board Member; Merceline (Belle) Boyer, Board Member; Nancy Eschief Murillo, Board Chairman; Joel Weaver, Authorized Representative; and Cyd Crue, represented CTEA.

Board members that were unable to attend were Drusilla Gould, Board Member-Teacher; Sherice Gould, Board Treasurer; and Tyson Shay, Board Member-Self Reliance Instructor.

CTEA representatives gave a PowerPoint presentation including vision & mission, academics, Shoshoni language immersion goals, curriculum and school climate, Deniwape: lifeways of the people, thematic approach based on science, plans for first year of operation, approach and benchmarks, governance, location, finance-budget, and enrollment projections.

Ms. Edmo said she served on the education committee for the Shoshoni-Bannock education committee for years. She indicated that Idaho has a poor record of providing education and scholarships for the Shoshoni-Bannock tribes. She read a statement written by her daughter, Lorraine Edmo, a member of the Justice Department.

Chairman Reed said PCSC staff provided a considerable list of concerns to CTEA.

Commissioner Van Wart said the story is inspiring though not unique within American history. However, she appreciates and is excited to see the petitioners extend open arms while maintaining their culture.

Commissioner DeMordaunt asked how many elementary students are enrolled in the Fort Hall elementary school.

Mr. Weaver said there are about 25 students per class, but many students attend elsewhere.

Ms. Crue said both Pocatello and Blackfoot school districts bus to the same line within the middle of the reservation.

Commissioner DeMordaunt would like documented interest of school enrollment and teacher recruitment in language immersion programs.

Ms. Crue said they are working with tribal education department to allocate funds for training. There are teachers interested who are not fluent in the language and individuals fluent in the language who are not certified teachers.

Chairman Reed asked if CTEA had enough teachers to open.

Ms. Crue said there are enough teachers to teach the required one hour language classes per grade level. K-6 teachers are being recruited in English only and CTEA is hoping they would be willing to learn the Shoshoni language.

Jeinene Big Day, Wynona Boyer, Virginia Bache, Lavern Broncho and Velda Racehorse, supporters of CTEA, provided public comment in support of the school and the Shoshoni language immersion program.

**M/S (DeMordaunt/Corkill): To hold the decision on the Chief Tahgee Elementary Academy petition until the next meeting of the PCSC and to direct staff to work with the petitioners to address concerns. *The motion passed unanimously.***

#### **7. Blackfoot Community Charter Learning Center (BCCLC) Corrective Action Plan and Proposed Charter Amendment**

Fred Ball, Administrator; John Heintzelman, Board Chairman; and Joselyn Hayes, Teacher, represented BCCLC.

Ms. Hayes indicated they have spent 75% of their current budget and received a \$24,000 grant for FY12. Enrollment is being requested to promote continued growth and decrease growing waiting lists. BCCLC is proposing a charter amendment to change their mission statement, as well as one to increase enrollment from 300 to 600 students. The plan is to build from the bottom up and move students through classes. Students will be placed where they place academically and socially.

Mr. Heintzelman said part of the growth plan is to move to a new facility. An architectural plan is being bid on by two construction companies. Preliminary meetings with USDA and a local bank provide full financing.

Ms. Hayes said the amendment removed DMA & DWA since they are no longer administered. IRI scores and growth scores will be sent to PCSC staff. MSES scores are anticipated to fluctuate over the next year. The new star program is confusing at best and she will wait for additional information from the SDE to provide clarification and a better understanding.

BCCLC said the MSES amendment submitted in meeting materials is not the one that they are requesting approval for.

Commissioner O'Donahue is disappointed that commissioners spend hours reviewing materials and this the second school today that did not provide the correct information. There seems to be a pattern of this difficult situation.

Commissioner Hallett asked if the commission is required to either approve or deny the charter amendments.

Dr. Ball said they tried their best to submit something that PCSC staff felt good about. There were four or five submissions and every time they thought they had it correct, it would come back again. Is it possible to approve the other two amendments without approval of the amendment for the MSES?

Commissioner Van Wart clarified it is not what PCSC staff feels good about, but it is what is acceptable or unacceptable within the laws, statutes, and regulations of the State of Idaho.

Chairman Reed asked about the budget which shows a \$24,000 deficit for FY11 due to a land purchase and purchase of a bus.

Mr. Ball said that original budgets were submitted extremely early and were very preliminary.

Chairman Reed asked where the actual budget numbers fell.

Mr. Ball said the \$24,000 deficit is the actual number. At the end of this year, BCCLC is running ahead of budget, not counting an additional \$24,000 grant and running below expenses and above projected revenues.

Commissioner Corkill asked why BCCLC purchased the three acres and what the purchase price was.

Dr. Ball said it was sold at a good price and BCCLC wants to build on that property in the future. The board decided to buy it knowing it would put the budget in a deficit. However, they knew it would deplete reserves and a plan was developed to replace reserves. The sale was timed so it worked for both schools involved. The purchase price was \$65,000 for 3.9 acres. BCCLC anticipates a \$30,000 - \$38,000 reserve at year end.

Commissioner O'Donahue asked if reductions in the media center and field trips are what achieved this positive budget and whether paraprofessionals were cut.

Ms. Hayes said paraprofessionals hours were cut back and staff was informed the maximum number of hours they could work.

Commissioner O'Donahue asked what the plan is going forward.

Ms. Hayes said every teacher still has a paraprofessional and some teachers share one. BCCLC did not lose any staff members due to these changes.

Commissioner O'Donahue asked how buying the land affected what is going on in the classrooms.

Ms. Hayes said the older grades tended to take more of the weight of cutting the paraprofessionals. There were no losses in academics. IRI scores in the spring will reflect this fact. The staff took the brunt of the cuts by covering additional recesses and working extra hours so that students were not affected.

Chairman Reed said there is a current notice of defect for violation of the enrollment cap and fiscal soundness.

Commissioner DeMordaunt asked if the enrollment change amendment is something that must be decided today.

Ms. Hayes said the lottery has been held and parents have not yet been notified of any enrollment changes. BCCLC's attitude is different coming back to today's meeting. She appreciates the learning process for the Commission, PCSC staff, and for BCCLC. She appreciates the opportunity to come back before the Commission for this presentation.

Chairman Reed spent two days going through all emails and documentation from the last commission meeting. However, there are some "cowboy" attitudes going on with regards to going over enrollment caps and purchasing land that the school cannot financially afford. He feels there has to be a better way for everyone to stay on the same page.

Ms. Hayes is hoping to build better communication and accountability.

Commissioner DeMordaunt said that the community is aware this is a "proposed" charter amendment. She confirmed whether BCCLC has released any public information based on the lottery.

Ms. Hayes said the proposed amendment is public knowledge and the community is aware that is in process, though not approved. No lottery results have been made public.

Commissioner Van Wart said the meeting materials have comments on BCCLC's lack of response on several financial items.

Ms. Baysinger said the budgets are the same as what were in February's meeting materials. The school was asked for additional budgets, but the BCCLC chose not to submit additional budgets. Loan documentation has been requested from the bank and BCCLC has not received that documentation from the bank. The other

issues have been asked several times of BCCLC and a response has not been given.

Commissioner Van Wart said the professional community is admirable and dedicated. However, the person responsible to answer these questions needs to provide timely answers.

Mr. Heintzelman said the board is doing the best they can to provide the requested information. A letter of intent was requested from the bank and BCCLC has not received it yet.

Chairman Reed saw a request for this requested information before the February meeting.

Dr. Ball said that at that point in time the board was not sure they were going to pursue that funding.

Commissioner Van Wart said it is the board's responsibility to ensure that items are being followed up on. What is seen over and over in meeting materials is that PCSC staff has not heard from BCCLC.

Commissioner O'Donahue said that in 2011 when BCCLC's strategic plan was put together was when things like enrollment increases become part of a planned charter amendment. This appears to be a concern regarding effective leadership. She encouraged the school that when a request is made, BCCLC needs to answer it with the current status at the time the request is made.

Commissioner Van Wart asked if there is a way to receive a delivery notice receipt for emails when the emails are "read" by recipients.

Ms. Baysinger said it isn't a problem of BCCLC opening and reading emails. It is a problem with a response to portions of the emails.

Commissioner Hallett asked if it is illegal to deliberately incur a deficit budget.

Ms. Swartz said it would be something she would need to investigate further.

Commissioner Hallett said if it is not illegal, he would hope that there is something the commission can do statutorily to keep schools from deliberately incurring a budget deficit.

**M/S (Van Wart/Corkill): To approve Blackfoot Charter Community Learning Center's proposed charter amendments related to the mission statement. *The motion passed unanimously.***

Commissioner DeMordaunt asked if the MSES could be delayed.

Ms. Baysinger said the school could either withdraw the amendment or the commission could deny it and the school could resubmit a revised amendment.

**Mr. Heintzelman requested the proposed charter amendment for measurable student education standards for Blackfoot Charter Community Learning Center be withdrawn.**

**M/S (Corkill/Van Wart): To deny Blackfoot Charter Community Learning Center's proposed charter amendments related to enrollment increases due to the following:**

- 1. The proposed enrollment expansion would require BCCLC to construct a new facility by fall 2013. Although BCCLC owns the land on which the facility is intended to be built, it is unclear whether the school will be able to:
  - a. Obtain the financing necessary for construction, and**
  - b. Sustain timely fulfillment of its obligations should such financing be received.****
- 2. Historically, BCCLC has frequently been incomplete or unclear in its submission of materials to the PCSC. The PCSC is concerned that expansion will exacerbate the difficulties associated with this issue and encourages BCCLC to continue striving for improvements in open, thorough communication with its authorizer.**

Commissioner DeMordaunt feels it has been a rough transition for BCCLC going from district authorized, with little oversight and accountability, to being a PCSC-authorized school.

Commissioner Hallett said this amendment would more than double the size of the school and wonders if BCCLC has the facility space for the increased enrollment.

Chairman Reed indicated that BCCLC does not have the finances to provide the increased facility space.

Mr. Heintzelman said BCCLC will borrow funds for a facility.

Commissioner Hallett said the commission needs evidence that BCCLC can borrow the money and that BCCLC can repay the loans.

Dr. Ball said the current facilities will be adequate throughout this year and next. Preliminary meetings with the USDA and a local bank were favorable towards BCCLC.

Ms. Baysinger said Appendix H includes the projected enrollment growth.

Commissioner Corkill said communication with BCCLC seems to be the bulk of the problem. Until communications improve, enrollment increases would simply increase the problem.

*The motion passed unanimously.*

Commissioner Van Wart asked for quarterly fiscal updates from BCCLC, the first of which to be due no later than May 1, 2012 in order that it can be considered at the PCSC's May 31 meeting.

Mr. Heintzelman asked when BCCLC can submit another charter amendment.

Ms. Baysinger said any amendments would need to be submitted to allow for SDE's sufficiency review and submitted to PCSC staff by the meeting materials deadline for the next commission meeting.

## **8. Heritage Academy Corrective Action Plan and proposed Charter Amendment**

Anneli Crouch, Board Secretary; Blair Crouch, Board Vice-Chairman; Cheryl Kary, Business Manager; and Kala Tate, Board Treasurer, represented Heritage.

Ms. Crouch reviewed the corrective action plan to change the charter due to inaccuracies and clarifications. The foreign language references were removed and wording was clarified regarding enrichment clusters.

Ms. Kary said current enrollment is 150 and waiting lists are at 88, with a total interest of 238. She provided the breakdown by grade level. The facility is large and can accommodate all requested enrollment increases. Marketing is continuing through the summer and Heritage is confident they can achieve projected enrollment. This year's budget does have a deficit of \$100,000. With this increase in enrollment of 225, there would be a surplus and that surplus would increase each subsequent year.

Ms. Tate reviewed marketing plans. Student numbers reflect and support the proposed charter amendment. Waiting lists for kindergarten were contacted and 86% of parents contacted were positive. Marketing efforts included yard signs, brochures, fliers, community involvement, radio advertising, city newsletter, Jerome Chamber of Commerce updates, local newspaper, TV news broadcasting, free public service announcements, website, Facebook, homeschooling outreach, Hispanic services at Catholic churches, summer fun community event at Jerome City Park, 4<sup>th</sup> of July booth, parade float, and open houses.

Commissioner O'Donahue commended the school for their clear corrective action plan and how responsive the school has been to address issues. The school is fortunate to have a large facility for growth.

Chairman Reed said that of scenarios one, two, and three depending on the number of students, it appears that scenario three is the only viable option.

Ms. Crouch said that is correct. The best financial choice is scenario three and the only option that ends in the black fiscally. She indicated that the roof, boiler, and playground in the facility need to be refurbished.

Commissioner DeMordaunt asked if confirmation has been made with parents.

Ms. Tate said the 238 enrollment number includes lottery and existing students.

**M/S (DeMordaunt/Hallett): To approve the proposed charter amendment as submitted by Heritage Academy, permitting an increase in the overall enrollment cap and doubling of classes as justified by enrollment numbers.**  
*The motion passed unanimously.*

**M/S (Hallett/Van Wart): To lift the notice of defect issued to Heritage Academy on the grounds of material violation of a condition, standard, or procedure set forth in the approved charter, specifically with regard to Tab 3, Methods of Instruction and Educational Goals, and Tab 2, Special Education Coordinator.**  
*The motion passed unanimously.*

## **9. Falcon Ridge Public Charter School (FRPCS) Annual Update**

Mark Green, Administrator; and Alice Heida, Business Manager, represented FRPCS.

Mr. Green said ISAT scores are not where FRPCS wants them to be. In calculating academic goals, students in attendance less than two years were not excluded causing lower scoring. The new common core program has been introduced to teachers and materials will be given to teachers explaining what it means specifically for their classes. Low enrollment numbers in middle school grades is due to portable facilities. He reviewed the parent satisfaction survey results which reflect the continued dissatisfaction in the facilities. FRPCS will begin working with Ms. Stallcop to ensure alignment with Harbor methods.

Commissioner Van Wart asked whether there is an opportunity or forum for a discussion with parents of survey results.

Mr. Green said there is not a forum for that and it is something FRPCS needs to address and implement.

Commissioner O'Donahue informed FRPCS of an online forum for the Harbor method that they may find useful.

Mr. Green said FRPCS has paid off their property and has \$350,000 in a building account.

Commissioner Hallett noticed that science ISAT scores are much lower than other areas.

Mr. Green said this is the first year there has been a teacher at FRPCS dedicated to Science. This subject was being neglected in the past.

Commissioner Van Wart asked for clarification regarding the advisory board.

Mr. Green said it is difficult to get board members to become involved let alone an advisory board. FRPCS has plans to revamp and clean up their charter at the first opportunity.

Commissioner DeMordaunt does not want FRPCS to be intimidated by the process. It may be simply a matter of deleting some areas of the charter that no longer apply.

Mr. Green indicated that FRPCS's charter states both 268 and 276 enrollment. This is just a matter of correcting the numbers.

**M/S (Hallett/Corkill): To direct staff to issue to Falcon Ridge Public Charter School a written notice of defect on the grounds of violation of a material condition, standard, or procedure set forth in the approved charter, specifically with regard to: Admission procedures and class size, advisory boards, student profiles, piano labs, personalized learning goals, and Harbor training.**

Commissioner O'Donahue said that FRPCS is dealing with an old charter. Some of the items may only need to be stricken.

*The motion was passed unanimously.*

Chairman Reed asked about an existing notice of defect.

Commissioner DeMordaunt would like to review the corrective action plan for the original notice of defect.

Ms. Baysinger has that report scheduled for after ISAT scores are available due to the nature of the notice of defect.

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

The meeting was adjourned at 4:33 p.m.