

**APPROVED MEETING MINUTES  
PUBLIC CHARTER SCHOOL COMMISSION MEETING  
MONDAY, DECEMBER 31, 2012  
650 W. STATE STREET, BOISE, IDAHO  
BOARD ROOM**

A special meeting of the Idaho Public Charter School Commission (PCSC) was held Monday, December 31, 2012, at 650 W. State Street, Boise, ID, Board Room. Chairman Alan Reed presided via telephone.

The following members were in attendance via teleconference:

Nick Hallett                      Gayle O'Donahue                      Wanda Quinn  
Brian Scigliano                Esther Van Wart  
Absent: Brad Corkill

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

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

**1. Idaho STEM Academy DBA Bingham Academy New Charter Petition**

Greg Sigerson, Board Chairman; Debbie Steele, Business Manager; Pat Kolbet, Board Member; and Fred Ball represented Bingham Academy.

Ms. Tamara Baysinger, PCSC Director, gave a brief overview of the history regarding the Bingham Academy charter petition. PCSC staff felt the petition is dramatically improved, though the petitioners chose not to respond to certain recommendations that were made prior to the meeting.

Mr. Sigerson reported that, over the past week, Bingham Academy has seen a 33% increase in enrollment commitments.

Commissioner Hallett said he was pleased to see the improvements to the petition. He inquired why many recommended changes were not made to the petition, particularly corrections to the budget regarding Title VI-B funds, additional curriculum details, MSES development, board training plans, and improved bookmarks. He observed that schools that have difficulty developing their petitions tend to have operational issues in the future.

Mr. Sigerson said the petitioners are awaiting a return call from the SDE regarding Title VI-B funds. The curriculum section has been substantially improved. He said that board and staff training details require input from those who will be impacted. Commissioner Hallett said it was his understanding that Title VI-B funds are not available during the first year of operation. He asked whether it is an oversight that this revenue remains in the Year One budget.

Ms. Steele said the State Department of Education was contacted and the school is awaiting confirmation. If the \$19,000 is removed, it will not create a budget issue.

Chairman Reed asked if there was an email from Michelle Clement Taylor stating Title VI-B funds are not available during the first year.

Ms. Baysinger said PCSC staff did verify with the SDE that Title VI-B funds will not be available until Year Two. However, the budget appears sufficient to absorb the loss of those funds, if needed.

Chairman Reed noted that loss of the funds would cut the budget close.

Commissioner Hallett said a project-based program is not easy to implement. He asked if Bingham Academy has done any survey or research to determine whether the school is likely to struggle to hire a qualified principal.

Mr. Sigerson said Bingham Academy has two possible candidates, though their names were not published because they are currently employed elsewhere.

Commissioner Hallett said he was impressed with the resumes of the board of directors Bingham Academy has assembled.

Commissioner O'Donahue thanked the petitioners for their continued work toward improvement of the petition. She said the MSES seem too low, considering the focus on college readiness, even in light of the need to keep goals realistic.

Ms. Kolbet said the 25% in MSES 5 gives Bingham Academy the highest possible number of points in that category of the Star Rating System.

Commissioner O'Donahue observed that most petitioners strive not just to meet, but to exceed, state standards.

Ms. Kolbet said the petitioners realize their MSES are minimums and said those standards will be reviewed in the future.

Commissioner Quinn said both PCSC staff and SDE recommended an increase of the MSES, particularly those regarding college readiness.

Ms. Kolbet said the 25% level in MSES 5 is for juniors, who will still have 18 months prior to graduation for college preparation.

Commissioner Quinn said most college preparatory schools set a goal of 100%. She asked whether Bingham Academy expects to get the remainder of its students college ready within their senior year.

Ms. Kolbet that is correct, though this goal is not stated in the petition.

Commissioner Quinn asked how “successful completion” of post-secondary coursework is defined for purposes of MSES 6.

Ms. Kolbet said the completion standard is defined by the post-secondary institutions. Some of the institutions require a “B” to receive credit, while others require a “C” or a “D” to receive credit.

Commissioner Quinn pointed out that the Star Rating System requires a “C” grade for “successful completion.”

Ms. Kolbet said most Idaho professional-technical institutions require a “B” for earning college credit.

Commissioner Quinn asked why the school, as a college preparatory-focused school, would set such low standards.

Ms. Kolbet said Bingham Academy’s students will earn college credits dependent upon the requirements of the institutions.

Commissioner Quinn asked if there are any subsidies for tuition for students working on post-secondary credits.

Ms. Kolbet said there are no direct subsidies. Bingham will endeavor to help students find any outside assistance that may be available.

Commissioner Quinn said it appears Bingham Academy is expecting students to earn 18 post-secondary credits, which the students will need to pay for at \$60 per credit.

Ms. Kolbet said some of the credits are earned at no cost, and some professional-technical credits will cost only \$10 per credit.

Commissioner Quinn said her experience is that only one-third of students in dual credit classes actually take advantage of the credits. She asked what data Bingham has in this regard.

Ms. Kolbet said Bingham Academy will be encouraging students to obtain as many college credits as possible.

Commissioner Quinn asked whether she is correct that Bingham will not require students to earn a higher GPA because they will be earning college credit.

Dr. Ball stated there are many assistance programs available for reducing costs to students who are preparing for college. Although students may have to pay \$60 for

some credits, this is still significantly less than the average of \$300 per credit for college courses taken after high school. He said Bingham would like 75% of its students earn 18 college credits prior to graduation, but they will have to see whether this proves reasonable, as he doesn't believe anyone has attempted this in Idaho. They are exploring new ground and may need to make adjustments to the MSES as they gain experience.

Commissioner Quinn asked if students can earn a high school diploma with a "D" average.

Dr. Ball said students can get a high school diploma, as well as some college diplomas, with a "D" average. He said Bingham does not want to define "successful completion" further because the requirements vary by institution.

Chairman Reed asked for clarification regarding the earlier statement that Bingham Academy is in new territory. There are many schools providing dual enrollment credits.

Dr. Ball said the goal of graduating 75% of seniors with 18 college credits is new for a charter school.

Commissioner O'Donahue said she believes several PCSC-authorized schools are graduating over 75% of their seniors with more than 18 college credits. Several offer strong mechanisms by which students may earn a year or more in college credits. She asked for additional information regarding programs available to reduce costs for students, as many families are unable to afford credits through dual enrollment classes. She said the \$65 credit option is available to all Idaho students, and she is unaware of other programs.

Dr. Ball said a local business and the County Commission are offering help. Also, INL and the Albertson Foundation previously had programs. The State of Idaho has a program for high school seniors who meet certain criteria. These programs vary from year-to-year. He said dual enrollment at Bingham Academy is not an add-on, but a foundational principle, and the petitioners are taking care not to risk setting their goals too high.

Commissioner O'Donahue noted that she does not recall other schools proposing revisions to raise their MSES. She feels Bingham's MSES are extremely low compared to the expectations for Idaho students.

Chairman Reed said there are schools graduating students with one full year of college credits. He does not understand why this is considered new ground and is concerned with the low expectations.

Commissioner Hallett confirmed with Mr. Sigerson that any student can participate in a dual enrollment class, though by doing so, they may not receive college credit.

Commissioner O'Donahue asked why Bingham Academy believes the funds allocated for professional development are sufficient.

Ms. Kolbet explained that some teacher training is included in the STEM Academy 101 line item. The other professional development line item represents training for the board of directors, as well as other faculty and staff.

Commissioner O'Donahue asked if the school will take advantage of general board training available through the Idaho School Board Association (ISBA).

Ms. Kolbet said Bingham has looked at the ISBA training, as well as that of another institution, and they intend to pursue the matter further.

Commissioner O'Donahue asked what amount of money is allocated for basic board training.

Ms. Kolbet said she does not have a specific breakdown of how much would be allocated to board training, but much of the \$9,300 allocated in Year One would be for board training.

Chairman Reed asked how many students have expressed interest in enrollment.

Ms. Kolbet said they have 156 students interested.

Chairman Reed asked if the numbers are equally distributed throughout the grades.

Ms. Kolbet said there are more freshman students than sophomores. As more names come in, the distribution is evening out. There are 10 or 11 names that have not yet been added to the list.

Commissioner O'Donahue said she is not trying to be hard on the petitioners, but the MSES are an important matter for schools as well as for the PCSC. She asked why the MSES remain grouped together rather than being separated by subject. If one target is not met, a notice of defect would be issued for all areas since they are grouped together.

Dr. Ball said Bingham did not want to have too many. They are broken out for achievement, but not for growth.

Commissioner O'Donahue asked about the enrollment and waiting list numbers for the charter middle school that Bingham anticipates will be its feeder school.

Mr. Sigerson said ISTCS has 80 eighth graders. The petitioners did not have waiting list data.

Commissioner Quinn said she struggles with this petition, but does not feel denial is in order. This petition was referred to the PCSC by the Blackfoot School District with concerns for sufficiency and ability to follow through. She expressed concern regarding the high level of assistance required to get the petition ready, as well as the low expectations contained in the MSES by comparison to what Idaho students should achieve.

Chairman Reed said the PCSC does have the option to deny the petition if there are serious concerns regarding the future operations and ability of the school to succeed. He said the amount of review required reflects on the petitioners' management ability and their ability to operate a successful school.

In response to Chairman Reed's query, Ms. Baysinger noted that Idaho law simply provides that if an authorizer chooses to deny a charter petition, they must specify the reasons for the denial.

Commissioner Hallett asked for PCSC counsel's opinion regarding whether there are legal grounds for denial of the charter petition based on the concerns expressed.

Ms. Jennifer Swartz, PCSC counsel, stated that Idaho law only requires that if a petition is denied, the reasons for the denial be provided to the petitioners in writing. The petitioners would then have the option to appeal the denial. The appeal process would be used to determine whether or not reasons for the denial were sufficient in light of the complete record. She said a denial decision would be within the PCSC's discretion.

Commissioner Hallett expressed concern that, in his experience, petitioners exhibiting difficulty bringing forward a quality petition are the same schools that have difficulty operating and meeting standards.

Commissioner Van Wart said she feels uncomfortable with this petition, particularly regarding the petitioners' ability to run a high quality charter school, the MSES, and budgetary issues.

Commissioner Scigliano echoed the same concerns, particularly regarding the MSES being set at a minimum.

At the chairman's request, Ms. Baysinger summarized that the PCSC has three options today: approve the petition; deny the petition; or, through mutual agreement with the petitioners, delay a decision. A decision to delay would push the opening date of the school back by one year and affect the school's ability to keep its federal grant.

**M (Scigliano): To approve or deny the petition for Bingham Academy.**

Chairman Reed clarified with Commissioner Scigliano that Commissioner Scigliano's

intent was to indicate that he believed an approval or denial decision should be made today, rather than a delay decision.

*Commissioner Scigliano withdrew the motion.*

**M/S (Hallett/Van Wart): To deny the petition for Idaho STEM Academy DBA Bingham Academy on the following grounds: the petition contains minimal Measurable Student Education Standards; concern that the level of quality the petition has reached reflects the assistance of PCSC staff and SDE staff more than the ability of the petitioners; and concern regarding inadequacy of the budget, particularly in the absence of Year One Title VI-B funds. *The motion passed unanimously.***

At the chairman's request, Ms. Baysinger summarized the appeal process available to the petitioners. She said she will provide this information to the petitioners with references to statute and administrative rule to ensure they are aware of all requirements. She emphasized the importance that the petitioners read all the information provided and include a complete copy of the record so the hearing officer can make an informed decision.

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

Karl Peterson, Board Chairman; Chris Peterson, Board Member; Lisa Nolan, Board Member; Kimberley Evans Ross, Board Member; and Bill Sewell, Founder, represented Odyssey.

Ms. Baysinger gave a brief overview of the history regarding the Odyssey petition. She said the most recent petition revision shows substantial improvement.

Mr. Peterson said they have worked hard to address all concerns and questions brought forward by PCSC staff and the Commission.

Commissioner O'Donahue commended the petitioners for addressing the recommendations. She asked how Odyssey's enrollment and marketing are likely to be impacted by the area's similar magnet school.

Mr. Peterson said the magnet school, Compass Academy, offers only high school grades and draws only from School District 91. Odyssey would serve a broader area and offer middle school grades in addition to a high school. Odyssey will access web-based, lower-cost versions of curricula and programs similar to those used by the magnet school, and will also offer many extracurricular activities to attract students.

Commissioner Scigliano asked if Odyssey has done an impact study of the project-based curriculum.

Mr. Peterson observed that students who wish to attend high school at Compass Academy could benefit from exposure to project-based learning at Odyssey during the middle school grades.

Commissioner Scigliano inquired about Compass Academy's waiting list.

Mr. Peterson did not have information regarding the waiting lists, but said the school is at capacity.

Commissioner Hallett asked how Odyssey will market their school as different from the magnet school.

Mr. Peterson said Odyssey will offer smaller class sizes, integrated extra-curricular activities not usually involved in project-based learning, and a four-day school week. Also, Odyssey will be open to all students, while magnet schools may have admission requirements.

Commissioner Hallett asked whether there is a difference between Odyssey's vision of "project-based learning" and Compass's vision of the same.

Ms. Peterson said the Odyssey board has experience in the arts. She feels smaller class sizes will be a draw for students. Odyssey will use the Stephen R. Covey Method using principle-based education.

Ms. Ross emphasized the broader attendance area and the fact that project-based learning is not available in many rural areas.

Commissioner Hallett said he appreciates the need for small class sizes and arts programs. He noted that there are many variables in project-based learning and was interested in how Odyssey's offerings would differ from Compass Academy's.

Mr. and Ms. Peterson said that with the recent emphasis on STEM, arts have been ignored. Odyssey wants to incorporate the arts into projects for all subjects, which is different from the magnet school.

Mr. Sewell said Odyssey will be able to integrate social media and is supported by a group of individuals dedicated to children.

Commissioner Van Wart asked about Odyssey's math program and how the school will ensure students achieve at or above grade level in this subject.

Mr. Peterson said he is excited about using College Preparatory Math, which fits well with project-based learning and has proven successful in California schools. He said the method uses small group work, and groups may be formed according to ability.

Commissioner Van Wart cautioned that several project-based charter schools have faltered on the math component because of the group settings.

Mr. Peterson said this particular program has been successful with students in all levels. All daily lessons have a tutorial video available online for all levels. Odyssey will be using existing curriculums that do not require much adaptation for project-based learning.

Commissioner O'Donahue asked if Broken Bow Plaza remains the first facility choice and inquired whether the landlord is still committed to making necessary upgrades to the facility.

Mr. Peterson said the landlord has stated costs would be lower than quoted in the letter of intent and is very willing to work with the school to get a lease.

Commissioner O'Donahue asked if teacher salaries are based on averages.

Mr. Peterson said teacher salaries were based on the pay schedule of the state.

Commissioner O'Donahue said, in looking at the worst-case scenario budget, it appears Odyssey has made prudent use of the Albertson grant. She asked about Odyssey's backup in case of unforeseen circumstances.

Ms. Peterson Odyssey has been conservative in budgeting. The facility is brand new. Donations of furniture and a copy machine have already been received.

Mr. Peterson said they have not included in the budget any Title I funds or other monies that are not guaranteed.

Commissioner Scigliano noted that Odyssey appears to have budgeted according to starting educators' salaries.

Mr. Peterson said that if more experienced and highly educated teachers are hired, Odyssey will receive more state funding, which will cover the additional expense. The budgets reflect caution in case few students can be drawn from SD91.

Chairman Reed said the budgets appear to include just three days of training through the Buck Institute, which seems inadequate for implementation of a project-based learning model.

Mr. Peterson said that, in addition to the three days of training, the Buck Institute will also provide two weeks of training before school starts, two one-day follow ups, bi-weekly online workshops, and free online materials.

Chairman Reed noted that Mr. Peterson's resume reflects frequent career changes.

Mr. Peterson said he has many different interests. He taught at Idaho Falls High School for 16 years, was a personal care provider for 19 years, and was a property investor for 15 years.

Commissioner Hallett observed that the Year One budget is based on 180 students and six classroom teachers. This appears to divide out to an average of 30 students per classroom on average, but some classes could be much larger due to the nature of high school coursework.

Mr. Peterson said the budgets account for anticipated student attrition, and Odyssey will hire additional personnel if enrollment is higher than expected.

Commissioner Hallett cautioned it is easier to hire more teachers than to have too many teachers under contract if enrollment is low. However, if Odyssey's enrollment is as shown in the budget – 180 students with six teachers – it appears the school won't have sufficient funds to hire additional teachers.

Mr. Peterson said adjustments in hiring and budgets will be made based on actual enrollment.

Commissioner Hallett emphasized that, with a budget based on 180 enrollment and 6 teachers, the average class size will be 30. However, some classes may have 20 students while others have more than 30, which could be problematic for a project-based program.

Mr. Peterson noted that the budget provides for three Special Education teachers in addition to the six general education teachers. Another option is to have multi-grade classes.

Chairman Reed asked how the salary expenditure for a principal was determined.

Mr. Peterson said it was calculated based on a salary allocation that assumes the education and experience of a principal.

Commissioner Hallett said most school districts pay more than the administrator's salary provided in the state's matrix in order to stay competitive. He also felt a full-time business manager for 180 in enrollment is difficult to justify.

Mr. Peterson said Odyssey was advised to have a full-time business manager.

Commissioner O'Donahue said she appreciates the number of budget scenarios Odyssey provided.

**M (O'Donahue): To approve the petition for Odyssey Charter School. *The motion failed in the absence of a second.***

Commissioner Hallett said his main concerns are the budget, specifically: average class size of 30, low allocation for administrator salary, and inclusion of a full-time business manager.

Commissioner Scigliano noted that flexibility in staffing plans is necessary. He said he was concerned about Odyssey's ability to draw enough students, particularly from SD91.

Commissioner O'Donahue asked what the expectation is for a high school administrator's salary.

Commissioner Hallett said he feels a school must offer at least \$70,000 to attract a quality administrator.

Mr. Peterson spoke with regard to the student : teacher ratio. He said special education teachers can also teach regular classes, so Odyssey has budgeted for nine teachers for 180 students, resulting in an average class size of 20. He also said Odyssey has been approached by some experienced individuals interested in the administrator position as cutbacks occur at other schools.

Commissioner Hallett said there could be merit hiring an administrator with no experience, but that is a big gamble. He remains concerned with class sizes. He asked what Odyssey used to determine the number of Special Education teachers.

Mr. Peterson said the petitioners have tried to be very conservative and budgeted for a worst-case scenario.

Chairman Reed expressed concern regarding the extensive amount of guidance the petitioners required to complete a quality petition.

Commissioner Quinn observed that the most recent PCSC staff review concludes that the petition is sufficient, though significant input from both PCSC staff and SDE was required to get the petition to this point.

The PCSC discussed the possibility of delaying a decision on the petition by mutual agreement with the petitioners.

**M/S (Quinn/O'Donahue): To approve the petition for Odyssey Charter School.**

The PCSC discussed how future financial problems at Odyssey would be dealt with, if such problems should arise.

Commissioner Hallett said approval would indicate the PCSC's belief that the budget is sufficient, adequate, and realistic.

Ms. Baysinger noted that all school budgets change on an annual basis. A proposed charter school budget will, by necessity, change as actual data, such as enrollment and hiring decisions, becomes available.

*The motion failed 2-3, with Commissioners Hallett, Scigliano, and Van Wart voting nay.*

**M/S (Hallett/Scigliano): To deny the petition for Odyssey Charter School on the grounds that the budget projects an average of 30 students per classroom and includes unrealistic salary expenditures for the principal and the business manager.** *The motion passed 3-2, with Commissioners O'Donahue and Quinn voting nay.*

At the chairman's request, Ms. Baysinger summarized the appeal process available to the petitioners. She said she will provide this information to the petitioners with references to statute and administrative rule to ensure they are aware of all requirements. She emphasized the importance that the petitioners read all the information provided and include a complete copy of the record so the hearing officer can make an informed decision.

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

The meeting was adjourned at 11:32 a.m.