

1. Agenda Approval

Does the Public Charter School Commission (PCSC) have any changes or additions to the agenda?

2. Minutes Approval

COMMISSION ACTION

**To approve the meeting minutes from December 4, 2012; December 18, 2012; December 31, 2012; and January 3, 2013, as submitted.**

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**DRAFT MEETING MINUTES  
PUBLIC CHARTER SCHOOL COMMISSION MEETING  
TUESDAY, DECEMBER 4, 2012  
700 W. STATE STREET, BOISE, IDAHO  
JRW WEST CONFERENCE ROOM**

A regular meeting of the Idaho Public Charter School Commission (PCSC) was held Tuesday, December 4, 2012, at 700 W. State Street, Boise, ID, JRW West Conference Room. Vice-Chairman Brad Corkill presided.

The following members were in attendance:

Nick Hallett                Gayle O'Donahue  
Wanda Quinn             Brian Scigliano

Absent:            Esther Van Wart  
                      Alan Reed

Vice-Chairman Corkill called the meeting to order at 9:00 a.m.

**1. Commission Work**

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

**M/S: (Quinn/O'Donahue): To approve the meeting minutes from September 20, 2012, and October 19, 2012, as submitted. *The motion passed unanimously.***

**2. Vision Charter School Annual Update**

Wendy Oldenkamp, Administrator; and Lee Hannah, Board Chairman, represented Vision.

Ms. Oldenkamp provided a presentation regarding the status of the school.

Commissioners Quinn, O'Donahue, and Hallett complemented the school on their successes based in hard work and an effective relationship between the board and administration.

**3. Legacy Charter School Annual Update**

Danny Bower, Board Member; Emily Criddle, Board Secretary/Treasurer; Niki Crow, Board Clerk; and Seth Stallcop, Administrator, represented Legacy.

Commissioner O'Donahue recused herself from the discussion due to her employment at Legacy Charter School.

Mr. Stallcop said recent audits have been positive. Legacy received a Star Rating of three and has been working with the State Department of Education on improving that rating. The line of credit has been paid down to \$32,000 and Legacy will end the year with a carryover.

Vice-Chairman Corkill noted that Legacy has set very high academic standards for itself.

Commissioner Quinn commended the school for their first year of operation and expressed confidence that the school will improve its Star Rating next year.

#### **4. The Academy at Roosevelt Center (The Academy) Annual Update**

Ellen Jensen, Board Chairman; Amna Rahim, Board Member; Mark Stenberg, Board Secretary; Joel Lovstedt, Principal/Superintendent; and Bina Rahim, Parent, represented The Academy.

Mr. Lovstedt provided an update regarding the status of the school. He noted that the board is considering amending the charter in 2013 to include strong, measurable student educational standards (MSES).

#### **5. Taylor's Crossing Public Charter School (TCPCS) Annual Update**

Jared Emfield, Administrator; Teresa Adelizzi, Board Clerk; and Jamie Toop, Director of Financial Services, represented TCPCS.

Mr. Emfield provided a presentation regarding the status of the school. He noted that TCPCS fell only one point short of a five Star Rating.

Commissioner Quinn expressed appreciation for the school's positive attitude and inquired regarding whether TCPCS is moving toward better aligning its program with the original Harbor Method program.

Mr. Emfield said TCPCS is striving for alignment with the Harbor Method, but although Ms. Stallcop has assisted with that alignment in the past, time commitments prohibit her assistance going forward.

#### **6. White Pine Charter School (WPCS) Annual Update**

Gina Stevenson, Board Chairman; Jeremy Clarke, Administrator; and Jeffrey Baiocco, Board Vice-Chairman, represented WPCS.

Mr. Clarke provided an update regarding the status of the school.

Commissioner Scigliano appreciated the school's emphasis on ensuring that special needs students are well served. He asked how the school is addressing faculty attrition.

Ms. Stevenson said the attrition has not been high, but when teachers left, all but one accepted administration positions at other schools.

Commissioner O'Donahue also commended the school for its care regarding special education services.

Commissioner Quinn asked PCSC staff about their concerns with the MSES.

Ms. Baysinger said WPCS met most of the MSES, but missed MSES 5 and 6. She noted that this is another case in which the school may want to consider amending its MSES to align with the new Star Rating System.

Ms. Stevenson said the school is in the process of updating the MSES.

**M/S (Quinn/Hallett): To direct PCSC staff to issue White Pine Charter School a notice of defect on the grounds of failure to substantially meet MSES 5 and 6 in the approved charter.**

Commissioner O'Donahue said the PCSC recognizes the success of the school, feels reluctance to issue this NOD, and is confident the school will correct the defect swiftly.

*The motion passed unanimously.*

## 7. Odyssey Charter School New Charter Petition

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

Ms. Petersen said changes to the petition were made based on a PCSC staff review and three concerns cited by the PCSC at the last hearing. She said she felt the most recent staff review cited issues not mentioned in previous reviews.

Vice-Chairman Corkill asked PCSC staff to comment on the petition review.

Ms. Baysinger said the most recent review was made by a new PCSC staff member, and did identify some recommendations that had not been made previously. She said she had discussed this with Mr. Peterson prior to the meeting and emphasized

that, in her opinion, none of the new items should be considered “deal breakers” with regard to petition approval.

Mr. Peterson said he had verified with the Albertson Foundation that the startup grant will be available to Odyssey. He said he was concerned that the petition review’s observation regarding grammatical errors gave a bad impression of Odyssey’s board.

Commissioner Scigliano inquired regarding the sufficiency of the professional development plan to effectively implement the school’s goals.

Mr. Peterson said the Buck Institute indicated that a one time, three-day seminar is insufficient. They recommended regular feedback and annual reviews. The school has found free online resources to supplement staff development, and project-based learning is integrated into the curriculum.

Commissioner Hallett clarified with Ms. Peterson that some recommendations regarding the petition were not addressed because there was not time to complete another revision prior to this meeting. Three concerns specifically cited by the PCSC during the last hearing have been addressed, in Odyssey’s opinion. He asked where the Albertson’s Grant is listed in the most likely budget.

Ms. Nolan said the Albertson grant is included in the pre-opening budget within the balance forward as part of the carryover.

Commissioner Hallett asked if, without the grant, the school would be in the red in their first year.

Mr. Peterson said that is correct.

Commissioner Hallett said the school appears to be dependent on grant revenue as part of their regular operation program.

Ms. Nolan indicated that as enrollment increases, in years two and three, reliance on grant monies will not be necessary.

Commissioner Hallett recommended revising Tab 7 to protect Odyssey from being held accountable to providing all benefits “allowed” by law. He noted that the petition did not address a plan for teacher evaluations.

Mr. Peterson indicated this was an inadvertent omission when making other revisions.

Vice-Chairman Corkill suggested Odyssey clarify the transfer rights section to indicate to whom the statement applies.

Mr. Peterson said the statement applies to teachers transferring into and out of Odyssey from other schools, since Odyssey would be its own LEA.

Commissioner O'Donahue asked if the pre-opening budget contains funds for professional development.

Ms. Nolan said the pre-opening budget expenses go through July 1<sup>st</sup>, so that expense is included in the Year One operating budget.

Commissioner O'Donahue asked about the probability that Odyssey can reach an agreement with the Broken Bow landlord.

Ms. Peterson said the landlord for Broken Bow Plaza is desperate to get the facility occupied and is willing to make concessions on the terms of the lease in order to do so, including lowering the lease rate. The confidence level is high.

Vice-Chairman Corkill said the "most likely case" budget indicates the school will have nine classes and six teachers, with a total of 180 students enrolled. He inquired about student-teacher ratio.

Mr. Peterson said the average class size will be 30. The Year One numbers were adjusted in anticipation of early attrition and possible low enrollment.

Ms. Nolan noted the budget provides for three Special Education teachers as well.

Mr. Peterson said the school budgeted on the heavy side in Special Education teachers based on experiences of other charter schools.

Commissioners Scigliano and Corkill asked for more information about the Special Education program.

Mr. Peterson said the Special Education teacher will be used to oversee the programs and the therapies or interventions will be conducted by the teachers. The project-based program lends itself well to meeting special needs and can easily be adjusted because it is an individualized program according to the abilities of each student.

Commissioner Hallett said he believes Odyssey is on the right track, but he doesn't feel this petition is ready for approval. He suggested a mutual agreement to a delay a decision on the petition.

Vice-Chairman Corkill said the original petition was submitted on October 11, 2011 and feels the petitioners have had more than adequate time to make revisions.

Commissioner O'Donahue suggested that the new comments, since they are not deal breakers, be set aside for this decision.

Commissioner Hallett disagreed, saying the PCSC is dedicated to successful charter schools regardless of who the suggestions came from and when. Many of the comments were valid and need to be addressed. He believes the PCSC has to be committed to the best petition possible to ensure the success of the school.

Mr. and Ms. Peterson said they felt Odyssey had dealt with all but the most recent recommendations.

Commissioner Hallett asked staff about a possible timeline for revisions and reconsideration.

Ms. Baysinger said it would be reasonable for PCSC staff to review the petition within a week, and the PCSC itself typically requires another week. This timeframe, given the end-of-year deadline, would permit only one more revision before PCSC consideration at a special meeting.

Commissioner Hallett suggested that a special meeting be held in six weeks to consider the petition.

After a recess to permit Odyssey's board time to discuss the situation, the PCSC and Odyssey agreed on a mutual delay of consideration of the petition until a special meeting to be held in January 2013.

Ms. Baysinger suggested that, since the petitioners will already be missing the January 1 deadline, it might be more practical for the PCSC to consider the petition at the next regular meeting on February 14, 2013, if the petitioners agreed.

The PCSC and Odyssey board indicated agreement with this suggestion.

**M/S (Hallett/Scigliano): To delay the decision on the petition for Odyssey Charter School until the next scheduled Public Charter School Commission meeting, by mutual agreement with the petitioners. *The motion passed unanimously.***

## **8. Idaho STEM Academy DBA Bingham Academy New Charter Petition**

Greg Sigerson, Board Chairman; Amber Mecham, Board Member; Diane Dodds, Board Member; and Pat Kolbet, Board Member, represented Bingham Academy.

Mr. Sigerson noted that the petitioners were awarded a national Charter Start Program grant, said the petitioners anticipate an opening enrollment of 100 students, and addressed progress in obtaining school facilities.

Ms. Kolbet reported on the proposed educational program, including STEM coursework and the colleges which may award concurrent credit.

Commissioner Hallett asked how Bingham's program would serve students who enter below grade level.

Ms. Kolbet said onsite professional development is available regarding how to modify modules based on student needs. STEM Academy 101 would work with the school's staff to make any necessary modifications to ensure no students are excluded.

Commissioner Hallett asked if Bingham has investigated whether this system has worked for low achieving students at other schools.

Ms. Kolbet said they have not, and agreed this research needs to be done.

Commissioner Scigliano asked if Bingham has spoken to other schools using the STEM Academy 101 program to determine whether the ongoing support and professional development are adequate.

Ms. Kolbet said they have spoken to North Valley Academy, which is using the middle school version of the program, and NVA reports being very happy with their results.

Commissioner Hallett requested clarification regarding Bingham's process for electing or appointing board members.

Mr. Sigerson reviewed the process as it is addressed in the bylaws.

Commissioner Hallett asked how "qualified electors" is defined.

Ms. Baysinger indicated that qualified electors are defined in section 4.3 of the bylaws.

Vice-Chairman Corkill asked for clarification regarding the school's planned expansion.

Mr. Sigerson said Bingham would increase the grade offerings as the students advance, so students who wish to remain at the school would be able to do so.

Vice-Chairman Corkill asked why Bingham missed the November 5 deadline for the mutually-agreed delay of consideration letter.

Mr. Sigerson indicated that this was result of a turnover of Bingham's board chair seat, which had not been communicated to PCSC staff.

Commissioner Hallett noted that PCSC staff had indicated further work is needed to align the MSES with the Five-Star Rating System.

Mr. Sigerson said it his understanding that a portion of the system is based on graduation rates, and since there will not be a graduating class until the fifth year of operations, this does not apply to Bingham.

Ms. Baysinger indicated that PCSC staff has provided guidance for schools and petitioners to assist them in developing applicable standards that align with the Five-Star Rating System. PCSC staff appreciates the fact that the school will not have a graduating class initially, but it appears the school does not have a complete understanding of the Five-Star Rating System. The MSES need further development, and sources of assistance have been communicated to Bingham on multiple occasions.

Ms. Kolbet said Bingham did attempt to follow PCSC staff directions. They used a Star Rating of three, since 75% of Idaho schools fall within that rating.

Commissioner Quinn asked about the items identified in the PCSC staff review regarding the description of the educational program and the focus of the school.

Ms. Kolbet said Bingham Academy will focus on STEM for all students at all achievement levels and STEM for career readiness, which are slightly separate paths of the same STEM focus.

Commissioner O'Donahue commended the school for its interest in providing dual enrollment opportunities. She asked if dual enrollment classes would be a graduation requirement for Bingham students, and whether the students could graduate without those dual credit courses, in cases where the family was unable to afford the associated tuition.

Ms. Kolbet said dual credit courses are not a graduation requirement and Bingham is looking at grants to fill the gap for students who cannot afford the dual credit tuition.

Commissioner Hallett asked if the classes are the same, but in order to receive college credits, students need to pay a dual credit enrollment fee.

Ms. Kolbet said that is correct. Some classes also have an articulation agreement requiring a minimum grade in order to receive credit.

Commissioner Quinn asked if the first year budget is actually a pre-opening budget.

Ms. Mecham said there was a labeling error. Appendix U is the Year One operations budget. Appendix X, the Charter Start Program Grant budget, is the pre-opening budget.

Commissioner Scigliano verified with Ms. Mecham and Ms. Kolbet that the STEM cost of \$45,000 is included in the budget for the wrong year.

Commissioner Hallett said a critical issue is the level of enrollment on which the budgets are based. He asked how solid the prospective student commitments are believed to be.

Mr. Sigerson said all the budgets are based on signatures representing 104 possible enrollees. Additional marketing efforts are being planned.

Commissioner Hallett noted that the budgets rely on enrollment of 140 to 200 students. He indicated discomfort with the amount of community interest document by comparison to the budgets.

Commissioner Scigliano asked where staff development is included in the budget.

Ms. Kolbet indicated that the ISTEM expenditure could be viewed in Appendix X, the Albertson grant budget.

Vice-Chairman Corkill asked what the impact on Bingham's finances would be if a significant number of the presently interested students did not choose to enroll.

Mr. Fred Ball said most of the commitments represent families attending existing public charter schools. Additional marketing has not yet taken place, and he believes that the results of future marketing efforts will generate more than enough additional interest.

A public comment from Mr. Don Keller, Administrator at Sage International School of Boise, indicated Sage's experience was that attrition can be high, at 20%-30%, as new students explore whether the school is right for them. Charter schools require substantial waiting lists. Sage has realized that many commitments do not result in actual enrollment; Sage went through its entire, long waiting list in the first year of operations.

Commissioner Hallett said he understands the frustration of marketing before a petition is approved, but indicated that the PCSC needs additional assurance that there will be sufficient interest to keep the school fiscally sound. He suggested delaying further consideration of the petition to the next regularly scheduled PCSC meeting.

Commissioner O'Donahue said she is empathetic to the effort it takes to get a petition approved. However, she feels this petition still looks like a petition that is in the beginning stages of the process. She commended the petitioners for including worst-case scenarios and stressed that the school should obtain three times as many enrollment commitments as are necessary for financial soundness, especially in the higher grades, to ensure adequate enrollment upon opening.

Vice-Chairman Corkill asked for additional information regarding the federal grant.

Mr. Sigerson said that if Bingham Academy is not approved by December 31, 2012, they will lose the \$600,000 federal Charter Start Program grant.

Vice-Chairman Corkill emphasized the need for additional enrollment interest.

Ms. Kolbet asked if there could be an opportunity to correct the outstanding concerns regarding the petition and demonstrate increased enrollment interest for the PCSC's consideration.

Vice-Chairman Corkill said the information would need to be submitted by the end of next week in order to accommodate a special meeting that could be scheduled on December 31, 2012.

Commissioner Hallett noted that the Odyssey petitioners had been before the Commissioner more times than Bingham has, and inquired whether a special meeting on December 31 would be a telephone conference.

Ms. Baysinger said the special meeting would need to be a telephone conference. She emphasized that the petitioners should make their very best effort in the final petition revision, as the PCSC would have the option of approving or denying the petition at the special meeting.

The PCSC asked the petitioners to focus on enrollment interest and strong MSES as top priorities.

Commissioner O'Donahue said she was disappointed that having a \$600,000 grant at stake did not encourage the petitioners to bring the petition to a higher level of quality than what was submitted.

Commissioner Hallett again stressed the need for high quality petitions because the school will be held accountable according to the petition approved.

**M/S (Hallett/Scigliano): To delay the decision on the petition for Bingham Academy until a special meeting of the Public Charter School Commission on December 31, 2012, by mutual agreement with the petitioners.**

Vice-Chairman Corkill reviewed the timeline for consideration of this petition.

Commissioner Scigliano said having a line item in the wrong year, at this point in the petitioning process, raises concern regarding the accuracy of the budget. Additionally, proposed staff development expenditures in years following the pre-opening budget may be inadequate.

*The motion passed with a vote of 3-1, with Commissioner Quinn dissenting.*

The PCSC emphasized that additional evidence of enrollment interest is critical.

### **9. Xavier Charter School (XCS) Fiscal Status Update**

Debbi Burr, Board Chairman; Joan Hurlock, Board Member; Mark Lambert, Board Vice-Chairman; Thad Biggers, Head of School; Melissa Crane, Board Secretary; James Wallace, Board Treasurer; Mike Phelan, Child Nutrition Director & Part-Time Business Manager; and Mel Wiseman, Business Manager Assistant, represented XCS. Jed Stevenson of Twin Falls Development Company, XCS's landlord, was also present.

Commissioner O'Donahue recused herself from the discussion due to her employment at Legacy Charter School, which is using the same bonding firm as XCS.

Ms. Burr said they have resolved the federal funds documentation issue with the SDE. XCS will not be required to repay any of the federal funds. She said that XCS's payroll tax issue has not yet been resolved, but XCS is confident that additional taxes will not need to be paid.

Commissioner Scigliano asked about the timeline of communications with the IRS.

Ms. Burr said the IRS first contacted XCS in May, and the school responded in June. XCS's attorney was contacted and a CPA firm hired specializing in these types of issues. The CPA firm contacted the IRS at the beginning of October, again in late October, and again in November. Copies of the letters have been forwarded to PCSC staff.

Commissioner Hallett asked if there are penalties, fines, and interest involved.

Ms. Burr said these fees were included in the first letter from the IRS, but the tax attorney feels this issue will be resolved without any penalties, fines, and interest.

The PCSC confirmed with Ms. Burr that XCS does not anticipate any negative fiscal impact to result from the payroll tax concern.

Ms. Burr said XCS has entered an MOU with the landlord in order to lower the lease rate enough to keep XCS fiscally sound through FY13.

Commissioner Hallett asked if the cap on the lease rate is effective through the end of the lease.

Ms. Burr said the cap is only effective through the end of the fiscal year. If XCS is unable to purchase the building, the landlord is willing to continue lease negotiations.

Commissioner Hallett asked if the five-year budget shows the reduced lease rate or the current lease rate.

Ms. Burr said that budget does reflect the new reduction in lease costs for FY13. It also assumes this revised lease rate for all five years of the projections, though in reality negotiations are ongoing and the lease cap expires at year end. She said the board is looking at private sources of funding and there is an individual willing to offer a \$200,000 loan.

XCS said they have not had any significant fundraising success due to the "tentative" fiscal position of the school. The school is going to begin fundraising efforts if they can develop a sound, long-term plan.

Commissioner Scigliano said that, in his professional experience, obtaining a bond in these circumstances would be very problematic and, if granted, would be expensive and require extended negotiations. He advised XCS to be cautious on the purchase and suggested the school give themselves a deadline to determine viability of a purchase or lease negotiation before July 2013.

Ms. Burr said XCS is relying on Mr. Blandford's expertise. Lifting of the NOD is critical to getting any bonds issued.

Commissioner Quinn asked what XCS's Star Rating is.

XCS reported they are a four Star school and enrollment is only six students short of where it was at the beginning of this school year. A stakeholder's meeting was held last week to give a status update and parents were overwhelmingly supportive.

Commissioner Hallett commended the school for maintaining enrollment, working toward overcoming fiscal challenges, and achieving academic success despite negative publicity.

Commissioner Quinn complimented XCS's board for handling the difficult situation and maintaining academic performance. She asked what XCS is asking of the commission at this time.

Ms. Burr said XCS would like the NOD lifted and more time to work on fiscal issues.

Vice-Chairman Corkill asked PCSC's counsel what statute indicates regarding lifting a NOD.

Ms. Jennifer Swartz, PCSC counsel, said Idaho statute does not speak to lifting or withdrawing a NOD. In her opinion, the PCSC should make a decision regarding lifting the NOD solely based on whether or not the PCSC believes the defect has been cured.

Vice-Chairman Corkill suggested that XCS provide an update at the February meeting so the PCSC may further consider their request based on progress and additional information.

Mr. Mel Wiseman expressed appreciation for all the parties' careful consideration and action regarding XCS's situation.

Commissioners Quinn and Hallett clarified that XCS should focus on preparing cash flow projections and an accrual budget, dealing with the facility lease, and resolving the IRS situation prior to the February meeting.

#### **10. Idaho Virtual Academy (IDVA) Fiscal Explanation and Proposed Charter Amendments**

Dave Malnes, Board Chairman; Desiree Laughlin, Head of School; Allen Wenger, Business Manager; and Russell Roselle, Vice President of Finance at K12, represented IDVA.

The IDVA representatives reviewed the school's financials. The amount paid to K12 in 2011-2012, according to a Bailey & Company audit, was \$6,636,850. The expenses were broken out by instructional and non-instructional. A management fee of \$740,000.00 was considered non-instructional and includes nine staff positions, K12 accounting, and financial statement resources available to IDVA. Instructional costs include online services for teachers and students, student supplies, technology services, computers, and two software programs, all of which comprise 88.84% of the total expenses. Altogether, 76.95% of all expenses were instructional in nature.

Commissioner Hallett asked the amount of IDVA's total expenditures for the same year.

IDVA's total expenses for the year were approximately \$12,500,000. The difference includes rent, administrative staff, and teacher salaries.

Commissioner Hallett asked for a breakdown of the remaining expenses, including percentages.

Vice-Chairman Corkill inquired regarding the invoicing process between IDVA and K12.

IDVA's representatives explained that invoices received by IDVA are coded and approved by the board, then sent to K12 for processing through the accounting database.

Vice-Chairman Corkill asked whether IDVA writes checks to K12 for K12's services.

IDVA said they use ACH transfers for the invoices.

Vice-Chairman Corkill asked how K12 gets the money to make payments for IDVA.

IDVA said K12 uses a Wells Fargo bank account under the direction of the school's board.

### **11. The Village Charter School (TVCS) Proposed Charter Amendments**

Rachel Smith, Board Member; Susan Hanson, Board Member; and Teresa England, Administrator/Principal, represented TVCS.

Ms. Smith presented proposed charter amendments and explained how the school will make the necessary transition.

Dr. England reported that TVCS has taken steps to become a Lighthouse School where other teachers can be trained and TVCS can be used as a model school for the Leadership Program.

Commissioner Hallett commended the school for having a dress code and asked if staff members have a dress code.

Dr. England said there is a professional dress standard at TVCS. Most teachers abide by the same dress code as the students.

Commissioner Hallett suggested minor corrections to the dress code section of the handbook.

**M/S (O'Donahue/Hallett): To approve the proposed charter amendments as submitted by The Village Charter School.**

*The motion passed unanimously.*

**12. Heritage Community Charter School (HCCS) Annual Update**

Javier Castaneda, Principal/Administrator; and Richard Hammond, Board Chairman, represented HCCS. Other HCCS board members were present as well.

Mr. Hammond reported regarding the school's financial and academic status. He said HCCS recently submitted a signed, amended lease agreement to PCSC staff.

Ms. Baysinger said she did receive the signed lease agreement, which appears to alleviate the school's financial concerns for the next year or two, but cannot give details because she has not had an opportunity to evaluate it thoroughly.

Mr. Hammond said the revised lease includes a \$55,000 concession with no extra costs or extensions to the contract for the coming year, as well as a \$33,600 concession for the following year. HCCS now has an expected carryover of \$88,636 over the next two years.

Mr. Hammond said enrollment is at 444, which was a decrease from last year due to the decision to discontinue the high school. HCCS expects 507 next year, growing toward the cap of 540. A highly qualified administrator has been hired and a full-time math coach has been put in place this year. HCCS is willing to amend its MSES to reflect the new Star Rating System.

Commissioner O'Donahue asked Mr. Castaneda how long he anticipates it will take for the school to improve from their present two Star Rating to where they would like to be.

Mr. Castaneda described strategies including professional development, updating curriculum, and communicating with students' families. He said the school's stakeholders share in the sense of urgency regarding the need for academic improvement.

**13. Blackfoot Charter Community Learning Center (BCCLC) Annual Update**

Lisa Patrick, Board Treasurer; Debbie Steele, First Grade Teacher; Mark Cornelison, Board Member; and Fred Ball, Administrator, represented BCCLC.

The BCCLC representatives provided an update regarding the status of the school, focusing on academic results and the school's facility and financial situation. BCCLC received a four Star Rating, though some MSES in the charter were not met. Stakeholder survey results are largely positive, and BCCLC was able to put \$35,000 in a reserve account last year for future facility use.

Commissioner Hallett said the school's fund balance is a concern. The projected and current fund balances are relatively low at \$40,000 and \$11,000, respectively.

The independent fiscal audit stated, that *“Management has not presented the management’s discussion and analysis information that governmental accounting principles generally accepted in the United States of America require...”*. This document is important to predict trends and the overall fiscal well being of the school, but BCCLC did not prepare the document this year or last.

Mr. Ball said the auditor indicated to him that the document is not required.

Commissioner Hallett further read from the audit that *“Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, and historical context”*. He feels it would be prudent for the school to complete this documentation.

Mr. Ball said the auditor informed him that none of the school districts he audits prepare the document.

Commissioner Hallett encouraged the school to prepare the MDA document because it is useful and worthwhile. In addition, Tab 13, page 60, states *“we identified a certain deficiency in internal control over financial reporting, described in the accompanying schedule of findings and responses...that we consider to be a significant deficiency in internal control over financial reporting”*. He asked for clarification of these statements and feels they indicate the PCSC cannot have confidence in BCCLC’s reporting.

Mr. Ball offered to address both of the issues with the auditor again. BCCLC lacks sufficient personnel to provide an ideal system of checks and balances. BCCLC did ask the auditor how to correct this issue. There are now two separate business managers for the two schools in Blackfoot, and a process is being set up as a cross-check between these business managers.

Commissioner Hallett feels this is a separate issue from checks and balances.

Vice-Chairman Corkill asked BCCLC if the auditor is willing to write a letter saying that the statements in the audit are not actually cause for concern.

Commissioner Hallett asked for clarification regarding the audit’s statement regarding BCCLC’s questionable ability to continue as a going concern.

Mr. Ball said the auditor recommended enrollment growth to ease the financial pressure, but BCCLC’s facility cannot accommodate the growth.

Commissioner Quinn asked if an updated CAP is in order with regard to the MSES.

Mr. Ball said BCCLC could present at the April PCSC meeting with proposed charter amendments and an updated CAP.

Commissioner Hallett requested BCCLC bring to the April meeting:

- Developed MDA (Management's Discussion and Analysis) document
- Response to auditor's comment regarding BCCLC as "a going concern"
- Response to auditor's comment regarding lack of adequate internal controls over financial reporting

#### **14. Idaho Science and Technology Charter School (ISTCS) Annual Update**

Kelly Moulton, New Board Member; Tami Dortch, Assistant Principal; Gary Larsen, Principal; and Fred Ball, Financial Consultant, represented ISTCS.

Ms. Dortch and Mr. Larsen provided an update regarding the status of the school, focusing on academic trends. They requested that the PCSC allow the school six months in which to develop revised MSES reflecting the new Star Rating System and prepare other proposed charter amendments.

Mr. Ball said enrollment, currently at 188, has grown more slowly than anticipated. Students coming from five different LEAs appear to have difficulty transitioning into ISTCS's sixth grade, and the school's limited sports offerings discourage some potential students. The school has introduced a "pals" program to assist with transitions. ISTCS is working with the landlord on lease concessions and anticipates finishing FY13 in the black, though the budget will be tight. Marketing efforts are underway to improve enrollment.

Ms. Dortch said ISTCS was rated as a three Star school. She noted that results may have been better if ISTCS hadn't missed the appeal window. The school's lowest achieving students are in a high growth percentile, and ISTCS was on the high end of the three Star Rating for student growth.

Commissioner O'Donahue thanked the school for explaining the barriers the school is facing in enrolling students in middle school grades.

Commissioner Quinn commended the school for their data driven and shared decision making processes, which are critical to academic success.

#### **15. Another Choice Virtual School (ACVS) Annual Update**

Kelsey Williams, Administrator; Donna Myers, Business Manager; Laura Sandidge, Special Education Director; and Ross Jones, Board Chairman, represented ACVS.

ACVS provided a status update including demographics, finances, academic performance, and action plans for school improvement.

Vice-Chairman Corkill asked how many teachers ACVS has.

Ms. Williams said there 16.825 FTE teachers and of those, 15 are full-time.

Commissioner Quinn asked what a priority school means.

Ms. Williams said that priority one schools must follow a required plan of action outlined by the state and ACVS met with Nick Smith at the State Department of Education.

Commissioner Hallett asked if ACVS has applied for capacity builder funds.

Ms. Michelle Clement Taylor, SDE School Choice Specialist, said there is a large need, this program has limited funding, and schools are being looked at on a case-by-case basis.

Commissioner Quinn asked the school to address the issue of Ms. Sandidge's certification.

ACVS said the Idaho System for Education Excellence (ISEE) listed Ms. Williams as Superintendent. Ms. Sandidge did complete all her coursework to obtain administrator certification, but did not complete certification paperwork. Ms. Sandidge directs Special Education and Ms. Williams acts as Principal. The school has approached administration as a leadership team.

Commissioner Quinn asked for clarification from PCSC staff.

Ms. Baysinger said it is apparent from ACVS's site visit and reporting that Ms. Sandidge is performing administrative duties. Pursuant to IDAPA 08.02.02.026, until the certification is finalized, no administrative duties should be undertaken by Ms. Sandidge. PCSC staff has verified with the SDE that a violation has occurred, though it can be readily corrected through completion of the certification process.

Vice-Chairman Corkill asked if ACVS has a curriculum provider.

Ms. Williams said ACVS has multiple curriculum providers.

**M/S (Quinn/Hallett): To direct PCSC staff to issue Another Choice Virtual School a notice of defect on the grounds of material violation of any condition, standard or procedure set forth in the approved charter and a violation of a provision of law, specifically, IDAPA 08.02.02.026 regarding administrative certification.**

Commissioner O'Donahue said the PCSC understands the school did not intentionally try to commit or conceal a violation, but simply got ahead of itself procedurally.

Vice-Chairman Corkill encouraged the school to resolve the matter as soon as possible.

*The motion passed unanimously.*

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

The meeting was adjourned at 3:23 p.m.

**DRAFT MEETING MINUTES  
PUBLIC CHARTER SCHOOL COMMISSION MEETING  
TUESDAY, DECEMBER 18, 2012  
650 W. STATE STREET, BOISE, IDAHO  
ASSAY CONFERENCE ROOM**

A special meeting of the Idaho Public Charter School Commission (PCSC) was held Tuesday, December 18, 2012, at 650 W. State Street, Boise, ID, Assay Conference Room. Chairman Alan Reed presided via telephone.

The following members were in attendance via teleconference:

Brad Corkill                      Gayle O'Donahue  
Brian Scigliano                Esther Van Wart

Absent:            Nick Hallett  
                      Wanda Quinn

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

**1. PCSC Discussion: Odyssey Charter School New Charter Petition Request for Hearing**

Lisa Nolan, Board Member; Karl Peterson, Board Chairman; Chris Peterson, Board Member; and Bill Sewell, Board Member, were present via telephone to Odyssey.

Ms. Baysinger said the purpose of this special meeting is to discuss Odyssey's request that their petition be considered at a special Commission meeting to be held on December 31, 2012.

The PCSC agreed that there was no reason not to add the petitioners to the special meeting on December 31, 2012. They advised the petitioners to carefully address all recommendations previously cited by the PCSC and its staff, as the PCSC could approve or deny the petition at the special meeting.

**M/S (O'Donahue/Corkill): To mutually agree with Odyssey Charter School to consider the Odyssey Charter School petition on December 31, 2012.**

*The motion passed unanimously.*

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

The meeting was adjourned at 9:06 a.m.

**DRAFT 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.*

**16. 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.

## 17. 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.

**DRAFT MEETING MINUTES  
PUBLIC CHARTER SCHOOL COMMISSION MEETING  
THURSDAY, JANUARY 3, 2013  
650 W. STATE STREET, BOISE, IDAHO  
LEWIS & CLARK CONFERENCE ROOM**

A special meeting of the Idaho Public Charter School Commission (PCSC) was held Thursday, January 3, 2013, at 650 W. State Street, Boise, ID, Lewis & Clark Conference Room. Chairman Alan Reed presided via teleconference.

The following members were in attendance via teleconference:  
Brad Corkill            Gayle O'Donahue            Wanda Quinn  
Brian Scigliano        Esther Van Wart

Absent: Nick Hallett

Chairman Reed called the meeting to order at 1:31 p.m.

**M/S (Corkill/Van Wart): To approve the agenda as published.** *The motion passed unanimously.*

**18. Odyssey Charter School New Charter Petition**

Karl Peterson, Board Chairman and Chris Peterson, Board Member, attending in person, and Lisa Nolan, Board Member and Bill Sewell, Board Member, attending via teleconference, represented Odyssey.

Chairman Reed said he called this special meeting because staff had relayed to him concerns of other Commissioners regarding whether the right decision was made about the Odyssey petition on December 31. He said the PCSC has the option of reconsidering a motion.

**M/S (Van Wart/O'Donahue): To reconsider the previous motion to approve the petition for Odyssey Charter School.** *The motion passed unanimously.*

The motion (Quinn/O'Donahue) to approve the petition for Odyssey Charter School was back on the floor.

Commissioner Quinn said she believed Odyssey's petition was complete and the additional issues raised on December 31 were insufficient to warrant denial of the petition.

Commissioner O'Donahue agreed that any remaining issues were not significant enough to keep Odyssey from moving forward.

*The motion to approve the petition Odyssey Charter School passed unanimously.*

Chairman Reed stated that one of the PCSC's goals is to increase the number and quality of charter schools within the State of Idaho. He noted that the effective date of the approval is the date the motion was made, December 31, 2012. He further noted that the nature of this successful, approval motion renders moot the denial motion made subsequently on December 31.

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

The meeting was adjourned at 1:45 p.m.