

**APPROVED MEETING MINUTES  
PUBLIC CHARTER SCHOOL COMMISSION MEETING  
MONDAY, JULY 1, 2013  
650 W. STATE STREET, BOISE, IDAHO  
STATE BOARD OF EDUCATION OFFICE, BOARD ROOM**

A special meeting of the Idaho Public Charter School Commission (PCSC) was held Thursday, June 13, 2013, at 650 W. State Street, SBOE Office, Board Room. Chairman Alan Reed presided via telephone.

The following members were in attendance via teleconference:

Nick Hallett	Gayle O'Donahue
Wanda Quinn	Esther Van Wart

The following members were absent:

Brad Corkill	Brian Scigliano
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Chairman Reed called the meeting to order at 3:32 p.m. via teleconference.

**1. PCSC Discussion: 2013 Legislative Idea – Separation of PCSC from SBOE**

Dr. Michael Rush, Executive Director of the State Board of Education, introduced a suggestion that the PCSC, together with the SBOE, consider whether it is time for the PCSC and its staff to separate from the SBOE office. According to statute, the executive director or his designee shall serve as secretary to the PCSC. In light of recent legislative change, Dr. Rush already requested this change of the SBOE, which in turn requested additional information before proceeding.

There are three reasons for this request:

1. The present structure has built-in conflicts of interest. During the appeal process for a denied petition or revoked charter, Dr. Rush's position would be to represent both the PCSC and the SBOE.
2. With the new legislation, there is the potential for an increased number of appeals. Also, the new legislation provides the PCSC with funding tied to the number to schools it authorizes.
3. Currently, the PCSC and the SBOE are relating well and this is a positive time to jointly develop a mutual separation agreement, rather than attempting to do so during a time of disruption.

Dr. Rush explained the process for consideration of legislative ideas, which includes the submission of such ideas by the SBOE to the Governor's Office. If the idea receives the Governor's support to move forward, relevant legislation would be drafted in August and September, the presented to the SBOE for approval at the October Board meeting.

Commissioner Hallett inquired about potential downsides to the request.

Dr. Rush said there could be some logistical issues of where to physically locate the PCSC office. Typically, smaller agencies get IT technical assistance through the Department of Administration.

Commissioner Hallett asked if there is an increased cost to taxpayers.

Dr. Rush said there will likely be an increased cost, though he doesn't anticipate a dramatic increase.

Commissioner Quinn asked how the reporting structure would be affected.

Dr. Rush said the PCSC's director would report directly to the PCSC, which would manage its own budget and staff.

Commissioner Quinn asked for examples of other agencies that have separated from the SBOE in the past.

Dr. Rush cited the Idaho Historical Society, the Idaho Commission for Libraries, and the Idaho School for the Deaf and the Blind.

Commissioner Quinn confirmed with Dr. Rush and Tamara Baysinger, PCSC Director, that the PCSC's role as an independent authorizing body would not change.

Commissioner Quinn expressed concern with the workload of PCSC staff and requested a calendar showing how the potential move would dovetail with other major projects, such as implementation of performance certificates.

Tracie Bent, SBOE Policy & Governmental Affairs Officer, clarified that SBOE staff would bear the burden of drafting the new legislation.

Commissioner Van Wart inquired about the availability and cost of IT support for small agencies.

Dr. Rush said this, and similar practical matters, would need to be evaluated.

Commissioner Van Wart asked Ms. Baysinger for her feelings and input.

Ms. Baysinger said she anticipates her staff's workload will increase and additional staff will be needed; however, she emphasized that care must be taken to avoid adding an undue financial burden to PCSC-authorized schools through the new authorizer fee. Research regarding resources and costs needs to be done in order to further evaluate the viability of this legislative idea, but separation needs to be accomplished at some point in order to eliminate the conflict of interest inherent to the present structure. She noted that, ideally, the separation process would be completed in advance of initial renewal decisions that will be made in spring 2016.

Dr. Rush invited continued PCSC participation in the process of considering and developing this legislative idea.

Commissioner O'Donahue stated her appreciation to the SBOE for their support of the PCSC. She noted that PCSC-authorized schools should be kept informed of the process.

Dr. Rush asked whether any commission members were opposed to the idea.

Chairman Reed relayed that Ken Burgess had, in a conversation with Chairman Reed, expressed initial support for the idea.

Dr. Rush said Superintendent Luna has also voiced support.

The PCSC agreed to explore the legislative idea with appropriate caution.

Commissioner Van Wart asked if Commissions in other states have made similar transitions.

Ms. Baysinger said that independent authorizers are typically separated from the beginning instead of moved from other agencies. She would need to do some research to determine if there are any similar cases to use as a guide.

Dr. Rush said the other Idaho agencies which were moved out from under the SBOE had larger staffs and had their own buildings.

Commissioner Quinn feels the issue of conflict of interest is the superseding issue. However, she emphasized the importance of stability for the PCSC's staff.

Dr. Rush said all PCSC staff would still be Idaho state employees, with the same benefits, etc. He will proceed with gathering more information and details regarding moving the PCSC out from under the SBOE. If there are any questions or concerns, he will contact Chairman Reed.

The meeting was adjourned at 4:17 p.m.