

**APPROVED MEETING MINUTES  
PUBLIC CHARTER SCHOOL COMMISSION MEETING  
THURSDAY, AUGUST 15, 2013  
700 W. STATE STREET, BOISE, IDAHO  
JRW WEST CONFERENCE ROOM**

A regular meeting of the Idaho Public Charter School Commission (PCSC) was held Thursday, August 15, 2013, at 700 W. State Street, Boise, ID, JRW West Conference Room. Chairman Alan Reed presided.

The following members were in attendance:

Nick Hallett	Gayle O'Donahue
Wanda Quinn	Brian Scigliano
Esther Van Wart	

Chairman Reed called the meeting to order at 9:01 a.m.

**EXECUTIVE SESSION**

**M/S: (Quinn/Hallett): To move into executive session pursuant to Idaho Code Section 67-2345(1)(f), to communicate with legal counsel regarding pending/imminently-likely litigation. *The motion passed unanimously.***

**M/S: (Van Wart/O'Donahue): To move into regular session. *The motion passed unanimously.***

**A) COMMISSION WORK**

**1. Agenda Review / Approval**

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

**2. Minutes Approval**

**M/S: (Quinn/Van Wart): To approve the meeting minutes from June 13, 2013 and July 1, 2013, as submitted. *The motion passed unanimously.***

**3. Election of New PCSC Vice-Chairman**

Commissioner Van Wart nominated Commissioner Gayle O'Donahue as PCSC Vice-Chairman.

**M/S (Quinn/Hallett): To elect Commissioner Gayle O'Donahue as the Vice-Chairman of the Public Charter School Commission. *The motion passed unanimously.***

## **B) CHARTER SCHOOL PETITION**

### **1. Wood River Waldorf Methods School DBA Syringa Mountain School New Charter Petition (First Hearing)**

Tamara Baysinger, PCSC Director, said that all newly approved PCSC-authorized charter schools will be held accountable under Performance Certificates. She noted the purpose of charter petitions as defined in I.C. 33-5205(1).

Ms. Baysinger distributed a document (Guidance: Authorizer Requests) to the commissioners to assist in their decision-making regarding new petitions and amendment requests.

Dr. Mary Gervase, Board Chairman; Phoebe Pilaro, Founding Board Member; Randy Flood, Site Committee Member; Benjamin Rogers, Founding Board Member and Finance; Travis Scott, Waldorf Teacher; and Don Keller, Executive Charter School Network Board Member, represented Syringa Mountain.

Dr. Gervase presented a PowerPoint introducing the SMS petition.

Mr. Scott read a letter from First Lady Lori Otter in support of Syringa Mountain School and the Waldorf method.

Commissioner Hallett inquired about the potential for depressed test scores in early grades at Waldorf schools.

Dr. Gervase and Mr. Scott explained Waldorf's language arts, pre-reading, writing, reading, and vocabulary educational approaches.

Dr. Gervase said Waldorf aligns with state IRI expectations for reading and collected data regarding shows Waldorf students fare well compared to traditional school students. .

Commissioner Quinn asked PCSC staff how many of the recommended petition amendments are organizational in nature.

Ms. Baysinger said none of the recommended petition revisions are deal breakers, though several are important to deal with. PCSC policy contains a provision permitting petition approval pending specific revisions. Other options include a special meeting or a delay until the October meeting.

Commissioner Van Wart asked whether any teachers from the private Waldorf School in the community, now closed, are anticipated to apply at SMS. She also inquired about the time involved in training Waldorf teachers.

Mr. Scott said several the former private school teachers may apply through the same route as all other applicants. Waldorf method training takes four years.

Commissioner Van Wart asked what requirements SMS must meet to be considered a Waldorf school.

Dr. Gervase said Syringa is technically a Waldorf -inspired school, not a Waldorf certified school. Its methods will be aligned with the Waldorf Inspired School Association, and proprietary language/methods are not an issue.

Commissioner Van Wart asked how class sizes, teacher/student ratios, large classes, and students at different developmental levels would be addressed.

Dr. Gervase said SMS will have 20 students per class in kindergarten and 25 students in 1<sup>st</sup> through 5<sup>th</sup> grades. Waldorf is known for highly engaged students and larger class sizes are common.

Chairman Reed asked whether teacher looping can cause problems when certain teachers and students aren't a good fit for each other.

Dr. Gervase said Waldorf teacher training and methods are designed to forge connections with students, families, and communities.

Commissioner O'Donahue inquired how financially secure SMS feels, given the absence of federal grant dollars.

Mr. Rogers said the petitioners have already received a commitment for a \$500,000 donation. Once the school is approved, he is confident additional support will follow.

Dr. Gervase said Syringa is in a great position politically to build partnerships. One challenge will be transportation services, since Blaine County is an expensive area in which to operate.

**M/S (Quinn/Van Wart): To approve the petition for Wood River Waldorf Methods School DBA Syringa Mountain School contingent upon satisfactory completion of the additional revisions recommended in PCSC staff's August 6, 2013, petition review. "Satisfactory completion" will be determined by PCSC staff. PCSC policy specifies that the revisions must be approved by PCSC staff no later than the next, regular PCSC meeting, scheduled for October 10, 2013, in order for the petition approval to become final. *The motion was approved unanimously.***

## **C) CHARTER SCHOOL ANNUAL UPDATES**

### **1. North Valley Academy (NVA) Charter School**

NVA provided a written report only.

The commission had no comments or questions regarding NVA's annual update.

### **2. Xavier Charter School (XCS)**

Debbie Burr, Board Chairman; Gary Moon, Administrator; Mike Phelan, Business Manager; and Melissa Crane, Board Member, represented XCS.

Ms. Burr expressed profound thanks to the PCSC for their support and assistance helping XCS navigate the past few years. She gave a PowerPoint presentation including successes, governance, enrollment, student achievement, and future challenges.

Commissioner Quinn commended XCS for maintaining enrollment and positive survey and academy results despite financial turmoil.

Commissioner O'Donahue noted that the board's commitment was evident.

### **3. Richard McKenna Charter High School (RMCHS)**

Larry Slade, Director and Founder, represented RMCHS.

Mr. Slade reported they lost 20% enrollment last year and again this year, for uncertain reasons. Marketing efforts are underway to increase enrollment. Mr. Slade expressed concern that the school's high at-risk population would result in consistently low standardized test results. Although RMCHS's finances are strong, he expressed frustration with Idaho's inadequate charter school funding model.

The Commissioners, PCSC staff, and SDE representative Michelle Clement Taylor discussed the SDE's ongoing efforts to reconfigure the Star Rating System for alternative schools.

Commissioner Van Wart asked about board training and asked about improvements to increase vibrancy.

Mr. Slade said the board is supportive and positive. However, board training is a weak area in need of improvement.

Commissioner O'Donahue expressed appreciation for the school's willingness to work with at-risk and alternative students.

#### 4. Heritage Academy (HA)

Blair Crouch, Board Chairman; Cheryl Kary, Business Manager; and Teresa Molitor, Board Member, represented HA.

Mr. Crouch provided a report on the school's enrollment status and application process for a USDA facility loan. A lease amendment, effective July 1, 2013, reduces lease payments from \$6500/month to \$4800/month in year two, then to \$2800/month in year three. The \$230,000 balloon payment due in July was also renegotiated to become due in 2015 at 6.5% interest. In July 2015, the full payoff amount will be due. The school intends to refinance prior to July 2015.

Commissioner Scigliano asked about the issue of students who are concerned with bullying.

Mr. Crouch said HA is addressing the issue of bullying on a daily basis, as are other schools in the area.

Chairman Reed asked about Special Education compliance.

Ms. Molitor said HA has had two site visits investigating what is happening at the school. She said HA submitted all relevant materials and both site visits were positive.

Ms. Kary said HA has hired both a full-time Special Education teacher and a clerk to deal with the increases in the Special Education population.

Commissioner Hallett asked about the strategic plan priorities to improve student performance.

Mr. Crouch said HA is implementing strategies from Jim Collins' book *"From Good to Great."* He said the students come first and HA is working hard to make this a successful year. There is a plan in place to go from a 1 Star to 5 Star School within the next few years.

Ms. Molitor said HA has experienced significant staff turnover and is working to achieve stability. A board retreat is scheduled next week with a goal of coming to a common and shared vision.

Commissioner Hallett asked if HA applied for the School Improvement Grant.

Ms. Clement-Taylor said HA was not eligible this year.

Commissioner Van Wart said she would like to see specific, programmatic steps being taken towards improvement. She inquired whether the hazards such as unsafe fencing have been fixed.

Mr. Crouch said the playgrounds are being fixed with the help of volunteers.

Commissioner Van Wart asked how the Star Rating will be improved and requested additional information on board training.

Ms. Molitor reported the Board retreat will be an all-day event to address the Star Rating, bullying, and playground safety.

Mr. Crouch said HA did not open to be a 1-Star school and is committed to becoming successful.

Chairman Reed stressed that HA must have concrete strategies, detailed action plans, and clear goals in order to improve. He asked about HA's financial situation.

Mr. Crouch said HA's finances will be stable through this school year.

## **5. Wings Charter School**

Kristy Oberg, Administrator; Marci Stimpson, Business Manager; Diana Cullinan, Board Vice-Chairman; and Kay Jones, Capacity Builder, represented Wings.

Ms. Oberg presented an update regarding the status of the school.

Ms. Jones said Wings has a grant that will cover increased educational time this year. New technology will be purchased, intervention curriculum is being researched, and Common Core implementation is underway.

Commissioner Hallett noticed a reduction in enrollment, which can cause financial issues. He asked if Wings conducts exit interviews.

Ms. Jones said some of the reduction was intentional based on facility space and changes in staffing.

Commissioner Quinn asked how many students are on waiting lists.

Ms. Oberg said there are currently no waiting lists.

Commissioner O'Donahue expressed appreciation for the school's clear improvement strategy and continued efforts to fulfill its mission of serving a challenging population.

Chairman Reed encouraged the school to submit meeting materials in a timely fashion in order that the PCSC may fully understand the school's perspective.

## **D) OTHER CHARTER SCHOOL UPDATES AND PROPOSED CHARTER AMENDMENTS**

### **1. iSucceed Virtual High School (iSVHS) Academic & Financial Status Update**

Aaron Ritter, Executive Director; James McKenna, Business Manager; and Chelsie Martinez, Operations Manager, represented iSVHS.

Mr. Ritter provided a presentation regarding the status of the school.

Mr. McKenna said the SDE overpayment from last year has been repaid, and iSVHS will be receiving an additional \$125,000 over what was indicated in meeting material budgets.

Commissioner Hallett said he is concerned with the 1 Star Rating, but is reassured that iSVHS has a specific improvement plan.

Chairman Reed noted that the school will need to dramatically increase enrollment and ADA in order to remain fiscally solvent this year.

Mr. McKenna said the school expects a higher ADA to enrollment ratio this year.

The PCSC and staff discussed statutory options with regard to the issuance of notice to the SDE that the authorizer has reason to believe that a school cannot remain fiscally sound for the remainder of its certificate term. In the event it receives such notice, the SDE would consider adjusting future payments to the school in the interest of protection taxpayers in the event of a mid-year closure.

Ms. Baysinger said that, if the Commission does not believe the school will remain fiscally sound through the remainder of the performance certificate term, then it is appropriate to issue a letter of concern.

Commissioner Hallett said he had concerns, but was not willing to go as far as to issue a letter.

Ms. Clement-Taylor said, in order to adjust the October payment, the SDE would need a letter of concern by mid-September.

**M/S (Quinn/Hallett): To hold a special meeting prior to mid-September to discuss updated enrollment and fiscal information from iSVHS. *The motion failed with a vote of 3-2.***

Chairman Reed suggested that staff monitor iSVHS's enrollment and ADA and inform the PCSC if reason for concern remains.

## 2. Idaho Connects Online (ICON) Proposed Charter Amendments

David High, Board Chairman; and Vicki McCullough, Administrator, represented ICON.

**M/S (Quinn/O'Donahue): To A motion to approve the proposed charter amendments as submitted by Idaho Connects Online (ICON). *The motion passed unanimously.***

## 3. Palouse Prairie School of Expeditionary Learning (PPSEL) Proposed Charter Amendments

PPSEL provided a written report and proposed charter amendment only.

Ms. Baysinger said a potential issue regarding the proposed charter amendment is the change from a mixed Board of Directors to an all self-appointed Board. The PCSC has expressed concern about such structures in the past. Historically, however, many schools have had difficulty recruiting prospective Board candidates due to lack of interest.

Commissioner Hallett said he feels a self-appointed board represents poor public policy.

Commissioner O'Donahue said she has observed cases in which board member elections resulted in a drastically changed board direction and, ultimately, the downfall of schools. She has also self-appointed boards work well. She has also seen board seats stay empty for lengthy periods due to lack of interest.

Chairman Reed cautioned the Commission regarding the potential setting of precedent.

Commissioner Quinn noted that public influence on the membership of boards using public funding is important.

Commissioner O'Donahue said the difference is that charter schools are based on a vision and mission whose continuity must be protected.

Chairman Reed noted that charter school boards are boards of non-profit organizations that oversee public entities.

Commissioner O'Donahue said she likes the idea of a mixed board, but there are some all self-appointed boards that have done a good job at being responsible.

Commissioner Hallett noted that some school boards benefit from the perspective of new members.

Commissioner O'Donahue said the goal is to select individuals who support the school's founding principles.

Chairman Reed invited stakeholder comment on the matter.

Donna Hutchison, representing Connections Academy, noted that some other states encourage a board with diverse member backgrounds.

Desiree Laughlin, representing the Idaho Charter School Network, said this is a large issue because it impacts all the PCSC-authorized schools and could set a precedent. She noted that the Performance Framework will help identify whether a board is effective, regardless of its structure.

Ms. Baysinger suggested that the issue may be best addressed with additional input from stakeholders and possibly the legislature.

**M/S (Van Wart/Hallett): To deny the proposed charter amendments as submitted by Palouse Prairie School of Expeditionary Learning (PPSEL) on the following grounds that the PCSC did not support the implementation of an all self-appointed board. *The motion passed with Commissioner O'Donahue voting nay.***

## **E) OTHER BUSINESS**

### **1. Proposed Performance Certificate Template and Attachments**

Chairman Reed invited stakeholder comment regarding the draft Performance Certificate and attachments.

Kelly Edginton, Idaho Virtual Academy administrator, thanked PCSC staff for the changes already made in response to stakeholder input. She suggested changing item 4.D. from "default" protection clause to "deficit" protection clause. She further suggested that Section 5.F. be revised to refer to "full-time" staff members rather than "all" staff members

Ms. Baysinger said she had recently received an email comment from Gerald Chouinard, INSPIRE administrator, asking for flexibility to the same phrase in section 4.D. She said she didn't see any problem with implementing the suggestion.

Ms. Swartz indicated that she would need to do some research to ensure that the recommended change to 5.F was not problematic.

Ms. Baysinger noted that she anticipated the PCSC would need to hold a special meeting at the end of August to approve final Certificate and Framework documents.

Chairman Reed said section 8.A. raises a question regarding whether authorizing board members may also be charter school employees.

Ms. Swartz said the intent of 8.A was to make sure the Performance Certificate does not create any responsibility or liabilities between the school and the authorizer. The confusion can be eliminated by deletion of the first sentence and removing the words "control of" in the second sentence.

Ken Burgess, representing the Idaho Charter School Network, said stakeholders have spent much time addressing these documents and he thinks everyone has put in a great effort. He thanked PCSC staff for the collaborative process.

Jane Wittmeyer, representing the Coalition of Idaho Charter School Families, highlighted an August 15, 2013 letter she submitted containing a few issues they have been grappling with. She said the Coalition hopes for another round of discussions regarding the draft.

Ms. Baysinger said it appeared the letter writer was referring to an older version of the document, because most of the recommended changes were already made.

Ms. Wittmeyer said she would check with the Coalition's counsel which draft was used.

Chairman Reed said another round table discussion would be held prior to the PCSC's final review and hopeful approval of the Certificate and Framework.

Ms. Baysinger said PCSC staff will work with stakeholders and let the Commission know of any final changes or recommendations.

Commissioner O'Donahue said she wants to make sure this Certificate would adequately protect public charter schools under other authorizers that may choose to adopt the document.

Ms. Baysinger said this issue was discussed at length. A line was added to ensure that the authorizer will not unduly inhibit the autonomy of a charter school. Schools are entitled to an appeals process in cases of non-renewal. This is not a perfect system because by the time an appeal could be completed, much damage could be done. However, an authorizer would be unwise to non-renew on inadequate grounds. Additionally, stakeholders previously indicated their understanding that the authorizer must have the ability to perform its oversight

duties. Further guidance regarding the authorizer's role is contained in the guidance document provided at the beginning of this meeting.

The PCSC and staff discussed the fact that not all stakeholders agree philosophically regarding whether or not public charter schools should be held to a higher standard than traditional public schools.

Mr. Burgess said the Framework provides a useful opportunity for charter schools to demonstrate to policymakers the connection between school mission implementation and academic outcomes.

## **2. Proposed Performance Framework**

Commissioner Quinn asked about testing of the Performance Framework.

Ms. Henken said she met with a financial expert to confirm all the measures are reasonable and measure what they are intended to measure. She ran tests on four schools in various financial positions, and all tests resulted in the expected placements. Following testing and revisions, recommended ranges were added for the operational and financial sections of the Framework.

The PCSC and staff discussed the reasons for certain reporting due dates within the Framework.

Mr. Burgess said schools will face challenges in identifying strong mission specific goals and measurement tools. He said the Idaho Charter School Network will need to assist some schools with this process.

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

The meeting was adjourned at 2:34 p.m.