

1. Agenda Approval

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

COMMISSION ACTION

**To approve agenda as submitted.**

2. Minutes Approval

Does the Public Charter School Commission (PCSC) have any changes or additions to the meeting minutes from June 13, 2013, or July 1, 2013?

COMMISSION ACTION

**To approve the meeting minutes from June 13, 2013, and July 1, 2013, as submitted.**

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**DRAFT MEETING MINUTES  
PUBLIC CHARTER SCHOOL COMMISSION MEETING  
THURSDAY, JUNE 13, 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, June 13, 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                      Esther Van Wart

The following member was in attendance via teleconference:

Brian Scigliano

The following member was absent:

Brad Corkill

Chairman Reed called the meeting to order at 9:02 a.m.

**A) COMMISSION WORK**

**1. Agenda Review / Approval**

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

**2. Rolling Calendar**

**M/S: (O'Donahue/Van Wart): To approve February 13, 2014; April 10, 2014; June 12, 2014; August 14, 2014; October 9, 2014; and December 11, 2014, as the dates and Boise, Idaho as the location for the following regularly scheduled PCSC meetings. *The motion passed unanimously.***

**3. Minutes Approval**

**M/S: (Quinn/O'Donahue): To approve the meeting minutes from April 11, 2013, as submitted. *The motion passed unanimously.***

**B) CHARTER SCHOOL PRE-OPENING UPDATES**

**1. American Heritage Charter School (AHCS) Pre-Opening Update**

Deby Infanger, Founder & Board Chairman; Gayle Yakovac-DeSmet, Founder & Board Member; and Kathy Thompson, Founder & Budget Oversight, represented AHCS.

Ms. Infanger presented an update regarding AHCS. They will be tight on space next year. There is a potential for more modular buildings when the time comes for expansion into high school. The only grade not full is 8<sup>th</sup> (21 seats full out of 30).

Chairman Reed said he visited the school recently and the renovation is beautiful.

Commissioner Van Wart inquired about the nature of AHCS's relationship with the VanderSloots.

Ms. Infanger said the facility was donated by the VanderSloot Foundation. Trent VanderSloot serves on the Board, but the school's counsel advised that this does not constitute a conflict of interest.

Commissioner O'Donahue commended the school for replicating a successful school such as North Valley Academy.

**2. Chief Tahgee Elementary Academy (CTEA) Pre-Opening Update**

Cyd Crue, Coordinator of Curriculum & Instruction; Joel Weaver, Director of School Programs; and Velda Racehorse, Board Member, represented CTEA.

Ms. Racehorse thanked Chairman Reed for his attendance at the May groundbreaking ceremony for CTEA.

Mr. Weaver said CTEA is on schedule for opening. Enrollment stands at 105. Design Space will deliver trailers on July 15 and teachers will start work on August 13. Only the special education teaching position remains open, and a strong candidate is pending. The original budget showed a deficit, it is expected that the Shoshone-Bannock Tribe will be contributing \$150,000 annually, beginning June 17, 2013, and will also make a one-time, \$30,000 infrastructure contribution. CTEA anticipates a carryover of \$100,000 after Year One.

Ms. Racehorse said there was a \$5,000 donation for educational materials, which helped meet budget needs.

Commissioner Quinn asked about the alignment of the selected curriculum to the Common Core Standards.

Ms. Crue said a team will be coming from ISU to perform teacher training beginning in August, including ongoing Common Core training.

Commissioner Van Wart asked for further explanation on busing issues.

Mr. Weaver said CTEA may not contract with the high school for bussing, as originally planned, due to the high school's concerns regarding safety factors associated with bussing younger and older students together. Transportation services have been put out for bid.

Commissioner Hallett asked if all teachers are bilingual and prepared for an immersion program.

Mr. Weaver said the Shoshoni bilingual teachers were hired first and CTEA is prepared for next year, but not all the teachers are bilingual. English speaking staff will need to learn basic classroom commands in Shoshoni.

Commissioner O'Donahue expressed excitement regarding the new opportunity CTEA will bring to Idaho.

### **3. Odyssey Charter School Pre-Opening Update**

Chris Peterson, Board Member; Karl Peterson, Administrator; Amy Whitford, Board Vice President; and Thomas Jones, Board Treasurer, represented Odyssey.

Ms. Peterson reported that acceptance packets were sent two weeks ago and 205 were received back. All teachers are hired, and most have multiple endorsements. Facility preparations are ahead of schedule by about two weeks.

Chairman Reed requested additional information regarding family relationships between board members and employees.

Ms. Peterson, a board member who is married to administrator Karl Peterson, said one of the teachers is a daughter-in-law. She has spoken with Michelle Clement Taylor about the situation.

Ms. Baysinger said Odyssey also contacted PCSC staff regarding the matter. PCSC staff advised against these types of relationships, but noted it was not illegal. They stressed that Ms. Peterson must recuse herself appropriately and ensure this is documented in the board's meeting minutes.

Ms. Whitford said conversations about the administrator are held in executive session, and Ms. Peterson leaves the room during those discussions.

Commissioner O'Donahue said she is pleased to see the new schools bringing positive reports regarding enrollment and facilities preparation.

**C) OTHER BUSINESS**

**1. Proposed PCSC Policy Amendments**

Ms. Baysinger, PCSC Director, said the PCSC's policies require some updating to align with the 2013 charter legislation. There are not many changes, but a large section is struck because it is redundant with statute. The remainder of the proposed changes are largely administrative in nature.

Commissioner Quinn asked whether Page 5, *"Results shall be provided to the petitioning group within 30 days"*, is a reasonable timeframe for PCSC staff.

Ms. Baysinger said that this timeline can be tight, but PCSC staff feels it is important to make it work for the benefit of petitioners.

**M/S (Hallett/O'Donahue): To approve the draft PCSC policy revisions as submitted.** *The motion passed unanimously.*

**2. Proposed PCSC Petition Evaluation Rubric Amendments**

Ms. Baysinger said PCSC staff is proposing updates to the PER in order to align it with the new legislation. The biggest changes were re-ordering for logical flow and elimination of petition elements that are not required by statute or rule. Some of these, such as the LEP section, will re-appear in the PCSC's pre-opening requirements. All public schools must provide such services, but policies and practices surrounding them are best developed with the assistance of the administrator, who typically has not been hired at the time of petition development.

Commissioner Quinn asked for additional information regarding the ethical guidelines for board members.

Ms. Baysinger said the rules of the PCSC contain a provision that a petition must contain ethical standards for board members. The ISBA standards could be used as a starting place; PCSC staff will also be drafting guidelines to assist petitioners with this element.

Commissioner Quinn recommended clarifying references to the school's board of directors to avoid confusion with references to the state board of education.

**M/S (Quinn/Hallett): To approve the draft PCSC Petition Evaluation Rubric with edits changing references of charter school boards to “Board of Directors”.** *The motion passed unanimously.*

### **3. Proposed PCSC Administrative Rule Amendments**

Ms. Baysinger said these proposed amendments to rule represent “cleanup” to align rule with statute, eliminate redundancy, and strike the requirement for submission of a student handbook as part of the charter petition.

Jane Wittmeyer, representing the Coalition of Idaho Charter School Families, provided public comment expressing confusion regarding whether the public has had adequate opportunity for public comment on the proposed rule changes.

Ms. Baysinger said public comment was invited during a listening session in May, FAQ’s and meeting materials including the draft were posted online, and stakeholders were sent an email invitation to this meeting.

Chairman Reed clarified that the legislature will need to consider the proposed rules during the 2014 session.

A correction was noted to Tab C3, page 8, E. and F. The student handbook is still listed as a requirement and should be removed.

Ms. Baysinger said this will be corrected since the goal is to exclude the student handbook as a requirement for petitioners.

**M/S (Hallett/Van Wart): To approve the proposed amendments to IDAPA 08.03.01 as submitted.**

In response to a question from a member of the public, Ms. Baysinger said the purposes of the sufficiency review and PER are different. The SDE’s sufficiency review is more quantitative than qualitative, while the PER is more qualitative. The rubric is posted on the website for reference as petitions are being developed.

*The motion passed unanimously.*

### **D) PCSC WORKSHOP: PCSC PERFORMANCE CERTIFICATE AND PERFORMANCE FRAMEWORK DEVELOPMENT**

PCSC staff presented a draft performance certificate and draft performance framework, including explanations of why and how the drafts were developed. The PCSC heard public comment and considered the drafts. The discussion led to the following conclusions and action items:

- The PCSC plans to adopt a final performance certificate and framework no later than early September 2013. The framework presently under consideration will apply to non-alternative schools. A separate framework will likely be developed later in 2013-2014 to better reflect the performance of alternative schools.
- A round table discussion will be held within the next couple weeks to discuss stakeholder input with regard to the certificate and framework revisions made in response to today's workshop. The PCSC and stakeholders agreed on a number of changes to the draft certificate language. The PCSC expressed general support for the framework as drafted, particularly the balance and weighting of different measures and sections, but remain open to further discussion with stakeholders.
- One-on-one negotiations with each school will begin in September 2013. These meetings will be held for the purpose of agreeing upon the individualized sections of each school's certificate and framework. Each school should anticipate joining in about four meetings, all of which should be attended by at least two board members and the school administrator. For those who would otherwise need to travel, online attendance will be an option. All existing schools must have signed certificates by July 1, 2014.
- All existing charter schools must be evaluated for renewal or non-renewal between March 2016 and March 2019. The PCSC will place the schools it authorizes on a renewal consideration schedule based on their 2013 star ratings. Schools with lower star ratings will be considered first, in the interest of protecting student and public interests. All schools will have been in operation for at least three years (and most for considerably longer) prior to renewal consideration. All schools will receive annual reports from the PCSC beginning in fall 2014; this will enable boards and administrators to respond to any issues well in advance of renewal.
- The PCSC office continues to invite public comment regarding the development of the performance certificate and framework. The Idaho Charter School Network and Coalition of Idaho Charter School Families are also encouraged to be involved in the process.

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

The meeting was adjourned at 3:30 p.m.

**DRAFT 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 separate 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.

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