

APPROVED SPECIAL MEETING MINUTES IDAHO PUBLIC CHARTER SCHOOL COMMISSION

March 1, 2019
700 W. State Street, Boise, ID 83702
Joe R. Williams Building, East Conference Room

The special meeting was called to order by Chairman Reed at 9:01 a.m. The following Commissioners were in attendance:

Alan Reed
Brian Scigliano
Wanda Quinn
Nils Peterson
Sherilynn Bair
Kitty Kunz
Julie VanOrden

TAB A: COMMISSION WORK

1. Agenda Review/Approval

M/S (Peterson/Kunz): To approve the agenda as presented. *The motion passed unanimously.*

TAB B: EXECUTIVE SESSION (Closed to the Public)

M/S (Scigliano/VanOrden): To go into executive session pursuant to Section 74-206(1)(f), Idaho Code, to communicate with legal counsel pending possible litigation. *A roll call vote was taken and the motion carried 6-0.*

Commission members entered into executive session at 9:02 a.m.

M/S (Quinn/Bair): To go out of executive session. The motion carried 6-0.

Commission members exited executive session at 9:24 a.m.

TAB C: RECONVENE PUBLIC SESSION

The Commission reconvened in open session at 9:24 AM.

TAB D: CHARTER RENEWAL CONSIDERATION

1. Alturas International Academy

Tamara Baysinger, PCSC Director, highlighted the school's academic, operational, and financial status. She stated that staff recommends that the charter be renewed for a five-year term.

Commissioner Quinn stated that she is impressed with AIA's performance and implementation of the IB and multi-age program.

M/S (Bair/Scigliano): To approve Alturas International Academy's January 16, 2019, Notice and Acknowledgment of Commission's Recommendation for Renewal of Charter and to renew its charter for a 5-year term, starting July 1, 2019. *The motion passed unanimously.*

2. Compass Public Charter School

Director Baysinger summarized the school's performance and stated that staff recommends that the charter be renewed for a five-year term.

Commissioner Bair congratulated Compass on their strong outcomes.

Commissioner Quinn highlighted the ISAT and SAT scores achieved by Compass students.

M/S (Bair/Kunz): To approve Compass Public Charter School's January 16, 2019, Notice and Acknowledgment of Commission's Recommendation for Renewal of Charter and to renew its charter for a 5-year term, starting July 1, 2019. *The motion passed unanimously.*

3. Connor Academy

Director Baysinger explained that Connor Academy is legally known as The Academy, Inc. She said Connor is a strong school and staff recommends that the charter be renewed for a five-year term.

Annie Dixon, Connor Academy board chair, thanked the Commission and attributed Connor Academy's success to their teachers and maintenance of a strong board.

Commissioner Kunz recused herself from voting regarding Connor Academy because her daughter chairs the school's board.

M/S (Van Orden/Scigliano): To approve The Academy, Inc.'s February 8, 2019, Notice and Acknowledgment of Commission's Recommendation for Renewal of Charter and to renew its charter for a 5-year term, starting July 1, 2019. *The motion passed unanimously, with Commissioner Kunz abstaining.*

4. Gem Prep: Pocatello

Director Baysinger summarized the school's performance and said staff is recommending that the charter be renewed for a five-year term.

M/S (Scigliano/Peterson): To approve Gem Prep: Pocatello, Inc.'s January 15, 2019, Notice and Acknowledgment of Commission's Recommendation for Renewal of Charter and to renew its charter for a 5-year term, starting July 1, 2019. *The motion passed unanimously.*

5. Liberty Charter School

Director Baysinger highlighted the school's very strong academic, operational, and financial outcomes. She read a letter from the school thanking the commissioners and staff. She stated that it is staff's recommendation that the charter be renewed for a five-year term.

Commissioner Quinn said she is very impressed with Liberty's results and highlighted the school's high free and reduced lunch population.

M/S (Quinn/Kunz): To approve Liberty Charter School, Inc.'s January 15, 2019, Notice and Acknowledgment of Commission's Recommendation for Renewal of Charter and to renew its charter for a 5-year term, starting July 1, 2019. *The motion passed unanimously.*

6. Sage International School

Director Baysinger highlighted the strengths of the school and said staff is recommending that the charter be renewed for a five year term.

Keith Donahue, Sage International School Executive Director, expressed his appreciation for the continued support from staff and commissioners.

Commissioner Bair thanked Mr. Donahue for his comments in the renewal application regarding Sage's focus on professional development.

Commissioner Quinn acknowledged that Sage is one of three schools with the comprehensive International Baccalaureate program. She requested more information regarding the scores Sage students received to measure their performance worldwide.

Mr. Donahue explained that PISA is a test given globally by OECD to test 15-year-old students' academic abilities. Sage students scored on par with students in some of the highest performing countries in the world.

Commissioner Peterson requested feedback from Mr. Donahue on the resources and tools offered by the PCSC.

Mr. Donahue said it is helpful to have an accountability structure featuring clearly stated standards and deadlines.

M/S (Van Orden/Quinn): To approve Sage International School of Boise, A Public Charter School, Inc.'s January 23, 2019, Notice and Acknowledgment of Commission's Recommendation for Renewal of Charter and to renew its charter for a 5-year term, starting July 1, 2019. *The motion passed unanimously.*

7. Taylor's Crossing Public Charter School

Director Baysinger acknowledged TCPCS's long history of strong outcomes and said that staff recommends the charter be renewed for a five-year term.

Commissioner Quinn complimented the academic achievements of this school that serves a high percentage of free and reduced lunch students.

M/S (Scigliano/Kunz): To approve Taylor's Crossing Public Charter School, Inc.'s January 24, 2019, Notice and Acknowledgment of Commission's Recommendation for Renewal of Charter and to renew its charter for a 5-year term, starting July 1, 2019. *The motion passed unanimously.*

8. Victory Charter School

Director Baysinger highlighted the school's very strong outcomes over many years. She noted that the school serves a high free and reduced lunch population and stated that it is staff's recommendation that the charter be renewed for a five-year term.

Commissioner Quinn commended Harbor Method schools on their performance.

M/S (Bair/Scigliano): To approve Victory Charter School, Inc.'s January 28, 2019, Notice and Acknowledgment of Commission's Recommendation for Renewal of Charter and to renew its charter for a 5-year term, starting July 1, 2019. *The motion passed unanimously.*

9. Vision Charter School

Director Baysinger highlighted the strength of Vision's program and stated that it is staff's recommendation that the charter be renewed for a five-year term.

Commissioner Bair commended Vision's demographic diversity and strong outcomes.

Commissioner Quinn stated she was impressed that "gifted and talented" was the goal for all Vision students.

M/S (Kunz/Van Orden): To approve Vision Charter School, Inc.'s January 22, 2019, Notice and Acknowledgment of Commission's Recommendation for Renewal of Charter and to renew its charter for a 5-year term starting July 1, 2019. *The motion passed unanimously.*

10. White Pine Charter School

Director Baysinger said WPCS had a history of strong academic, operational, and financial performance. She stated that it is staff's recommendation that the charter be renewed for a five-year term.

M/S (Van Orden/Kunz): To approve White Pine Charter School, Inc.'s February 16, 2019, Notice and Acknowledgment of Commission's Recommendation for Renewal of Charter and to renew its charter for a 5-year term, starting July 1, 2019. *The motion passed unanimously.*

11. Xavier Charter School

Director Baysinger summarized the school's history of strong academic performance, and their current strong operational, and financial performance. She stated that it is staff's recommendation that the charter be renewed for a five-year term.

Commissioner Kunz recused herself from voting regarding Xavier Charter School because she has a family member in attendance at the school.

Commissioner Scigliano complimented the school's willingness to work with staff to resolve past financial difficulty.

M/S (Scigliano/Quinn): To approve Xavier Charter School, Inc.'s January 18, 2019, Notice and Acknowledgment of Commission's Recommendation for Renewal of Charter and to renew its charter for a 5-year term, starting July 1, 2019. *The motion passed unanimously, with Commissioner Kunz abstaining.*

12. Blackfoot Charter Community Learning Center

Director Baysinger said BCCLC's academic performance is below the PCSC's standard established in the performance framework, though it is similar to that of the surrounding district. She said the school's weak financial and operational statuses are consistent with concerns recently noted by staff.

Debbie Steele, BCCLC Elementary Principal, reviewed steps the school is taking to improve its operational practices and academic outcomes. Use of the Cultivating to Grow Young Readers Project is intended to target struggling learners. Teacher development includes a focus on curriculum alignment.

Ms. Steele stated that the board approved a proposal to shut down the daycare, creating more room for classroom space. She also stated that the board approved closure of charge accounts with Amazon and Ace Hardware/ Ridley's.

Chairman Reed observed that it appeared Ms. Steele was stating the school had not had problems financially, and asked for clarification.

Ms. Steele explained there has not been any overspending except in fiscal year 2016. She said the school's issues are operational, due to their reporting and purchase order systems.

Kelly Jo Fisk, BCCLC Director of Operations, stated that they recognize there are processes that they need to change, including reporting and record keeping. She thanked commission staff for their involvement and input during the renewal process. She reviewed the school's academic and social/emotional goals and student progress.

Commissioner Bair inquired about the changes in administration over the years, and inquired about how well the school has worked with commission staff.

Ms. Fisk stated that Fred Ball started at BCCLC in 2005. With subsequent growth, they have added a middle school principal and elementary principal. She stated there have been challenges with Dr. Ball working with PCSC staff, but she and Ms. Steele have good working relationships with the PCSC staff. She also stated that Dr. Ball is retiring, with his last official day being July 31, 2019.

At Commissioner Van Orden's request, Ms. Steel clarified that elementary grades are served at one facility and middle school grades at another facility. The middle school facility is located near Bingham Academy, which serves high school grades.

Commissioner Peterson inquired about the ability of the school to raise academic scores.

Ms. Steele highlighted the tools and programs they are introducing to assist with raising students' scores. Additionally, she explained that business manager Randy Ruger retired in September. Their new business manager, Layne Miller, resigned. Steve Bailey was recently hired for the position. Ms. Steele read a letter from Candra Risa, BCCLC board chair, stating the plans they are implementing to strengthen the school.

Commissioner Quinn asked about the BCCLC board's stability and whether anyone on the board had a financial background. She also inquired about how they will address the school's poor financial practices.

Ms. Steele stated that board member Dan Cravens has a financial background; he joined the board in August 2018. The board will work with the ISBA to obtain governance training.

Ms. Fisk stated they are also moving away from the use of prepaid cards and will be getting debit cards, as well as implementing a purchase order system.

Commissioner Scigliano expressed concern regarding high turnover of board members and business managers. He stated his disappointment in board member lack of presence at the meeting.

Chris Yorgason, BCCLC legal counsel, stated that had a call-in option been available, board members would have attended. He also expressed how seriously the board is taking the issues.

Commissioners Bair, Van Orden, Scigliano, and Kunz all stated that they received calls from BCCLC board member Dan Cravens ahead of this meeting. The commissioners declined to engage in individual discussions with him.

Commissioner Peterson expressed concern regarding the school's ability to improve their academic scores, given the age of the school and its failure to demonstrate improvement over many years.

Commissioner Van Orden requested more information regarding the recommended condition that would require complete separation of BCCLC from Bingham Academy.

Director Baysinger said that extensive operational and financial overlap has been taking place between BCCLC and Bingham Academy. This has created concerns ranging from

FERPA non-compliance to liability exposure to opportunity for funds intended for use by one school to be used by the other school.

Commissioner Bair and Chairman Reed emphasized the importance of having a strong, consistent purchase order system.

Commissioners Van Orden asked staff if there was evidence that misuse of funds occurred.

Director Baysinger said that, partly due to very incomplete documentation, staff could not make a definitive statement in this regard; however, the opportunity for misuse of public funds was evident. A forensic auditor will examine the question over the coming months.

Commissioner Scigliano expressed his opinion that the financial conditions should have a shorter timeline.

M/S (Kunz): To approve Blackfoot Charter Community Learning Center, Inc.'s January 31, 2019, Notice and Acknowledgment of Commission's Recommendation for Renewal of Charter and to renew its charter for a 5-year term, starting July 1, 2019. Blackfoot Charter Community Learning Center, Inc. must comply with the agreed upon conditions set forth in the Notice and Acknowledgment of Commission's Recommendation for Renewal of Charter. *The motion failed for lack of a second*

M/S (VanOrden/Scigliano): To reject Blackfoot Charter Community Learning Center, Inc.'s January 31, 2019, Notice and Acknowledgment of Commission's Recommendation for Renewal of Charter and not renew its charter for a 5-year term, starting July 1, 2019.

Commissioner Van Orden suggested that no transfer of funds between the two schools should occur until conditions have been met and the school's finances are transparent.

Commissioner Kunz questioned whether the commission could implement conditions to be satisfied prior to the new performance certificate terms. She also noted that inability to transfer funds between the schools could cause hardship.

Leslie Hayes, Deputy Attorney General and PCSC staff counsel, explained that while additional conditions can be placed to shorten timelines, the enforcement period begins on July 1, 2019 and that is when revocation proceedings can begin if the conditions are not met. She also noted that if new conditions are presented and approved by the PCSC, the school has the opportunity to either agree to the new set of conditions or request a hearing.

Becky Ophus, Deputy Attorney General and PCSC counsel, explained the process and options that will need to take place if the commission does not accept the conditions as stated.

Commissioner Peterson asked if the level of improvement required for academics is less than what other schools have been required to achieve.

Director Baysinger explained that specific conditions vary among schools based on their outcomes, but the recommended academic conditions for BCCLC are logically consistent with those for other schools.

Amended M/S (VanOrden/Scigliano): To reject Blackfoot Charter Community Learning Center, Inc.'s January 31, 2019, Notice and Acknowledgment of Commission's Recommendation for Renewal of Charter. *The amended motion passed unanimously.*

M/S (Peterson/Kunz): To give Blackfoot Charter Community Learning Center, Inc. the opportunity to renew with new conditions.

The PCSC discussed timelines by which they would like the school to implement conditions.

Commissioner Scigliano said he felt a deadline of April 1, 2019 would allow sufficient time for BCCLC to implement the financial conditions.

Mr. Yorgason expressed concern about the ability of the school fully implement a purchase order system within 30 days.

Commissioner Quinn recommended that verification of a purchase order system be in place by the time of PCSC staff's planned oversight meeting with BCCLC in April.

Commissioner Scigliano recommended that the school implement an electronic purchase order system that can be audited. The system should contain time stamps to eliminate opportunity for alteration, and should be implemented by July 1, 2019.

Commissioner Quinn would like verification that the use of prepaid credit cards with school funds has been eliminated and that clear separation of the daycare operations at the school facility has taken place by April 1, 2019.

Jenn Thompson, PCSC Finance and Resource Program Manager, noted that BCCLC's financial status is difficult to evaluate. Because funds have apparently been transferred between BCCLC and Bingham Academy to support cash flow as needed, BCCLC's actual financial status is unclear.

Commissioner Van Orden recommended removing the language allowing the BCCLC board to approve transfers of funds between the schools. She clarified that the schools should be allowed to purchase from one another, but not to simply transfer funds.

Director Baysinger agreed that the condition recommended by staff was intended to allow one school to buy or rent space from the other school upon board approval. However, the validity of this condition is limited by the fact that the two boards now share all except one individual member.

Commissioner Van Orden suggested adding language stating that board approval shall precede any adoption or maintenance of contracts for shared or transferred services, space, products, and personnel.

Commissioner Bair said she is concerned about the lack of training apparent on BCCLC's board.

Commissioner Quinn recommended that clear operational and financial separation from Idaho STEM Academy, Inc. dba Bingham Academy, take place by April 1, 2019.

Ms. Hayes, reiterated the amended conditions for clarity.

Director Baysinger reviewed the condition regarding governance training as stated in the PCSC staff recommendation.

The PCSC indicated satisfaction with the governance training condition as recommended by PCSC staff.

Commissioner Peterson recommended that by June 30, 2021, BCCLC earn at least 65% of the points possible in the academic section of their performance framework.

Director Baysinger cautioned the commission against setting a requirement that is higher than the standard in the performance framework.

Commissioner Peterson suggested shortening the timeframe for academic improvement, rather than raising the level of improvement.

Commissioner Quinn expressed concern about shortening the timeframe for academic outcomes.

At the PCSC's request, Director Baysinger reviewed the demographics of the school.

Ms. Steele said she believed it would be challenging, but possible, to reach 55% of the academic points possible by the end of the 2021 school year.

Amended M/S (Peterson/Kunz): A motion to give Blackfoot Charter Community Learning Center, Inc. the opportunity to renew with the following conditions:

Regarding academic outcomes:

By June 30, 2021, achieve a "good standing" rating on the academic section of the performance framework adopted by the PCSC in May 2017. To this end, achieve the following rate of progress:

- a. By June 30, 2020, earn at least 48% of points possible in the academic section of the performance framework.
- b. By June 30, 2021, earn at least 55% of the points possible in the academic section of the performance framework.

Regarding financial outcomes:

By June 30, 2021, achieve a "good standing" rating on the financial section of the performance framework adopted by the PCSC in May 2017.

Regarding operations and financial management:

By the deadlines outlined below, and throughout the performance certificate term, demonstrate consistent, clear implementation of the following:

- a. No later than April 1, 2019, clear and continuous separation from Idaho STEM Academy, Inc. dba Bingham Academy, both operationally and financially.
- b. Verification by Commission staff at the April 18-19, 2019, meeting with Commission staff that a purchase order system is employed that ensures documented, advance approval of all expenditures.
- c. No later than July 1, 2019, implementation of an electronic purchase order system that ensures documented, advance approval of all expenditures.
- d. Verification by Commission staff at the April 18-19, 2019, meeting with Commission staff that BCCLC has eliminated the use of pre-paid credit cards using school funds.
- e. Verification by Commission staff at the April 18-19, 2019, meeting with Commission staff that there is a clear separation of the daycare operated at the school facility from the school itself. This includes, but is not limited to, incorporation, employment, insurance, bank accounts, revenues, and expenditures. School resources shall not be utilized by the daycare in the absence of a board-approved contract ensuring that no funds intended for the education of BCCLC students are used for daycare purposes.

Regarding school governance:

By September 1, 2019, all BCCLC board members will complete professional development provided by a qualified Idaho School Boards Association (ISBA) trainer. This training shall include the topics of administrator evaluation, stakeholder communication, and financial oversight through ISBA courses currently identified as Superintendent/Administrator Evaluation, Boardsmanship 101, and Boardsmanship 102.

The motion passed unanimously.

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

The meeting was adjourned at 1:06 p.m.