

1. Agenda Approval

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

**COMMISSION ACTION**

A motion to approve the agenda as submitted.

2. Minutes Approval

Does the PCSC have any changes or additions to the meeting minutes from April 11, 2019?

**COMMISSION ACTION**

A motion to approve the meeting minutes from April 11, 2019 as submitted.

# **DRAFT MEETING MINUTES**

## **IDAHO PUBLIC CHARTER SCHOOL COMMISSION**

April 11, 2019  
650 W. State Street, Clearwater Conference Room, 3<sup>rd</sup> Floor  
Boise, ID 83702

The meeting was called to order by Chairman Reed at 9:00 AM. The following commissioners were in attendance:

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

### **TAB A: COMMISSION WORK**

#### **1. Agenda Review/Approval**

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

#### **2. Minutes Review/Approval**

**M/S (Quinn/Kunz):** To approve the minutes from February 14, 2019, February 15, 2019, March 1, 2019, and March 8, 2019, as presented. *The motion passed unanimously.*

### **TAB B: OTHER**

#### **1. PCSC Education: NACSA Authorization Evaluation Report**

Adam Aberman and Chastity McFarlan presented regarding the process and findings of a recent evaluation of the PCSC by the National Association of Charter School Authorizers (NACSA).

Commissioner Peterson confirmed with Mr. Aberman that, in the evaluators' opinion, the PCSC has adopted appropriately rigorous standards for new petitions and renewals, but does not always hold schools accountable to meeting those standards.

Commissioner Bair asked how they should consistently hold schools accountable. Mr. Aberman recommended setting very clear conditions on shorter timelines.

Commissioner Quinn inquired whether the size of the commission's portfolio partially explains the high ratio of approvals to denials. Mr. Aberman observes that the PCSC has an average-sized portfolio by national comparison.

Commissioner Kunz noted that Idaho's emphasis on parental choice contributes to the high approval rate.

Commissioner Bair observed the challenges associated with balancing the needs of individual students with the performance outcomes achieved by their schools.

## **TAB C: CONSIDERATION OF NEW CHARTER PETITION**

### **1. McCall Community School**

At Chairman Reed's request, Director Baysinger shared a clarification from the University of Idaho that, contrary to what was stated in the petition, U of I could not support MCS. The school is aware they need to remove that language. Director Baysinger also noted that staff's recommendation is not reflective of public comments, as it was formed prior to the receipt of the majority of those comments.

Bruce Shultz, MCS board chair, introduced the proposed school's place-based educational model and community partnerships.

Jenny Schon, MCS founder, further explained the educational model and the opportunities that the school's location would provide.

Nate McClennen, Vice President, Teton Science Schools, shared his company's mission to increase engagement outcomes and community impact. He explained that they would provide MCS with their learning model, curriculum, implementation sequence, a social platform for online learning communities, professional development, a student advisory committee, and opportunities to participate in annual conferences.

Patrick Berg, MCSC founder, reviewed the projected student enrollment, facility plan and marketing plan.

Chairman Reed inquired about the miscommunication evident in the petition regarding MCS's application to Building Hope.

Mr. Berg explained that MCS's plan was to apply for financing through Building Hope but, based on BLUUM's recommendation, they decided to wait to submit the loan application.

Marc Carignan of BLUUM, said the petitioners have already received some Albertsons Foundation grant monies and are confident that JKAF will support further development of the school. He explained why they did not submit the loan application to Building Hope. Once facility numbers are established, they will move forward with that application.

Commissioner Scigliano inquired about how the educational model would be affected by small enrollment numbers.

Mr. Berg explained that the place-based model allows students of many ages to work in different combinations.

Commissioner Kunz inquired regarding the anticipated size of the teaching staff.

Mr. Berg explained he, Ms. Schon, and one other hired teacher would be teaching.

Commissioner Quinn recommended that MCS recruit someone with a financial background to serve on the board.

Chairman Reed inquired about the option for board turnover to happen all at once. In addition, the dissolution section was noted as not being compliant with statute.

Mr. Berg stated that MCS's attorney reviewed their bylaws and approved them, but they will look into it to assure compliance.

Mr. Schultz explained the intent is to have no more than one board member added per year.

Commissioner Peterson inquired about the budget and how everything is financed.

Mr. Berg explained that they would receive two loans. They expect the first phase of the building to cost 1.8 million.

Jenn Thompson, PCSC Finance and Resource Program Manager, confirmed that it appeared the annual cost of the loans would function within MCSC's budget.

Jim Foudy, McCall//Donnelly School District Superintendent, testified regarding his concerns about the impact this school could have on the McCall Donnelly School District. He noted the district's strong academic outcomes and cited inaccuracies and misrepresentations in the MCS petition.

Commissioner Kunz inquired about the other districts that may be affected by MCS.

Mr. Foudy explained that surrounding districts could be significantly impacted. He expressed concern that those districts were not properly notified of the petition.

Becky Ophus, Deputy Attorney General, explained that Idaho Code 33-5205 requires notification only to the district in which the charter school would be physically located. This requirement was met.

Commissioner Quinn inquired of staff whether a condition based on enrollment would be appropriate.

Director Baysinger explained that because the budget does work, staff did not feel that an enrollment condition was necessary.

Chairman Reed noted that multiple public comments in opposition to the petition were received by the PCSC.

Commissioners Van Orden and a Kunz expressed concern regarding lack of financial experience on the board.

The commissioners discussed possible conditions directed at ensuring the school would only open if it could remain financially stable based upon actual enrollment, facility commitments, and financing.

Mr. Carignan stated his concern that an enrollment condition would make it difficult for the school to obtain facility financing prior to the initial lottery, leaving insufficient time for construction.

**M/S (Peterson/ Van Orden):** To approve the new charter petition for McCall Community School's new charter petition, subject to the following condition: No later than April 1, 2020, MCS will submit to the PCSC a budget that evidences the ability to remain fiscally stable for at least three years of operation based on documented enrollment and appropriate financing in the amount necessary to meet the needs of its facility plan. *The motion failed 2-4, with Commissioners Quinn, Bair, Kunz, and Van Orden dissenting.*

Commissioner Van Orden said the commission has the obligation to protect taxpayer money.

**M/S (Quinn/Kunz):** To approve the new charter petition for McCall Community School's new charter petition, subject to the following condition: No later than April 1, 2020, MCS will submit to the PCSC a balanced budget that evidences the ability to remain fiscally stable for at least 3 years of operation based on appropriate financing. *The motion passed 4-2, with Commissioners Scigliano and Peterson dissenting.*

## TAB D: CONSIDERATION OF PROPOSED CHARTER AMENDMENTS

### 1. American Heritage Charter School

Director Baysinger introduced the proposed amendment for American Heritage Charter School. She stated that staff recommends approval of the expansion.

Jim Dalton, Business Manager for American Heritage Charter School, reviewed the history of the school as well as the demand for additional seats.

Chairman Reed asked if additional modulars would be placed on the existing property.

Mr. Dalton confirmed that additional buildings would be placed on their current property.

**M/S (Scigliano/Bair):** A motion to approve the proposed charter amendments, including a school expansion request, as submitted by American Heritage Charter School. *The motion passed unanimously.*

### 2. Inspire Connections Academy

Karen Haines, Administrator for Inspire Connections Academy, introduced a proposed charter amendment that would create an alternative school alongside the school's existing general education program.

In response to commissioner questions, Ms. Haines explained that INSPIRE wants this program to focus on meeting the needs of students who meet the definition of being at-risk.

**M/S (Bair/Kunz):** A motion to approve the proposed charter amendment related to the establishment of an alternative program, as submitted by INSPIRE Connections Academy. *The motion passed unanimously.*

## TAB E: OTHER

### 1. Legislative Update

Dr. Kirsten Pochop, PCSC Senior Accountability Program Manager, reviewed recently passed legislation that relates to public charter schools. She noted that the state's K-12 budget would increase by 6.1% for next year.

## **2. & 3. BCCLC & Bingham Academy Intervention Update**

Ms. Thompson reviewed the status of BCCLC's progress toward meeting the renewal conditions set by the PCSC. She described progress made and concerns remaining, as well as oversight activities undertaken by PCSC staff.

Krissy LaMont and David Brinkman of the Idaho School Boards Association, reviewed steps the ISBA has taken to assist the school, particularly with administrator evaluation, governance, and organizational structure. They noted that the school boards have been proactive in addressing the issues, and that having the two boards share most of their members is problematic.

Commissioner Peterson inquired whether the schools have different attorneys.

Ms. Thompson said both schools have the same attorney.

Commissioner Quinn asked if the changes required of BCCLC were reflected in their renewal conditions.

Director Baysinger confirmed that they were.

Commissioner Peterson inquired about the status of the condition that was to be met by April 1, 2019, and said he feels the fundamental shortcomings of the submitted contracts constitute failure by BCCLC to meet the condition.

Ms. Ophus explained that if any condition is not met by the specified deadline, the commission may consider revocation, but is not obliged to do so. She noted that the performance certificate term in question begins July 1, 2019.

Commissioner Peterson asked if BCCLC will be on the PCSC's meeting agenda after July 1, 2019.

Ms. Ophus said Chairman Reed could put BCCLC on the next agenda or ask for a special meeting after July 1, 2019 to discuss BCCLC's status.

Commissioner Kunz said she felt the schools should have opportunity to address the shortcomings in the contracts.

Ms. Thompson said PCSC staff has provided feedback to the schools regarding the contracts.

Commissioner Bair indicated that it appears the schools have not yet achieved financial separation from one another, especially with regard to transportation. She observed that the schools still appeared to assume that they would be merging into a single school.

Ms. Thompson and Director Baysinger clarified that the school boards and administration have been clearly informed, on multiple occasions over several years, that there is no known statutory mechanism for merging the schools into a single entity.

Debbie Steele, BCCLC Administrator, BCCLC stated the reason they opened Bingham Academy instead of expanding BBCLC was to obtain startup grant funds. She also stated that they did so under the understanding that they could merge the schools later.

Michelle Clement Taylor, State Department of Education, clarified that the SDE and PCSC were both very clear there was no option to merge the schools.

### **3. The Village Charter School Intervention Update**

Ms. Thompson summarized challenges faced by The Village Charter School (TVCS) regarding their financial status and management company. She described the interventions that PCSC staff has been working on with school leadership, as well as progress made by TVCS's board to address identified concerns.

Commissioner Scigliano inquired about the enrollment for the school.

Tony Richard, TVCS Administrator stated that enrollment has been slightly impacted, but overall they have had support from their families. He reviewed academic progress the school has made.

Commissioner Quinn inquired about what evidence the school is providing parents to ensure they will be ok financially.

Rachel Smith TVCS board vice chair, stated that they will be hosting a town hall meeting to answer questions and address concerns. They will have documentation at that meeting for verification. She explained that they have also been sending out newsletters and keeping open communication with parents and staff.

Chairman Reed asked what the likelihood is that the bond payment can be paid.

Ms. Smith said TVCS projects a surplus of a few hundred thousand dollars after the bond payment is made next year.

### **4. Executive Session (Closed to the Public)**

**M/S (Quinn/Van Orden):** To go into executive session pursuant to Idaho Code Section 74-206(1) (d), to consider records that are exempt from disclosure as



provided in chapter 1, title 74, Idaho Code *A roll call vote was taken and the motion carried 6-0.*

Commission members entered into executive session at 2:38 p.m.

#### **5. Reconvene Public Session**

Commission members exited executive session at 4:26 p.m.

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

The meeting was adjourned at 4:27pm.