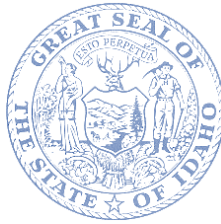


PCSC Regular Meeting - Officer Elections

Oct 8, 2020 9:00 AM MDT

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IDAHO PUBLIC CHARTER SCHOOL COMMISSION MEETING AGENDA

Date: Thursday, October 8th, 2020

Start Time: 9:00 A.M., MST

Physical Location: 304 North 8th St., Suite 242 Boise, ID 83702, limited public seating available. The public is encouraged to participate remotely.

Remote/Public Access:

Zoom: <https://us02web.zoom.us/j/9336061878?pwd=RFpvSkk1eGFPRVdvcUc0TXkvRXRTdz09>

Zoom Dial In: 1-253-215-8782; ID: 933 606 1878; Passcode: 532020

*this interactive meeting room is limited to 100 people; any overflow can view the meeting via You Tube livestream: <https://www.youtube.com/channel/UChV-TDWV4fvl-UoozmMeoPA>

I. COMMISSION WORK

- A. Agenda Review / Approval (Action Item)
- B. Minutes Review / Approval (Action Item)

II. PUBLIC COMMENT

Public comment will be limited to 3 minutes per speaker. Individuals may offer oral testimony by attending in person at the meeting's physical location or by attending via Zoom and clicking the "raise hand" function during the public comment section of the meeting. Written comment may be submitted to the PCSC prior to the meeting, via mail at P.O. Box 83720, Boise, Idaho, 83720, or electronically at pcsc@osbe.idaho.gov. Written testimony will be read into the record.

III. DIRECTOR'S REPORT

Director Thompson will address the Performance Certificate alignment, OnBoard Platform, and provide an update on new school openings as well as projects in progress.

IV. CONSIDERATION OF PERFORMANCE FRAMEWORK REVISIONS (Action Item)

Consideration of approval of proposed revisions to the operational and financial sections of the PCSC performance framework.

V. CONSIDERATION OF PERFORMANCE CERTIFICATE ADOPTIONS

- A. Alturas Preparatory Academy (Action Item)
- B. Gem Prep Meridian South (Action Item)

VI. ELECTION OF OFFICERS (Action Item)

The PCSC appoints a Chair and Vice Chair. Appointments were last made in April of 2018.

VII. CONSIDERATION OF PCSC COMMITTEES (Action Item)

The PCSC maintains two standing committees: New Petitions and Renewal. The PCSC will review the key duties of each committee, consider whether to establish a finance committee, and consider commissioner appointments to each committee.

COMMISSION WORK

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 August 13, 2020?

COMMISSION ACTION

A motion to approve the meeting minutes from August 13, 2020, as submitted.

DRAFT MEETING MINUTES

IDAHO PUBLIC CHARTER SCHOOL COMMISSION

August 13, 2020
304 N 8th St, Boise, Idaho
Zoom Meeting

This meeting was called to order by Chairman Reed at 9:00 a.m. The following Commissioners attended remotely:

Alan Reed
Brian Scigliano
Wanda Quinn
Nils Peterson
Kitty Kunz
Sherrilynn Bair
Julie VanOrden - absent

TAB A: COMMISSION WORK

1. Agenda Review/Approval

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

2. Minutes Review/Approval

M/S (Scigliano/Bair) Motion to approve the June 18, 2020 minutes as presented. *The motion passed unanimously.*

M/S (Scigliano/Quinn) Motion to approve the July 16, 2020 minutes as presented. *The motion passed unanimously.*

TAB B: PUBLIC COMMENT

Public comment was not taken at this time. No written testimony received.

TAB C: DIRECTOR REPORT

1. PCSC Director, Jenn Thompson introduced the new Program Manager, Melissa Rivera.

2. Director Thompson gave an update on school re-opening plans. Guidance information is available on both the Idaho State Board of Education's website and the Idaho State Department of Education's website.

TAB D: CONSIDERATION OF NEW CHARTER SCHOOL PETITIONS

1. **Gem Prep Meridian South:** Director Thompson highlighted the Gem Prep Innovation history including the other Gem Prep Schools in the state.

Jason Bransford, Chief Executive Office with Gem Prep Innovation Schools spoke about the proposed school's mission, vision, and goals.

M/S (Kunz/Peterson) Motion to approve the Gem Prep Meridian South new charter school as presented. *The motion passed unanimously.*

2. **Alturas Preparatory Academy:** Director Thompson outlined the new charter school petition for Alturas Preparatory Academy, which will serves grades 6-12.

Jeff Carr, Chairman of the Board with Alturas International Academy and Alturas Preparatory Academy introduced the presenters with Alturas International Academy. Members of the school board and Michelle Ball, Executive Director of Alturas International Academy, spoke about the school's mission, goals and the demand for a high school.

M/S (Peterson/Bair) Motion to approve the Alturas Preparatory Academy (APA) new charter petition with the following condition: No later than May 11, 2021, APA must evidence a balanced budget for FY22, supported by post-lottery enrollment numbers and documentation of secured loans or grants. *The motion passed unanimously.*

TAB E: CONSIDERATION OF CHARTER SCHOOL AMENDMENT

1. Director Thompson provided a recap of Alturas International Academy's (AIA) proposed amendment to their charter. AIA would cease to serve students in grades 6-8 at the end of the current school year, as they will be served by Alturas Preparatory Academy.

M/S (Bair/Scigliano) Motion to approve the AIA amendment as written. *The motion passed unanimously.*

TAB F: PROPOSED PCSC POLICY CHANGES

1. Director Thompson provided a summary of the proposed PCSC policy changes. The proposed changes were posted on the PCSC website in June 2020 and stakeholder feedback was collected.

M/S (Kunz/Peterson) Motion to adopt the changes to PCSC policy as presented including the changes made as noted. *The motion passed unanimously.*

TAB G: CONSIDERATION OF PERFORMANCE FRAMEWORK REVISIONS

1. Director Thompson provided a summary of the proposed revisions to the academic sections of the Performance Framework. She highlighted the changes proposed concerning alternative schools. The proposed changes are available on the PCSC website. Stakeholder feedback was collected.

M/S (Peterson/Kunz) Motion to approve the proposed changes to the academic section of the Performance Framework as presented. *The motion passed unanimously.*

2. Director Thompson explained the proposed revisions to the operational and financial sections to the Performance Framework. Stakeholder feedback is encouraged.

The proposed changes will be available on our website. The changes will be voted on during the October PCSC meeting.

M/S (Bair/Quinn) A motion to adjourn. *The motion passed unanimously.*

The meeting adjourned at 11:01 a.m.

PUBLIC COMMENT

Public comment will be limited to 3 minutes per speaker. Individuals may offer oral testimony by attending in person at the meeting's physical location or by attending via Zoom and clicking the "raise hand" function during the public comment section of the meeting. Written comment may be submitted to the PCSC prior to the meeting, via mail at P.O. Box 83720, Boise, Idaho, 83720, or electronically at pcsc@osbe.idaho.gov. Written testimony will be read into the record.

SUBJECT

Director's Report

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Code Title 33 Chapter 52

BACKGROUND

The PCSC Director oversees the day to day management of the authorizing office. This agenda item provides opportunity for a brief report regarding actions taken and work in progress at the staff level.

DISCUSSION

Director Thompson will provide an update on school openings for 2021, an overview of the OnBoard platform for Commissioners, note the realignment of the standard Performance Certificate, and generally provide an update on projects in progress.

IMPACT

Information item only.

STAFF COMMENTS AND RECOMMENDATIONS

N/A

COMMISSION ACTION

N/A

SUBJECT

Consideration of Performance Certificate Revisions

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Code § 33-5209(A)

BACKGROUND

In October 2019, the PCSC tasked the Renewal Committee with the exploration of opportunities for increasing performance framework flexibility. The committee was directed to form recommendations to the PCSC regarding a model for ensuring that all schools have the opportunity to be evaluated using fair and meaningful performance framework standards.

After conducting significant research and gathering feedback from stakeholders throughout the process, it became clear that minor revisions would be necessary in the financial and operational sections of the performance framework for consistency and cohesion.

DISCUSSION

The proposed revisions are detailed in the following pages. Proposed revisions were posted on the PCSC website after the August 13th meeting and stakeholder feedback was solicited. No feedback was received by the PCSC office.

IMPACT

If approved, the revisions will go into effect for all newly executed performance frameworks. Currently operational schools will be offered the opportunity to either continue with the old framework for the remainder of their performance certificate terms or to amend their certificate to include the new framework, which can be applied for FY20 annual reports.

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends that the PCSC adopt the revisions to the operational and financial sections of the framework as presented.

COMMISSION ACTION

A motion to adopt the revisions to the operational and financial sections of the framework as presented.

OR

A motion to deny the revisions to the operational and financial sections of the framework as presented.

Proposed Revisions to the Operational and Financial Sections of the PCSC Performance Framework

1. Rating System

Adopt a single rating system, applicable to all measures in the performance framework, which includes the following ratings: exceeds standard, meets standard, approaches standard, and does not meet standard.

2. Scorecard Focus

Revise the annual report scorecard to present the outcome of each measure based on the data source defined in the rubric for that measure, and to present the rating earned by each outcome based on the rubric for that measure.

3. Cash Ratio Measure

Drop this measure. The financial section of the framework also includes current ratio. The difference between a school's current ratio and its cash ratio is not differently actionable from the PCSC's perspective; therefore, this measure is unnecessary.

4. Relocate Enrollment Variance Measure

Relocate this measure from the operational section to the near-term financial section of the performance framework. The data point is reviewed for the purpose of understanding enrollment's impact on projected revenues and should be considered alongside other financial data points.

5. Debt Service Coverage Ratio Formula

Allow for flexibility in the formula used to calculate debt service coverage ratio as presented. The current formula is appropriate for schools that have facility mortgages, but a modified formula is necessary for schools that lease a facility in cases where that lease is not capitalized in the audit.

6. Relocate the Financial Compliance Measures

Relocate the existing financial compliance measures from the operational section to the financial section of the framework.

7. Reorganization of Operational Section

Reorganize the existing measures and metrics in the operational section of the performance framework based on the persons responsible for the success of the metric, thereby subdividing operations into two sections: board stewardship and management. This is intended to help governing boards and administrators more easily identify corrective actions if and when necessary.

8. Identify the Source Data

Clearly identify the sources of data used to inform operational measure ratings. No changes are recommended in the practice of oversight; however, this source data and the PCSC's current oversight practice have not been communicated to schools in the past with this level of transparency.

RECOMMENDATION 1 - RATING SYSTEM

Exceeds Standard
Meets Standard
Approaches Standard
Does Not Meet Standard

Note

This 4 level rating scale is recommended for use on all measures across all sections of the Performance Framework.

RECOMMENDATION 2 - SCORECARD FOCUS

From This . . .

ACADEMIC	Measure	Points Possible K-8	Points Earned K-8	Points Possible 9-12	Points Earned 9-12	Points Possible K-12	Points Earned K-12	Points Possible Alternative	Points Earned Alternative
State Proficiency Comparison	1a	50	0	50	0	50	50		
	1b	50	0	50	0	50	50		
District Proficiency Comparison	2a	50	0	50	0	50	50	50	0
	2b	50	0	50	0	50	45	50	0
Criterion-Referenced Growth	3a	100	0						
	3b	100	0						
Norm-Referenced Growth	4a			100	0				
	4b			100	0				
Post-Secondary Readiness	5a			125	0				
Total Academic Points		400	0	525	0				
% of Academic Points			0%		0%				

ACCOUNTABILITY DESIGNATION	Range (% of Points Possible)	Academic Gen Ed Outcome
Honor	75% - 100%	
Good Standing	55% - 74%	90%
Remediation	31% - 54%	
Critical	0% - 30%	

School outcomes will be evaluated in light of contextual information.

To This . . . (formatting is an example)

Academic Achievement			Financial Health		
Math Proficiency	62%	Approaches Standard	Near Term Measures		
ELA Proficiency	75%	Exceeds Standard	Current Ratio	2.85	Meets Standard
Literacy Proficiency	82%	Exceeds Standard	Unrestricted Days Cash	114 days	Meets Standard
Math Growth	72%	Meets Standard	Default	No default	Meets Standard
ELA Growth	80%	Does Not Meet Standard	Enrollment Variance	95%	Meets Standard
4-Year Grad Rate	97%	Approaches Standard			
Board Stewardship			Sustainability Measures		
Governance Structure	Does Not Meet Standard		Current Year Total Margin	1.29%	Meets Standard
Governance Oversight	Meets Standard		3-Year Aggregated Margin	2.21%	
Governance Compliance	Meets Standard		Debt to Asset Ratio	.94	Meets Standard
Operational Management			Most Recent Year Cash Flow	\$4,735,386	Meets Standard
Student Services	Does Not Meet Standard		Previous Year Cash Flow	\$584,317	
Data Security / Transparency	Meets Standard		Three-Year Cash Flow	\$5,319,703	
Facility and Services	Meets Standard		Debt Service Coverage Ratio	.65	Approaches Standard
Operational Compliance	Meets Standard		Financial Compliance		Meets Standard

FINANCE: NEAR TERM HEALTH

Current Ratio

Why this Matters: A school with a ratio of current debt to current assets of 1.1 or higher could liquidate enough assets quickly in order to meet its financial obligations due this year, should such a situation become necessary.

Current Ratio Rubric	
Exceeds Standard	<u>The school has a current ratio of more than 1.5</u>
Meets Standard	The school has a current ratio of at least 1.1 (or between 1.0 and 1.1 with a 1 year positive trend)
Approaches Standard	The school has a current ratio of between .9 and 1.0 (or between 1.0 and 1.1 with a 1 year negative trend)
Does Not Meet Standard	The school has a current ratio of .9 or less.

School XYZ Example Calculation

Calculation	Data Source	Data	Result	Rating
Current Assets divided by Current Liabilities	FY19 Fiscal Audit Report	Current Assets: \$2,383,961.00 Current Liabilities: \$836,972.00	2.85	Exceeds Standard

Unrestricted Days Cash

Why this Matters: Should revenue be delayed for any reason, a school with at least 30 days cash on hand would be able to immediately access this cash in order to meet its financial obligations for this number of days, buying itself time to develop a long-term plan.

Unrestricted Days Cash Rubric	
Exceeds Standard	<u>The school has more than 60 days cash on hand</u>
Meets Standard	The school has 60 days cash OR between 30 and 60 days cash and one-year trend is positive. Note: Schools in their first or second year of operation must have a minimum of 30 days cash.
Approaches Standard	The school has between 15-30 days cash OR between 30-60 days cash, but one-year trend is negative.
Does Not Meet Standard	The school has fewer than 15 days cash on hand.

School XYZ Example Calculation

Calculation	Data Source	Data	Result	Rating
Unrestricted Cash divided by (Total Expenses minus Depreciation Expense / 365)	FY19 Fiscal Audit Report	Unrestricted Cash: \$2,158,068.00 Total Expenses: \$6,965,618.00 Depreciation Expense: \$72,028.00	114 days	Exceeds Standard

Default

Why this Matters: A school in financial default is at risk of being assessed large financial penalties, losing the support of its financial institution or the provision of necessary services. It may also be at risk of losing its facility entirely.

Default Rubric	
Exceeds Standard	<u>The school has met standard for at least 3 consecutive years.</u>
Meets Standard	The school is not in default of any financial obligations, and did not experience any instances of default during the fiscal year. Financial obligations include, but are not limited to, making payments to vendors and utility services on time, complying with all loan covenants, filing any reports required for maintenance of grants or philanthropic funds, meeting all tax obligations, and operating without financial judgments or property liens.
Approaches Standard	<u>The school experienced one or more instances of minor default during the fiscal year (such as making late payments); however, the school is not currently in default of any financial obligations.</u>
Does Not Meet Standard	School is currently in default of financial obligations.

School XYZ Example Calculation

Calculation	Data Source	Data	Result	Rating
None	FY19 Fiscal Audit Report, terms of debt, and/or other formal notifications received by the school.	Fiscal Audit noticed default – No School received notice of financial default from an entity to whom the school has a financial obligation – No	No Default	Meets Standard

RECOMMENDATIONS 3 AND 4 – Drop Cash Ratio and Relocate Enrollment Variance

Enrollment Variance

Why this Matters: Most of a school's revenue is determined by enrollment. Because a school's budget is based on the revenue generated by projected enrollment, the ability to achieve and maintain that enrollment directly impacts whether the school will receive all of its anticipated revenue.

Enrollment Variance Rubric	
Exceeds Standard	<u>The school has met standard for at least 3 consecutive years.</u>
Meets Standard	Enrollment variance is equal to or greater than 95%.
Approaches Standard	<u>Enrollment variance was between 90% and 95%, OR the enrollment variance was less than 90% and the school provided a mid-year amended budget evidencing at least a break-even budget based on mid-term enrollment and any resulting revenue adjustments.</u>
Does Not Meet Standard	<u>Enrollment variance was less than 90% and the school did not provide evidence of mid-year budget amendments or operational changes evidencing at least a break-even budget based on mid-term enrollment and any resulting revenue adjustments.</u>

School XYZ Example Calculation

Calculation	Data Source	Data	Result	Rating
Unrestricted Cash divided by ((Total Expenses minus Depreciation Expense) / 365)	FY19 Fiscal Audit Report	Mid-Term ADA: 534 Projected Enrollment: 562	95%	Meets Standard

FINANCE: SUSTAINABLE HEALTH

Total Margin and 3Yr Aggregated Total Margin

Why this Matters: A school with a positive total margin spent less money than it received in the current year.

Essentially, the school is living within its means. Occasionally, an emergency or unplanned expense comes along, such as a broken furnace, which would cause the margin to drop. The unexpected happens. However, a school that rarely has a positive total margin may not be budgeting well for its actual expenses or may be living beyond its means on a regular basis.

Total Margin and 3-Yr Aggregated Total Margin	
Exceeds Standard	The school has met standard for 3 or more consecutive years.
Meets Standard	Aggregated 3-year Total Margin is positive and the most recent year Total Margin is positive OR Aggregated 3-Year Total Margin is greater than -1.5 percent, the trend is positive for the last two years, and the most recent year Total Margin is positive. Note: For schools in their first or second year of operation, the cumulative Total Margin must be positive.
Approaches Standard	Aggregated 3-Year Total Margin is greater than -1.5 percent, but trend does not "Meet Standard".
Does Not Meet Standard	Aggregated 3-Year Total Margin is less than or equal to -1.5 percent OR the most recent year Total Margin is less than -10 percent.

School XYZ Example Calculation

Calculation	Data Source	Data	Result	Rating
Most Recent Year Total Margin: 2019 Net Income divided by 2019 Total Revenue	FY19 Fiscal Audit Report	2019 Net Income: \$105,303.00 2018 Net Income: \$235,206.00 2017 Net Income: \$109,729.00	Most Recent Year Total Margin: 1.29%	Meets Standard
3-Year Aggregated Total Margin: (2019 Net Income +2018 Net Income +2017 Net Income) divided by (2019 Total Revenue +2018 Total Revenue +2017 Total Revenue)		2019 Total Revenue: \$8,193,846.00 2018 Total Revenue: \$6,414,497.00 2017 Total Revenue: \$5,727,871.00 *net income excluding net pension liability	3-Year Aggregated Total Margin: 2.21%	

Cash Flow and Multi-Year Cash Flow

Why this Matters: A school with a positive cash flow from year to year is increasing its reserves over time. It's building a nest egg. This allows a school to plan for large purchases, such as a facility remodel, or establish a rainy-day fund. Occasionally, this number will be negative when large purchases are made or rainy-day funds become necessary. The ability to save for the future is a sign of financial health. However, a school that rarely has a positive cash flow from year to year is less likely to be able to financially support its future plans or to weather change.

Cash Flow and Multi-Year Cash Flow	
Exceeds Standard	The school has met standard for 3 or more consecutive years.
Meets Standard	<p>Multi-Year Cumulative Cash Flow is positive and Cash Flow is positive in the most recent year is positive, OR Multi-Year Cumulative Cash Flow is negative, but documentation identifies this as a result of a one-time, planned purchase (such as a facility remodel).</p> <p>Note: Schools in their first or second year of operation must have positive cash flow.</p>
Approaches Standard	Multi-Year Cumulative Cash Flow is positive, but Cash Flow is negative in the most recent year.
Does Not Meet Standard	Multi-Year Cumulative Cash Flow is negative and no documentation identifies the this as a result of a one-time, planned purchase.

School XYZ Example Calculation

Calculation	Data Source	Data	Result	Rating
Most Recent Year Cash Flow: 2019 Cash and Investments minus 2018 Cash and Investments	FY19 Fiscal Audit Report	2019 Cash/Invest.: \$6,893,454.00	Most Recent Year Cash Flow: \$4,735,386.00	Meets Standard
Previous Year Cash Flow: 2018 Cash and Investments minus 2017 Cash and Investments		2018 Cash/Invest: \$2,158,068.00	Previous Year Cash Flow: \$584,317.00	
Multi-Year Cash Flow: 2019 Cash and Investments minus 2017 Cash and Investments		2017 Cash/Invest: \$1,573,751.00	Multi-Year Cash Flow: \$5,319,703.00	

RECOMMENDATION 5 – Formula Flexibility (see calculation example below).

Debt Service Coverage Ratio

Why this Matters: A school with a debt service coverage ratio of 1.1 ended the year with enough to cover the cost of its long-term debts and lease payments in the next year. This means that the school is not at risk of defaulting on its debt. A school with a debt service coverage ratio of less than 1 is dependent on anticipated, but not yet received, revenues in order to meet its debt obligations in the coming year. The farther below 1, the greater the risk of default.

Debt Service Coverage Ratio Rubric	
Exceeds Standard	The school's debt service coverage ratio is 1.5 or greater OR the school operates debt-free.
Meets Standard	Debt Service Coverage Ratio is <u>between 1.1 and 1.49</u>
Approaches Standard	The school's debt service coverage ratio is between .9 and 1.09
Does Not Meet Standard	Debt Service Coverage Ratio is less than 1.1 .9

School XYZ Example Calculation

Calculation	Data Source	Data	Result	Rating
If school owns its facility or if the school leases its facility and the lease is capitalized: (Net Income + Depreciation Expense + Interest Expense) divided by (Principal + Interest + Lease Payments)	FY19 Fiscal Audit Report	Net Income: \$1,105,303.00 * Depreciation: \$76,089.00 Interest: \$300,000.00 Principal: \$600,000.00 Lease Payments: \$300,000.00 *net income excluding net pension liability	1.23	Meets Standard
<u>If school leases its facility and the lease is not capitalized:</u> <u>(Facility Lease Payments + Net Income + Depreciation Expense + Interest Expense)</u> <u>divided by</u> <u>(Principal + Interest + Lease Payments)</u>				

Debt to Asset Ratio

Why this Matters: A school with a debt to asset ratio of .9 or greater, would be able to sell all of its assets (including its facility) and have enough to cover 90% of all long and short-term financial obligations, should such a situation occur.

Debt to Asset Ratio	
Exceeds Standard	The school has met standard for 3 consecutive years, OR the school operates debt-free.
Meets Standard	The school's Debt to Asset Ratio is less than 0.9
Approaches Standard	The school's Debt to Asset Ratio is between 0.9. and 1.0
Does Not Meet Standard	The school's Debt to Asset Ratio is greater than 1.0

School XYZ Example Calculation

Calculation	Data Source	Data	Result	Rating
Total Liabilities divided by Total Assets	FY19 Fiscal Audit Report	Total Liabilities: \$22,136,401.00* Total Assets: \$23,509,520.00 *total liabilities excluding net pension liability	.94	Approaches Standard

RECOMMENDATION 6 – Financial Compliance

Financial Compliance Rubric

Alt Growth Rubric	
Exceeds Standard	The school has met standard for 3 or more consecutive years.
Meets Standard	Accounting Practices: finances are managed in compliance with GAAP. Financial Transparency: expenditures and contracts are posted on the school's site. Internal Controls: the school's internal controls are compliant.
Approaches Standard	The school was informed of non-compliance with accounting practices, financial transparency, or internal controls, and prompt action to correct is in evidence.
Does Not Meet Standard	The school is operating under a notification of fiscal concern or a notification of possible or imminent closure OR the school was informed of non-compliance with accounting practices, financial transparency, or internal controls and the issues were not corrected within 30 days.

RECOMMENDATION 7 – Reorganize Operational Measures

OPERATIONS: BOARD STEWARDSHIP

Governance Structure Rubric

Governance Structure Rubric	
Exceeds Standard	The school has met standard for 3 or more consecutive years.
Meets Standard	Board Bylaws are compliant with ID law. Articles of Incorporation are current. No investigations were conducted into either ethical behavior or conflict of interest regarding any board director. The board did not experience an Open Meeting Law violation that needed to be cured this year.
Approaches Standard	The school was informed of or became aware of non-compliance and action to correct the issue was taken within 30 days.
Does Not Meet Standard	The school was informed of or became aware of non-compliance and action to correct the issue was not taken within 30 days.

RECOMMENDATION 8 – Transparency of Data Sources (all operational rubrics)

Data Sources: Board bylaws, articles of incorporation, and any courtesy letters or notifications issued to the school by entities responsible for oversight or enforcement.

Governance Oversight Rubric

Governance Oversight Rubric	
Exceeds Standard	The school has met standard for 3 or more consecutive years.
Meets Standard	The board reviews academic data in a timely and thorough manner. The board reviews financial reports in a timely and thorough manner. The board maintains compliant policies. The board engages in strategic planning. The board conducts a compliant annual evaluation of their school leader and/or management organization.
Approaches Standard	The school was informed of or became aware of non-compliance and action to correct the issue was taken within 30 days.
Does Not Meet Standard	The school was informed of or became aware of non-compliance and action to correct the issue was not taken within 30 days.

Data Sources: Board meeting minutes, school policies, continuous improvement plan (or other strategic planning evidence if submitted by the school), and verification of submission of annual administrator evaluation.

Governance Compliance Rubric

Governance Compliance Rubric	
Exceeds Standard	The school has met standard for 3 or more consecutive years.
Meets Standard	The PCSC did not issue any courtesy letters or notify an external investigative body of compliance concerns this year.
Approaches Standard	The school was informed of or became aware of non-compliance and action to correct the issue was taken within 30 days.
Does Not Meet Standard	The school was informed of or became aware of non-compliance and action to correct the issue was not taken within 30 days.

Data Sources: If applicable, courtesy letters/notifications of concerns, investigation, or findings issued to the school by entities responsible for oversight or enforcement, and any documentation of correction provided by the school.

OPERATIONS: MANAGEMENT

Student Services Rubric

Student Services Rubric	
Exceeds Standard	The school has met standard for 3 or more consecutive years.
Meets Standard	The school's English Language Learner program is in good standing. The school's Special Education program is in good standing. The school's college and career readiness program is in good standing.
Approaches Standard	The school was informed of or became aware of non-compliance and action to correct the issue was taken within 30 days.
Does Not Meet Standard	The school was informed of or became aware of non-compliance and action to correct the issue was not taken within 30 days.

Data Sources: If applicable, any notifications or courtesy letters issued by the SDE or SBOE which required corrective action with regard to the school's ELL, SPED, or College and Career Readiness programs, as well as any documentation submitted by the school evidencing correction.

Data Security and Information Transparency Rubric

Data Security and Information Transparency Rubric	
Exceeds Standard	The school has met standard for 3 or more consecutive years.
Meets Standard	The school's website is compliant with I.C. 33-133(7) (data collection, access, and security policy); I.C. 33-320 (continuous improvement plan); and I.C. 33-357 (expenditures updated monthly, contracts, performance reports, and annual budgets). The school did not experience any issues involving data security this year. The school did not experience any compliance issue regarding public records requests this year.
Approaches Standard	The school was informed of or became aware of non-compliance and action to correct the issue was taken within 30 days.
Does Not Meet Standard	The school was informed of or became aware of non-compliance and action to correct the issue was not taken within 30 days.

Data Sources: periodic desk audit of school website, and any formal notifications regarding data security or public records compliance.

Facility and Services Rubric

Facility and Building Services Rubric	
Exceeds Standard	The school has met standard for 3 or more consecutive years.
Meets Standard	The school's occupancy certificate is current. The school maintains current safety inspections and drills. The school provides daily transportation to students in compliance with Idaho Code. The school provides a compliant lunch program.
Approaches Standard	The school was informed of or became aware of non-compliance and action to correct the issue was taken within 30 days.
Does Not Meet Standard	The school was informed of or became aware of non-compliance and action to correct the issue was not taken within 30 days.

Data Sources: Verification of meal service program and transportation services via public documents and/or school website, and any notifications of concerns regarding occupancy or safety issued to the school by entities responsible for oversight or enforcement.

Operational Compliance Rubric

Operational Compliance Rubric	
Exceeds Standard	The school has met standard for 3 or more consecutive years.
Meets Standard	Required reports are submitted accurately and on time. The school maintains a compliant enrollment process. No correct action plans were issued by the SDE this year.
Approaches Standard	The school was informed of or became aware of non-compliance and action to correct the issue was taken within 30 days.
Does Not Meet Standard	The school was informed of or became aware of non-compliance and action to correct the issue was not taken within 30 days.

Data Sources: Periodic observation of enrollment lottery, and if applicable, any corrective action plans issued by the SDE not related to special education, ELL, or college and career readiness (as these are captured elsewhere), or formal notification of late reports or enrollment violations.

SUBJECT

Alturas Preparatory Academy Proposed Performance Certificate.

APPLICABLE STATUTE, RULE, OR POLICY

I.C. §33-5205B Public Charter Schools

IDAPA 08.02.04 Rules Governing Public Charter Schools

BACKGROUND

Idaho statute requires that all public charter schools and their authorizers execute performance certificates within 75 days of petition approval.

On August 13, 2020 the PCSC approved a charter petition for Alturas Preparatory Academy (APA).

DISCUSSION

PCSC staff has collaborated with APA to draft the individualized sections of the performance certificate and framework. In these materials, individualized sections of the certificate are highlighted in yellow.

IMPACT

The PCSC has 75 days from the date of new petition approval in which to execute a performance certificate with the school's governing board.

STAFF COMMENTS AND RECOMMENDATIONS

If the PCSC moves to execute the performance certificate, the PCSC chairman and respective school's board chair will sign the certificate, making it effective for the dates specified therein.

COMMISSION ACTION

A motion to execute the performance certificate for Alturas Preparatory Academy as presented.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

CHARTER SCHOOL PERFORMANCE CERTIFICATE

This Performance Certificate (“Certificate”) is executed on **October 8, 2020**, by and between the Idaho Public Charter School Commission (the “Authorizer”), and **Alturas Preparatory Academy, Inc** (the “School”), an independent public school organized as an Idaho nonprofit corporation and established under the Public Charter Schools Act of 1998, Idaho Code Section 33-5201 *et seq.*, as amended (the “Charter Schools Act.”)

RECITALS

WHEREAS, on **April 30, 2020** the Authorizer received a petition to establish a new charter school; and

WHEREAS, on **August 13, 2020** the Authorizer approved the new charter school petition;

NOW THEREFORE in consideration of the foregoing recitals and mutual understandings contained herein, the Authorizer and the School agree as follows:

SECTION 1: TERMS OF AUTHORIZATION

- A. Establishment of School.** The School is hereby authorized to implement the program described in the Charter, attached to this Certificate as Appendix C and incorporated herein by this reference. Any significant changes to any section of the Charter, including the educational program, facilities plan, financial plan, or the management plan, during the School’s pre-operational period or first operational term shall be treated as an amendment in accordance with the Authorizer’s policy.
- B. Term of Agreement.** This Certificate is effective as of **October 8, 2020** if properly executed. The school shall be pre-operational from the effective date of this Certificate through June 30, **2021**. The school’s operational term shall be from July 1, **2021** and end on June 30, **2026**. Subsequent terms of operation may be issued by the authorizer in accordance with Idaho Code and PCSC policy.
- C. Pre-Opening Requirements.** The School shall not commence instruction until all pre-opening requirements have been completed to the satisfaction of the Authorizer. Pre-opening requirements are attached as Appendix B and incorporated herein by this reference.
- D. Pre-Opening Conditions.** The School is conditionally approved to operate. Applicable conditions are attached as Appendix D and incorporated herein by this reference. If all pre-opening conditions have been completed to the satisfaction of the Authorizer by the stated due date, the School shall commence operations/instruction with the first day of school after July 1, **2021**. In the event that all pre-opening conditions have not been completed to the satisfaction of the Authorizer by the stated due date, the Authorizer may exercise its

authority at its next regularly scheduled meeting to prohibit the School from commencing operation/instruction until the start of the succeeding semester or school year.

SECTION 2: EDUCATIONAL PROGRAM

- A. School Mission.** The mission of the School is as follows: Alturas Preparatory Academy promotes academic distinction, while empowering students to be principles and intellectual leaders as they explore, create, investigate and analyze in a safe, engaged, collaborative environment that inspires them to make a genuine difference in their local and global community. Relevant learning opportunities for high-quality education through community partnerships and engagement helps our students develop attitudes and knowledge to succeed in a technologically advanced world.
- B. Grades Served.** The School may serve students in grades 6 through 12.
- C. Design Elements.** The School shall implement and maintain the following essential design elements of its educational program:
- The School shall shall provide a rigorous education with an emphasis on personal development as an International Baccalaureate (IB) school. Students are empowered to become lifelong learners, critical thinkers and compassionate, caring citizens in their local and global communities. This shall be verified by through the Personal Project in Grade 10 as well as the students' reflection on their "Creativity, Activity, and Service.
 - The School shall shall provide an environment that encourages strong collaboration amongst students at the instructional level using analytical and critical thinking skills. This shall be verified by the administration observing and evaluating the level at which teachers incorporate collaboration with analytical and critical thinking skills and providing feedback. Teachers will reflect on Domain II and Domain III in the Danielson Framework and self-evaluate.
 - The School shall utilize multi-age classrooms as part of the educational program. This shall be verified by classrooms having multiple grade levels with students being taught on instructional level.
 - The School shall use a mastery-based approach to education where students are taught in small groups at instructional levels using best practices. This shall be verified by the administration using the Danielson Framework for Teaching as well as the ELEOT to observe and evaluate best practices in the classroom.
- D. Standardized Testing.** Students of the School shall be tested with the same standardized tests as other Idaho public school students.
- E. Accreditation.** The School shall be accredited as provided by rule of the state board of education. All reports issued to the school from the accrediting agency shall be submitted to the Authorizer within five (5) days of receipt.

SECTION 3: SCHOOL GOVERNANCE

- A. Governing Board.** The School shall be governed by a board (the “Charter Board”) in a manner that is consistent with the terms of this Certificate, so long as such provisions are in accordance with state, federal, and local law. The Charter Board shall have final authority with respect to the School’s operation, and shall have the responsibility of overseeing academic achievement, financial health, and operational management of the School. The Charter Board shall also be responsible for maintaining and enforcing a compliant board and providing overall board stewardship for the School.
- B. Articles of Incorporation and Bylaws.** The articles of incorporation and bylaws of the Charter Board shall provide for governance of the operation of the School as a nonprofit corporation and a public charter school, and shall at all times be consistent with all applicable rules, laws, and this Certificate. The School shall notify the Authorizer of any modification to the articles of incorporation or bylaws within five (5) business days of approval by the Charter Board.
- C. Charter Board Composition.** The composition of the Charter Board shall at all times be determined by and consistent with the articles of incorporation and bylaws, and all applicable law, rule, and policy. The Charter Board shall notify the Authorizer of any changes to its composition and provide an amended School Leadership Roster within five (5) business days of it taking effect.

SECTION 4: AUTHORIZER ROLE AND RESPONSIBILITIES

- A. Oversight Allowing Autonomy.** The Authorizer’s Role shall be to evaluate the School’s performance outcomes according to this Certificate and the Performance Framework, and shall be to provide compliance oversight. The Authorizer shall comply with the provisions of Charter Schools Act and the terms of this Certificate in a manner that does not unduly inhibit the autonomy of the School.
- B. Charter School Performance Framework.** The Charter School Performance Framework (“Performance Framework”) is attached and incorporated into this agreement as Appendix A. The Performance Framework shall be used to annually evaluate the School’s academic achievement, board stewardship, operational management, and financial health. The specific terms of the Performance Framework are determined by the Authorizer and shall be binding on the School.
- C. Identified Comparison Group.** For purposes of evaluating the School against the metrics and measures established in the Performance Framework, the School’s comparison group shall be identified as described below and shall be established for the length of the Certificate term:
 - 1. The School’s comparison group shall include all schools in the following school district: **Idaho Falls, #91.**
- D. Authorizer to Monitor School Performance.** The Authorizer shall monitor and report on the School’s progress in relation to the indicators, measures, metrics, and targets set out in the Performance Framework. A formal report of the School’s academic, financial, and operational performance shall be published by the Authorizer annually. Data necessary to conduct this evaluation will be collected throughout the year. Additional reviews may be necessary if

compliance concerns arise.

- E. School Performance.** The School shall meet standard on all measures of the Performance Framework included herein. The Authorizer shall renew any charter in which the public charter school met all of the terms of its Certificate, including all appendices, at the time of renewal.
- F. Performance Framework as Basis for Renewal of Charter.** The School's performance in relation to the Performance Framework shall provide the basis upon which the Authorizer shall decide whether to renew the School's Charter at the end of the Certificate term.
- G. Required Reports.** The School shall prepare and submit reports as required by the Authorizer's policy.
- H. Authorizer's Right to Review.** The Authorizer maintains the right to request and review additional documentation if such becomes necessary in the course of regular oversight duties or to investigate the validity of a compliance concern. The Authorizer shall conduct its reviews in a manner that does not unduly inhibit the autonomy granted to the School.
- I. Site Visits.** The Authorizer may conduct site visits in accordance with the Authorizer's policy. Reports from any site visit shall be made available to the School and shall be included in the School's annual Performance Report.

SECTION 5: SCHOOL OPERATIONS

- A. In General.** The School and the Charter Board shall operate at all times in accordance with all federal and state laws, local ordinances, regulations and Authorizer policies applicable to charter schools.
- B. Maximum Enrollment.** The maximum number of students who may be enrolled in the school shall be 672 Enrollment shall be limited to the following:

	2020-21	2021-22	2022-23	2023-24
Total Enrollment Not to Exceed:	313	409	505	672

- C. Equitable Enrollment Procedures.** The School shall make student recruitment, admissions, enrollment, and retention decisions in a nondiscriminatory manner and without regard to race, color, creed, national origin, sex, marital status, religion, ancestry, disability or need for special education services. In no event may the School limit admission based on race, ethnicity, national origin, disability, gender, income level, athletic ability, or proficiency in the English language. If there are more applications to enroll in the School than there are spaces available, the School shall select students to attend using a random selection process that shall be publicly noticed and open to the public.
- D. School Facilities.** The School shall operate at the following location(s): 2300 E 17th St, Idaho Falls, ID 83404, 3910 S Yellowstone Hwy, Idaho Falls, ID 83402. The School shall provide the Authorizer with facilities documentation, including occupancy permits, fire marshal

reports, building inspection reports, and health department reports for any facility newly occupied by the School, and any remodeling or construction project for which such documentation is necessary in accordance with Authorizer policy and Administrative Rule.

- E. Attendance Area.** The School's primary attendance area shall be used for the purposes of determining applicability of this enrollment preference category. The School's primary attendance areas is as follows: Idaho Falls School District #91, Bonneville School District #93, Shelley Joint School district #60.
- F. Staff.** Instructional staff shall be certified as provided by rule of the state board of education. All full-time staff members of the School shall be covered by the public employee retirement system, federal social security, unemployment insurance, worker's compensation insurance, and health insurance.
- G. Alignment with All Applicable Law.** The School shall comply with all applicable federal and state laws, rules, and regulations. In the event any such laws, rules, or regulations are amended, the School shall be bound by any such amendment upon the effective date of said amendment.

SECTION 6: SCHOOL FINANCE

- A. General.** The School shall comply with all applicable financial and budget statutes, rules, regulations, and financial reporting requirements, as well as the requirements contained in the School's Performance Framework incorporated into this agreement as Appendix A.
- B. Financial Controls.** At all times, the School shall maintain appropriate governance, managerial procedures, and financial controls which shall include, but are not limited to: (1) commonly accepted accounting practices and the capacity to implement them (2) a checking account; (3) adequate payroll procedures; (4) procedures for the creation and review of monthly and quarterly financial reports, which procedures shall specifically identify the individual who will be responsible for preparing such financial reports in the following fiscal year; (5) internal control procedures for cash receipts, cash disbursements and purchases; and (6) maintenance of asset registers and financial procedures for grants in accordance with applicable state and federal law.
- C. Financial Audit.** The School shall submit audited financial statements from an independent auditor to the Authorizer no later than November 1 of each year.
- D. Annual Budgets.** The School shall adopt a budget for each fiscal year, prior to the beginning of the fiscal year. The budget shall be in the Idaho Financial Accounting Reporting Management Systems (IFARMS) format or any other format as may be reasonably requested by the Authorizer.

SECTION 7: TERMINATION, NON-RENEWAL AND REVOCATION

- A. Relinquishment.** Should the School choose to relinquish its Charter before the expiration of the Certificate, it may do so upon written notice to the Authorizer. In such a case, the Authorizer's closure protocol shall begin immediately following written

notification.

- B. Nonrenewal.** The Authorizer may non-renew the Charter at the expiration of the Certificate if the School failed to meet one (1) or more of the terms of its Certificate, including the Performance Framework. The School may appeal a decision to not renew directly to the state board of education.
- C. Revocation.** The School's Charter may be revoked if the School fails to have sufficient cash on hand as required by the Charter Schools Act. In such event, the Authorizer shall consider whether to revoke the School's Charter at its next regularly scheduled meeting. The decision shall be made at that time. The School may appeal a decision to revoke directly to the state board of education.
- D. Closure.** The Authorizer's closure protocol shall begin immediately after a decision to relinquish is made by the Charter Board, or a decision to revoke or non-renew or is made by the Authorizer. Closure protocol shall begin regardless of whether the School appeals the decision. In the event that closure protocol begins, the School shall cease operations no later than the following June 30th. Closure protocol shall only cease if the state board of education overturns the Authorizer's decision.

SECTION 8: MISCELLANEOUS

- A. No Employee or Agency Relationship.** None of the provisions of this Certificate will be construed to create a relationship of agency, representation, joint venture, ownership, or employment between the Authorizer and the School.
- B. Additional Services.** Except as may be expressly provided in this Certificate, as set forth in any subsequent written agreement between the School and the Authorizer, or as may be required by law, neither the School nor the Authorizer shall be entitled to the use of or access to the services, supplies, or facilities of the other.
- C. No Third-Party Beneficiary.** This Certificate shall not create any rights in any third parties, nor shall any third party be entitled to enforce any rights or obligations that may be possessed by either party to this Certificate.
- D. Amendment.** This Certificate may be amended by agreement between the School and the Authorizer in accordance with Authorizer policy. All amendments must be in writing and signed by the School and the Authorizer.

IN WITNESS WHEREOF, the Authorizer and the School have executed this Performance Certificate to be effective **October 8, 2020**.

Chairman, Idaho Public Charter School Commission

Chairman, **Alturas Preparatory Academy, Inc Governing Board**

Appendix A: Performance Framework

Appendix B: Pre-Opening Requirements

Appendix C: Charter

Appendix D: Conditions of Authorization/Renewal

SUBJECT

Gem Prep Meridian South Proposed Performance Certificate.

APPLICABLE STATUTE, RULE, OR POLICY

I.C. §33-5205B Public Charter Schools

IDAPA 08.02.04 Rules Governing Public Charter Schools

BACKGROUND

Idaho statute requires that all public charter schools and their authorizers execute performance certificates within 75 days of petition approval.

On August 13, 2020 the PCSC approved a charter petition for Gem Prep Meridian South (GPMS).

DISCUSSION

PCSC staff has collaborated with GPMS to draft the individualized sections of the performance certificate and framework. In these materials, individualized sections of the certificate are highlighted in yellow.

IMPACT

The PCSC has 75 days from the date of new petition approval in which to execute a performance certificate with the school's governing board.

STAFF COMMENTS AND RECOMMENDATIONS

If the PCSC moves to execute the performance certificate, the PCSC chairman and respective school's board chair will sign the certificate, making it effective for the dates specified therein.

COMMISSION ACTION

A motion to execute the performance certificate for Gem Prep Meridian South as presented.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

CHARTER SCHOOL PERFORMANCE CERTIFICATE

This Performance Certificate (“Certificate”) is executed on **October 8, 2020**, by and between the Idaho Public Charter School Commission (the “Authorizer”), and **Gem Prep Meridian South, LLC** (the “School”), an independent public school organized as an Idaho nonprofit corporation and established under the Public Charter Schools Act of 1998, Idaho Code Section 33-5201 *et seq.*, as amended (the “Charter Schools Act.”)

RECITALS

WHEREAS, on **May 15, 2020** the Authorizer received a petition to establish a new charter school; and

WHEREAS, on **August 13, 2020** the Authorizer approved the new charter school petition;

NOW THEREFORE in consideration of the foregoing recitals and mutual understandings contained herein, the Authorizer and the School agree as follows:

SECTION 1: TERMS OF AUTHORIZATION

- A. Establishment of School.** The School is hereby authorized to implement the program described in the Charter, attached to this Certificate as Appendix C and incorporated herein by this reference. Any significant changes to any section of the Charter, including the educational program, facilities plan, financial plan, or the management plan, during the School’s pre-operational period or first operational term shall be treated as an amendment in accordance with the Authorizer’s policy.
- B. Term of Agreement.** This Certificate is effective as of **October 8, 2020** if properly executed. The school shall be pre-operational from the effective date of this Certificate through June 30, **2022**. The school’s operational term shall be from July 1, **2022** and end on June 30, **2027**. Subsequent terms of operation may be issued by the authorizer in accordance with Idaho Code and PCSC policy.
- C. Pre-Opening Requirements.** The School shall not commence instruction until all pre-opening requirements have been completed to the satisfaction of the Authorizer. Pre-opening requirements are attached as Appendix B and incorporated herein by this reference.

SECTION 2: EDUCATIONAL PROGRAM

- A. School Mission.** The mission of the School is as follows: **To prepare students for success in college by providing a high quality, personalized, relevant and rigorous education through exceptional teaching, innovative uses of technology and partnerships with families.**
- B. Grades Served.** The School may serve students in grades **K** through **12**.

C. Design Elements. The School shall implement and maintain the following essential design elements of its educational program:

- a. **High Expectations and Rigor.** The school will be focused on 21st-century learning and critical thinking skills, as well as Common Core-alignment. Students will be prepared for post-secondary education through dual-credit courses taken during high school and the alignment of curriculum with Common Core standards. The quality and rigor of student work is framed by competency-based standards planning and challenging learning objective and assessments.. This shall be verified by annual reporting of dual credit course enrollment count and utilizing third party reviewer reports for all online programs to assure they adhere to the common core standards.
- b. **Personalization.** The school's instructional model is built on the belief that each student brings unique strengths and challenges to their learning experience and must be supported accordingly. Student learning includes adaptive online learning programs, working toward informed post-secondary goals, and utilizing flexible time at the secondary level for self-directed learning. In the K-6 model, students often use a station rotation model, and the 7-12 model will use a flexible college-prep learning model. Differentiated instruction will occur at these pathways-online instruction, as well as elective courses. Teachers also do targeted small group instruction as a form of intervention and acceleration. This shall be verified by an annual review by the curriculum committee of online courses and programs offered for the upcoming school year to assure programming meets the personalization needs of students.
- c. **Data.** Gem Prep will be grounded in the importance of using data to drive instruction. The school will use formative assessment and other data to continually adjust instruction and necessary interventions.. This shall be verified by weekly reviews of college readiness quiz data (CRQ) and annual reviews of state testing results.
- d. **Innovation.** Very much related to the above, the importance of continual improvement and innovation will be a focus for Gem Prep. The organization will constantly review performance data and make adjustments to the school model as necessary. This shall be verified by an annual review of instructional strategies and modifications to said strategies to meet the needs of students.

D. Standardized Testing. Students of the School shall be tested with the same standardized tests as other Idaho public school students.

SECTION 3: SCHOOL GOVERNANCE

A. Governing Board. The School shall be governed by a board (the “Charter Board”) in a manner that is consistent with the terms of this Certificate, so long as such provisions are in accordance with state, federal, and local law. The Charter Board shall have final authority with respect to the School’s operation, and shall have the responsibility of overseeing academic achievement, financial health, and operational management of the School. The Charter Board shall also be responsible for maintaining and enforcing a compliant board and providing overall board

stewardship for the School.

- B. Articles of Incorporation and Bylaws.** The articles of incorporation and bylaws of the Charter Board shall provide for governance of the operation of the School as a nonprofit corporation and a public charter school, and shall at all times be consistent with all applicable rules, laws, and this Certificate. The School shall notify the Authorizer of any modification to the articles of incorporation or bylaws within five (5) business days of approval by the Charter Board.
- C. Charter Board Composition.** The composition of the Charter Board shall at all times be determined by and consistent with the articles of incorporation and bylaws, and all applicable law, rule, and policy. The Charter Board shall notify the Authorizer of any changes to its composition and provide an amended School Leadership Roster within five (5) business days of it taking effect.

SECTION 4: AUTHORIZER ROLE AND RESPONSIBILITIES

- A. Oversight Allowing Autonomy.** The Authorizer's Role shall be to evaluate the School's performance outcomes according to this Certificate and the Performance Framework, and shall be to provide compliance oversight. The Authorizer shall comply with the provisions of Charter Schools Act and the terms of this Certificate in a manner that does not unduly inhibit the autonomy of the School.
- B. Charter School Performance Framework.** The Charter School Performance Framework ("Performance Framework") is attached and incorporated into this agreement as Appendix B. The Performance Framework shall be used to annually evaluate the School's academic achievement, board stewardship, operational management, and financial health. The specific terms of the Performance Framework are determined by the Authorizer and shall be binding on the School.
- C. Identified Comparison Group.** For purposes of evaluating the School against the metrics and measures established in the Performance Framework, the School's comparison group shall be identified as described below and shall be established for the length of the Certificate term:
 - 1. The School's comparison group shall include all schools in the following school district: **West Ada School District, #2.**
- D. Authorizer to Monitor School Performance.** The Authorizer shall monitor and report on the School's progress in relation to the indicators, measures, metrics, and targets set out in the Performance Framework. A formal report of the School's academic, financial, and operational performance shall be published by the Authorizer annually. Data necessary to conduct this evaluation will be collected throughout the year. Additional reviews may be necessary if compliance concerns arise.
- E. School Performance.** The School shall meet standard on all measures of the Performance Framework included herein. The Authorizer shall renew any charter in which the public charter school met all of the terms of its Certificate, including all appendices, at the time of renewal.
- F. Required Reports.** The School shall prepare and submit reports as required by the Authorizer's policy.

- G. Authorizer’s Right to Review.** The Authorizer maintains the right to request and review additional documentation if such becomes necessary in the course of regular oversight duties or to investigate the validity of a compliance concern. The Authorizer shall conduct its reviews in a manner that does not unduly inhibit the autonomy granted to the School.
- H. Site Visits.** The Authorizer may conduct site visits in accordance with the Authorizer’s policy. Reports from any site visit shall be made available to the School and shall be included in the School’s annual Performance Report.

SECTION 5: SCHOOL OPERATIONS

- A. In General.** The School and the Charter Board shall operate at all times in accordance with all federal and state laws, local ordinances, regulations and Authorizer policies applicable to charter schools.
- B. Maximum Enrollment.** The maximum number of students who may be enrolled in the school shall be 676 Enrollment shall be limited to the following:

	2022-23	2023-24	2024-2025	2025-2026
Total Enrollment Not to Exceed:	312	454	514	676

- C. Equitable Enrollment Procedures.** The School shall make student recruitment, admissions, enrollment, and retention decisions in a nondiscriminatory manner and without regard to race, color, creed, national origin, sex, marital status, religion, ancestry, disability or need for special education services. In no event may the School limit admission based on race, ethnicity, national origin, disability, gender, income level, athletic ability, or proficiency in the English language. If there are more applications to enroll in the School than there are spaces available, the School shall select students to attend using a random selection process that shall be publicly noticed and open to the public.
- D. School Facilities.** The School shall operate at the following location(s): Lake Hazel Rd and Locust Grove Rd, Meridian, ID. Address TBD, The School shall provide the Authorizer with facilities documentation, including occupancy permits, fire marshal reports, building inspection reports, and health department reports for any facility newly occupied by the School, and any remodeling or construction project for which such documentation is necessary in accordance with Authorizer policy and Administrative Rule.
- E. Attendance Area.** The School’s primary attendance area shall be used for the purposes of determining applicability of this enrollment preference category. The School’s primary attendance areas is as follows: West Ada School District. From the centerline of the, starting at the corner of E Victory Rd and Meridian Rd, following Victory Rd east to the corner of Victory Rd and S cloverdale Rd. South on cloverdale Rd to the junction with W Hidden Valley Rim Rd. then west following the southern boundary of the West Ada School District to Meridian Rd.

Then north on Meridian Rd back to the corner of Meridian Rd and E victory Rd.

- F. Staff.** Instructional staff shall be certified as provided by rule of the state board of education. All full-time staff members of the School shall be covered by the public employee retirement system, federal social security, unemployment insurance, worker's compensation insurance, and health insurance.
- G. Alignment with All Applicable Law.** The School shall comply with all applicable federal and state laws, rules, and regulations. In the event any such laws, rules, or regulations are amended, the School shall be bound by any such amendment upon the effective date of said amendment.

SECTION 6: SCHOOL FINANCE

- A. General.** The School shall comply with all applicable financial and budget statutes, rules, regulations, and financial reporting requirements, as well as the requirements contained in the School's Performance Framework incorporated into this agreement as Appendix B.
- B. Financial Controls.** At all times, the School shall maintain appropriate governance, managerial procedures, and financial controls which shall include, but are not limited to: (1) commonly accepted accounting practices and the capacity to implement them (2) a checking account; (3) adequate payroll procedures; (4) procedures for the creation and review of monthly and quarterly financial reports, which procedures shall specifically identify the individual who will be responsible for preparing such financial reports in the following fiscal year; (5) internal control procedures for cash receipts, cash disbursements and purchases; and (6) maintenance of asset registers and financial procedures for grants in accordance with applicable state and federal law.
- C. Financial Audit.** The School shall submit audited financial statements from an independent auditor to the Authorizer no later than November 1 of each year.
- D. Annual Budgets.** The School shall adopt a budget for each fiscal year, prior to the beginning of the fiscal year. The budget shall be in the Idaho Financial Accounting Reporting Management Systems (IFARMS) format or any other format as may be reasonably requested by the Authorizer.

SECTION 7: TERMINATION, NON-RENEWAL AND REVOCATION

- A. Relinquishment.** Should the School choose to relinquish its Charter before the expiration of the Certificate, it may do so upon written notice to the Authorizer. In such a case, the Authorizer's closure protocol shall begin immediately following written notification.
- B. Nonrenewal.** The Authorizer may non-renew the Charter at the expiration of the Certificate if the School failed to meet one (1) or more of the terms of its Certificate, including the Performance Framework. The School may appeal a decision to not renew directly to the state board of education.
- C. Revocation.**

The School's Charter may be revoked if the School fails to have sufficient cash on hand as required by the Charter Schools Act. In such event, the Authorizer shall consider whether to revoke the School's Charter at its next regularly scheduled meeting. The decision shall be made at that time. The School may appeal a decision to revoke directly to the state board of education.

- D. Closure.** The Authorizer's closure protocol shall begin immediately after a decision to relinquish is made by the Charter Board, or a decision to revoke or non-renew or is made by the Authorizer. Closure protocol shall begin regardless of whether the School appeals the decision. In the event that closure protocol begins, the School shall cease operations no later than the following June 30th. Closure protocol shall only cease if the state board of education overturns the Authorizer's decision.

SECTION 8: MISCELLANEOUS

- A. No Employee or Agency Relationship.** None of the provisions of this Certificate will be construed to create a relationship of agency, representation, joint venture, ownership, or employment between the Authorizer and the School.
- B. Additional Services.** Except as may be expressly provided in this Certificate, as set forth in any subsequent written agreement between the School and the Authorizer, or as may be required by law, neither the School nor the Authorizer shall be entitled to the use of or access to the services, supplies, or facilities of the other.
- C. No Third-Party Beneficiary.** This Certificate shall not create any rights in any third parties, nor shall any third party be entitled to enforce any rights or obligations that may be possessed by either party to this Certificate.
- D. Amendment.** This Certificate may be amended by agreement between the School and the Authorizer in accordance with Authorizer policy. All amendments must be in writing and signed by the School and the Authorizer.

IN WITNESS WHEREOF, the Authorizer and the School have executed this Performance Certificate to be effective **October 8, 2020**.

Chairman, Idaho Public Charter School Commission

Chairman, Gem Innovation Schools of Idaho, Inc Governing Board of: **Gem Prep Meridian South, LLC Governing Board**

Appendix A: Performance Framework
Appendix B: Pre-Opening Requirements
Appendix C: Charter
Appendix D: Pre-Opening Conditions

SUBJECT

Public Charter School Commission Officer Elections

APPLICABLE STATUTE, RULE, OR POLICY

I.C. § 33-5213(6)

BACKGROUND

Regular Public Charter School Commission (PCSC) officer elections were last held on April 12, 2018. Alan Reed was elected chairman and Brian Scigliano was elected vice-chairman. Both have served in these positions since that time.

DISCUSSION

In accordance with Idaho Code § 33-5213(6), the PCSC will elect a Chairman and Vice-Chairman to serve for a two-year term ending in October 2022.

IMPACT

Information item only.

STAFF COMMENTS AND RECOMMENDATIONS

Staff has no comments or recommendations.

COMMISSION ACTION

Multiple nominations may be made. No second is required to make a nomination. Separate votes will be taken for each nomination, in the order the nominations were made, until a nominee is successful. All Commissioners may vote with regard to all nominees.

SUBJECT

Committees and Committee Appointments

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Code §33-5213(2)

BACKGROUND

The PCSC chooses to maintain a few standing committees.

DISCUSSION

The PCSC maintains two standing committees (Petition and Renewal). Three Commissioners are assigned to each committee. Commissioners have expressed a desire to establish a third committee (Finance) to ensure the PCSC is fully informed of the financial state of the Commission. Committee descriptions are included.

While a quorum is not present at any committee meeting, the PCSC chooses to notice its committee meetings and to hold meetings in public. Public participation at committee meetings is invited when stakeholder feedback is an agenda item. Reports are made by the committee to the PCSC at the next regularly scheduled meeting following each committee meeting.

Should the PCSC choose to add a third committee, a Commissioner must be appointed as chair and up to 2 more may be appointed as members.

IMPACT

Appointed Commissioners will participate in committee meetings as necessary until unassigned or reassigned by a majority vote of the PCSC.

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends that the PCSC establish a Finance committee and appoint two commissioners to each standing committee. Staff also recommends that the PCSC Chairman be acknowledged as a standing member of each committee, ex officio.

COMMISSION ACTION

A motion to appoint the PCSC chairman to all PCSC committees, ex officio.

AND

A motion to establish a finance committee with Commissioner _____ as the chair and Commissioner _____ as a member.

AND

A motion to appoint Commissioner _____ as chair and Commissioner _____ as a member of the new petition committee

AND

A motion to appoint Commissioner _____ as chair and Commissioner _____ as a member of the renewal committee.

PCSC Committee Descriptions

PURPOSE

Charter school authorizer have two primary decision points: new petition approvals and renewal application approvals. In Idaho, new petitions and renewal applications can be approved, denied/non-renewed, or approved with conditions. The New Petition Committee and Renewal Committee exist to help facilitate stakeholder feedback and to ensure that Commissioners and PCSC staff communicate about policy and procedure with regard to these important topics.

Additionally, as a sub-entity of the SBOE, the PCSC manages an internal budget. Commissioners have expressed a desire to establish a committee that would meet to address issues of the PCSC's internal budget.

While a quorum of commissioners is not present at any committee meeting, all meetings are noticed and held in public. The committee chair, or his designee, makes a report to the commission at the next regularly scheduled PCSC meeting. No PCSC decisions are made at the committee level; however, a committee may make a recommendation to the commission.

DUTIES

New Petition Committee

- Annual review of petitioner guidance, standards of quality, and evaluation reporting tools. (Nov)
- Annual review of PCSC policy related to new petitions, transfer petitions, and amendments (April)

Renewal Committee

- Annual review of the Renewal Guidance tools. (July)
- Annual review of PCSC policy related to renewals. (April)

Finance Committee

- Preparation of next year's annual budget and current year budget update (May)
- Year-end review of previous year's annual budget and current year budget update (Sept)