

**MEETING MINUTES
IDAHO PUBLIC CHARTER SCHOOL COMMISSION**

February 10 and 11, 2022
JRW Building, West Conference Room
Boise, ID 83702

This meeting was called to order by Chairman Reed on February 10, 2022 at 9:00 a.m.

Alan Reed – Present
Sherrilynn Bair – Present 2/10, Excused at 2pm 2/11
Brian Scigliano – Present
Wanda Quinn – Present
Nils Peterson – Present
Julie VanOrden – Excused 2/10, Present 2/11
7th Seat Vacant

I: COMMISSION WORK

A. Agenda Review/Approval

M/S (Bair/Peterson) Motion to approve the agenda as presented, noting that February 11 meeting begins at 8:00am. *The motion passed unanimously.*

B. Minutes Review/Approval

M/S (Quinn/Scigliano) Motion to approve the December 9, 2021 minutes as presented. *The motion passed unanimously.*

II: PUBLIC COMMENT

Public Comment was offered by:

Laura Lee, parent; spoke in support of Richard McKenna Charter School
Kristi McBride, teacher; spoke in support of Richard McKenna Charter School
Michele Fikel, parent; spoke in support of Richard McKenna Charter School
Melody Landis, parent; spoke in support of Richard McKenna Charter School
Calvin Campbell, parent; spoke in support of Richard McKenna Charter School
Shana Ellis, parent; spoke in support of Another Choice Virtual Charter School
Karra Ramirez, staff member; spoke in support of Another Choice Virtual Charter School

III: CONSIDERATION OF PERFORMANCE CERTIFICATE

Commissioners reviewed the proposed performance certificate for Kootenai Classical Academy. Kootenai Classical Academy's charter was approved by the Commission on December 9, 2021. The IPCSC staff and the petitioners agree to the terms of the certificate as presented.

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

IV: CONSIDERATION OF RENEWAL: AMERICAN HERITAGE CHARTER SCHOOL

Commissioners reviewed the proposed charter renewal for American Heritage Charter School. The IPCSC Director's recommendation was renewal with no conditions. The School's board of directors agreed to the recommendation. A consent agreement signed by both parties was presented to the Commission for review.

M/S (Quinn/Peterson) Motion to accept and adopt the consent agreement as presented, renewing the school's charter for a 5-year term with no conditions to begin 7/1/22. *The motion passed unanimously.*

The Final Order in this matter was issued on February 28, 2022.

V. CONSIDERATION OF RENEWAL: BINGHAM ACADEMY

Commissioners reviewed the proposed charter renewal for Bingham Academy. The IPCSC Director's recommendation was renewal with conditions. The School's board of directors agreed to the recommendation. A consent agreement signed by both parties was presented to the Commission for review.

M/S (Scigliano/Quinn) Motion to accept and adopt the consent agreement as presented, renewing the school's charter for a 5-year term with conditions to begin 7/1/22. *The motion passed unanimously.*

The Final Order in this matter was issued on February 28, 2022.

VI. CONSIDERATION OF RENEWAL: CHIEF TAHGEE ELEMENTARY ACADEMY

Commissioners reviewed the proposed charter renewal for Chief Tahgee Elementary Academy. School Principal, Joel Weaver, addressed the Commission to discuss the unique challenges faced by Chief Tahgee Elementary Academy. The IPCSC Director's recommendation was renewal with conditions. The School's board of directors agreed to the recommendation. A consent agreement signed by both parties was presented to the Commission for review.

M/S (Peterson/Quinn) Motion to accept and adopt the consent agreement as presented, renewing the school's charter for a 5-year term with conditions to begin 7/1/22. *The motion passed unanimously.*

The Final Order in this matter was issued on February 28, 2022.

VII. CONSIDERATION OF RENEWAL: COEUR D'ALENE CHARTER ACADEMY

Commissioners reviewed the proposed charter renewal for Coeur d'Alene Charter Academy. The IPCSC Director's recommendation was renewal with no conditions. The School's board of directors agreed to the recommendation. A consent agreement signed by both parties was presented to the Commission for review.

M/S (Quinn/Peterson) Motion to accept and adopt the consent agreement as presented, renewing the school's charter for a 5-year term with no conditions to begin 7/1/22. *The motion passed unanimously.*

The Final Order in this matter was issued on February 28, 2022.

VII. CONSIDERATION OF RENEWAL: HERITAGE ACADEMY

Commissioners reviewed the proposed charter renewal for Heritage Academy. The IPCSC Director's recommendation was renewal with no conditions. The School's board of directors agreed to the recommendation. A consent agreement signed by both parties was presented to the Commission for review.

M/S (Quinn/Bair) Motion to accept and adopt the consent agreement as presented, renewing the school's charter for a 5-year term with no conditions to begin 7/1/22. *The motion passed unanimously.*

The Final Order in this matter was issued on February 28, 2022.

IX. RENEWAL CONSIDERATION: IDAHO CONNECTS ONLINE SCHOOL

Commissioners reviewed the proposed charter renewal for Idaho Connects Online School. School Principal, Vickie McCollough, and Board Chair, David High, addressed the Commission to discuss the unique challenges faced by their school. The IPCSC Director's recommendation was renewal with conditions. The School's board of directors agreed to the recommendation. A consent agreement signed by both parties was presented to the Commission for review.

M/S (Bair/Quinn) Motion to accept and adopt the consent agreement as presented, renewing the school's charter for a 5-year term with conditions to begin 7/1/22. *The motion passed unanimously.*

The Final Order in this matter was issued on February 28, 2022.

X. RENEWAL CONSIDERATION: IDAHO TECHNICAL CAREER ACADEMY

Commissioners reviewed the proposed charter renewal for Idaho Technical Career Academy. School Director, Monti Pittman and Board Chair, Kerry Wysocki addressed the Commission to discuss the unique challenges faced by their school. The IPCSC Director's recommendation was renewal with conditions. The School's board of directors agreed to the recommendation. A consent agreement signed by both parties was presented to the Commission for review.

M/S (Scigliano/Peterson) Motion to accept and adopt the consent agreement as presented, renewing the school's charter for a 5-year term with conditions to begin 7/1/22. *The motion passed unanimously.*

The Final Order in this matter was issued on February 28, 2022.

XI. RENEWAL CONSIDERATION: ISUCCEED VIRTUAL HIGH SCHOOL

Commissioners reviewed the proposed charter renewal for iSucceed Virtual High School. School Director, Katie Allison addressed the Commission to discuss the unique challenges faced by the school. The IPCSC Director's recommendation was renewal with conditions. The School's board of directors agreed to the recommendation. A consent agreement signed by both parties was presented to the Commission for review.

M/S (Peterson/Bair) Motion to accept and adopt the consent agreement as presented, renewing the school's charter for a 5-year term with conditions to begin 7/1/22. *The motion passed unanimously.*

The Final Order in this matter was issued on February 28, 2022.

XII. RENEWAL CONSIDERATION: KOOTENAI BRIDGE ACADEMY

Commissioners reviewed the proposed charter renewal for Kootenai Bridge Academy. The IPCSC Director's recommendation was renewal with no conditions. The School's board of directors agreed to the recommendation. A consent agreement signed by both parties was presented to the Commission for review.

M/S (Quinn/Scigliano) Motion to accept and adopt the consent agreement as presented, renewing the school's charter for a 5-year term with no conditions to begin 7/1/22. *The motion passed unanimously.*

The Final Order in this matter was issued on February 28, 2022.

XIII. RENEWAL CONSIDERATION: SYRINGA MOUNTAIN SCHOOL

Commissioners reviewed the proposed charter renewal for Syrniga Mountain School. School Director, Nigel Whittington, addressed the Commission to discuss the unique challenges faced by their school. The IPCSC Director's recommendation was renewal with conditions. The School's board of directors agreed to the recommendation. A consent agreement signed by both parties was presented to the Commission for review.

M/S (Peterson/Quinn) Motion to accept and adopt the consent agreement as presented, renewing the school’s charter for a 5-year term with conditions to begin 7/1/22. *The motion passed unanimously.*

The Final Order in this matter was issued on February 28, 2022.

XIV. COMMISSION DISCUSSION

Discussion regarding procedures for administrative hearings by Karen Sheehan, Deputy Attorney General, State General Counsel & Fair Hearings Division.

XV. PUBLIC COMMENT

No public comment was provided.

XVI. FINANCIAL MANAGEMENT

A. Consideration of Policy Revision

Commissioners considered an internal financial policy to better define procedures for making minor budget amendments.

M/S (Quinn/Peterson) Motion to adopt the amendment policy as presented. *The motion passed unanimously.*

B. Fiscal Year 2024 Budget Planning – First Read

Commissioners conducted a first read of the budget plan to consider the FY24 budget for approval in April, 2022. No action.

XVII. CONSIDERATION OF PERFORMANCE FRAMEWORK MINOR REVISIONS

Director Thompson proposed a few minor revisions to the framework. As FY21 was the first year this framework was in use in the format adopted in 2020, a few minor adjustments were expected. The proposed revisions include: adding a ceiling on the literacy proficiency measure, clarifying the “3 consecutive years” language in the exceeds standard rating category, and revising the formula for the alternative schools “progress toward graduation” measure to better accommodate the flexible schedules utilized by these schools.

Proposed measures will be posted on the website. Stakeholder feedback will be solicited. The revisions will be considered as action items on April 14th. No action 2/10/22.

XVIII. PETITION COMMITTEE REPORT

Commissioner Scigliano provided an update from the 1/6/22 IPCSC Petition Committee meeting. The procedural guidance document for new charter school petitions has been updated and made available to the public.

IPCSC Program Manager, Jared Dawson presented the revisions.

No action.

XIX. LEGISLATIVE UPDATE

IPCSC Director provided an update on proposed legislation that could impact charter schools. No action.

The meeting was recessed by Chairman Reed on February 10 at 2:26 p.m.

The meeting was resumed by Chairman Reed on February 11 at 8:00 a.m.

XX. ADMINISTRATIVE HEARING: CONSIDERAION OF CHARTER RENEWAL FOR ANOTHER CHOICE VIRTUAL CHARTER SCHOOL

It came before the Idaho Public Charter School Commission in the matter of the charter renewal for Another Choice Virtual Charter School (ACVS) a hearing to determine whether to renew, renew with conditions, or non-renew Another Choice Virtual Charter School's charter pursuant to Idaho Code section 33-5209B.

The charter renewal hearing was held under the authority of Idaho Code sections 33-5209B and 67-5242, IDAPA 08.03.01.200, and IDAPA 04.11.01.

Exhibits A-NN (excluding Exhibit II), presented by the IPCSC staff, and exhibits 1-7, presented by ACVS, were made available to the Commission in an unredacted format. ACVS objected to IPCSC Staff's Exhibit II. IPCSC Staff objected to ACVS's exhibits 8 and 9. Objections were taken up as a matter preliminary to the hearing. Both parties agreed to withdraw the exhibit(s) objected to by the other party. All other exhibits were admitted into the record. Redacted exhibits were made available to the public.

The Commission was represented by Karen Sheehan, Deputy Attorney General.

The IPCSC staff was represented by Rachel Kolts, Deputy Attorney General. Jenn Thompson, Director of the IPCSC was the only witness presented by this party.

Another Choice Virtual Charter School was represented by attorney Bret Walther, with the law firm Anderson, Julian, and Hull. The school presented the following witnesses:

Laura Sandidge, Head of School

Ross Jones, Financial Manager

Claudia Frent, Parent

Marnie Dundess, Parent

Lori Lyman, Board Chair

Victoria Murphy, Teacher

Cara Mia Dorrian, Teacher

Denise Vincent, Teacher

The hearing began at 8:00 a.m. A recording of the hearing is to be permanently maintained by the Idaho Public Charter School Commission.

M/S (Peterson/Van Orden) Motion to non-renew the charter for Another Choice Virtual Charter School, thereby requiring the school to cease operations as of June 30, 2022 and directing the Director to begin closure protocol. *The motion passed unanimously.*

The administrative hearing for Another Choice Virtual Charter School was concluded by Chairman Reed at 11:25am and it was noted that a final order would be issued in writing at a later date.

The Final Order in this matter was issued to both parties on March 10, 2022.

XXI. ADMINISTRATIVE HEARING: CONSIDERATION OF CHARTER RENEWAL FOR RICHARD MCKENNA CHARTER SCHOOL

It came before the Idaho Public Charter School Commission in the matter of the charter renewal for Richard McKenna Charter School (RMCS) a hearing to determine whether to renew, renew with conditions, or non-renew Richard McKenna Charter School's charter pursuant to Idaho Code section 33-5209B.

The charter renewal hearing was held under the authority of Idaho Code sections 33-5209B and 67-5242, IDAPA 08.03.01.200, and IDAPA 04.11.01.

Exhibits A-Q, presented by the IPCSC staff, and exhibits 1-16, presented by RMCS, were made available to the Commission in an unredacted format. All exhibits were admitted into the record. Redacted exhibits were made available to the public.

The Commission was represented by Karen Sheehan, Deputy Attorney General.

The IPCSC staff was represented by Rachel Kolts, Deputy Attorney General. Jenn Thompson, Director of the IPCSC was the only witness presented by this party.

Richard McKenna Charter School was represented by attorney Scott Marotz, with the law firm Anderson, Julian & Hull. The school presented the following witnesses:

- John Wood, Teacher
- Keelie Campbell, Teacher
- Kim Flick, Teacher
- Dennis Wilson, School Administrator
- Meg Warren, Board Chair
- Kelly Harwood, Teacher

Two witnesses on RMCS's witnesses list, Doug Mayne and Rob Sauer, were excused before the hearing began.

Witness Kelly Harwood was added to the witness list prior to beginning the hearing.

The hearing began at 11:42 a.m. A recording of the hearing is to be permanently maintained by the Idaho Public Charter School Commission.

M/S (Quinn/Van Orden) Motion to conditionally renew RMCS for a 5-year operational term to begin 7/1/22 with the conditions as presented in the Notice and Acknowledgement of Commission Director's Recommendation for Renewal of Charter with Conditions dated 12/2/21 with the following adjustments: removing Condition 1 (RMCS ceases operation of both the virtual and alternative-virtual high school programs as of 6/30/22); Conditions 2-5 be negotiated between the School and Commission to come back to the Commission for approval at a later date. Motion was amended twice; both amendments failed. The original motion was withdrawn (see below).

M/S (Quinn 1st Amendment/none) Amended motion to conditionally renew RMCS for a 5-year operational term to begin 7/1/22 with the conditions as presented in the Notice and Acknowledgement of Commission Director's Recommendation for Renewal of Charter with Conditions dated 12/2/21 with the following adjustments: removing Condition 1 (RMCS ceases operation of both the virtual and alternative-virtual high school programs as of 6/30/22) and moving the due date of Conditions 2-5 from 6/30/24 to 6/30/27. *No second. Motion amendment failed.*

M/S (Quinn 2nd Amendment /none) Second amended motion to conditionally renew RMCS for a 5-year operational term to begin 7/1/22 with the conditions as presented in the Notice and Acknowledgement of Commission Director's Recommendation for Renewal of Charter with Conditions dated 12/2/21 with the following adjustments: removing all conditions. *No second. Motion amendment failed.*

Quinn withdrew the original motion.

M/S (Quinn/none) Motion to renew with no conditions the charter for RMCS for a five-year operational term to begin 7/1/22. *No second. Motion failed.*

M/S (Peterson/Scigliano) Motion to conditionally renew the charter for RMCS for a 5-year operational term to begin 7/1/22 with the following conditions: (1) by 2024 and continuing thereafter, each of RMCS Virtual and Alternative Virtual High School programs must meet standard on each academic measure when compared to their peer comparison group. Said comparison groups to be negotiated with Commission and incorporated into the school's performance certificate; Conditions 2-5 as presented in the Notice and Acknowledgement of Commission Director's Recommendation for Renewal of Charter; and adding a sixth condition to require that beginning with the new performance certificate, RMCS shall have an enrollment cap of 800 students total across all of its programs. *Motion amended.*

MS (Peterson 1st amendment/none) Motion to conditionally renew the charter for RMCS for a 5-year operational term to begin 7/1/22 with the following conditions: (1) by 2024 and continuing thereafter, each of RMCS Virtual and Alternative Virtual High School programs must meet standard on each academic measure when compared to their peer comparison group. Said comparison groups to be negotiated with Commission and incorporated into the

school's performance certificate; (conditions 2-5 as presented in the Notice and Acknowledgement of Commission Director's Recommendation for Renewal of Charter; and adding a sixth condition to require that beginning with the new performance certificate, RMCS shall have an enrollment cap of 1000 students total across all of its programs. *No second. Motion amendment failed.*

MS (Peterson 2nd amendment/none)

Motion to conditionally renew the charter for RMCS for a 5-year operational term to begin 7/1/22 with the following conditions: (1) by 2024 and continuing thereafter, each of RMCS Virtual and Alternative Virtual High School programs must meet standard on each academic measure when compared to their peer comparison group. Said comparison groups to be negotiated with Commission and incorporated into the school's performance certificate; Conditions 2-5 as presented in the Notice and Acknowledgement of Commission Director's Recommendation for Renewal of Charter; and adding a sixth condition to require that beginning with the new performance certificate, RMCS shall have an enrollment cap of 800 students in its virtual programs. *No second. Motion amendment failed.*

M(Peterson 3rd amendment/Scigliano) Motion to conditionally renew the charter for RMCS for a 5-year operational term to begin 7/1/22 with the following conditions: (1) by 2024 and continuing thereafter, each of RMCS Virtual and Alternative Virtual High School programs must meet standard on each academic measure when compared to their peer comparison group. Said comparison groups to be negotiated with Commission and incorporated into the school's performance certificate; Conditions 2-5 as presented in the Notice and Acknowledgement of Commission Director's Recommendation for Renewal of Charter; and adding a sixth condition to require that beginning with the new performance certificate, RMCS shall have an enrollment cap of 1200 students across of its programs. *Motion passed 3:1. Quinn dissenting.*

The administrative hearing for Richard McKenna Charter School was concluded by Chairman Reed at 4:19 p.m. and noted that a final order would be issued in writing at a later date.

The Final Order in this matter was issued to both parties on March 10, 2022.

The meeting minutes were approved by the IPCSC on April 14, 2022. Meeting minutes approval verified by

Jenn Thompson

Apr 20, 2022