

BEFORE THE PUBLIC CHARTER SCHOOL COMMISSION

STATE OF IDAHO

In the Matter of the Charter Renewal for:

IDAHO VIRTUAL ACADEMY

Case No. 22-52506

NOTICE OF HEARING

NOTICE IS GIVEN THAT:

1. On **Friday, February 24, 2023**, starting at 9:00 a.m. (Mountain Time) or as soon thereafter as is reasonably possible, the Idaho Public Charter School Commission (“Commission”) will hold a charter renewal hearing in the above-captioned matter. The hearing will take place in the West Conference Room of the Joe R. Williams Building, located at 700 W. State Street, Boise, Idaho 83702. The hearing can be expected to last up to two hours. The hearing will be recorded at the Commission’s expense.

2. The purpose of the charter renewal hearing is to determine, pursuant to Idaho Code section 33-5209B, whether to renew, renew with conditions, or nonrenew the charter issued to IDAHO VIRTUAL ACADEMY (“IDVA”) by the Commission.

3. The charter renewal hearing will be held under the authority of Idaho Code section 33-5209B and IDAPA 08.03.01.200. Parties may access and obtain copies of this statute and the Commission’s rules at the Idaho State Law Library and many county libraries or online as indicated below. The statute is available online at:

- <https://legislature.idaho.gov/statutesrules/idstat/Title33/T33CH52/SECT33-5209B/>.

The Rules of the Public Charter School Commission are available online at:

- <https://adminrules.idaho.gov/rules/current/08/080301.pdf>.

4. The names of the persons who will hear the case, as members of the Commission, are as follows:

Alan Reed, Chair
Sherrilynn Bair, Vice-Chair
Brian Scigliano
Nils Peterson
Wanda Quinn
Dean Fisher
Karen Echeverria

5. Any questions regarding scheduling, special needs, etc., shall be directed to Deputy Attorney General Karen Sheehan, who will serve as legal counsel to the Commission for all matters relevant to the charter renewal hearing. If any party has special needs or requirements under the Americans with Disabilities Act or other federal or state law, the party shall notify Ms. Sheehan of the need(s) and any specific request for accommodation no later than two weeks before the hearing.

6. Each party may choose to be represented by legal counsel at their own expense and may present evidence and witness testimony (additional detail below).

7. Each party may provide relevant supporting documentary evidence (“exhibits”) or witness testimony relevant to renewal of the charter. Exhibit packets (see below for details) and a list of witnesses must be compiled and submitted by **Friday, January 27, 2023**. Each party shall be solely responsible for ensuring receipt of exhibits and the witness list.

a. Each party shall prepare one exhibit packet that is unredacted and unmasked **and** one exhibit packet that is appropriately redacted and masked.

i. The unredacted version is for the Commission and the opposing party only.

ii. The redacted version is for public viewing. Each party is

responsible for redacting and masking their own exhibits. Each party is encouraged to work with legal counsel to mask any personally identifiable information and redact any information that is confidential or otherwise exempt from public disclosure according to applicable state and federal law. Any exhibits that are not appropriately redacted and masked by the submission deadline may be excluded from the record.

b. IDVA must mark exhibits numerically (*i.e.*, Exhibit 1, Exhibit 2, etc.). Commission staff must mark exhibits alphabetically (*i.e.*, Exhibit A, Exhibit B, etc.). Each page of an exhibit must also contain a page number (*i.e.*, Exhibit 1, page 1).

c. Each party shall submit both of its exhibit packets electronically (along with a witness list, if applicable) in PDF format to Ms. Sheehan at the following email address: Karen.Sheehan@ag.idaho.gov, and to the opposing party's legal counsel at the respective email address listed on the attached Certificate of Service.

d. Objections to one or more of the opposing party's exhibits shall be submitted to Ms. Sheehan and the opposing party by **Friday, February 3, 2023**. Each objection shall include an explanation in support of the objection. An exhibit that receives an objection will be excluded from the record until the Commission rules on the objection at the start of the hearing, or unless agreement between the parties is reached prior to the hearing.

8. All communications, whether written or verbal, with Ms. Sheehan about or related to the charter renewal hearing shall include the opposing party. Communications about or related to the charter renewal hearing between only one party to the hearing, or someone affiliated with a party to the hearing, and either the Commission or the Commission's legal counsel (Ms. Sheehan)

are prohibited.

9. At the conclusion of the charter renewal hearing, the Commission will deliberate on the evidence in the record and make a final determination. The final determination will also be conveyed in writing to both parties 14 days from the date of the decision.

DATED: January 13, 2023.

/s/ Karen Sheehan

Karen Sheehan
General Counsel for the Idaho Public Charter
School Commission
Deputy Attorney General
Idaho Office of the Attorney General
P.O. Box 83720
Boise, ID 83720-0010
Email: Karen.Sheehan@ag.idaho.gov

CERTIFICATE OF SERVICE

I certify that on January 13, 2023, I served a true and correct copy of the foregoing by the following method to:

IDVA:

Jeffrey Thompson
Board of Directors, Chair
Idaho Virtual Academy
1965 S. Eagle Rd., Ste. 190
Meridian, ID 83642
jthompson@idahova.org

- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Email

Kelly Edginton
Executive Director
Idaho Virtual Academy
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Meridian, ID 83642
kedginton@k12.com

- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Email

Commission Staff:

Jenn Thompson
Director
Idaho Public Charter School Commission
514 Jefferson St., Ste. 303
Boise, ID 83702
jenn.thompson@osbe.idaho.gov

- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Email

Representing Commission Staff:

Rachel Kolts
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010
rachel.kolts@ag.idaho.gov

- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Email

/s/ Rita Jensen

Rita Jensen
Paralegal to Karen Sheehan, General Counsel for
the Idaho Public Charter School Commission