

Utah State Charter School Board Meeting
Minutes
October 18, 2007
North & South Board Rooms
Utah State Office of Education

APPROVED

Members present: Julie Adamic, Barbara Killpack, John Pingree, Scott Smith, Joel Wright
Members excused: Brian Allen, Eric Smith

Staff present: Marlies Burns, Gary Belliston, Melinda Fatani, Jeannie Rowland, John Taggart, Jo Schmitt

Others present: Mark Cluff, Rob Muhlestein, Lesa Hazen, Steve Crandall

Call to Order

Chair Julie Adamic called the meeting to order at 10:05 a.m.

Approval of Minutes

Motion was made by Member Scott Smith and seconded by Member Barbara Killpack to approve the minutes from the September 20, 2007 State Charter School Board Meeting. The motion was carried unanimously.

Charter School Board Chair Report

Chair Julie Adamic informed the State Charter School Board there has been good progress in coming to a resolution for the local levy replacement formula. There were questions and discussion regarding charter school growth, WPU for kindergarten students and transportation of students by charter schools.

Director Marlies Burns informed the SCSB that it has come to her attention that in the charter school public in general, and with board members there has been some feeling that she, Ms. Burns is the puppeteer and you, the board are her puppets. Ms. Burns stated she wanted to reiterate what she feels her role is as Director of Utah Charter Schools and the USOE's charter school staff, which is a role of support. She stated her and the Charter School Staff does research, gives advice, etc. Member John Pingree stated everyone receives criticism and he suggested she ignore this criticism. Ms. Burns informed Mr. Pingree that this criticism went higher, and over her head and she wanted the SCSB to be aware before they received any calls or contact regarding the feelings that are being voiced. Chair Julie Adamic stated the SCSB appreciates the support and work of the State Charter School Director and Staff, and added the SCSB takes all advice and makes decisions accordingly.

Charter School Board Standing Committee Reports

- Accountability Report Committee-Chair Julie Adamic informed the SCSB that the committee has met and expressed concerns over the accountability plan, as it is currently written and adopted. She stated the committee is going to work together and develop a plan that will work for all charter schools and present that plan to the SCSB. The meeting today focused on three areas: 1) what circumstances and what questions need to be asked to actually close a charter school; 2) going through the draft document, each question at a time and identifying where those questions are already being answered, such as

Northwest Accreditation process, the QUSAP, Title I, etc. 3) Site Visits that address accountability questions.

- Charter School Assistance Committee-Member Joel Wright informed the SCSB that the committee discussed ways to create a vendor list for all charter schools to access. The committee will create a link to the State Charter School website calling it the “Charter School Yellow Pages”. That link will list contact information, services provided by the vendor, to charter schools, other educational institutions and any other entities the vendor has provided services.
- Grants Committee-Member John Pingree informed the SCSB the committee discussed the Start-up Grant and three selection criteria. 1) The contribution the charter school grant program will make in assisting education for the disadvantaged. Mr. Pingree stated in the State of Utah, charter schools operate with 12.5% disadvantaged students, and traditional public schools serve 15%. He suggested rather than a statewide comparison, there is need for a comparison with schools that are close in proximity. 2) The degree of flexibility afforded to charter schools under the state’s charter school law. John Taggart stated the committee feels there is flexibility in the grant as it is written, compared to other states. 3) The number of charter schools applying for authorization. Mr. Pingree informed the SCSB that their best guess is 5,000 new students per year, which will be 10 to 11 schools with 450 students in an average school. Member Barbara Killpack questioned Mr. Pingree if the SCSB can determine which demographics will be used for comparison of the disadvantaged. Mr. Pingree informed the SCSB that they will have some ability of how to define the flexibility in educating disadvantage students.

Charter School Revolving Loan Subcommittee Update

Gary Belliston informed the SCSB the Charter School Revolving Loan Fund Account Committee met and approved Canyon Rim Academy for \$292,000, CS Lewis Academy for \$50,000, UCAS for \$300,000, and North Davis Preparatory Academy for \$200,000, which totals \$842,000. The legislature appropriated \$2 million, so there is \$1.1 million remaining that charter schools can request for loans. Mr. Belliston stated the payback period is five years, and the interest rate is calculated at ½ of the AAA bond rate that the state treasurer would receive on a five year bond, which would make it 1.76%. Member John Pingree questioned if Mr. Belliston has seen any plans from the schools for paying back the loans. He informed Mr. Pingree the application that was developed by the committee addresses the charter school’s payback plan. Mr. Belliston informed the SCSB that December 31, 2007 is the next application due date for loans.

State Charter School Financing Authority Update

Gary Belliston informed the SCSB that the Charter School Finance Authority Committee met on October 2, 2007 to review and approve resolutions for three schools: Channing Hall approved to issue up to \$11 million in bonds to purchase their facility; Summit Academy approved to issue up to \$20 million in bonds to purchase their existing facility and to purchase the building that is currently being constructed for their secondary school; Noah Webster Academy approved to issue up to \$11 million in bonds to purchase their facility.

Charter School (2008-2009) Facility Update

Melinda Fatani distributed information to the SCSB regarding the status of the groundbreaking progress for the charter schools opening in fall 2008. Member Joel Wright stated he feels that “groundbreaking” is not sufficient, but requested pictures from the schools a few days before the November Charter School Board Meeting as to their progress. Mr. Wright went on to say, after reviewing the information distributed, that if Emerson Alcott Academy, Merit College Preparatory Academy, and Quest Academy can not show groundbreaking progress by November, he suggests the school’s governing board attend the January Charter School Board Meeting to address their lateness in progress. He further suggested to delay the opening of the schools for a year, or to pull their charter all together. Mr. Wright stated he feels the SCSB wants the schools to succeed, and the possibility of delaying a year may be the best option for some of the schools. The SCSB

directed the Charter School Staff to obtain pictures (by visiting the schools themselves or obtaining pictures from the schools) of progress regarding the schools opening in 2008. Mr. Wright clarified his feelings that in the November Charter School Meeting, the decision will be made as to which schools are required to address the SCSB in their January meeting.

AYP and UPASS Update

Director Marlies Burns distributed documents reflecting charter school's AYP Summary Reports and UPASS Performance Reports.

Satellite School Audit Process Proposal

Director Marlies Burns informed the SCSB of two items proposed to be included with the on-site audit: 1) determination of school compliance with mandatory state reports – completeness, timeliness and accuracy, and 2) discuss the proposed adaptations to the sponsoring school model to determine if reasons are compelling and educationally sound.

Proposed Charter School Legislation

Gary Belliston distributed information regarding 53A-1a-511 – Waivers from state board rules–Application of statutes and rules to charter schools. Mr. Belliston stated under “4f” one of the provisions that does not apply to charter schools is Chapter 19, Part 1, Fiscal Procedures, pertaining to fiscal procedures of school districts and local school boards. Mr. Belliston informed the SCSB that Chapter 19 pertains to budgets and charter schools are not required by law to adopt a budget, and do not need to submit a budget to the State Office. He suggested making changes to 53A-1a-102 by adding “charter schools” language. After much discussion motion was made by Member Barbara Killpack and seconded by Member Scott Smith to recommend to the Utah State Board of Education to make the changes in 53A-19-102 as previously outlined for the change in requirements for adopting budgets and submitting those budgets to the State Charter School Board. The motion was carried unanimously.

Member Scott Smith stated, for the record, that for any charter school, as well as the five charter schools that are refusing to submit budgets, he feels it is ludicrous, offensive, and feels the charter schools need to know that the State Charter School Board is not pleased with them. Chair Julie Adamic questioned which five charter schools have refused to submit a budget. Director Marlies Burns informed the SCSB that the State Auditor's Office has not informed her of the schools that have not submitted a budget, but she would obtain that information for the SCSB.

State Charter School Board Semiannual Report

Director Marlies Burns informed the SCSB that they have been requested to give a semiannual report to the State Board of Education and that she had verbally responded to the State Board with the information she had received from Chair Julie Adamic. Ms. Burns distributed those recommendations and responses to the SCSB.

Charter School Staff Site Visit 1 Report

Director Marlies Burns informed the SCSB that the entire Charter School Staff visited all 58 currently existing charter schools in the month of September. Ms. Burns distributed the report showing the rubric and results that was obtained as a result of the visits.

Recognition of District Authorized Charter Schools

Director Marlies Burns reminded the SCSB that Member John Pingree had requested in a previous meeting to discuss ways to recognize districts that have authorized charter schools. Ms. Burns stated there is no process in place to recognize a district chartered school any differently than a state authorized charter school. Ms. Burns suggested different methods of recognizing those districts: 1) giving “Champions for Charters” awards; 2) banners or plaques to display in district offices; or 3) sending letters of congratulations.

Member Barbara Killpack questioned why there is discussion of only recognizing districts for authorizing a school. Member John Pingree explained his motivation for the request is that he feels districts have better resources to support a charter school than the SCSB and the need to find common ground, to encourage the districts to take an interest in charter schools and to expand their vision and support.

Members Scott Smith and John Pingree suggested inviting the district superintendents and school board chairs to meet with the SCSB for a question and answer breakout session as part of a State Charter School Board Meeting. After much discussion the SCSB instructed Director Burns to arrange with the Charter School Annual Conference Committee for the opportunity to have a break-out session at that conference and as a second choice to have an afternoon or evening meeting with questions and answers with school board chairs.

New or Expanding Charter School Notification to Prospective Students and Parents

Director Marlies Burns informed the SCSB that when R277-470-5, the new or expanding notification process rule was changed recently, the January 1st deadline for ground breaking was only put into the satellite section (R277-470-15), but was not placed in the section regarding new schools. Chair Julie Adamic stated the SCSB intended the deadline to be placed in both sections. Motion was made by Member Scott Smith and seconded by Member John Pingree to amend current rule R277-470 to include all schools to have the January 1st deadline for groundbreaking. The motion was carried unanimously.

Chair Adamic proposed changing the timeline from March 31st to June 30th for schools to hold their lottery, feeling it being a better date for charter schools. Ms. Adamic also stated if there were better communication between the charter schools and districts, this statute would not have to exist.

Liberty Academy Update

Director Marlies Burns updated the SCSB on their requested information from Liberty Academy. Specifically: 1) the contractual agreement between them and American Leadership Academy; 2) the strategic plan regarding how and when the school’s governing board composition would be in compliance with their charter; 3) a timeline when the school would accomplish the goals spoken of; and 4) to verify their student information system enrollment. Ms. Burns stated Liberty Academy had met all issues requested by the SCSB. Ms. Burns informed the SCSB that Liberty Academy has missed one training, which may put them in noncompliance for attending the four mandatory trainings before February.

Rob Muhlestein, from American Leadership Academy and representing Liberty Academy, presented additional information to the SCSB: 1) an employee sharing agreement vs. a management agreement; 2) enrollment numbers increase; 3) excellent parental involvement; 4) the bonding situation of the school; 5) who will be supervising employees; and 6) the number of board members of the school. Member John Pingree questioned Mr. Muhlestein as to when he felt Liberty Academy would be able to not rely on him or American Leadership Academy for assistance. Mr. Muhlestein replied that he sees himself more in the role of a superintendent, there to answer questions when they arise. He also stated that he feels Mr. Crippen is a very capable person and as time goes on, he, Mr. Muhlestein will be able to step back and not be needed as frequently. Member Pingree questioned what Mr. Muhlestein foresees as problems as they progress. Mr. Muhlestein stated he feels the school adding high school grades are his biggest concern.

Member Barbara Killpack commented, because of emails she has received, she feels individuals from Liberty Academy do not realize they are a public school. She went on to say, that it is important that all charter school parents understand their children are attending public schools, and this is a public school choice.

After much discussion it was determined there would be no action needed at this time. Chair Julie Adamic directed the Charter School Staff to continue following up and give the SCSB updates every month, or as often as needed.

Invoice for Utah Career Resource Network

Director Marlies Burns presented to the SCSB an invoice from Utah Career Resource Network. The invoice reflects the cost of computer services to secondary schools for comprehensive guidance, counseling and SEOP's. Ms. Burns informed the SCSB that charter schools have not paid for those services, but have never been asked to do so. Ms. Burns questioned the SCSB if they would like to reallocate any part of their budget to cover the invoice for the charter schools. Member Barbara Killpack questioned if all schools were benefiting from the services. Ms. Burns stated she feels between 5 and 10 schools were using the services. The SCSB chose to take no action regarding the invoice, and suggested Utah Career Resource Network contact the individual charter schools that are using the services for payment.

Adjourn

Motion was made to adjourn at 12:00 noon by Member John Pingree.