

**MINUTES OF THE  
UTAH STATE CHARTER SCHOOL BOARD MEETING**  
Thursday, November 13, 2014 – Board Rooms  
USOE

**DRAFT**

**Members Present:**

Chair Tim Beagley  
Member Laura Belnap  
Member Bruce Davis  
Member Robert Enger  
Member Kristin Elinkowski  
Member Dean Brockbank

**Members Excused:**

Vice Chair Howard Headlee

**Staff Present:**

Joe Heywood  
Jennifer Lambert  
Dan Schoenfeld  
Jo Schmitt

**Staff Excused:**

Marlies Burns

**Others present:**

Sydnee Dickson, Roderic Land, Teresa Theurer, Mark Openshaw, Tina Smith, Anthony Sudweeks, Claudia Butter, Tina Montoya, William Montoya, Adam Gerlach, William M. Saxton, Craig Frank, Angela Choberka, Kyle Braithwaite, Royce VanTassell, Warren Shenk, Angie Peterson, Alan Shino, Darren Hensley, Michael Westover, Gary Fullmer, Julie Adamic, Erin Preston, Jessica Stier, Heather Rogers, Nadine Milham, Lani Pili, Linda Bowen, Gary Nelson, Fred Donaldson, Diana Peterson, Courtney Lassetter, Nancy Huntsman, Ted Hill, Robert Ralphs, Kris Vollmer, Jason Farley, David Moss, Isaac Strack, Ben Rasmussen, Heather Allen, Kevin Fenstermacher, Patrice Goins-Boyd

**Call to Order**

Chair Tim Beagley called the meeting to order at 9:05 a.m.

**Pledge of Allegiance**

Chair Tim Beagley led the board in the Pledge of Allegiance.

**Board Chair Report**

Chair Beagley commented on the NACSA Conference stating those that attended had a very fruitful conference with good ideas from around the country and things that the board can start to work on locally.

Chair Beagley informed the SCSB that Member Laura Belnap has been elected to the USBE and their gain is our loss. Chair Beagley also stated the board has valued her commitment and work on the board. She will be attending the December meeting, and in January will be sworn into the USBE.

**State Board of Education meeting update**

Member Kristin Elinkowski informed the SCSB that the two items on the USBE agenda that involved charter schools, R277-481 *Charter School Oversight, Monitoring and Appeals* and R277-482 *Charter School Timelines and Approval Processes* both were tabled, and the board took no action.

Member Elinkowski stated the USBE discussed legislative priorities, and she has a list available to those that are interested in knowing details of the priorities or have any questions.

Also, Prosperity 2020 and Education First have developed a 5-year plan for education. Booklets were distributed to the SCSB.

### **Consent Calendar**

**MOTION:** Member Bruce Davis moved and Member Dean Brockbank seconded to approve the Consent Calendar (Minutes of the November 13, 2014 Board Meeting; Staff Reports: Student Transfer Rate, Student Retention Rate, and Enrollment trends; and Matriculation Report between Noah Webster Academy and Freedom Academy). The motion carried unanimously by those in attendance. Vice Chair Howard Headlee and Member Robert Enger were not in attendance for the vote.

### **Approval of applicants continuing in the 2016-2017 application process**

After discussion, MOTION was made by Member Kristin Elinkowski and seconded by Member Dean Brockbank that mStar Academies does not move forward in the application process. The motion was carried unanimously by those in attendance. Vice Chair Howard Headlee and Member Robert Enger were not in attendance for the vote.

MOTION was made by Member Dean Brockbank and seconded by Member Bruce Davis to move forward the remaining 11 applications (Academy of Creativity, American Academy of Innovation, Athlos Academy, Classical Innovations, Franklin Discovery Academy, Mountain Sunrise Academy, Patriot Academy, St. George Academy, Student Centered Education & Services and Wallace Stegner Academy, West Ridge Academy) in the application process. Members Kristin Elinkowski and Laura Belnap voted in opposition. The motion did not pass.

MOTION was made by Member Bruce Davis and seconded by Member Dean Brockbank to move forward the following applications: Academy of Creativity, American Academy of Innovation, Athlos Academy, Classical Innovations, Franklin Discovery Academy, Mountain Sunrise Academy, St. George Academy, Student Centered Education & Services and Wallace Stegner Academy in the application process. The motion carried unanimously by those in attendance. Vice Chair Howard Headlee and Member Robert Enger were not in attendance for the vote.

### **Small LEAs and special education services**

Leah Voorhies, Educational Coordinator in the Special Education section at USOE informed the SCSB that a group of small LEAs have met for the past year to identify barriers they face providing a continuum of placement and services to students with disabilities, as well as brainstorm possible solutions. Ms. Voorhies presented to the SCSB a PowerPoint presentation detailing additional information from the group, other state models, and government reports. She also shared possible solutions and recommendations to address the need for continuum and high costs: 1) Fully fund the high cost risk pool; 2) Provide expertise and coaching to school staff on site, when needed; and, 3) Facilitate the sharing of “special classes”.

### **School Report – Canyon Grove Academy**

Representatives from Canyon Grove Academy reported to the SCSB their progress in regards to being put on probation. Gary Fullmer, the school’s board chair stated that two years ago, the school fundamentals were wrong, the enrollment was declining as the transfer rate climbed and the school was missing on their academics,

as the teachers were leaving the school. At that time, Mr. Fullmer was asked to serve as board chair and Julie Adamic as asked to lead the school as director. Since then, the school has built and involved a diverse board and acquired an amazing team of teachers. They have identified the root causes of what was wrong at that time and developed a plan and executed that plan. The enrollment is stable with a low transfer rate; attendance is up; office referrals are down and parent satisfaction is high. Mr. Fullmer stated that with the assistance and guidance of the SCSB and staff, they have been able to turn things around at the school; they have the right people in place who demonstrated over the last two years they are able to do what is needed for success as they continue on the path to be a great school they are all proud of. Mr. Fullmer formally requested the school be removed from probationary status. He stated the school being on probation has been helpful, and has been a key part of how the school is succeeding to this point. But, he also added that being on probation has outlived its usefulness and is now doing harm in the ability to attract and retain students and to keep teachers at the school. The school is providing a solid academic educational experience for their students; improvements have been seen in governance and finance as well.

After discussion, Chair Tim Beagley directed staff to take the next month and determine if those probationary terms were appropriate; and if they were not, to consider removing the school from probation and placing them on warning status, so they can continue to work towards their goals. Chair Beagley also stated he is hesitant to remove the probationary status at this meeting, until staff has time to look into the situation more closely.

#### **School Report – DaVinci Academy of Science and Arts**

Representatives from DaVinci Academy reported to the SCSB their progress in regards to their approved pilot distance education program including participation rates, academic progress of participating students and how the program is funded.

Chair Tim Beagley inquired of Member Kristin Elinkowski, liaison to the USBE, of the terms the USBE was seeking to determine if the pilot program was successful and should move forward. Ms. Elinkowski informed the SCSB that she felt the USBE was looking for school accountability and to determine if the school was accountable for their distance learner students, rather than a third-party, through a progress report to inform the SCSB how the program is going and to possibly look at the school as a model for many other schools that would like to have a distance learning program. Chair Beagley inquired of the timeline and who would decide whether the pilot program had been successful. Ms. Elinkowski stated she feels the USBE would like the SCSB's input and then they would look at the details of the pilot program in the spring.

#### **Progress on action items recommended in NACSA evaluation 2012, Strategic Plan, NACSA evaluation of Utah authorizer law; Proposed legislation**

Kyle Braithwaite presented to the SCSB the Strategic Planning Consulting Project that was conducted to evaluate and develop a strategic planning process for charter schools. Mr. Braithwaite discussed internal and external strengths, weaknesses, opportunities and threats to the Utah Charter School System.

MOTION: Member Kristin Elinkowski moved and Member Bruce Davis seconded that the strategic committee be given five of the seven priorities to discuss ways to implement the presented strategic goals, in the following order (2, 1, 3, 4 & 6) : create an objective tool to evaluate school performance; establish a school closure process for consistently low performing or poorly managed schools; develop a strategy for managing online distance learning and other technological advances; enhance the communication and relationship between the SCSB and charter schools; and improve and enhance the SCSB mentoring program for charter schools. The motion carried unanimously by those in attendance. Vice Chair Howard Headlee was not in attendance for the vote.

#### **Charter school academic standards comparison; School academic performance**

Jennifer Lambert presented to the SCSB the academic standards comparison and results. Chair Tim Beagley shared his thoughts by stating the USBE is required by statute to monitor the performance of charter schools

and to hold them accountable to that performance. Oftentimes people describe for us that charter schools are laboratories of innovation; where they perform experiments trying to find best practices that then can be potentially spread throughout the system. He stated his opinion is that we are very close to being able to say definitively which experiments are working and which experiments are not working. One piece of data that is missing, is the growth from SAGE, we don't have really reliable growth results. He went on to state that in November 2015, a year from now, we will have the third year of school grades; have the second year of SAGE proficiency; and have first year of SAGE growth. Chair Beagley proposed that the schools that are in the bottom quartile receive a letter of warning from the SCSB, telling them that their academic performance is below what the SCSB was expecting and they need to improve. Also, explaining to them that that warning will hold in place until November of next year when the SCSB sees their new SAGE results and their growth. At that time, meet as a board to decide if those schools will continue on warning status, potentially putting them on academic probation or potentially remove them from warning status, if they show significant amounts of growth. Chair Beagley also stated he feels the schools that are at the top of the quartile should also receive a letter commending them on their good academic performance and telling them the SCSB is interested in replicating models that are working. While attending the NACSA Conference the SCSB learned that if you have a high performing charter school and you replicate it into another area, the chance of success is four times higher than if you open a new school in that area.

MOTION: Member Laura Belnap moved to send a letter of warning to all schools "below the black line", with the exception of Spectrum Academy, and in that letter specifically state that their SAGE results are not at the level the SCSB expected them to be. Because of no second, the motion failed.

Member Dean Brockbank recommended sending a letter to all schools below the black line informing them that the SCSB is contemplating placing them on warning status, due to the SAGE results, and invite those schools to respond, in a letter, giving the schools two or three weeks to inform the SCSB why they should not be placed on warning status.

MOTION: Member Dean Brockbank changed his recommendation to a motion and Member Bruce Davis seconded to send letters to those schools below the black line, indicating to them that the SCSB is contemplating putting them on warning status, due to the SAGE results, inviting those schools to respond, stating reasons they feel they should not be on warning status. Teresa Theurer asked to include any school that has a red score, in math, be added to the motion. Member Brockbank amended his motion to include all schools with a red score. Member Bruce Davis agreed with the amended motion. The motion carried unanimously by those in attendance. Vice Chair Howard Headlee was not in attendance for the vote.

### **School Reports**

Danny Schoenfeld informed the SCSB that four schools have been identified as being in financial distress due to several factors, including low enrollment (current and historically), financial mismanagement, over staffing, etc. Mr. Schoenfeld created financial reviews of each school and presented them for discussion.

#### **Alianza Academy**

After discussion the following decisions were made: Alianza Academy was given the direction to complete a preliminary plan to be presented to the SCSB in their December 11 meeting to address budget problems, contract issues, revenue reductions, Special Education services, academic scores and Title I concerns.

#### **Aristotle Academy**

After discussion the following decisions were made: Chair Tim Beagley requested Dan Schoenfeld submit a revised budget report with the new information that Aristotle Academy reported for the December 11 consent calendar indicating whether he feels the school can finish the school year in a positive financial position. Also, Chair Beagley would like the school to report to the SCSB in March their outreach progress in regards to enrollment.

#### **Wasatch Institute of Technology**

After discussion the following decisions were made: Chair Tim Beagley requested Dan Schoenfeld submit a revised budget report with the new information that Wasatch Institute of Technology reported for the December

11 consent calendar indicating whether he feels the school can finish the school year in a positive financial position. Also, Chair Beagley requested the school report to Director Marlies Burns any enrollment updates and activities for January, February, March and April, 2015 and report back to the SCSB of the progress. In addition, concerns were raised regarding highly qualified teachers not being entered in CACTUS.

**Kairos Academy**

Kairos Academy provided to the SCSB the school's plan for dissolution of the school and management of its assets. After discussion the following decisions were made: Kairos Academy was requested to report to the SCSB in their December 11 meeting regarding budget updates, to include any grant funds the school has received, and if the school is moving forward with some additional revenue, if not they would have already started implementing their closure plan. The SCSB was informed that in the event the school should be closed, Kairos Academy students would be transitioned to Mountain Heights Academy and to Granite Connection High School.

Member Robert Enger suggested and Chair Tim Beagley requested the charter school staff send a letter to Alianza Academy, Aristotle Academy and Wasatch Institute of Technology reminding them of the requests made of the school, and of the possibility of putting the school on warning status at the December 11 meeting, relative to their financial issues that was discussed in this meeting.

**Revolving Loan – Vanguard Academy**

Danny Schoenfeld informed the SCSB that the Charter School Revolving Account Committee had received, reviewed and found Vanguard Academy's revolving loan application satisfactory and recommended the school receive a loan in the amount of \$136,000, on a 3-tier distribution.

MOTION: Member Bruce Davis moved and Member Kristin Elinkowski seconded the revolving loan recommendation for Vanguard Academy in the amount of \$136,000 and to recommend approval to the USBE. The motion carried unanimously by those in attendance. Vice Chair Howard Headlee and Member Dean Brockbank was not in attendance for the vote.

**Adjourn:** Motion was made to adjourn at 2:20 p.m. by Member Robert Enger