

**MINUTES OF THE
UTAH STATE CHARTER SCHOOL BOARD MEETING**

Thursday, July 9, 2015
USOE – Board Rooms

DRAFT

Members Present:

Chair Tim Beagley
Vice Chair Howard Headlee
Member Kristin Elinkowski
Member DeLaina Tonks
Member Bruce Davis
Member Robert Enger

Members Excused:

Member Dean Brockbank

Staff Present:

Marlies Burns
Joe Heywood
Jennifer Lambert
Jo Schmitt

Others present:

Roderic Land, Teresa Theurer, Terry Warner, Jeff Biesinger, Shelley Nordick, Luann Leavitt, Debby Llewelyn, Carolyn Sharette, David Sharette, Joylin Lincoln, Craig Frank Kim Frank

Call to Order

Chair Tim Beagley called the meeting to order at 9:03 a.m. and led the Pledge of Allegiance.

Board Chair Report

Chair Beagley reported there are a few staff member changes at the State Office; Jennifer Lambert will remain in the Charter School Section but will be guiding the entire charter school application process, from the time they apply to the first year of operation. A new research consultant, to replace Jennifer and a new finance manager will be hired for the section. The State Charter School Board now has an attorney hired, and will be joining the board meetings in August. Also there are schools that have issues that may require a Charter School Board special meeting held. Chair Beagley asked the members of the board to leave July 22nd and July 27th available for that meeting

Consent Calendar

MOTION: Member Bruce Davis moved and Member Robert Enger seconded to approve the Consent Calendar (Minutes of the May 7, 2015 Board Meeting, a Letter of Certification for Lakeview Academy for the Utah Charter School Finance Authority Credit Enhancement Program recommended for approval and revolving loans for the following schools: American Academy of Innovation, Franklin Discovery Academy, Freedom Preparatory Academy, Greenwood Charter School, The Early Light Academy, Vanguard Academy, Wallace Stegner Academy and Wasatch Waldorf Charter School totaling \$1,627,600 recommended for approval.) The motion passed unanimously by those in attendance. Member Dean Brockbank was not in attendance for the vote.

Election of board leadership

The Charter School Board bylaws state that board leadership elections are to be held each year between June and September. Vice Chair Howard Headlee conducted the election of board leadership for FY16. The votes

were cast and tallied with the following results: Howard Headlee as Chair and Kristin Elinkowski as Vice Chair. The voting was unanimous. This new team will start with the August 2105 meeting. Member Dean Brockbank was not in attendance for the vote.

MOTION: The new Chair, Howard Headlee moved and the new Vice Chair, Kristin Elinkowski seconded to thank outgoing Chair, Tim Beagley for the service, time and effort given; including the incredibly good judgement that been required to exercise, during challenging times; and providing leadership, in a moment when leadership was greatly needed. The motion passed unanimously by those in attendance. Member Dean Brockbank was not in attendance for the vote.

American Preparatory Academy-Salem

American Preparatory Academy-Salem's governing board requests to participate in the Voluntary Charter Improvement Process (SB 227, 2015 General Session) (53A-1a-509.5). Executive Director Marlies Burns outlined the steps already taken by American Preparatory Academy-Salem to enter into a contract agreement.

MOTION: Vice Chair Howard Headlee moved and Member Kristin Elinkowski seconded to enter into the Voluntary Charter Improvement Process with American Preparatory Academy-Salem and direct staff to work with the new attorney to prepare a contract and within 60 days the school present their proposal to the SCSB. Also to notify the USBE that the SCSB has entered into the improvement process, to notify the Charter Finance Authority if necessary, to include in the contract all of the outcomes envisioned in the statute. The process of school improvement would include the USBE notify all high performing charter schools from a list of high performing schools as defined by statute given to the USBE by staff and districts giving them an opportunity to enter in a contract with the school. The motion passed unanimously by those in attendance. Member Dean Brockbank was not in attendance for the vote.

Follow-up on USBE decisions regarding charter school enrollment FY16

Executive Director Marlies Burns informed the SCSB that historically charter schools have projected the coming years' enrollment and provided the information to inclusion in legislative intent language and USOE budget projections. Over the past 2-3 years some enrollment projection and budgeting practices have changed and because of that change it was realized there was a potential issue where some charter schools may be significantly underfunded in July. In June 2015 the USBE took action to modify the funding distribution process. This experience helped recognize flaws in the enrollment projection process and begin working on ideas to present for consideration of Board Rule.

Amendment request – Weilenmann School of Discovery

Representatives of Weilenmann School of Discovery presented the school's amendment request to increase enrollment by 21 students beginning in the 2015-2016 school year, including a waiver of Board Rule R277-482 that requires schools to ask for expansions no later than May 1st.

MOTION: Vice Chair Howard Headlee moved and Member Bruce Davis seconded to recommend approval to the USBE for Weilenmann School of Discovery to increase enrollment by 21 students beginning in the 2015-2016 school year and encourage the waiver request of Board Rule R277-482. The motion passed unanimously by those in attendance. Member Dean Brockbank was not in attendance for the vote.

Recommended changes to Board Rule

One of SCSB statutory duties is to recommend changes to Board Rule pertaining to charter schools. SCSB staff has reviewed several Board Rules and suggest some changes based on changes in legislation and best practice. R277-482, *Charter School Timelines and Approval Processes* (second reading) – **MOTION:** Member DeLaina Tonks moved and Member Robb Enger seconded to recommend consideration of the proposed changes to the USBE. The motion passed unanimously by those in attendance. Member Dean Brockbank was not in attendance for the vote.

R277-480, *Charter School Revolving Account* (first reading) – **MOTION:** Chair Howard Headlee moved and Member Bruce Davis seconded to recommend consideration of the proposed changes and suspend the second reading to the USBE. The motion passed unanimously by those in attendance. Member Dean Brockbank was not in attendance for the vote.

R277-472, *Charter School Student Enrollment and Transfers and School District Capacity Information* (first reading) – No action was taken, but recommended for second reading.

R277-481, *Charter School Oversight, Monitoring and Appeals* (first reading) – No action was taken, but recommended for second reading.

Enrollment taskforce recommendations

Jeff Biesinger a member of the enrollment taskforce presented recommendations to better help schools prepare for financial sustainability.

Conflict of Interest & Ethics

Etta Adkins, HR Specialist, informed the SCSB of guidelines concerning conflict of interest and ethnics as related to Code 67-16 Utah Public Officers' and Employees' Ethics Act. Ms. Adkins stressed the need to ensure board members are not giving the impression or appearance of using their positions for personal gain and privileges.

Strategic plan update

Member Bruce Davis presented an update regarding the strategic planning process.

FY16 proposed budget

Member Robert Enger presented the proposed FY16 budget for approval. **MOTION:** Member Bruce Davis moved and Member Robert Enger seconded the proposed budget and expenses for charter school research and an impact study. The motion passed unanimously by those in attendance. Member Dean Brockbank was not in attendance for the vote.

Early Intervention Kindergarten Funding grant

Staff member Joe Heywood presented the Early Intervention Kindergarten Funding grant funds distribution to SCSB.

MOTION: Member Howard Headlee moved to take the excess funds from the charter school budget, add it to the Early Intervention Kindergarten Funding allotted funds and distribute the funds to all applicants. The motion was not seconded or placed for a vote.

MOTION: Member DeLaina Tonks moved to use a competitive model to fund charter schools within the allotted amount of funds. Because of no second to the motion, the motion failed.

MOTION: Member DeLaina Tonks moved and seconded by Member Bruce Davis to use a competitive model and to use carry forward funds to fund those schools that received 100% to 75% score. Vice Chair Howard Headlee recused himself from the vote. Votes in favor from Members DeLaina Tonks, Bruce Davis, Robert Enger. Member Kristin Elinkowski voted in opposition. Needing four votes to pass, the motion failed.

MOTION: Member Kristin Elinkowski moved and seconded by Member Robert Enger to move \$190,000 from the carry-over funds and add to the Early Intervention Kindergarten funds so all schools that applied receive funds, on a pro-rated basis.

SUBSTITUTE MOTION: Member Kristin Elinkowski moved to move \$100,000 from the carry-over funds and add to the Early Intervention Kindergarten funds so all schools that applied receive funds, on a pro-rated basis. Because of no second to the substitute motion, the vote is back to the original motion which was fund with \$190,000 carry-over funds and fund all requests on a pro-rated basis. The motion did not pass.

MOTION: Member Robert Enger moved and seconded by Member DeLaina Tonks to fund all schools on the competitive spreadsheet to 75% score using carry-over funds from the charter school budget to cover additional funds needed. The motion passed with affirmative votes from Members Robert Enger, DeLaina Tonks, Bruce Davis and Chair Tim Beagley. Vice Chair Howard Headlee recused himself from the vote. Member Kristin Elinkowski voted in opposition. Member Dean Brockbank was not in attendance for the vote.

Adjourn: Motion was made to adjourn at 2:20 p.m. by Member Bruce Davis.