

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

Thursday, November 12, 2015

USOE – Board Rooms

DRAFT

Members Present:

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

Staff Present:

Jennifer Lambert
Stacy Carroll
David Thomas
Jo Schmitt

Staff Excused:

Marlies Burns
Joe Heywood

Others present:

Linda Hansen, Craig Frank, Kim Dohrer, Kim Frank, Tina Smith, Debby Llewelyn, Steve Davis, Kevin John, Joylin Lincoln, Erin Preston

Call to Order

Chair Howard Headlee called the meeting to order at 9:00 a.m.

Pledge of Allegiance

Chair Howard Headlee led the board and those in attendance in the Pledge of Allegiance.

Board Chair Report

Chair Howard Headlee informed the SCSB that another meeting of the Charter Funding Task Force was held, with one more meeting scheduled. Mr. Headlee stated the task force is close to making recommendations on charter funding and that transitioning from the October 1 count and ADM (Average Daily Membership) is still a key component to funding and a challenge for charter schools. Member Tim Beagley suggested to convene a task force to assist charter schools with technical support, when the decision is made to transition from October 1 count to ADM.

Chair Headlee informed the SCSB that in USBE's last meeting they adopted two motions: 1) to recommend to the legislature a structure change in that the SCSB be appointed by USBE and not the governor and in addition, they would have the power to appoint the chairman of the SCSB; and 2) to propose to the legislature a change in the charter improvement process to include up to 60 days for them to deliberate on action of either approving or denying action of the transition of the charter.

Members Kristin Elinkowski and DeLaina Tonks reported on the NACSA conference they had attended. Areas that were discussed and presented at the conference were: authorizing for innovation, encouraging innovation, informing every parent when their school has been put on probation, quality openings and being ready for

success, charter school interviews, difference between a mission statement and a vision statement, identifying and evaluating charter school applications to refine the interview process, communication policies, the role of the authorizer including the difference between monitor and mentor and the size of authorizer.

Chari Headlee also informed the SCSB that Member Bruce Davis had been elected to Layton City Council.

Consent Calendar

MOTION: Member Bruce Davis moved and Member Robert Enger seconded to approve the Consent Calendar (Letter of Certification for American Leadership Academy, North Star Academy Amendment, Request for Qualification (RFQ) and minutes of the October 1, 2015 Board Meeting).

AMENDED MOTION: Member DeLaina Tonks moved to approve the items on the Consent Calendar, but to exclude the October 1, 2015 minutes portion; and to correct those minutes to reflect that she had requested to add the impact of precedent of the SCSB having eminent domain authority to Member Beagley's list for staff to review. And Member Dean Brockbank had moved to conduct a site visit to the property before any action was taken.

The original motion was passed (with the exception of the October 1, 2015 minutes) unanimously. The amended motion was passed unanimously, with Tim Beagley seconding the motion.

Charter Agreement

David Thomas distributed a copy of the most recent Charter Agreement template and informed the SCSB that he has reviewed several charter school agreements and has gleaned from them the most important paragraphs and issues that had been addressed. He also focused on statute 53A-1a-Part 5 and Board Rule R277-481 that addressed those requirements which are mandatory to be placed in the charter agreement. After discussion, it was determined a work group or task force will be created to include SCSB members, a charter school staff member, members of UCN and UAPCS and representatives from Lear & Lear Law for further discussion prior to proceeding with any action by the board. SCSB Members Brockbank and Headlee would be representing the SCSB on that task force.

Charter School Performance Standards: School Achievement

Jennifer Lambert informed the SCSB that this School Achievement is the third and final piece of the Charter School Performance Standards. The Finance Performance and Sustainability and the Governing Board Stewardship has already been approved by the SCSB. Ms. Lambert stated that staff is seeking for approval to move forward. Three main areas: 1) the state accountability piece using the school grade and the school federal accountability report that is on the governors PACE report card; 2) student engagement, which is looking at within year student transfer rate and the year-to-year retention rate; and 3) charter fidelity, which allows schools to set six individual goals that are specific to the school.

MOTION: Member Robert Enger moved and Member DeLaina Tonks seconded to solicit input, including volunteers to participate in a pilot of the school achievement performance standard program and bring feedback to the SCSB. The motion passed by affirmative votes from Members Robert Enger, DeLaina Tonks, Dean Brockbank, Bruce Davis, Vice Chair Kristin Elinkowski. Member Tim Beagley voted in opposition of the motion, stating he feels the motion is just a motion for the SCSB to do their job and that every school should be monitored, not just the few that is participating in the pilot.

Involvement in USBE Board and Committee meetings

Member DeLaina Tonks informed the SCSB that one of the items that was addressed at NACSA was how to better communicate and interact with the USBE to ensure they know of the SCSB's position on agenda items and the work the SCSB does prior to sending an item to them for consideration.. Ms. Tonks suggested the SCSB

members attend the USBE monthly meetings to lend support and have a board-to-board relationship with the USBE. It was determined that Member DeLaina Tonks would attend the Law & Licensing Committee Meetings, Member Robert Enger would attend the Finance Committee Meetings and Member Dean Brockbank would attend on an “as needed” basis, as well as Chair Headlee, according to agenda items.

Communications Policy

Member DeLaina Tonks again informed the SCSB that from NACSA and best practices, that as a governing board, the SCSB have a communications policy. She stated that when a member of the SCSB attends a committee meeting or function, one needs to be cautious and speak with one voice, or when a vote has been taken, while representing the SCSB. Ms. Tonks stated she is seeking a communications policy, so the entire SCSB will be aware of appropriate communication protocol and response when they are approached individually by parents, schools, the media, legislation, etc.

Amendment request – Walden School of Liberal Arts

Representatives from Walden School of Liberal Arts informed the SCSB of their amendment requesting a waiver from Board Rule R277-916 specific to the requirement to offer a separate course in grade 7 called College and Career Awareness.

Sherry Marchant, Educational Specialist-Career Connections from the College and Career Program in the CTE section at USOE, addressed the philosophy and intent of the college and career program. Thalea Longhurst, Educational Director in the Career, Technical and Adult Education section at USOE informed the SCSB that technically, a waiver is needed for a school to not participate in the program; but there are a number of schools that choose not to participate, against board rule.

After discussion, Member Dean Brockbank recommended an accommodation be made to the school without granting the requested waiver; and that in the spirit of oversight the SCSB needs to make clear to the charter schools that they know this is not an optional rule. Chair Howard Headlee suggested taking 30 days to explore a solution without requesting a waiver. After further discussion, Walden School of Liberal Arts withdrew their request.

Executive Session

MOTION: Member Bruce Davis moved and Member Dean Brockbank seconded to move into an executive session for the purpose of discussing the character, professional competence, or physical or mental health of an individual; The Board was polled and by unanimous consent of those present of the Board (Bruce Davis, Dean Brockbank, Robert Enger, DeLaina Tonks and Kristin Elinkowski, Howard Headlee) moved into an executive session at 11:45 a.m. Chair Howard Headlee did not attend the proceedings of the executive session.

MOTION: Member Bruce Davis moved and Member DeLaina Tonks seconded to reconvene into open meeting. The motion was carried unanimously.

MOTION: Member Dean Brockbank stated that during the October 1, 2015 SCSB public meeting certain allegations of conflict of interest were made against the board. Member Brockbank moved and Member Robert Enger seconded to have staff counsel, David Thomas, refer those allegations to the appropriate ethics authority within the state, for investigation of their legitimacy. The motion passed unanimously by those in attendance. Member Tim Beagley and Chair Howard Headlee were not present for the vote.

Adjourn: Motion was made at 1:20 p.m. by Member DeLaina Tonks to adjourn.