

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

Thursday, September 8, 2016

USBE – Basement West

**DRAFT**

**Members Present:**

Vice Chair Kristin Elinkowski  
Member DeLaina Tonks  
Member Tim Beagley  
Member Bruce Davis  
Member Robert Enger  
Member Dean Brockbank  
Member Michelle Smith  
Member Greg Haws

**Staff Present:**

Jennifer Lambert  
David Thomas  
Blanca Estrada  
Rebecca Cisneros  
Jo Schmitt

**Others present:**

Anna Trevino, Sydnee Dickson, Jeremy Brown, Tina Smith, Craig Frank, Debby Llewelyn, Emily Merchant, Drew Williams, Tami Pyfer, Sam Gibbs, Warren Shenk, Judith Runolfson, Alan Shino, Lynne Herring, Daniela Alvarez, Chris Helvey, Buddy Ivie, Jonathan Kano, Carolyn Bayly, Julie Adamic, Darren Hensley, Lindsay Strait, Carolyn Chan

**Call to Order**

Vice Chair Kristin Elinkowski called the meeting to order at 9:05 a.m.

**Swearing in of new Board Members**

Tami Pyfer, Governor Herbert's Education Advisor, swore in two new charter school board members, Greg Haws and Michelle Smith. She also swore in two charter school board members that were reappointed for four additional terms, Kristin Elinkowski and Robert Enger.

Vice Chair Elinkowski thanked the outgoing board members for their service, Tim Beagley and Howard Headlee, stating the SCSB is losing a wealth of knowledge. Tim Beagley was in attendance because of his role on the staffing committee and was part of the executive director interviews. Howard Headlee has been asked to continue his service on the task force with the USBE, and will present information in November.

**Board Elections, Chair and Vice Chair**

According to the SCSB bylaws the vice chair is responsible to conduct elections. As Kristin Elinkowski, Vice Chair has placed her name in consideration for Chair, she directed staff to collect nominations for Chair and Vice Chair. The only nominations received were Kristin Elinkowski for Chair and DeLaina Tonks for Vice Chair.

**MOTION:** Member Bruce Davis moved and Member Greg Haws seconded to elect Kristin Elinkowski as Board Chair and DeLaina Tonks as Board Vice Chair, by acclamation. The motion carried unanimously.

### **Consent Calendar**

**MOTION:** Member DeLaina Tonks moved and Member Bruce Davis seconded to approve the Consent Calendar which contained draft minutes from the July 14, 2016 meeting; revolving loan recommendation approvals for Ivy Preparatory Academy and Bonneville Academy at \$300,000 each; and the articulation agreement between Venture Academy and GreenWood Charter School. The motion carried unanimously.

### **Executive Director Interviews**

Chair Elinkowski informed the SCSB that Tim Beagley, DeLaina Tonks and herself were members of the staffing committee that was assigned by Howard Headlee to perform the Executive Director Interviews. There were originally 21 applications and field was narrowed to seven. Interviews were conducted with those seven applicants and was narrowed down to two finalists, Jennifer Lambert and Anna Trevino.

Both candidates presented their vision, goals, and directions as the executive director along with questions from the SCSB.

### **Executive Session**

**MOTION:** Member Bruce Davis moved and Member Robert Enger 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 the board moved into an executive session.

**MOTION:** was made by Member Bruce Davis and seconded by Member Dean Brockbank to reconvene into open meeting. The motion was carried unanimously.

### **Appointment of Executive Director**

Chair Kristin Elinkowski stated that they had two talented, qualified, fantastic candidates and had a very lively debate and discussion.

**MOTION:** Member Dean Brockbank moved and Member Bruce Davis seconded to appoint Jennifer Lambert as Executive Director to the Utah State Charter School Board Office, and to direct the SCSB Chair and the state superintendent to present and negotiate a final offer. The motion carried unanimously.

Vice Chair Tonks thanked Jennifer Lambert and Anna Trevino for putting themselves into this position for raising the bar on what an executive director for this office looks like. She expressed her gratitude to them for all the effort they have put in and for the patience they have had through this arduous process.

### **Action – Charter Agreements**

Executive Director, Jennifer Lambert, informed the SCSB that the schools presented were either approved to open in SY2017 or SY2018. At the time the schools were approved, the new charter agreement had not been adopted. The new charter agreement was approved in the April 14<sup>th</sup> meeting. Since that meeting, staff has worked with these schools to negotiate the charter agreement, in particular Exhibit A. Ms. Lambert stated that staff is still working with St. George Academy to get the signed updated agreement to reflect the new start date.

**MOTION:** Member Bruce Davis moved and Member Robert Enger seconded to approve the charter agreements for the following charter schools: American Academy of Innovation, Athlos Academy, Franklin Discovery Academy, Ignite Entrepreneurship Academy, Leadership Academy of Utah, St. George Academy, The

Center for Creativity, Innovation and Discovery, Wallace Stegner Academy and Wasatch Waldorf Charter School.

**MOTION TO AMEND** was made by Vice Chair DeLaina Tonks to include in the original motion, to direct staff to continue in this direction, moving forward with the next set of schools. The amended motion was accepted by Member Bruce Davis and Member Robert Enger. The motion carried unanimously.

**Amendment Request – Wasatch Waldorf Charter School**

Wasatch Waldorf Charter School’s governing board seeks to amend its Charter Agreement, increasing total school enrollment, by 100 students, ultimately serving 640 students.

**MOTION:** Member Michelle Smith moved and Vice Chair DeLaina Tonks seconded to recommend for approval, to the USBE the request, with the following conditions to be met on or before February 15, 2017: 1) the school is in good standing with the terms of its charter 2) the school is at full enrollment in grades K-6, and 3) at least 80% of third graders at the school are reading on grade level at mid-year. The motion carried unanimously.

**Amendment Request – Freedom Preparatory Academy**

Freedom Preparatory Academy’s governing board seeks to amend its Charter Agreement, increasing total LEA enrollment by 482, ultimately serving 2,322 students between the two schools (Provo Campus and Vineyard Campus).

**MOTION:** Member Bruce Davis moved and Member Robert Enger seconded to recommend for approval, to the USBE, the request to increase enrollment of 340 students, for 1,640 total enrollment at the Provo campus, and deny the request to increase enrollment at the Vineyard campus. The motion carried unanimously.

**Amendment Request – Vista at Entrada School of Performing Arts**

Vista at Entrada School of Performing Arts’ governing board seeks to increase total enrollment by 25 students, ultimately serving 900 students.

**MOTION:** Member Dean Brockbank moved and Member Michelle Smith seconded to recommend for approval, to the USBE, the request to increase total enrollment to 900 students. The motion carried unanimously.

**Voluntary Charter Improvement Process – Aristotle Academy**

Aristotle Academy’s governing board requests approval of their proposal to transfer operation and control to Renaissance Academy and become a satellite school.

**MOTION:** Vice Chair DeLaina Tonks moved and Member Bruce Davis seconded to receive the proposal, pending further consideration and recommendation from staff. SCSB requested Aristotle Academy and Renaissance Academy to work with staff on the proposal and bring the proposal back to the SCSB for consideration no later than the February meeting. The motion carried unanimously.

**Amendment Request – Aristotle Academy**

Aristotle Academy’s governing board seeks to amend its charter agreement, increasing its total school enrollment to 540 students.

After discussion, Aristotle Academy withdrew the request from the agenda and will be revisited at the same time the Voluntary Charter Improvement proposal is considered.

### **FY2017 Budget**

Executive Director Jennifer Lambert presented to the SCSB a spend plan for FY2016-2017 funds for approval.

**MOTION:** Member Bruce Davis moved and Vice Chair DeLaina Tonks seconded to approve the FY2017 spend plan as presented. The motion carried unanimously.

### **Legislative Priorities and Funding Requests**

Executive Director Jennifer Lambert informed the SCSB the need to identify legislative priorities and funding requests for the upcoming legislative session.

Funding requests to consider: 1) extend the Start-up and Implementation Grant funding; 2) extend money for the mentoring grant; 3) expand staff and infrastructure; and 4) funding for school closures and Voluntary School Improvement Program.

Statute change requests to consider: 1) amend the Utah State Charter School Act (§53A-1a-501 et seq.) to clarify the alignment of the relationship between the USBE and the statutorily recognized charter school authorizers; 2) amend the Utah State Charter School Act (§53A-1a-501 et seq.) to incorporate changes suggested by NACSA (National Association of Charter School Authorizers); 3) Amend statute (§53A-1a-505 (Application process), 509.5 (Voluntary school improvement process), and 510 (Termination of a charter)) to clarify approval process.

### **Recommendations to Board Rule**

David Thomas, legal counsel, led the discussion on possible changes to board rule and statute. The proposed changes to be considered: R277-481 – “Charter School Oversight, Monitoring and Appeals”; R277-480 – “Charter School Revolving Account”; R277-479 – “Charter School Special Education Student Funding Formula”; and to establish standard definitions for the State Board of Education rules.

Direction was given to staff to give the proposed changes to the task force for feedback.

### **Eagle Summit Academy – Withdrawal of Application**

Eagle Summit Academy’s governing board requests to relinquish their charter and close the school.

**MOTION:** Vice Chair DeLaina Tonks moved and Member Dean Brockbank seconded to accept Eagle Summit Academy’s withdrawal request and to direct staff to initiate the process of closing the school. The motion carried unanimously.

### **Strategic Plan Follow-up**

Member Bruce Davis led the follow-up discussion regarding the strategic plan. The discussion on values, outcome (SMART) goals and activities that would support reaching the goals.

### **Adjourn**

Members of the board and those attending the meeting were excused while Chair Elinkowski, Vice Chair DeLaina Tonks, Executive Director Jennifer Lambert remained to discuss bylaws, policy and procedures to the new board members, Michelle Smith and Greg Haws.

**MOTION:** Motion was made to adjourn at 2:40 p.m. The motion carried unanimously by those in attendance.