

MINUTES OF THE
UTAH STATE CHARTER SCHOOL BOARD MEETING

Thursday, May 14, 2022
USB E Board Rooms
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Members Present:

Chair DeLaina Tonks (*refrains from voting, unless otherwise noted)
Vice Chair Bryan Bowles
Member Cynthia Phillips
Member Stephanie Speicher
Member Michelle Smith (online)
Member Erik Olson (Online)

Staff Present

Jennifer Lambert, Director SCSB
Liz Bunker
Joanne Castillo
Greg Connell
Smriti Dhakal
William Evans
Jenna Magnetti
Brendan McGinn
Stewart Okobia
Marie Steffensen
Andrew Vardas-Doane

Others Present:

Matt Hymas (USB E)
Angie Stallings (USB E)
Assistant Attorney General David Jones (online)
Charles Reynolds (Vanguard Academy, Director)
Dan Jessop (Vanguard Academy)
Tanya Toole (online)
Erin Preston
Ben Robinson (Vanguard Academy)
Grace Mitchell (Vanguard Academy, Board Treasurer)
Dave Mortensen (Vanguard Academy, Legal Counsel)
Kent Johnson (Vanguard Academy, Board Chair)
Kim Goates (Canyon Grove Academy, Executive Director)
Jarrett Webster (Canyon Grove Academy, Board Member)
Rachel Larsen (Canyon Grove Academy, Reading Specialist and Intervention Team Lead)
Becky Pili (Canyon Grove Academy, Director)

Scott Morris (Canyon Grove Academy, Board Member)
Mackenzie Smith (Canyon Grove Academy, Board Member)
Misty Defarias (Rockwell, Director)
Crystal Embarte (Rockwell, Math Teacher)
Jennifer Chesmedia (Rockwell, Math Teacher)
Dale Earling (Rockwell, Board President)
Julie Young (Rockwell, Board Member)
David Persinger (Rockwell, Board Member – online)
Nathan Marshall (Providence Hall, Executive Director)

Call to Order

Meeting began at 10:17

Public Comment

Charles Reynolds spoke on Vanguard Academy.
Dan Jessop spoke on Vanguard Academy.
Tanya Toole spoke on Vanguard Academy.
Erin Preston spoke on Providence Hall.

Board Member Thought

Member Phillips gave the Board Member Thought based on Aristotle's quote "Learning gives the liveliest pleasure." Member Phillips thanked the many teachers in her life who influenced her journey as an educator while announcing her retirement from teaching. She thanked all the teachers involved in Utah's charter schools for their work.

Board Chair Report

Chair Tonks spoke on some of the outcomes of Utah's Charter School teachers and highlighted awards given to Utah's Charter Schools and their students. Chair Tonks also explained the process to replace and remove and SCSB Board Member. Chair Tonks announced the successful appointment and confirmation of Rabecca Cisneros as the new SCSB Board Member as Chair Tonks' tenure on the Board is over beginning in June.

Executive Director Report

Director Lambert highlighted the numbers for Trainings, Oversight, School Visits, and updated the Board on OEK/FDK funds. Director Lambert also updated the Members on who would be conducting the Board Evaluation. Chair Tonks remarked on the fact that training and the sharing of best practices were the root of questions that had been asked of the incoming Board member by sitting State Senators. Chair Tonks indicated that she would send some of the information that had been shared in the report over to the Senate Committee where those questions had been asked. Chair Tonks requested an annual report on the trainings specifically. Director Lambert stated that such a report was already on the calendar but could be moved up if requested.

Consent Calendar

Member Phillips: "I'd like to move that we accept the Consent Calendar"
Member Speicher: "I'll second."

The Motion passes unanimously.

Amendment Request – Vanguard Academy

Educational Specialist Steffensen presented updated information on Vanguard's Bylaw change request and articulated staff's concerns. Member Phillips asked specific questions regarding Vanguard Staff as Board Officers and expressed concerns about administrators as officers and conducting business without a quorum. Director Lambert clarified the current state of the Charter as a contract. AAG Jones reiterated what the Board can do in the context of what was on the stated agenda. Member Smith suggested that the concerns be addressed before approval. Member Speicher introduced conversation on whether or not delayed action on this item would hinder the work of the board. Member Phillips asked the Vanguard representatives about specific language in the bylaws, about the practice of administrators serving as officers, and about business continuing without a quorum. Mr. Mortensen indicated that they were addressing the redlined language in this request for amendment acknowledging the ambiguity. Mr. Mortensen stated that the Officers are not members of the Board. Member Olson commented on a connection between Mr. Mortensen's statement and another section of the bylaws, and Member Olson expressed concern that the language in the proposed amendment would allow Administrators to serve as Board Members. Director Lambert clarified where staff's concerns were. Chair Tonks articulated that the concerns were rooted in the language that blurred the lines between governance and management. Member Phillips asked that conducting business without a quorum be remembered as changes are being considered. Member Smith agreed with Member Phillips. Chair Tonks articulated the heart of all the issues the SCSB has had with Vanguard.

Member Phillips: I'd like to move that we accept Vanguard's proposed amendment and give the school a strong directive as a Board to come back to us with an adjusted and amended bylaws that address the concerns that we have expressed in this meeting today.

Member Olson: I will second that.

Discussion:

Member Speicher requested a hard date on when the Board expects the school to come back with the adjusted and amended bylaws. Director Lambert articulated the timeline for the next few months and added another concern of the reduction of the number of meetings per year. Member Phillips gave a few suggestions addressing Member Phillips' concern. Vice Chair Bowles clarified what was included in the motion and asked that specific actions be taken. Member Smith added concerns. Member Phillips added Member Olson's concern.

Motion fails unanimously

Member Phillips: I move that we approve Vanguard's amended bylaws with a directive to the school to return to the SCSB an amended version of the bylaws within a reasonable period of time as determined by staff that addresses the following: Article 6.5 related to business continuing without a quorum, Article 5 related to officers of the institution and, in particular, how that list relates to other sections of the Bylaws about the Executive Committee, Article 4.3 related to adverse interests, and, finally, the part of the bylaws that discusses the number of meetings annually that the school will hold.

Member Smith: I'll second that.

Motion Passes Unanimously

Chair Tonks took a moment of privilege to address those watching or listening online.

Amendment Request – Canyon Grove Academy

Educational Specialist Steffensen presented on the Material Changes in the proposed new charter agreement. Member Speicher asked for the context of these changes. Educational Specialist Steffensen gave background. Vice Chair Bowles expressed a commitment to fairness and began a conversation on consistent criteria. Director Lambert gave comparisons and historical context. Member Smith expressed her belief that it was inappropriate to use the same criteria for the COVID amendment and have it apply to anything else. Member Speicher identified language in the Exhibit A that could prove problematic should the request be granted. Director Lambert clarified. Member Phillips asked the school what they thought their hopes had been for this process and what they thought they had achieved. Member Webster articulated the school's hopes and experiences. Member Speicher commented on identifying what worked and what didn't work in enabling the school's teachers to be successful online. Executive Director Goates articulated two major factors. Member Smith invited the school to tell the Board anything else that they might want the Board to know. Executive Director Goates spoke on communication.

Member Phillips: I'd like to move that the Board approve Canyon Grove's Amendment."

Member Smith: I would love to second that.

Discussion:

Vice Chair Bowles introduced discussion of clarification on further steps or processes that the school would need to go through. Director Lambert clarified the process

Motion passes unanimously.

Amendment Request – Rockwell Charter High School

Educational Specialist Steffensen presented on the Material Change to the charter proposed in the amendment request. Chair Tonks stated a possible perceived conflict of interest on her own behalf. Rockwell gave a digital presentation. Director Defarias made the case for their request for amendment. The math teachers articulated what they would be doing and how they would do it. Vice Chair Bowles introduced conversation on synchronicity and asynchronicity. Vice Chair Bowles followed up by introducing conversation on personalization of courses, how the school proposed to do that, how and when the courses would be produced. Vice Chair Bolwes asked probing questions on IXL software and coursework. Member Speicher introduced conversations regarding District offerings, enrollment, and the staffing for the online components. Chair Tonks reiterated the concern regarding the part time teachers, ratios of FTE, availability to students, instructional design training for teachers, student connectivity, and strategies for engagement. Chair Tonks addressed the fixed items that will need to be considered when taking on online learning.

Member Speicher: I'd like to make a motion to accept Rockwell Charter High School's amendment to offer an online option.

Member Phillips: I will second that motion.

Motion passes unanimously.

Amendment Request – Providence Hall

Education specialist Steffensen presented on the Material Changes in the proposed Charter Amendment. Executive Director Marshall explained the reason behind the change. Vice Chair Bowles requested more information and more specifics as to why the change has been proposed. Vice chair Bowles introduced conversation on Advanced Placement programs related to the International Baccalaureate program. Member Phillips introduced discussion on vertical curricular alignment. Member Phillips continued the conversation on the effectiveness of changing the curriculum given how some colleges and universities are using the AP and IB degrees in terms of placement and credit. Member Phillips began discussion on the school's board's feedback on this decision. Director Lambert volunteered contextual information about this update in the charter agreement. Member Speicher began conversation on the new curriculum proposed for some of the students. Member Phillips expressed concern that there were no Board members present and began conversation on how the certified IB teachers would be incorporated into the new programs. Member Tonks expressed her dismay at the lack of Board members and without evidence of stakeholder information.

Vice Chair Bowles: I will make a motion to table this discussion to our June meeting which will coordinate with staff timing so this will become an agenda item on our next meeting to give an opportunity for additional information that we apologize you didn't know to have today.

Member Smith: I second.

Discussion:

Member Olson gave a word of caution for the Board for the message it is sending and applauded that the school is evolving with the changing climate but that the Board needed more data to make sure that there is evidence for the change. Member Phillips reiterated the importance of why the Board presence and stakeholder data is important when presenting this request. Director Lambert expounded on the timing and location change that this decision would make. Member Phillips would like to be given documents from the school in advance of next month's meeting. Member Smith acknowledged logistical issues.

Motion passes unanimously

SY2022-22023 Meeting Schedule

Director Lambert identified dates where the Board would need to consider other dates. Director Lambert suggested moving the September 8 meeting offsite for the Board retreat. Director Lambert in speaking with Vice Chair Bowls suggested that the January Meeting be held on the 10th and the 11th and communicated with the USBE members present that it might be helpful they could help clear the Board Room for those days for SCSB. For March 9, Director Lambert indicated that SCSB would be working with USBE, so SCSB would be meeting on March 16 instead.

Vice Chair Bowles: May I make this motion that we accept this meeting schedule with these changes: September 8...we'll meet off-site, January 10 and 11 will tentatively plan those days in this room pending what you find out relative to the scheduling of this room, and we may have to reconsider that date but currently, if we could, just for ourselves, lock in the 10th and 11th and know that we may need to be flexible. And that we change the March meeting to the 16th. And on this, also, June would be June 8. That would be my motion and that we accept it with those changes.

Member Phillips: I'd like to second that motion

Motion passes unanimously.

Readiness to Open: Beehive Academy Elementary and Ascent Academy Saratoga Springs

Education Specialist Steffensen presented on the readiness to open reviews for Beehive Academy Elementary and Ascent Academy – Saratoga Springs. Director Lambert framed this report within code.

Member Speicher: I'd like to make a motion to certify that Beehive Academy Elementary and Ascent Academy Saratoga Springs is ready to open on Fall 2022.

Member Phillips: I'll second.

Motion passes unanimously.

Board Elections

Director Lambert explained how these Officer elections were conducted and which individuals expressed interest in the various offices available.

Member Smith: I'd like to move that we elect Bryan Bowles as our new Board Chair and Cynthia Phillips as our new Vice Chair by acclamation.

Member Speicher: I'll second that motion.

Motion passes unanimously.

Member Tonks took a point of special privilege to thank the Board members, the staff, and Director Lambert with a yahoo, a raise-the-roof, and a woot-woot.