

**MINUTES OF THE
UTAH STATE CHARTER SCHOOL BOARD MEETING**
Thursday, March 10, 2016
USOE – Board Rooms

APPROVED

Members Present:

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

Staff Present:

Marlies Burns
Jennifer Lambert
David Thomas
Joe Heywood
Blanca Estrada
Jo Schmitt

Others present:

Teresa Theurer, Terryl Warner, Warren Shenk, Joylin Lincoln, Shari Bradley, Jeffrey Herr, Tina Smith, Angela Fanjul, Deborah Swensen, Matt Throckmorton, Chuck Williams, Craig Frank, Alan Shino, Deb Bilboa, Darren Hensley

Call to Order

Chair Howard Headlee called the meeting to order at 9:10 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 they are proceeding with the 360⁰ review and Member Tim Beagley has taken the lead on the process. Member Beagley informed the SCSB that the review is ready and that all stakeholders in the Charter School world should receive an email requesting participation. Mr. Beagley stated the more participation the better the data, and encouraged everyone to participate in the process. There will be two evaluations/reviews, one will be for the State Charter School Board as a group and the SCSB director, Dr. Marlies Burns.

In addition, Chair Headlee stated he has met with Director Burns and talked with her about the vision of the charter school staff regards in size, structure, and perhaps location of where the staff is housed. Chair Headlee has asked Vice Chair Kristin Elinkowski to lead a committee of the board that will be supportive in that role to address the needs. Members Bruce Davis and DeLaina Tonks also accepted to be part of that committee.

Member Tim Beagley shared a report from the National Alliance for Public Charter Schools entitled The Health of the Charter Public School Movement: 2016.

Consent Calendar

MOTION: Member Bruce Davis moved and Member DeLaina Tonks seconded to approve the consent calendar which contained the minutes from the February 11, 2016 meeting. The motion was carried by those in attendance.

Amendment Request – Utah Military Academy

Representatives of Utah Military Academy presented their amendment request to postpone, for a second year, opening their Camp Williams satellite until 2017-2018 school year, which would require a waiver from R277-482, which requires a satellite school to secure a building site within 24 months. In addition, they request to increase enrollment by 480 students (160 in grades 7-8 and 320 in grades 9-12).

MOTION: Member Bruce Davis moved and Member Tim Beagley seconded to recommend for approval to the USBE the amendment request, which includes postponing the opening of the Camp Williams satellite campus until 2017-2018, a waiver of board rule R277-482, and increasing enrollment by 480 students, comprising of 160 students in grades 7-8 and 320 in grades 9-12.

SUBSTITUTE MOTION: Member Dean Brockbank moved to approve the amendment request contingent on the successful execution of a signed Charter School Agreement. Mr. Brockbank withdrew his motion, given the fact there is not currently an approved Charter School Agreement in place.

The original motion carried unanimously by those in attendance.

2016 Legislative Session

Representatives from UAPCS and UCN reported on the major pieces of legislation they had been tracking during the current legislative session. Comments were presented on SB38, HB193, SB68, SB109 and the Early College High School bill. Chair Headlee also stated two other bills the SCSB took position on involved Charter School closures and SB91 addressing needed information from schools to ensure compliance.

Public Comment

Tina Smith, representing UAPCS, thanked the support of the State Charter School Board and specifically the direction and leadership of Chair Howard Headlee for the passage of SB38.

Hugh Matheson and others representing Utah Charter Advocates, expressed their thanks and support of the passing of SB38.

Hanifi Oguz, Principal of Beehive Science and Technology, also expressed his and the community's thanks and appreciation for the SCSB support with SB38.

Deborah Swensen, Chair of UAPCS and Lead Director of the Hawthorn Academies, thanked the SCSB for their leadership and support during the legislation session and the difference it will make in the future of schools.

Action on Communications Policy

David Thomas, Counsel for Charter Schools, informed the SCSB that the communications policy was considered in their meeting in December and stated he had the opportunity to review the USBE communications policy and talked with the public relations individuals at the USBE and found the representations that the SCSB had made in their communications policy were in sync with their processes.

MOTION: Member Dean Brockbank moved and Member DeLaina Tonks seconded to adopt the communications policy as written, with the change of the USOE Director of Public Relations for response to the staff director of the SCSB for response. The motion was carried unanimously by those in attendance.

Discussion about Amendment Policy

Executive Director Marlies Burns presented a “draft policy” for amendment requests.

Schools identified for State Turnaround program

Six charter schools were identified by the Superintendent and USBE for turnaround: Pioneer High School for the Performing Arts, CS Lewis Academy, Mana Academy, Utah Connections Academy, Dual Immersion Academy and Entheos Academy-Magna. Sheryl Garner, from USOE, has been assigned as the turnaround specialist and is working with all twenty-six schools that were identified by the Superintendent.

Representatives of these charter schools were invited to attend the SCSB meeting to give input as to whether or not they feel they were designated for turnaround status in error and, if so, provide their reasons why.

School Report

- **Pioneer High School for the Performing Arts** – Representatives of Pioneer High School for the Performing Arts reported to the SCSB, for consideration of removal from warning status, by restructuring the school with a new director, new business manager, and four new board members. The school reported they have complied with, been responsive to and making progress with completing all items in the warning status letter they received. Member DeLaina Tonks suggested to invite Pioneer High School for the Performing Arts’ counsel to attend the scheduled closed session of the SCSB to discuss the character, professional competence, or physical or mental health of an individual. Chair Howard Headlee stated additional information needs to be received before any decision would be made regarding the school’s warning status.
- **Aristotle Academy** – Representatives of Aristotle Academy reported to the SCSB for consideration of removal from probation status. The school feels they have met all but three of the terms of probation that were outlined in the probationary status letter they received.
MOTION: Member Tim Beagley moved and Member Bruce Davis seconded to move Aristotle Academy from probation to warning status. The motion failed with Chair Howard Headlee, Vice Chair Kristin Elinkowski, Members Dean Brockbank and DeLaina Tonks voting in opposition.
MOTION: Member Bruce Davis moved and Member Tim Beagley seconded to end the school’s current probation and begin a new probation under new terms and conditions.
SUBSTITUTE MOTION: Member Tim Beagley moved and Member Bruce Davis seconded to direct staff to bring to the next SCSB meeting proposed terms for a new, one-year line of probation. The motion carried with affirmative votes from Members Tim Beagley, Bruce Davis, DeLaina Tonks, Dean Brockbank and Vice Chair Kristin Elinkowski, with Member Robert Enger voting in favor of the motion, via teleconference. Chair Howard Headlee voted in opposition of the motion.
- **CS Lewis Academy** – Representatives of CS Lewis Academy reported to the SCSB for consideration of removal from warning status.
MOTION: Member Tim Beagley moved and Member Dean Brockbank seconded to direct staff to examine the plans of all the Charter Schools in the Turnaround Program and bring proposed terms of warning or probation to the next SCSB meeting, and at that time the SCSB would decide individually for each school how proceed. The motion carried unanimously with those in attendance, with Member Robert Enger voting in favor of the motion, via teleconference.
- **Kairos Academy** – Representatives of Kairos Academy reported to the SCSB for consideration of removal from probation status.
MOTION: Member Tim Beagley moved and Member Bruce Davis seconded to direct staff to bring to the next SCSB meeting proposed terms for a new probationary period, which would include Kairos Academy obtaining accreditation for their courses. The motion carried unanimously with those in attendance, with Member Robert Enger voting in favor of the motion, via teleconference.

Member Bruce Davis expressed his support, along with Teresa Theurer, the need for the SCSB to revisit the probation and warning process and realign it with the new school Turnaround Program, so they will harmonize

better than they do now. Mr. Davis suggested the SCSB staff could work on and come back to the SCSB with recommendations.

Action on Revised Charter Agreement

Member Dean Brockbank informed the SCSB that several individuals have met and discussed the new charter agreement. Mr. Brockbank stated he feels Exhibit “A” of the agreement allows the school to define what their objectives are and who they want to be and how they want to be measured and allows for uniqueness and creativity. The agreement reads like any agreement, but is confined by many statutory provisions. It is a legally binding document; it doesn’t alter statutes, board rules or regulations. The agreement emphasizes school autonomy in many ways, and allows the schools to make most of these decisions on their own, using their own creativity. Mr. Brockbank pointed out there are provisions in the agreement that require schools to carry a certain level of insurance for risk management; it requires the SCSB to perform annual reviews and provide reports on progress of the schools. No action was taken regarding adoption of the agreement document.

Executive Session

MOTION: Member DeLaina Tonks made motion 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, the Board moved into an executive session. Chair Howard Headlee was excused from participating in the last portion of the executive session.

MOTION: Motion was made by Member Dean Brockbank to reconvene into open meeting at 3:12 p.m. The motion was carried unanimously.

Adjourn: Motion was made at 3:15 p.m. by Vice Chair Kristin Elinkowski.