

**MINUTES OF THE
UTAH STATE CHARTER SCHOOL BOARD MEETING**
Thursday, February 11, 2016
USOE – Board Rooms

APPROVED

Members Present:

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

Members Excused:

Member Dean Brockbank

Staff Present:

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

Others present:

Linda Hansen, Teresa Theurer, Terryl Warner, Warren Shenk, Tina Smith, Brenda Spearman, Jessie Kidd, Carey Lloyd, Stephanie Howerton, Emily Merchant, Emily Thunberg, Anna Trevino, Jennilyn Derbidge, Erin Preston, Craig Frank, Kim Frank, Cate Klundt

Call to Order

Chair Howard Headlee called the meeting to order at 9:05 a.m.

Pledge of Allegiance

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

Public Comment

Brenda Spearman, representing Bonneville Academy, requested clarification as to where they stand in the application process. Bonneville Academy's application had been denied by the USBE in their February 5, 2016 meeting. Ms. Spearman stated she was seeking to know what options were available for moving forward. She went on to state they have been working on sections of the application where the SCSB had found weaknesses, which were governance issues, curriculum, and special education.

Chair Headlee stated he had the same questions regarding options for moving forward and has given David Thomas, legal counsel for the SCSB, direction to look into those questions for answers and clarity. Mr. Thomas informed Chair Headlee that he has not had an opportunity to put together a memo regarding answers to the questions.

Chair Headlee provided some context to the agenda, stating that this conversation is not typical for the public comment portion of the SCSB meeting. He allowed the conversation to go on, primarily because this is an issue he intended to raise during the Board Chair Report; the interaction between the SCSB and the USBE.

Member Tim Beagley stated he feels it is not clear that the SCSB has any more role to play. The SCSB has recommended the application for approval, and that Bonneville Academy needs to address their questions and concerns for clarification with the USBE.

After a lengthy discussion, Chair Headlee informed Ms. Spearman that the SCSB would be in touch with her regarding the next steps for clarification and options.

Board Chair Report

Chair Howard Headlee stated that in connection with the denial of the last two charter applications, there has been some interesting sensitivities and interactions with the USBE. The denials are part of that, but in conjunction with that process is a deep exploration by the USBE into this Charter Agreement Contract. Statements have been made that the USBE will be approving applications contingent on their approval of the final contract, and looking to insert themselves in a more dramatic way into the contracts with the schools that the SCSB authorize; which starts to blur the lines as to who is the authorizer and whose contracts these are. The USBE has commissioned a task force, chaired by Dave Thomas, with two members of the SCSB, an individual from the school districts and others.

Consent Calendar

MOTION: Member Bruce Davis moved and Member DeLaina Tonks seconded to approve the consent calendar which contained the minutes from the January 13 and 14, 2016 meetings. The motion was approved by those in attendance with Member Robert Enger voting via teleconference. Member Dean Brockbank was not present for the vote.

New School – Ignite Entrepreneurship Academy (updated application)

- **Ignite Entrepreneurship Academy** proposes to open in the Alpine School District with an ultimate enrollment of 600 students in grades K-9, beginning in the 2017-2018 school year. Entrepreneurial success through academic rigor, project-based learning, and creating a culture of creativity, collaboration, adaptability, accountability, communication, and problem solving.

MOTION: Member DeLaina Tonks moved and Member Bruce Davis seconded to recommend **Ignite Entrepreneurship Academy** for approval to the USBE, to open in the 2017-2018 school year. The motion carried with affirmative votes from Members DeLaina Tonks, Bruce Davis, Chair Howard Headlee and Vice Chair Kristin Elinkowski. Member Tim Beagley voted in opposition stating he still is not convinced this is a really good idea. He went on to say that he is troubled by them taking two parts of what charter schools are trying, that don't really seem to be working very well, and putting them together. The Montessori model has not shown any really stellar results, not in Utah and doesn't seem to fit very well with our Core Curriculum of our state; and with distance education, we have some success to report there, but in general, they are well below what many other schools are doing. Members Dean Brockbank and Robert Enger were not present for vote.

New School – Ivy Preparatory Academy (updated application)

- **Ivy Preparatory Academy** proposes to open in Utah County (a change from their original application) with an ultimate enrollment of 530 students in grades K-6, beginning in the 2017-2018 school year. Ivy Preparatory Academy delivers a whole-child, college preparatory education to students in kindergarten through sixth grade. Students experience rich academic content delivered through the integration of the arts, music, technology, nature, and service learning. Through their use of Waldorf's whole-child "head, heart, and hands" methodology, students emerge intellectually capable, self-confident, creative individuals ready to enter the next phase of their education.

Member Tim Beagley stated he is concerned that the school's model is so specialized, and that they need deep commitment from the area they plan to locate, but he is sensing they don't have yet everything they need in terms of that level of acceptance and buy-in that their model would require. Representatives from Ivy

Preparatory Academy asked for clarification and stated that they have interested parties in being part of the school's governing board, but it was their understanding that at this point in the process, they were not allowed to change the essence of their board.

After discussion, no action was taken regarding recommendation for approval. The SCSB informed Ivy Preparatory Academy their hesitation to recommend approval at this time was the need for additional stakeholders as part of their board, to give the school district more time to respond to the application and to show some demand in the area for the education model the school is proposing. Chair Headlee recommended Ivy Preparatory Academy request to be on the SCSB's May meeting agenda for possible recommendation for approval.

Amendment request – Wasatch Waldorf Charter School

Representatives of Wasatch Waldorf Charter School informed the SCSB of their amendment requesting the expansion of 100 students over the next four years, beginning in the 2017-2018 school year.

MOTION: Member Tim Beagley moved and Member DeLaina Tonks seconded to place the amendment request on hold, pending some evidence there will be a building opening on time and have a significant portion of their students enrolled, with a wait list and to reconsider the request at a future date. The motion was carried unanimously by those in attendance. Members Dean Brockbank and Robert Enger were not present for vote.

Amendment request – Greenwood Charter School

Representatives from Greenwood Charter School informed the SCSB of their amendment requesting to add grades 7 and 8 beginning in SY2018.

MOTION: Member Tim Beagley moved and Member Bruce Davis seconded to recommend approval to the USBE the request to add grades 7 and 8, with no additional students, for the 2017-2018 school year. Member Delaina Tonks expressed her concerns with regards to approving an expansion in the first year of operation, without data and test scores. Ms. Tonks stated she hesitantly supports the motion, but has grave reservations. The motion was carried unanimously by those in attendance. Members Dean Brockbank and Robert Enger were not present for vote.

School Presentations

UCAS presented information to the SCSB of their school practices that led to student success on the prior CRTs and new SAGE tests. Because of time commitments, the presentation from George Washington Academy was rescheduled for a later time.

Proposed Communications Policy

Because of time restraints, discussion and any actions regarding the Communications Policy was deferred to a later meeting.

Proposed Application Policy

Staff Member Jennifer Lambert presented a draft New School Application Policy, including the timeline for submission, necessary materials staff needs in addition to the application, and describing changes that cannot be made after the initial proposal is submitted without the SCSB approval.

Member Tim Beagley stated he feels any significant changes, as determined by the charter school staff, must be reported to the SCSB in the second round of the application process.

MOTION: Member DeLaina Tonks moved and Vice Chair Kristin Elinkowski seconded to approve the proposed application policy. The motion carried unanimously by those in attendance. Members Dean Brockbank and Robert Enger were not present for vote.

Recommendations from Revolving Account Committee

Because the Committee cancelled its meeting until they receive proposed language changes from USOE on the Promissory Note, there is nothing to report.

Charter Agreement

Chair Howard Headlee informed the SCSB that the Charter Agreement task force met to continue discussion. The task force raised and discussed more issues, and feel there is need for another meeting before making recommendations to the SCSB. Tina Smith, UAPCS and Erin Preston, Lear Law joined in the discussion.

2016 Legislative Session

SB38 School Funding Amendments

- Revises components of Local Replacement Funding Formula

MOTION: Vice Chair Kristin Elinkowski moved and Member Bruce Davis seconded to support SB38. The motion carried unanimously by those in attendance. Members Dean Brockbank and Robert Enger were not present for vote.

HB107 – Early College High Schools

- Defines early college high schools as having a mission to provide early college education to a diverse population emphasizing STEM, provide opportunities to earn 2 years of college credit or an associate's degree, and contracts with a higher ed institution

MOTION: Member Bruce Davis moved and Member Tim Beagley seconded to support HB107. The motion carried unanimously by those in attendance. Members Dean Brockbank and Robert Enger were not present for vote.

SB91 S1 – Board of Education Amendments

- Allows the State Board of Education to take action if an educational entity violates state law or board administrative rule, including requiring a corrective action plan, withholding funds, requiring the payment of a penalty, or requiring reimbursement
- Allows the State Board to audit the use of state funds by an education entity
- Allows the State Board to make rules requiring third party contractors to provide information necessary to the LEA for an audit, verifying educational good or service complies with law and rule

MOTION: Member DeLaina Tonks moved and Vice Chair Kristin Elinkowski seconded to support SB91. The motion carried unanimously by those in attendance. Members Dean Brockbank and Robert Enger were not present for vote.

HB289 – Charter School Closure Amendments

- Adds specifications on who is to be notified within 10 days of decision to close
- Requires plan for closure and other items within 30 days after decision to close
- Requires designation of individual to respond to requests during normal business hours
- Specifies authorizer requirement following decision to close
- Authorizer must oversee liquidation of assets and payment of debts of school

MOTION: Vice Chair Kristin Elinkowski and Member Bruce Davis seconded to support HB289. Member Trim Beagley stated that he feels the SCSB continue to pursue avenues that would better spell out some of the issues that would present itself, especially the issue of exactly what would be expected the Charter School Staff and the SCSB when a school closes, and also the issue of what happens to any net assets or liabilities that might result for a closure. The motion carried by those in attendance with Member Robert Enger voting via teleconference. Member Dean Brockbank was not present for the vote.

Adjourn: Motion was made at 2:15 p.m. by Vice Chair Kristin Elinkowski and seconded by Member Bruce Davis to adjourn.