

Utah State Charter School Board Meeting  
Minutes  
May 19, 2005  
North & South Board Rooms  
Utah State Office of Education

Members present: Brian Allen, Barbara Killpack, David Moss, Anne Peterson, Eric Smith, Scott Smith, Sonia Zisumbo

Staff present: John Broberg, Jo Schmitt

Others present: Ray Timothy, Mark Cluff, Lynne Herring, Keith Crandall, Janene Bowen, Steve Winitzky, Representatives from Entheos Academy, and Representatives from Paradigm High

1. Call to Order

Chair Brian Allen called the meeting to order at 10:05 a.m.

2. Approval of Minutes

Motion was made by Member Anne Peterson and seconded by Member David Moss to approve the minutes from the April 13, 2005 meeting. The motion carried unanimously.

3. Freedom Academy Conversion

Keith Crandall, Chairman of the Governing Board and Chief Administrative Officer of Freedom Academy stated the school is in their second year of operation. Mr. Crandall stated after going through the conversion document the school board felt their school had a number of problems. He felt the charter, the by-laws, and the articles of corporation all had different things to say about the structure of the school and how the school would function, and what the board looked like as a whole. The board took the opportunity with the conversion to rewrite their entire charter. Mr. Crandall presented the new charter as well as the conversion document outlying the specific questions the State Charter School Board was particularly interested in, in terms of the conversion itself. Mr. Crandall informed the State Charter School Board that Freedom Academy has rewritten their entire charter and they are in the process of rewriting their by-laws and articles of corporation to be in line with the rewritten charter. The new charter has been presented to their entire parent body for approval and has received a majority vote of approval.

Chair Brian Allen requested Mr. Crandall and Lynne Herring, Director of Freedom Academy, to tell the State Charter School Board about their school; what the intended focus and emphasis of the school; what are some of the things being done at the school they feel are innovative. Ms. Herring informed the State Charter School Board that the school is chartered K-8 and has spent the first and second year K-6 grades. They will be adding a 7<sup>th</sup> grade next school year, and the following year an 8<sup>th</sup> grade. The school has the basic core curriculum, uses Spalding Reading, Saxon Math, and Core Knowledge. The school is doing some action research to investigate different programs that would support areas of weakness they have found in their language arts area. The school has five specialties that the students rotate during the week. At the school they have a number of functioning after school clubs that have been very successful. The board is

functioning well with open communication from the board to the faculty into the parent community. Ms. Herring feels they have a very open door policy. The parents are involved in all the decisions.

Mr. Crandall informed the Charter School Board that the school is located in south Provo, in the East Bay Industrial Park. Chair Brian Allen inquired whether Freedom Academy has done any collaborative work with Provo School District. Mr. Crandall informed the Charter School board the school has not, but there are children whose parents are members of the Provo School District attending Freedom Academy. Mr. Crandall stated the school had used Special Education services from the Provo School District. Chair Brian Allen inquired what the percentage of their school population is Special Ed. Ms. Herring replied there are 29 students out of 400 population with Special Ed needs.

Chair Brian Allen inquired what the school was doing to engage parents or other members of the community. Mr. Crandall answered by informing the Charter School Board they typically start the year with a “Back to School Night” that includes parent involvement, parent education in terms of what curriculum programs are being used at Freedom Academy. Teachers from the school instruct the parents at “Back to School Night” on what the curriculum programs offer, so the parents can understand and be knowledgeable about the curriculum so they can be more effectively involved in their own children’s education. Throughout the year, the school has a number of programs that involve the parents as volunteers to bring them directly into the school.

Chair Brian Allen inquired of the financial help the school is receiving. Mr. Crandall informed the Charter School Board that the help is excellent in terms of where the school is located. They are struggling as a second year charter school in convincing lenders that the school is a reasonable risk by owning their own building and obtaining a piece of property.

Member Barbara Killpack inquired as the schools goals. She questioned Mr. Crandall if the school was meeting the goals they have set. He responded the first year data is showing the school is doing fantastic. Ms. Herring stated they have preliminary scores from CRT tests of this year and it increases in math, language arts, and science. Mr. Crandall stated concerning math scores, in all the grades that were tested, the school was at 95% competency and above for every grade. In reading, 85% and above; Science he felt the school was struggling; the higher grades were 65% but the lower grades were higher than 65%..

Director John Broberg asked Mr. Crandall and Ms. Herring because of rewriting their charter, if they felt there were any specific things the school has done they would like to explain to the Charter School Board. Mr. Crandall replied they had totally readjusted the process of voting in members of the board. In the new process, a person runs for the “board” and once you are voted on the board, as board members and as a board they decide which member will play which role. Another change dealt with finances; the board has made extra effort to spend the awarded funds in the appropriate categories.

Member David Moss requested the schools finance statements and board minutes be integrated into the conversion document and process. He also stated he felt it important to have a percentage measure to show what degree the schools have reached their goals. A report showing

their percentage of achievement would show the Charter School Board where the schools are in the process of achieving their goals. Member Barbara Killpack suggested having the financial statements included in the conversion documents.

Member Barbara Killpack inquired because Freedom Academy was adding a 7<sup>th</sup> grade next year, what steps the school was taking in regards to staffing and curriculum. Ms. Herring informed the Charter School Board Freedom Academy has been having a 7<sup>th</sup> grade committee meeting monthly all year long, to help design and understand how a 7<sup>th</sup> grade will function in their school setting. Because of having only one class of 25 students, they have structured the class to feel like a regular self-contained class. The 7<sup>th</sup> grader's schedule will be different than other grades and will have electives. Ms. Herring feels it will be a pilot program, so they can get it up and running this year, and add a second 7<sup>th</sup> grade the following year, along with two 8<sup>th</sup> grades. Member Scott Smith inquired as to the number of 6<sup>th</sup> grade students in the school. Ms. Herring responded there are 20 6<sup>th</sup> graders enrolled in Freedom Academy this school year. Mr. Crandall informed the Charter School Board that Freedom Academy's basic goal in terms of student body is to increase to three classes per grade, with a maximum of 25 students per class. In the lower grades they have reached that goal, but in 5<sup>th</sup> grade they have two classes, and one 6<sup>th</sup> grade class. At this time, the school has four kindergarten classes.

Motion was made by Member David Moss and seconded by Member Eric Smith to approve Freedom Academy Conversion Document. The motion was carried unanimously.

#### 4. Jean Massieu Conversion

Director John Broberg reminded the Charter School Board in the last legislative session, the way was cleared for Jean Massieu Charter School to join the Utah School for the Deaf and Blind. However, because the process of merging with the USDB is not complete, Jean Massieu has applied for a conversion with the State Charter School Board. Director Broberg informed the Charter School Board there were no changes from their original charter in the conversion. Associate Superintendent Ray Timothy informed the Charter School Board he had been asked by members of the State Board of Education why Jean Massieu conversion was on the State Charter School Board agenda; members of the state board thought Jean Massieu School was working in good faith towards combining with the Utah School for the Deaf and Blind. The State Board has not dissolved Jean Massieu's charter, and does not intend to dissolve their charter until Jean Massieu decides to join with USDB. If the school reaches the consensus not to join with USDB, then the State Board would entertain a conversion. The State Board of Education doesn't see an urgency to dissolve Jean Massieu's charter and enter into a conversion agreement until discussions are finalized. Chair Brian Allen stated there is no rule or legal obligation on the part of the State Charter School Board or the State Board of Education to have conversions complete within a prescribed time frame.

Motion was made by Chair Brian Allen and seconded by Member Eric Smith to defer action on Jean Massieu's conversion until the school makes a decision concerning USDB. The motion was carried unanimously.

#### 5. Entheos Academy

Monty Hardy, Chairman of the Board for Entheos Academy made presentation to the State Charter School Board explaining the schools vision, proven models the school will be using and the school's mission statement.

Mr. Hardy pointed out in their application it states the school will be a K-7 school, but would like to amend the grade level to K-8 because of the demand of enrollment in the area of Granite School District where the school will be located, in Kearns, Utah.

Martin Bates, from Granite School District stated he felt Entheos Academy has a solid application, and the district is impressed with the preparation that the school made. His concern with the application was the lack of addressing English Language Learners; also a concern with the process of disciplinary and determination procedures addressed in the application. He felt there wasn't enough clarification as to the procedures the school would follow concerning discipline and/or determination of staff. Finally, he feels because there are more reporting and administrating details in running a school than new charter school applicants understand, he feels the charter school applicants need to consider an administrator or designated administrator whose responsibility is to get the reports in on time and complete.

Member Anne Peterson questioned Martin Bates if Entheos Academy staffing of Special Education is inadequate, is there a possibility the school could contract with Granite School District for additional services. Mr. Bates informed the Charter School Board that question comes up with each Charter School applicant, and Granite School District themselves struggle with staff for Special Education. He feels Granite School District would be hard pressed to contract people to charter schools, when the district is struggling themselves.

Janene Bowen, from Jordan School District expressed the district's concern with charter schools. The district's concerns are whether charter schools are financial viable, if they align with the Utah State Core Curriculum, they provide innovative models for addressing the needs of the state's most at-risk children from which school districts can learn, addressing the needs of special education students adequately as outlined under federal and state law, and commit to timelines that allow school districts to receive and compile charter school enrollment data in time to make accurate staffing projections and avoid the financial consequences of dual enrollment.

Ms. Bowen informed the State Charter School Board there will be four general charter schools in Jordan District for next school year. Three authorized for K-8 or 9 and one K-6, none of those charter schools are in the Hillcrest High School feeder system, which is Jordan District's lowest income area. The Jordan School District Board has been consistently concern about serving at-risk children, and transportation becomes an issue with charter schools.

Jordan School District feels this application only marginally fulfills the purposes of charter schools. Ms. Bowen stated some of the innovative things Entheos Academy would be applying, are things that Jordan School District is working with in smaller learning communities and adopting as well. Concerns about the Core Curriculum, large founding member list, special education services, timeline of lottery and extracurricular activities were addressed in correspondence given to board members.

Chair Brian Allen asked Ms. Bowen if Jordan District would be willing to allow charter schools to participate in extracurricular activities. She informed the Charter School Board that Jordan District's board will be looking into the possibility, but the board's concern is there is a cost in personnel and in Utah High School Athletics Association membership.

Member David Moss questioned Monty Hardy if they new how the schools that are located around the proposed school site did in regard to AYP scores and compliance with NCLB. The Charter School Board was informed that they had taken scores from schools in a five mile radius of where the school would be built and took averages and set Entheos Academy goals from those averages.

Chair Brian Allen asked for information of their fiscal procedures; dual control to help ensure fiscal management and special education program. Entheos Academy has a governing board; the director will be CAO, however, will not have a vote on the board for action items. All financial responsibilities will fall on the board. The Charter School Board was informed that the founding members have talked with various charter schools in the state as well as other ELOB (Expeditionary Learning Outward Bound) charter schools around the county to get a general idea as to what special education population and needs they will be facing. The ELOB program lends itself very well to Special Education.

Member Barbara Killpack questioned the salary difference between a regular education teacher and a special education teacher. Mr. Hardy explained there were very few special education dollars identified in the application. They do plan on adding special education add-ons to the salary in the budget.

Member Eric Smith questioned the approval process in their financial spending. Mr. Hardy replied there would be a purchase order system and approval by the board.

Member Barbara Killpack questioned the school's outreach plan. Mr. Hardy explained they will let the public know of the school through flyers, newspaper articles, and news media. When construction begins on the school they plan to place a sign on the property.

Member Anne Peterson asked the motivation for proposing the school in Granite District as opposed to Jordan District. Mr. Hardy commented that from the beginning, they felt the school would be located between both school districts' borders, and they have had a committee working with district relations. They have felt a little more favorable response from Granite District, but has had response from parents of both districts.

Member Barbara Killpack questioned the statement of Entheos Academy being a feeder school for another charter school; Entheos Academy feeding into Paradigm High School. Chair Brian Allen stated Paradigm High School has not been approved a charter. He also stated there is legislation passed that allows that to occur, however it would make Paradigm High School ineligible for federal funding. Director John Borberg emphasized the state law allows it, but federal law strongly forbids preference.

Chair Brian Allen cautioned concerning procurement procedures. He reminded the applicants the school would be subject to Utah Procurement Procedures Act, which means there is a competitive bidding process for certain finances; cautioned about open public meetings law; and restated Granite School District's concern of ESL services.

Associate Superintendent Ray Timothy cautioned the possibility of circumventing the lottery process and opportunities for students to enroll by having too large of a founding member list exceeding the federal guidelines. Mr. Allen stated that 20% is consistent with the state guidelines; Mr. Timothy added the state guideline is no more than 20%, but the federal government feels that percentage is high.

After much discussion and several motion revisions the final motion was made by Chair Brian Allen to defer action on Entheos Academy's application until the board meeting in June, and in the interim of time, John Broberg will meet with the applicants to answer concerns that were raised by Granite School District concerning ESL issues and to formalize a report to the State Charter School Board on how Entheos Academy addressed the concerns of the readers that were stated. Director John Broberg will report to the board in their June meeting then the board will finalize their action. The motion was seconded by Member Barbara Killpack. The motion was carried unanimously.

#### 6. Paradigm High School

Celia Johnson, CAO, informed the board they have been doing a lot of work to get a site and building for Paradigm High School by talking with several investors and brokers.

Ms. Johnson informed the board that the curriculum would be a classical curriculum, and they want the building reflect that classical feel. To have it be a calm welcoming setting with a strong foundation feel. They want a permanent building and not a portable concept.

Paradigm High School plans a block schedule. Monday, Wednesday, and Tuesday, Thursday block schedule so students that are dual enrolled with Salt Lake Community College or other institutions can fit their schedule to leave campus and go to higher education facilities. With this schedule, it leaves Friday for a lab day.

Member Anne Peterson inquired about the school's assessment plan and wanted to know who would coordinate that program. Celia Johnson informed the Charter School Board they have an academic director that would be in charge of tracking and monitoring the state testing of the students. The school wants students to have high academic scores, but also they want the students to be responsible.

Janene Bowen from Jordan School District stated she felt Paradigm's application is a good example of the Charter School process. She appreciates the growth of the process and discussion of the board.

Jordan School District doesn't feel there is a strong need for Paradigm High School since Paradigm is offering things similar Jordan District already has in place. She stated that high schools in Jordan District offer choice and opportunity, they offer concurrent enrollment, they

offer things that are connected with universities and colleges, CTE programs, bio tech programs, and an IB (International Baccalaureate) program. What Paradigm is offering is similar in terms of the cliental, is Jordan District's IB Program. That program is very rigorous, a liberal arts program for gifted students and it happens to fulfill all seven purposes of charter schools. Ms. Bowen informed the board it is a magnet program; and an expensive program to run. The Jordan School District IB program is located in Hillcrest High School.

Jordan School District's concerns are with the knowledge the applicants have with the complexity of high schools and their scheduling; with professional development and the Socratic method which requires extensive training and funding; extracurricular activities are not automatic from Jordan School District.

Member Barbara Killpack feels the extracurricular section of their charter needs to be rewritten and spelled out specific so parents understand their students will be doing intramural type activities and make the necessary agreements.

Member Eric Smith questioned the high amount in their budget for rent. Ms. Johnson informed the board they had analyzed other schools in the area, and wanted to make sure there was ample funds. Member Eric Smith cautioned the school to make adjustments in that part of their budget.

Member Brian Allen had a question for Ms. Bowen as to whether the district furnished transportation to Hillcrest High School for their IB Program. She responded that she believes the IB program was placed purposely at Hillcrest High school to accommodate the district's lowest income students. There are four gifted programs in the district and they are place in the four different quadrants, and feed into Midvale Middle which is the district's lowest income middle school because it brings the program to their poorest kids.

Member Brian Allen made the following suggestions:

- Page 15 of application - "Student interest and finances also have an impact on electives." Mr. Allen feels the way the statement is stated, it suggests the students finances may have an impact on the electives. The application needs to clarify the statement.
- Page 15 and one other place in document - Seminary programs or seminary teachers are referenced in the application; Mr. Allen suggested that the school doesn't need to plan seminary, it is an LDS Church function. Member Barbara Killpack suggested there needs to be reference to release time, not seminary.
- Financial plan - Benefit ratios are low.
- Page 120 of application – Need dates changed on premium deposit.
- Page 123 of application – Fiscal procedures. He feels they could be strengthened; also, #8 your financial report should be submitted monthly, not annually. #9 needs to be changed to read these documents will be provided on a monthly basis to the State Charter School Board as required by board guidelines.

Member Scott Smith expressed his concerns about the lack of a disciplinary or termination process in their application.

Member Barbara Killpack expressed her concern with their financial budget information. Specifically making sure their course work is mapping to the core requirements and their budget.

Motion was made by Member Eric Smith and seconded by Anne Peterson to approve Paradigm High School with the condition their resolving the concerns expressed by the Charter School Board. The motion was amended with the addition of John Broberg reporting to the Charter School Board via e-mail when the concerns are resolved; prior to sending the approval to the State School Board. The amended motion was passed with Members Eric Smith, Anne Peterson, Barbara Killpack, Sonia Zisumbo, and Brian Allen voting in favor. Opposing votes from Members David Moss and Scott Smith.

The remainder of the meeting followed the agenda with Superintendent Patti Harrington presenting strategic planning ideas; Associate Ray Timothy addressing effective board membership; Marlo Wilcox, Director of Human Resource Management discussing personnel issues; Carol Lear, Coordinator in the Government and Legislative Relations section at USOE, addressing legal concerns with open meetings law, email guidelines, Ethics Act, and conflicts of interest; Judy DeWaal, Controller and Janice Christensen, Purchasing Agent in Internal Accounting discussed accounting guidelines pertaining to travel reimbursements, RFPs, and contractual agreements; Larry Newton, School Finance Director, Patty Murphy, Randy Raphael, Cathy Dudley, and Richard Tolley from School Finance & Statistics addressed financial practices.

The meeting was adjourned at 3:45 p.m.