

October 10, 2019

MINUTES OF THE
UTAH STATE CHARTER SCHOOL BOARD MEETING

Thursday, October 10, 2019
Utah State Board of Education—Board Rooms

DRAFT

Members Present:

Chair Kristin Elinkowski (*refrains from voting, unless otherwise noted)
Vice Chair DeLaina Tonks
Member Cynthia Phillips
Member Jim Moss
Member Bryan Bowles
Member Krystle Bassett
Member Michelle Smith (via telephone)

Staff Present:

Jennifer Lambert
Assistant Attorney General David Jones
Michael Clark
Amber Hellstrom
Brett Campbell
Stewart Okobia
Greg Connell
Marie Steffensen

Staff Absent:

James Madsen

Others Present:

Chair Mark Huntsman (USBE), Super. Angela Stallings (USBE), Rob Fontenot (CCA), Susan Goers (CCA), Neil Walter (SGA), David Jones (SGA), Steve Hurst (SGA), Kristi Hall (SGA), Nadia Pflaum (KUTV), Chris Jones (KUTV), Ben Johnson (Treeside). Rob Fontenot (CCA), Tammi Ross (CCA), Susan Goers (CCA), Tom Ruiz (CCA)

Call to Order

Chair Elinkowski called the meeting to order at 10:12 AM.

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Pledge of Allegiance

A flag was present and the Pledge of Allegiance was made by those in attendance.

Public Comment

Mr. Ben Johnson, of Treeside Charter School, commented on gratitude for support from the State Charter School Board, and encouraged efforts to continue to reign in predatory developers who are preying on charter schools and wasting taxpayer money.

Board Chair Report

Chair Elinkowski reminded the board of the NACSA 2019 Leadership Conference.

Consent Calendar

A) September 12, 2019 Minutes, B) Monthly Financial Report, C) Dixie Montessori Academy Charter Agreement, D) Mountain Sunrise Academy Amendment, E) Ogden Preparatory Academy Amendment.

Motion

Member Phillips moved, and Member Bowles seconded, to “approve the Consent Calendar.” The motion carried unanimously.

St George Academy—Potential Action

Enrollment and Financial Viability

Mr. Michael Clark and Mr. Stewart Okobia discussed the history of St. George Academy, initial enrollment, analysis from third-party vendor, break-even number for budget, student transfer and retention rates, restricted vs unrestricted funds, days of cash on hand, real estate deals, loans from board members, issuance of a Notice of Concern, recommendation of closure, and urging the school to consider the Voluntary School Improvement Program.

Representatives of St. George Academy (SGA) responded to the board’s questions, discussing meeting with SCSB staff, academic experiences at SGA, financials, history of the school, district grade structure, student achievement, school environment, teacher developed programs, enrollment, initial funding sources, land acquisition and deals, restructuring of school’s lease, being prepared to operate cash flow positive in SY2020, opening of local district high school, student experience, willingness to hold restricted and unrestricted funds in separate accounts, clarifications on budget that was made in July, Government Accounting Standards Board (GASB), bringing business management in-house, ability to reduce facility expense to 28% or less, optimism for obtaining 30 days cash on hand in SY 2020, plans for attracting more students, school’s history with meeting financial obligations,

Motion

Vice Chair Tonks moved, and Member Phillips seconded, “to propose termination of St. George Academy and follow the steps as outlined in statute.”

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Amendment to the Motion

Vice Chair Tonks moved, and Member Phillips accepted, to amend her motion “to add a timeline that the school can request a hearing within 14 days,” thus the motion became “to propose termination of St. George Academy and follow the steps as outlined in statute. The school can request a hearing within 14 days.”

Amendment to the Amendment

Vice Chair Tonks moved, and Member Phillips accepted, to amend her amended motion that “if we recommend closure, that would take place at the end of the school year, barring unforeseen financial circumstances that would make that not possible.” thus the motion became “to propose termination of St. George Academy and follow the steps as outlined in statute. The school can request a hearing within 14 days. If we recommend closure, that would take place at the end of the school year, barring unforeseen financial circumstances that would make that not possible.” The motion carried unanimously.

Capstone Classical Academy—Potential Action

Enrollment and Financial Viability

Mr. Michael Clark and Mr. Stewart Okobia discussed Capstone Classical Academy’s enrollment, transfer and retention rates, restricted and unrestricted funds, days cash on hand, Notice of Concern status, concern for school’s need to spend restricted funds, debt, and possible timeframes for closure.

Representatives of Capstone Classical Academy were questioned by the board and discussed enrollment, growth, retention, plans for achieving a break-even budget, strength of academics, school culture, multi-disciplinary learning model, marketing plans, parent surveys, transportation, feasibility study with landlord to study the need for funding a school bus, athletic achievements, fundraising, philanthropists who have expressed interest in purchasing building, grant funding, parent reaction to school model, ADM and WPU, and their deficit in this fiscal year.

Motion

Vice Chair Tonks moved, and Member Phillips seconded, “to propose termination of Capstone Classical Academy (CCA) in January of 2020, barring financial and enrollment increases, which will be determined, that could change the course of needing to be terminated. Within 14 days they (CCA) may request a hearing from us (SCSB)—and that will be the space in which we have those conversations and outline what needs to change between now and then.” The motion carried unanimously.

Action and Follow-up from Lessons Learned Discussion in September 2019 Meeting

The “Lessons Learned” presentation was displayed and the board discussed:

- Requiring background checks for applicants in application process

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- Mixing and matching application elements
- Requiring each governing board member to complete individual assurances concerning their role
- Presenting on authorizing at school governing board meetings
- Requiring (rather than just offering) trainings for boards and other key personnel of schools more often

Motion

Member Phillips moved, and Member Smith seconded that “SCSB staff reach out to the USBE and push for, and discuss the possibility of, and the format and language of board rule that would require specific best practice actions and training on the part of local charter school board members.”

Amendment to the Motion

Member Smith moved that “‘local charter school board members’ be changed to ‘LEA board members’.” Member Phillips accepted the amendment and thus the motion became ““SCSB staff reach out to the USBE and push for, and discuss the possibility of, and the format and language of board rule that would require specific best practice actions and training on the part of LEA board members.” The motion carried unanimously.

Motion

Member Moss moved, and Member Bowles seconded, to let the committees review these and come back with specific proposals. The motion carried unanimously.

- The Executive Committee will decide which committee will look at each suggestion.

Motion

Member Phillips moved, and Vice Chair Tonks seconded, that “we go into closed session for the purpose of discussing pending litigation.” The motion carried unanimously with the following votes:

- Chair Elinkowski—Yes
- Vice Chair Tonks—Yes
- Member Moss—Yes
- Member Phillips—Yes
- Member Bassett—Yes
- Member Smith—Yes
- Member Bowles—Yes

Closed Session

Member Smith left the meeting during closed session.

Motion

Member Phillips moved, and Member Bowles seconded, “to come out of closed session.” The motion carried unanimously by those members present with the following votes:

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- Chair Elinkowski—Yes
- Vice Chair Tonks—Yes
- Member Moss—Yes
- Member Phillips—Yes
- Member Bassett—Yes
- Member Bowles—Yes

Carry Forward Spend Plan

Mr. Stewart Okobia displayed the Carry Forward Spend Plan for the board's consideration and comments.

Motion

Member Moss moved and Member Phillips second to “move the unallocated \$33,981 to Board and Staff Training, New Staff Onboarding, and Other Operational Needs.” The motion carried unanimously by those members present.

Transfer Rate Report

Mr. Greg Connell displayed the Transfer Rate Report and discussed the data, how the board could utilize Tableau in the future and getting Tableau on the website, or another shared platform, while simultaneously protecting student level data.

Motion

Member Moss moved to “go into closed session for the purpose of discussing the character and fitness.” Nobody seconded the motion so it failed.

Motion

Vice Chair Tonks moved, and Member Bassett seconded, “to return to closed session for the purpose of discussing character and competency of an individual.” The motion carried unanimously by those present with the following votes:

- Chair Elinkowski—Yes
- Vice Chair Tonks—Yes
- Member Moss—Yes
- Member Phillips—Yes
- Member Bassett—Yes
- Member Bowles—Yes

Closed Session

Motion

Vice Chair Tonks moved, and Member Phillips seconded, “that we leave closed session.” The motion carried unanimously by those present with the following votes:

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- Chair Elinkowski—Yes
- Vice Chair Tonks—Yes
- Member Moss—Yes
- Member Phillips—Yes
- Member Bassett—Yes
- Member Bowles—Yes

Adjourn

Motion

Member Moss moved to adjourn.