

Utah State Charter School Board Meeting  
Minutes  
**April 14, 2011**  
North & South Board Rooms  
Utah State Office of Education

**APPROVED**

Members present: Tim Beagley, Laura Belnap, Dean Brockbank, Yolanda Francisco-Nez, Tom Morgan, John Pingree, Scott Smith

Staff present: Marlies Burns, Paul Crawford, Cory Kanth, Jeannie Rowland, Georgia Loutensock, Jo Schmitt

Others present: Deputy Superintendent Martell Menlove, Dave Crandall, Justin Testerman, Tamara Lumpkin, Janene Bowen, Karl Ashliman, Steve Crandall, Holly Sonntag, Holly Brown, Jennifer Perry, Carolyn Sharette, Brad Findling, Lincoln Fillmore, Howard Headlee, Duane Miles, Eric Robins

Call to Order

Chair Tom Morgan called the meeting to order at 9:10 a.m.

Approval of Minutes

Motion was made by Member Scott Smith and seconded by Member Yolanda Francisco-Nez to approve the minutes from the March 10, 2011 State Charter School Board Meeting. The motion was carried unanimously.

Public Comment

Karl Ashliman, member of the Board of Directors for Vista Charter School in St. George, chairman of the finance committee and a Vista parent. Mr. Ashliman expressed his feeling and concerns regarding the decision made by the State Board of Education that will require Vista Charter School to conduct elections according to its existing charter for all open board positions.

Facility Report-Summit Academy High School

Representatives from Summit Academy High School responded to questions and concerns the SCSB had regarding Summit Academy High School's facility decisions. Steve Crandall, Principal/Director of Summit Academy High School informed the SCSB they had selected Bluffdale City as the location for their new school building because that is where they could find property that was available, affordable, and would suit the school's purposes. Member Tim Beagley questioned the location of the property relative to Jordan School District and Canyons School District. He was informed the property is on the border of both districts; across the street from Canyons School District.

A second concern of the SCSB related to how the school met the facility acquisition indicated in R277-470-6 for the start of a new building by January 1. Mr. Crandall stated the school is operating and leasing space from Summit Academy; they are not trying to build the facility so they can open the school.

The third concern of the SCSB was how the board met the requirements for notification to Jordan School District within 15 days after securing a building site. Mr. Crandall stated that requirement is a rule related to satellite schools and Summit Academy High School is designated as a new school, not a satellite school. A

letter dated February 16, 2011 was sent to Interim Superintendent Stoddard, of Jordan School District, informing the district of the recent signing of a contract to purchase property in Bluffdale City.

Janene Bowen, representing Jordan School District, expressed the district's concern of not knowing in advance of the school's location choice because of the effect it has on the district. She cautioned of the precedence that was being set.

#### 2011 General legislative Session Update

Deputy Superintendent Martell Menlove distributed a Public Education Summary booklet and a 2011 Fiscal Highlights document. Dr. Menlove summarized the 2011 General Session of the Utah Legislation.

#### Charter School Subgrant Fund Recommendations

Dr. Cory Kanth presented to the SCSB recommendations from the Revolving Loan Fund Account Committee eight loans for charter schools. The loans consist of four loans to start-up schools for start-up purposes: Aristotle Academy, Endeavor Hall, North Peak Academy, and Pacific Heritage Academy; also, considered as a start-up entity is Entheos Academy-Satellite #1 and Good Foundations Academy, as a first year school, but is still in the start-up phase; Moab Charter School and Mountainville Academy were also recommended for loans.

Dr. Kanth distributed a spreadsheet detailing expenditures encompassed in each of the loans. One condition that the Revolving Loan Fund Account Committee imposed was prior to disbursement of the loans funds, each school should have a detailed and comprehensive budget detail statement on file with USOE. Also the Revolving Loan Fund Account Committee requested with this recommendation that Moab Charter School be granted a waiver from R277-480-3(D) (2) which stipulates that loan amounts should not exceed the higher of either \$300,000 or \$1,000 per pupil enrolled on October 1<sup>st</sup>.

Motion was made by Vice Chair Tim Beagley and seconded by Member John Pingree to recommend to the USBE approval of the loans, to include the requested waiver. The motion was carried unanimously.

#### Changes to R277-470

Director Marlies Burns presented changes to R277-470. Those changes include: Section 1-making technical corrections to the definition of "new charter school" and definition of "urgent facility" need to incorporate the new code number; Section 4-recommending orientation meetings for pre-applicants occur four times annually, at the discretion of staff and not required to be held quarterly; Section 6-timeline for Charter School opening date; Section 7-remedying Charter School financial deficiencies; Section 8-Charter School financial practices and training; Section 9-procedures and timelines for Charter School conversions to change authorizers; Section 12-oversight and monitoring; Section 13-expansions; Section 14-satellite schools; Section 17-miscellaneous provisions.

#### Changes to Charter Agreement

Chair Tom Morgan expressed his thoughts and concerns regarding accountability and credibility in charter schools, stressing performance standards and feedback from the charter school community. Chair Morgan suggested the SCSB consider to not define standards and targets for charter schools with specific ratios and specific ranges, unless they are determined already by the USBE, but allow the schools to set those parameters themselves, and live by those parameters, while considering the format and categories the SCSB has set to define their parameters, goals, benchmarks, ratios and targets. The success of their charter is determined by how they have followed their agreement.

Chris Bleak, Howard Headlee and Duane Miles expressed their opinions and concerns regarding the proposed changes to the charter agreement.

Chair Tom Morgan stated there are several schools that have been granted a charter, but have not signed an agreement, and the signing of that agreement has time ramifications related to a number of things. Chair Morgan proposed that those schools that have been approved by the SCSB and the USBE be allowed to sign the agreement that is presently in place, and not penalize those schools by not having a signed agreement so they move forward with their plans.

After much discussion, no action was taken regarding the charter school agreement proposed changes. Suggestions were made by several SCSB members to rewrite Section 12 to incorporate a penalty piece, to implement a performance framework where schools would set their own standards, consistent with minimum standards set for all schools, and to change language to specifically state the SCSB communicates directly with the charter schools' Board of Directors.

#### Executive Session

Motion was made by Member John Pingree 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 executive session.

Motion was made by Vice Chair Tim Beagley and seconded by Member Dean Brockbank to reconvene into open meeting.

Motion was made by Vice Chair Tim Beagley to change the June Charter School Board Meeting from Thursday, June 9, 2011 to Thursday, June 2, 2011. Because of no second, the motion was withdrawn.

Motion was made by Vice Chair Tim Beagley and seconded by Member Laura Belnap to change the June Charter School Board Meeting from Thursday, June 9, 2011 to Wednesday, June 1, 2011 so more of the board members can be in attendance. The motion was carried unanimously.

Motion was made by Vice Chair Tim Beagley and seconded by Member John Pingree that the newly approved charter schools for the 2012-2013 school year empower the chair of the Charter School Board Committee to sign agreements with them as they appear to the SCSB, and not ask they incorporate the performance framework. Chair Tom Morgan made an amendment to the motion that in the agreement they sign, that they agree to come back before the SCSB when the new agreement is completed and add the performance framework. Vice Chair Tim Beagley accepted the amendment to the motion. The motion and the amendment to the motion was seconded by Member John Pingree. The motion was carried unanimously.

Motion was made by Vice Chair Tim Beagley and seconded by Member John Pingree that in accordance with the directives given to the SCSB by the USBE to direct Vista at Entrada School of Performing Arts and Technology Board to abide by their charter, with special attention paid to the fact they hold an election as outlined in their charter; to offer the school the services of Charter School Staff, should they chose to work with them, to determine how those elections would properly be handled; and have Chair Morgan of the SCSB draft a letter to be sent to Vista at Entrada School of Performing Arts and Technology Board restating the directives given by the USBE. The motion was carried unanimously.

#### Adjourn

Motion was made to adjourn at 1:15 p.m. by Member Scott Smith.