

March 12, 2020

MINUTES OF THE
UTAH STATE CHARTER SCHOOL BOARD MEETING

Thursday, March 12, 2020
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 Krystle Bassett
Member Bryan Bowles

Members Absent

Member Michelle Smith

Staff Present:

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

Others Present:

Chair Mark Huntsman (USBE), Mike Haynes (USBE), Angela Stallings (USBE), Nathan Marshall (Providence Hall), David Vaas (Providence Hall), Tyler Bastian (Roots Charter High), Darren Beck (UMA), Curt Oda (UMA), Chuck Williams (UMA), Brett Nielsen (AeA), Holly Richardson (AeA), Rebecca Strait (AeA), Kim Goates (CGA), Josh Daniels (CGA), Heather Rogers (CGA).

Call to Order

Chair Elinkowski called the meeting to order at 10:18 AM

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Pledge of Allegiance

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

Board Chair Report

Chair Elinkowski discussed a press conference about coronavirus, some districts closing, and graduations sign-ups.

Public Comment

Nobody made public comment.

Consent Calendar

A) February 13, 2020 Minutes, B) Monthly Financial Report, C) Legacy Preparatory Academy Amendment, D) Merit Preparatory Academy "Exhibit A," E) Gateway Preparatory Academy "Exhibit A," F) Vista School Credit Enhancement Certification

Motion

Member Bowles moved, and Member Moss seconded "to approve the consent calendar." The motion carried unanimously.

School Spotlight—School Grade

Providence Hall High School

Ms. Jennifer Lambert discussed Providence Hall High School being in the top quartile in the State for school grade, impressive growth, and performance in ELA and math.

Representatives of Providence Hall discussed its IB program and its 90% pass rate, scholarship money students receive, meeting diverse needs, multiple campuses, participation in the High School Activities Association, and creativity of teachers.

Chair Elinkowski presented representatives of Providence Hall with a certificate acknowledging their success, then representatives took a picture with SCSB members.

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Amendment/Waiver Request from 180 Days

Roots Charter High School

Representatives of Roots Charter High School informed the SCSB that the school's board had decided to withdraw their application for their waiver after meeting with Turnaround specialists and will henceforth move forward in a way that accomplishes what they want to do but does not affect the 180 day rule.

Warning Status Update and Possible Action

Utah Military Academy

Mr. Michael Clark discussed the timeline since the SCSB's February meeting, noting that progression has been made but not all terms have been met. New information has been received, but the status with the Warning letter remains the same with untested progress.

Process of hiring a director, progress on terms of Warning, receiving a 'flag' status from the ROTC program, receiving presidential medal from a conference they attended in Washington DC, being one of the first academy's to have a curriculum for the Space Force, board review of budget and procurement practices, having national speakers speak at the academy, commitment of board members, new grievance policy meeting item #9 of the Warning letter, reviewing bylaws, preservation of institutional knowledge, belief in mission of school, implementation of ongoing training, and projected budget of having 16 days cash on hand by June 30th with current budget was presented by representatives of UMA.

Continuity of committed board members, process for transitioning of leadership positions, focusing on students, purpose of Warning for calling attention to areas where focus has not always been, importance of self-monitoring, and how school is getting to 30-days cash on hand by June 30th was discussed by SCSB members.

Motion

Member Phillips moved, and Member Moss seconded "that we remove Utah Military Academy (UMA) from Warning and stipulate that UMA report to staff all developments and relevant information on any unmet or untested terms of the Warning letter until such a time as staff can report to the board that those issues have been satisfactorily resolved—and, I would also like to have as part of this motion—have a report from UMA in June; which I anticipate will be a fantastic, positive report." The motion carried unanimously.

Discussion to the Motion

Belief that UMA is not checking boxes was discussed.

USBE Chair Huntsman

Chair Huntsman discussed school closures due to coronavirus, Superintendent Dickson being on governor's task force, governor's press conference, State not being ready to close schools just yet though some districts have done independently, governor may close schools through health department, encouraging LEA's to communicate with health department, USBE will have a Rule

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that states if the health department closes a school the 180 day rule will be waived and funding will continue to those schools, and the future of electronic board meetings.

Technology allowing schools to go virtual, resources of individual LEAs, parents self-selecting out of attendance and asking curriculum to be delivered digitally was also discussed by the SCSB.

Probation Status Update and Possible Action

Athenian eAcademy

Vice Chair Tonks declared a conflict of interest since she is the director of Mountain Heights Academy, an online school, and Athenian eAcademy is an online school.

Mr. Michael Clark discussed Athenian eAcademy not meeting the terms of Probation but making progress, the school requesting the SCSB allow the school's new team time to address the terms, and staff supporting Athenian's request for a six-month extension to their Probation status.

Representatives of Athenian eAcademy discussed frequency of meetings, providing professional development training for staff, preparation of new board members, visiting school's campuses, learning and understanding the school's Charter Agreement, and the establishment of a STEM committee to better communicate status and progress to students.

Pleasure with engagement of new board members and changes to culture, retention and enrollment, and growth were discussed by the SCSB.

Motion

Member Bassett moved, and Member Moss seconded, "that we approve Athenian eAcademy's request to extend their Probation by six months to allow the school more time to meet their terms of Probation." The motion carried unanimously.

Possible Action Under UCA 53G-5-501 for Noncompliance with Charter Agreement

Canyon Grove Academy

Vice Chair Tonks reported a potential perceived conflict of interest with her being the director of Mountain Heights Academy, another online school.

Mr. Clark discussed the physical location being central in Canyon Grove Academy (CGA)'s Charter Agreement, operation of a non-approved blended program, timeline of communication with CGA and their unapproved amendment request, establishment of CGA merger committee with LAU and Williamsburg Learning, dismantling of physical operation of school, Notice of Concern letter, temporarily reinstating physical operation of school, possible actions, and staff's recommendation to place CGA on two-month Probation,

If CGA would need an amendment request or full application to have a Charter Agreement CGA could be in compliance with, confusion over approval to operate distance program, not needing facility, number of days students spend on campus, intent to submit amendment application in

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the near future, anticipating remaining in current Alpine School District boundaries, whether CGA listed its building for sale, relationship between CGA board and SCSB, staff's history with school, and complaints from CGA community about the disbanding of physical location was discussed.

Motion

Member Moss moved, and Member Bowles seconded, "to place Canyon Grove Academy on Probation for two months to allow the school time to come in compliance with their Charter Agreement and to submit the amendment that has been discussed." The motion carried unanimously.

Legislative Update

The Executive Committee expressed appreciation for the Legislative Committee, and work of the Innovations Committee, staff, and the associations.

The Legislative Committee discussed collaboration process and consensus effort, success of bills, program accounting and ability to differentiate tracking of restricted and unrestricted funds, intervention tools, requesting documents for audit, ability to use VSIP in Turnaround if it works, ADSIP, school funds, and establishing productive relationships with legislators.

Reconsideration of Satellite/Replication Approvals

Executive Director Lambert discussed how the SCSB's job of approving expansion requests interacts with the job USBE has, and a motion made at the last USBE meeting asking the SCSB to reconsider their motion approving the three most recent expansion requests. Executive Director Lambert discussed whether the minimum requirements and standards were met, then staff's analysis of the three expansion requests was presented.

Motion

Member Bowles moved, and Vice Chair Tonks seconded, "after reconsideration of our process and the minimum requirements, we reaffirm our previous positions for the approvals for the Satellites or Replications for Ascent Academies, Freedom Preparatory Academy, and Wallace Stegner Academy." The motion carried unanimously.

Discussion to the Motion

Enrollment of Freedom Preparatory Academy in proposed location, process of minimum requirements, current purview of USBE in approving expansion requests, and commending staff for allowing the board to conduct their affairs without administratively rejecting requests and instead providing the adequate information to the body and allowing the board to interview the schools was discussed.

Motion

Vice Chair Tonks moved "to go into closed session for the purposes of discussing pending or reasonably imminent litigation." The motion carried unanimously with the following roll call:

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

Possible Closed Session in Accordance with The Utah Open and Public Meetings Act for Purposes Outlined in Law

Motion

Vice Chair Tonks moved, and Member Phillips seconded, “that we go back into open session.”
The motion carried unanimously with the following votes:

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

Adjourn

Motion

Vice Chair Tonks moved “to adjourn.” The motion carried unanimously.