

**MINUTES OF THE  
UTAH STATE CHARTER SCHOOL BOARD MEETING**  
Thursday, April 14, 2016  
USOE – Board Rooms

**DRAFT**

**Members Present:**

Chair Howard Headlee  
Vice Chair Kristin Elinkowski  
Member DeLaina Tonks  
Member Tim Beagley  
Member Bruce Davis  
Member Dean Brockbank  
Member Robert Enger

**Staff Present:**

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

**Others present:**

Linda Hansen, Terryl Warner, Warren Shenk, Jennifer Moulder, Diane Nelson, Tina Smith, Cody Laird, Brenda Hedden, Vonda Parriott, Barbie Faust, Brenda Spearman, Joylin Lincoln, Kim Tafari, Fran Miller, Shawn Teigen, Angela Fanjul, Deb Hefner, Stephanie Hartgron, Rachelle Call, Shari Bradley

**Call to Order**

Chair Howard Headlee called the meeting to order at 9:03 a.m.

**Pledge of Allegiance**

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

**Board Chair Report**

Chair Howard Headlee informed the SCSB that there are three members of the SCSB serving on the committee that is working with the 360<sup>0</sup> evaluations for both the board and the charter school staff. Member Tim Beagley has taken the lead of that committee and Members Kristin Elinkowski and DeLaina Tonks are the additional members of the committee. Member Kristin Elinkowski reported that the committee has met and started the process and will be reporting back to the SCSB at the next board meeting. Member Tim Beagley informed the SCSB that the survey has now closed, with 74 responses giving very good constructive criticism and that they have started compiling those responses.

In addition, Chair Headlee informed the SCSB that the USBE has initiated a charter school task force and has asked for three individuals from the SCSB to serve on that task force. Members Bruce Davis, Robert Enger and Chair Howard Headlee will be participating in that task force. Chair Headlee stated he understands the USBE will be exploring a number of issues related to the interaction between the SCSB and the USBE.

**Consent Calendar**

**MOTION:** Member Tim Beagley moved and Member Robb Enger seconded to approve the consent calendar which contained the draft minutes from the March 10, 2016 meeting, Soldier Hollow Charter School's request for an additional year of offering grades K-6 without modifying its Charter Agreement, and Monticello Academy's request to offer grade 10 during the 2016-2017 school year for no more than 25 students. The motion was carried by those in attendance.

#### **Public Comment**

Brenda Spearman, representing Bonneville Academy, requested clarification to the next step in the authorization of Bonneville Academy. Chair Headlee stated he felt Bonneville Academy was aware of items that have been identified as weaknesses in the application, and that the SCSB has a range of options and time to revisit the possibility of authorization. Ms. Spearman was directed to submit a revised application to the SCSB and be placed on the May agenda. Member Tim Beagley requested a copy of the letter that was sent to Bonneville Academy by the USBE explaining why their application was denied; to be able to compare the two and to ensure the changes have been made. Member DeLaina Tonks suggested Ms. Spearman listen to the Law and Licensing Committee discussion and the USBE meeting and address the issues that were raised.

#### **Report – Utah Foundation**

Shawn Teigen, representing Utah Foundation, reported to the SCSB the charter school funding report that the foundation has been working on will be released in two weeks. Mr. Teigen stated the report will address funding differences between district and charter schools, detailing weighting differences, the ADM conversation, LRF, and transportation funding.

#### **Amendment Request – Leadership Learning Academy**

Representatives of Leadership Learning Academy presented their amendment request to open a satellite school in Ogden City School District in SY2018 serving grades K-6 and 567 students.

**MOTION:** Vice Chair Kristin Elinkowski moved and Member DeLaina Tonks seconded to recommend for approval to the USBE the amendment request to open a satellite school in Ogden City School District with a cap of 567 students, beginning with 513 students in the 2017-2018 school year,. The motion carried unanimously by those in attendance.

#### **Action pursuant to UCA §53A-1a-510, §53A-1a-509, R277-481**

After discussion regarding schools identified either on probation, warning, or in the state turnaround program the following motions were made:

**MOTION:** Vice Chair Kristin Elinkowski moved and Member Robb Enger seconded to allow **Dual Immersion Academy, Entheos Academy-Magna, Mana Academy and Utah Connections Academy** to enter into the state Turnaround Program.

**AMENDED MOTION:** Member Tim Beagley moved and Member Dean Brockbank seconded to allow the four schools to participate in the Turnaround Program but to also place them on warning status; the Charter School staff was instructed to work with the Turnaround specialist and the schools to come back with the terms of the warning, to include the terms of the turnaround and any other terms they think is relevant to the charter agreement, to the next SCSB meeting for approval; and to also submit a closure plan. Vice Chair Kristin Elinkowski and Member Robb Enger agreed with the amended motion. The amended motion carried unanimously by those in attendance.

**MOTION:** Vice Chair Kristin Elinkowski moved and Member DeLaina Tonks seconded to leave **CS Lewis Academy and Pioneer High School for the Performing Arts** on warning status and allow them to participate in the Turnaround Program. The motion carried with affirmative votes from Members Dean Brockbank,

DeLaina Tonks, Robb Enger, Bruce Davis and Vice Chair Kristin Elinkowski. Member Tim Beagley voted in opposition stating he feels the schools should be removed from warning status and be placed on probation, as well as be placed in the Turnaround Program.

**MOTION:** Member Dean Brockbank moved and Member Bruce Davis seconded to remove **Aristotle Academy** from their original probation status and replace them back on probation, under the same probationary terms; with a requirement they come before the SCSB in November, recognizing there would not be financial information until January. The school is to provide an update, with enough information regarding the non-financial issues for within year transfer rates, the school's grade, and year-to-year retention rates, which would allow the SCSB to contemplate their next steps.

**AMENDED MOTION:** Member Tim Beagley moved to include in the original motion to also submit a closure plan to the charter school staff by the July 2016 SCSB meeting. The original motion and amended motion carried with affirmative votes from Members Dean Brockbank, Bruce Davis, Tim Beagley and Vice Chair Kristin Elinkowski. Members Robb Enger, DeLaina Tonks and Chair Howard Headlee voted in opposition.

**MOTION:** Member Dean Brockbank moved and Member Bruce Davis seconded to re-impose the same terms and conditions of **Kairos Academy's** probation status, pending any decision regarding accreditation. For the school to report back to the SCSB in a board meeting immediately following any decision on the accreditation report and status.

**AMENDED MOTION:** Member Tim Beagley moved to include in the original motion to also submit a closure plan to the charter school staff. The original motion and amended motion carried unanimously by those in attendance.

#### **Action – Revised Charter Agreement**

Member Dean Brockbank presented a copy of the recommended changes to the Charter Agreement template for review and approval.

**MOTION:** Vice Chair Kristin Elinkowski moved and Member Robb Enger seconded to accept the Charter Agreement as drafted, with the removal of “and all SCSB policies” language in Section 1.2 and in Section 1.3 remove “special consideration given to data security and privacy laws and regulations.” The motion carried unanimously by those in attendance.

#### **Report – Charter School Performance Standards: School Achievement**

Executive Director Marlies Burns informed the SCSB members that following their direction, staff included the four measures of School Achievement in the Charter Agreement Exhibit A.

#### **Action – Amendment Policy**

Because of time restraints, any action regarding the Amendment Policy was deferred to next month's SCSB meeting.

#### **Discussion – Facility Contract Review Policy**

Because of time restraints, discussion regarding the Facility Contract Review Policy was deferred to next month's SCSB meeting.

#### **Reconsideration of Action**

**MOTION:** Vice Chair Kristin Elinkowski moved and Member Robb Enger seconded to reconsider the action taken regarding Aristotle Academy. The motion carried with affirmative votes from Vice Chair Kristin

Elinkowski, Members Robb Enger, DeLaina Tonks and Chair Howard Headlee. Members Tim Beagley, Dean Brockbank and Bruce Davis voted in opposition.

**SUBSTITUTE MOTION:** Vice Chair Kristin Elinkowski moved and Member Robb Enger seconded to defer any action to next SCSB meeting stating she has received additional information since her original vote and would like to suspend the vote and revisit the action. The substitute motion carried with affirmative votes from Vice Chair Kristin Elinkowski, Members Robb Enger, DeLaina Tonks and Chair Howard Headlee. Members Tim Beagley, Dean Brockbank and Bruce Davis voted in opposition.

**Executive Session**

**MOTION:** Member Bruce Davis made motion to move into closed 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 closed session. The motion was seconded by Member DeLaina Tonks. Chair Howard Headlee was excused from participating in the closed session.

**MOTION:** Motion was made by Member Bruce Davis to reconvene into open meeting. The motion was carried unanimously.

**Adjourn:** Motion was made at 2:15 p.m. by Member Tim Beagley. The motion was carried unanimously.