

**MINUTES OF THE
UTAH STATE CHARTER SCHOOL BOARD MEETING**

Tuesday, June 08, 2017
The Leonardo—East Classroom

Approved

Members Present:

Chair Kristin Elinkowski
Vice Chair DeLaina Tonks
Member Bruce Davis
Member Dean Brockbank (conference call)
Member Greg Haws
Member Michelle Smith (conference call)
Member Cynthia Phillips (conference call)

Staff Present:

Jennifer Lambert
Armando Venegas
Rabecca Cisneros
Michael Clark
David Thomas
James Madsen

Others Present:

Teresa Theurer, Alisa Ellis, Scott Jones, Angela Stallings, Kim Frank, Craig Frank, Michelle Brockbank, Brad Lester, Stephanie Hartgrove, Kevin Long, Erin Edmonds, Gil Jarvie, Erin Preston, Jeff Bosiard, Nate Adams, Jennifer Price, Julie Chacon, Kristopher Hatch.

Call to Order

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

Board Chair Report

Chair Elinkowski thanked everyone for attending graduations, stated that board members attended more graduations than ever before. Chair Elinkowski commented that there will be no meeting in July, August's meeting has been moved to the 11th, September's will be held at the Law and Justice Center, and October's will be at the Capitol. Chair Elinkowski reminded the board that they will hear new school proposals in August, and to plan on setting time aside to read the applications before the meeting.

Member Brockbank commented that he is unable to attend August's meeting.

Consent Calendar

Member Davis moved, and Member Smith seconded, to approve the General Consent Calendar containing: minutes from the May 11, 2017 meeting; Promontory School of Expeditionary Learning Amendment; Advantage Arts Academy Charter Agreement; Capstone Classical Academy Charter Agreement; Website URL; SY2018 Meeting Schedule; Startup and Implementation Grant; Revolving Loan Awards . The motion carried unanimously.

Pioneer High School for Performing Arts

School report and possible action.

Mr. Venegas said Pioneer is here today because a motion happened last meeting to have staff work with the school to request more information, then report back. Staff has worked with school finance, and has received a detailed budget, student enrollment, and faculty information.

Representatives of Pioneer stated that their retention rate is 92%, their graduation rate is 98%, and their SAGE goals are preliminary but hitting Turnaround goal markers. The school said all academic classes required for graduation are being taught by licensed and endorsed teachers; while teachers in the ARL program are only in the arts programs. ACT scores are average but consistent with State average. Have handed out 24 registration packets and are running billboards, radio spots, parent meetings at the American Fork public library, and audition placements for its arts programs. The school believes a linear enrollment projections will put them at 165 students, but are confident they will reach 200 students; while their break even number is 131 students.

Member Phillips asked what percentage operations account for in their break even budget, to which the school said 15% is for its building payment. Member Phillips asked if there is a point where additional students could cost them more in fixed costs. Representatives of the school said 221 students is where they would run into issues, so they have imposed a cap of 225.

Motion

Member Phillips moved, and Member Smith seconded, to keep Pioneer High School for the Performing Arts on Warning Status, to continue to improve. Member Phillips withdrew this motion.

Substitute Motion

Member Phillips moved, and Member Smith seconded, to keep Pioneer on Warning under new oversight conditions, and under new terms, including: a clean membership audit for the coming school year, enrollment that supports a viable budget per the plans submitted to the SCSB, and they continue on academic watch by the terms of this board (SCSB) and according to the terms for coming out of Turnaround.

Discussion

Ms. Theurer asked what the SCSB would do if the school does not meet their break-even-budget. The school said they would offer art classes to non-students for a fee, renting out the school's arts facility in the evening, are looking into additional operational grants.

Deputy Stallings said Pioneer will need to decide if they have those students in dual enrollment, and if they do, they need to follow all continuing enrollment measurements; or they need to setup a separation in budget for that private tuition, noting that she does not have recommendations for that. Ms. Erin Preston said she would consult with USBE and SCSB to make sure everything is above board. School said they would prefer to go the private route so they are not responsible for academics they would not have control over in a dual enrollment situation.

Amendment to the Motion

Member Phillips moved, and Member Smith seconded, to remove the words “per the plans submitted to the SCSB,” so there is flexibility.

Thus the motion became to keep Pioneer on Warning under new oversight conditions, and under new terms, including: a clean membership audit for the coming school year, enrollment that supports a viable budget, and they continue on academic watch by the terms of this board (SCSB) and according to the terms for coming out of Turnaround. The motion carried unanimously.

Franklin Discovery Academy Probation

End of Probation and possible action.

Ms. Cisneros reported that the SCSB placed Franklin Discovery Academy (FDA) on four month probation, scheduled to end this month. Over the past four months staff and FDA met multiple times about where the school was at and where it needed to go. Classroom observations, parent visits, and facility/administrative reviews occurred. Ms. Cisneros noted FDA is a different school now, and remarkable progress has been made.

The SCSB, state auditors, advisory-counsel, and FDA discussed Franklin Schools Foundation’s (FSF) role with FDA. FSF is a legal entity that was started to operate as an umbrella for schools underneath it. FDA, who holds a charter with the SCSB, was underneath FSF, but the two are separate legal entities now. FSF is a 501(c) (3) non-profit organization that has not received any state funds, and is therefore beyond the scope of a state audit. Ms. Julie Chacon, sister to FDA Chair Jennifer Price, is an employee of FSF and a resigned member of the FDA board.

Ms. Price said there are now four LLCs under FSF: the preschool, the parent organization, the facilities management, and IT. These organizations have a contractual relationship (through the state procurement process) with the school, but do not receive public funds themselves.

Ms. Cisneros said enrollment, licensing, spot-checking on instruction, will be things to focus on moving forward; expressing that it is hard to change a culture in four months.

Member Phillips suggested the SCSB, and its staff, become as prescriptive as possible when making motions or helping schools in the future. Ms. Lambert cautioned against only being prescriptive, since it could handcuff the board from addressing other deficiencies that may arise, or lead to overly punitive outcomes for schools. Member Phillips countered that that was not her intent, stating that the current process can make it impossible for schools to meet terms of Probation.

Motion

Vice Chair Tonks moved, and Member Davis seconded, that given FDA's progress in addressing the deficiencies outlined by staff, and meeting most terms of Probation, they be removed from Probation and placed on Warning, but work to ensure that the six issues deficiencies that Rabecca and staff have articulated (and will again in notification), be continued to be addressed. FDA will continue to meet monthly with staff to continue those meetings and work with staff on the exact terms of the Warning specified. In March of 2018, FDA will report back to the SCSB on the school's progress, and the SCSB will determine further action then. The motion carried unanimously.

Discussion

Member Brockbank suggests staff delineates what those six areas of Warning are, making sure that they are things that are measurable. Ms. Lambert explained how the terms are set by the language offered in motions, and then sent to the member who made the motion to ensure that it reflects the board's intent.

Kairos Academy

End of Probation; possible action.

Mr. Venegas reported that Kairos Academy was placed on Probation in the February, 2017 SCSB meeting and their Probation term ends at today's meeting. Staff has visited the school, observed students on campus, and met with school leadership on multiple occasions. The probation letter sent to Kairos identified five deficiencies and included 20 terms of Probation. Although Kairos has met some of its terms of Probation, staff has concerns over its ability to provide quality academic programs.

Mr. Venegas listed the unmet Probation terms and Kairos Academy responded to each deficiency.

Motion

Member Brockbank moved, and Vice Chair Tonks seconded, to table the discussion on Kairos Academy pending a notice of a new meeting, where an Executive Session could be noticed, and provide the adequate timeframes for that notice. The motion carried unanimously.

Closing Achievement Gap

Ms. Cisneros explained that RMC Research group was hired to study students with risk factors (economically disadvantaged, disability, minority), who were performing on par with their peers who did not have any risk factors. Three schools rose to the top of the study: Good Foundations Academy (GFA), Channing Hall, and Itineris Early College High.

Ms. Cisneros explained that in all three schools had high expectations of its students with no excuses being made for student profiles. The schools offered interventions for its students who were not performing at the expected levels of achievement. The students at these schools felt their school's culture allowed them to be open to receiving help when needed. Instruction at these schools focused on mastery, and students reported having relationships with teachers. All

three schools focused on character development, have effective educators, and engaged parent support.

School Spotlight

The SCSB spotlighted Itineris Early College High, Good Foundations Academy, and Channing Hall.

Itineris Early College High and Good Foundations Academy gave presentations on their success, while Ms. Cisneros presented on behalf of Channing Hall.

Public Comment

Ms. Kim Frank, of Utah Charter Network (UCN) commented on a conversation she had with Rep. Gibson concerning legislative intent of mentoring funds. Ms. Frank asserted that Rep. Gibson wants the SCSB to review their RFPs for regional seminar training and mentoring, to ensure that each RFP is aligned with legislative intent.

Budget

Discussion and approval of Spend Plan for FY18.

Motion

Member Brockbank moved, and seconded, to approve the proposed budget as described by staff. The motion carried unanimously.

SCSB Procedures and Policies

Bylaws Discussion

The number of members required to remove a board member, or for a motion to pass, as well as the need for repealing statute in the bylaws was discussed.

Motion

Member Smith moved, and Member Brockbank seconded, to adopt the changes to the Bylaws as outlined in the redlined document (board edited copy), and direct staff to complete the necessary cleanup. The motion carried unanimously.

Facilities Policy Discussion

Ms. Lambert suggested that a subcommittee be established to address the conflicting public comments when drafting this document. Chair Elinkowski said the Executive Committee could handle this, allowing members from the community to take part. No motion was made.

Strategic Plan Review

This agenda item was tabled for a future meeting.

Charter Agreement Amendment Procedures Discussion

Ms. Lambert said this agenda item is to discuss the need for a school to request an amendment to their charter after changing their bylaws, if their bylaws were included in their charter agreement to begin with. Ms. Lambert suggested not having bylaws be a part of a schools charter agreement in the first place. Member Brockbank voiced concern over a school changing the number of board members they are required to have as outlined in their charter agreement. Chair Elinkowski commented that the SCSB is looking at what they need to look at currently, noting that these requests are being added to consent calendars.

Finance Authority Report and Discussion

Dave Damschen, State Treasurer

Mr. Damschen was unable to attend, so this agenda item was tabled for a future meeting.

Adjourn

Member Haws moved, and Member Smith seconded, to adjourn the meeting. The motion carried unanimously.