

Utah State Charter School Board Meeting
Minutes
April 13, 2005
North & South Board Rooms
Utah State Office of Education

Members present: Brian Allen, Barbara Killpack, David Moss, Anne Peterson

Members excused: Eric Smith, Scott Smith, Sonia Zisumbo

Staff present: John Broberg, Jo Schmitt

Others present: Ray Timothy, Marlies Burns, Cameron Cuch, Sonia Woodbury, Steve Winitzky, Roberta Hardy

1. Call to Order

Board Chair Brian Allen called the meeting to order at 8:20 a.m.

Item #1 on the agenda, Approval of Minutes was deferred to later in the meeting until a quorum was present.

2. Charter Application Process

Chair Brian Allen stated because of the legislation that was passed it allowed the Charter School Board to change their process of granting charter school applications. He pointed out that two critical issues happened with the legislation; one, the cap was removed, there is no deadline that the Charter School Board needs to meet, making sure that all applications are into the USOE and considering them against the cap; and two, there is no 60-day window the board is required to work with, with each application. He feels that it would give the board time to work with each application through a more comprehensive process and to get the application into a better state of preparedness. Chair Brian Allen proposed that the board align the state rule with the deadline process and allow applications to come in at any time. In order for any school to be approved for school year 2006-2007, the application would have to be approved by September 30, 2005. Member Barbara Killpack suggested allowing a certain number of applications be read at any one time, to alleviate the problem of having to read many applications at once. Director John Broberg informed the Charter School Board that USOE currently has two applications that are ready to be read by readers and five Intent to Apply notifications. Mr. Broberg reminded the Charter School Board that no application can be approved after September 30 for the 2006-2007 school year and the applications approved by the Charter School Board would have to go before the State Board of Education. Chair Brian Allen made clarification that the State Board of Education could hear approved applications after September 30, but the Charter School Board needed to make approval recommendations by the September 30 deadline. Director John Broberg informed the Charter School Board that the two applications that are currently in and requesting charters from the Charter School Board have been reviewed by himself and he has sent them back to the originators for changes. They are now back in his hands and ready to go to the readers. He feels it will take close to 30 days to get readers comments gathered and the applications ready for the Charter School Board to review. Mr. Broberg is planning on two applications ready for the next Charter School Board meeting to be approved or disapproved. Member Anne Peterson asked when the board would be receiving the applications, with readers' comments, in order to review them before the next board meeting. Member Barbara Killpack suggested having the two applications that are submitted now, be discussed at the next meeting and then approve or disapprove the following meeting. Director John Broberg informed the board because of the volume of phone calls he receives each day, he feels there will be a number of applications submitted in July. Member Anne Peterson suggested because of removing the cap, the board will be giving the applicants more notice and more time to help them with their applications. Another question

presented by Member Anne Peterson concerns the number of times any charter school applicant be allowed to come back to represent to the board. Director John Broberg feels each applicant would have one opportunity each year to apply for approval. Chair Brian Allen stated that he feels with the staff help, the state office resources, and going through the process that should happen with an application, the applications should never come to the Charter School Board until they are ready to be approved. He feels the questions the board may have would already have been answered. Director John Broberg feels the two applications that are now applying for a charter are ready for the board to review, but he also stated that if the board feels they are not ready to be chartered they should be asked to come back the following year. Member Barbara Killpack has a concern of the impact on the local school district with students wanting to come to their school because the charter school is not ready to open at the beginning of the school year. Director John Broberg pointed out that the new charter schools that are struggling to build their buildings have already had their lottery and registration. Mr. Broberg informed the board that schools can open late, and be in session through June; they can find an alternative location and facility to hold school. Associate Superintendent Ray Timothy informed the board of the approval process in 2004-2005. He distributed to the board a timeline that USOE had established for the approval process. Discussion was made and changes were suggested as to the approval process. Chair Brian Allen made the recommendation that applications be submitted to USOE with no deadline. If a charter school application is approved before the August meeting, they have an option of opening that school year; or they could wait for the following school year.

Chair Brian Allen commented by the time an application came to the Charter School Board those people with the application should have met with the state school finance department, the special education department, curriculum department, met with TAPS, with Director John Broberg, and met with the local school district. He feels by the time the applicants have done all the prep work, they are going to know if they have the will and capacity to meet all the rigorous guidelines of a charter school; and the board will know if they have a full understanding of what the rules and regulations are and how to run their school. He also stated charter schools need to understand CACTUS and financial reporting. Chair Brian Allen suggested the charter school applicants meet with the local district very early in the process and with a follow-up meeting as well.

Member Anne Peterson recommended the Charter School Board consider the majority of the board members who attended a hearing on an application and voted 'no', need to make a recommendation to have the application reheard. There needs to be four 'yes' votes to bring an application back. By so doing, the state board or any other individual or group is not allowed to bring an application back for rehearing. The 'no' voter needs to be at the hearing and heard the application; if they were not in attendance for the first hearing, they do not get to vote to rehear the application.

The approval process for new charter schools was reworked with the following DRAFT results:

**State Charter School Board
Charter School Application/Approval Process**

1. Technical assistance provided to applicants by charter school board/ executive director.
2. Pool of trained readers established.
3. Applications reviewed for completeness by CS executive director/staff.
4. Complete applications disseminated to trained readers. Readers will focus on areas of the application for which they have expertise.
5. Comments submitted electronically to CS board for review.
6. CS board members read applications with attached reader comments.

7. Charter school application hearings scheduled monthly, limited to no more than 4 applications per hearing. Format of hearings to include:
 - a. 10 minute presentation of charter application
 - b. 10 minute response time for local board representative
 - c. 20 minutes for questions and answers
8. Charter school board to finalize recommendations prior to submission to the State Board.
9. Applications denied by the CS board will only be reconsidered if:
 - A board member who voted against the charter makes a motion that it be reconsidered, and
 - A majority of those who were in attendance at the original hearing vote in favor of reconsideration.
10. CS board to present recommendations to State Board no later than the September Board meeting prior to the year the school is to open.
11. Notification of Board action sent to charter applicants.
12. Charter applicants who are denied a charter are given the right to appeal directly to the State Board of Education.

3. Conversion Document – Center City School

Sonia Woodbury representing Center City School informed the Charter School Board that Center City School was one of the first eight charter schools that were approved for charter in Utah in 1999. Center City School had requested a deferment at that time for one year because of rewrites that had to be done on their charter. This year, Center City School is in their fifth year of operation. Center City School is a secondary school, grades seven through twelve. When the school opened 5 years ago, the school was seventh and eighth grade only. The school has added one grade each year since opening. This year they added the twelfth grade and it will be the first year they have a graduating class. The school is an accredited high school. Ms. Woodbury pointed out that the school started out with the name as Center City School, with the name being developed before the school was opened. The intent was Center City School being a center of the city school, focusing on citizenship of the community and using the city as a resource; however, the school has never been able to acquire a location in the center of Salt Lake City. The name change comes from issues that have emerged since opening. One, the Center City School gets confused with Central High School, which is an alternative high school in Granite School District. Second, Center City School Board felt the school needed a name that better said what the school wants to accomplish. The board decided to retain the “city” part of the name as an indication of intent to be citizens and be part of an urban education setting. The school will continue to use public transportation to travel into the city community. The use of “academy” the board feels it sets the school apart from an alternative school idea. The school feels their graduation requirements are higher than district public schools. There isn’t academic tracking in the school. The school draws in diverse groups in a way that makes the students more responsible for their own learning through the projects they do, as opposed to the teacher being in charge of getting the students to perform.

Member Anne Peterson asked the question concerning the ultimate size of 500 and when the school plans to approach that number of students. Ms. Woodbury explained that number was written into the charter, because they didn’t feel they wanted to be bigger than that. The intent was to move the school slowly and build it right. The building where the school is currently located will preclude them from being over 200 students. Their next move will determine their eventual size. If they become part of the Leonardo Project, they won’t be able to have more than 200 students in that space.

Member Anne Peterson asked if the school had needed a lottery. Ms. Woodbury informed the board that a lottery was necessary for next school year and there were 70 names in the lottery. The school was able to enroll all that applied for enrollment and the school has not had to turn any applicant away.

Member Anne Peterson asked Ms. Woodbury some of the challenges that the school has had to face, and where the board could be helpful. Ms. Woodbury replied she felt the Dissemination Grant, the TAPS Project, is a reflection of what the challenges and problems have been. The school has had to learn how to deal with the challenges as they arose. She pointed out that Steve Winitzky, the business manager at the school, had to learn resolutions to the challenges as they arrived. Ms. Woodbury stated she felt support to the new schools that are making application and ready to open is critical. She felt City Academy had support from the state office, but that the state office was learning what the challenges were as well. City Academy does a different scheduling and doesn't give traditional letter grades and give GPA's. Those things make it difficult to interface with the SIS system. She feels the State Charter School Board could help the school become familiar with rules and regulations that are part of the state recording and accounting system. Ms. Woodbury feels the school is trying to do something that is different and innovative and could offer ideas to others. City Academy could be the greenhouse for growing some of the ideas; the school is small and flexible. Ms. Woodbury stated that she believes in working in the public school system, but it is hard to make the changes they are making at City Academy in a whole district. She is hoping that City Academy can be a place where some of the different and innovation ideas can be tried and worked on, but the school needs the leeway to do that. She feels sometimes their hands are tied by the way they are required to interface with the state. Chair Brian Allen stated the board would need to understand the issues or requirements the school is struggling, and the reason a waiver is requested. By knowing what the school is specifically struggling with; there may be a way, without a waiver to manage what the needs are. The first preference would be to find a way within the system to solve the problems, if not then approach the school board with the idea of a waiver. Ms. Woodbury informed the board that any issues that needed to be addressed have been able to be worked out without waivers.

Member Anne Peterson asked a question concerning teacher retention. Ms. Woodbury informed the board that the retention of teachers has been difficult. She commented that there is a twofold situation in City Academy. There are the teachers who choose to come to the school to teach for the right reasons; in their heart they really do want to teach the right way and have more responsibility; and the teachers that come and want to try something different, find more work than they want and leave the school. Managing turnover in a small setting is difficult. For parents and students, especially the younger students, understanding the turnover is hard for them.

4. Conversion Document – Salt Lake Arts Academy

Director John Broberg informed the board that Salt Lake Arts Academy Conversion had no significant changes from their original charter. Chair Brian Allen mentioned a change in the future would be the school looking for a new location in June, their lease runs out at the old city library building.

5. Conversion Document – Uintah River High School

Cameron Cuch, the Chief Administrative Officer for Uintah River High School informed the board that the school is in their sixth year of operation. Seven years ago, in an effort to address the high dropout rate and low academic achievement that was taking place in the Uintah Basin, the Ute Tribe established an alternative school, funded entirely by the Ute Indian Tribe. When the charter school initiative started in the State of Utah, Uintah River High School became one of the original twelve schools. Since that time, he feels the school has made tremendous strides in helping to keep more of their children in school and to also work to guide and participate in the children's education. He feels because of the tribe being out on a reservation it had a difficult time being able to participate in the public schools. He also feels the charter school system has been one of the successes of the tribe, and probably the only state initiative effectively working on Indian education.

Member Barbara Killpack asked if the school is funded partially by the Ute Tribe. Mr. Cuch answered that the school is funded by state and federal dollars, with Director John Broberg reminding the board that Uintah River High School is a public school.

Chair Brian Allen asked if the success that Uintah River High School is having could be replicated in other areas of the state, where they are struggling with some of the same issues. Mr. Cuch replied that he feels it is very possible, but he stated the one thing the Ute Tribe has that probably some of the communities in the southern part of the state doesn't have is the tribal government on the reservation and tribal government in the business community. The tribe contributes a lot to the school, such as the building, insurance needs, legal representation and some of the custodial staff. Mr Cuch feels there is strong support from the tribe.

Member Barabara Killpack asked about lottery needs of the school. Ms. Marlies Burns, Principal of Uintah River High School informed the board that there had not been a need for a lottery in previous years. Last year, the school exceeded their numbers and have had a lottery, but with no more than 2 or 3 students at a time. They have been able to accommodate students that have wanted to enroll at the school. Ms. Burns explained at the beginning of the year there was no need for a lottery, however towards one portion of the year there were several students returning or wanting to enroll in the school, which made it necessary for a lottery. Ms. Burns pointed out as students moved out, new students took their place. She doesn't feel a lottery is a consistent practice at Uintah River High School.

Director John Broberg asked Mr. Cuch to explain their need for a four-day week schedule. Mr. Cuch explained that the school tried a five-day week schedule and felt the school wasn't getting the attendance it needed. He attributed the non-attendance to the Tribe's four-day work week. He explained that the Ute Tribe is the third largest employer in the Uintah Basin, and the majority of the students who attend Uintah River High School, their parents work for the tribe. Because Uintah River High School is not providing transportation, it was found by having a longer school day, and holding school four days a week the students were able to get to school by their parents or using the tribal transit system. He feels the school has a unique situation, but in many ways because of the tribal government, it is a cultural difference the school is trying to work through. He feels they are accommodating their student population, their parents and the community. Member Barbara Killpack asked Mr. Cuch how many years they have been using the four-day week schedule. He answered the school had been having a four-day week schedule for the last five years. Associate Ray Timothy stated the school would need to obtain an official waiver from the five-day week schedule requirement from the state board. Ms. Burns informed the board that she has a memo allowing the waiver. Mr. Timothy asked her to get him a copy of that memo in order for him to place it in Uintah River High School's file.

Mr. Cuch also mentioned another change the school would like to make to their charter is to add ninth grade; to address the needs of the tribal community. He pointed out that the Ute Tribe Reservation is located between two school districts, the Uintah School District and the Duchesne School District. The majority of the students attend school on the west side of Uintah School District where two elementary schools and a Jr. High are located. The school board for Uintah School District has made a motion to remove ninth grade from West Jr. High. Mr. Cuch expressed that the tribal community has been concerned about the motion. They have felt the schools on the west side of the county have been left behind, and have not been given the resources or attention they need to succeed. To address that issue, the tribe feels the need to offer ninth grade at Uintah River High School; to give the students an option to either attend high school at Uintah River High, make the 30 mile bus ride to Vernal, or to attend Union High School in Roosevelt.

6. Conversion Document – Pinnacle Canyon Academy

Roberta Hardy, from Pinnacle Canyon made mention that she did not feel there were big changes to Pinnacle Canyon Academy's charter, only wanting to add a ninth grade to their curriculum. Member Barbara Killpack commented that she felt it makes sense for the school to add ninth grade.

Director John Broberg asked Roberta Hardy to discuss the Dissemination Grant for which Pinnacle Canyon Academy was applying. Ms. Hardy reminded the board that the Dissemination Grant had been applied for in

November 2004, but a strategic move by former director Patricia Bradley was to hold the grant because Pinnacle Canyon was also applying for a high school. Ms. Hardy informed the board that the goals and direction that is outlined in the Dissemination Grant application are services the school is currently doing. Chair Brian Allen questioned Ms. Hardy if Pinnacle Canyon Academy would be offering those services to other charter schools and assisting them with their Special Education programs. Ms. Hardy informed the board that Pinnacle Canyon Academy has been working closely with Steve Winitzky and Lisa Putman of TAPS in distributing information to the charter schools concerning Special Education issues.

Member Anne Peterson questioned Ms. Hardy as to how she will manage the staffing of the school with her oversight of the Dissemination Grant and the training that will be required. Ms. Hardy replied the school planned to hire Gina Robinson from Utah's Frontier Project and informed the board Gina had worked with Pinnacle Canyon Academy in the past. She informed the board the way Pinnacle Canyon Academy conducts their IEP's is much like the Frontier Project, and Pinnacle Canyon Academy typically has fourteen people present in each IEP. Ms. Hardy pointed out that Pinnacle Canyon Academy has never had a due process hearing or complaint.

Member Anne Peterson brought up the concern as to how to track the number of hours the Dissemination Grant personnel provide in training and the accounting of the duties that are shared by schools. Director John Borberg informed the board there is a Special Education workshop conducted each year and a representative from each charter school is requested to attend.

Roberta Hardy asked for clarification concerning the requested monthly board minutes from each charter school. She felt she did not want to turn in minutes to the State Charter School Board until the minutes had been ratified by the local board. Chair Brian Allen instructed her that the board would like to receive the minutes once they were ratified. Director John Borberg informed the board most of the board minutes the state office has received are not ratified; but will request those in the future.

7. Approval of Conversion Documents

Motion made by member Anne Peterson and seconded by member Barbara Killpack to approve the Conversion Documents of City Academy, (formerly Center City School), Salt Lake Arts Academy, Uintah River High School and Pinnacle Canyon Academy according to the documents that have been presented. Member David Moss pointed out even though he had not been present to hear the conversion document presentations and discussions; he had read the documents and felt he could cast a fair vote. The motion was carried unanimously. Member Barbara Killpack questioned concerning the addition of ninth grade to Uintah River High School. Chair Brian Allen informed the board the ninth grade changes were in the documents in the packet and that the four-day week was always established from a memo by the state previously.

8 Approval of Dissemination Grant

Motion made by member Barbara Killpack and seconded by member David Moss to approve Pinnacle Canyon Academy Dissemination Grant Application as outlined in the board packet. Chair Brian Allen questioned if it was necessary for the approval to go to the State Board of Education for approval, or if the final approval was with the State Charter School Board. Director John Borberg informed the board the Dissemination Grant approval was only necessary by the Charter School Board and did not require an approval from the State Board of Education. The motion was carried unanimously.

Member Anne Peterson acknowledged the additional support Roberta Hardy provided the Charter School Board with the Federal Grant writing.

9. Approval of Minutes

Motion was made by Member Barbara Killpack and seconded by Member Anne Peterson to approve the minutes of the March 17, 2005 meeting. The motion carried unanimously.

10. Charter School Executive Summary Report

Associate Superintendent Ray Timothy discussed the Executive Summary Report Document. He informed the board the previous summary document requested by the State Board of Education was a one page document and they were concerned the form did not provide enough information on the charter application itself. Associate Superintendent Timothy presented a DRAFT Charter School Board Executive Summary Report with added information. By using the new document, more information will be provided to the State Board of Education in advance. Mr. Timothy instructed the Charter School Board if they have any concerns with the DRAFT document, he can make the necessary changes. Mr. Timothy informed the board the document will be going into the State School Board packet next week to be sent to state board members for their next board meeting. Chair Brian Allen commented that he felt the document was beneficial in allowing the Charter School Board to understand what information the State Board of Education would like to see in their presentations.

Motion to adjourn by Chair Brian Allen. Adjourned at 10:05 am.