

Utah State Charter School Board Meeting  
Minutes  
**January 15, 2009**  
North & South Board Rooms  
Utah State Office of Education

**APPROVED**

Members present: Julie Adamic, Brian Allen, Tim Beagley, Yolanda Francisco-Nez, Tom Morgan, Scott Smith

Members excused: John Pingree

Staff present: Marlies Burns, Paul Crawford, Jo Schmitt

Staff excused: Jeannie Rowland

Others present: Nichole Coombs, Melanie Smith, Janene Bowen, Jenne Pons, Sol Garcia

Call to Order

Chair Brian Allen called the meeting to order at 10:05 a.m.

Public Comment

Melanie Smith-a former member of the Monticello Academy Parent Council, expressed her concerns regarding parental involvement at Monticello Academy.

Nichole Coombs-representing the former Parent Council at Monticello Academy and former Parent Council President Becky Deppe, expressed her concerns regarding micromanagement at the school, breaking procedure and protocol, manipulation of the school's charter, the school's Parent Council budget, and dynamics of the Board of Trustees.

Jenne Pons-a Special Education Aide, substitute teacher, and volunteer at Monticello Academy, expressed her concerns regarding student's welfare and the micromanaging of the school's teachers at Monticello Academy.

Chair Brian Allen stated the State Charter School Board sphere of influence focuses on law, board rule, and the chartering contract. He also stated that the SCSB cannot stray into personality issues or bad management; unless there is evidence of violations that require the SCSB's attention. By design the SCSB is limited, and tries to allow charter schools autonomy. Chair Allen stated that the SCSB has heard from several individuals from Monticello Academy, some pro, some con; the SCSB has conducted a fairly extensive investigation, and are planning to react appropriately.

Approval of Minutes

Motion was made by Vice Chair Scott Smith and seconded by Member Tom Morgan to approve the minutes from the November 20, 2008 State Charter School Board Meeting. The motion was carried unanimously.

Charter School Board Chair's Report

Chair Allen informed the SCSB that he had attended the USBE Board Meeting in January where two action items were of particular interest to the SCSB. 1) Summit Academy was approved by the USBE as a satellite school, even though the SCSB had approved Summit Academy as an expansion. The USBE altered the SCSB's recommendation of and expansion felt the school's request was a better fit under the definition of "satellite". 2) Beehive Academy of Science and Technology appealed to the USBE and the USBE has remanded their request back to the SCSB for deliberation. Chair Allen suggested a plan of action, to have a smaller committee of the SCSB to conduct a site visit and obtain a sense of Beehive Academy of Science and Technology's progress. Once the site visit is conducted the SCSB can make a decision on whether the SCSB will send Beehive Academy of Science and Technology's amendment request back to the USBE for further discussion, or

continue to maintain the SCSB decision of denial of their request. 3) Chair Allen also informed the SCSB that there was a number of Title I charter schools recognized in the newspaper for showing high academic progress. Those schools were Academy for Math, Engineering and Science, DaVinci Academy, Mountainville Academy, North Davis Preparatory Academy, Renaissance Academy and Walden School of Liberal Arts. 4) Chair Allen informed the SCSB of a legislative update to restore Kindergarten funding and a 4.5% to 7.5% cut in education funding for next year.

#### Board Standing Committee Reports

- Rule Review Committee-Member Julie Adamic informed the SCSB of the “draft” rubric for new charter school applications and amendments
- Grants Committee-Paul Crawford informed the SCSB of a credit enhancement for charter facilities grant opportunity.
- School Assistance Committee-Member Tim Beagley informed the SCSB that the School Assistance Committee discussed a proposed document containing areas of expertise for successful charter school governing boards. Mr. Beagley distributed a handout addressing areas of an effective charter school governing board; the committee also discussed protocol for charter schools to inform districts of students transfer; and possible expansion of USOE training information database to include training opportunities through school districts.

#### ***Information Items:***

##### Summary reports for State Board of Education

Director Marlies Burns distributed “draft” copies of the Charter School Board Executive Summary Reports with changes the USBE requested to be made. Director Burns informed the SCSB that the USBE asked for specific pieces of information: 1)how many minority students are being served; 2)how many Special Education students are being served; 3)and how does the minority percentage-special education percentage compare with their local district; 4)UPASS information included with all academic information.

##### USBA/USSA/UASBO Joint Legislative Committee funding proposal for charter school local replacement

A proposal for charter school funding was distributed detailing a proposed state-wide basic tax levy (tax shift) to:

- Continue to fund the local portion of the WPU
- Fund local replacement for Charter Schools
- Improve equity by funding all public school students at the state average local tax revenue per student, currently \$1,427
- Increase transparency and accountability for taxpayers

#### ***Action Items:***

##### Final commitment deadline for schools scheduled to open in 2009-2010

Director Marlies Burns distributed the Charter School Facility/Construction Reports for American Preparatory Academy-The School for New Americans, Excelsior Academy, and Open High School of Utah and stated the schools are in line with opening deadlines. Director Burns stated she has not received reports from Early Light Academy, Hawthorn Academy and Oquirrh Mountain Charter School which are contracted with Academica West. She informed the SCSB she has requested the school’s information from Academica West. She expressed her concern with Vista at Entrada in their delay because of contract complications, but has confidence in the school’s board.

After much discussion, motion was made by Vice Chair Scott Smith and seconded by Member Tom Morgan to direct the schools that will be opening in the 2009-2010 school year to have a Plan B for opening, submitted to the Director Marlies Burns, and require them to report in the June 2009 SCSB meeting with an update on their progress. The motion was carried unanimously.

##### Accountability Committee Recommendation—changes in accountability process

Member Tom Morgan reminded the SCSB that in last month's board meeting the Accountability Committee recommended accreditation for all charter schools. Mr. Morgan stated the committee had been directed to do additional research. He reported they have met with the UAPCS Director and discussed ideology behind the recommendation and the practicality of accreditation working in the charter schools. The committee also talked with administrators from schools, and with parents. In addition, without direction from the Charter Board Chair, the committee discussed the idea with individuals outside of charter schools to understand the sentiment and emotion. In summary, Mr. Morgan reported that in most everyone's opinion, accreditation enhances their school's credibility. Member Julie Adamic suggested contacting Georgia Loutensock, the specialist at USOE regarding school accreditation, as to how her section would handle the additional workload.

#### Communications Committee Recommendation

Member Yolanda Francisco-Nez stated that in the general public, there is a large misconception of charter schools not being public schools. To address that misconception, the Communications Committee has compiled a brochure highlighting each charter school. Ms. Francisco-Nez stated the committee intends to distribute the brochure to the Legislators and proposed to hold a press conference in release of the brochure "Innovation in Public Education – Utah Charter Schools". Ms. Francisco-Nez requested names of individuals to participate in that press conference. Chair Allen suggested she, Ms. Francisco-Nez, as Chair of the Communications Committee be the spokesperson for the press conference. Superintendent Harrington, from USOE and Dr. Christine Kearl, from the Governor's office were also mentioned as being possible participants, along with House and Senate Education Committees from the Legislature. Ms. Francisco-Nez stated when the final edits with the brochure have been completed she will finalize a date for the press conference and compile a draft for the press release with talking points for that conference.

#### Executive Session

Motion was made by Vice Chair Scott Smith to move into an executive session for the purpose of personnel and potential litigation. The Board was polled and by unanimous consent of those present the Board moved into an executive session.

Motion was made by Member Tim Beagley and seconded by Vice Chair Scott Smith to reconvene into open meeting. Motion carried with Members Julie Adamic, Brian Allen, Tim Beagley, Tom Morgan, Scott Smith voting in favor; Members John Pingree and Yolanda Francisco-Nez absent. The board reconvened at 1:15 p.m.

Motion was made by Member Julie Adamic and seconded by Tim Beagley based upon the findings of the investigation of the Charter School Staff and State Charter School Board to direct Chair Brian Allen to meet with the Board of Directors of Monticello Academy on Tuesday, January 20, 2009, to address the concerns that were raised during the investigation that require immediate attention. In addition, Ms. Adamic requested a meeting of the SCSB on Wednesday, January 21, 2009.

Motion was made by Member Julie Adamic and seconded by Member Tom Morgan to give direction the Charter School Staff to draft a letter to Mountainville Academy in regards to their investigation. Both motions were carried unanimously.

#### Adjourn

Motion was made to adjourn at 1:30 p.m. by Vice Chair Scott Smith.