

Utah State Charter School Board Meeting  
Minutes  
September 15, 2005  
North & South Board Rooms  
Utah State Office of Education

Members present: Brian Allen, Barbara Killpack, David Moss, Anne Peterson, Eric Smith, Scott Smith, and Sonia Zisumbo

Staff present: John Broberg, Gary Belliston, Jo Schmitt

Others present: Associate Superintendent Ray Timothy, representatives from Jordan and Nebo School Districts, representatives from Summit Academy, Odyssey Charter School, Monticello Academy, Liberty Academy, Oquirrh Mountain Charter School, Syracuse Arts Academy

Call to Order

Chair David Moss called the meeting to order at 10:05 a.m.

Public Comments

Chair David Moss opened the meeting for public comments. Those desiring to make comments were: Tiffany White, John White, Paige Gardiner, Erin Smith, Susie Bytheway, Dianna White, Craig Johnson, Brenda Hales, Jenni Eaton, Celia Okey. Their comments were in regards to Summit Academy's governance.

Approval of Minutes

Motion was made by Member Anne Peterson and seconded by Vice Chair Scott Smith to approve the minutes from the August 18, 2005 State Charter School Board Meeting. The motion was carried with Member Eric Smith abstaining from vote because of his non attendance at the August 18<sup>th</sup> meeting.

Conversion Approval Deadline

Motion was made by Member Eric Smith and seconded by Member Barbara Killpack to set the date for schools converting from State Board of Education charter to State Charter School Board charter of October 31, 2005 and for those schools to be on the November 17, 2005 meeting agenda. The motion carried unanimously.

Executive Session

Motion was made by Member Barbara Killpack and seconded by Vice Chair Scott Smith to move into executive session to discuss the character, professional competence, or physical or mental health of an individual pertaining to Summit Academy. Roll call vote to move into executive session: in favor – Chair David Moss, Vice Chair Scott Smith, Members Barbara Killpack, Anne Peterson, Sonia Zisumbo, Eric Smith, and Brian Allen; opposed – none.

Motion was made by Member Barbara Killpack and seconded by Member Eric Smith to move out of executive session. Roll call vote to move out of executive session: in favor – Chair David Moss, Vice Chair Scott Smith, Members Brian Allen, Barbara Killpack, Anne Peterson, Sonia Zisumbo, and Eric Smith; opposed – none.

Chair David Moss signed an affidavit stating the executive session was for the sole purpose of discussing personnel issues only.

### Summit Academy

Motion was made by Member Brian Allen and seconded by Member Eric Smith to ratify Summit Academy's governance structure as presented in their application and revisit the provisional issues in one year to discuss the results. Mr. Smith stated that the new legislation that was passed last February gives the State Charter School Board the ability to go in and change the governance of Summit Academy if they find it is not working. Chair David Moss opened the motion for discussion. Vice Chair Scott Smith stated he didn't feel the founding members of Summit Academy needed to be removed, but the school's board needs collaboration of parental involvement. He also stated he is not in favor of the motion as it was stated, but feels there needs to be further discussion.

Member Eric Smith expressed his dislike of charters that have appointed board. He also stated the vast majority of charters the State Charter School Board has approved have had an appointed board. He feels there are always a number of parents that will be upset, and when there are upset parents, leadership is not removed. He stated the State Charter School Board has set precedence to accept schools that have Summit Academy's type of governance. Mr. Smith stated Summit Academy's charter states the founding board has the right to change or modify their charter.

Member Barbara Killpack stressed her disagreement with an appointed board, simply for the reason there is no one to remove them from their position. It is a concern to her that the parents do not have a say in the school's governance. Ms. Killpack has concerns she would like to have addressed regarding the previous director and the 12 teachers out of 20 that are no longer at the school.

Member Brian Allen stated he feels the reason there is elected boards is because people are forced into a situation where they don't have a choice. The only choice they have to control what happens is by electing their local school board. Summit Academy is a situation where people have complete choice. Every time someone enrolls their child in a school, they are voting they like what is happening at that school. Every time they take their child out of a charter school, they are voting they didn't like what's happening at the charter school. Mr. Allen stated he doesn't think an appointed board or an elected board make the difference in a school. He feels the State Charter School Board should allow reasonable discretion for founding boards to make changes to their charters and follow their own visions.

Chair David Moss expressed his feelings that Summit Academy is a public school, using public funds and the parents of the school have a right to representation as to how their tax dollars are being used when they put their children in the school. He also stated the State Charter School Board cannot eliminate the significant role the founders play in the school. They had the vision, they have seen it through, they need to remain in a position to make decisions and be heard. But, also, the parents that belong to the school should also have that opportunity.

Member Anne Peterson expressed her concerns about the State Charter School Board having the capability to enforce the issues Jordan School District communicated to the State Charter School Board. Ms. Peterson stated she feels the State Charter School Board has not fully weighed and determined those issues.

Member Eric Smith stated the different models of governance that charter schools have used: 1) 100% elected board, 2) Dually appointed board, 3) Four appointed and three elected board members. Mr. Smith restated he did not feel the State Charter School Board should decide which type of governance is the better type for charter schools to use.

Substitute motion was made by Vice Chair Scott Smith and seconded by Member Anne Peterson for the governance issue of Summit Academy to have three member appointed board members, with a substitute fourth member for voting purposes, and 2 members elected from the parental organization. The motion passed with affirmative votes from Vice Chair Scott Smith, Chair David Moss, Members Barbara Killpack, Anne Peterson, and Sonia Zisumbo and opposing votes from Members Brian Allen and Eric Smith.

### Odyssey Charter School Amendment

Director John Broberg informed the State Charter School Board the amendment to Odyssey Charter School's charter was to request an additional section to their 3<sup>rd</sup> grade class, and increasing the school's enrollment by 25 students. The change would better extend sibling preference to the families who were selected in the school's lottery.

Member Anne Peterson inquired if the school had opened this year with the additional class of 25 students. Nyman Brooks, Odyssey Charter School's principal informed the State Charter School Board the school opened with the additional session, with enrollment numbers of 350 students.

Motion was made by Vice Chair Scott Smith and seconded by Member Sonia Zisumbo to approve the amendment to allow the additional students. The motion was carried unanimously.

#### Monticello Academy

Kim Coleman and representatives from Monticello Academy presented the school's mission, which is to provide a superior education for students by placing high priority on academic achievement; fostering American values; restoring strong art, music, and physical education to the school curriculum; and assisting students to gain knowledge, motivation, confidence, skills, and a lifelong love of learning. Monticello Academy would be located in West Valley City with an enrollment of 675 students serving grades K-8.

Member Anne Peterson questioned Monticello Academy how a member of their board of trustees would be removed. The State Charter School Board was informed a member of the board of trustees would be removed by a two thirds vote of the remaining members of the board. Monticello Academy will have a parent organization with elected members, and have two elected parent positions on the board of trustees. The members would have terms, and not life-long appointments. To be a member of the board of trustees, you must be a parent in the school.

Member Brian Allen questioned their facility option. Ms. Coleman informed the State Charter School Board they have a member of their board of trustees that specializes in finances and procurement and have looked into investment companies. They have sites in mind that are in largely transit areas.

Member Brian Allen questioned how they were going to service Special Education students. Ms. Coleman informed the State Charter School Board they have a revised budget that reflects 10-11% special ed population.

Member Anne Peterson questioned the representatives from Monticello Academy how much time they feel they have to contribute to the daily management issues of the school and if they are going to be able to provide the oversight the school is going to need to achieve success. Ms. Coleman responded she felt they have put a lot of the day to day operating responsibilities onto their parent board, which is more than an advisory council. She feels their parent board is part of the policy making and is very deeply involved.

Motion was made by Member Eric Smith and seconded by Vice Chair Scott Smith to recommend approval of Monticello Academy charter application to the Utah State Board of Education, for the 2006-2007 school. The motion carried unanimously.

#### Liberty Academy

Liberty Academy will be located in Payson, Salem, Elk Ridge and Woodland Hills area of Nebo School District. Don Shallenburger, representing Liberty Academy discussed the unique features the school will offer with small classrooms, uniform dress code, and the importance of parental involvement in the school's governance board and heading up committees.

Member Eric Smith questioned the number of students in each grade and the number of classes per grade. Mr. Shallenburger explained the school had changed their original charter to include two classes per grades K-9 to include 25 students per class the first year, adding an additional grade each year.

Member Anne Peterson inquired about the school providing higher education to the students, how were they going to fund those programs? Mr. Shallenburger informed the State Charter School Board that he understood UEN's cost was \$12,000 to set up a classroom, but he did not know the cost associated with USVC to have Liberty Academy take advantage their classes.

Member Barbara Killpack questioned the extra-curricular activities for the upper grades and if they have been in communication with the local school district. Ms. Killpack suggested their intent for extra-curricular activities needs to be specific in their charter. Also, if the school is using extra-curricular activities to promote the school the parents need to know what is planned for those types of activities. Mr. Shallenburger feels Nebo School District is moving towards a distant relationship concerning Liberty Academy's participation and the charter would not state anything that the school could not guarantee with sports programs or other involvements with the district.

Member Barbara Killpack also questioned the school's plan to facilitate arrangements for sending a bus to a central location for Salem and Elk Ridge, but was unable to locate in the budget funds to pay for that transportation. Mr. Shallenburger informed the State Charter School Board that those services would be offered as they can be afforded.

Member Barbara Killpack pointed out in the school's mission statement it states "to be a diverse student body and welcoming students from every ethnic, religious and socio-economic background who seek an optimal educational experience." Ms. Killpack questioned what Liberty Academy plans to be able to fulfill this statement. Mr. Shallenburger informed their recruiting methods are outlined in the school's addendum. Michael Brockbank added that in the budget sheets the school has planned funds for marketing and would use those funds to reach out to the diverse population.

Chair David Moss inquired if there were representatives from Nebo School District, and received no response.

Motion was made by Member Brian Allen and seconded by Chair David Moss to recommend approval of Liberty Academy charter application to the Utah State Board of Education, for the 2006-2007 school. The motion passed with affirmative votes from Members Brian Allen, Eric Smith, Vice Chair Scott Smith, Sonia Zisumbo, and Chair David Moss with opposing votes from Members Barbara Killpack and Anne Peterson.

#### Oquirrh Mountain Charter School

Oquirrh Mountain Academy will be located in the Davis School District, in the Kaysville area, with grades K-6 serving 432 students. Eric Cazier informed the State Charter School Board Oquirrh Mountain Charter School will offer an academically challenging and content-rich curriculum based on the Core Knowledge Sequence. The school will provide an environment where every student has the opportunity to gain a strong foundation of knowledge in world and American history, classic literature, science, math and fine arts.

Members of the State Charter School Board expressed their concerns of the differences in the school's original charter application and their revised application distributed to the Charter School Board at the meeting.

Motion was made by Chair David Moss and seconded by Member Barbara Killpack to not recommend approval of Oquirrh Mountain Charter School charter application to the Utah State Board of Education, for the 2006-2007 school. The motion carried unanimously.

#### Syracuse Arts Academy

Chris Dallin, representing Syracuse Arts Academy informed the State Charter School Board the school would be located in Syracuse, Utah with enrollment of 525 serving grades K-6. The purpose of Syracuse Arts Academy is to develop respectful, confident citizens through utilizing an educational environment enriched by artistic expression.

Representative from Davis School District expressed the districts appreciation for Syracuse Arts Academy's willingness to accept their input in regards to the school's application and location and to their concerns to the growth population of the area.

Associate Superintendent Ray Timothy pointed out in their application their governing body is not listed as founding members. Mr. Timothy cautioned Syracuse Arts Academy that if the governing board has children in the school, they would want to be founding members so if there were more applicants than space, they would not have to go through the lottery process and perhaps not have their children enrolled in the school.

Member Barbara Killpack questioned the schools' Board of Directors if the 5-7 board members would be appointed or elected. The State Charter School Board was informed there would be one member on the board being voted by the parents, who would be the chairman of the parent organization, the other members would be appointed.

Motion was made by Member Brian Allen and seconded by Barbara Killpack to recommend approval of Syracuse Arts Academy charter application to the Utah State Board of Education, for the 2006-2007 school. The motion carried unanimously.

#### Adjourn

Chair David Moss made motion to adjourn meeting at 2:25 p.m. The motion carried unanimously.