

Utah State Charter School Board Meeting  
Minutes  
November 17, 2005  
North & South Board Rooms  
Utah State Office of Education

**APPROVED**

Members present: David Moss, Eric Smith, Brian Allen, Julie Adamic (new member);  
Members excused: Barbara Killpack, Scott Smith and Sonia Zisumbo

Staff present: John Broberg, Lisa Putman, Gary Belliston, Jo Schmitt

Others present: Christine Kearl, Mark Cluff, Mike Brockbank, Mike Duckworth, Kevin Smith, Steve Winitzky, Tiffany Erickson, Janene Bowen, Kim Frank, and Carolyn Sharette

Call to Order

Chair David Moss called the meeting to order at 10:00 a.m.

Swearing in of New Charter School Board Member

Deputy of Education, Christine Kearl congratulated Julie Adamic on her position and assignment to the State Charter School Board and expressed her appreciation for the work and contributions that Julie makes to children and education in the State of Utah. Ms. Kearl swore Julie Adamic in as a new member of the State Charter School Board.

Approval of Minutes

Motion was made by Member Brian Allen and seconded by Member Eric Smith to approve the minutes from the October 13, 2005 State Charter School Board Meeting. The motion was carried unanimously.

Authorizers Conference Report

Director John Broberg discussed the National Charter School Authorizers Conference held in Denver, CO. Mr. Broberg informed the State Charter School Board the conference was for institutions that authorize charter schools. He informed the State Charter School Board the conference used a “hands on” approach, instead of lecturing to the group. The conference had break-out sessions concerning application approvals, budget and financial issues. Mr. Broberg informed the State Charter School Board the conference discussed concerns of the charter school movement. He stated there are problems that are specific with charter schools, and they are problems and concerns with all charter schools, not just those in Utah. Charter Schools across the country are experiencing the same problems of Utah Charter Schools; in training, funding, and the various aspects of charter schools.

Chair David Moss expressed his feelings concerning the variety of authorizing methods and the many different versions of authorization. Mr. Moss stated there are states with the same number of charter schools as Utah, with three to four times the number of staff members.

Lisa Putman stated it was interesting to know the different ways facilities are being funded throughout the nation.

Gary Belliston expressed his observation concerning different authorizers. Any non-profit organization can become an authorizer of a charter school and the authorizers take 3% of the WPU; if a charter is revoked, the school finds another authorizer; there are five and ten year term limits on charters; the charters are monitored and the schools have to reprove things are being accomplished that are stated in their charter; and how to properly accomplish a school closure if necessary.

### New Proposed Board Rules

Parent Involvement - Chair David Moss reminded the State Charter School Board that the board is facing some challenges with individual interpretations of Purpose 6 and Assurance T when it pertains to what role parents play in the governance of charter schools. Mr. Moss has discussed these concerns and challenges with Kim Burningham, Chair of State School Board of Education, and he is equally as concerned about some of the interpretations that are being followed in some of the charter schools. Chair David Moss, Kim Frank, President, Charter School Association, Steve Winitzky, Julie Adamic, Vice Chair Scott Smith, Director John Broberg and Gary Belliston met to discuss ways to better clarify what appeared to be a vague purpose and assurance concerning the parent involvement at the school level. Mr. Moss reminded the State Charter School Board Purpose 6 is "...to provide opportunity for greater parental involvement in management decisions at the school level" and Assurance T "The charter school will maintain an active parent/guardian involvement process including some formal mechanism for meaningful involvement in site-based decision making." Mr. Moss stated the members of the meeting were looking for a way to make the meaning of Purpose 6 and Assurance T more clear and specific, and what the State Charter School Board would propose to the State Board of Education in the form a board rule. Mr. Moss informed the State Charter School Board that if the proposal for the board rule change be passed, then the proposal would be given to the State Board of Education for their approval.

After much discussion, the final proposal read as follows: Purpose 6 – ...provide opportunities for greater parental involvement in management decisions at the school level which will include at least one voting position on the governing board of the school, chosen from the parents of children attending the school. Each school shall outline in their charter the procedure for selecting parent representatives to their governing board; and Assurance T – The charter school will maintain an active parent/guardian involvement process including some formal mechanism for meaningful involvement in site-based decision making which will include at least one voting position on the governing board of the school, chosen from the parents of children attending the school. Each school shall outline in their charter the procedure for selecting parent representatives to their governing board.

Motion was made by Member Brian Allen and seconded by Member Eric Smith to accept Purpose 6 and Assurance T as proposed. Chair David Moss added to the motion that all charter schools would be required to comply with the motion, beginning with the 2006-2007 school year. Member Brian Allen agreed with the addition to the motion.

Motion was made by Member Eric Smith and seconded by Brian Allen to approve Purpose 6 and Assurance T with the additional motion by Chair David Moss to require all schools to comply beginning with the 2006-2007 school year. The motion was carried unanimously.

Mandatory Training-Chair David Moss informed the State Charter School Board of the concerns Chair Kim Burningham and State Legislators have regarding a mandatory training for individuals who are interested in applying for a charter school. Mr. Moss stated some of the applicants are finding they are not adequately informed concerning the application process and necessary requirements needed for a charter school to function. Mr. Moss proposed the State Charter School Board offer mandatory pre-application training to individuals who are interested in applying for a charter school. He suggested a two-day training that would include a definition of what charter schools are: finance and academic responsibilities; seven purposes of a charter school; fiscal procedures; public school accounting for charters; their functions and programs; budgeting; auditing; chart of accounts; role of business managers; curriculum with state Core alignment; accountability assessment; teaching staff; licensing or alternative routes to licensing; No Child Left Behind requirements; sanctions; purchasing guidelines; buildings; supplies; legal guidelines, such as uniform policies, lottery, eligibility questions concerning enrollment; Special Education which would include familiarity with IDEA, FAPE, IEPs, etc; also an expanded training for those schools that have been approved and are in their planning year; another training for those charters that have been in operation for one or more years.

Motion was made by Member Eric Smith and seconded by Member Julie Adamic to recommend to the State Board of Education a rule to require mandatory Charter School training. The motion was carried unanimously.

#### School Visits Report

Chair David Moss informed the State Charter School Board of the seventeen schools he, Vice Chair Scott Smith, Director John Broberg and Gary Belliston had visited between September 21 and November 8, 2005. Those schools visited were Uintah River High, Moab Community School, Pinnacle Canyon Academy, Navigator Pointe Academy, North Star Academy, East Hollywood High, Beehive Science & Technology, City Academy, AMES, American Leadership Academy, Timpanogos Academy, Salt Lake Arts Academy, Reagan Academy, Ranches Academy, UCAS, SUCCESS Academy and Tuacahn High School. Mr. Moss expressed the encouragement and satisfaction he felt by visiting the various schools.

#### Governor Huntsman's Visit Report

Chair David Moss reported to the State Charter School Board the support Governor Huntsman has for charter schools. During the meeting with Governor Huntsman, Chair David Moss emphasized the growth charter schools have had in Utah; last year's enrollment of 6,200, this year 12,200 students and next year, with the new schools that have been authorized, 18,500 students; 4% of the number of enrolled students in the State of Utah. Mr. Moss stressed the challenges the State Charter School Board, the State Charter School Director and staff are facing with the rapid growth of charter schools.

#### Facilities Funding

Gary Belliston informed the State Charter School Board he has been informed by the Utah County Commission that Utah County would act as a conduit to allow Timpanogos Academy and The Ranches Academy a bond. He stated Utah County has no liability for the bond; the county is being used as a conduit. Mr. Belliston stated he understands The Ranches Academy will not be using the bond, but Timpanogos Academy will take advantage of the bond. The bond is tax exempt, so no income tax will have to be paid on any interest the bond holders earn. Mr. Belliston informed the State Charter School Board that The Ranches Academy is current pursuing a USDA loan. Pinnacle Canyon Academy has a USDA loan. It is only available in rural areas. Pinnacle Canyon Academy has borrowed \$2 million from them and has a 30 year mortgage with 4.5% and USDA has guaranteed with US Bank another \$1.5 million with a 20 year loan. With that \$3.5 million loan, Pinnacle Canyon Academy has to pay back \$23,000 a month.

Mr. Belliston stated he has talked with another financier that has informed him of several underwriters where the schools can get financing, but they are requiring two years history; to prove they would be a good credit risk. He stated he has talked with several charter school board members and their concern is they have no option to buy their buildings when they are starting operation.

#### Liberty Academy Amendment

Michael Brockbank from Liberty Academy presented to the State Charter School Board the proposal to amend Liberty Academy's approved charter of K-8 with 450 students to add grades 9-12 with an additional 200 students. Mr. Brockbank informed the State Charter School board that the Governing Board of Liberty Academy feels they are capable to operate a K-12 charter school. Gary Belliston was asked if he had looked through the financial portion of the application and he stated he felt that portion of the application was feasible. Member Eric Smith inquired why the State Board of Education approved the school for K-8, when the State Charter School Board approved grade levels K-10. Chair David Moss explained that the State Charter School Board had received last minute revisions to Liberty's charter application, and without sufficient time to review the revisions the State Charter School Board did not feel confident in giving an accurate recommendation to the State Board of Education to what Liberty Academy was attempting to accomplish. Lisa Putman also pointed out that Liberty Academy's budget included federal funds, and those funds are not guaranteed to be available to every charter school.

Chair David Moss asked Mr. Brockbank if the State Board of Education did not approve the additional grades of 9-12, would they still be in a position and still be willing to open the school with the approved K-8 student enrollment with the annual increases. Mr. Brockbank responded with the governing board of Liberty Academy would prefer to serve grades 6-12 the first year of operation, and then the following year serve the lower grades. Mark Cluff a member of the Utah State Board of Education informed Mr. Brockbank and the State Charter School Board that his feelings were that the State Board of Education would not approve any change in grades served in Liberty Academy's approved charter. Mr. Cluff stated the school has been approved for K-8 with 450 students and any amendments to that approval would not be granted for the school year 2006-2007. Director John Broberg informed Mr. Brockbank if Liberty Academy was to be chartered as a secondary school, rather than an elementary, it would require a new charter school

application and would be for the 2007 school year and not 2006. Mr. Allen questioned Mr. Brockbank if they would be willing to be approved for the amendment of adding grades 9-12 for school year 2007-2008 and not for 2006-2007. Mr. Brockbank responded in the affirmative.

Motion was made by Member Brian Allen and seconded by Member Eric Smith to approve grades 9-12, 200 students for school year 2007-2008 for Liberty Academy. The motion was carried unanimously.

#### Soldier Hollow Recharter

Director John Broberg informed the State Charter School Board that Soldier Hollow Charter School is an environmental school combined with state core curriculum and that the students have many opportunities for outdoor activities. All members of their governing board are parents of students attending Soldier Hollow Charter School.

Motion was made by Brian Allen and seconded by Eric Smith to approve the recharter of Soldier Hollow Charter School from the State Board of Education to the State Charter School Board with the recommendation to change the word “expected” to “encouraged” concerning the parental volunteer component and to resubmit the parent volunteer portion of the charter that reflects the change. The motion was carried unanimously.

#### Tuacahn High School Recharter – Follow up

Chair David Moss informed Michael Duckworth and Kevin Smith from Tuachan High School of the discussion earlier in the State Charter School Board Meeting concerning the board rule proposal being presented to the State Board of Education that would apply to both Purpose 6 and Assurance T which both cover the parent involvement component within the governance of the school. Member Brian Allen reread the language of Purpose 6 and Assurance T. Chair David Moss stated he felt Tuacahn High School was in the process of being in compliance with the parent involvement component of the proposed board rule. Mr. Duckworth stated the conversations he has had with Tuachan High School’s governing board; he feels they will work towards compliance of the proposed board rule.

Motion was made by Chair David Moss and seconded by Member Eric Smith to approve the recharter of Tuachan High School for the Performing Arts from the State Board of Education to the State Charter School. The motion was carried unanimously.

#### Adjourn

Motion was made by Member Brian Allen and seconded by Chair David Moss to adjourn the meeting at 11:40 a.m. The motion was carried unanimously.