Utah State Charter School Board Meeting
Minutes
July 14, 2011
North & South Board Rooms
Utah State Office of Education

DRAFT

Members present: Tim Beagley, Laura Belnap, Dean Brockbank, Tom Morgan, John Pingree, Scott Smith
Members excused: Yolanda Francisco-Nez

Staff present: Marlies Burns, Paul Crawford, Cory Kanth, Jeannie Rowland, , Jo Schmitt
Staff excused: Georgia Loutensock

Others present: Carol Murphy, Teresa Theurer, Ryan Lunt, Darren Izatt, Judy Nixon, Nathan Shcow, Teresa Peacock, Sean Thomas, Larry Newton, Cathy Dudley, Emily Eyre

Call to Order
Chair Tom Morgan called the meeting to order at 9:05 a.m.

Charter Agreement and Work Group updates
Vice Chair Tim Beagley shared with the SCSB input from meetings he had with work groups regarding the Charter School Agreement and minimum standards in the areas of student engagement, student achievement/student progress over time, financial performance and sustainability, and board performance and stewardship/parent and community engagement.

Approval of Minutes
Motion was made by Member Dean Brockbank and seconded by Member Scott Smith to approve the minutes from the June 1, 2011 State Charter School Board Meeting. The motion was carried unanimously.

Amendment Request – Baer Canyon High School
Representatives from Baer Canyon High School informed the SCSB the school's amendment request to postpone opening until the 2012-2013 school year, reduce the authorized number of students (with a cap of 450) starting with 300 students in the 2012-2013 school year and provided an updated budget and MOU with the facility owners.

Chair Tom Morgan inquired of the relationship between the school and the clinic and recreation center regarding timeline issues of not occupying the facility until the 2012-2013 school year. The board was informed that the Sportsplex is very open to the change that is requested, especially with the numbers decrease. Because of the smaller number of students, the change would only affect office space, instead of a major overhaul of their gym facility.

Member Scott Smith asked the school of their plan to acquire the additional students that are planned for the following school year. The SCSB was informed that the school is currently interviewing for a Recruitment Specialist, a fulltime position that will build on the momentum they now have. There is also a student council in place that is planning and facilitating activities such as open gym, soccer, and basketball at the center to use their facility to recruit students.

Vice Chair Beagley stated another portion of their amendment request was to redo their budget projections. Cory Kanth informed the SCSB that she feels the current budget appears to be adequate for the school's needs, however her concerns are with appropriate sizing of the facility in regards to the number of students.

Motion was made by Member Scott Smith and seconded by Member Dean Brockbank to recommend to the USBE approval of the amendment request. Vice Chair Tim Beagley added to the motion that the school continue to provide monthly statements to the Charter School Staff in terms of their enrollment and that if the enrollment numbers are not met by March 1, 2012 they come back to the SCSB to discuss further or additional options. The motion was carried unanimously.

Amendment Request – Syracuse Arts Academy

Representatives from Syracuse Arts Academy informed the SCSB the school's amendment request to modify their governing board composition to include 25% parents without the restriction that it be the parent organization president, redefine board responsibilities, and revise the parent grievance policy.

Vice Chair Tim Beagley inquired of how many board members are parents. The SCSB was informed that currently there are six members on the board and five are parents.

Vice Chair Tim Beagley inquired why the school feels it is important for the board to appoint the members rather than have them be elected. The SCSB was informed that the Parent Organization president has been elected by the parents, but the remainder of the board has been appointed by the existing board.

Member Dean Brockbank asked if any members of the board were elected; the SCSB was informed that they would be appointed with this amendment to the charter.

Members Dean Brockbank and Carol Murphy, a member of the State Board of Education expressed their discomfort with the concept of no elected members on the school's board.

Member Tim Beagley cautioned Syracuse Arts Academy that the USBE Charter School Committee and the USBE board as a whole will not be pleased to know the school is taking away the election capability of the parents.

After much discussion, motion was made by Member John Pingree and seconded by Member Scott Smith to recommend to the USBE approval of the amendment request. The motion was carried with favorable votes from Members John Pingree, Scott Smith, Dean Brockbank, Chair Tom Morgan and Vice Chair Tim Beagley. Member Laura Belnap voted in opposition.

Items requiring State Board of Education action

Director Marlies Burns distributed a document requested by the State Board of Education Charter School Committee for review listing items that require discussion or approval, items that should be on the consent calendar, and items that can be administratively approved by the SCSB.

Motion was made by Member John Pingree to accept the document as presented for recommendation of approval by the USBE. With no second to the motion, Member Pingree withdrew his motion.

After much discussion Member Dean Brockbank moved to table any action until there is input and feedback from the State Board Charter School Committee and the USBE.

State Charter School Board Bylaws

Director Marlies Burns informed the SCSB that the State Charter School Board Bylaws were reviewed by the State Board of Education Charter School Committee and they requested a few changes. All the new language is underlined in the document and the recommended language to remove is stricken. Specifically, there was concern regarding having hearings during closed meetings and a recommendation that the hearing process closely follow applicable state code.

Motion was made by Vice Chair Tim Beagley and seconded by Member Laura Belnap to approve the State Charter School Board Bylaws with the discussed changes. The motion was carried unanimously.

R277-726-*Public Education Online Programs*

With the passage of S.B. 65, Statewide Online Education Program, many charter schools have expressed concern regarding how it may potentially affect their funding and, subsequently, the viability of their school, as well as specific concern about the formula used to generate the amount each LEA must pay an online provider for each class taken. Larry Newton, Director of the School Finance Section at USOE and members of his staff distributed documents representing the financial impact S.B. 65 will have on local school districts and charter schools.

R277-470-Charter Schools, R277-481-*Charter School Oversight & Monitoring & Appeals,* R277-482-*Charter School Timelines & Approval Processes*

Director Marlies Burns presented the changes to R277-470 being broken out into three different rules, with a focus on oversight & monitoring & appeals and timelines & approval processes.

Carol Murphy suggested adding language in R277-481-4A (3) to reflect compliance with IDEA and Section 504 laws.

Member Tim Beagley clarified in R277-481-3B (3) that the "grade is greater than 'D'" should read "greater than 'F'" or "a 'D' and greater"….

Adjourn

Motion was made by Chair Tom Morgan to adjourn at 12:00 noon.