

**MINUTES OF THE
UTAH STATE CHARTER SCHOOL BOARD MEETING**

Thursday, January 12, 2017

USBE – Basement West

Approved

Members Present:

Chair Kristin Elinkowski
Vice Chair DeLaina Tonks
Member Bruce Davis
Member Dean Brockbank
Member Robert Enger
Member Greg Haws
Member Michelle Smith

Staff Present:

Jennifer Lambert
Armando Venegas
Blanca Estrada
Rabecca Cisneros
David Thomas
James Madsen

Others present:

Lisa Cummins, Theresa Theurer, Jerry Record, Kim Frank, Royce Van Tassel, Tim Beagley, Howard Headlee, Kelly Tate, Bob Olten, David Anders, Ben Hartner, Marianne Ludlow, Joel Coleman, Stephanie Eccles, Cathy Hunter, Jennifer Martin, Shelly Taylor, Rosalyn Wynn, Tim McGaughey, Stephen Joseph, Emily Morris, Chris Allen, Olesya Richards, David Fawson, Bill Mark, Karri Auffhammer, Krystelle Rose, Susan Goers, Christopher Gurnee, Lynn Hinckley, Patrick Munson, Brittini Donnelson, Aaron Stringer, Tammi Ross, Samantha Tinkey, Gloria Rivera, Chris Helvey, Buddy Ivie, Heather Day, Kelli Booth, Deb Hefner, Steve Davis, Nate Taggart, Treion Muller, Chris Finley, Jodi Wilson.

Call to Order

Chair Kristin Elinkowski called the meeting to order at 9:09 a.m.

Consent Calendar-Approval of Minutes

MOTION: Vice Chair DeLaina Tonks moved and Member Bruce Davis seconded to approve the consent calendar as presented (containing the minutes from the December 8, 2016 SCSB meeting). The motion carried unanimously.

Board Chair Report

Chair Kristin Elinkowski informed the SCSB that Royce Van Tassell of the Association of Public Charter Schools, and Kim Frank of the Utah Charter Network (UCN), are present to explain items from the legislature. Kim Frank begins the report by informing SCSB that UCN has met with legislators and leaders:

- There is a lack of new money currently available, and what is available is going to higher education.
- Kim Frank is on the Governor's Education Excellence Commission, which has stakeholders from all over the education world. The governor's genuine desire is for Utah education to be a national example, and the commission has brought about a lot of ideas and collaboration with stakeholders. As soon as the report is ready, the commission will make it available.

- UCN is working on the over-enrollment problem. The problem arose last year when they attempted to give charter schools close-to equitable funding, and they are grateful that the nearly \$40M appropriation passed last legislative session. The issue of over-enrollment is made difficult when ADM kicks in because charter schools have a cap. Would like to see money follow the student to the school of their choice.
- Appropriated funds collected money from the WPU and connected charter schools and districts; so when district school funding goes up, charter schools funding goes up as well. It does not account for charter schools fiduciary responsibility to be able to pay bills at the end of the year.
- Attrition is a problem. Schools that have been around for three or four years has an idea of their attrition rate, but it's harder for the new schools.
- Many charter schools believe they should be able to over-enroll to offset attrition rate.
- UCN is working on a bill that is protected, and the legislator working on it would like it to remain protected for at least a little while. There are two ways it could go. One would be to ask for all of the funding, including the WPU and local replacement formula (LRF), and all of the other funding streams, such as reading and recreation (which are included in the LRF); or they could go for both. She says the probably isn't enough money available to get both.
- Patience with the task force was necessary in the past, and is necessary this year as well.
- Would like to ask for the LRF to follow the student to the school of their choice, but that would probably be a larger appropriation than what would be available this year. That language will be included in the bill, to alert the legislature to the problem, but UCN will be willing to compromise. At the very least, the WPU ought to follow the student to the school they choose.
- Invites SCSB to meet with her and the legislator to discuss the bill they are working on.

Chair Kristin Elinkowski acknowledged that she would like to discuss the bill with Kim Frank and the legislator who is writing it.

Royce Van Tassell of the Utah Association of Public Charter Schools (UAPCS) began his report by relaying a conversation with Rep Last about LRF units and what schools receive them according to charter contracts:

- Members of task force felt that it was clear. Education fund finished \$15M in negative and is operating on reserves. USBE is feeling nervous. Conversations with Rep. Last and USBE staff have taken place, and Rep. Last is willing to provide legislation so USBE can limit the number of LRF units a school can receive to what is in the charter contract. APC wants to work closely with the legislator and the SCSB on over-enrollment issue.
- Sen. Henderson has agreed to sponsor the legislation that came out of the Utah Charter Task Force last year, with the recommendations that SCSB and USBE approved the week prior. He met with legislative drafters on Monday, January 9 and anticipates nuances that will need to be worked through. Aligning responsibilities between USBE and SCSB is important to avoid problems. Another legislation being worked on deals with sibling preference. Current statute only applies if older sibling is still in the school.

Chair Kristin Elinkowski said board leadership would like to meet with Kim Frank, Royce Van Tassell, and other stakeholders prior to legislative session to see how they can help. SCSB will get a report at its next meeting detailing bills that are out there, to see which ones align with SCSB.

Chair Kristin Elinkowski called on Howard Headlee, and he reported:

- The Charter Schools Task Force Report says to clarify that SCSB is not a division of USBE.
- With regards to the LRFs and over-enrollment, didn't think legislation wasn't needed, but now is hearing it might be.

- Emphasizes that contracts SCSB have entered into mean something. If funding operates separately from contract, it devalues the contract.
- Schools need to be able to manage ADM model.
- LRF is a sensitive item that takes a level of coordination.
- Money is based on numbers from October and November. Those are solid numbers that are etched in stone. The more attention drawn to that process in the fall would facilitate the best outcomes in September. Everyone should know where the numbers come from. The legislature acts on, and are bound by them.

Chair Kristin Elinkowski informs the SCSB that the regional seminars RFP was cancelled by State Purchasing at the request of USBE, so staff is working on a new RFP.

Ignite Entrepreneurial Academy – Report and Possible Action under UCA §53A-1a-510

Representatives from Ignite Entrepreneurial Academy answer questions about Ignite Entrepreneurial Academy and how it relates to their private school IDEA Academy.

Ignite explained they did not have a location until May, and didn't know they were going to be able to use Sorensen Foundation funding. Executive Director Jennifer Lambert asked if IDEA Academy would cease operation when Ignite begins, and if the funds from the Sorenson Foundation would roll over to Ignite Academy. Ignite confirmed it would.

Chair Kristin Elinkowski asked about enrollment for the existing body of students, Ignite said their understanding was the founding families could be grandfathered into Ignite, and the current enrollment for Ignite consists of 20 families, which would require 36 students to be grandfathered in.

Chair Kristin Elinkowski raised concern about Ignite's board meetings lacking proper notification and minutes. Ignite said they had given 24 hour advance notification for every meeting they held. Two of their meetings were recorded on secretary's computer, and another two on a smart phone. Both devices malfunctioned, so Ignite had its secretary take note of what was discussed, especially from the meeting where Ignite picked its developer, Perry Homes. Ignite obtained bids from five developers. Vice Chair DeLaina Tonks asked if they had obtained RFPs. Ignite said they had, and that they are with State Purchasing. Chair Kristin Elinkowski said SCSB staff doesn't have those RFPs, and asked what the status of their building was, since they were supposed to have broken ground by January 1st, 2017. Ignite has grading permits to deal with the topography, but no construction permits for the building. Chair Kristin Elinkowski asked what the cost of construction per square foot was, and was told \$8M in total, equaling to \$195 per square foot. Executive Director Jennifer Lambert and SCSB Education Specialist Rebecca Cisneros references Utah Military Academy's square foot average of \$134, then asked why Ignite's projected costs were so much higher. Ignite explained that the cost is a result of the difference in the topography and land value, with Utah Military Academy being on flat land, whereas Ignite would be on a hillside.

Vice Chair DeLaina Tonks asked Executive Director Jennifer Lambert to address other issues. Concerns include the mingling of funds between Ignite and IDEA Academy, understanding Ignite's new board is willing to drop its contract with IDEA, but IDEA operating as a pilot was not presented in its application for charter; a lack of action in Ignite's board meetings, and construction progress with its building; contacts in USBE Purchasing couldn't find evidence of an RFP for Ignite's building; cost of construction and what it would take to break even; and Ignite's board member turnover.

Ignite's attorney, Marianne Ludlow of the Sundance Law Group, explained that Ignite proposed the idea of a Montessori based charter that they would pilot under IDEA Academy for one year with private funding. She explained that Ignite is not converting IDEA Academy to Ignite Academy, and students from IDEA would not get preference, unless they were founders, all others would go through a lottery. Member Michelle Smith asked why the pilot wasn't included in the original charter. Marianne Ludlow said the funding for IDEA had not been received at that time, then after receiving money from the Sorenson Foundation they decided they would pilot the Montessori based model under a private entity as IDEA Academy. Member Dean Brockbank said he doesn't think Ignite tried to be intentionally deceptive, but they should understand the SCSB needs to be made aware of any changes Ignite makes.

MOTION: Vice Chair DeLaina Tonks motioned and Member Bruce Davis seconded to propose termination of Ignite's charter under UCA §53A-1a-510. The motion passed with one descending vote from member Dean Brockbank.

Application Report from Staff

Education Specialist Rebecca Cisneros said that last summer the board had selected four schools, and three of the four had submitted draft applications to SCSB staff. As a general rule, the applicants listened to the readers, and incorporated suggestions without making significant changes to their vision. Each application was read by two separate sets of readers. The capacity interview had some questions generic to the group, and some specific to each application. All parties took responsibilities very seriously. The process took several months. Individual comments were not used, and only those that all readers could get behind were included. Readers came from USBE, SCSB, and representatives from different charter school stakeholders and school districts.

Capstone Classical Academy is looking to open in Weber SD serving grades 6-10. They have a passionate board who understands how to make their model successful. Strong financial and grant writing capacity on board. Failed enrollment projects and retention were cited as weaknesses.

Mountain Sunrise Academy is a K-6 Waldorf model that wants to open in Lehi. Board members are well represented, and possess a sense of knowledge of Waldorf methodology. Weaknesses are a lack of understanding of Utah education law, possible negative financial scenarios, and a lack of data from Waldorf method schools in Utah.

Advantage Arts Academy is a Beverly Taylor Sorenson K-6 model that wants to build in the Herriman area. Market analysis supports another school in the Herriman area, and their board has a good understanding of obligations of arts integration. Weaknesses stem from the board's lack of cohesiveness and conflicts of interest which could diminish their voting capacity. Readers didn't feel there was a clearly communicated compelling need for the Beverly Taylor Sorenson model.

Reader groups ranks Advantage Arts Academy as first, Capstone Classical Academy as second, and Mountain Sunrise Academy third.

New School Application Capstone Classical Academy

Representatives from Capstone Classical Academy argue that there is a lack of choice in the Ogden area, and needs aren't being met. There is an increase in dropouts and decrease in college success. They envision serving students with challenged curriculum, virtuous living, prudence, friendship, courage, internships certifications, and admissions to college in junior year. They want to foster creative thinkers in a high challenge and low threat environment as the only classical curriculum model in the area. They plan to employ

a hub learning style with mentors and teams, metric exams, parent input, and virtuous living. They have obtained a 503C status, built a website in 2016 that is directly linked to Facebook, obtained a \$20k grant and an AAE scholarship for Dr. Grant. They believe NUAMES will have no affect on their enrollment, since Capstone Classical Academy is STEAM, whereas NUAMES is STEM serving grades 10-12.

MOTION: Member Greg Haws moved, and Member Michelle Smith seconded, to approve Capstone Classical Academy as outlined in their application. The motion carried with Vice Chair DeLaina Tonks dissenting.

Appreciation of Service

Chair Kristin Elinkowski and the rest of the SCSB thanked Tim Beagley and Howard Headlee for their service on the SCSB.

New School Application Mountain Sunrise Academy

Representatives from Mountain Sunrise Academy argue that Waldorf uses both sides of the brain. Their emphasis for proposal is for a school that blends physical, artistic, and cognitive aspects of students together in a way that allows them to thrive.

Their market research indicates a large waitlist for Waldorf schools. They have established a Facebook presence, with a page that has received 191 likes, and a growing email list of 94. Their research shows there are 209 families interested in enrolling. Their board has eight members with business and educational backgrounds. They envision a 1:13 staff-to student ratio, based on an assumption of 392 first year students.

Chair Kristin Elinkowski asked what their response was to incomplete Waldorf data in Utah. Mountain Sunrise said It is important to look at other states, and that there is testing available from other states. In K-3, students don't test up to par. In 4th grade, students test up to par, and after that they test above par, both before and after Common Core. Teachers will align with both Waldorf and Utah Core Standards, since many have already taught in Utah. Several of Mountain Sunrise Academy's board members were founding members of Wasatch Charter.

Member Michelle Smith asked why they are proposing K-6 when the Waldorf model is K-8, to which they said was in an effort to align with other schools in the area.

Member Michelle Smith asked how they would accommodate a student who required a self-contained environment, to which Mountain Sunrise Academy said they would consult their IEP SPED director.

MOTION: Member Michelle Smith moved, and Member Bruce Davis seconded, to deny Mountain Sunrise's application. The motion carried unanimously.

New School Application Advantage Arts Academy

Advantage Arts Academy representatives describe their school proposal as a Beverly Taylor Sorenson (BTS) model that has the full support of the BTS board, but has never incorporated any funds from BTS into their own budget. They hope to get the BTS grant, but are prepared to move forward without it.

Chair Kristen Elinkowski asked why parents would choose their school over the other BTS schools that already exist. Advantage Arts said they would be able to address things that those operating on a grant can't do, and that the BTS model gives them instant name brand credibility when attracting parents.

Advantage Arts Academy explained that their model classroom consists of three walls with cabinets. All walls wired for projection, the furniture is moveable, and it allows for writing to be on all three walls. Much like a gym, every student would have access to the room.

MOTION: Member Bruce Davis moved, and Member Dean Brockbank seconded, to approve Advantage Arts application. The motion carried unanimously with Member Robert Enger abstaining.

Charter Schools Application Report from Staff

Rebecca Cisneros defined new application terms. Replication means the same model is seeking expansion in a new location. Satellite means a new location and drastically different model. She has notified schools of new eligibility criteria, which has saved schools time.

Replication Request NUAMES

Member Bruce Davis declared a conflict of interest, since he is also a board member for NUAMES, then seated himself with the NUAMES board.

NUAMES is petitioning for replication in Weber County. The NUAMES board tells the SCSB how they started as a joint venture between Weber, Ogden, and Davis districts. They are currently ranked the number one high school for student outcome and performance. Their mission is to be the school of choice for those seeking a school on a university campus. They've had great growth in SPED, and has more female students in engineering than males. The focus is on math, science, and engineering. Class sizes are small. NUAMES has a lot of options for the new building site, which will be within proximity of Weber State's campus, and students will receive a UTA bus pass.. There are three opportunities for concurrent enrollment with: AP, Concurrent Enrollment, Early College. Teachers are dedicated, working on a yearly agreement rather than a ten year contract. NUAMES currently has a waiting list of 163 students.

MOTION: Member Greg Haws moved, and Vice Chair DeLaina Tonks seconded, to approve NUAMES for 1350 students. The motion carried unanimously with Member Bruce Davis abstaining.

Replication Request Freedom Preparatory Academy

Freedom Preparatory Academy would like to replicate model in Saratoga Springs.

Chair Kristin Elinkowski voiced concern that Freedom Preparatory Academy only has a 52% enrollment at their new Vineyard campus, but are already asking for another replication. Freedom Preparatory Academy countered that the Saratoga Springs school wouldn't be open for two more years in the future, and anticipate having reached the 405 enrollment allotment for the Vineyard campus by then. Vineyard is a new high growth area, and the school was built just ahead of the growth curve. The board from Freedom Preparatory Academy argues that the closest schools can't serve the population, and are relying on portables going out into their field. Chair Kristen Elinkowski voiced concern that the closest school is overflowing, yet Freedom Preparatory Academy isn't full.

Member Dean Brockbank noted that he was not comfortable making a decision based on expectations. Although he thinks Freedom Preparatory Academy is a great school, he would prefer to wait until enrollment increases at the Vineyard campus.

MOTION: Member Michelle Smith moved, and Member Robert Enger seconded, to deny Freedom Preparatory Academy's Saratoga Springs replication. The motion carried unanimously.

Expansion Request Addition of 11th Grade– Monticello Academy

Granite School District changed high school from 10th-12th grades to 9th-12th, so as a result Monticello Academy started losing 9th grade students when kids wanted to be a part of high school sooner. Students expressed a desire to have high school grades at the Monticello Academy, so they could graduate without having to transfer to another school. Monticello Academy proposed adding grades through 11th grade, with students graduating early and qualifying for the Regents Scholarship. The SCSB heard from students of Monticello Academy. Chair Kristin Elinkowski, Vice Chair DeLaina Tonks, Member Dean Brockbank, and Member Michelle Smith expressed concern over what would happen to students who were not on track to graduate by the end of the 11th grade, then through discussion with Monticello Academy, attorney David Thomas, and Higher Ed Advisor Theresa Theurer, the SCSB proposed the addition of 12th grade, to which Monticello Academy agreed to.

MOTION: Member Michelle Smith moved, and Member Bruce Davis seconded, to authorize Monticello Academy to teach grades K-12. The motion carried unanimously.

Expansion Request Increase Enrollment Cap – Excelsior Academy

Excelsior Academy's seeking increase enrollment to 770 in fall of 2017. They are currently enrolled at 720, but are over enrolled; so their official current chartered number is 675. In 2018, they are seeking another expansion, which would bring their enrollment to 1215. They would expand their building on land next to current school. They have a deal in place with the landowner, and an approval letter from the USDA to advance.

Through discussion with Executive Director Jennifer Lambert, and Excelsior Academy's Director Stephanie Eccles, Chair Kristin Elinkowski proposed not approving the enrollment raise for 2017, to satisfy timelines with USBE, and instead only approving the request for 2018.

MOTION: Member Bruce Davis motioned, and Vice Chair DeLaina Tonks seconded, to approve Excelsior Academy's fall of 2018's enrollment to be 1215 students. The motion carried unanimously.

Adjourn

MOTION: Member Bruce Davis moved to adjourn at 3:11 p.m. The motion carried unanimously.