

February 13, 2020

MINUTES OF THE
UTAH STATE CHARTER SCHOOL BOARD MEETING

Thursday, February 13, 2020
Utah State Board of Education—Board Rooms

DRAFT

Members Present:

Chair Kristin Elinkowski (*refrains from voting, unless otherwise noted)
Vice Chair DeLaina Tonks
Member Cynthia Phillips
Member Jim Moss
Member Krystle Bassett
Member Michelle Smith
Member Bryan Bowles

Staff Present:

Jennifer Lambert
Assistant Attorney General David Jones
Michael Clark
Amber Hellstrom
Stewart Okobia
Greg Connell
Marie Steffensen
James Madsen
Jenna Magnetti

Others Present:

Chair Mark Huntsman (USBE), Mike Haynes (USBE), Angela Stallings (USBE), Amy Pilkington (Wasatch Peak Academy), Chuck Williams (Utah Military Academy, UMA), Chris Herrell (UMA), Vicki McCall (UMA), Steve Carroll (UMA), Karen Rupp (SITLA), Paula Plant (SITLA), Brian Storrs (Entheos Academy Magna, EAM), Mathew Edvik (EAM), Jaren Gibson (EAM).

Call to Order

Chair Elinkowski called the meeting to order at 10:09 AM.

Pledge of Allegiance

A flag was present and the Pledge of Allegiance was made by those in attendance.

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Board Chair Report

Chair Elinkowski had Executive Director Lambert update the board on the Capstone Classical Academy hearing.

A signup sheet for graduation visits was passed around the table for members.

Public Comment

Nobody made public comment.

Consent Calendar

A) January 15, 2020 Minutes B) Monthly Financial Report, C) Legacy Preparatory Academy Amendment

Member Phillips asked that the request from Legacy Preparatory Academy be tabled, due to concerns of language changes establishing a quorum with too few members.

Motion

Member Bryan Bowles moved, and Member Smith seconded, “to approve (the consent calendar, sans Legacy Preparatory Academy’s request).” The motion carried unanimously.

Motion

Member Bowles moved, and Member Smith seconded, “to table Legacy Preparatory Academy’s request until next meeting.” The motion carried unanimously.

School Spotlight—School Grade

Wasatch Peak Academy

Mr. Michael Clark discussed Wasatch Peak Academy (WPA) being in the top quartile for four years, school culture, growth, proficiency, and academics attributed to school culture and devoted teachers.

Representatives of WPA discussed academic scores, growth, and allowing students to present their authentic statements to the SCSB; which consisted themes of: leveling, Spanish curriculum, service learning, donations and pledges for non-profits to support veterans, and a garden project.

Member Bowles commented on the quality of education at WPA and referenced an article he wrote where a state senator was quoted stating his appreciation for an anonymous school, now revealing that the anonymous school he was mentioning was WPA.

Executive Director Lambert commented on how amazing the students presented and how they are succeeding as students and future leaders.

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Board Training

Conflict of Interest

Member Code of Conduct Policy

AAG David discussed SCSB Bylaws, Utah Public Offices' and Employees' Ethics Act, UCA 53g-5-201, the process for dealing with and disclosing conflicts of interest, ethics with regards to state statute, disclosing business interests to the Office of the Attorney General, not being allowed to have investments that would create conflicts with public service, and erring on the side of caution and disclosing perceived conflicts of interest.

Vice Chair Tonks discussed the SCSB Member Code of Conduct policy and assigned each member a topic to present.

School Children's Trust 2020 Report

Ms. Karen Rupp and Ms. Paula Plant (School Lands Trust) discussed total disbursement of \$9.8M to charter schools this year, projection of \$10.3M for next year, governing board training for boards or schools' trust lands councils, resources available to schools, beseeching ideas for engaging governing boards in training, hard deadline for charter schools to submit governing board approved plans by April 1st, unavailability of website for the month of July, and appreciation for the SCSB staff.

Executive Director Lambert and SCSB members expressed gratitude for Ms. Rupp and the School Trust Lands funding.

Relevant Legislation—Discussion and Possible Action

Chair Elinkowski discussed the Executive Committee's ask for additional staff.

Executive Director Lambert discussed HB10 and the Charter School Revolving Loan Committee, HB31 and requiring governmental entities to do entity registry, HB67 and requirements for LEA data systems supported by grants, and HB242.

The Legislative Committee discussed supporting initiatives of the USBE and the USBE reciprocating support for bills that support charters, the development of HB 242, the power to dissolve a corporation after a charter has been revoked, gaps in administrative cost funding (Member Phillips noted that her school, and Vice Chair Tonks school would not benefit in any way by supporting UCN's push for this).

Motion

Member Smith moved, and Member Bassett seconded, "to support the bills that have been discussed, as they have been outlined, and give Member Phillips and Member Moss the ability to keep up with changes as they occur, in consultation with leadership if necessary, but I believe they have a pretty good feel for where we're at as a board—and that we support the administrative funding carryover request." The motion carried unanimously.

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Motion

Member Phillips moved, and Member Smith seconded, “to support the ongoing funds (in closing the gap of the local replacement fund) as discussed.” The motion carried unanimously.

SCSB Logo—Discussion and Possible Action

Executive Director Jennifer Lambert displayed the logo options that were designed by BWP Communications.

Motion

Member Phillips moved, and Member Bassett seconded, “to adopt this logo in its various formation, depending on context, and authorize staff to work with the designers.” The motion carried unanimously.

Warning Status Update—Discussion and Possible Action

Entheos Academy--Magna

Representative of Entheos Academy—Magna introduced themselves and discussed having met all ten terms of Warning letter, accomplishments of the school, progress monitoring, engagement with tier I instruction, self-reported grades, experience in Turnaround program, help of mentors, intervention program, and utilizing i-Ready benchmarks to assess growth and correlation to RISE testing.

SCSB members expressed congratulations for Entheos Academy—Magna’s hard work and persistence in exiting Turnaround. Executive Director Lambert discussed schools working together and how Turnaround may need to be a longer program to allow schools the time necessary to improve.

Motion

Vice Chair Tonks moved, and Member Smith seconded, “to remove Entheos Academy—Magna from Warning.” The motion carried unanimously.

Warning Status Update—Discussion and Possible Action

Utah Military Academy

Mr. Michael Clark presented the history of UMA’s Warning status, progress in resolving many deficiencies, status of met and unmet items, moving restricted fund balance into a separate account, programs operating outside of charter that have been discontinued, following provisions of state procurement law, SPED and Title I documents, remediation policies and grade changes, governing board needing to review contracts and purchases greater than \$1,000, and allegations against previous faculty.

Member Bowles disclosed a potential conflict of interest by stating that he used to be UMA’s Interim Director Steve Carroll’s professor.

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School still needing to find executive director, time it takes to establish change in school culture, a letter acknowledging the progress UMA has been making, condolences for tragedies at the school's campuses, how Warning affects the school's bonding, whether the SCSB wants a school to bond that is on Warning, reluctance to risk long-term taxpayer money for short-term savings, love for UMA's mission and vision, precedence of placing a school on Warning and removing them prematurely for bonding purposes, school not having a director, desire to see school serving students fully before removing the school from Warning, removing the school from Warning and figuring out a way to ensure they continue progress was discussed by the SCSB.

Representatives of UMA discussed being increasingly engaged since being placed on Warning, having had an interim director and a process for hiring a new executive director, that bonding would proceed regardless of what action was taken, cost of not bonding and impact of Warning on students and taxpayers, how being off Warning could yield a better interest rate, how bonding will allow the school annual savings and facility cost by using taxable bonds to fund up reserves and using capitalized interest to defray costs.

SCSB members commented on intent of December's Warning over Probation vote being to allow UMA to bond, and how the SCSB's responsibility is to consider merit and not bonding.

Motion

Member Moss moved "to take them off Warning but have a monthly review through that period of June to ensure that everything is moving forward as indicated in this response and reassess the potential of putting them back on Warning if we need to." The motion was not seconded and was withdrawn by Member Moss.

Substitute Motion

Member Moss moved, and Member Phillips seconded "that we remove them from Warning on condition that our staff keep up the oversight that has been implemented under Warning Status, through a three-month period, and will give us, during that period, a detailed report on whether Warning should be reinstated." This motion failed unanimously.

Motion

Member Phillips moved, and Member Moss seconded, "that the board remove Utah Military Academy from Warning with a stipulation that they bring to staff, at a date prior to bonding, reports and documents requested by staff, the receipt of which will determine whether or not we as a board hold a meeting to place them back on Warning prior to the execution of the bond." The motion failed with member Moss and Member Smith voting in the affirmative and Vice Chair Tonks, Member Bowles, Member Phillips and Member Bassett dissenting.

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Discussion to the Motion

Burden on staff of what documents to request and then bringing UMA back to the board, semantics of removing school from Warning but leaving responsibility and adding extra consequences while staff still receives additional complaints, continuance of Warning, Notice of Concern not being a board action, and how (if at all) the proposed action would differ from Warning was discussed.

Motion

Member Phillips moved, and Vice Chair Tonks seconded, “that Utah Military Academy remain on Warning but be invited in March to have the board reconsider their Warning Status prior to action they are contemplating and in an effort to acquire additional data on the implementation of systems and actions to address deficiencies in the current Warning letter.” The motion carried with Member Smith dissenting.

Possible Closed Session in Accordance with The Utah Open and Public Meetings Act for Purposes Outlined in Law

No closed session was held.

Adjourn

Motion

Member Smith moved “to adjourn.” The motion carried unanimously.