

Utah State Charter School Board Meeting  
Minutes  
August 18, 2005  
North & South Board Rooms  
Utah State Office of Education

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

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

Others present: Ray Timothy, Karen Kowalski, Steve Winitzky, Janene Bowen, representatives from Mountainville Academy, Summit Academy, Copper Creek Preparatory Academy, Payson Preparatory Academy, Legacy Preparatory Academy, and Spectrum Academy

Call to Order

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

Announcement

Chair David Moss announced a special meeting of the State Board of Education would be held September 29, 2005 at 10:00 in the North & South Board Rooms at USOE to hear recommendations of charter school applications that would be presented to the State Charter School Board in their September 15, 2005 meeting.

Public Comments

Chair David Moss opened the meeting for public comment. Those desiring to make comments were: Ava Jacklin, Kary Burns, Lisa Johnson, Sue Smart, Lorna Milne, Ranae VanImen, and Matt Throckmorton. Their comments concerned Renaissance Academy, Mountainville Academy and Summit Academy.

Approval of Minutes

Motion was made by Vice Chair Scott Smith and seconded by Member Barbara Killpack to approve the minutes from the July 21, 2005 Charter School Board Meeting. The motion was carried unanimously.

Legislative Issues

Chair David Moss, Vice Chair Scott Smith and Associate Superintendent Ray Timothy met August 11, 2005 with the Utah Association of Public Charter Schools and a number of legislators concerning legislative issues for next legislative session. They also met with Superintendent Patti Harrington to discuss the initiatives. The items discussed in that meeting are:

- 1) Change the local replacement formula.
- 2) Establish a statutory funding formula for administrative costs for charter schools.
- 3) Establish a state mechanism for reimbursement of property tax paid by charter schools that rent or lease.
- 4) Establish school LAND Trust funding for first-year charter schools.
- 5) Support USOE initiatives for clarification of school uniform/dress code.

6) State start-up funds.

Motion was made by Member Anne Peterson and seconded by Vice Chair Scott Smith to support the six legislative initiatives presented to the Charter School Board and move ahead to carry out those initiatives in the next legislative session. The motion carried unanimously.

Legislative Committee

After much discussion the names of Scott Smith, Anne Peterson, Brian Allen and David Moss were presented as proposed members of the Legislative Committee.

Motion was made by Member Barbara Killpack and seconded by Member Anne Peterson to accept the above named individuals to be members of the Legislative Committee. The motion carried unanimously.

Beehive Science & Technology Academy

Director John Broberg presented the amendments of Beehive Science & Technology Academy. The amendments to the charter concern organizational structure and governing body of the school. Mr. Broberg informed the State Charter School Board he felt the application had improved by the amendments, because it allows more individuals to be involved.

Motion was made by Member Anne Peterson and seconded by Vice Chair Scott Smith to accept the amendments to Beehive Science & Technology Academy charter. The motion carried unanimously.

Mountainville Academy

Chair David Moss reminded the board of the specific items that were cause of concern regarding Mountainville Academy. The board made a motion to table the application until this meeting with the understanding that the applicant would rework their budget and other issues.

Rebecca Whitchurch presented solutions to the concerns the Charter School Board had concerning Mountainville Academy's application.

- 1) Sufficient Special Education staff to handle the needs of approximately 50 - 60 special education children.
- 2) Sufficient office staff to assist the director, especially in the areas of bookkeeping.
- 3) Contingency plan in the event that anticipated federal start-up grant funds are not received.

Member Barbara Killpack inquired of the lease/loan payment, questioning if it is a lease to buy option at this point. Ms. Whitchurch responded in the affirmative. Vice Chair Scott Smith inquired as to the length of time of the contact. Ms. Whitchurch informed the board they have an option of up to 20 years but Mountainville Board would like to own the building as soon as possible.

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

Summit Academy

Jill Neff Director of Summit Academy presented to the Charter School Board Summit Academy's application for re-chartering with the State Board of Education. A number of members of Summit Academy board also presented.

Janene Bowen, from Jordan School District presented Jordan School District's position on Summit Academy's charter. Refer to handout.

Motion was made by Member Barbara Killpack and seconded Member Anne Peterson to table any decision concerning Summit Academy to allow time to study Jordan School District's report and to create a list of specific items the State Charter School Board feels needs to be addressed before recommending approval to the State Board of Education. Opposing votes by Chair David Moss and Vice Chair Scott Smith were cast. Because of a tie vote, the motion did not carry.

Motion was made by Chair David Moss and seconded by Member Vice Chair Scott Smith for the State Charter School Board to approve Summit Academy's application for re-chartering from Jordan School District to the State Board of Education with a one year probationary period. During that time, the Charter School Board would impose specific provisions Summit Academy. The provisions are: governance structure; open meeting laws and how they are being addressed; parental involvement issues; communication within the school from administration to the staff, patrons and parents. The motion carried unanimously.

Member Barbara Killpack requested Director John Broberg to generate a list of the mentioned provisions required by Summit Academy in order to discuss those provisions in the next Charter School Board meeting before the final motion of re-charting Summit Academy would be made.

#### Copper Creek Preparatory Academy

Brandon Fairbanks, Jim Horton and Dr. Bart Reynolds, (via phone conference) from Utah Charter Group, an educational management organization that provides management services to charter schools, presented Copper Creek Preparatory Academy's charter school application.

The State Charter School Board was informed Copper Creek Preparatory Academy will be a K-6 elementary school located in 4800 West and Old Bingham Highway (9000-9800 South). Students would be required to wear uniforms and have a capacity of 525 students.

Vice Chair Scott Smith expressed his concern the founding members of the charter were not in attendance to present the charter school application to the State Charter School Board. Mr. Smith stated he felt the State Charter School Board would like to hear from Copper Creek Preparatory Academy Board members, in order for the State Charter School Board to know and understand what knowledge the founders have in education. Mr. Fairbanks apologized for Copper Creek Preparatory Academy board not being in attendance.

Member Barbara Killpack also informed Mr. Fairbanks, Mr. Horton and Dr. Reynolds the State Charter School Board would like to see the school's board members presenting with the management group as support, and not having Utah Charter Group presenting without any representation from the Copper Creek Preparatory Academy.

Chair David Moss questioned Copper Creek Preparatory Academy's budget concerning not having funds in their budget to pay their employees health benefits, but having the funds in the budget to pay a management company. The response to Mr. Moss' question was the management had budgeted with the founders, benefits of 32% for all full time employees.

Janene Bowen, from Jordan School District presented concerns the district has with Copper Creek Preparatory Academy. She stated the district is interested in very strong charter schools with strong parental involvement. Also, the district has a concern having a management company overseeing the functions of the school. Ms. Bowen questions if the school is offering anything unique or different to the district as a whole, and if there is anything different than the district is already offering.

Mr. Fairbanks and Mr. Horton reiterated the fact they represent a founding group that is very adamant about getting the school approved. They feel the Spanish program and the reading program is unique. Mr. Fairbanks and Mr. Horton expressed their concerns of the school not being approved because of their mistake in not having the founders present to the Charter School Board.

Motion was made by Member Barbara Killpack and seconded by Vice Chair Scott Smith to not recommend Copper Creek Preparatory Academy for approval to the State Board of Education. The motion carried unanimously.

#### Payson Preparatory Academy

Brandon Fairbanks, Jim Horton and Dr. Bart Reynolds, (via phone conference) from Utah Charter Group, an educational management organization that provides management services to charter schools, presented Payson Preparatory Academy's charter school application.

The State Charter School Board was informed Payson Preparatory Academy is focused on literacy. The founding members are a diverse group of people, and are dedicated to the charter school movement. They are dedicated to bring a charter school to Payson, and to the school's mission emphasis and curricular program.

Member Barbara Killpack inquired because Payson Preparatory Academy is a literacy based school, why there is no librarian listed until the third year of operation. Mr. Fairbanks replied the instructional assistants would play that role. Ms. Killpack stressed the concern there are three instructional assistants to cover the library and special ed needs.

Director John Broberg reminded Mr. Fairbanks and Mr. Horton the federal start-up funds do not cover salaries, but pay for supplies, etc.

Motion was made by Member Anne Peterson and seconded by Member Barbara Killpack to not recommend Payson Preparatory Academy for approval to the State Board of Education. The motion carried unanimously.

#### Legacy Preparatory Academy

Heather Traeden, President of the Board from Legacy Preparatory Academy informed the Charter School Board Legacy Preparatory Academy will be located in the South Davis area of the Davis School District with grades K-9. The mission of the school is to provide a classically-based curriculum, teach the value of public virtue, and to honor each child as an individual.

Member Barbara Killpack questioned the projected amount of \$30,000 in the budget from donations. She inquired where those funds would be coming from. Nathan Nelson, treasurer for Legacy Preparatory Academy replied they would be working with local fundraisers and private donations. Once approved, Mr. Nelson informed the Charter School Board the board would be looking into the various grants available to charter schools.

Member Anne Peterson inquired to the request for waiver regarding the identification of founding members. Ms. Traeden informed the Charter School Board their board had asked for the waiver with the State Charter School Board, but would comply with the federal deadline. Member Anne Peterson questioned if Legacy Preparatory Academy felt their total population of students who qualify for exception to the lottery would be under 10%. Ms. Traeden replied they intend to stay far below the 10% that is allowed.

Member Anne Peterson questioned Payson Preparatory Academy's plan for obtaining musical instruments pertaining to supplemental materials to implement fine arts. Ms. Traeden informed the Charter School Board the school be applying for grants to fund those needs. They are aware of grants from Utah Arts Council and the National Endowment of the Arts.

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

#### Autism Spectrum Disorder

Karen Kowalski, Education Specialist in the Special Education Section at USOE, presented information regarding Autism Spectrum Disorder, as well as special education state law concerning, IEP's, case loads, parental involvement, complaints, IDEA protection, and discipline.

#### Spectrum Academy

Tiffany Pearce, Vice President of Spectrum Academy, informed the Charter School Board Spectrum Academy's mission of recognizing strengths, challenges and natural talents of each student. The school will be located in North Salt Lake and accommodate 150 students, grades K-8. Spectrum Academy plan's to co-work with Wasatch Peak Academy with possibility of sharing playground space, media center, lunch room and other amenities as part of a student integration plan.

Member Barbara Killpack questioned her concern about the need of Special Education teachers for this type of school and their budgeting for only one Special Education teacher. Comparing student to teacher ratio, feels there should be four Special Education teachers. Natalie Longson informed the board the one Special Education teacher listed in the application is a coordinator that would oversee all of the teachers at the school. Ms. Longson added that every teacher at the school would be special education endorsed.

Member Anne Peterson questioned carpooling to use the library at Wasatch Peak Academy. Ms. Longson replied the two schools were planning on co-locating at property adjacent to Wasatch Peak within walking distance from Spectrum Academy; therefore there would be no need for carpooling.

Chair David Moss questioned what specific services Excel would provide to the school in the way of management services. Ms. Longson replied it would be administrative services. She informed the Charter School Board the Spectrum Academy Board doesn't have the backing and experience needed to make the school successful.

Member Barbara Killpack questioned Spectrum Academy if there are contracts in place with the University of Utah and other entities the school would be partnering. Ms. Killpack stated she would like to see in writing what those entities planned on doing to help the school. Director John Broberg stated there were letters of support from Carmen B. Pingree School and IHC

Behavioral Health Network. Chair David Moss requested from Ms. Longson a copy of the support letter from the University of Utah be given to Mr. Broberg.

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

Director John Broberg informed the Charter School Board of the NACSA Conference October 24-25, 2005, held in Denver, CO. Mr. Broberg requested the board to inform him of their willingness to attend the meeting by Wednesday, August 24, 2005. Chair David Moss and Vice Chair Scott Smith informed Mr. Broberg they would be attending the NACSA Conference; Member Barbara Killpack and Member Anne Peterson said they would not be attending.

Chair David Moss made motion to adjourn at 2:45 p.m.