

Utah State Charter School Board Meeting
Minutes
January 13, 2011
North & South Board Rooms
Utah State Office of Education

APPROVED

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

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

Others present: Deputy Superintendent Martell Menlove, Carol Murphy, Todd Hauber, Natalie Grange, Janene Bowen, Kim Frank

Call to Order

Chair Tom Morgan called the meeting to order at 9:00 a.m.

Study Session Items

Review of Interim Administrative Rules Committee meeting

Chair Tom Morgan informed the SCSB that members of the SCSB met with Senator Stephenson and his committee on December 15, 2010. Senator Stephenson requested that meeting in order to discuss the standards the SCSB is planning to implement. Chair Morgan shared items that were discussed at the meeting with Senator Stephenson that he and the committee wanted the SCSB to consider. 1) Does the SCSB have the right and/or responsibility to put into place financial operational standards, curriculum standards, governance standards, etc. for charter schools? 2) If so, how would the SCSB create those standards? Would it be done by administrative rule, board rule, or request the legislature to legislate these standards? Chair Morgan stated that he feels the SCSB does have the right, responsibility and the need to set standards. The need was emphasized more because of the audit performed on the SCSB. Chair Morgan questioned, are the standards too cumbersome on the charter schools? Do these standards somehow impair the schools to be creative and innovative? Are the standards too prescriptive? Chair Morgan stated there has been opportunity for charter schools and individuals to have input and comment regarding the standards that are being considered. Cory Kanth stated all insights that were received from outside parties were incorporated in the standards.

The question was asked if the ten financial standards that were being proposed, are any of those measurements unnecessary. The board members agreed that the ten measurements and standards outlined is a sufficient number.

Member John Pingree suggested the SCSB create the rule for measurements and standards and refer the rule to the USBE to adopt and be placed into the USBE rules.

Vice Chair Tim Beagley stated the audit suggested setting minimal standards and establishing best practices, to create a process or framework where problems of noncompliance would be addressed, that come from not meeting the standards and best practices.

Member Yolanda Francisco-Nez stated she feels notice of non-compliance status should be given to any charter school once any one of the ten standards are not being met.

Chair Morgan directed the Charter School Staff to propose to the SCSB a specific process by which the board will measure, monitor and then act on the ten financial or operational standards to implement when there is failure by the charter schools to comply with the standards. The SCSB will review the proposed process at their meeting in February, and vote to adopt those measures and standards and present them to the USBE for approval.

State Charter School Board Member, Carol Murphy suggested making the wording change in board rule that is in process (R277-470-12) from Charter School Quality to either Charter School Accountability or Performance. Ms. Murphy stated she didn't feel "quality" embraces what is intended with the discussion.

Chair Morgan recommended the Charter School Staff set specific timelines, processes, and consequences related to this ten piece operational standard framework for action in February meeting.

New Charter School and Satellite School Application Process

Director Burns informed the SCSB that on an annual basis the charter school staff reviews the charter school application. There are certain pieces of the application that is mandated by law and those have to remain in the application. However, the staff also asks the applicants for their input to the application as to which parts can be improved, etc. Director Burns asked the SCSB members, because they are moving towards having more performance standards, for their input to better the application and to help highlight those self-selected standards.

With the Satellite school application audit process, Director Burns asked if there is anything more specific the staff should be looking for, based on past experience they have had with satellite school requests being presented.

Director Burns stated, because of the change in statute last year, as well as the new charter school committee for the USBE there will most likely be some changes in the timeframe for when new applicants apply and when satellite schools apply. Ms. Burns requested feedback on how to make this a better process for the board.

Following the discussion, it was determined all new charter school applications would be presented at the same SCSB meeting.

Prioritizing Charter School Requests for State Board of Education

Director Burns informed the SCSB that when Charter Schools submit their application, if they have a growth model, they are requested to describe that growth model. For example, some choose to open as a K-6 school, but ultimately want to be a K-9 school (K-6 – 300 students, K-7 – 350 students, K-8 – 400 students, etc.). The Charter School staff track those additional new students, on a year to year basis, because of the way the legislature has funded charter schools. There are new schools and expansions of existing schools that have been recommended for approval to the USBE. The question is how to prioritize the requests of these schools and expansions.

Director Burns informed the SCSB that the law states that if funding does not match the number of students that have been approved, it is the responsibility of the SCSB to prioritize those numbers and begin at the top of the list as the funding comes through and whoever is not funded that year, goes to the top of the list for the year after. Again, the question becomes how to prioritize all of these schools, when some of these approvals have been made 3, 4, 5 years in the past, because they were in a growth model.

Vice Chair Tim Beagley stated he understood that it was very clearly stated that the prioritization order would simply be in the order the requests were recommended to the USBE for approval.

Following discussion, it was determined that the charter schools that were first recommended for approval by the SCSB would be the first schools to be presented to the USBE for final approval.

Charter School Agreement

Director Burns informed the SCSB that the Charter School Staff has been revisiting the Charter School Agreement and finding it lacking in being understandable and specifying the rights and responsibilities of not only the charter school, but of the State Charter School Board. Director Burns stated her and Jean Hill, one of the legal counsel at the USOE, have been going over the agreement to put it in understandable language, and secondly looking heavily at the performance portion; both the Charter Board's responsibility for oversight and what the Charter School Staff will be providing to the charter schools, also what the Charter Schools promise to do as well, along with their responsibilities.

Because not all members of the Charter School Board were completely familiar with the agreement document, it was determined any decision would be addressed in a future board meeting.

Adjourn

Motion was made to adjourn at 12:25 p.m.