

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

Thursday, October 14, 2021

USB E Board Rooms

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**Draft**

**Members Present:**

Chair DeLaina Tonks (\*refrains from voting, unless otherwise noted)  
Vice Chair Bryan Bowles  
Member Cynthia Phillips  
Member Krystle Bassett  
Member Michelle Smith  
Member Stephanie Speicher  
Member Erik Olson

**Staff Present:**

Jennifer Lambert  
William Evans  
Stewart Okobia  
Greg Connell  
Marie Steffensen  
Jenna Magnetti  
Smriti Dhakal  
Joanne Castillo  
Liz Bunker  
Robert Kohutek  
Amber Hellstrom  
Andrew Vardas-Doane  
Assistant Attorney General David Jones

**Others Present:**

Matt Hymas (USB E), Angie Stallings (USB E)  
Tana Archer (North Star)  
Diana Sidel (North Star)  
Brent Burrs (North Star)

**Call to Order**

Chair Tonks called the meeting to order at 10:36

## **Public Comment**

None

## **Board Chair Report**

Chair DeLaina Tonks welcomed everyone and celebrated meeting in person. Director Jennifer Lambert spoke on the Rosenthal Study in which the farcical The Harvard Test of Inflected Acquisition was used to “identify” high-potential students. The results of those tests changed teacher behavior towards those students who then went on to perform double the initial learning growth rate. It was later revealed that the Harvard study was fake, and the real thing determining a student’s success was how the teachers interacted with the students. The takeaway is that everyone has a high potential, and the best way to access that potential is revealed in the way we interact with one another

## **Executive Director Report**

Director Lambert applauded the inclusion of various Board members in the trainings offered to Charter School staff and board members and noted all recorded trainings seemed to be well-received. Upcoming training series include a focus on Early Childhood literacy. Updates to current oversight activities were given. The Director also reported on staffing changes and introduced a new staff member, Joanne Castillo. Director Lambert shared about school visits done last month and that NUAMES earned Niche.com’s “#1 Safest School in America” designation.

The director shared information gleaned from the “A-Game” Conference. The idea of differentiated, school-specific goals for alternative schools was introduced. One Utah Charter School worked with them in a kind of pilot program to see what such goals look like.

## **Consent Calendar**

*A) September 9, 2021 Minutes, B) Monthly Budget Report, C) Optional “Fast Track” Satellite Process Policy, D) Requirement of Signed Charter Document for Full Approval and Prior to Release of Any Public Funds Policy, E) Amendment to Bylaws: St. George Academy, F) Optional Enhanced Kindergarten Funding Requests*

## **Motion:**

*Member Phillips: “I move that we accept the Consent Agenda”*

*Member Speicher seconds the motion*

Motion passes unanimously

## **Transfer Rate Report**

Robert Kohutek, Data Analyst, relayed where to find the Transfer Rate Report on the SCSB website and how the Transfer Rate is defined, formulated, and what it means in the terms of critical metrics. Mr. Kohutek presented overall transfer rates and trends.

**Discussion:** Executive Director Lambert emphasized that COVID impacted schools that typically have very low transfer rates. Vice Chair Bowles asked about exit codes that were not included in this data – specifically the code indicating that a student moved out of state. Director Lambert replied that only codes indicating circumstances the schools themselves could control were included in this analysis. Vice Chair Bowles expressed interest in data reflecting transfer out of state versus transfer within the state. Vice Chair Bowles also asked how retained seniors might affect the transfer rate. Director Lambert clarified that retained seniors would not count against a school in the transfer rate. Vice Chair Bowles wondered if the codes not used would reveal additional trends that might also need to be tracked – specifically the code for “Unknown.” Vice Chair Bowles emphasized the need for persistence in tracking students until they land into another educational institution if possible, and he would like a report on the “unknown” code as well as the other codes not used in this presentation at a future date.

Chair Tonks indicated that Member Speicher suggested that a training could be formulated for schools to learn how to better track their students. Member Phillips wondered if there were geographical indicators in the current data – specifically for the high transfer rate schools.

Director Lambert acknowledged that the current Transfer Rate data points were also being examined qualitatively. Any high transfer rates are reviewed and researched to accommodate the varying contexts in which these incidents occur. Peer Mentoring will soon be offered to schools who might need it.

### **School Spotlight**

William Evans presented North Star Academy as the school with the lowest transfer rate in Utah. Director Tana Archer, Assistant Director Diana Sidel, and Board Member Brent Burrs were present to share how they do this consistently.

### **Review Board Policies**

#### **Internal Financial Policy**

##### **Discussion**

Member Phillips requested purchases of that magnitude (\$50,000 or more) to come before the full board both for protection of the staff and for transparency for the public in acknowledgement of fiduciary responsibilities. Director Lambert confirmed that such a purchase has not occurred since this policy has been enacted, and it was clarified that the big-ticket items in the SCSB budget tend to be trainings and mentoring. As requests for expenditures of that size would be outside of the established budget, Chair Tonks appreciated the staff’s inquiry on whether or not such an expenditure would be approved in Committee or brought before the full Board for approval. Member Phillips asked whether procurements under the \$50,000 were already brought before the board either directly or on Consent, and Director Lambert said that they were not unless they were done on an RFP. Vice Chair Bowles indicated that because SCSB adopted USBE’s

Procurement Policy, the Staff has spending limits within that policy which includes various layers of approvals wherein this \$50,000 limit is an additional safeguard above the USBE policy. Director Lambert indicated that USBE also has a \$50,000 limit in their policy, but they don't require Board approval. However, this policy is applicable only to budgets and not to contracts as they would have been included in the budget anyway.

**Motion:**

*Vice Chair Bowles: "I make a motion to approve the changes made to SCSB's internal financial policy as indicated...with the addition of our discussion relative to coming to the Board as opposed to just the Chair that the approval of \$50,000 or any purchase over \$50,000 come to the full Board."*

*Member Smith: "I'll second that motion."*

**Discussion**

*Member Philips: "It is \$50,000 or greater not greater than \$50,000."*

Director Lambert asked if the deletion of the word "Chair" would meet Vice Chair Bowles' intent. Vice Chair Bowles agreed that it would.

Motion passes unanimously

Certification for Charter Schools Seeking Credit Enhancement

**Discussion:**

Director Lambert indicated that most of the changes requested were technical changes. One deletion was requested because the Staff could get that information on their own. There was a clarifying language change request to reflect the language in the Finance Authority. Vice Chair Bowles clarified that the request for the change in language was so that there was continuity between SCSB policy and what appears on the Charter School Finance Authority website.

**Motion:**

*Member Philips: "I move that the Utah State Charter School Board's policy for Certification for Charter Schools Seeking Credit Enhancement be amended as was relined and presented."*

*Seconded by Member Speicher*

Motion passes Unanimously

Legislative Discussion and Consideration of 2022 Session

**Discussion:**

Member Philips presented an overview from the Legislative Committee. Because there were no drafts of any language yet, there were no recommendations to be brought to the Board for discussion. Member Philips anticipates that some drafts might be available for discussion as early as November or December. Regarding how SCSB was to be treated in relation to USBE, conversations over language are ongoing.

Member Philips presented on a potential initiative on innovation that might dovetail well with SCSB's Mission & Vision and Innovation Committee.

Member Philips also presented about charter school funding and that she had been working with the charter school associations on this. .

Director Lambert presented a request for support to increase funding for full-day kindergarten.

**Discussion:**

Member Philips is supportive.

**Motion:**

*Member Phillips: "I move that the State Charter School Board support the funding for full-day kindergarten as has been described by the Utah State Board of Education.*

*Member Speicher seconds*

Motion passed unanimously

**Motion #2:**

*Member Philips: "I'd like to move that the State Charter School Board support the notion that charter base funding be sustained, increased, or more favorably-structured as we go into this legislative session."*

*Member Speicher seconds*

Motion passes unanimously

Kim Frank of the Utah Charter Network shared what they are working on: 1) lessen reporting requirements for districts and charter schools with Rep. Pulsipher, 2) charter base funding (scaled approach for WPUs), 3) group of stakeholders involved in the Utah Innovative Schools Initiative with Sen. Filmore allow charter and district schools to receive temporary waivers from State law in order to fast track an innovative educational program. Proposals would be sent to their authorizer including a timeline at which point a review would be conducted before making the program a permanent part of the charter.

**Discussion:**

Member Philips remarked on the approach UCN has taken to simultaneously reduce the administrative costs while supporting and funding the remaining administrative costs. Member Philips also appreciated how SCSB seemed to be ahead in Innovation plans as this new Utah Innovative Schools Initiative seems to attempt to mimic what had been happening in charter schools. Member Philips was hopeful that the new initiative would allow district and charter schools to innovate with a bit more freedom alongside data revealing the successful metrics.

Deputy Superintendent Stallings reminded the assembly that USBE has the authority to waive Board rule and did so during COVID for a number of rules. Member Philips answered that the question on whether or not the proposed Innovation Initiative would waive rule or statute currently sits with the legislators drafting the bill.

**Motion**

Member Speicher prefers to wait before a motion is made.

**Portfolio Manager Report**

Portfolio Manager Liz Bunker presented on what portfolio managers do as preventative pieces, supports for the schools, and liaisons between the schools and SCSB. Staff is already experiencing increased response times with schools. Ms. Bunker focused on the relationship between school growth phases and board government styles and composition.

**Discussion:**

Director Lambert emphasized that the Portfolio Managers are true advocates in that they defend schools by helping them to improve, thereby preventing the need for punitive measures. Chair Tonks likened their work to building a fence at the top of a hill instead of sending an ambulance to the bottom of a hill.

**Proposed New Board Policy**

Authorizing and Support Specialist Marie Steffensen presented a new policy on required trainings (for pre-operational schools, schools participating in comprehensive reviews, and schools sustaining a “warning” or “probation” status).

**Discussion:**

Member Speicher asked if the staff has the capacity and resources to provide the training. Ms. Steffensen stated that there is both the in-house capacity and the flexibility to bring in outside experts if needed through budgeted support offerings. Chair Tonks asked if requiring training at the stages of “Warning” or “Probation” would be enough to be preventative instead of just punitive. Director Lambert said that current staff procedures that support is offered as early as a “Notice of Concern” stage. At “Warning,” SCSB can require training, however, at “Probation” it may be too late depending on the circumstances. Member Philips requested some grammar-related alterations to the policy.

**Motion:**

*Member Philips: “I move that the Utah State Charter School Board approve the required training policy with a few small typos corrected and post that until our next Board meeting at which time it will be placed on the Consent Agenda for final approval.”*  
*Vice Chair Bowles seconds.*

Motion passes unanimously.

*Member Speicher makes the motion to close the meeting.*