
**REFERENCE: DRAFT MINUTES – March 6, 2008 Public Charter School
Commission Meeting**

**PUBLIC CHARTER SCHOOL COMMISSION MEETING
THURSDAY, MARCH 6, 2008
AMERITEL INN BOISE SPECTRUM
7499 WEST OVERLAND ROAD, ROBIE CREEK ROOM
BOISE, IDAHO**

A regular meeting of the Idaho Public Charter School Commission was held on Thursday, March 6, 2008 at 7499 West Overland Road, Boise, Idaho. Chairman William Goesling presided. The following members were in attendance:

Paul Powell Esther Van Wart Gayann DeMordaunt Alan Reed

Commissioners Joe deVera and Brad Corkill were absent.

Chairman Goesling called the meeting to order at 9:35 a.m.

1. Commission Work

Chairman Goesling confirmed that there were no changes or additions to the agenda.

M/S (Van Wart/Reed): To approve June 26, 2008 as the date and Boise, ID as the location for the regularly scheduled Commission meeting to follow the May 1, 2008 meeting. *The motion passed unanimously.*

M/S (Powell/Van Wart): To approve the minutes from January 10, 2008 and January 24, 2008 as submitted. *The motion passed unanimously.*

2. Palouse Prairie School of Expeditionary Learning Petition

Nils Peterson, chair of the PPSEL board, said that in the eleven months since the Palouse Prairie School hearing before the Commission, the school's board has worked hard and enriched its understanding of the challenges and requirements of operating a charter school. He offered to answer the Commission's questions.

Commissioner Van Wart expressed appreciation for the amount of effort that has gone into the PPSEL petition. She asked whether the school could provide any updates regarding the facility options described in the materials. She said her primary concerns are the tightness of the budget due to small school size and limited growth within the facilities options.

Mr. Peterson referred to a letter forwarded to Commission staff on March 4, 2008, in

which the 1912 Center's use committee describes its tenant application process. He said Heart of the Arts, a non-profit organization that manages the facility on the City of Moscow's behalf, has been slow to develop this process, which remains in draft form. Mr. Peterson said the building has been gutted and requires extensive remodeling, which a building inspector informed the PPSEL board could possibly result in a facility suitable for a charter school. Mr. Peterson said PPSEL is not in a position to contribute financially to the cost of remodeling. He said the key advantage of the 1912 Center is that it offers space for the charter school to expand its enrollment.

Mr. Peterson also referred to a MLS real estate listing sent to Commission staff on March 4, 2008. He said the building, currently a tavern on one acre, would require some remodeling and is located outside the city limits, which could be problematic in terms of student transportation. However, the list price indicates the facility would be affordable despite PPSEL's extremely tight budget.

Commissioner Powell clarified with Mr. Peterson that any remodeling of the 1912 Center would not be paid for by PPSEL, and PPSEL's only financial contribution would be in the form of lease payments.

Mr. Peterson said Commissioner Powell had accurately summarized PPSEL's proposal to the Heart of the Arts, which manages the 1912 Center.

Commissioner Powell asked whether the city has indicated whether it considers PPSEL's proposal to be realistic.

Mr. Peterson said PPSEL does not have any indication from the city or Heart of the Arts that the school's proposal makes sense to them or that capital necessary for the renovations could be raised.

Commissioner Powell asked about the source of the \$13 per square foot cost used in the budget.

Mr. Peterson said that figure is an assumption based on the price of the Silos facility and may not reflect actual lease costs for the 1912 Center. He said he was unable to obtain from the architect an estimated cost per square foot for remodeling.

Commissioner Van Wart noted the \$239 ending fund balance on the proposed budgets and asked whether there is likely to be additional income for the school. She cited uncertain facility costs and the potential for unexpected, additional expenses as causes for concern with such a tight budget.

Mr. Peterson said his board is committed to finding a way to open, even in the absence of federal grant monies. He said the board has been advised to raise a capital reserve fund of \$20,000, but he is uncertain how those monies would be obtained.

Chairman Goesling suggested the Commission direct its questions with regard to the

Silos facility option due to the uncertain nature of the 1912 Center facility option, in terms of time and money required to remodel the 1912 Center. He said the 1912 Center's first floor remodel costs were substantial and he believed the City of Moscow could not legally contribute to remodel costs.

Chairman Goesling noted that the proposed budget reflecting use of the Silos facility resulted in a Year One balance of negative \$2761, assuming enrollment of 67 students.

Commissioner DeMordaunt said the salaries in the budget appeared administration-heavy.

Mr. Peterson said his board believes it is critical for the school to have a full-time administrator in Year One, though this position will be difficult to fund given the low enrollment numbers.

Commissioner DeMordaunt noted that some schools use a Head Teacher to fulfill many duties traditionally performed by an administrator, and Mr. Peterson said the board is exploring strategies for broadening the administrator's duties within the school.

Commissioner Reed asked for additional information regarding transportation costs and assumptions about donated materials.

Mr. Peterson clarified that the Federal Startup Grant column of the budget indicates how the grant monies, if available, would be used to purchase supplies that are described in the remainder of the budget as donated. He said the transportation costs in the budget are based on those of Moscow Charter School because an official estimate cannot be obtained without confirmation of the location of the school's facility.

Commissioner Reed asked what the budgeted \$1500 for testing and assessment is intended to cover, and on what that number is based.

Mr. Peterson said PPSEL is unlikely to have adequate computers for testing and anticipates renting such equipment from Moscow Charter School or Moscow School District. He said he has no solid basis for the budgeted amount, but hopes it would represent an attractive sum to MCS or MSD.

Commissioner Van Wart asked for information about potential enrollment, particularly in light of MCS's relatively short waiting list.

Mr. Peterson said he believes there are older students in the community that would be interested in enrolling at a charter school, but their names do not appear on the MCS waiting list because they have grown discouraged. He said survey results indicate that PPSEL has interested a core group of people, but the school needs to broaden its outreach to increase enrollment potential. This outreach, to be funded with the federal charter grant, may be accomplished through a summer camp and in-home "Tupperware parties" to educate families about PPSEL.

Commissioner Van Wart asked whether it was legally allowable for the school to be located near the Silos Café, which serves alcoholic beverages.

Mr. Peterson said the proposed facility would be adjacent to the Silos Café, and the café does serve alcohol. He said there are currently two buildings on the Silos site. A third building would be constructed for the school's use.

Chairman Goesling verified with Mr. Peterson that the facility pictured in the materials is not the one to be occupied by the school. Rather, a new building would be constructed on the site.

Commissioner Powell said all the PPSEL board members appear to have educational backgrounds. He said Commission's experience is that charter school boards benefit from the input of both business people and educators. He asked whether PPSEL intends to add more business expertise to its board and observed that the facility and budgetary problems being discussed might be mitigated by the inclusion of such expertise.

Mr. Peterson said the bylaws permit the addition of two more board members. He said an advisory board may also be used to obtain a broader range of input, and the PPSEL board is currently drafting recruiting requirements for such an advisory board.

Commissioner Powell recommended that the PPSEL board, not only the advisory board, consist of approximately 50% business people. He said that, in his experience, advisory boards often fail to provide the level of support required by a new charter school. He cited lack of business expertise on the PPSEL board as one of his significant concerns regarding the petition.

Commissioner Powell asked whether the Silos facility is a guaranteed option for the school.

Mr. Peterson said a lease was drawn up in August 2007. The lease is currently outdated, but a co-owner of the Silos provided a letter in January 2008 stating that the Silos would continue to honor the outdated lease. He noted that the facility option would still need to be approved by the City of Moscow.

Commissioner Powell verified with Mr. Peterson that PPSEL has discussed with the Silos whether the permitting and construction process could be completed in time for classes to open.

Chairman Goesling expressed concern about student safety at the Silos Facility, where a busy road and neighboring apartments could pose hazards to children attending PPSEL. He said the facility doesn't appear to include an outdoor play area and wondered in parking would be an issue.

Mr. Peterson said the Silos owns part of the parking lot that appears to belong to the neighboring church. He agreed the lack of outdoor play area is a drawback of the Silos facility but pointed out the accessibility of nearby public parks.

Chairman Goesling asked how the PPSEL board feels about locating its school near a facility that serves alcohol.

Mr. Peterson said the café is quiet and family-oriented, and the board is not concerned about its proximity. He said he doesn't anticipate that the city will pose concerns either, as the café was approved despite the proximity of the neighboring church.

Commissioner Powell asked how long PPSEL could operate in the Silos facility.

Mr. Peterson said the school would need to outgrow the facility, and the board is exploring whether apartments already existing on the site could be used as classroom space for expansion. However, this would permit only limited growth, and the school would still need to move into a larger facility after a minimum of three years.

Commissioner Powell stated his concern that PPSEL would need to move, but the budget does not include reserve monies to fund such a move.

Mr. Peterson said that a year ago, the Commission asked his board to return with facilities options, and those included in the packet are the ones he has been able to identify: The 1912 Center, the Silos facility with limited room for growth, and the new possibility of purchasing the tavern building.

Commissioner Powell said he sees three options in the materials, but not three viable options. He said the options as presented are not compelling, and the Commission is responsible to make every effort to ensure the financial soundness of the new schools it authorizes.

Commissioner Reed agreed that the options presented are based on too many hopes and assumptions in lieu of hard numbers. He asked whether the Silos facility would be leased on a year-to-year basis.

Mr. Peterson confirmed that the Silos facility would be leased year-to-year. He said the Silos' owners understand that PPSEL would outgrow the facility.

Commissioner DeMordaunt confirmed with Mr. Peterson that the apartment buildings and two, small businesses currently exist on the site, and that PPSEL would require apartment space to accommodate its students in Year Two. She asked whether PPSEL has a backup plan in case the apartments do not become available.

Mr. Peterson said there is no backup plan.

Commissioner DeMordaunt said she might be able to get comfortable with the Silos

facility plan if there was a backup expansion option.

Mr. Peterson said it is likely he could obtain a first option to lease space when apartment tenants leave.

Commissioner Van Wart asked whether there is open access between the apartments and the school, expressing concern for student safety in the presence of tenants over whom PPSEL has no control.

Mr. Peterson said the tenants tend to be graduate students.

Chairman Goesling used the photo included with the materials to show that the apartment tenants would be near, and apparently have easy visual and physical access to, the school facility.

Commissioner Van Wart reiterated her concern for student safety and noted that liability insurance could be very expensive under these circumstances. She inquired whether access between the buildings could be blocked.

Commissioner Reed confirmed with Mr. Peterson that the City of Moscow would need to approve any location proposed by a school, and that the proximity of the Silos Café would be considered as part of the approval process. Commissioner Reed noted that the city's approval of a nearby church daycare isn't necessarily comparable to approval of a school serving upper elementary students.

Chairman Goesling invited further questions from the Commission. Receiving none, he opened the floor to Candis Donicht, Superintendent of Moscow School District, for public comment.

Ms. Donicht cited some concerns about lack of specificity in the special education section of the charter, but noted the charter school would be obligated to comply with the law regardless of precise wording in the charter. She stated her opinion that the liquor license at the Silos could pose difficulty in obtaining city approval of the site, and proximity of the café might preclude certain families from considering PPSEL as an educational option.

Ms. Donicht said she is familiar with the 1912 Center, as it was once owned by MSD. MSD sold the building to the City of Moscow due to the prohibitive cost of retrofitting it for continued use as a school facility. In 2004, the cost of retrofitting the second floor with its seven classrooms was anticipated to be \$800,000. Additionally, Ms. Donicht expressed concern about parking at the 1912 Center because the high school is located across the street. She recommended the charter school look further into purchasing the tavern.

Ms. Donicht said MSD would consider contracting with PPSEL for student transportation. Ability to do so would depend upon school location and student

demographic, particularly with regard to students with special needs. She said logistics would prevent MSD from contracting with PPSEL for use of computers for standardized testing.

Ms. Donicht noted that PPSEL's intent to expand to 200 students would result in the closure of a MSD school. She said this would be an unpopular event in the Moscow community.

Commissioner Powell thanked Ms. Donicht for providing background information.

Commissioner DeMordaunt asked whether the possibility of opening a non-charter expeditionary learning school within MSD has been explored.

Ms. Donicht said the possibility has not been explored, and she hasn't considered whether that possibility might be entertained.

Commissioner DeMordaunt suggested the district consider the possibility of an expeditionary learning magnet school, particularly if under threat of closing a district school as a result of competition from a charter school.

Ms. Donicht said any idea could be brought forth for discussion.

Commissioner Van Wart said she was impressed with the amount of effort and passion apparent in the petition. She agreed with Commissioner Powell that more work should be done on the business end and expressed concerns about student safety and inadequate facility options.

Commissioner DeMordaunt said the curriculum section of the petition is outstanding; however, the budget and facility remain problematic.

Commissioner Reed said the materials provided do not convince him of the school's ability to survive financially, though he, too, approves of the educational plan.

Commissioner Powell asked why PPSEL's board wants to open the school.

Mr. Peterson said the board has been working on the petition for three years because it has observed a need for students to develop their skills as exploratory learners.

Commissioner Powell said he admires the purpose of the proposed school, but he remains concerned that the school is not prepared to operate as a successful business. He expressed hope that expeditionary learning concepts could be integrated into MSD programs.

Commissioner Van Wart noted that the Commission is in the business of children, and a solid financial foundation is critical to the provision of a safe and effective education.

Commissioner DeMordaunt expressed support for the idea of exploring a district-sponsored expeditionary learning program.

Mr. Peterson said that, early in the process, distrust developed between PPSEL and MSD. He said effective expeditionary learning must encompass an entire program and expressed willingness to discuss the possibility of implementing it at the district level.

Commissioner DeMordaunt said she'd like to see the petition again following those conversations, and that her intent was not to discourage the petitioners from pursuing the chartering process.

M/S (Powell/Reed): To deny the petition for Palouse Prairie School of Expeditionary Learning based on the lack of a positive budget and lack of realistic, documented facility options.

Chairman Goesling said he sees the motion as encouragement to return to the school district and work on other possibilities.

The motion passed 3-1, with Commissioner DeMordaunt dissenting.

Commissioner DeMordaunt said she feels the curriculum portion of the petition is very strong, and she would have preferred to see a delayed decision.

Commissioner Powell noted the petitioners have until September 2008 to bring another petition before the Commission in time to open in Fall 2009. He said he, too, believes in the strength of PPSEL's educational program, but the business side of the petition requires development too extensive to be remedied by a delayed decision.

Chairman Goesling said the new members of the MSD board may come to a more favorable conclusion regarding consideration of a new petition from PPSEL than did the previous board members.

Tamara Baysinger, Commission staff, clarified that if the petitioners wish to reapply for a charter, they will need to repeat the entire petitioning process.

Commissioner Van Wart expressed hope that the petitioners and district will be willing to work together toward fulfilling the needs of students in their area.

3. Commission Discussion: Idaho Leadership Academy Transfer Petition Request

Ms. Baysinger said ILA previously made a similar request for transfer of the virtual portion of its school. She said the current proposal is for the transfer of the original brick and mortar school, and that ILA no longer has a virtual component.

Commissioner Van Wart asked whether the reason for the proposed transfer has

changed since the previous transfer request. She said ILA's cover letter cited increased district liability for students at the charter school, even though most of those students reside outside the authorizing district's boundaries.

Commissioner Powell noted that authorizing districts do take on responsibility for special needs students who reside outside the district but attend a charter school within the district.

Troy Henke, ILA school president, said ILA is requesting a future hearing regarding the proposed transfer of the charter's authorization from the Snake River School District to the Commission.

Commissioner Powell asked when ILA's virtual component was eliminated.

Mr. Henke said the school has been downsizing the virtual program since its last hearing before the Commission, and the virtual program is now completely eliminated.

Commissioner Powell verified with Mr. Henke that the authorizing district supports the transfer request.

Commissioner Reed asked why the previous transfer request was denied.

Commissioner Powell said there was concern about the definition of virtual schools, as well as concerns about the curriculum. He said this transfer request appears to be materially different from the previous request, so he would be comfortable hearing a new request. He said academic achievement will be central to his consideration of the transfer petition.

Commissioner Van Wart said she would like to learn more about teacher certification and mentoring at ILA as part of the transfer petitioning process.

M/S (Powell/Van Wart): To indicate to the ILA board that the Commission will consider a second transfer request from ILA. *The motion passed unanimously.*

3. Xavier Charter School Update

Renee Robinson, chair of the XCS board, introduced XCS students and parents who attended the meeting in support of the school.

Cindy Fulcher, XCS founder and administrator, provided the Commission with a general on the status of the school.

Commissioner Van Wart asked about the relationship between the XCS administrator and the school's board.

Ms. Fulcher said she and the board have sought training to resolve tension resulting

from having a school founder serve as administrator. She said the board and founders are in agreement about the school's vision.

Ms. Fulcher said XCS would like to amend its charter to permit the addition of 9th grade in the 2008-2009 school year, followed by expansion at the rate of one grade per year at the board's discretion. She explained the school's budget and facility plan for implementing the charter amendment.

Commissioner Van Wart said she has heard reports of problems with behavioral management at the school and asked for the school's perspective.

Ms. Fulcher said the situation resulted from some families' disagreement with XCS policies regarding student behavior. She said the discipline procedures were followed in accordance with school policy.

Commissioner Powell asked whether XCS is prepared to provide a full high school curriculum.

Ms. Fulcher said XCS has actively researched and received training from high school programs at a high-quality charter school in Colorado.

M/S (Powell/Van Wart): To approve Xavier Charter School's proposed charter amendment permitting expansion into high school grades. *The motion passed unanimously.*

5. Vision Public Charter School Annual Update

Lee Hannah, Vision board chair, and Wendy OldenKamp, Vision administrator, updated the Commission on the status of the school. Ms. Hannah said the board is currently researching number of viable facility options in preparation for selection of a permanent site.

Ms. Baysinger noted that, during a site visit at the school, she was impressed with the school's focus, enthusiasm, and effectiveness.

Ms. OldenKamp presented a slideshow to demonstrate various programs that have been implemented at the school.

6. Garden City Community School Annual Update

Marti Monroe, GCCS board member, and Cindy Hoovel, GCCS administrator, updated the Commission on the status of the school. She said all elements of the corrective action plan submitted in August 2007 have been implemented.

A GCCS student shared her experience at the school.

The Commission expressed appreciation for the documented improvement at the school.

M/S (DeMordaunt/Reed): To lift the notice of defect issued in July 2007 in response to academic and disciplinary concerns during the school's first year of operation. *The motion passed unanimously.*

6. White Pine Charter School Annual Update

Miles Carroll, WPCS board chair, and Peggy Sharp, WPCS administrator, updated the Commission on the status of the school. Ms. Sharp shared a photo essay to familiarize Commissioners with various programs offered at WPCS.

Commissioner Powell verified with Mr. Carroll that the school is fiscally sound and is currently operating with a \$250,000 fund balance.

Commissioner Reed noted that WPCS is a positive force in its community and has a favorable reputation for its business practices and educational program.

7. Legislative Update

Ms. Baysinger updated the Commission on the status of charter school related bills and administrative rules currently under consideration in the legislature.

Chairman Goesling adjourned the meeting at 1:35 p.m.