

# Maine Charter School Commission

**September 6, 2016 Business Meeting Minutes Accepted as Written by Commission Vote on October 4, 2016**

The Maine Charter School Commission held a regular Business Meeting at the **Burton M. Cross Office Building**, Room #103B, on **Tuesday, September 6, 2016**.

1. Call to Order and Declare a Quorum

The Meeting was called to order by Commission Chair, Laurie Pendleton, at 9:37 a.m. and a Quorum was declared.

Commission Members present were: Laurie Pendleton, Chair; Dr. Mike Wilhelm, Vice Chair; John Bird; Nichi Farnham; Jana Lapoint; and Shelley Reed.

Also present were Jim Rier, Bob Kautz, Gina Post, and Amy Allen.

Members of the public present included John Larouche, Maine Connections Academy; Andy Cashman, Preti-Flaherty and Connections Education; Julie Hannon, Maine Connections Academy; Carol Weston, Maine Connections Academy; Judith Jones, MACS; Tiffany Nielson, Eaton Peabody; Vicki Wallack, Maine School Management Association; Travis Works, Cornville Regional Charter School; Dorothy Foote, Wayfinder Academy; and Cheryl Clukey, MACS.

2. To Consider Action Relative to Additions or Adjustments to the Agenda

There were no additions or adjustment to the agenda.

3. Recognitions and Acknowledgments

Laurie Pendleton presented Shelley Reed with a certificate acknowledging her work as Chair of the Commission. She recognized Shelley's attention to making sure that the Commission does everything that's in the best interest of families in Maine. She also recognized her strategic planning efforts and professionalism and dedication to the Commission.

4. To Take Action Relative to Accepting as Printed the Minutes of the August 2, 2016 Business Meeting

**Moved by Mike Wilhelm; seconded by John Bird and voted unanimously by those present** to accept the August 2, 2016 Business Meeting Minutes as written.

Jana Lapoint shared that the minutes may be a bit too lengthy. She appreciates how in depth they were but she thinks that much detail is more work than the Commission should expect. She requested that the minutes going forward are more of a brief synopsis of what took place.

5. **OLD BUSINESS**

5a. Actions Relative to Strategic Plan Activity

Bob Kautz reported that he had had conference calls with the following Strategic Planning Sub Committees: Implement Renewal Process; Clarify Commission's Role; Plan the Future; and Review and Develop Policies and Procedures. The only sub-committee he didn't conference with was the Create a Long Term Financial Plan group as they had met previously and had their work done.

Shelley Reed commented that in terms of developing policies and procedures that going forward the Commission should have a policy to make sure the Commission is consistent over time.

John Bird gave a brief update on the meeting that he had with MACS for the Plan the Future subcommittee and commented that working with MACS going forward is essential not just in terms of the future of the Commission but also the future of charter school in general as MACS has been involved from the very beginning.

5b. Vacant Administrative Assistant Position Filled

Amy Allen has been selected to fill the role of the vacant Administrative Assistant position. Bob Kautz described Amy's previous experience working in state government.

Laurie Pendleton took a moment to thank the previous Administrative Assistant, Heather Fuller, for her work and expressed that she will be greatly missed.

5c. To Consider and Approve the Job Description for the Position of Finance Administrator

**Moved by John Bird; seconded by Jana Lapoint and voted unanimously by those present** to consider and approve the job description for the position of Finance Administrator.

5d. To Consider and Approve a Search for a Candidate for the Position of Finance Administrator

**Moved by Jana Lapoint; seconded by Mike Wilhelm and voted unanimously by those present** to consider and approve a search for a candidate for the position of Finance Director.

6. **NEW BUSINESS**

6a. To Accept the Notice of the Resignation of Scott Cowger from the Snow Pond Arts Academy Governing Board

**Moved by Shelley Reed; seconded by Jana Lapoint and voted unanimously by those present** to accept the notice of resignation of Scott Cowger from the Snow Pond Arts Academy Governing Board.

- 6b. To Consider and Approve the Resignation of Karl Francis as Principal from Maine Connections Academy

**Moved by Mike Wilhelm; seconded by Shelley Reed and voted unanimously by those present** to consider and approve the resignation of Karl Francis as Principal from Maine Connections Academy.

There was a brief discussion by the group that they regret Karl's resignation, as they felt he had done a great job and got Maine Connections Academy off to a great start.

- 6c. To Consider and Approve the Resignation of Jackie Hayes as Manager of School Counseling from Maine Connections Academy

**Moved by Shelley Reed; seconded by Jana Lapoint and voted unanimously by those present** to consider and approve the resignation of Jackie Hayes as Manager of School Counseling from Maine Connections Academy.

- 6d. To Consider and Approve the Addition of 11<sup>th</sup> Grade at Snow Pond Arts Academy and to Approve Snow Pond's Enrollment

Allow Grade 11

**Moved by John Bird; seconded by Jana Lapoint and voted unanimously by those present** to consider and approve the resignation of Jackie Hayes as Manager of School Counseling from Maine Connections Academy.

Snow Pond's Enrollment

**Moved by Mike Wilhelm; seconded by Jana Lapoint and voted unanimously by those present** to consider and approve the enrollment at Snow Pond Arts Academy.

- 6e. To Consider and Approve New Location for Harpswell Coastal Academy's Division 2 & 3

Bob Kautz recommended that there be no action taken on this item at this time as Harpswell Coastal Academy is currently facing some unexpected challenges with getting a Certificate of Occupancy at the new location. The fire marshal determined that the school needs a greater barrier between the school itself and the other occupants of the building and the school needs more windows in certain rooms, so modifications are going to need to be made before the fire marshal will grant a Certificate of Occupancy. HCA is working with an architect and the work could take anywhere from two to six weeks to be completed. In the meantime, the school has a plan in place for the students and are doing activities at other locations around Brunswick.

Shelley Reed expressed her concern with the students not having a regular, fixed location to learn, and that if it takes the six weeks for the renovations to be completed there will be logistical challenges with creating emergency plans, and dealing with first aid issues, etc. in the meantime in multiple facilities. She is hoping that the school will be able to give the Commission a more complete sense of what the curriculum will look like during the time the facility is being renovated and what projects the students will be working on during this transition.

Laurie Pendleton would like an update on the progress of the renovations and a report of how the school is addressing special education needs during this time period.

Bob Kautz said he will request those updates and commended the school on its swift action to overcome this unexpected challenge so close to the beginning of the school year.

**Moved by Mike Wilhelm; seconded by John Bird and voted unanimously by those present** to table the discussion of the new Division 2 & 3.

6f. To Consider a Request from Maine Connections Academy to Extend Due Date for the Independent Third Party Evaluation.

**Moved by Mike Wilhelm; seconded by John Bird and voted unanimously by those present** to consider and approve the request from Maine Connections Academy to extend the due date for their Independent Third Party Evaluation.

Julie Hannon from the Maine Connection Academy Board of Directors commented that the extension would be helpful as the board is in the process of hiring a new Head of School and would like that person to be a part of the evaluation process.

Bob Kautz shared that Maine Connections Academy has been diligent in trying to identify a person to fill the Head of School position.

Jana Lapoint shared her desire to have Karl Francis, former principal, be involved to give background information, that his input is invaluable in the accuracy of this evaluation.

Julie Hannon, Maine Connections Academy Board member, stated that the Board did a debrief with Karl before he left and that the Interim Head of School, Doug Bourget, had spent the last two weeks of Karl's employment working with him.

6g. To Hear a Report on ACADIA Academy's Pre-Opening and Consider Approval of the Report.

Laurie Pendleton shared how impressed the Review Team was with ACADIA Academy's new school director, the involvement of the Board, and the facility. The school is fully enrolled and has a waitlist. It has small class sizes and were, at the time of the pre-opening visit, nearly fully staffed. She stated that the Board and staff appear to have a clear understanding of the school's mission and the responsibilities they have in creating a quality charter school for their students and families.

Bob Kautz commented that ACADIA is the first of the MCSC authorized charter schools to go through the process of having approval for a pre-kindergarten program and ACADIA Academy received word late last week that it was accepted by the MDOE.

**Moved by Nichi Farnham; seconded by John Bird and voted unanimously by those present** to consider and approve the pre-opening report for ACADIA Academy.

6h. To Hear a Report on Snow Pond Arts Academy's Pre-Opening and Consider Approval of the Report.

John Bird shared that Snow Pond Arts Academy had more than met the requirements and recommendations that had been given to them in June and it was very apparent at the pre opening visit that the Board is committed to making the school a success and that they have a strong understanding of their mission and responsibilities they have in creating a quality charter

school for their students and families. John recognized both Rich Abramson and Anne Hammond in their efforts to get the school off to a great start.

**Moved by John Bird; seconded by Shelley Reed and voted unanimously by those present** to consider and approve the pre-opening report for Snow Pond Arts Academy.

Discussion took place amongst the group in regards to the logistics surrounding schools that have residency programs and how that works – oversight, financial; plans in place to make sure students do not have too much idle time, etc. Jana Lapoint feels strongly that the burden of paying for the residence should not fall on the parents of the student and it was agreed that as a Commission there is no set precedence at this time as students that stay at the Maine Academy of Natural Sciences are doing so because of a grant Good-Will Hinckley received. The funding question will need to be answered and figured out when the grant runs out. Currently there is no verbiage in the law that specifies who is responsible for payment of residential expenses

6i. Proposed 5 Year Budget Plan

- 6i(I) Approval of long range financial plan 2017 through 2021
- 6i(II) Approval of biennial budget 2018-2019
- 6i(III) Charter School Commission policy regarding the exercise of the Commission's funding
- 6i(IV) Approval to reduce the Commission's 3% annual per pupil allocation charge. For information see 6i(I).
- 6i(V) Approval to refund surplus oversight fees to charter schools.

Dr. Mike Wilhelm explained that the finance sub-committee (Dr. Wilhelm, Jim Rier and Bob Kautz) was asked to look into the future to consider this exercise. The Finance Administrator position has been added to the budget and a part-time Administrative Assistant position was added for FY18 and beyond. There is also some money for FY18 and beyond for contracted services. Technology is an area where the subcommittee felt that it wouldn't need as much money going forward. The subcommittee also added a contingency line in the budget. Discussion also took place regarding the 3% per pupil allocation and developing a policy to explain that percent and that the Commission can look at that percentage going forward and adjust the percentage so that the financial needs of the Commission are met while allowing the schools to keep as much as possible for operating expenses.

**Moved by Mike Wilhelm; seconded by John Bird and voted unanimously by those present** to consider and approve as a group items 6i(I) through 6i(V) relative to the budget plan for the next five years. John Bird commented that he's really in favor of the \$100,000 line item for contingency because the Commission can't possibly know everything so planning ahead to make sure it has money built in for things that come up is a great idea while at the same time allowing schools to keep as much money as possible.

Bob Kautz discussed the process of refunding the surplus and the different methods of doing so. He asked for approval from the Commission chair, that the finance sub-committee, with the Chair's approval, select the fairest method of distribution.

Shelley Reed commended the finance committee with the work they've done.

Bob Kautz stated that the redistribution of funds to the schools is a refund.

Laurie Pendleton indicated that when the Commission does its annual budget it should be able to tell the schools what they can expect and when.

6j. FY17 Budget vs. Actual – September 1 Report

No action necessary.

6k. To Approve the Use of Electronic Signatures

**Moved by Shelley Reed; seconded by John Bird and voted unanimously by those present** to consider and approve the use of electronic signatures for enrollment forms for virtual schools.

Bob Kautz gave some background in terms of the difficulties virtual schools have collecting signatures from parents with students that are all over the state. After discussions with Andy Cashman, attorney for Connections Education and Sarah Forster it was determined that the Commission could approve the use of electronic signatures and that his recommendation to the Commission is to approve it because it makes sense for parents.

Gina Post clarified that this wouldn't be just for the virtual schools. That, if approved, it would be a method available to all MCSC authorized charter schools.

6l. To Consider and Approve a Request from Maine Connections Academy to Increase Enrollment for This School Year from the Approved 390 Students to 429 Students

Bob Kautz clarified that there was a situation where the 10% rule conflicted with another statement in MCA's contract that says for the third year of operation the school has to have explicit approval from the Commission to have more than its contracted enrollment of 390 students.

**Moved by Mike Wilhelm; seconded by Jana Lapoint and voted unanimously by those present** to consider and approve the request from Maine Connections Academy to increase enrollment beginning this school year from the approved 390 students to 429 students.

John Larouche, Connections Education attorney, explained that the school currently has 405 students enrolled and that the approval of this request would mean more students in a virtual school which would ultimately translate to more data.

Carol Weston further explained that the school has 25 students ready to enroll and there are already 300 additional students that have expressed an interest.

Discussion took place between Bob Kautz, Shelley Reed and Nichi Farnham in regards to whether or not the wording in the contract template has been addressed for the future. Bob and Shelley agreed that the wording was done by design due to the uncertainty around how well virtual programs would perform.

Laurie Pendleton commented that it's interesting that the withdrawal rate at the Maine Connections Academy is a lot lower than the Commission originally anticipated.

## 7. REPORTS

7a. Chair

Laurie Pendleton reported on her conversation with Gordon Donaldson, Chair of the Board for Maine Academy of Natural Sciences, and Sally Mackenzie, Chair of the Board for Harpswell Coastal Academy, and their desire to have charter school Board Chairs meet with Commission members and Commission staff to discuss challenges and to have a better clarity on the role and authority of the Commission. Laurie presented a draft agenda for the meeting which will take place on the afternoon of October 4<sup>th</sup>. Discussion took place regarding whether Heads of Schools should be invited and it was ultimately decided that their input is extremely important but it wasn't the Commission's place to extend that invitation. Laurie will discuss with Gordon and Sally and decide whether Board Chairs want to invite their Heads of School to the meeting. She also expressed the interest in having MACS attend and asked Judith to put it on their calendar.

7b. Vice Chair

Mike Wilhelm gave a brief report on the Blue Ribbon Commission and its work to date. The ultimate goal of the Commission is to brainstorm ideas, think outside the box and then come together on the few big ideas where everybody can agree.

7c. Executive Director

Bob Kautz gave a report on the graduation ceremony at the Maine Academy of Natural Sciences He indicated that a Mitchell Scholar was selected.

Jana Lapoint expressed her concern that perhaps not all of the charter high schools are making students eligible for this scholarship

Bob Kautz also reported on the Grand Opening at ACADIA Academy

Bob also reported on the upcoming NACSA Conference and the MEPRI Report on Virtual Schools.

7d. Program Manager

Gina Post gave a report on the 2016 Monitoring Reports. . The hope is that all reports will have gone through the complete review process and be ready for approval at the next Business Meeting.

Gina also reported on the Heads of Schools Training that took place on August 23<sup>rd</sup>. She reported that it was a full day with all the charter schools represented. She showed Commission members where they could find all of the materials from the meeting on the website.

Gina's final report was about the charter school applications. She explained to the group that the Commission had received three letters of intent to submit charter applications and two of those sent notification of withdrawal the week before the due date. She shared with the Commission that it received one application from Wayfinder Academy and that she and Bob had done a preliminary review to determine that it was complete.

8. **ANNOUNCEMENTS**

8a. Turn in Expense Account Vouchers at the End of the Meeting

Laurie reminded Commission members to turn in the Expense Account Vouchers that are in their packets at the end of the meeting.

8b. Reminder to use the [csc1.doe@maine.gov](mailto:csc1.doe@maine.gov) e-mail address for Charter Commission Business

Laurie reminded Commission members to use the email address designated for Charter Commission business for archiving purposes.

8c. Upcoming Commission Meetings - October 4, November 8 and December 6

Laurie reminded the group about the upcoming Commission Meeting dates and reminded them about the afternoon workshop on October 4<sup>th</sup>. Gina reminded the group that although the meetings are usually held on the first Tuesday of each month that the November 8<sup>th</sup> meeting is actually the second Tuesday to accommodate the timelines for renewal and charter applications.

9. **PUBLIC COMMENT**

Judith Jones from MACS asked for clarification on the email address. She asked if this was an address that the public should be using or if it's just for internal business. Gina explained that she should continue to use the email addresses she's already using and this address is in place for Commission members who use their personal addresses to have Commission business archived.

Judith also commented about the discussion about residential possibilities for charter schools. She explained that MACS has been working on this very idea for a couple of years. Her hope is that a line item can be added into the budget that says if a student is attending a residential program in either a public charter school or a public district school that an additional amount of money will follow that child to that residential program. This is being done currently in Washington DC and a few other places. She is hoping to have thoughts and considerations from the Commission moving forward.

She also expressed delight that Wayfinder Academy had submitted an application for a charter school to the Commission.

Travis Works, Executive Director at Cornville Regional Charter School, thanked the Commission for allowing the Cornville Regional Charter School to raise the enrollment cap last year for this school year.

10. **ADJOURN**

**Moved by Mike Wilhelm; seconded by Jana Lapoint and voted unanimously by those present to adjourn.**