

Maine Charter School Commission

**February 2, 2016 Business Meeting minutes accepted as written by a Commission vote
3-1-16**

Business Meeting Minutes – Maine Charter School Commission, February 2, 2016

I. Call to Order

Chair, Shelley Reed, called the meeting to order at 9:30 a.m.

II. Roll Call

The following members were present: Shelley Reed, Chair, Laurie Pendleton, Jana Lapoint, John Bird, and Mike Wilhelm. Later arrivals were Nichi Farnham at 9:45 a.m. and Ande Smith at 9:50 a.m. Staff present was: Bob Kautz, Executive Director; Gina Post, Director of Program Management and Heather Fuller, Administrative Assistant. Also in attendance; Roger Brainerd, Judith Jones, Travis Works, Amanda Gallant, Rachel Ohm. Later arrivals were; John Wiggin, Rob Moody, David Holinger, Rich Abramson, Amy Dietrich, Tiffany Leonard Nielsen, C.J. Betit, and Kelly Courture

III. Adjustments to the Agenda

There were no adjustments

IV. Acceptance of Minutes

- A. Moved by John Bird; seconded by Jana Lapoint and voted unanimously by those present to accept the January 5, 2016, Minutes as written.

V. Officers' Reports

A. Chair

1. Review team assignment changes

Ande Smith has stepped down from serving on the Maine Connections Academy review team. Mike Wilhelm is now the Chair of Maine Connections Academy and Nichi Farnham is now a member of Maine Connections, filling the vacancy of Ande Smith. Shelley Reed is now the Chair of Cornville Regional Charter School, and Mike Wilhelm will continue to serve on that review team. Notification will be sent out to the Charter Schools making them aware of these changes.

Shelley attended The Hall of Flags. Six Charter Schools, and two charter schools, currently in contract negotiations, attended and each had a table display.

B. Vice Chair

Ande announced that he has made the decision to run for Congress and to avoid any conflict of interest he has requested to be taken off the Maine Connections Academy review team. Additionally, as he campaigns and speaks with any person affiliated with the Charter schools he avoids any conflict of interest.

VI. Staff Reports

A. Executive Director

1. Report on Charter School and Charter Commission funding for FY 16

The appropriated amount of State funding for the charter schools was less than what was needed. The Maine Charter School Commission is loaning the money to the DOE to cover that gap. The loan is to be repaid to MCSC in the next year or the next biennium. The loan funds are coming from our balance of 3% funds collected and it will be repaid by the DOE in the next budget.

Karl Frances asked if the Commission would make grants, to Charter Schools with high school grades as they are not receiving any money that non charter high schools are receiving for performance based diploma transition. This will be considered by the Commission possibly in March.

2. MEANS Board member

Bill Brown has resigned from the Board and Gordon Donaldson is now the new chair. Four new board members have been named. They are; Dr. Judith Lucarelli, Troy Frost, Pamela Mattos, and Stephanie Johnson.

3. MCA Enrollment Request Update

MCA made a request to increase its enrollment in order to hire more staff to address areas of concern. The Board has withdrawn this request as their funding from the State could not be increased to cover the costs for the additional staff, due to the shortage previously mentioned (see VI. A.1). Charter Schools can ask the Commission to change enrollment; however, they may not get the funding until the following year. For example, Cornville Regional Charter School is planning to make an enrollment increase request, and it may not be funded for those additional students.

Jana; what will happen with Acadia Academy and Snow Pond?

Bob; they have been factored in.

Shelley; schools will have to get to us a request by October if there was going to be an action taken?

Bob; The Department of Education would need to know by November, at the latest, to ensure that the State knows by November.

Judith; expressed concerns regarding waiting lists. Is there a cushion that could be available as there are variables that could affect these numbers?

Travis Works from Cornville; explained their referenced request, they want to be sure they level out and have a larger peer group for each age. Cornville will turn in a request for review in March.

4. Cornville Student Injury Update

Cornville Regional Charter School recently dealt with a student injury which resulted in a student suffering a concussion. Cornville School Board and staff acted prudently and wisely in carrying out their responsibilities and have dealt with this in a very appropriate manner. They hired a private investigator to investigate all areas of the situation. As a part of the investigation, they reviewed the recordings from the video surveillance system in the school. The governing board acted in a very professional manner. The investigator found that the school acted responsibly when it came to carrying out its policies and handling the situation. The school has reviewed their policies and made improvements in them, so that moving forward it will be able to serve children better.

5. Implications of New funding method of Charter Schools

As mentioned in section VI. 6., A. 1. and 3. The new method of funding will require the schools to make requests for enrollment increases for future years by October of the preceding year if they wish to receive the additional funding that is allowable due to that increase.

6. Proposed threshold program at MEANS

MeANS will present a proposal, the Threshold Program. The program would provide education services to students who are expectant parents or are parents of young children, who have left school because of the challenges around parenthood. Questions to clarify would be; enrollment; how this affects MeANS, how it blends in with the current program? The focus would initially be Somerset County, and they could target other areas if successful. This would not be increasing the enrollment cap from what it is currently. This will be discussed further with the review team before being presented to the full Commission in March.

7. Update on HCA extracurricular lawsuit

The judgement by the court was reviewed by Attorney Amy Dietrich and she made a request that the Commission help to fund an appeal. The commission took no action.

B. Director of Program Management

1. Renewal Process Update

Gina provided a time table to the Commission as a draft outlining suggested timeframe when tasks should be complete. The two performance reports for MeANS and Cornville are in DRAFT mode. This information will be sent to the Commission over the next few weeks. Shelley has started work on a rubric for the renewal application to go along with the reports.

2. Survey

A link had been sent regarding Panorama surveys. Gina was able to get feedback from Superintendent Jay Robinson (RSU 72) where a Panorama survey is currently being used. He said that it is quick and easy to administer and schools can download student information from Infinite Campus. He shared that the Panorama staff is very responsive. Gina will reach out to the Heads of School with the Panorama Survey information for thoughts and feedback

Mike Wilhelm motion; seconded by Ande Smith and voted unanimously by those present to move to New business in the Agenda in order to address agenda items pertaining to a large number of people in attendance.

VIII. New Business

A. Acadia Contract Approval

Review Team; Laurie Pendleton, Chair; Ande Smith and Nichi Farnham

Acadia Academy Board; Amy Dietrich

Review team met with Acadia on January 25th. One area of discussion was the renovations of the building for which costs came in higher than anticipated. The Board has gone back to that original building, and will be renovating in stages to make financing the project more manageable. The review team is meeting to get additional information later in February and will discuss further in March.

Bob; the review team was comfortable that although they did not meet all stipulations, there are reasons for that and the Board is making a good faith effort. Suggestion was made to visit other areas of the community; churches, mosques etc. to make the diverse populations aware of the opportunity to attend the school. Ande; comfortable that they are making diligent efforts in moving forward, but the jury is out as to whether or not they will meet the time line.

Bob; there was a discussion around possibly opening at a later time.

Laurie; asked when can you get in the building? When do you have to absolutely need to start?

Jana; would like to see that the rest of the program is in place; see basic information of what they have truly done.

Shelley; as a team, is there a line in the sand regarding facility and program, by March you will critically know that things need to align?

John; is this going to be at the March meeting.

Ande; not able to sit and say that here is your check list, here you go, bring up what you have, show us your plan for completing them.

Further discussion and possible action will be an agenda item for the March meeting.

B. Snow Pond Contract Approval

Review Team; John Bird, Chair; Shelly Reed and Jana Lapoint

Snow Pond Board; Kelly Couture, Administrative Assistant; John Wiggin, New England Music Camp Association; David Holinger, Dean of Students/Director of

Admission; Rob Moody, Board President; Rich Abramson, Head of School.

We present to the Commission a contract that has unanimous endorsement of the review team presented for approval. The contract lays out stipulations that needed to be met and have been met. Legal counselor Sarah Forster is representing us, they have had a series of meetings and came to an agreement. One issue was K12 as an ESP. Teaching is going to happen with teachers that are employed by Snow Pond Arts Academy. There could be some courses that involve K12. The core curriculum will be done by regular teachers. Details still need to be worked out regarding the lease and we are satisfied that these are solid. Enable the Commission to look at them separately. Blended program; A day in the life of a Student, review team willing to suspend any skepticism that we may have, as it is the teachers they put in place that will tell the tale, the framework in there. Monitoring agreement; they have fully met that. Performance indicators; they have all been met. Shelley; in taking item by item through lease agreements and partnership, there is a separation that is evident. John; they know what they have to do and we will be able to look and see they have or have not. Ande; where is it that we get to make sure they have executed that they have done this. They will have a professional development program. Laurie; we talked a lot about what is important to you. How do you measure that Arts component, the growth of the students? Shelley; they are reaching out to the populations. John; they have posters, that they reach out as they have a lot of people. We want to be sure they are reaching out to those that don't know about the program. David Holinger; did reach out to the youth centers, and we have scheduled an open house for March 3, 2016.

Motion by John Bird; seconded by Jana Lapoint to approve the contract for Snow Pond Arts Academy; Mike Wilhelm, yes; John Bird, yes; Ande Smith, yes; Jana Lapoint, yes; Laurie Pendleton, yes; Nichi Farnham, yes; Shelley Reed, yes. Vote, Seven to zero.

C. HCA new policies

Hiring Faculty with Special Expertise; Policy on Reproductive Health; Policy on Mid-Year Enrollment.

Shelley; we are to receive this information.

Jana; as a Commission should we put something together to assist the schools in having consistent policy for hiring faculty with special expertise.

Gina; keeping track of everyone's certification to ensure that everyone is either on the three track, is certified, or falls under this category.

Bob; regarding the discussion with Sarah, each school sets up its own determination with the Commission's oversight. They need to set a policy for this so that it is consistent when hiring.

Mike; what kind of personnel relative to providing Health services.

Gina; I did ask who is appropriate staff referenced in the policy. Health coordinator, school counselor, and the principal who is also a certified counselor.

Mike; do they have a medical presence?

Gina; they have a contracted nurse when there are issues, screenings etc.

Members of the faculty distributing contraceptives are e health coordinator, health teacher and school counselor, administrative team. Communication will include the parents as they have not rolled out the policy yet.

Ande; clear that we are aware that this is out there, however not endorsing, we are not approving, if there are inconsistencies then we can address them.

D. Cornville By-Laws

Gina; received new By-Laws from Jean Walker.
Travis Works; Changes are around appointing our board members and policy around signatures for checks over a certain dollar amount.
Action is; receiving the changes that according to the Contract that any changes need to come before the Commission, final approval of the proposed policies by the Cornville Board will come before the Commission in March.

Motion by Ande Smith; seconded by Jana Lapoint and voted unanimously by those present acknowledging receipt of Cornville By-Laws.

E. MCA independent third party evaluation

In the MCA contract it states that beginning in the second operating year, the charter school shall hire a mutually agreeable independent third party to evaluate the schools execution of the Educational program contained in the Charter application, including an evaluation of the performance of the ESP. The individual hired to perform this evaluation may be the same individual or entity to conduct the annual survey. The information contained in the survey may be used as part of the evaluation. Karl Francis would like to recommend to his board, the hiring of Judy Enright.

Motion by John Bird; seconded by Mike Wilhelm and voted unanimously by those present that Judy Enright is approved to serve as Independent Third party consultant to evaluate MCA.

Section VI Director of Program Management, continuation of report

3. 504 training

Susan Parks provided Section 504 training for Charter Schools on January 15, 2016. One Resource for 504 information that she recommended was, LRP publications charter school special education compliance advisor. Roberta Lucas also recommended this same publication. This electronic publication costs \$235 per year and can be forwarded to the Charter schools. Links will be sent to the Commission members for their review and consideration.

4. Special Education training

Due to some special education services concerns at a couple of schools, Gina Post and Bob Kautz have been addressing these issues with the support of Roberta Lucas of DOE Special Services. Roberta Lucas and Gina have outlined areas of particular concern for the charter schools. They suggest offering training presented by Drummond and Woodsum in March 2016, August, 2016 and another next spring to assist them to get the training they need. The cost would be \$1,800.00 for the first March 2016 session; this would be an invitation, not a requirement.

Bob; we should be thinking about requiring any Charter school that employ its own certified special education director.

Motion by Shelley Reed; seconded by Jana Lapoint and voted unanimously by those present, to expend the funds to have Drummond and Woodsum provide special education training to the Charter schools, for the first of the proposed training and the review the need for additional training.

5. Update on Harpswell Special Education

Bob Kautz, Gina Post and Roberta Lucas met with Sally Mackenzie from HCA and were provided updates on evaluations. They were satisfied with the information on compensatory services, evaluations, and other updates that HCA provided. HCA is contracting with Spurwink for social work services. There is a follow up meeting scheduled for March.

6. NACSA Index of Essential Practices Rating

As a Charter School Commission, MCSC scored 12 out of 12 on the Essential Practices. This will be embedded in the next report to the Commissioner.

VII. Unfinished Business

A. Strategic Plan Activity: January 5, 2016 Meeting Updates from;

1. Monitoring – Laurie, Guidance for how school conducts self-assessment; back to application, climate and discipline. Questions for them to explore. Governance success. Are we a financial success? If you are not doing this, why not and what are your plans for changing? Monitoring visit matrix; complete and send in to the Commission by April 15th. Asking them to review each year. The goal is to arrange the visit around the completed self-assessment.

Motion by John Bird; seconded by Jana Lapoint and voted unanimously by those present to accept documents of Monitoring report.

2. Contract – currently in use
3. Public Documents – draft provided, contents, outline and purpose will not change. All that you need to know about Charter schools in Maine. Two page document that is an outline of the booklet. Will have updated version available at March meeting.
4. Budget – Mike Wilhelm reported that the Budget subcommittee had met, considered-the questions and suggestions raised at the January 5th meeting and that the subcommittee recommends that there be no changes to the budget as originally proposed.

B. Budget-Discussion and approval for 2016-17

Motion by Mike Wilhelm; seconded by John Bird, to accept proposed FY 2017 budget as presented at the January 5, 2016 meeting; Mike Wilhelm, yes; John Bird, yes; Jana Lapoint, yes; Shelley

Reed, yes; Laurie Pendleton, yes (Nichi Farnham and Ande Smith were not present as they had left the meeting)

IX. Other

A. Hall of Flags event

Roger Brainerd; this was the sixth time that we were able to have this event. There was a great turn out from the schools, which also brought a lot of students.

Networking was a great success.

Judith; question about the contract and future founding groups already working.

When the next application is due and what is included?

Shelley; RFP in June

X. Announcements

A. Turn in Expense Account Vouchers at the end of the meeting

B. Reminder of important dates for your calendar:

1. Next MCSC Business meeting March 1, 2016

XI. Public Comment

Attorney Amy Dietrich; spoke regarding lawsuit with Harpswell. Preliminary, the lawsuit is still open and will continue to move forward. Court made offhand comment; DOE has no role, prepared to make the argument that this is not correct. Who does? I think this would be this organization. Looking forward we do know now that unfortunately this kind of dispute is going to happen more often. This is what people were afraid of, pit people against each other.

Jana; I thought that they were not going to go ahead with this, that the individual did not have the money to move forward?

Amy; the suit is being pursued and it involves, HCA and John Doe capacity and SAD 75.

John; many do accommodate the students.

Judith; if a school district defines in such a way that they have students trying out to the point they say no room for Charter school, could they also say anyone can come and try out, they will select who they want.

John; students are grouped by ability in public school; some have a no cut policy.

Jana; they are not even allowed to try out because of the capacity, that is the way the law changed.

Bob; the Charter Commission is a section of the law that is overseeing the 10 Charter schools.

XII. Adjourn

Motion by Mike Wilhelm seconded by Jana Lapoint and voted unanimously by those present to adjourn at 12:43 p.m.