

Maine Charter School Commission

September 1, 2015, Business Meeting minutes accepted as written by a Commission vote 10-13-15

I. Call to Order

Chair, Shelley Reed, called the meeting to order at 9:33 a.m.

II. Roll Call

The following members were present: John Bird, Jana Lapoint, Nichi Farnham, Mike Wilhelm, Ande Smith, Shelley Reed, Chair. Also in attendance were Bob Kautz, Executive Director; Gina Post, Director of Program Management; and Heather Fuller, Administrative Assistant, Roger Brainerd, MACS, Judith Jones, MACS, Noel Gallagher, Portland Press Herald, Vicki Wallack, Maine School Management, and Amy Linscott.
Members excused: Laurie Pendleton.

III. Adjustments to the Agenda

Harpswell request to appear before Commission to discuss SAD 75 policy
Acknowledging Michelle LaForge's Recognition as a Change Maker in Charter Schools
Maine Connections Academy would like Commission to consider Accreditation by Agency other than New England Association.
Discussion regarding request for additional services dealing with research and finance oversight of Charter School.

IV. Acceptance of Minutes

- A. Moved by John Bird; seconded by Jana Lapoint and voted unanimously by those present to accept the August 4, 2015, Minutes as written.

V. Officers' Reports

A. Chair

Looking into materials that are supposed to come in on August 14, 2015 by Harpswell and to act appropriately.

Monitoring reports; End of year reports, taking a look at getting reports together to be sure consistent across all of the schools.

Some schools have expanded, relocating some of their educational opportunities. Notices have been sent out to schools requesting necessary materials. Reviewing Harpswell, and Baxter Academy. MeANS is on track and awaiting their signed occupancy which will be available when they are closer to moving into the building, opening a bit later than Baxter. Baxter Academy has a plan B in place in the event that they do not have some of the lease agreements in place. Innovative educational programming to get the kids going field work out and about in Portland.

Opportunity to talk with the Press a little bit regarding opening up and starting in September and have some wonderful things happening for our Charter Schools, in terms of Teacher training in Cornville, Mass customized learning, Professional Proficiency based Education. They had National experts come in and work with them and what their school is doing is being shared all over the country.

We are growing; we have lots of Charter Schools that have waiting lists. Baxter and Fiddlehead have almost a 100 kids on their waiting lists. Cornville has approximately 16 kids on their waiting list. MVA, Maine Virtual Academy has a current enrollment of 290, they have reached their limit.

Today is the final day to receive applications for potential Charter Schools for school year 2016. Anticipating 4 out of 5 will be submitting applications, Sheepscot Bay withdrew. Once received completeness review takes place.

B. Vice Chair

VI. Staff Reports

A. Executive Director

- Introduction of Heather Fuller-Administrative Assistant
- Applications due today
- Charter School application Review Process- First handout references the laws and rules in regard to the process as a whole. Second hand out refers to the process with regards to dates and such.
- Department of Education is willing to review application sections as requested by review teams. They will not be doing any rating of the applications.
- A reminder that we use the scoring rubric and the narrative to analyze the applications with the assessment points. It needs to be stressed that all of your work documents, any information written down needs to be preserved and turned in once the process is entirely finished. Use the guide in the manner that is described in the rubric. This is because we are talking about official competitions and so we need to really adhere. A robust use of the rubric is important in documenting our processes and demonstrate that we are not behaving in an arbitrary fashion, that we are very mindful and meditative in terms of applying our standards for giving a Charter. The review team makes a recommendation, after it is done its work which includes using the rubric, that doesn't mean that when you fill out your rubric, it has to be reflect unanimity, this is your tool that guides you in doing a thorough review. Recommendation of the team does not mean that all those forms have to look the same. Each of those sections is just as important as the other ones when you are talking about academic, finance, governments, operation or ESP work that each one needs to be as strong and ready, because if there is one section is inadequate, the rest is going to fall. Add narratives on strengths and questions or concerns. The final recommendation could look far different from what you had in your rubric due to the team discussion.
- We have interviews that will be scheduled for each one of the applicants to meet with the review team, that information that you garner from the interviews is also information that can enter into your discussions, and the development of the recommendation. We can ask clarifying questions, but we cannot receive a additional information that would change the application.
- Request received from Harpswell for assistance from the Commission dealing with a policy decision on extracurricular participation of charter school students

by SAD 75 that appears to discriminate against those students. It seems likely that legal and legislative action is required. The burden in terms of both time and money on a single Charter School is likely to be very great. It has been determined that this would not be appropriate for the Commission because it the use of Commission funds to pay for legal representation for a Charter School would not comply with uses intended in the law. The Commission does not have the authority to expend State dollars to support a lawsuit. The Commission would have no standing and, in a lawsuit, cannot show that it would be harmed by the policy; the public Charter school can show harm as it may lose enrollment because of the policy. A student can show harm because the student would not be able to participate in the extracurricular activity and MACS could show the member organization is being harmed and MACS could act on their behalf. The Commission cannot act as an agent for the School it has authorized. The Commission discussed discrimination of charter school students, and the best way to bring resolution.

- Michelle Laforge has been recognized by Houghton Mifflin Harcourt as Maine's change maker in the Charter School world
- MeANS new principal is Tonya Arnold. She took the place of Troy, and Tonya is just leaving as a middle school principal in SAD 61. Prior to that she was at Fryberg Academy as the Assistant Head/ Athletic Director. She has great experience dealing with proficiency education and a background in agriculture.
- MCA accreditation, Karl Francis is asking the Commission to approve AdvancED, as their accrediting body. The Charter School contract application requires them to be accredited by the New England Association of Secondary Schools and Colleges. They feel that AdvancED is an appropriate accrediting agency for a virtual high school as they are more familiar with the virtual schools, the virtual education framework, has its own set of standards for digital learning institutions, and it aligns well with the Connection Academy model. They do accredit several connections charter schools in different parts of the country. It is one of six major accreditation bodies recognized throughout the country. AdvanceEd accredits over 32,000 schools in 30 States and internationally. The MCA review team will review this request and the staff's report and make a recommendation to the Commission at the October Meeting.
- At the October meeting I would like to bring in description of services to be put out to be purchased. One service would be doing Educational research to assist the Commission as it reviews the educational performance of the charter schools. The second area would be in finances to analyze, review how the schools are doing with their budgets, their financial situation and sustainability. Educational performance and finances are key indicators of a school's success. These services would provide a report to the Commission for the Commission to consider as it considers renewal and yearly reports to the Charter schools. The Commission discussed the concept of services, the pros and cons, how and when the services would be utilized, the role of the DOE , alternatives to a service, timing and extent of the service, and possible providers. The need for the Commission to discuss the renewal process, our Rule 3 and other renewal documents was identified. This will be a meeting agenda item.

B. Director of Program Management

Gina reviewed the status of Final End-of-Year Reports; Cornville Fiddlehead and Maine Connections have been checked by the Board Chairs and Head of School and come

back with either a minor change like a different number for the average class size. They have been updated and are ready for the review team to present to the full Commission. Harpswell is still a work in progress, waiting for a few items; NWEA, Smarter Balance. MeANS is not on there because we are doing the report writing after this meeting. We will be going into a second draft.

Review teams to present to the Commission; there are three Cornville, Fiddlehead, and Maine Connections that have gone through the review teams, they have gone through the Head of School and the Governing Board for review. We would recommend that the Commission move receipt of the reports as a finished end of the year report.

Fiddlehead report; Moved by Nichi Farnham; Seconded by Jana Lapoint; voted unanimously by those present.

Cornville report; Moved by Mike Wilhelm; Seconded by Jana Lapoint; John posed a thought that it seems that because Cornville and MeANS will be the two schools that will be hitting that fourth year, so I look at the recommendations here and ask the question. Everything is here that keys up the fact that they will not be any surprises in terms of where they are going into that fourth year because these recommendations should set them with things they have to do. Voted unanimously by those present.

Maine Connections Academy report; Moved by Nichi Farnham, Seconded by Ande Smith, to table until October meeting. Voted unanimously by those present.

Baxter report; Some feedback, that came through late last evening and early this morning those changes have been sent to Jana Lapoint, John Bird, and Ande Smith for review so this is still pending and will be reviewed at the October meeting. Gina will get the report to the Commission prior to the October meeting.

Commissioners report; Gina has composed a draft and submitted it to Bob. There is other data that is being collected just to put things in perspective, along with the end of year reports. These will be ready for the October meeting with versions that we anticipate being accepted.

As of today, two schools' End of Year Reports are done, Cornville and Fiddlehead.

VII. Unfinished Business

- A. Harpswell Coastal Academy Material Amendment Requests for Commission approval for parts of the school that are at the new Brunswick facility;

A letter was sent to the Governing Chair as well as the Head of School. We did not receive all the materials by August 14, 2015; we have had continual communication with them in getting some of the documentation. They were sent a letter on August 23, 2015, in which we outlined that we received the materials that were asked for. When they were sending us materials, for example the Lease had pages 1, 3, and 5; we did not get the even numbered pages. Gina has requested that they send a complete lease. Bob went to the facility as the floor plan they sent us it appeared to be office space. He went to look at the configuration and the open space as well as the classroom and how

it would be used. As I had been given the authority, Chair Reed went ahead and moved forward with the Harpswell agreement with Laurie weighing in on what she thought documents represented. All items have been received with the exception of pages 2 and 4 of the Lease. They have opened. Division one and two are in the original school, this is division three, which are the older students and are in the newer facility. No action is necessary.

B. MeANS material Amendment Requests for Commission Approval;

1. Update on the new facility with the new name change and the first day of school is for new students September 8, 2015 and returning students is September 15, 2015. Bob has not heard any information from Rob regarding his predications were as to whether they would be ready to open. We are waiting for their last signed document, Certificate of Occupancy.
2. MeANS Performance Measure discussion and recommendation by the review team is being done today so you will have a recommendation for us at the October meeting. John; I think we finalized it after, however it wouldn't be in the minutes because we talked about it after the last meeting. We have had a conversation about this. Bob; thought the review team was comfortable with this, is Laurie comfortable with their response? We will inform them that it will be recommended by the review team at the October meeting.

C. Baxter Academy for Technology and Sciences- additional facility at 561 Congress St

They are moving forward, but we are looking to obtain some additional pieces. They are missing the Certificate of Occupancy. Bob received a phone call from Carl Stasio this morning to say they do not have it yet. They had a new egress from the back of the building created. The fire alarms were tested and found to be correct. The ceilings had to have an inspection because they wanted to know what was up there as far as fire break and such and this has all been approved. The last thing was the lavatory situation, and they were thinking of getting a temporary Certificate of Occupancy and do that work later, Their contractors have been in there this week, and they are anticipating that sometime next week that they would have Certificate of Occupancy. The first two days of school are not at any facility, they are down at Park in Cape Elizabeth. The Commission was asked to allow the Chair with consultation with Jana Lapoint authority to approve it. Moved by John Bird, Seconded by Mike Wilhelm, to give Shelley Reed and Jana Lapoint authority to act on the Commission's behalf in terms of the approval of their going ahead and moving in to the facility at 561 Congress Street. Voted unanimously by all those present.

D. Colorado-National Association of Charter School Authorizers' Leadership Conference

All flights and hotel room reservations have been made. Additional information will be coming to the members that are going. Those that are going are Gina Post, Shelley Reed, Bob Kautz, John Bird, Mike Wilhelm, Laurie Pendleton, and Jana Lapoint.

E. Strategic Plan Activity;

Updates from the Commission's strategic plan subcommittees were presented. Some groups met at the end of the August meeting.

- Public Documents- John Bird and Shelley Reed had both done some investigating on what other States were doing. We had gone through the spiral documents. We have the foundation to do the work and agreed that we were going to be last in line with Gina being the person that puts the final thing together. We are going to do our work in late November.
- Draft Contract- Sarah is working on this and a draft will be available second half of September. She was pulling from the States the subcommittee talked about.
- Monitoring-this is Laurie and she has what she needs to move the ball to the next level.
- Budget- we have not met as Mike was the only member present. We do have a budget time line that we have put together.

We all have a foundation with timelines in place and we have what we need to do our next pieces of work.

VIII. New Business

- A. Maine Virtual Review Team-report on August 11 Pre-Opening meeting. Mike Wilhelm read from the handout that the members received. The met on August 11, 2015 for a Pre-opening meeting for the Maine Virtual Academy. At that time, we knew that they had not met all pre-opening requirements most notably the minimum enrollment requirement and the completion of the school facility. Enrollment prior to meeting looked to be about 126 confirmed enrollments. As of the writing the enrollment caps has been met with a total of 290 students. The other issue was the facility was not ready, they did provide some space, two conference rooms in the same building. They anticipated moving to permanent by September 15, 2015. The review team allowed the school was able open as schedule providing they could present Certificate of Occupancy for the temporary one. The team met the school staff administration at the meeting. Administration and teaching staff have been hired with the exception of a guidance counselor and Special Education Director. Regarding the budget, the MeVA board was confident that if enrollments reached the minimum required the school could operate within its budget. As of the meeting, the board was still finalizing the operating budget and cash flow projections to be presented at its Board meeting that evening. The curriculum and program were not at issue. The conclusion was that while MeVA had met most of its pre-opening expectations, it needed to provide the Commission with an enrollment that met the requirements, a certificate of occupancy for temporary location and updates on progress on renovations. Bob indicated that he has received as of this morning the budget and forwarded this to the review team. Currently there are 297 students; they have started their waiting list. The first day of school was September 1, 2015. We need to have a motion to accept the Pre-Opening Report for Maine Virtual Academy. Motioned by John Bird; Seconded by Jana Lapoint. Voted unanimously by those present. Approved.

IX. Other

Resume from Mary Jo O'Connor for Fiddlehead for new Governing Board member. We need to have a motion that we have received the resume from Mary Jo O'Connor. Motioned by Nichi Farnham; Seconded by Mike Wilhelm. Voted unanimously by those present.

X. Announcements

We have excitement coming up; our excitement is that we will be receiving our application(s) to review after their completeness review. Because we will not have Sheepscott in this schedule, we may want to look at the schedule. Once we know how many apply, the schedule for public interviews will be rearranged for efficiency of Commissioner's time.

Expense account vouchers turn in at the end of the meeting.

Upcoming dates were reviewed.

XI. Public Comment

MACS; Roger Brainard reported that he had talked with Bob about a request from one of the schools about a workshop on Governance or some other issue. MACS is looking into that. We are looking at a group that includes Marcy from Board on Track and Eileen from New Hampshire. They have to do something in January for New England, but we are just getting emails in today but that may be something that is available. MACS will try to survey the schools and Commission for things that would be appropriate and maybe have several strands one for boards and one for administrators to see if we can pull something together.

Vicki Wallack , MSMA was asked if it would be okay for the boards and staff of charter schools could attend the MSMA fall Conference workshops . Vicki answered that It is open and there is a fee and attendees would have to pay. She will get that information to us.

XII. Adjourn

Motion by Jana Lapoint; seconded by Shelley Reed and voted unanimously by those present to adjourn at 12:19 p.m.