

# Maine Charter School Commission Meeting - January 30, 2014

## Minutes

The Maine Charter School Commission held a meeting on January 30, 2014, at the Cross State Office Building, 111 Sewall Street, Augusta, ME.

### **I. CALLED TO ORDER:**

Chair, Jana Lapoint, called the meeting to order at 9:32 a.m.

### **II. ROLL CALL:**

The following Members were present: Jana Lapoint, Ande Smith, Laurie Pendleton, Mike Wilhelm, John Bird, Heidi Sampson, and Shelley Reed.

Also present: Bob Kautz, Executive Director; Deanne Lavalley, Administrative Assistant; Roger Brainerd, MACS; Judith Jones, MACS; Vicki Wallack, MSMA.

### **III. ADJUSTMENTS TO THE AGENDA:**

A. Moved by John Bird; seconded by Heidi Sampson and voted unanimously by those present to rearrange the agenda by considering first Section 7. C. Numbers 1 – 4.

### **IV. APPROVAL OF MINUTES:**

A. Moved by John Bird; seconded by Shelley Reed; 1 member, Heidi Sampson, abstained - was excused from this meeting and 6 members voted to approve the January 7, 2014, Business Meeting Minutes as written.

### **V. OFFICERS' REPORTS:**

A. Chair, Jana Lapoint:

1. Administrative Support Position

10-12 hours per week. Move to agenda for next meeting.

B. Vice Chair, Shelley Reed

1. Commented on the Maine Charter School Association - Charter School Day on January 27th in the Hall of Flags. Thanked Roger and Judith for doing the work.

C. Executive Director:

1. Reports from Public Charter Schools: Baxter, Cornville.
  - Cornville has purchased a modular.
  - Dr. William Crumley, Principal, will not be returning to Cornville next year.
  - 2014-2015 enrollment is in process for all 5 charter schools.
  - January 15, 2014, MeANS' letter requesting caps by grade levels for newly entering students to Maine Academy of Natural Sciences: Grades 9 & 10: 80% and Grades 11 & 12: 20%. No motion is needed.

**VI: UNFINISHED BUSINESS:**

A. Chapter 3

The intention is to get back on track in February with Shelley, Bob and any other members. The intent is that Chapter 3 will be completed before June 30th.

**VII: NEW BUSINESS:**

- A. Proposed additional language to "Payment of Expenses to Maine Charter School Commission Members" dated 7-16-13.

Activities subject to reimbursement (in accordance with MRSA Title 5, Sections 12002A -12002C).

Per Diem

Members of Maine Charter School Commission may be paid an amount equal to the legislative per diem for actual attendance at monthly meetings and special meetings called by the Chair of the Commission or a majority of members of the Commission.

Pem may be paid for attendance at full-day meetings.

These include:

Monitoring Meetings

Pre-opening Review

Ninety-day Review

End-of-year Review

Application Review Meetings

Review Team - Interview with Applicant

MCSC Applicant In-person Interview and Public Hearing.

Moved by Shelley Reed; seconded by Heidi Sampson and unanimously voted by those present to amend the per diem policy (7/16/13) to include the underlined language in this agenda Section 7. A.

B. Material Amendment by Harpswell Coastal Academy to increase their board from 9 to 15 members.

Also, includes resumes for two potential board members: Richard Mayo and Edward J. Harris.

Moved by John Bird and seconded by Heidi Sampson and unanimously voted by those present to approve the Harpswell Coastal Academy Board expansion.

C. Consideration of application approval for further review:

1. Lewiston-Auburn Academy Charter School, Lewiston, Maine

LAACS/LEWISTON/AUBURN ACADEMY CHARTER SCHOOL  
Replication of the Pioneer charter School of science (PCCS)  
Established in 2007, Everett, Massachusetts  
Recommendation to the Maine Charter School Commission (MCSC)  
Report of Subcommittee  
Jana Lapoint, (Chair), Shelley Reed & Laurie Pendleton  
1/30/14

The sub-committee unanimously recommends LAACS/Lewiston/Auburn Academy Charter School be approved and forwarded to the next step in the application process which is the public interview and hearing.

The school is intended to replicate the Pioneer Charter School in Massachusetts. This is reflected throughout their application in the areas of curriculum, student handbook, discipline, mission and vision statements.

Education Plan

Presented a clear, focused, compelling mission statement that defines the purpose of the school.

Strong focus on STEM education, balanced with humanities.

Demonstrated knowledge of the diverse cultural background of community it will serve.

Presented a viable plan for curriculum development of the core academic areas consistent with the school's mission, values and education program design.

Interesting concept for "backward design" curriculum development.

Focus on high quality education leading to college.

Requirement of 40 hours of community service to graduate.

Based on Pioneer has developed strong policy on discipline and anti-bullying to provide a safe and welcoming environment for structured learning.

"Character Development" throughout all grades.

Concern

Need to be sure LAACS is fully aware of the differences between Maine and Massachusetts state laws. For example, "Learning Results", "Proficiency Based Diploma, Special Education requirements.

#### Organizational Plan

School calendar extended 190 days, daily schedule 8-5:30 and 3 hours on Saturday.

Two weeks provided for teacher development and half a day during week.

Recruitment plan extensive. Enrollment projections based on face to face contacts in the community, visiting malls, speaking at civic meetings.

Understand staffing needs in ELL and Special Education.

Staffing ratio of 1.13.

Pre-opening plan is detailed and sufficient to bring confidence that tasks have been thought through and there is an understanding of staff and their roles to carry out the plan.

Experience with operating Charter Schools.

Parent involvement is well documented. Have spoken to over 500 parents.

Home visits scheduled for all students.

Concern:

Need to demonstrate how they will involve the greater community such as businesses, colleges, local schools etc. Their need for science labs should require reaching out to industry.

#### Governance

Governing board is representative of education, science field specific, cultural diversity, management and fundraising.

Good understanding of diverse roles needed on board.

Proper documentation has been applied for in order to demonstrate nonprofit and tax exempt status.

#### Concern

Need to fill two vacant seats possible with legal and financial expertise.

#### Business and Financial Services

Budget priorities are consistent with and support mission and vision of the school.

Fundraising has begun with several letters of financial and donation of I-pads for student promised.

Line of credit of \$250,000 will be secured with backing of Pioneer if needed.

#### Concern

There is no facility to date but a plan to work with Charter School Development Corporation who would purchase land and build and erect modular building which LAACS would lease on a 5 year basis is in budget.

Budget based on per pupil allotment and donations. Shown to be in black first three years.

There is only a part-time custodian but students are expected to help.

Transportation not nailed down outside catchment area since students will walk within a 2 mile radius but a transportation cost is in budget. Students may be asked to car pool.

Insurance costs in budget but no coverage plans included in document.

Food services not included.

I, Ande Smith, move that the Lewiston-Auburn Academy Charter School be approved for continued review, which includes an in-person interview and a public hearing, allowing the Charter Commission to gather more information for the purpose of making a final decision; seconded by John Bird.

Alphabetical vote of the Commission Members called by Jana Lapoint,  
Chair: John Bird: yes; Jana Lapoint: yes; Laurie Pendleton: yes; Shelley Reed: yes;  
Heidi Sampson: no; Ande Smith: yes; J. Michael Wilhelm: yes.  
Motion to approve carries.

## 2. Maine Connections Academy, a statewide virtual school

### Summary Report of Review Team for MeCA

Team: Ande Smith, John Bird, Michael Wilhelm, Dick Barnes

#### Executive Summary

The Team reviewed the MeCA application and conducted an interview with MeCA on January 15, 2014. Based upon these and other materials submitted to the team, MeCA is unanimously recommended to proceed to public hearing and further consideration by the Commission. Notwithstanding this recommendation, the review team has serious concerns regarding the suitability of MeCA to receive a charter and looks forward to the receipt of additional information as part of the public hearing and otherwise.

#### Summary of Rating Scores

##### Review Team Score

	Ed Plan	Man/Ops	Gov	Biz/Fin	ESP	Total
Ande	8	8	6	4	6	32
John	7	5	5	5	6	28
Mike	6	6	5	6	6	29
Dick	5	6	6	5	5	27
					AVG	28.5

#### Observations

##### Education Plan

Generally, the group found that the education plan comprehensively described the model and approach of MeCA's program. Its strengths included:

Availability of metrics and assessments to provide data-driven decisions

Flexibility of individual learning plans

Offers an alternative to traditional schools with the potential benefits to some student (e.g., rural populations, victims of bullying)

Strong ala-carte course offerings

Maine-based delivery from local teachers, so long as teachers are from Maine.

Noted weaknesses and concerns include:

No special ed teacher in year 1 suggesting inadequate capacity and there is no budget contingency to mitigate

Unclear what level of support can be provided for 504 and ELL students

Effectiveness of program for ELL students  
Graduation target of 70% seems inappropriately low  
Lack of detail on transition plan to proficiency based diploma  
Vetting, training, and oversight of learning coaches.  
Teacher/student ratio seems low  
Culture and social interaction of students left vaguely stated in proposal and will require strong execution

### Management and Operations

Generally, the team found that the management and operations of the proposed school were strong. Its strengths included:  
Flexible calendar will be advantageous to some students  
Solid pre-opening and recruiting plan  
Professional development for teachers strongly articulated, supported by local operating centers to facilitate teacher interaction and mutual support  
Model of delivery may attract strong teachers  
Teachers and school leaders are employees of the school, not ESP

Noted weaknesses and concerns include:

Program will require high-quality teachers with multiple certifications to achieve best results, but budgeted salaries seem ominously low and student/teacher ratio high  
Pre-packed curriculum will limit teacher initiative and professional judgment  
In-person contact with students will be dependent on learning coaches and success will hinge on them. Unclear whether training is adequate.  
While strongly articulated, it is unclear if plan will effectively recruit from state's rural and other target populations  
Board oversight of HR function potentially problematic  
Only one community partner commitment  
Job of the CEO as business manager and principal will be challenging to execute effectively

### Governance

Generally, the team found that the governance plan of the proposed school is reasonably strong and provides requisite indicia of independence. The review team found that the formation of the Board was catalyzed by the ESP, but based on the current structure, board composition, independent actions (e.g., replacing board members), and its representations and demeanor during interviews, the team was of the common view that the MeCA board is independent and has the capacity to effectively manage the ESP and chart the direction of the school. The RFP's strengths included:

The board's members deliver business experience, educator/school management, political and state sophistication, and virtual/public school board advocacy experience.  
The board's representation evidences a strong geographic diversity  
The board evidenced strong knowledge of the school's facets during interviews. Of note, the ESP representatives provided virtually no responses to the team's questions regarding the school and its operations.

Noted weaknesses and concerns include:

A significant portion of day-to-day operations and special ed services are outsourced to the ESP  
Only one member of the board has ever served on a school board, which raises concerns about its acumen in managing a school as a board

Unclear if it can effectively manage all the contract provisions and will require a strong CEO in support of the board, especially if that person is charged with day-to-day operations as well  
Board will rely on ESP-provided metrics, so raises some concern whether it can independently “pierce the veil” to identify delivery/performance issues before they are reflected in student performance

#### Business and Financial

Generally, the team found that the management and operations of the proposed school were strong. Its strengths included:

Good budget detail and in general budget appears sound

Noted weaknesses include:

Accounting and financial control practices are not strongly documented

Closure plan seemed cursory

Teacher budget (both FTE and salaries) seems low with inadequate budget for special education

Management oversight will be key to ensure that ESP value matches expenditures

Needs criteria for selecting future contracts

Light detail for learning centers and without leases cannot be closely evaluated

Unclear if special education budget will cover population

Unclear if transportation budget will be adequate

Budget has little contingency for hiring staff or contractors other than ESP

#### ESP

Generally, the team found that the management and operations of the proposed school were strong. Its strengths included:

ESP appears to have strong track record for operational execution compared to its peers in other states.

Solid detail in RFP, including disclosure of where it was outperformed by other ESPs.

Self-generated survey reflects high level of parent satisfaction

ESP has had no school relationship revoked or not denied renewal

Governing board has independence and tools to manage and evaluate ESP performance

Noted weaknesses include:

Despite staffing model, ESP has strong leverage in the contract.

Performance measures and timelines are not well defined

Weak detail on relationship between principal and ESP

Termination provisions seem to provide limited capacity of board to terminate contract

I, Ande Smith, move that Maine Connections Academy be approved for continued review, which includes an in-person interview and a public hearing, allowing



the Charter Commission to gather more information for the purpose of making a final decision; seconded by Heidi Sampson and unanimously voted by those present.

### 3. Maine Virtual Academy, a statewide virtual school

Summary Report of Review Team for Maine Virtual Academy (MeVA)  
January 30, 2014

Team: Dick Barnes, John Bird (Chair), Jana Lapoint, Ande Smith

#### Executive Summary

The Team reviewed the MeVA application and conducted an interview with MeVA on January 13, 2014. Based upon these and other materials submitted to the Team, MeVA is unanimously recommended to proceed to public hearing and further consideration by the Commission. As noted below, however, sub-committee members still have significant concerns that warrant further probing in this next stage of the application process and beyond. What follows is a summary of findings to support this recommendation and frame the concerns. The Team's observations take into consideration the comments of outside consultants who were asked to read the application.

#### Summary of Rating Scores – Mean Score = 26

	Ed Plan	Man/Ops	Gov	Biz/Fin	ESP	Total
Dick	4	4	3	4	4	19
John	7	5	5	5	5	27
Jana	5	6	7	7	7	32
Ande	7	2	6	6	5	26

#### Education Plan (scores ranged from 4-7)

##### In Support (representative comments)

Clearly stated mission and vision

Overall the program appears to be able to accomplish its requirements

There is a clear demand for a virtual school option

The curriculum seems well developed.

Metrics and assessment driven

The special education plan seems straightforward

The plan meets requirements for regular synchronous contact between teachers and students

Maine-based core teaching staff is a plus

##### Concerns (representative comments)

Considerable national data on a 'churning' enrollment from the chosen contractor, sometimes stemming from a complaint of an insufficient support system from teachers

Importance of learning coaches and concern about quality control

Proficiency-based diploma (e.g., compatibility of grading system with this model, implementation put off until 2018)

Special education plan relies on out-of-state manager

ELL challenging and not well addressed



## High student-teacher ratios

Management & Operations Plan (scores ranged from 2-6)

In Support (representative comments)

Supervision and evaluation models for staff development in line with best practices in Maine and elsewhere

A strong, nationally recognized professional development plan

A metric-driven bonus system to incentivize teachers

A national contractor with very strong management systems that will support the school in accordance with its model

Concerns (representative comments)

Student recruitment plan weak related to target populations

High student-teacher ratios and compensation levels may negatively impact teacher quality

Learning coaches may not be as effective as needed to personalize the educational delivery system

CEO single point of failure; relies on K12 to some extent for hiring, which calls independence into question

Instructional staff will work from home; effective communication and supervision between teachers and managers may be problematic

Important that staff know the Maine culture and unclear just how Maine-centric the staff will be

Governance Plan (scores range from 3-7)

In Support (representative comments)

Board membership has diversity and strong experience in leadership and management, including business, human resources and online education

Board members' reasons for serving also reflect understanding and passion for the mission

The CEO and CFO positions look strong on paper (employed by board and responsible for overall compliance; also assist board in oversight and supervision of the ESP)

Contract provision that can require termination of staff provides useful tool and lever on K12 execution

Concerns (representative comments)

Board members' knowledge of proposed school operations seems uneven (only the three board officers seem highly involved)

In its proposed educational programs and services contract with K12 it is clear that board has granted nearly full control to the contractor

Director of Instruction is hired by and chiefly reports to the ESP

There is other information in the application that presents a contradictory picture of the CEO's ability to oversee the ESP on behalf of the board

Business & Financial Services Plan (scores range from 4-7)

In Support (representative comments)

The financial plan seems strong

No-interest startup loan provides baseline funding to get on 'rails'.

Assuming all goes as projected, there will be a substantial cash reserve at the end of the third year of operation.

The contractor has strong internal management systems and controls.

CFO and annual budget will give the board a tool to effectively manage the ESP

Concerns (representative comments)

The board, its CEO and CFO, are almost totally reliant on the contractor's management systems for information on student success and financial health

Concerned that more funds not being allocated to ensure that the school will be able to secure the best possible teachers in Maine

Budget detail difficult to ascertain

Education Service Provider (scores range from 4-7)

In Support (representative comments)

The proposed agreement with the ESP is well delineated and transparent.

The nation's largest provider of online educational services for schools K thru 12

The separation of the CEO and CFO reporting directly to the board is essential and the by-laws make this clear.

The budget process will support oversight and the ability to drive performance

Concerns (representative comments)

The governing board offered little insight into its decision to work with K12.

The student achievement data offered as justified for choosing K12 almost devoid of comparisons with other public schools or non-K12 operated charter schools

Some information in the application calls into question the de facto independence of the board from the ESP in controlling all aspects of the operation (e.g., teachers and staff employed by the ESP)

The current budget backup provides some limitation on the comfort from how decisions are made, especially with respect to staffing.

K12 has not demonstrated uniformly standout success as evidenced in the metrics provided in the package

I, John Bird, move that Maine Virtual Academy be approved for continued review, which includes an in-person interview and a public hearing, allowing the Charter Commission to gather more information for the purpose of making a final decision; seconded by Mike Wilhelm and unanimously voted by those present.

#### 4. Many Hands Montessori School, Windham, Maine

Maine State Charter Commission

1-30-

14

Many Hands Montessori Review Team Recommendation

January 7, 2014 the Review Team of Shelley Reed, Chair and Mike Wilhelm and Heidi Sampson met to discuss our individual assessment of the proposal. The Interview with the Governing Board of Many Hands was held on January 15, 2014.

The Review Team's recommendation is that the Many Hands Montessori School application not move forward for further consideration by the Commission for the following reasons:

The Review Team unanimously agrees that we do not have the confidence that the applicant has met the requirements of the RFP to create a successful, sustainable, high-quality public charter school

Details to operationalize and implement the concept need further development

#### Education Plan

The academic program is not aligned with the Maine Learning Results

The applicant did not describe a comprehensive plan to provide a full range of services for special education students

The applicant's budget did not reflect appropriate staffing to carry out special education student needs

#### Organizational Plan

Allocation of staff was not determined to be adequate to meet the tasks outlined in the proposal particularly all the tasks assigned to the Head of School with no administrator or administrative assistant

The applicant did not demonstrate a sound understanding of staffing needs aligned with the mission and vision, the budget and with the school's anticipated enrollment

The Governing Board members' roles as volunteers were intending to fill in tasks to assist in the day-to-day running of the school

#### Governance Plan

The Review Team is not confident that the Governing Board can carry out all the necessary functions to start and sustain a public charter school. Such as, but not limited to, its legal obligations and state and federal compliance.

The applicant did not present a clear plan for the Board to evaluate the success of the school and the school leader

#### Business and Financial Services

The applicant did not present a thorough, realistic and cost-effective transportation plan

The applicant did not present a clear and compelling plan for acquisition and maintenance of a facility that is financially viable. Nor is there a reasonable expectation that a facility can be acquired and ready in time for the school to open.

The Review Team is not confident that the food service has a budget sufficient to support all aspects of a public school food service program.

The Review Team is not confident that budget assumptions, including grant/fundraising assumptions will generate revenues to sustain a public charter school

#### Overall:

The Review Team determines that there are too many monumental tasks to be accomplished in the time period prior to September of 2014 to be confident that the school will be able to open as planned.

#### Many Hands

Montessori Review

1/30/14

Team: Shelley Reed, Heidi Sampson, Mike Wilhelm

Strengths

Concerns

Education Plan

Education Plan

Montessori is a well-established approach to

education, this school would offer this learning The academic program is not aligned with the

environment to the public.  
The application showed that the founders working with the philosophy understand child development and establishing a nurturing learning environment  
Assessment of students and staff is designed as part of the program

Maine Learning Results  
The applicant did not describe a comprehensive plan to provide a full range of services for special education students  
The applicant's budget did not reflect appropriate staffing to carry out special education student needs

Organizational Plan  
As part of the Montessori system the staff handbook is very well detailed, it appears that many resources are available through the Montessori organization

B. Organizational Plan  
Allocation of staff was not determined to be adequate to meet the tasks outlined in the proposal particularly all the tasks assigned to the Head of School with no administrator or administrative assistant  
The applicant did not demonstrate a sound understanding of staffing needs aligned with the mission and vision, the budget and with the school's anticipated enrollment  
The Governing Board members' roles all volunteers were intending to fill in tasks to assist in the day to day running of the school

Strengths  
Governance Plan  
Many Hands has gathered a hands on board with the passion and will to establish a charter school. It is evident that all board members have contributed to the application and know what they want to do.

Concerns  
C. Governance Plan  
The Review Team is not confident that the Governing Board can carry out all the necessary functions to start and sustain a public charter school such as but not limited to its legal obligations, and state and federal compliance

The applicant did not present a clear plan for the Board to evaluate the success of the school and the school leader

Business and Financial Plan  
Financial tasks have been assigned to roles for accountability.  
Founders believe that many volunteers will be able to be recruited to help with facility development.  
Food preparation led by a chef with the goal of the school raising much of its food

D. Business and Financial Plan  
The applicant did not present a thorough, realistic and cost-effective transportation plan  
The applicant did not present a clear and compelling plan for acquisition and maintenance of a facility that is financially viable  
The Review Team is not confident that budget

Closure protocol is well thought out

assumptions, including grant/fundraising assumptions will generate revenues to sustain a public charter school

Pursuant to Section 6 of Chapter 2 of the Commission's rules, I, Shelley Reed, move that Many Hands Montessori School, Windham, be denied without further Commission review because it does not meet the criteria for continued review for the reasons articulated in the recommendation of the review team as discussed at today's meeting; seconded by Mike Wilhelm and unanimously voted by those present.

**VIII: OTHER:**

None

**IX. ANNOUNCEMENTS:**

- A. Turn in Expense Account Vouchers at the end of the meeting.
- B. Next regularly scheduled meeting: March 3, 2014; 9am - 2pm; DHHS Building; Anthony Avenue, Augusta, Rooms C/D

**X. PUBLIC COMMENT:**

None

**XI. ADJOURNMENT:**

Moved by John Bird; seconded by Heidi Sampson and voted unanimously by those present to adjourn the meeting at 12:30 p.m.