

**Maine Charter School Commission**  
111 Sewall Street (physical address)  
182 State House Station (mailing address)  
Augusta, ME 04333-0182

The Maine Charter School Commission held a meeting on April 8, 2013, at the Cross State Office Building, 111 Sewall Street, Augusta, Maine.

**I. CALLED TO ORDER:**

Chair, Jana Lapoint called the meeting to order at 10:20 a.m.

The following Members were present: Dick Barnes, John Bird, Jana Lapoint, Shelley Reed, Heidi Sampson.

Ande Smith is coming just a little late. William Shuttleworth excused.

Bob Kautz, Executive Director; Deanne Lavallee, Administrative Assistant.

**I. ADJUSTMENTS TO THE AGENDA:**

None

**II. APPROVAL OF MINUTES:**

March 5, 2013, Minutes have not been completely transcribed at this date.

**III. OFFICER'S REPORTS:**

**A. Chair, Jana Lapoint:**

In Downeast Magazine, Head of School for MeANS, Emanuel Pariser, has an article on education.

**1. Education Committee – LD's dealing with finances of schools:**

LD 439 Neither for nor against "An Act To Improve Maine's Charter School Laws"

LD 533 Against "An Act to Eliminate the Requirement that Local Funding Follow a Pupil to a Charter School"

LD 1057 Neither for nor against "An Act Related to Public Funding of Charter Schools"

LD 889 Opposed "An Act To Adjust Funding from School Districts to Charter Schools"

LD 1056 Against "An Act to Require Local Voter Approval for Charter Schools"

– all applicants who wanted to have a charter would have to go to every single community and town take a vote as to whether they wanted to have a charter school for their area. Perfectly ok if we put in our RFP "Before an applicant does the RFP – have open meetings in the communities proposing a charter school."

This bill made it so if one community in the catchment area voted it down, the larger communities could not have a charter school.

Tomorrow at 1:00 these bills will all come forward again.

Tuesday, 4/9/13, 3:00 p.m. Maine Charter Commission Budget being reviewed by Education and Cultural Affairs Committee.

## 2. **Government Oversight Committee Meeting April 2 – 7.35**

Letter sent by Mayor Brennan of Portland to Attorney General Janet Mills to investigate the Commission's role in the Baxter situation.

The Attorney General subsequently rejected his request.

Mayor Brennan then submitted a letter to the Education and Cultural Affairs Committee and the Committee Chairs wrote a letter to Senate President Justin Alford and Speaker Mark Eves, who referred it to the Government Oversight Committee.

The Committee is made up of 6 Democrats and 6 Republicans.

I submitted a four-page letter explaining our process and procedures for approving an application.

I met with Beth Ashcroft, Director of OPEGA, which is the Office of Program Evaluation and Government Accountability and submitted over 100 pages of processes and procedures to her subsequent to my first visit with her.

Introduced Beth Ashcroft in the meeting.

Bob and I attended the hearing where a decision was final made by consensus not make any decision until after our meeting today.

Next scheduled meeting is April 12. It would be helpful if you could attend. Start at 10:00 - not sure where we will fall. My biggest concern, when we sat and listened; not allowed to speak – as long as they continue to go on the track that says – they are not as concerned with Baxter – more concerned about the processes and procedures that we have and how we go about approving an application. I am not with much of a problem with that. I hate to see the state have to spend the money. But if beneficial, let it help us – if they find anything that will help improve our processes. As you all know, nothing that we do that has not had approval by Sarah Forster, Assistant Attorney General. We put nothing in our process or procedure that she and Deb Friedman have not looked over. If that is the decision, no major problem with that - as long as Baxter is kept out of it since they have not received any money from State government and would not be receiving any until September as the other schools will. If they want to throw Cornville, MeANS and Fiddlehead into the mix, then that is fine. But they don't want to do that and want to single out one applicant, I would not be very comfortable with that.

Dick Barnes: If there are some things that they want to look at doing differently, we have talked about doing some things differently in our own RFP process. A lot of it is just followed statute and if something else comes out there, we may have to look at statute. We followed statute as close as we could.

Bob Kautz: That is going to be a busy day (April 12) - Mike Mahoney requested the Harpswell Negotiations meeting would start at 9:30 instead of 9:00. Commission Members might not be able to go beyond the scheduled time.

- 9:30 to noon - Harpswell meeting
- OPEGA starting at 10:00 a.m. with us being scheduled some point after 10:00.
- 1:00 public hearing for the LD's - regarding waivers, operating as non-profit organization, three on virtual schools and one in regard to public input and local control of the charter.

**B. Dick Barnes, Vice Chair:**

None.

**C. Bob Kautz, Executive Director:**

1. **March 18 – Provided testimony to Appropriations Committee** for first review of our budget.

Two questions that arose from that –

- Representative Mike Carey wanted background breakout of what the money was intended to do.
- No state positions listed even though money for executive director and staffing for Commission.

Commission is contracting and by contracting and is being able to do it “cheaply” compared to cost for state positions. It provides the Commission with flexibility as it gears up to more monitoring and performance reviews of existing charters. There may be other types of skills they want to contract for and not be locked into one type of position and having to go back to the legislature – it could be an accountant, statistician, a research person – that the commission may want to create on a temporary basis.

Additional cost of benefits for a state position is double the administrative assistant position cost; they didn't give us enough money for that. We have gone from 20 hours to 30 and they are way over the hours already.

April 4 – Education and Cultural Affairs Committee – Budget.

Receive some compliments from committee had not seen that level of detail.

Others had some question because of level of detail i.e. – executive director salary – compensated at the level of the governor or commissioner. Explained it was not just the salary of the executive director, but included other amounts used to pay for other positions. Some members expressed concerns that the amount budgeted is about the same as the State Board. State Board is responsible for 100,000+ students and we are responsible for 105 or 110. Jana tried to inform them the State Board has the support of DOE (Construction, Certification, Etc.) and the Charter Commission does not have the support because it is not a function within the DOE. Charter schools carried over to tomorrow, April 9.

Jana Lapoint: Piece of money that comes in from each of the charters that we have – the 3%; it is in the budget, which grows potentially to \$18,000. The money is in there so that eventually we, as a Commission, could be independent and have the money to function. Many new members on the Education and Cultural Affairs Committee – need more information.

Bob Kautz: The budget for the Charter Commission only \$19,000 was appropriated for the Charter Commission and the DOE provided \$80,000 to have sufficient funds to have more staff. The committee has not had a chance to review a Charter Commission

budget. Hopefully, the second, third, fourth time, it will be more routine as many other budgets are.

Dick Barnes – They have too many things and not enough money for all the good ideas that come before them. To the extent they can truly understand what the Commission has to do to do a good job of authorizing and oversight; then, they can begin to appreciate the role it plays and the difference with the Board of Education. The State Board of Education gets input and staff help from the Department in areas where they need to make policy. Once policy is promulgated, the Department is charged with carrying it out. We don't have all those resources; they have given us some to help us to make decisions about charter. There is no authorization for any one beyond us to give oversight and the implementation. We found out with our two small ones this year, it is a lot of time.

John Bird: Jana, the most useful thing you said was: "Please we want to be a resource for you. You are on a learning curve and we can help. Let us be a resource so you get the facts straight."

Heidi Sampson: I would like to thank you, Bob and Jana, for going on the offensive and talking to the Legislators. I think it is going to pay dividends. A lot of work and it will pay off.

**2. Summary MAC's Meeting on Legislation – March 22 – for those supportive of the charter school initiative and how the process works in regard to advancing charter school education.**

One thing MACS did was organized a "Charter School Day" here at the State House. Very successful day and how charter schools fit into the total public school education process in the State.

Shelley Reed: MACS meeting very encouraging. Where they thought the energy was around some of the bills. Common thought about how we are approaching. Very impressed Cornville a strong group and presented at the MACS event in the Hall of Flags.

Jana Lapoint: When we went before the Appropriations Committee, MeANS was there with their students. Their first speaker was a former Senator Beverly Bustin; she said very clearly that she had opposed charter schools all the years that she was in the legislature. She was now here to support and why. Because her grandchild was going and she could see the difference in what this program was doing for her own child. I thought that took a lot of courage for her to stand there and admit that.

The Commission and MACS persons discussed the approval process and relevant roles of Commission and MACS.

- Judy Jones – how long it takes to do the application – parents interested for child Person interested in doing a school
- Roger – How many people in their data base – political forces with supts.

- Judy – more bills with ideas of mandatory components harder on charter schools/applicants; waiver bill need to provide getting out from under some of the things --- internship, community service
- Heidi – what can we do to help schools do a charter school – cap of only 10 -
- Judy – MCSC modeling authorizing and bringing information from out of state.
- John – not our role to promote --- our role is to do the 10 schools in 10 years. Monitor appropriately. This is MACs.

Self-Introduction of audience

Bob Kautz:

**3. Harpswell Coastal Academy-** starts at 9:30 on April 12. With a back-up date of April 23 9 a.m. – 1:00 p.m.

### **Fiddlehead Negotiation update –**

Shelley Reed: Meeting on April 3 – went through the original contract and made a couple of adjustments: Section 2.3.5 has to do with the total number of students enrolled and they asked for a one-time increase of 14 students that could be spread across the board rather than in one grade level. This kind of leads into the lottery - for 42 slots, they had over 90 students that had wanted to participate in their pre-k, kindergarten and first and second grade.

We also added in 2.3.5 a variance of 10 percent up and down of maintaining their populations and having to have a 75 percent cap.

We just tweaked a little bit the performance measures in Exhibit B to add in the Pearson School Sampling. When we are thinking about student academic proficiency, how often the kids would be tested - because we are talking Pre-K, K, 1 and 2, which is different than getting into the state assessment portion at a higher level with higher grade levels. They will be going up each year adding another grade level; so we wanted to look at when would it be appropriate for us to come back into negotiations, look at the contract and look at for monitoring purposes what data we needed to have them put in and when it would be appropriate to talk about. We have a broad piece of the evidence in terms of they are going to be using the NWEA and other state assessments. We got more into those kinds of details and spent most of the time on the student academic proficiency and student growth; because the rest was fine.

They know exactly what is going on with their kids, but they had to put it in a data format that would be able to link in with the Department of Education.

The other thing was the relationship between the Fiddlehead Center and the School itself. That seemed to have worked itself out fine – additional language in the contract in terms of school closure separated out clearly what was the center’s physical property

and what was the school's. If not, everything goes back to the state if it is paid for by state tax dollars. They wanted that assurance. It went very smoothly.

Jana Lapoint: I would add that we suggested to them that they set up a special account in their accounting procedures so that if they should buy anything that was with state money, it would show up. If they were ever to go into closure it would be very easy for them. They did not anticipate buying much equipment because they have quite a bit.

Dick Barnes: I have a couple of questions and a comment. First what had they requested in terms of the number of students and then the 10 percent variance, which would allow up to 46 or 47 students tops – but it is 10 percent by grade level. What were they asking for?

Shelley Reed: The one time increase - year two 14 students that they want to go over their projected, because they were just looking at the numbers.

Dick Barnes: In year two, what is the new number they are asking for?

Bob Kautz: No different.

Dick Barnes: No different from what they...

Shelley Reed: They are going up – the projected year two is 56 students.

Dick Barnes: Well, that is what it was originally.

Bob Kautz: Right, no change from what was originally proposed. But that has not taken place; they decided not to go to – not to request to be approved to go to year two in year one – keep it at the same as it was proposed.

Dick Barnes: I thought that they were asking for a change in year two as proposed to go to an additional 14. They had first thought about doing it in year one; but they have chosen not to.

Bob Kautz: They thought through it and felt that they wanted to be sure that they could be successful and grow and mature in the pattern that they had originally proposed.

Dick Barnes: My second question is in terms of the paying attention to the assessment process – this is a key area for us. We don't want over regulation of charter schools. My own personal view is that we want to demonstrate that public schools don't need to be over regulated either. We have the assessment process and the language over the kinds of assessments they are going to be doing with very young children – they don't kick in yet with public schools because we don't do a lot of hard, firm testing until Grade 3. So many pressures on public schools for those third grade NECAPS or whatever it is going to be that public schools are doing a whole lot of testing all the way down to their first grades that they admit right now just so they can be ready for the third grade when

they get reported. How are you feeling in terms of the pressures that we feel as authorizers that they would like to still keep their model, which is very organic approach and one that we all liked, is it working in the contract?

Shelley Reed: I think it remains to be seen. I think they are trying to do two things. One: they are trying to get to DOE the kind of data that they need so that is why they went at age 8 years old – the NWEA and using them three times – the third time with the struggling students. Kids are so young - no established base lines. The Pearson School Sampling allows them to maintain all those good parts about having the more informal and daily kind of look at kids – observing: pictures and recorded information. The Pearson system allows them to do that and then translate into data what we might need. It looks like it is going to be a workable thing without getting in their way of doing the mission of values.

Jana Lapoint: Jacinda had reached out to some other schools that have a four-year-old program to see what they are doing.

Fiddlehead and MeANS are one model of how to start a public charter school. Cornville, Harpswell and Baxter are the other model – being a parent organization that has resources and established community support funds chooses to go through all of the intricacies and difficulties of setting up a separate corporation and all of the things we have been through working with them. I have heard some say: “*We don’t want have to go through all of that.*” – but, maybe they will be encouraged if this can be done successful.

Dick Barnes - Comment about difference in schools MeANS, Cornville, etc. Starting from scratch

## VI. Committee Reports

### A. Fiddlehead Lottery – Shelley Reed: March 28 at noon – 98 Letters of Intent filed for 42 slots.

Set up a very efficient and effective system and very compassionate one. Two staff members and a volunteer lawyer. Lottery Guidelines provided very specific steps about the process. Three hand-outs available:

- Lottery Guidelines
- Letter of Commitment, which would be filed with the school within 14 days after the lottery.
- List of student names and their randomly assigned number.

Bob Kautz: Started lottery with Pre-K to preserve a maximum number of slots in the other grades. Older siblings were automatically admitted; involved five students.

Shelley Reed: Gray-New Gloucester 17 slots and Poland with 10 slots; other 15 scattered throughout the 18 towns. School has gone out and recruited from a wide area.

Jana Lapoint: Charter schools open and in process are working together.

**B. RFP Update – Shelley Reed:** Need to meet with the Committee again. Virtual charter school – definitely need to nail down the rubrics that we are going to use to measure and evaluate - to set our priorities. How many points or does this meet or exceed; I have sent out some thoughts on what this might look like. Overall assessment – would we recommend – choices: No, incomplete or does not meet the minimum standards; Yes, with conditions or Yes, unconditionally. Things we can't let go out; need to be figured out.

John Bird: We have five schools going next year. We are going to have to be more selective. All meet standard, but specific and objective about higher quality proposal.

Dick Barnes: "Appears to meet," but we need more fleshed-out information.

Shelley Reed: Back up RFP release date to June 2013.

Pick a date in June and do the time line from that date.

Missing an internal review process –preliminary language: Describe the process for the charter to evaluate its performance on an annual basis covering four components: academic performance, school-wide management decision making, board function and fiduciary responsibilities.

Evaluation Criteria: Have to have some kind of process in place and these are the pieces that need to be evaluated.

Jana Lapoint: Be thinking of things that would make the RFP better and send them to Shelley before their meeting.

**C. Virtual RFP - John Bird:** - should try to have the meetings together – there is difficulty with addendum for virtual schools and they are supposed to do the general RFP and some language in the "general RFP" that got them into trouble and same question in two places.

We need to have a tailored RFP for virtual charter schools. We can put in whole sections of the RFP in to the virtual RFP. Sarah has got to be involved in crafting language that will pass muster. Sarah has proven to be a tremendous asset to us and would save time.

Nationally there are concerns about virtual schools. "Rebooting Governance" by Adam Emerson, Thomas B. Fordham Institute ([www.edexcellence.net](http://www.edexcellence.net)) is a well done piece.

Shelley Reed: Thinking we could not do anything different than what is in the law to the RFP. Commissioner says we can really take a look at what really makes sense.

Jana Lapoint: There is legislation that would take virtuals away from us and put it under the DOE. Perhaps we could be helpful to the DOE.

John Bird: Move forward and do our best work and in that way be most helpful to the legislature and the whole charter school movement.



#### **D. Visit to Poland Regional High School Virtual Learning Program - Heidi**

**Sampson** March 29 - Cari Medd, Principal, was very gracious and very willing to accommodate us. We met with virtual teacher, tutor and students. Guidance counselor vetted students to participate in the virtual school; the librarian works as the tutor on site; Mr. Williams is the teacher at Poland.

Each school involved in this consortium contributes \$3000;

- this assures them 24 virtual classes in their school and
- they (each school) donate a teacher to create a course - Teaches 5 courses - one of them is the virtual course.

The first year many drop-outs from original 24 students; learned to be more selective of students.

Currently 9 students participating; most meet in the library and some do work at home. Students must be: self-motivated, self-guided, interested, organized students to be successful in this model. Time management is a big learning curve for students. Benefit: scheduling is a big benefit; works well with these students' schedules.

Students did not like Skyping with teachers they did not know. If both student-teacher in school setting, Skyping more acceptable, but would not work with this model. Skyping with peers all over the world is acceptable, but different issue with an adult – teacher. Teacher's perspective – Skyping is crossing a boundary with students, which causes constraints

Teachers huge time commitment and only received a stipend for the summer to put together the course

We learned:

Have to have a tutor to help navigate – technical issues; all had technical issues.

Students say age should not be below Age 15.

Have to have physical interaction with people.

Foreign language may not work.

Credit recovery is not always successful.

Teacher training in virtual teaching is essential.

Using the Google docs platform, but looking at *Edmodel(?)*.

Bob Kautz: One of the virtual applicants has offered to set up a virtual program demonstration. Use the national organization rather than have a “company” do it. Will work with Roger and see if we can get something set up.

**E. Addition to Agenda - Jana Lapoint:** We received notification there was a situation in Cornville and school might not be up to standard in its hygiene. Last Friday, unannounced, Bob and I went up at noon and told them why we were there. We did a tour of every bathroom and they were all good. There had been a back-up of the sewer system in one of the girl's bathrooms and, at that time, there was an open house.

Break from lunch back at 1:00 for the afternoon session at 11:47 a.m.

### **Call afternoon meeting to order at 1:02**

**In attendance:** Ande Smith, Shelley Reed, Dr. Dick Barnes, Robert Kautz, Executive Director, Heidi Sampson, John Bird. William Shuttleworth is absent due to the passing of his Brother. Bob Kautz, Executive Director; Deanne Lavalley, Administrative Assistant.

### **VII. New Business**

- A. Create a Legislative Committee** to provide timely reaction to LD's to consist of the Executive Director, Chair and Vice Chair and one other person from the Commission, if anyone is interested, to help with the legislation. Shelley Reed is glad to be the third Commissioner and comes with experience; she has spent a lot of time in front of the legislature.
  
- B. Discussion and Recommendations, Vote on Baxter Academy for Technology and Science**

Jana Lapoint: read prepared statement:

The Charter School Commission's RFP required applicants to address all of the essential elements of in 20-A MRSA 2406. Because there have been multiple substantive revisions in the Baxter Academy application (for example: the original of May 29 (2012); the September 30 (2012) revised; the October 31 (2012) additional materials; the March 25 (2013) requested updates and changes and the additional information received on April 4 (2013), we must complete a review from top to bottom before our vote. All of the above materials as revised this week now constitute the revised application.

As you cast your vote you must be satisfied that the applicants and the application as it now stands meets the RFP requirements based on the charter statute for awarding a charter. The elements we have are listed below – we will be going through those step by step. We are going to discuss what came April 4<sup>th</sup> first and then we will go back to the vision and go through exactly what it says in the statutes as to what you have to do, that will be back into this book and then we will proceed from there. If there are any questions, what will happen at the end is after we have had the discussion, we will entertain questions from the Baxter people that are here today. Then we will take a vote. Dr. Barnes will chair the vote, because I chaired the Baxter committee review. It will be done in alphabetical order and each one of the commission members, as they give you their vote, they will also give you their explanation of whether they are for or against the applicant of Baxter. I am going to turn to Dr. Barnes to Chair this portion of the meeting.

Dick Barnes: In terms of the April 5 material – do we plan to discuss it all or acknowledge what we have here? The concern I have is we want to make sure we are

going top to bottom. If we were to follow this outline (S.Forster 4-4-13), then we are doing it. People can refer to the most recent information is the most relevant. And that will all come out if we go through. So for example, if something is the same as it was last May – there is no change; we understand it. If something is changed since January 29, when we first voted it, presumably that information is here - what we received from March 25 or April 4 so then we can discuss it.

John Bird: Basically the materials we requested and the questions we asked to be answered grew out of the experiences of the last couple of months. We already approved Baxter and would be in contract negotiations, but we are in this meeting because things have happened and the board has had to do some things and we need to be sure that we have our questions answered, but it is in the context of the whole application.

Dick Barnes: Essentially what we are doing is trying to say: yes, the application is complete and we have all the updates and each individual commissioner's point of view meets the criteria for going ahead with the charter or doesn't.

Jana Lapoint: I am perfectly happy to do it that way. I would like to have the Baxter people acknowledge their presence, who you are and what you represent from Baxter.

Michelle LaForge – Head of School; still work at Freeport High School.

Peter Montano – Treasurer for Baxter School.

Kelli Pryor – Chair of the Board.

Jana Lapoint: In the proposed public charter school's vision, it included an:

1 (a) Executive Summary, which we have read - a one-page report.

1 (b) Mission and Vision of the proposed public charter school including identification of the targeted student population and the community the school hopes to serve.

Does anyone on the commission who feels the Mission and Vision statement from the school has remained the same or has it changed in your eyes of what we have seen?

Shelley Reed: I believe it to be the same as when we started.

Heidi Sampson: I would say it has changed in the sense it is more clearly, sharply focused.

Jana Lapoint:

1 (c) The evidence of need and community support for the proposed public school. I believe that we received materials related to that. I think it would be fair to say that we did not know - I think we had some concerns that Baxter could not reach 160 students in their initial application. There was some hesitancy on the Commission's part and they have, I would say, more than proved they could reach the 160 students and look they

might even have a waiting list. I thought there might be some questions you might want to ask in reference to the other materials that we received recently.

Heidi Sampson: I was curious – that fundraiser that Chris did on line the 1,000 sponsors in ten days. I am dying to know what the net result of that was.

Chris McCammon: Our total pledges is \$355 and I am pretty sure total money is \$8,117.

John Bird: We were concerned about whether they could meet that target way back and after some of the events in the last couple of months and some of the publicity in the newspapers, I think we had even more concern could they hold onto those numbers and I think the evidence suggests that they have more than held on to them. Which does prompt a question – how many people do you have on the wait list at the present time?

Kelli Pryor: The honest answer is I don't know. I know as the letters of commitment-interest have gone out we have taken a few from the wait list and put them into the mix - Len will know – he is on his way

John Bird: You were at 156 and you are at now 160 so it is clear you have taken some off the wait list. Some numbers in the communities have shifted wondering what the back log of interest is in the school. We will wait for Len.

Kelli Pryor: I can tell you every day or so there is a new person on it. Interesting process there is still more interest in the school. And people are still learning about the school.

Shelley Reed: Have you calculated your numbers according to how many towns are the 161 students are coming from and where is the largest population being drawn?

Peter Montano: Pretty much spread over all the towns of our geographic area. Portland 22 and South Portland with 11 and Freeport had - I can't remember - 17?

Michelle LaForge: Maybe more up-to-date numbers; I can check my computer.

Dick Barnes: I know we really need to wait for Len – because a number of us have picked up on the changing numbers between March 25 and March 31 so particularly interested in that wait-list number that you have as parents may decide to make other choices or whatever.

The second half of that same section of the statute about community support – certainly the diversity of communities from which your students have come, shows there is a lot of community support that way.

1 (c ) But the other part of it is asks if there have been discussions with the school administrative units where it will be located and concerning the operations and

collaborations with those units. I realize with everything you have had to do, you may not have had much opportunity, but one of the big concerns in the previous application – September Application (2012) – was the evidence for that kind of dialogue from the previous executive director and the community was in dispute. There were a lot of people from the Portland Schools for example who said they had had no consultation or contact or only perfunctory. I don't know if you have had any opportunity to reach out at all and talk to people in the Portland Schools or any other communities where your potential students may be coming from.

Peter Montano: I have not. I have been more concentrated on providing information to the Commission. It is absolutely our intention to do that. Maine is a school community. We want to work in conjunction with the area school districts. I think that is evident in one of the fundraiser events we plan on doing. Bringing in all the high schools and giving all the students an opportunity to showcase themselves and their abilities. We are not out here to alienate anybody. It is really to improve the educational system for everybody and give kids choice.

Kelli Pryor: I do know that as Len has been dealing with enrollment numbers, it was his intention to start having conversations with the various SAU's telling them what the number is while we wait for the letters of commitment, which would actually be the trigger. So he has been very busy in the last couple weeks, but we had a discussion about his wish to do that and he was getting ready to act on that when we spoke about it last. I hope if it hasn't happened, that he is in the process of making those numbers available to the SAU's.

Jana Lapoint:

2 (a) The proposed public charter school's governance plan must include background information on proposed board members and any assurances or certifications required by the authorizer. You have had changes in your board of directors. What you submitted in this packet (September 2012?) of information, your bylaws, you had a meeting that was signed by eight of the board and we understand that your board is now five. We saw no letters of resignation from the other board members in that. We didn't know what the status is at the moment on your board of directors.

Kelli Pryor: It does stand at five. We will be building it from there. But in the course of the events of the past few months, it narrowed down to five.

John Bird: The three that left – any particular reason why?

Kelli Pryor: I can't speak for why anybody left. I can tell you why I stepped up. There were things that needed to be acted on and very difficult things that faced us. I think because the director had a decision to make at that point whether to do the right thing for the school or not. I can only speak for my decision making at that point, but I know it was a difficult time.

John Bird: The point being, when you go through a difficult moment some people are more comfortable with that kind of pressure and spotlight than others. We can all relate to that.

Shelley Reed: I would just like to comment that in the hearing that we had at the last meeting, what I saw from the governing board was clearly a more active hands-on board that was doing the day-to-day decision making. And previously, I think, what I had seen was on paper - this is the governing board; these are the people; these are their resumes. But when they came to us at a public hearing, there wasn't that much direct input from them. It seemed to be focused on one person versus the governing board. I think, through your troubles perhaps, the people that stayed, stayed because they were really committed. And that's what I saw a really active board that is tending to the past. That is just the difference that I saw, something that looked ok on paper versus active people speaking up and knowing the details of running the school.

Dick Barnes:

#### 2 (b) Proposed governing bylaws –

The revised bylaws that were adopted by the committee of eight; you still have a provision in there that says that there is an allowance in your bylaws for financially interested parties to sit on the board. I think our position is quite clear and we can't go to contract with such a provision existing in the bylaws because we feel that the board of a public charter school, governing board, has to follow the same statutory requirements that a public school board would have to do; which is the board would have to be free of financially interested persons in the charter school. I happened to notice in the material that was sent to us recently that that provision is still in the bylaws. At our first charter negotiation, that had come up. Len was there. Presumably, you have not had a chance to go back and attend to that – I did note that it is still there, we would be pushing on that in a charter contract.

Kelli Pryor: We have had subsequent conversations about that based on our conversations with you and have noted that it needs to be changed. We have not yet met to make that change.

John Bird: Alison is your vice president? Yes. In your bylaws there is no provision for a vice president. Here is a related concern or question: usually if the chair can't be there, the vice chair presides. Whereas you now, anybody could be assigned that job. I am not saying that can't be done. But usually, the vice chair - you have a position like that so you can have an orderly sequence of people who would step-up ex-officio. As opposed to "I like Charlie better than..." When you get into something that, feelings can be hurt or whatever happens...but, you are saying you intend to put that in?

Kelli Pryor: Yes, Yes. Another thing on our to-do list.

Jana Lapoint: You say you will have your meetings from time to time. It should be more specific that you should say we have at least five meetings a year plus our annual

meeting. Because I know you do a lot of talking to each other all the time. But I think it is better for the public and it would be better for the school that they knew there was more consistency with that. But, obviously, everything that we have suggested can certainly be done on the governing.

Kelli Pryor: We intend for the meetings to be open and for everyone to participate. We have a very active school community and we expect that there will be a lot of interest in everything we do.

Shelley Reed: What would be your intended board meeting schedule?

Kelli Pryor: I think we are looking at a hard and fast once a month, but we tend to work much more regularly than that. But, we will have a regularly scheduled monthly meeting and then beyond that, especially as we are in start-up mode, we really find we need access to one another much more regularly than that.

Ande Smith: I would just like to make one comment. The bylaws provide that the board can appoint additional officers so the fact that they have a vice chair doesn't require an amendment to the bylaws. They can add or delete so long as they have a threshold set of officers they are in compliance with the bylaws.

I think it is probably better to say regular meeting cycle. But, I'll just say, generally speaking, bylaws like this try not to set very rigid floors on that because you don't want to get in a case where it's a snowstorm and all of a sudden you are in contravention of your bylaws. So maybe something better than anytime you feel like it would be better. But, I would council not to lock yourself into something too regimented that doesn't give you the flexibility that that language does.

John Bird: Not to get into the weeds on bylaws like a school handbook. Those offices are described what their duties are and I think if somebody says: "well I don't see a vice chair here; what does that person do?" Whether it is in the bylaws or in a handbook – where people can know – "that is what that office means; that is what that person does;" was really behind my point.

Ande Smith: It is good to have it defined.

John Bird: Often schools will have handbooks that are more widely distributed. You don't just hand out your bylaws all the time – sometimes they aren't read by the people who run an institution. Often enough – myself included – I could have been in a position where I would have flunked bylaws tests. That's why when you have a handbook – something that is out there for school families and the public you pay more attention to that because things are brought to your attention more regularly.

1 (c ) Recruitment - continued:

Michelle LaForge: Len may have more recent numbers, but these are the numbers we have. I think they are relatively recent - within the last week: 48 different towns and regions; Westbrook, South Portland at 10, Durham-Freeport 11 and Portland at 18.

Jana Lapoint:

2 (c ) An organization chart that clearly presents the school's organizational structure, including lines of authority and reporting between the governing board, staff and any related bodies, such as advisory bodies or parent and teacher councils, and any external organizations that will play a role in managing the school.

Again, I would begin that with at least a reference to this again, saying that I think we would probably all say that we appreciated your organizational chart and how you have assigned; again going back to what Shelley had to say, the organizational chart now tailors with every single responsibility that a school would have and you have given it to one of the members of your board. That made it very, very clear for us to understand exactly who was responsible for whom. I would still open it up to the Commission if they have any question about that whole organizational chart.

Heidi Sampson: Just for clarification purposes: As I am looking at your advisory board statement and you have the list of your advisory board and your board of director liaisons. The question I have is the difference – can you articulate the difference between the teaching and learning individuals and the instructional resources individuals?

Kelli Pryor: I wish Alison were not on an airplane right now, because she would be able to answer that much better than I will. Some people are much more interested in the hands-on aspects of what we are trying to do at Baxter and other people are more interested in the research in the field in terms of teaching molecular biology or things like that so we are trying to distinguish between somebody who might bring more higher level knowledge and someone who might be more interested in the gears that are going to turn at Baxter in terms of the instruction. It is sort of the level of what they are offering.

Heidi Sampson: So like the instructional resources of the people who have a more bird's eye view and the others are the ones that are going to be getting down in the ditches with the kids? Is that what you are kind of implying?

Kelli Pryor: The Advisory Board; and maybe Michelle will want to speak to this too; is more of a resource in terms of developing the curriculum and developing how things will operate and as a sounding board for us as we are working on the processes within the school. So it's individual, too, based on what people are willing to do. It remains to be seen as the board grows what people wish to contribute. We have some advisory board members who have been very interested in getting in and really getting their hands dirty and then others, who are perfectly willing to have a conversation with us – in



which we are saying: “Here is something that we are dealing with and do you have any insight to bring to that?”

Michelle LaForge: I have something like that to Alison, when I first was brought on board. I had also noticed; I don't have the logic model in front of me; but the website itself had sort of identified an advisory board and also sort of a different sort of board - ended up being. I found out it is not exactly the same thing, but ... We know in any organization that when you put something in place, the overarching vision and you really need to give it time – three to five years to play out. And, then, you also want to put pieces in place to help negotiating sort of along the way and that was the way that I ended up utilizing it. If you want to think of it this way, the bigger picture advisory board, they may be advising (2.25.01) *cannot identify words spoken here* (2.25.04) sort of larger scale. Whereas - as opposed to - a board or a mentor from the – through the - MPA would be advising me on a more, maybe not daily basis, but certainly monthly in the business of meeting our goals for this larger three-to-five year picture.

John Bird: I brought this up to Alison at the last meeting; the distinction between advising and getting your hands dirty. When you use that expression, it says to me, please correct me if I am missing the boat on this, people who get their hands dirty get right in there and they are in the classroom and they are doing this and doing that. And that is not really what you call advising. I bring this up because nothing can break down moral in a school or any organization than people who are advising are more than advising, they are sort of telling would be more prescriptive. I don't see a description of what this group does. I saw the list of people and their backgrounds and what they can offer the school in terms of the program. And, I would agree, it's great; it's terrific. But it is the notion of how they will offer that service. And, the way you describe your mentoring relationship with someone from the MPA that makes a lot of sense. They won't be telling you: “Here is how you run your school.”

Michelle LaForge: I do have one more idea that fits into that; professional development is another place in between what is happening in the school and somebody that is planning 3-5 years out. There is parental development that we all plan throughout the year to make sure that everybody is up to speed with this integrated, project-based learning. There are models in a computer programming system that helps teachers who have not worked with this model before need to be trained. It wouldn't that they would be in our classrooms with our kids, but maybe somebody might provide training off site to the teachers.

John Bird: I am sure you will work all these things out. I would encourage you to codify as much of this as possible so there aren't misunderstandings and that is what I find missing a little bit. But I think the kind of people you are recruiting will help. I mean I think it is all positive. I don't want cast a wet blanket on it.

Kelli Pryor: I just want to say – the distinction between getting the hands dirty and the other kind – because we don't have classrooms yet so we don't have anybody sort of in there. So for instance, Jonathon Amory is on the Board of Advisors this whole time and

really put together a lot of that curriculum that he was able to share with you last time when he was here. So that is an example of someone on the advisory board, who is really a working member on the advisory board. And, then, we have Julie Wilson, who has done a lot of work sort of with the innovations of learning. Sometimes we can call her and say: "Have you seen another school where this is going on and how did it work?" She has been able to provide such insight about what other schools are doing, but she is not in there working with us. But if we have a question about school culture, and it is so interesting - the minutiae that she can help us with – it really helps us shape where we are going. Those are the distinctions we are trying to make. We are not really creating something that is going to be in operation in the school. Other people are providing insight about what is going on other places that we can directly draw on creatively.

John Bird: Great, that is very helpful. So in other words, when you have your entire staff and start to operate next year, the advisory board role, now they're getting their hands on dirty because there isn't a faculty and they are helping you to create the program, that will then change?

Kelli Pryor: Yes, exactly. They're so instrumental in this creation phase and the start-up phase because we really rely on them to help us think through what the possibilities are. As the faculty comes on then they ...

Dick Barnes: You are continually open to inviting people onto this advisory board?

Kelli Pryor: Oh, Yes.

Dick Barnes: And any of those who may have left and have never talked to you about it, can certainly talk to you about coming back?

Kelli Pryor: Yes, absolutely. The door is open.

Jana Lapoint:

2 (d) Background information on the school's leadership and management team, if identified.

Again, in reference to the latest material that you submitted to us (4/4/13), you have the name of a potential part-time executive director. Could you tell us, at this point, where you stand with all of that?

Kelli Pryor: We were in discussions with somebody who was very helpful, but expectations have proven to be different and we don't think we are going to be able to continue with that relationship. But we are blessed to find ourselves in discussions with two other long-time educators with impeccable reputations and standing in the State of Maine and we are acting obviously, with the deliberation. We don't want to act with haste in any way. So we are acting very deliberately. But we feel that there is a lot of

support the education community for what Baxter Academy is trying to do and we feel certain that in the next couple of weeks we will have identified a wonderful candidate who will take us forward with great talent and expertise.

John Bird: So these people you are talking to are very interested in the job; it is just a case of deciding who might be the best fit?

Kelli Pryor: Yes. As I have said, it is an embarrassment of riches.

Shelley Reed: I just wanted to comment on something in terms of the overall governance because there has kind of been a shift from the original application to what was going to be occurring. When I asked the question earlier about the school climate and discipline, because under C (1) it talked about governance decisions emerging as the commitment of students, teachers, parents and administrators to work on together and we talked about – under that – such things as vision keepers, the student representative body, the judiciary board, and some of the committees. I am not sure if I am clear if those components have just been set aside for a while or if they will continue or not continue.

Michelle LaForge: I know what I heard at the last meeting and what I have been involved with. I know that vision keepers was a particularly concrete that we are not, at the moment, moving forward with. But we do have plans to put in place a large scale plan as we move forward so that students do get involved with those kind of issues. As for the vision of the school for discipline where an honor code - we have outlined those kinds of things. Going forward – absolutely. On Saturday in front of parents, I told them it would be the last hiring we will be doing without a parent and student on the hiring committees. This is a collaborative process. All of those other pieces, besides the very specific group of vision keepers, stay the same. We still have every intention of filling the role that the vision keepers did this fall.

Jana Lapoint:

3 (c ) Minimum, planned and maximum enrollment per grade per year for the term of the charter. Has that changed at all or is that remaining the same?

Dick Barnes: In terms of how all of those things Part 3 - a lot of that in statute was presumed to be in place on January 29<sup>th</sup> vote that we had to go forward. At this point, we had a list of 160 students. They can't tell us yet nor can we know their number of special needs students that they have or the socio-economic – number of low-income students they have. So we don't know whether, in fact, they are able to mirror the greater Portland area in demographics in terms of ethnicity, low-income, moderate-income status or special needs. But, we have to take on faith that the plan they used to recruit students that came up with 160 plus students is still in effect. I don't have any reason to question it. I don't know if Heidi or John or ...

John Bird: I am astounded at something, if I understood you. Are they required to mirror the ...

Dick Barnes: No, but they are required to try to recruit and they gave us a recruiting / marketing plan back in October and, obviously, they have recruited. I just wanted to say that because it is one of the criteria we are making a judgment on. That is something they can't tell us yet because they don't have back all their students.

John Bird: But we know they have had all kinds of outreach.

Dick Barnes: They have had all kinds of outreach and we know they have recruited a pool.

Jana Lapoint:

3 (g) The School's proposals for providing transportation, food service and other significant operational or ancillary services

I had a question on transportation. You had sent out a survey. Do you know about any of the results of that survey yet – on the transportation?

Kelli Pryor: We know a little bit and we have encouraged parents to give us more feedback about transportation. We are really trying to identify what the real needs are. We have begun to identify certain families, who commute into Portland regularly and where the students might commute into Portland with their parents or a neighbor. When we get down to the real work of a transportation plan, we really want a solid idea of who really needs that transportation and who has other options. That is what we have been trying to ascertain so we are trying to express to families how important it is to get that feedback so we are in process with all of it and hopefully, when it all settles and we know who is who. I know Peter has been in touch with other companies and one in particular is a very flexible and willing to work with the clusters in Gray; as you know the bus situation in Gray. There are a lot of exciting things happening around the transportation as it becomes more real and we look at where the clusters are. We can see the geographical array is and now we need to see what the needs are within the geographical arrays. For instance, my daughters live in Windham, and it might appear that they would need a bus, is not true because they have a parent who travels into Portland and they can commute with him.

Jana Lapoint: You have fit it into your budget. So we know there is a line item for the transportation. I think we did see three –

Dick Barnes: They have \$157,000 in their budget for it and they have already gotten at least three company quotes that are well within that. They don't necessarily have to go with the low bidder if someone is going to provide a more robust. One of the big concerns about charter schools is making sure that kids who don't necessarily have parents who work in Portland or don't necessarily have car pools still have access to an

alternative. One of the big criticisms about charter schools is that they say they are open to the public, but they put up so many other hidden barriers that not every child can attend. I think the budget that they have really allows them the flexibility to really be able to get kids that want to go there into the school.

Shelley Reed: I think that is a big improvement.

Dick Barnes: Better than the previous one. Yes.

Jana Lapoint: Any concerns over the food service. I noticed Sprouts is out and Bagels are in. Did you want to give us any info on that?

Kelli Pryor: We went back to Sprouts to talk about specifics and weren't sure they had the capacity for it. So Mr. Bagel is willing to do box lunches and possibly soups going forward. That will be an option for the kids – a bagel sandwich. It appears that they are as excited about it as we are to have them.

Jana Lapoint: There might even be some possibilities that you might have some vouchers. Becky's isn't too far away from that. They can roll down the street to Becky's.

Peter Montano: Portland Pie is right across the street.

Kelli Pryor: I heard the kids talking about it and they said: "What if we have Mexican food on Monday, Chinese on Tuesday." But for now, Mr. Bagel is the only option we have had time to research.

Heidi Sampson: Just reiterate what the plan is for those who have the free and reduced lunch.

Michelle LaForge: We will do whatever we need to do to make that happen. On the other side – related in that I don't know what the answer is - that we have talked about open campus as well. Portland High School has a program where there is open campus. For the moment, as head of school, I am still investigating all of those things: How do we keep those kids safe? How do we develop a plan where we practice going out into the community? What we talk about and how we interact in these businesses outside of our school. How we do all of those things? We certainly will be providing free and reduced lunch where it is applicable and necessary. I bring my own lunch and buy a student's lunch every day right now and have for the last two years. Sometimes you put things into effect where you have to and so we will stay on top of it. And I am glad to get back to you on it, but I don't have more information on it for you just now.

Heidi Sampson: I do like what you just said about the community and getting out into the community. I mean Portland – the children that go to Portland High School are from Portland. You've got kids coming from down in my neck of the woods where the most dangerous thing is the moose that might run across the road. So running around in a

city is a whole other ball of wax for a lot of these students that you are going to be getting. So I am glad to hear what you just said. Because as a parent, that would be the first thing I would be thinking; my child is clueless about running around in the city.

Michelle LaForge: There will definitely be involvement with parents getting a bead on each kid and how comfortable they feel. There will be a plan in place for kids that feel comfortable first and those who don't. There will be training for all in how we behave as we move forward.

Heidi Sampson: That is good. That comforts me as a mom.

Jana Lapoint:

2 (h) A facilities plan including backup or contingency plans if appropriate. How do you feel you will be coming along with the building as you move forward?

Peter Montano: The landlord is building out; we are still on schedule. Have a May 1<sup>st</sup> start for interior construction inside and it will be ready for the kids. There is no issues about it being ready.

Jana Lapoint: Any other questions about the facility?

Jana Lapoint:

2 (i) A detailed school start-up plan, identifying tasks, timelines and responsible individuals.

Dick Barnes: I don't think they have changed anything at all from what was in the original one and we thought that was adequate. Clearly, new people involved and helping to plan that out, certainly from the kinds of statements Michelle has made, have a high level of awareness of the level of detail that has to be attended to make sure that staff and kids are ready for that first day of school. I don't think anything else has changed.

Shelley Reed: I don't see changes either.

Jana Lapoint: We are going to go on to the school finances and I think, at this point, I think the best thing to do is to use your current material that you just received April 4<sup>th</sup>. If there are questions about the budget that you have, I would reference...

Dick Barnes: I think at this point it is more between ourselves than to them. We have given them plenty of opportunity to give us the budget stuff ahead.

Jana Lapoint: I meant if you had a question on that.

John Bird: I would just say overarching I think they have done a very solid job on this and when it comes to the development side of things. The fund development side is making tremendous progress and I think it is very reassuring that the work that you are doing, Peter, I don't think you have a printing press somewhere. It really looks solid.

Dick Barnes: Knowing William wasn't going to be able to be here as of two days ago, I spent a lot more time on the budget. There are a lot of areas that I think there are huge changes in this budget. Number one: they're starting from 160 students not from Peter's – October 31<sup>st</sup> budget, which assumed 150. Just, parenthetically, on October 31<sup>st</sup>, I had my doubts about the 150, well they have proven us wrong so far.

John Bird: They even said at that time they could even handle 140.

Dick Barnes: They have now upped their budget to 160, but they have also made a whole lot of other changes in the budget that brings it into balance. At 160, under that Oct 31<sup>st</sup> budget, it still would not have been in balance. But now it is. They have done a number of things; they have certainly increased the transportation line, which I think certainly gives them the cushion and the help to be a little robust there. To me the largest thing they did is they increased the teacher salary support line from \$570,000 up to \$648,000. There is an extra \$78,000; that is another teacher when you add in the fringe benefits for it. That to me is making this staff plan they have got here credible; whereas I wasn't sure it was credible before.

Jana Lapoint: Did you think you found the top heavy in administration?

Dick Barnes: It is obvious that they have cut that back too. They have made some changes there with administration. We were very critical of the earlier budget that it was very administrative heavy and even after three years under the old budget, it was still very heavy administratively. It has gone down significantly and they have put that extra money, the ten extra students and the extra money saved from administrative costs and a few other places, they have put that into student services and student programming. I am encouraged by that.

Jana Lapoint: I still have some questions. On your revenues, you have "contributions" twice in here. One for \$107,000 and then another for \$200,000. I just wondered if you could just help me with the two figures as to why there is two items for contributions.

Peter Montano – The \$107,000 is included in now with the annual event we are going to do with the bringing in...

Jana Lapoint: So that was the \$70,000 was included in that one?

Peter Montano: The \$200,000 contribution – that is contributions that were originally plugged in for May and June that got moved into August. In May of this year, we have a line of credit of \$200,000 with the land being – the land that we own – being pledged

against that. That \$200,000 coming in May is to help with cash flow. So the other \$200,000 was pushed to August.

Jana Lapoint: I see; ok.

Could you just explain, you probably did this before. But I will tell you that when we put together the budget and what the titles should be, the Education and Cultural Affairs Committee had a concern about “parent” contributions; that we might be using the wrong word; because as a charter school, we can’t ask parents to make contributions. So just for clarification, what was your intent with that parent contribution?

Peter Montano: I mean no one is required to give a contribution to the school. If they choose to, that’s a wonderful thing. But, they are not required to. I am also putting on a Maine event.

Jana Lapoint: We may end up changing that word because obviously that came from us and it kind of is misleading in terms of we know that we cannot specifically require ...

Peter Montano: ... take that out contribution line. We are probably better off without it.

Jana Lapoint: It would probably be better.

Peter Montano: It is all voluntary. No one is required to make a contribution.

Jana Lapoint: We suspected that; but I thought I best be sure of that.

Ande, did you have any concerns over any of the contracts that they might be entering into with the line of credit or anything that you had wanted to see or were you satisfied with the material that they gave you?

Ande Smith: No, I looked through the material and they seemed – I think the contracts that are in there are really – the line of credit, the facility’s letter-of-commitment and then the lease. I don’t think there were any other contracts that caught my eye. But, I think they all have very ordinary commercial terms the way they are written. I mean that line of credit is a little atypical because it is related to FAME and to this Commission’s determinations so it has some unusual conditions that are idiosyncratic to the school. But, generally speaking, they are pretty straight stick in terms of what they have so I really don’t have any concerns about those contracts.

Jana Lapoint: Ok; good enough. Anything else on the finances.

6 (a) A description of the academic program aligned with the statewide system of learning results under section 6209.

Was there anything that you had seen in that ...

John Bird: I had seen and I had assumed with hiring Michelle, who has a lot of background in the public school academic area that this is all... I mean we didn’t have concerns before. I felt the presentation that she and Jonathan gave was, I don’t know



whether it addresses literally all these things – but, it certainly addresses some – aligning program to vision and mission. They are very strong.

Shelley Reed: I think I had concerns at the beginning about how they had articulated the academic program. Because it is a very hands-on program and I was seeing a disconnect between the philosophical statements and in their original application there was just kind of you know content – “this is biology” and it wasn’t meshing the process of how education was going to be working and then tying all of that into the learning results. I think because of that push-back and some questions we have asked as a group, I think that through our process of each time they have submitted information to us, it certainly has gotten clearer. And at the very last hearing, it definitely was a very clear articulation of process and content and I was way more satisfied. I just thought it had kind of just gelled together and connected in a more cohesive ... being able to articulate it any way in a much better way.

John Bird: I thought it was very abstract – just words on paper; but it came alive the way Jonathan described it. And then when his former student got up. He is not a Baxter student, but what he said about his experience and Michelle’s comments, I thought the whole thing came alive, but I didn’t think it was out of alignment with what we had before. But our concern was – it was very abstract and couldn’t seem to get a sense of the flow of the day and the week and some of the things you asked that time, Shelley.

Shelley Reed: Just like the flex Friday thing, which some people had concerns about taking ,, I think those have vanished and there is a very specific programmatic and process orientation to the day and the expectations and goals for the kids. That they each could have independent projects, but there would be goal setting and matching to standards and putting it all together. I think some of the concerns; although we were intrigued by concepts, I think what we saw was a greater flushing out of practically how it would work.

Dick Barnes: I voted against this project back in November. Academics was a huge part of my no vote – financial and academic. I was concerned that I thought it was abstract. That we asked for a day-in-the-life or a week-in-the-life and we never got it. I had concerns that the budget didn’t warrant the staffing that was going to be required to be able to pull this off; either being able to bring in volunteers or to have kids go out in groups to work elsewhere. I just echo what Shelley has said. Repeat what I said earlier about the budget has now put more dollars where it is going to support a \_\_\_\_\_ level program. Furthermore, I was impressed and I don’t know whether it was intended, but as part of our effort to find out are kids committed to go here; they sent us the packet of materials they were sending out to the families. They sent the families a good deal of detailed information of what the school program was going to be like. There was more in those three pages that went to the parents than was in this application last September. I would say they have come a long ways since January.

Heidi Sampson: I have a curious question. I know that sometimes with turbulence and trauma and difficulties, there is a silver lining. You already mentioned that there have been people coming forward that have just become aware of the school; I have sensed that in my area. With the OPED that Jonathan wrote, did you get any immediate response – did anyone come inquiring about the school being very excited about the possibilities?

Michelle Laforge: Speaking as someone who is not on the Board and doesn't get the mail, I don't know, I think there was a lot of things happening at once. There was Jon's OPED, but then there were two responses that were very interesting from the community very respectful, really interesting dialogue going on ... and then his comments back that I think should have been in the first OPED. One of his responses back was particularly great- that was going on. I was interviewed on television - one at 5:30 and then again at 10:00. We, also, had three parent meetings happening. So everyday has been a whole year's worth of work and attention to other things. I don't have – I know that we have seen the waiting list numbers grow in this time and that is the only indication I have for it. I certainly have had more people talking to me about it. I am the most careful person in the state right now not to talk about it in my time between 7 and 2:30. So I am not sure I would know during that time. I certainly feel like we have seen some of that. I have been the one speaking at these parent things and each time we had an RSVP list. Saturday's RSVP list was four or five families just a few days before the event. It was packed; every single room was packed. Every seat was taken; people were standing. After the first one, I needed a plan to deal with the kids; the kids wanted to talk to me, but they didn't want to listen to me for that long. So after a half hour we got games and balls and a set of student ambassadors who managed those groups. They held debates and they talked about civil discourse and made sure that those conversations went well. Those evenings and afternoons were very interesting and wonderfully attended – about 3.5 hours each time.

Kelli Pryor: One interesting things after Jon's OPED, the conversations with teacher friends changed. They had a different idea about what Baxter was going to be because they had seen it laid out for them for the first time. I think there was new excitement in the teaching community for what Baxter was setting out to do. Jonathan was really able to make the case that what Baxter intends to do is not just going to be good for the kids at Baxter, but it is really going to be good for the greater community and it is something that will be shared and built upon.

Dick Barnes: One area that I notice in here that  
6 (c ) The school's plan for using internal and external assessments to measure and report student progress ... *on the measures and metrics of the performance framework developed by the authorizer in accordance with section 2409.*  
I have to give Baxter some credit. They faulted us in our first negotiation session for not demanding in our RFP an internal assessment plan and Shelley spoke to that this morning. It isn't there, but it isn't in some of the others that we have already dealt with. So I do think that we will see it and I just want to make note that it took one of our applicants to point out a weakness in our own requirement.

Jana Lapoint:

7 (a) A staffing chart for the school's first year and a staffing plan for the term of the charter.

I am not sure that – why don't you tell us what position you are at at this time with the staffing chart – we have seen the chart that you gave us – I guess unless there would be something else with that I would just go into the recruiting piece to see where you stand at this point on your recruiting of your staff.

7 (b) Plans for recruiting and developing school leadership and staff.

Michelle LaForge: We have six positions that are down to – we have interviewed and chosen two candidates. I have to admit though, I feel very uncomfortable moving any farther than that without a decision today. How can I look someone in the eye and say “*well, here is what we think ...*” I feel like this is very important and I want to honor your work and the fact that we require your approval before we move forward. So I would say that six teachers – two positions of science and math, art and language are within weeks of going forward. These are people – the executive director – these are people who we know want the jobs; people who we know are likely to take the jobs. We have outlined a process so we are consistent with our applicants. Six of those twelve are ready to go. We have 200 applications for the entire 12 positions when I first came on board and we have continued to accept because we have never set a deadline. We have a really wonderful pool of applicants. So that process is as far along as I can take it right now up until today. After this, Jon, Len and I heading up the hiring team, but there will also be a number of other people on it and that is our next order of business and all we are going to be doing in the next three weeks.

Jana Lapoint: Are there any other questions on that? All right; I am just going to open it up to the Commission if there is anything else that they want to bring forward before we move to take a vote.

John Bird: I could have asked this when we were talking about governance. Term limits for Board of Directors. They get elected on staggered terms; we understand all that. They have three-year terms. But it doesn't say how many three year terms; if they get re-elected or if they just step down after three years or what?

Kelli Pryor: We haven't really discussed it.

John Bird: It would be a good idea to codify it. Two three-year terms or two four-year terms ... *talk going on – I could not hear what John was telling them.*

Dick Barnes: There is discussion. We've got to have a real discussion of this. This is us not them. There is a lot of question as to whether we are doing our job right. We have to make sure we have all our questions answered and everything else. So I will start off.

As I said, I voted against them before and I had a lot of very specific concerns and I still have some. I would never have gone all the way through with some of the others not knowing who the executive director is going to be and right now, we don't know. On the other hand, we know who the head of school is going to be. I am very confident for the first time that we have a good head of school. I am taking at the word for the governing board and all the things they have to be done to give us this level of material that I am comfortable with that they are going to pick a good executive director. They say they have two candidates - lots of school experience, well known in the area. Both have indicated they will take the job. I am going to go with faith that they will be able to manage what is going to be a difficult start-up in the first place.

They are in a space with no public parking; they have taken parking subsidies out of the budget for people. They have a host of logistical issues that the executive director is going to have to work through. The head of school has indicated she has a list of things she is going to work on to have 160 kids many of whom aren't familiar with the city or who are not city kids at all. How to get them adjusted to an environment where the school is expanded beyond the walls. They are going to start sensibly in those walls and gradually move those walls out.

They have turned my thinking on being able to attract the students. I didn't think they could get a balance of freshman – sophomore classes. They are already a whole lot closer than I ever thought they could come so that has taken care of a lot of things. I really appreciate what they have done about trying to let parents know about what to expect out of the process. I have not attended any of the Saturday sessions, but from what Michelle and Jonathan and a few on the advisory board were able to talk to the parents and the kids the way they talked to us on March 25, they are really getting some good information.

The staffing – we didn't really address the staffing ratio before. We talked about a 1-16 staffing ratio; they put that out there for the parents. I looked at the hiring they are going to do. At one point, they were talking about having to do foreign language on line – now they are talking about hiring a teacher. I think there are a whole lot of things that are totally turned around from two months ago in this proposal.

The schedule and calendar still some details to work out.

The concern if we take a vote. I am going to approve it. But I am very concerned that we can't go to contract with the bylaws the way they are right now; there has to be some changes there. We have to have an executive director, as well as, a head of school, known before we can go to contract. These are things that have been bottom line for us in every other contract we have done. I just want to let them know out there that even if I support it right now with enthusiasm that doesn't mean it is just all right downhill. There are still those reservations, but I am going with my vote that I think they can be positively overcome.

There is really a lot of additional work to be done. I have to say that for myself; as a person who was opposed to it before and know that there is still going to be people out there against it now. They are not going into a former school, like Cornville did or a building that is already set up as a school, like Fiddlehead is doing. They are going into a facility with a lot of unknowns and they are probably going to have a difficult first year as it is. Yet, I still think, a lot of what they want to do and the enthusiasm from the kids they have out there is such that, these things that are of concern can't influence my vote negatively. I want to say that first because I have been the biggest critic.

Shelley Reed: I think what you did for us though, I just remember the day that we took that we took the vote and you went point by point and really helped us clarify if there were things that needed to be fixed or reasons why. I just so appreciated that and I have been a positive vote for Baxter each time. But when I heard your list, it was very evident that you had done a thorough review. And to hear you now, say that a lot of those issues are no longer concerns for you, except for the executive director appointment and the things in the bylaws that need to be adjusted. I guess, if it is my turn to go next, I would say that my vote would be in favor of them moving forward into the contract phase. I think they have – the board has just coalesced and has finally been able to greatly articulate their academic program, their finances and the roles of the governing board is willing to take on.

John Bird: Shelley, what you said about Dick when you went through; I so admire the way Dick does his homework and my mother would say: *you need to emulate that man*. But he was very clear and I voted to approve the school. But I appreciated that he made me think: *does this concern that he has rise to a level where I would say no* and they didn't. But let's take the enrollment; I thought there was enough evidence at the time that they had a good chance of making it. You got to remember, first of all, last year they wanted to go forward and were stopped and the publicity around that wasn't terribly positive and they seemed to have overcome that. You look now with all that has gone on in the last two months, and their enrollment demand is stronger than ever and I suspect if we approve it today it will continue to grow.

When Michelle made the comment: "we can't go any further with hiring when we don't know whether we are going to be operating." I feel that the concerns about finances – they were there, but I felt at the time with Peter's coming on board, there was already evidence that he was bringing a professionalism to that task and we were seeing it in the figures. The figures that were different from week to week – that was stopping and I think that has continued to be the case. As far as the funding for the school, I think they are in the process of replacing the line of credit with both an A and B Plan. And the B plan is already evidenced that it is ready to kick in if necessary and if not, they will have funding there to both be collateral for their line of credit and who knows. I think the finances of the school are very solid and, again, Dick has gone through all of that. I definitely will vote to approve them going forward and trust that the contract process will get all these things done and the contract process can proceed at a pace which it needs to; it needs to get rolling.

When you think about - I wrote this sentence to get my thoughts together: "The fact that enrollment demand continues to be strong even with the recent period of uncertainty about Baxter's future, is best evidence that this proposed public charter school is offering a public, secondary school alternative that many families in southwestern Maine want for their students." It is very clear - 48 towns and the whole deal.

Heidi Sampson: I do want to say something to Dr. Barnes. I have to say – what is great is there a great diversity here with this Commission. I appreciate the strengths and attributes that each person brings to the table. Personally, I need to be tutored by Dr. Barnes and come under his wing. So you can't go anywhere as long as I am here. My term is up the same time as yours. I tend to be a rather an enthusiastic, boisterous individual and when I support something, I support something with my whole being. When you very objectively went through your list; it wasn't anything that caused me to change my mind. However, they were all bullet points; like we'd better nail these and get these in place before this contract is signed and hold this school accountable to these things. Give them a chance to move forward; however, these are issues; they are not to be swept under the rug or dismissed – very valid. I tend to be more of an optimist; come on – let's shift this thing into gear and we can move it. We can work on the details as we move along. Your wisdom on some of this and your experience is very well noted and very appreciated and it's not a small thing and I think that you bring so much to the table when it comes to the minutia of running a school. I just want to say publicly that because I was on the opposite end of the spectrum from you and that I just totally respect you.

Shelley Reed: He is one of the persons, who has sat in on the contract and that narrowed our scope of how many issues coming into the contract phase. Can they be dealt with in that arena or not. I think it is important that if we have just have a couple of these things that we need to get the bugs worked out or the executive director hired. We just have a few things on the plate to bring into the contract phase; as well as, the usual performance and metrics and opening plans and regular kind of contract language. We have learned a lot in terms of other contracts that were worked through – to be able to say - is this all going to blow up or are these things that just through a negotiation and give and take can more easily work with. So we appreciate that perspective that some of us who haven't worked on those contract sessions yet.

Ande Smith: As this is my first rodeo, I guess I'd shared just for purpose of discussion; I did have the pleasure of sitting in for your interim approval, where the conditional approval was met. I sat in on that out of interest being on the State Board. That was where I first met you – so I understand where all these comments came from – there was a lot of tension in the room around that. What I would share is looking at this from the outside, so in that sense I come to you as someone who hasn't been sitting at the table with you all for a long period of time; though I know a number of you. I sat through that meeting; I have read the materials as they existed at that time. Right after I was sworn in at the meeting at the 25<sup>th</sup>. I was able to participate in that hearing and have read and absorbed the materials since then. And I would say, notwithstanding whatever strife you all felt or whatever work or whatever anxiety you all feel about how or whether

it should be in the contract negotiation or not, sometimes a cake takes a different amount of time to bake. And, in this case, I think you see one that took a little bit longer to get set in the middle. Because you've got a variety of issues; you have an innovative school that is not a cookie cutter kind of approach coming out of other places, it faces logistic challenges that others don't face where they move into an existing school and when we go into whatever the final voting round is. In discussion, I think you all did a good job in shepherding this through. Because, however you felt in the process, what you have in front of you in that binder and the other materials sent in, is something that meets all the requirements that you called out in the both the RFP process and then in state statute and the regulations of this body. Hats off to you all through that; notwithstanding how you may feel about how that cake got made and mixed; all that work has come to the right place both in time and the energy of the board, the parents that support it, but, also, through all your great questioning and level of commitment you displayed making sure the hard questions were asked and answered.

Jana Lapoint: I am going to turn the meeting over to Dr. Barnes as I said earlier because I chaired the Baxter study from beginning to now and then he will take the vote with each person again repeating whatever they have wanted to say about whether their vote is affirmative or in the negative.

Shelley Reed: I move that we bring Baxter Academy forward to the contract phase.

John Bird: Second.

Dick Barnes: There is a motion and second that we bring the Baxter Academy approval forward to complete the contract phase.

Dick Barnes: I vote yes.

John Bird: I vote yes. I just want to add one thing to what I said before and that is: I thought when I read Bill Nemitz column the next day or two days later, it reminded, and you just said it, Ande. It is all about what is best for kids and I think that is what grabbed him. It is a reminder that this is what this is all about. A rising tide should lift all the boats in the educational world and I think Baxter is positioned to help do that and very glad to see that we have a public charter school in the southwestern Maine area with this mission and vision. I am pleased to vote yes.

Jana Lapoint: (Copied from written statement.)

My vote for Baxter Academies of Maine is affirmative. Throughout the past year, Baxter has continually reinforced its mission and vision as a rigorous, college preparatory high school promoting student ownership of learning through curriculum focused specifically on science, technology, engineering and math.

The Baxter financials have taken on a life of their own, with more contributions, trimmed down management providing it as less top heavy, more realistic and attainable goals for increased revenue. Their first targeted student populations seemed aggressive, but they proved us wrong.

Even under difficult times, the students continued to sign up for September opening. They have rallied in many ways to prove their desire to have Baxter open. Raising over \$8,000 in just a week by creating their own "You Tube."

It is apparent that hard times may bring out the best in people. In recent months, the board of directors has been extremely courageous under difficult conditions. They have truly become an active board with direct responsibilities assigned to every part of Baxter's operations.

The academic program, under the leadership of Michelle LaForge, will become as expected a truly exceptional school. Their courses are all tied to the Common Core and Maine Learning Results. Both STEM and the humanities will emphasize standard and proficiency based education with capstone projects as part of graduation requirements. Facilities are in an outstanding location. As a student recorded all the wonderful facilities that are at their back door and referred to them as "My Portland." Baxter Academy has come full circle and proven their worth to be a charter school.

Shelley Reed: I think I spoke my reasons previously; so I am just going to say I vote in the affirmative.

Heidi Sampson: I am going to ready my thoughts. I will be following the basic outline of the RFP to address my comments as they apply. (Copied written statement.)

### **Vision:**

Despite all the turbulence, the mission of this school as not changed! The vision has always been a very good one, but the finer points of application lacked clear, precise description. Now they do not! The Board of Directors has solidified their roles and their identity with a common purpose, having come together in most trying circumstances. In spite of the tumultuous conditions, they have strengthened their resolve. Despite all the negative press and all-out effort to blow this school apart, those who have the greatest vested interest have stood amidst the storm. For the most part they acquired a greater resolve than prior to this uproar. That says a great deal!! Parents who care deeply for their child's welfare and education will not stand by without first undergoing a very intense scrutiny of the entire situation. They are consumers, consumers of effective education and let me tell you, they are meticulous scrutinizers!!!

The vision of this school will also be forged ahead by one appropriately named; Michele LaForge. She has a very unique skill set of strong mathematics and literary training. This is a remarkable combination as head of school, not just any school, but a STEM school. Often, the literary aspect is somewhat of an after-thought with such a focus. I personally am encouraged to hear her positions and see the emphasis that will be placed on quality English programs. This will help to establish a well-rounded education with a strong STEM focus.

The most impressive component of the vision for this school comes from the very individuals it will most greatly impact; its students. To witness the student initiated fundraising campaign launched in order to gain 1000 sponsors in 10 days was a noble



undertaking. It is clear to me that these young people are taking ownership of this vision and in turn hopefully, their future school. This is a powerful concept especially when one considers the prevailing entitlement attitude that invades the thinking of most young people. Think about it, these kids raised over \$8,000 in just 10 days!

In spite of all the controversy and all-out assault on this school and on our work as a commission, interest continues to grow. This vision for this school strikes a chord with many people and there is obviously a need, as clearly indicated by interest coming from 48 towns reaching a very wide geographic area.

### **Governance Plan:**

The Board of directors has a broad spectrum of individuals with solid, complementary backgrounds. It will be beneficial to add a few more members to create some more breadth and depth to the expertise already in place. The governing bylaws and table of organization is clearly structured to ensure strong local involvement and the needed checks and balances.

The board has a clear delineation of roles and responsibilities which has probably been reinforced to a greater degree through all this tribulation, as they have been navigating the necessary avenues to secure all the vital components of getting a school ready to open in the fall.

### **Internal school systems:**

Transportation Service: With 4 quotes on the table and a possible 5<sup>th</sup> quote, Baxter is in a good position to best determine the company that will serve the school well, based upon their established budget.

The Food Service has changed, yet it appears to be a very viable option with Mr. Bagel even delivering the daily orders at a reasonable cost.

### **Finances:**

Financially this school is in a stronger position that it has been. Dr. Dick Barnes clearly articulated all the financial strength. I can't add anything to what he stated previously.

### **Academic Plan:**

The philosophy of this school has not been altered, it has been magnified. The proposal to meet with each student and parent in order to develop an individual student learning plan is an effective bonus to their academic program. Students will have personally tailored educational plans thereby meeting each of their unique needs.

I've already mentioned the unique quality Michele LaForge brings to the school, which will enable the school to have a strong literary aspect. Her letter to the parents, Jon's Op-Ed and the testimony at the March 25<sup>th</sup> hearing solidified the academic plan in my mind. Flex Fridays have up until now proved to be a somewhat fuzzy concept.

However, at the hearing it clearly came into focus as John Amory laid out the specific details of the inner workings of Flex Friday. Honestly, I wish he had shared all this information months ago.

It is clear to me the philosophy that was initially presented for this school has not been altered. It has changed in that the lens we are now looking through is clearly focused and the finer points are sharper images.

**In Conclusion:**

Much like a caterpillar moving along toward a predetermined destination so it can pause and allow a very complicated and challenging process to take place, Baxter Academy has had to do the same. It too has been engulfed and wrapped tightly in very constricting bands for this period of time, yet to the unseen world a metamorphosis has been taking place. That external pressure that has been pressing in so intensely has actually been the catalyst for this transformation. Those constricting bands need to drop away. It is almost time... time for this school to spread its fragile wings allowing it to take flight.

I for one support Baxter Academy for Technology and Science to move forward to the final phase, so it can become the school so many eagerly desire!

Ande Smith: I would just like to say, I will also vote in support of Baxter Academy. Part of my getting there, that I alluded to before, is watching the work of this committee before and then reviewing the materials on their face. I, too, commend the new board; I commend the children and students who are enthusiastic about it; I am also mindful of the need in the community that is reflected by this school, but I don't think any of those things really, in the end, bring me or probably any of you to the point of voting for this thing - wishing for it, desiring it is not the same as discharging our obligations. In this particular case the things that are the most important to me: One - it is supported by things that have been said about the board. But it is the board that we need to support, it is not idiosyncratic to any person and while I am enthusiastic about some of the people I have seen - this is a vote for the long haul and what we have seen both through the resilience of the board, is not an accolade really to them, but to the groundwork they are laying for an institution that will endure over a long-term period and that is the thing we look to and not any one person. That is what we have seen here, because people will come and go. They already have, yet the institution will endure because its purpose and mission are important. I think that is important from my standpoint. The rules and statute and our guidance documents as a commission evaluating a school application are not super tightly written down, but in the RFP process it is very focused and we covered many of the items today in talking about how evidentiary they are supported to bring people to their conclusion. I think from my reading as an outsider coming from a fresh lens not having been involved in it; I see elements to support really all those evaluative criteria. I am mindful and I think the role of the commission is that we are not in a place where we don't demand, nor would it be appropriate to say, I need to see your food service's contract laid out. It is really that

there is evidence that the thoughts for these loose ends, that will always be there. But it is like planning a wedding; it is never quite done until the day arrives. And we are always going to find those kinds of trailers, those tendrils that are going to be rolling along governed by a contract process to make sure they are brought to closure. To me those issues that have been raised are important, but they are not, in any way contrary to our obligation to go through the rules that have been written, including the RFP guidance document, to say these are the things you have to have in place. Some details will always linger until the end and that is what the contract process picks up. It is a great pleasure to read through a document, that perhaps as you have seen it change the way I haven't; as it stands today, hits all the elements; hits them cleanly and is backed with passion from a board. I am pleased to vote yes on this application on that basis.

Dick Barnes: Everyone has voted. It is six yes and zero no. Congratulations to Baxter. I will turn it back to Jana.

Jana Lapoint: Thank you for all your hard work. It has just begun. Is there any public comment?

Students: Thank you so much.

Jana Lapont: Thank you. Is there anyone else in the audience that would like to make a statement of any kind? Hearing none, may I have a motion to adjourn?

Shelley Reed/John Bird: So moved.

Jana Lapoint: All those in favor? Motion carried unanimous

Meeting adjourned at 3:03 p.m.

Attached: Maine Charter School Commission Budget for FY 14 and FY 15 – 2 pages

Respectfully submitted: Deanne Lavallee 5/2/13  
Edited and Approved by: Bob Kautz 5/2/13

CHA00 STATE CHARTER SCHOOL COMMISSION

Expenditures

Level: Account Summary

State of Maine  
Budget & Financial Management System

Budget Guideline Report

Date: 03/04/2013 16:01

Report Id: BIEN - 0007

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Account 01090SZ13701

STATE CHARTER SCHOOL COMMISSION

Fund: All Policy: All Unit: All Agency: All Program: All Account: All

Object	2014-R01 Revised Baseline Budget FY 14	2014-R01 Revised Baseline Budget FY 15	2014-R01 Part A Initiatives & Other FY	2014-R01 Part A Initiatives & Other FY	2014-R01 Original Budget FY 14	2014-R01 Original Budget FY 15
All Other						
PROF. SERVICES, NOT BY STATE	400000		100,000		100,000	100,000
TRAVEL EXPENSES, IN STATE	420000	19,803	(19,803)		(19,803)	
GENERAL OPERATIONS	490000		44,820		44,820	45,820
TELEPHONE SERVICE	530200		351		351	351
NETWORK ACCESS	533100		942		942	942
PRINTERS	535700		1,000		1,000	
SUBSCRIPTION - PC/LAPTOP/THIN	538000		900		900	900
SUPPORT - PC/LAPTOP/THIN CLIE	538100		1,047		1,047	1,047
EMAIL	538300		151		151	151
MOBILE DATA DEVICE	538600		789		789	789
All Other TOTAL	19,803	19,803	130,197		130,197	150,000
TOTAL	19,803	19,803	130,197		130,197	150,000

CH400 STATE CHARTER SCHOOL COMMISSION  
 Expenditures  
 Level: Account Summary

State of Maine  
 Budget & Financial Management System  
 Budget Guideline Report

Date: 03/04/2013 16:01  
 Report Id: BIEN - 0007  
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Account: 01490SZ13701 STATE CHARTER SCHOOL COMMISSION  
 Fund: All Policy: All Unit: All Agency: All Program: All Account: All

Object	2014-R01 Revised Baseline Budget FY 14	2014-R01 Revised Baseline Budget FY 15	2014-R01 Part A Initiatives & Other FY	2014-R01 Part A Initiatives & Other FY	2014-R01 Original Budget FY 14	2014-R01 Original Budget FY 15
PROF. SERVICES NOT BY STATE	400000	500			500	500
GENERAL OPERATIONS	490000		18,000	18,000	18,000	18,000
All Other TOTAL	500	500	18,000	18,000	18,500	18,500
TOTAL	500	500	18,000	18,000	18,500	18,500