

## **State Charter School Commission**

111 Sewall Street (physical address)  
23 State House Station (mailing address)  
Augusta, ME 04333-0023

The State Charter School Commission held its inaugural meeting on January 10, 2012, at the Cross State Office Building, 111 Sewall Street, Augusta, Maine. The following members were present: James Banks, Sr.; Richard (Dick) Barnes; Jana Lapoint; Donald Mordecai; Shelley Reed; and William Shuttleworth. Also in attendance was future State Board member Lynda Doyle.

Also present were: Jennifer Pooler, Administrative Assistant, Department of Education; Sarah Forster, Assistant Attorney General (9:00 – 11:55), Deborah Friedman, Director of Policy and Programs (9:00 – 11:55); Jim Rier, Deputy Commissioner (12:35 – 1:00); and Commissioner Stephen Bowen (12:45 – 1:09).

### **CALLED TO ORDER:**

Jim Banks called the meeting to order at 9:02 AM.

### **NEW BUSINESS:**

Members drew lots for initial staggered terms:

Jana Lapoint – State Board of Education – 2 years (1/10/12 – 1/10/14) – Seat 2  
Jim Banks – State Board of Education – 3 years (1/10/12 – 1/10/15) – Seat 3  
Lynda Doyle – State Board of Education – 1 year (1/11/12 – 1/10/13) – Seat 1  
William Shuttleworth – member at large – 3 years (1/10/12 – 1/10/15) – Seat 7  
Donald Mordecai – member at large – 3 years (1/10/12 – 1/10/15) – Seat 6  
Richard Barnes – member at large – 1 year (1/10/12 – 1/10/13) – Seat 4  
Shelley Reed – member at large – 2 years (1/10/12 – 1/10/14) – Seat 5

Rosemarie Smith, Daedimus Justice, swore in members (Lynda Doyle will be sworn in 1/11/12 after the State Board appoints her to the Commission).

Jim Banks turned the meeting over to Jana Lapoint to take nominations from the floor for Chair and Vice-chair.

Jim Banks was nominated for Chair by Richard Barnes, seconded by Shelley Reed, and unanimously voted by secret ballot by those present.

Jim Banks resumed leadership of the meeting.

Richard Barnes was nominated for Vice-chair by Shelly Reed, seconded by Donald Mordecai. Mr. Barnes declined the nomination.

William Shuttleworth showed interest in serving as Vice-chair. William Shuttleworth was nominated for Vice-chair by Jim Banks, seconded by Shelley Reed, and unanimously voted by secret ballot by those present.

Deborah Friedman, DOE Director of Policy and Programs (9:24 – 10:35), presented an overview of the State Charter School law and proposed rule.

- State Charter School Commission – Overview (distributed and discussed)
  - US DOE
    - Grant program (competitive) must meet specific standards
    - Federal laws apply to charter schools in Maine, although they may apply differently
  - Maine DOE
    - Not allowed to authorize charter schools
    - Oversee authorizers
    - Interpret statute (both the charter school law and those related to public schools in general)
    - AGs office is our “official” attorney
    - Apply for federal grant
    - Adopt rules to clarify statute
  - State Charter School Commission
    - Duties, timeline - specifics in handout
    - No legal requirement to authorize any charter schools for the 2012-13 school year (by July 1, 2012)
  - Local School Boards
    - They don’t have to authorize
    - Funding obligations for students who transfer to charter school
    - Possible collaboration and sharing of services between local boards and charter schools – challenge and opportunity
  - Students and Parents
    - Interest in charter schools
  - Charter School Information and Support Organizations
    - Maine Association for Charter Schools (MACS)
    - National Alliance for Public Charter Schools (NAPCS)
    - National Association of Charter School Authorizers (NACSA)
- A New Model Law For Supporting The Growth of High-Quality Public Charter Schools (NAPCS) (recommended – Judith Jones (MACS) will provide members with copies)
- Upcoming discussions of Charter School Law and Rule
  - Proposed Rule – LD 1762 (An Act To Amend and Clarify the Public Charter School Law; Chapter 140)
    - Public Hearing – Jan. 23, 2012, 1:00 pm
    - Jim Banks asked for copies of the proposed rule changes for members so they may prepare testimony if they wish

Recess – 10:35 – 10:47

Sarah Forster, Assistant Attorney General (10:48 – 11:50), presented an overview of the Commission's role and possible professional development.

- Attorney General
  - Appointed Sarah Forster, AAG, to represent the Maine State Charter School Commission.
    - Answer legal questions.
    - Specific responsibility with respect to rules (Routine Technical and Major Substantive).
      - Jennifer Pooler to copy and distribute "Rulemaking 101" handout from Fall 2011 presentation to DOE to Commission members.
  - Review proposed legislation to see if it accomplishes what you intend.
- Who is the SCSC?
  - An independent board or commission of the State of Maine.
  - Separate authority from the DOE.
    - Governance entity (both internally and externally).
    - Obligations to the public (public meeting – notice, opportunity to observe, all votes in public session, all records public records).
  - Only the body has authority (with a quorum); not individual members.
- What are you going to do?
  - Develop internal operating procedures and policies through rule.
  - Develop authorizing procedures and policies through rule (how you charter).
- What role you want AGs office to play in your operations?
  - You decide.

#### Professional Development

- National Association of Charter School Authorizers – Sarah attended their annual meeting last fall.
  - One major message – "Don't authorize a school unless you're sure".
  - Decision to authorize is the lynchpin of the entire charter school movement.
    - Knowing what you want. What's missing from Maine's current educational opportunities? Take the temperature around the state. (RFP)
    - Rigor in the initial approval. (Application review process)
    - Co-location at current school building.
    - Need for a strong application review team (especially finance).
    - Able to do special education right – stand alone to provide special education services.
  - Recommends targeted PD based on your particular needs and skills sets – not generic PD from NACSA.
    - Review websites, read, make charter school visits prior to investigating PD needs.
    - Learn as much as you can about what charter schools are and how they function.

Lunch – 11:51 – 12:22 (go downstairs and get it and return for working lunch)

Reconvened at 12:22

Jim Banks distributed a letter from NACSA regarding the resources they have available to NACSA members for Commission member review.

Discussion began on drafting of the Mission Statement – tabled until after Jim Rier and Commissioner Bowen's question and answer period.

Jim Rier, Deputy Commissioner (12:35 – 1:01) was invited to provide information and answer questions regarding funding for the Commission.

- Provisions included in Supplemental Budget proposal – when they become effective is the main question; emergency requires 2/3 vote in both Houses, non-emergency effective in 90 days.
  - \$10,000 for 2011 – 2012 (mileage); \$20,000 for 2012 – 2013 (mileage).
  - Account established for 2012 – 2013.
  - Allows for Education Commissioner to transfer funds to Commission account – need budget from you before they can determine funds (up to \$150,000).

Education Commissioner Stephen Bowen (12:45 – 1:09) was invited to provide information and answer questions regarding funding and Administration's position.

- Develop your work plan and short-term and long-term budgets. DOE will cover these costs in the short-term.
- Would like to see charter schools operational by Sept 2012, but more interested in getting it done it right.

Jennifer Pooler distributed handouts of LD 1762 (An Act To Amend and Clarify the Public Charter School Law) and mark-up showing revisions to original DOE proposed rule Chapter 140.

Discussion resumed on drafting of the Mission Statement:

The Maine State Charter School Commission will provide thoughtful stewardship in authorizing and monitoring public charter schools consistent with State statutes to create unique, high-quality learning options for Maine students.

Unanimously voted by those present.

Review of the Draft State Charter School Commission Procedures document.

- Removal of the "Definitions Section" copied from Charter School Law (Title 20-A, chapter 112).
- "Commission"
  - Nomination process for Officers – Commission Chair will name a Nominating Committee Chair and Election Clerk.

- Vacancies on the Commission – Jennifer Pooler will get clarification from AG's office.
- "Office" – Jennifer Pooler will serve as contact person and post information on the website; Donald Mordecai will set-up a g-mail account in the name of the Commission; office will be located at DOE.
- "Meetings"
  - Regular Meetings
  - Special Meetings
  - Agenda
  - Notice
  - Public Meetings
  - Quorum
  - Minutes

NACSA Principles and Standards – everybody has reviewed

A New Model Law For Supporting The Growth of High-Quality Public Charter Schools (NACPS provide by MACS) distributed

Shelley Reed excused 2:25

#### Next Steps

- Develop RFP
- Develop Rules on how to conduct business
- Develop working budget (two tiers – now through July; fiscal year 2012-2013)
- Develop application and application process
- Develop oversight process and procedures
- Desire to convene three public meetings to solicit input on statewide charter school needs - between now and March 1, 2012 (Portland, Bangor, Augusta)
- Visits to operational charter schools within next month
  - William Shuttleworth and Richard Barnes (Littleton, NH – collaborative for at-risk, regional model)
  - Jim Banks and Donald Mordecai (Surry Village, NH – small, rural)
  - Lynda Doyle (urban – Miami/DC)
- Membership willingness to "borrow" from other states applications and oversight procedures
  - William Shuttleworth will provide two samples of applications and two RFPs at next meeting
  - Jim Banks will provide the oversight procedures from MA and other states with independent authorizers
  - MACS will see what they can get from NACSA for Commission review
- Consider an annual application cycle
- Investigate other potential funding opportunities to support Commission
- Members should independently review LD 1762 (An Act To Amend and Clarify the Public Charter School Law)

- Meet to draft and approve comment for LD 1762 (An Act To Amend and Clarify the Public Charter School Law) (Special meeting Jan 18)
- Jim Banks to pursue (with Education Committee leadership) reimbursement for meals, and per diem for days members are conducting Commission business.

**ANNOUNCEMENTS:**

Next meeting (Special meeting) January 18, 2012; 9:00 – 11:00 AM; Burton Cross State Office Building, 111 Sewall Street, Augusta, ME; Room 500

Next regular meeting February 7, 2012; 9:00 AM – 3:00 PM; Burton Cross State Office Building, 111 Sewall Street, Augusta, ME; Room 500

**ADJOURNMENT:**

Moved by Jim Banks, seconded by Jana Lapoint, and unanimously voted by those present to adjourn the January 10, 2012 State Charter School Commission meeting at 2:59 PM.