

Maine Charter School Commission Meeting - December 4, 2012

Minutes

The State Charter School Commission held a meeting on December 4, 2012, at the Cross State Office Building, 111 Sewall Street, Augusta, Maine. The following members were present: James Banks; Richard (Dick) Barnes; John Bird; Jana Lapoint; Shelley Reed; and William Shuttleworth.

Also present: Bob Kautz, executive director, and Deanne Lavallee, administrative assistant

Excused: Heidi Sampson

CALLED TO ORDER:

Chair, Jana Lapoint called the meeting to order at 1:05 PM.

ADJUSTMENTS TO THE AGENDA:

No adjustments

APPROVAL OF MINUTES:

MOVED by John Bird, seconded by Shelley Reed, and unanimously voted by those present to approve the meeting minutes from November 6, 2012 and November 16, 2012.

OFFICER'S REPORTS:

Chair, Jana Lapoint

Chair has authorized Bob Kautz to complete the Registration as a Legislative Designee. Bob will find out how Commission Members can be registered.

Spoke with Justin Belanger, Cornville - reminder of January visit; will send request of information needed for our review.

Meeting with Sawin Millett 11/19/12 -

The request was made for the Commission to become a "quasi" agency and per-diem payments for the Commission members, which would require a change in the language with the funding appropriation. Sawin will get back to us, but no guarantee. Commission needs legal support, which is not reflected in our budget proposal, hoping DOE can continue to provide some legal support. Will be following up.

Friday, November 30, met with John Jaques, Baxter.

Add into agenda "Comments from the Executive Director" to the Commission.

Vice-chair, Richard Barnes

- None

Executive Director, Bob Kautz

- None

NEW BUSINESS:

- A. Chapter 002 - Approval for rule making process
- B. Chapter 001 - Approval for rule making process
- C. Pre-Opening Plan Exhibit C - Approval for adoption

Motion to table new business A, B, and C by Jim Banks, seconded by Shelley Reed and unanimously voted by those present to table.

- D. Monitoring Plan Exhibit E - Approval for adoption

Motion to accept as presented by John Bird, seconded by Shelley Reed, and unanimously voted by those present to approve.

**Maine Charter School Commission
Monitoring Plan
Exhibit E**

- **Complaints Received by the Charter School:**
 - The School shall adopt and maintain a policy regarding the receipt and resolution of public concerns and complaints. The School shall keep records of complaints received and their resolution and shall make those records available to the Commission annually.
- **Academic Proficiency, including Readiness for Postsecondary Enrollment:**
 - Within 3 months of the start of the first school year ("Year One"), the School will provide the Commission with a protocol for fulfilling its assessment plan (formative and summative) as listed in the Charter Application.

Target date: January 15.

- At the end of Year One, the School will provide a statistical summary of student scores in accordance with the appropriate MEDMS template.

Target date: June 30.

- Prior to the start of Year Two, the School will provide its plan for improving or maintaining student academic growth, based on its data from Year One.

Target date: September 1.

- In Years Two through Five, at mid-year and end-of-year, the Commission will be provided copies of reports used by the School to track student academic growth. At least once a year, the School will meet with the Commission's Executive Director to review these data reports and the annual plan to monitor and reach the academic targets for years 3, 4 and 5. (Refer to Performance Indicators for more specific areas)

Target dates: January 15 and June 30.

- **Special Education Compliance Review**

- At the end of Year One, the Commission will review all data relating to child find and students identified as eligible under IDEA requirements as promulgated by MDOE.

Target date: June 30.

- The School will provide the Commission notification of a due process complaint or a request for due process hearing **within five business days** of receiving the complaint or request. The Commission will monitor the School's response and any subsequent plan for correction of noncompliance.
- The Commission will review annually the agreement between the School and MDOE and/or an SAU or other approved provider for special education services to the school.

Target date: June 30.

- **Student Attendance and Enrollment**

- The Commission will receive simultaneous copies of student enrollment reports provided to sending SAUs in accordance with state reporting guidelines. Within

30 calendar days of receipt of said reports, the Commission will review the status with the chief executive of the school and/or the Chair of the governing board.

Target dates: October 1, February 15 and June 30.

- The Commission will receive an annual attendance report from the School, and the Commission will provide a report back to the School subsequent to its review.

Target date: June 30.

- **Social and Academic Climate, including Academic Discipline**

- The Commission will receive copies of the academic disciplinary reports required under federal and state statutes on the required filing dates.
- Copies of any expulsion records will be provided to the Commission **within ten business days** of any action taken by the governing board.

- **Parent and Community Engagement**

- Within three months of the start of Year One, the School will provide the Commission with a plan for parent engagement and conferences.

Target date: December 1.

- Annually, the School will provide a copy of its current parent-student handbook and related policies, highlighting any changes from that approved in the charter contract.

Target date: September 1.

- Commission members will meet annually with a representative group of parents, community members and/or volunteers for the purposes of receiving feedback on the school's community engagement plan.

Target date: At the annual on-site review. (See section 9 below.)

- **Transportation Contract, Food Service, Facilities Maintenance and Performance Record.**

- Provide an annual report on performance based on the respective plans as approved in contract. **Target date: June 30.**

- If necessary, the School and the Commission may re-open any relevant contract provision related to transportation, food service or facility maintenance based on the first annual review. **Target date: June 30.**

- **Financial Reports**

- The School will insure that monthly and quarterly financial reports are created and distributed to the governing board. The School will provide **quarterly reports** to the Commission with the evidence that the Governing Board has reviewed them in compliance with standard auditing practices.

Target dates: October 15, January 15, April 15 and July 15.

- Quarterly financial statements will include revenues and expenses in accordance with state accounting reporting system.

- The School will complete an annual audit in accordance with standard auditing practices for public schools and file a copy of that report with the Commission.

Target date: October 31.

- The school will provide a revised annual financial plan, based on known and projected enrollments, including anticipated grant, foundation and fundraising revenues.

Target date: September 1.

- **Governance Reports**

- Once a year the chair of the governing board and the chief school executive will have an on-site visit and meeting with the Commission to discuss the role of the board in exercise of its oversight responsibilities to the school and its students and families.

Target date: During the last quarter of the school year, while school is in session.

- **Standards and Processes for Revocation of a Contract**
 - If at any time the Commission determines, as the result of receiving a complaint or on its own review of the information obtained through the monitoring process, that it has significant concerns regarding the School's failure to comply with the terms of the Charter or governing law, or failure to meet any projected targets in one or more of the performance areas required by the Charter, the Commission will deliver a notice to the governing board of the School. Such notice shall identify the specific concerns, stating that the concerns represent potential violations of law or the Charter that could lead to sanctions by the Commission up to and including revocation of the Charter. The Commission shall require a written response, including a plan for timely remediation within **thirty calendar days** of receipt of the notice by the School.
 - No later than **ten business days** after receipt of the School's written response, the Commission will schedule an interview and public hearing to discuss the concerns identified by the Commission and the response as filed by the School.
 - For no less than **five business days** after the interview and hearing, the Commission will receive any further written comments from the School and/or the public.
 - After the additional response/comment period described above, the Commission will have **thirty business days** to issue a letter of findings including either : 1) conditions for the continued operation of the School including timelines for required remediation, or
- 2) the time and date under which the school is ordered to begin implementation of the Closure Plan. Subsequent failure on the part of the School to comply with the conditions and timelines for continued operation without seeking additional assistance or relief from the Commission will result in notice of the time and date under which the School is ordered to begin implementation of the Closure Plan.

- **Emergency Closure**

- The Commission may order an emergency closure of the school upon a finding that the health, welfare or safety of pupils enrolled is at imminent risk.

11-29-12 Approved 12-4-12

E. Establish tentative dates for public hearings and interviews of Charter School applicants.

Jana Lapoint turns discussion over to Bob Kautz.

*The in-person interview and public hearing date is contingent on the review of the application and recommendation by the review team and the subsequent Commission vote to approve the charter school application to move forward in this process.

<u>Activity</u>	<u>Charter School Applicant</u>		<u>*Date</u>	<u>**Times</u>	<u>Place for Interview/Hearing</u>
Interview	Harpswell Coastal Academy	Harpswell	1/18		Place and
Hearing	Heidi, Shelley, John			I 10-12:30 H 1-2	Storm Date to be added
	Heartwood Charter School for Visual and Performing Arts	Kennebunk	1/16		asap.
	John, Jim, William			I 10-12:30 H 1-2	
	Maine Virtual Academy (K-12)	Portland	1/14		
	William, Dick, Heidi			I 9-12 H 1-2	
	Maine Connections Academy	Scarborough	1/22		
	Dick, William, Jim			I 9-12 H 1-2	
	Queen City Academy Charter School	Old Town	1/24		
	Shelley, Dick, Jana			I 10:30-11:30 H 1:30-2:30	
**Times:	I = In-person Interview	H = Hearing			

February 5th is the regular Commission Meeting; the members will be voting on Fiddlehead and where applicable, should be ready to vote on the Fall 2012 applications.

From Shelley Reed: Following is the In-Person Interview and Public Hearing information to be sent to applicants approved to proceed by Commission recommendation.

In-person Interview

Time allotted for the In-person Interview will be ninety minutes.

The Review Team Chair will assemble any questions or concerns that need to be addressed with the applicant as a result of the evaluation criteria review. The Review Team Chair will preside over the Interview and Hearing. The climate of the hearing should be similar to a job interview with appropriate room set up.

The Chair of the Board, Head of School/School Leadership Team, of the proposed Public Charter School will be asked to prepare a 10 minute talk about the vision for the school. Spontaneous questions /discussion items, not submitted to the applicant will follow.

Convince us that your financial model is sufficient to open and sustain the school for the next 5 years

Why did you select this target population and how do you think your school will meet their needs?

Tell us how your governance/executive model will ensure successful operation of the school.

Discuss your staff recruitment and your professional development plan.

Other Commission members may then ask their questions.

Lastly the applicant will be asked, " Why should we be convinced that we should authorize a public charter school to you?"

Public Hearing

Review Team Chair will preside over the hearing opening it up to accomplish Chapter 2, section 7 (2).

"The purpose of the meeting is to elicit public comment on the expected impact if the purposed charter school on student, parents, the community to be served by the school, and public education in the State."

Time allotted for the Public Hearing will be 90 minutes.

The Public Charter School Applicant will speak for 4 minutes presenting the core elements of the school and may if they choose provide handouts.

Written testimony will be accepted within 5 days of the Public Hearing.

Persons wishing to speak will be given 3 minutes for their remarks.

The final decision to authorize a public charter school will be made at a later date not at the time of the In Person Interview or Public Hearing.

P/Charter School/In-person Interviews – Public Hearings – Notifications/12-4-12
APPLICANT INSTRUCTIONS

OTHER:

- Each of the chairs to talk to Bob Kautz regarding outside resources for review of the applications.

ANNOUNCEMENTS:

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

PUBLIC COMMENT:

- None.

ADJOURNMENT:

MOVED by William Shuttleworth, seconded by Shelley Reed, and unanimously voted by those present to adjourn the December 4, 2012 Maine Charter School Commission meeting at 2:05 PM.

Respectfully submitted by Deanne Lavalley.

Maine Charter School Commission Meeting - November 16, 2012

Minutes

The State Charter School Commission held a special meeting on November 16, 2012, at the Cross State Office Building, 111 Sewall Street, Augusta, Maine. The following members were present: James Banks; Richard (Dick) Barnes; John Bird; Jana Lapoint; Shelley Reed; Heidi Sampson; and William Shuttleworth.

CALLED TO ORDER:

Chair, Jana Lapoint called the meeting to order at 9:10 AM.

Richard Barnes, Vice Chair, will be conducting the official vote on Baxter as Jana Lapoint chaired the review team for this application.

OFFICER'S REPORTS:

None

NEW BUSINESS:

A. Recommendations by review team - Baxter Academy

Public Charter School Review Team Chair's Summary for Recommendation
Applicant_Baxter Academy for Technology and Science

Recommendation__The review team was split 2-1 in its recommendation. In favor, John Bird & Jana Lapoint, opposed Jim Banks.

A Education Plan

A.1.Mission, Vision, Identification of targeted student population and the community the school hopes to serve
A.2. Academic Program
A.3.Special Student Populations
A.4. Assessment
A.5. School Climate and Discipline

Strengths: Mission Statement is clear, concise and vision statement is aligned with Baxter's goals as a rigorous, college preparatory high school promoting student ownership of learning through curriculum focused specifically on science, technology, engineering and math. Baxter's long range

goals 5-10 years are laudable. On first appearance, the “Targeted Student Population” seemed aggressive but when taken into consideration that the only growth population in the State appears to be Southern Maine and the extensive Marketing plan provided, the student class size seems attainable. The academic program which focuses on “student centered learning” and “project based instruction” is well aligned with learning results and common core standards to guide student progress. This approach also offers students multiple entry points with varying learning styles and academic experiences. The use of Google Aps will also enhance individual learning. Also, the IBET or Integrated Biology, English and Technology program for freshmen is a unique concept that combines principles of the three disciplines toward common learning goals and objectives. The program requires authentic scientific research and analysis culminating with an IBET project. The internship for Juniors within the community and a senior capstone project are both unique and visionary within our academic world and commendable objectives for students. Not to be overlooked is the use of “Flex Fridays”. This will require a well- coordinated approach but with innovative teachers this may prove to be an example for other schools to follow. Special student populations which include students with learning disabilities and ELL have been adequately provided for with the curriculum. Student assessments have been mentioned above. Since the traditional grading system will not be in place, this will present a challenge both to students and teachers and will hold both more accountable for results. The discipline philosophy seems well established to handle the diverse backgrounds of students who may be drawn to Baxter. The concept of the “Vision Keepers” will also aid in providing a more cohesive student body.

Questions, Concerns

B Organizational Plan

B.1. School Calendar and Daily Schedule B.2. Student Recruitment and Enrollment B.3. Staffing and Human Resources B.4. Pre-Opening Plan B.5. Management and Operations B.6. Community Involvement

Strengths: The school calendar is acceptable and the daily schedule is satisfactorily aligned with its mission and vision statement. Baxter has presented a very extensive recruitment plan. The involvement of two Bowdoin volunteers to help with marketing and communications will aid greatly in the recruitment process. The catchment area for Baxter is the only area of the state with an increasing population and therefore Baxter should easily be able to meet their student enrollment goals. The management team has been identified and credentials seem more than adequate. Baxter will be reopening teacher positions in plenty of time for fall opening and have clearly stated what skills they will be looking for in attracting their future staff. Preopening plan has been revised and includes adequate financial safeguards for opening the school. The location is excellent and the building will not require major renovations to be ready in plenty of time for a September opening. All management positions have clearly defined areas of responsibilities. Baxter has reached out to many local organizations and businesses to support their program as referenced in the many letters of support. The area surrounding the school presents a richness not often found with high tech businesses, research institutions, colleges, architectural facilities and many other businesses in such close proximity. The concept of “Vision Keepers” will require both inside and outside support which will strengthen Baxter’s program. Potential parents and students to date have been actively involved in promoting the school and will most likely continue to be an asset to the school.

Questions, Concerns

Not a concern but it would be an option to have Baxter look into a longer day if they find that it does not make it impossible for students to attend after school activities in their hometown. Hours on task is important.

C Governance

C.1. Governing Body C.2. Governing Board Composition

Strengths

Board members have been increased and seem to cover the 3 “W’s of wealth, work and wisdom. Governance is an ongoing requirement of any good board and as we have seen Baxter is no exception.

An innovative system is their “Vision Keepers” fist to 5 approach which is in keeping with their mission and vision statement. They have an impressive advisory list. Hopefully, as they move forward these individuals will become active participants at Baxter.

Questions, Concerns Observations: Baxter will need to continue to define the roles and responsibilities of its board but they are off to a solid start. They might consider adding a parent or student to the Board in a non-voting capacity. Also, they could strengthen the committee process. They have created a large advisory board but need to demonstrate how extensive will their expertise be utilized.

D Business and Financial Services

D. 1. Budget D.2. Financial Management D.3. Facilities D.4. Transportation D.5. Insurance D.6. Food Service D.7. Closure Protocol

Strengths: To Baxter’s credit, the budget has gone through many revisions. This is always an ongoing process dictated by enrollment, fund raising capacity and current unforeseen issues. With the addition of Peter Montano, CPA of McDonald Page to the board, tighter controls and a very conservative estimate of additional revenue have left the first year of operation in the red. In this current year, many not for profit organizations have experienced a drop in gift giving. With only an idea, Baxter has received over \$80,000 in contributions and secured a \$500,000 line of credit without any collateral to back it which is just unheard in today’s financial world. They have created a very aggressive fundraising plan that on paper is well done but the results remain unknown. Baxter has recently submitted two additional requests for large donations. The amount they have raised without a program that people can come and see is laudable. The facilities on York Street are ideally located and the owner of the building has negotiated a new contract with Baxter which will lower their costs. The building will require minor revisions and with the exhibited architectural drawings for expansion, the building will be a fantastic facility. Transportation has been satisfactorily documented but will depend to some degree on where the students reside. Insurance is adequate and the food service contract with “Sprouts” is reasonable. The closure protocol meets State requirements for the closing of a school and plans are satisfactory. (D-7-i-iii)

Questions, Concerns

E Education Service Providers
Strengths
Do not intend to contract with an education service provider.

Questions, Concerns

Virtual School Applicants
Strengths

Not applicable

Questions, Concerns

Minority Recommendation

The main reason I cannot recommend Baxter Academy for approval is that the revenues are not sufficient to run this large type of school. The financial instability the schools overly relies on tuition, and its fundraising goals are also overly optimistic producing a major shortfall in revenues needed to fund Baxter Academy listed in their budget is over \$200,000 dollars in the first year. Baxter Academy's revenue comes mainly from tuition, which is predicated on recruiting 160 students the first year, which will be difficult to achieve. Raising private dollars is always a challenge, and conservatively, raising \$150,000 is very ambitious and very difficult to achieve. I do not see where this problem will be resolved in the remaining 4 years of the Charter Contract if approved.

Lack of support from community and business leaders from the greater Portland area are missing especially prominent STEM business leaders. It is my opinion that this has been caused partially because the Baxter Academy has not fully engaged the citizens and business community of Portland on this proposed school.

Finally, I will vote to deny the application of Baxter Academy.

James Banks, Sr., Commission Member

Motion by William Shuttleworth: I move to advance the Baxter Academy Application for Charter School status to contract phase, with the intent that by March 15, 2013, Baxter will provide verification of 150 students who have signed unwavering commitment to

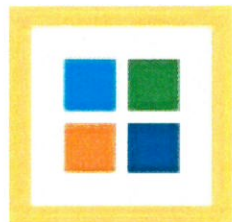
enroll and fundraising efforts that will not require a deficit budget for the first year of operation, seconded by Shelley Reed.

Alphabetical vote of the Commission Members called by Richard Barnes, Vice Chair: Banks: no; Bird: yes; Lapoint: yes; Reed: yes; Sampson: yes; Shuttleworth: yes. Barnes: no.

Application conditionally approved for a public charter school contract with a vote five (5) yes and two (2) no.

5 minute recess.

B. Approval of MeANS Bylaw Revisions



MAINE ACADEMY OF NATURAL SCIENCES

AT GOOD WILL-HINCKLEY

Motion: Proposed that the MeANS Board of Directors ask that the MeANS Bylaws and Articles of Incorporation be amended to reflect the following change:

ARTICLE 5 – OFFICERS

Section 5.1 Officers. The officers of the corporation shall consist of the Board Chair, a Vice Chair, a non-voting President, a non-voting Treasurer, ~~an Assistant Treasurer~~, a Secretary, a Chair of the Finance Committee and such other officers and assistant officers as the Board of Directors shall deem desirable. No two offices may be held by the same person. In addition to the duties and powers specifically set forth in these Bylaws, each officer shall have such duties and power as the Board of Directors may from time to time prescribe.

Section 5.2 Election and Term of Office. The officers shall be elected annually by the Board of Directors at its annual meeting, or as soon thereafter as convenient and each officer then holding an elective office shall continue to hold said office or offices until his or her successor shall have been duly elected.

Section 5.3 Qualifications. The Board Chair, Vice Chair and Secretary shall be elected from among the Directors of the corporation.

Section 5.4 Vacancies. A vacancy in any office caused by death, resignation, removal, disqualification, or otherwise, shall be filled by the Board of Directors for the unexpired portion of the term.

Section 5.5 “Chair of the Finance Committee: The Chair of the Finance Committee shall have oversight of all financial affairs of the corporation.”

Section 5.6 Treasurer. The Treasurer shall have general charge of the financial affairs of the corporation. The Treasurer shall have custody of all funds of the corporation, subject to such regulations as may be imposed by the Board. The Treasurer may be required to give bond for the faithful performance of his or her duties, in such sum and with such sureties as the Board may require. The Treasurer shall deposit, or cause to be deposited, all moneys of the corporation in such depositories as may be designated by the Board. The Treasurer shall keep or cause to be kept full and accurate accounts of the receipts and disbursements of the corporation in suitable books of the corporation and shall exhibit such books upon request of any officer or Director for any proper purpose at any reasonable time. The Treasurer shall be a non-voting member.

Section 5.7 Secretary. The Secretary shall have charge of such books, documents, and papers as the Board of Directors may determine and shall have the custody of the corporate seal. The Secretary shall attend and keep or cause to be kept the minutes of all the meetings of the Board of Directors. The Secretary shall keep or cause to be kept a record of the names and addresses of the Board of Directors. The Secretary may certify all votes, resolutions, and actions of the Board of Directors and of its committees.

Section 5.8 Board Chair. The Board Chair shall preside at all meetings of the Board and shall have such other powers and responsibilities as set forth in these Bylaws. In the absence of the chair, the vice chair may act and have the powers of the chair.

Section 5.9 President. The President shall have such authority and responsibilities as designated by the Board of Directors. The President shall be a non-voting member.

MOVED by Jana Lapoint, seconded by Dick Barnes, and unanimously voted by those present to accept the change from Maine Academy of Natural Sciences "MeANS."

OTHER:

- New Applications: Heartwood, Maine Connections Academy, K-12 Maine Virtual Academy are ready to be picked up for your review.
 - Bob Kautz will contact review team members to help with finding technical assistance in reviewing applications
 - More competition with more applicants than slots - will need to be very clear, concrete, refer back to RFP for more precise level of review and feedback. Current RFP has no discerning competitive element will need to be added in for differentiation in a competitive process
 - Do you want to issue an RFP and what do you want it to be?
 - Commission does have authority to direct people to certain concepts or region by RFP.
 - Need to begin work first of the year – December workshop agenda.

- Report on Chapter 2 discussion in am; approval in the afternoon. Chapter 2 needs to be forwarded for law making.
- Chapter 1 initial.

ANNOUNCEMENTS:

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

PUBLIC COMMENT:

- None.

ADJOURNMENT:

MOVED by Jim Banks, seconded by Shelley Reed, and unanimously voted by those present to adjourn the November 16, 2012 Maine Charter School Commission meeting at 12:00 noon.

Respectfully submitted by Deanne Lavallee.