

CHARTER SCHOOL COMMISSION MEETING MINUTES

Thursday, September 15, 2016 | 10:00 a.m. to 5:00 p.m.

South Seattle College, Georgetown Campus, Colin Education Hall
6737 Corson Avenue South, Seattle, WA 98108

Attendance:

Commissioners: Trish Millines Dziko, Dan Grimm, Dr. Stacy Hill, Dr. Margit McGuire, Dave Quall, Steve Sundquist, and Cindi Williams

Absent: Jack Archer, Raymond Navarro

Leadership Team: Joshua Halsey, Executive Director; Dr. Cathy Fromme; Paula Kitzke; Aileen Miller, Assistant Attorney General; Sandy Green, Executive Assistant

Guests: Excel Public Charter School: Kristina Howard, Executive Director; Jessica de Barros, Board Chair; Lihi Rosenthal (Executive Director, Seneca Family of Services WA); William Haft (NACSA); Tim Corey (Colibri Facilitation)

Call To Order:

Roll Call

Chair Sundquist called the meeting to order at 10:05 a.m. The following Commissioners were present: Trish Millines Dziko, Dan Grimm, Dr. Stacy Hill, Dr. Margit McGuire, Dave Quall, Steve Sundquist, and Cindi Williams. It was determined a quorum was present to proceed with the meeting. Commissioner McGuire attended via conference call. Commissioner Dziko arrived at 11:16 am. Commissioner Hill left at 2:15 p.m.

Approval of the August 11, 2016 Commission Meeting Minutes

Meeting Minutes for the August 11, 2016 Commission meeting were reviewed and approved. Steve Sundquist moved. Dan Grimm seconded. Motion carried, with no opposes. Cindi Williams abstained. Commissioners requested that future minutes identify the key points when a member of the public provides comments.

Public Comment

No public comment was provided.

Chair Report – Steve Sundquist

Chair Sundquist reported that the appointment process is running into challenges. Senator Litzow is working on the two remaining appointments to the Commission and he has a list of potential names. Chair Sundquist also reported that Commissioners can only serve two consecutive terms and many of the current commissioners are on their second terms. Counsel Miller and Executive Director Halsey have discussed this and will provide an update of their interpretation on term limits at the October meeting.

Executive Director Report

Charter School Updates

Executive Director Halsey began his report with two follow-up items from the August Commission meeting: staff retention rates at the charter schools and compliance with RCW 28A.710.030(5), which requires that *a charter school board, through web site postings and written notice with receipt acknowledged by signature of the recipient, must advise families of new, ongoing, and prospective students of any ongoing litigation challenging the constitutionality of charter schools or that may require charter schools to cease operations.* Executive Director Halsey provided the staff retention rates and stated that all the charter schools are in compliance with the law.

Executive Director Halsey reported that during the 2015-16 school year charter schools were only operational between September and early December, which means there are no Smarter Balanced Assessment (SBA) data on charter schools. Mary Walker School District contracted with some former charter schools to operate Alternative Learning Experience (ALE) programs, and there is SBA data associated with those ALE programs; although the Commission had no oversight authority over the schools while they were contracted with Mary Walker School District.

Executive Session

An Executive Session was begun at 10:43 a.m. pursuant to RCW 42.30.110(1) to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. The Executive Session adjourned at 10:55 a.m. No final action was taken during the Executive Session.

Chair Sundquist reconvened the Commission in Open Session at 10:56 a.m.

Executive Director Report (Resumed)

Executive Director Halsey reported that he has made plans to visit Willow Public Charter School's board and school leader, as well as the district leadership at Spokane Public Schools regarding their two

charter schools. In October, he will begin the first round of board observations for all operational charter schools. Board observations are one component of the oversight the Commission provides to charter schools and the Commission has developed an observation protocol that aligns with the Performance Framework expectations. Charter school boards will be formally observed four times a year.

Education Service Provider Contracts Update and Approval

Executive Director Halsey stated that SOAR and Seneca Family of Services are working closely to address some outstanding issues regarding the Education Service Provider Contract (ESP) and stated that he will provide a recommendation regarding the ESP contract to the Commission at the October meeting.

Performance Framework Updates

OSPI released the Smarter Balanced Assessment (SBA) results in late August and the Commission has both SBA proficiency and growth data that will allow for the Academic Performance Framework trial runs to commence. However, the Achievement Index (AI) data will not be available until April, 2017. Executive Director Halsey has been working with the National Association of Charter School Authorizers (NACSA) and Public Impact to conduct the trial runs. Per NACSA's Core Guidance document, once the measures and targets have been developed, but prior to adoption, a trial run should be conducted, testing the framework against actual charter school performance data. The Commission does not have actual charter school performance data; therefore, we will use data from schools that are similar in size, location and demographics to the charter schools the Commission has authorized. Executive Director Halsey provided a timeline regarding the Academic Framework scope of work that concludes with Commission adoption of the Academic Framework. He plans to review trial run data with the Commission at the October meeting.

Welcoming Paula Kitzke

Executive Director Halsey introduced Paula Kitzke to the Commissioners. Paula began her tenure with the Commission on September 9, 2016 as the Commission's and OSPI's Special Education Program Supervisor.

Lawsuit Challenging Constitutionality of Charter School Act Updates

Executive Director Halsey informed the Commission that several motions have been filed with King County Superior Court since the lawsuit challenging the constitutionality of the Charter School Act was filed on August 3, 2016:

- Motion to Intervene in the Charter School lawsuit was filed on August 23, 2016 by several charter school parents and students, the Washington State Charter School Association, Green Dot, Innovation Schools, Spokane International Academy, Excel Public Schools, SOAR Academy, Pride Prep Public Schools and Rainier Prep.

- Intervenors also filed on August 23, 2016 a Motion to Dismiss all of the organizational plaintiffs (El Centro, League of Woman Voters, and several labor organizations) for lack of standing.
- The Attorney General's Office filed on August 24, 2016 a Partial Motion to Dismiss two of the Plaintiffs' seven claims for legal defects making them non-justiciable. A hearing for this motion is scheduled for November 4, 2016 at 11:00 am.
- On August 31, 2016 King County Superior Court granted the intervenors' motion to intervene.

Legislative Strategy Development

Executive Director Halsey informed the Commission that he will present a legislative strategy at the October Commission meeting.

Executive Director Evaluation Timeline

The Commission discussed when and how they will conduct this year's annual review of Executive Director Halsey's performance. It was determined that Executive Director Halsey would provide a self-evaluation based on his professional growth and the organizational challenges he navigated during this past year. Conversations will begin in November.

Meeting Roster

The meeting materials packet included a list of the individuals and organizations that Executive Director Halsey met with since the August Commission meeting.

December Commission Meeting

There was discussion on whether to move the December 15th Commission meeting to December 8th or to cancel the meeting. Steve Sundquist recommended that the December meeting be cancelled. Being that there were no objections, the December meeting was cancelled.

Excel Public Charter School Presentation

Excel Public Charter School provided a presentation to the Commission on their school, and the Education Service Provider contract they have with Green Dot Public Schools Washington.

Establishing Commission Norms and Developing Governance Structure

With the passing of the new Charter School Act, the Commission is in the midst of several transitions ranging from the addition of two Commissioners, to the Commission being housed within the Office of Superintendent of Public Instruction (OSPI) for administrative purposes only. These transitions have created an opportunity for the Commission to review its standard operating procedures and initiate a collective conversation regarding what changes, if any, they would like to make in order for the entire Commission to develop consensus regarding its norms and strategic vision. The Commission engaged in

a collective dialogue with the following goals: to deepen their shared understanding of the legal landscape; to deepen their shared understanding of the work obligations they have as an agency; to understand the history of the Commission, the current composition, and future direction of the Commission; to develop Commission standard operating procedures (norms) and a roadmap for developing potential changes in governance approach. Included in the discussion was the review of the Commission's *Strategic Plan*, *Strategic Plan Measuring*, *Bylaws*, and the *Executive Director Delegated Authority* documents.

Next Steps

The following next steps were identified:

1. Next meeting is October 13th at South Seattle College - Georgetown Campus
2. Complete appointment process
3. SOAR ESP Contract
4. Conduct academic performance data trial run
5. Legislative strategy
6. Executive Director performance review
7. Bylaws updated
8. Officer elections
9. Strategic planning
10. Review New School Application at October meeting
11. Calendaring for Commission's 2017 meetings
12. Agency Rules Updated

Commission adjourned at 4:05 p.m.