



MEETING MINUTES

Thursday, May 21, 2015 | 10:00 a.m. to 5:00 p.m.
Skagit Valley College, Mount Vernon Campus
Northwest Career & Technical Academy, Auditorium
2405 East College Way
Mount Vernon, WA 98273-5899

Attendance:

Trish Millines Dziko (Telephonic), Margit McGuire, Raymond Navarro, Dave Quall, Steve Sundquist, Larry Wright, and Cindi Williams

Absent: Kevin Jacka

Staff: Joshua Halsey, Executive Director; Cathy Fromme, Deputy Director; Aileen Miller, Assistant Attorney General; Colin Pippin-Timco, Executive Assistant

Call To Order

Roll Call

Chair Sundquist called the meeting to order at 10:10 a.m. Attendance was taken. The following Commissioners were present: Margit McGuire, Raymond Navarro, Dave Quall, Steve Sundquist, Cindi Williams. It was determined a quorum was present to proceed with the meeting.

Chair Sundquist announced that Commissioner Wilburn had stepped down from the Commission due to health related issues on Saturday, May 23, 2015.

Approval of the April 16 Commission Meeting Minutes

Meeting minutes for the April 16, 2015 Commission meeting were reviewed and approved – Commissioner Williams moved, and Commissioner McGuire seconded. The motion passed unanimously.

Public Comment

Mitch Price, Director of Policy and Government Relations for the Washington State Charter Schools Association (WACHarters) thanked Commission staff for hosting a new school orientation on April 28, as well as for organizing a full day of learning at the Office of Superintendent of Public Instruction (OSPI) on April 27.

Chair Report: Steve Sundquist

Chair Sundquist thanked WACHarters for hosting the second annual WACHarters conference on May 7-8.

Chair Sundquist noted that he had received a call on May 8 from the Fauntleroy Church office manager – Chair Sundquist is a member of the church’s congregation. The office manager stated that she had received a call from a Summit Public Schools (Summit) supporter noting that Chair Sundquist was a member of the church’s congregation and that he was a “huge supporter” of Summit. The caller requested that the church support a signature campaign in support of the proposed Summit school nearby. Chair Sundquist instructed the office manager via email to take a negative stance on the signature campaign and communicate that to the caller, as well as clarifying that Chair Sundquist’s affirmative vote on both Commission-Authorized Summit schools’ application during the 2013 Request For Proposals (RFP) was not an indication that Chair Sundquist was a “huge supporter” of Summit. Chair Sundquist then attempted to contact Jen Davis Wickens, Chief Regional Officer for Summit, with his concerns. They connected that weekend, with Ms. Davis Wickens noting that the contact was likely initiated by a volunteer Summit supporter. To date, no signature gatherers have approached the church.

Chair Sundquist noted that he did not feel the above presented a conflict regarding his vote on Summit’s 2015 RFP application. Ms. Miller noted that the Commission had established protocols for communications with applicants and their supporters during the Commission’s annual RFP. These protocols will be re-released to Commissioners.

Commissioner Wright arrived at 10:35 a.m.

Executive Director Report: Joshua Halsey

Update on Legislative Strategy

Mr. Halsey noted that if the Legislature did not pass a biennium budget by July 1, this may have a negative implication for Commission staff regarding employment, as well as for Commission-Authorized charter schools who would be forced to construct their 2015-16 budgets based upon speculative numbers.

Mr. Halsey noted that, at the WACHarters conference, he had had a conversation with Jack Archer, Director of Basic Education Oversight for the Washington State Board of Education (SBE), regarding SBE’s [annual report on charter schools](#). The report will include SBE’s assessment of charter school funding, as well as recommendations for changes to statute or policy concerning charter schools. Mr. Halsey encouraged the Commission to work collectively with SBE and stakeholders to strengthen the statute. Mr. Price confirmed that WACHarters had begun analysis for the report.

Update on Authorized Schools

Mr. Halsey confirmed that all Commission-Authorized charter schools had secured facilities.

Mr. Halsey noted that he and Ms. Miller continued to work with Commission-Authorized charter schools, governmental agencies and other stakeholders to define charter schools' access to levy funding.

Mr. Halsey noted that all Commission-Authorized charter schools had engaged in a full day of learning with OSPI on April 27, and that schools scheduled to open in the 2015-16 and 2016-17 school year had engaged in a new school orientation on April 28. Mr. Halsey shared an image developed by a graphic facilitator of the conversation on April 28.

Mr. Halsey noted that conversations continued regarding Commission-Authorized charter schools signing a new model contract. Mr. Halsey noted that Mr. Price was assisting in coordinating efforts.

Agency Rules Update

Mr. Pippin-Timco noted that staff had filed for adoption of an amendment to WAC 108-20, *Application* to reduce the number of application hardcopies charter school applicants need to deliver to the Commission from ten to five hardcopies, and to increase the number of days applicants have to deliver application hardcopies from five to ten business days.

Mr. Pippin-Timco noted that staff had filed for adoption of an amendment to WAC 108-30, *Performance Framework* removing the following language:

- 108-30-020(3)(a) student academic literacy in history/social studies/civic education, technical subjects, and advanced proficiency measurements in English language arts and literacy in history/social studies/civic education; and
- (3)(d) student performance and participation on the American College Testing (ACT) or Scholastic Assessment Test (SAT).

Standing Committee Update

Finance Committee

The Finance Committee update was deferred to the First Place Scholars (FPS) conversation later in the agenda.

Charter School Authorization (Authorization) Committee

Mr. Halsey reported that the Authorization Committee was in the process of developing a tiered application for the 2016 RFP. The tiered application would request applicants to first submit an executive summary and budget. If this first submission met standard, the applicant would be invited to submit a full application.



Charter School Performance (Performance) Committee

Mr. Halsey reported that the Performance Committee had discussed a timeline for Performance Framework data:

- Data pertaining to the Organizational Performance Framework would be collected throughout the school year within the Charter Tools oversight software.
- Data pertaining to the Academic Performance Framework would theoretically be available three-weeks after the school administers the Smarter Balanced Assessment, but more likely available at end of the school year.
- Data pertaining to the Financial Performance Framework would be partially available through quarterly financial reports but school audit reports will not be available until November or December of the following school year.

Mr. Halsey noted that the Performance Committee would develop a recommendation for further post-secondary readiness indicators for the Commission's June or July meeting.

Mr. Halsey noted that the Performance Committee had discussed the inclusion of whole child indicators within the Performance Framework. However, these indicators were often based upon student surveys, and thus not recommended for high-stakes evaluation. Mr. Halsey suggested further investigation of the District of Columbia Public Charter School Board's (DCPCSB) publishing of charter school discipline data on its website.

Public Comment: FPS Representatives

Catrice Dennis, Assistant Instructional Aid and Academic Elective Coordinator for FPS, stated that changes had been made at FPS since Dr. Linda Whitehead had been hired as school leader, and that FPS tended to a population that has experienced a lack of stability.

Demi Garret, Parent Representative for FPS, stated that her child had started the 2014-15 school year at a Kindergarten reading level and would end the year at a First Grade reading level. Ms. Garret noted that FPS helped to stabilize children and families dealing with trauma, and that, were the Commission to revoke FPS' charter, it would have a negative impact on several FPS students.

2015 RFP Update

Dr. Fromme reported that Commission staff had received two charter school applications in response to the 2015 RFP by the May 15 deadline:

- Innovation Schools, Willow Public School, Walla Walla



- Summit Public Schools, Summit Public School: Seattle #2, South Seattle

Dr. Fromme noted that Commission staff surveyed other parties who had submitted Notices Of Intent (NOI) to apply to the RFP, but had not subsequently submitted a full application. Many parties noted that they would be applying in coming years. The survey responses confirmed that the Commission's RFP was a rigorous process.

There was discussion about the difficulties of attracting high-quality charter school management organizations (CMO) to Washington. Commissioner Williams agreed to survey national CMOs regarding the difficulties associated with opening charters in Washington.

Dr. Fromme reported that Commission staff had identified 3 application evaluators for the 2015 RFP.

Recognition of Dave Quall

Dr. Tim Bruce, La Conner School District Superintendent, gave a presentation regarding Commissioner Quall's work with the La Conner School District to help found Northwest Career & Technical Academy, as well as Commissioner Quall's lifetime of work in public education.

The Commission broke for lunch at 11:50 a.m.

The Commission returned from lunch at 12:28 p.m.

Executive Session

Chair Sundquist adjourned open session at 12:28 p.m. An executive session was held pursuant to RCW 42.30.110(1)(i).

Chair Sundquist reconvened the Commission from executive session at 1:25 p.m.

Action from Executive Session

There was no action from the executive session.

Commissioner Dziko joined telephonically at 1:25 p.m.

FPS

Mr. Halsey presented on the ongoing Commission oversight and inquiry efforts with FPS. Mr. Halsey noted that there has been some progress, but despite the commitment and effort of FPS' leadership, FPS has been unable to meet its basic obligations as a charter school. Over the course of the 2014-15 school year, evidence has been gathered and FPS has confirmed that:

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- Special Education (SPED) students have not received the services they are legally entitled to;
- English Language Learning (ELL) students have not received the services they are legally entitled to;
- Despite several opportunities, FPS could not produce evidence demonstrating that the core components of the educational program it designed and committed to provide under its charter contract were occurring; and
- Concerns persisted regarding the financial viability of the school.

In regards to these deficiencies, Mr. Halsey presented the following options for Commission action:

- The Commission could find that FPS had adequately addressed each of the confirmed deficiencies and allow the school to continue operations.
 - Mr. Halsey noted that this option presented extreme risk for the Commission, as the data FPS had presented to the Commission did not support this action.
- The Commission could find that FPS had made progress towards remedying the confirmed deficiencies, but the progress was not sufficient. This option could result in the Commission issuing a series of sanctions that were tightly aligned to the confirmed deficiencies, time bound and closely monitored.
 - Mr. Halsey noted that, if the Commission chose this action, then the sanctions should come in the form of clear benchmarks and explicit consequences for failure to meet the benchmarks. Many of these benchmarks would need to be satisfied before First Place would be allowed to serve students next fall. Mr. Halsey also urged the Commission to consider FPS' track record in achieving benchmarks before choosing this action.
- The Commission could find that despite the progress FPS had made in addressing the confirmed deficiencies, material breaches of the charter contract continued and revocation of the charter contract is warranted.
 - Mr. Halsey noted that, by choosing this option, the Commission would send a clear message that it is fulfilling its mission of providing transparent accountability and living up to its values of being a student-centered organization that holds charter schools accountable for the promises made and the commitment to improving student outcomes.

Finance Committee Update Regarding FPS

Commissioner Wright reported that the Finance Committee had met on May 18 to review financial documents submitted by FPS in response to an April 29 Commission request. The Finance committee had also reviewed an analysis of the finance documents produced by Matthew Shaw, an independent

charter school finance consultant. The Committee concluded that there was a low probability that FPS would have to close its doors because of a financial shortfall before the end of the 2014-15 school year.

Performance Committee Update Regarding FPS

Commissioner McGuire reported that, despite multiple requests of the Commission, FPS could not produce consistent data that confirmed it was in compliance with provision 4.4.1 c *School Objectives* of its charter contract. Commissioner McGuire noted that the objectives in provision 4.4.1 c were the objectives submitted in FPS' 2013 RFP application and codified in the charter contract, and to date there has been no request by FPS to modify or remove the objectives.

The Commission discussed at length the above information regarding FPS.

Executive Session

Chair Sundquist adjourned open session at 3:30 p.m. An executive session was held pursuant to RCW 42.30.110(1)(i).

Chair Sundquist reconvened the Commission from executive session at 3:53 p.m.

Action from Executive Session

There was no action from the executive session.

The Commission discussed enforcement options regarding FPS.

Commission Action Regarding FPS

Chair Sundquist moved to create a task force consisting of himself, Commissioner McGuire, and Commissioner Williams to create a sanction-based resolution regarding FPS to be heard and acted upon on June 3, 2015. The task force's assignment is to create a resolution for Commission consideration outlining a set of conditions that FPS would have to successfully meet by June 15, 2015 and perhaps beyond. If the resolution is rejected by the Commission, there is potential for an alternative resolution that may propose revocation. Commissioner Wright seconded.

Commissioner McGuire voiced opposition to the motion, stating that the evidence to date suggests that FPS does not have the capacity to meet the June 15 deadline.

The motion passed 5 to 2: Commissioners McGuire and Navarro opposed.

Commissioner Dziko departed at 4:45 p.m.

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Continue Development of Performance Framework

Academic Framework: Regression Analysis

Lyria Boast, Senior Consultant for Public Impact, and Whitney Spalding Spencer, Director of Authorizer Development for the National Association of Charter School Authorizers (NACSA), gave a presentation regarding the use of regression analysis in the Commission's Academic Framework.

The Commission adjourned at 5:27 p.m.

