

**STATE OF WASHINGTON
CHARTER SCHOOL COMMISSION
MEETING MINUTES**

Thursday, October 9, 2014 – 10:00 a.m. to 5:00 p.m.

Yakima Valley Community College

Parker Room

South 16th Ave. & Nob Hill Blvd.

Yakima, WA 98902

Attendance:

Trish Millines Dziko, Kevin Jacka, Dr. Margit McGuire, Raymond Navarro, Dave Quall, Steve Sundquist, Roberta Johnson Wilburn, Cindi Williams, and Larry Wright.

Staff: Joshua Halsey, Executive Director; Dr. Catherine Fromme, Commission Contractor; Aileen Miller, Assistant Attorney General; Colin Pippin-Timco, Executive Assistant

CALL TO ORDER

Roll Call

Chair Sundquist called the meeting to order at 10:08 a.m. Attendance was taken. The following Commissioners were present: Trish Millines Dziko, Kevin Jacka, Dr. Margit McGuire, Raymond Navarro, Dave Quall, Steve Sundquist, Roberta Johnson Wilburn, Cindi Williams, and Larry Wright. It was determined a quorum was present to proceed with the meeting.

Approval of the August 19 Commission Meeting Minutes

Meeting minutes for the September 23 Commission meeting were reviewed and approved – Commissioner Wright moved, and Commissioner Dziko seconded. The motion passed with one abstention, Commissioner McGuire.

Statement from Rep. Eric Pettigrew

Tom Franta, CEO of the Washington State Charter Schools Association (WACHarters), read a statement on behalf of Rep. Eric Pettigrew, 37th Legislative District, regarding support for Green Dot Public Schools Washington State (Green Dot WA)'s 2014 charter school application.

PUBLIC COMMENT¹

Steve Myers, Superintendent of Educational Service District (ESD) 105, read a statement on behalf of Richard Cole, Superintendent of the Sunnyside School District, regarding the lack of need in Sunnyside for a charter school as described in the Charter Schools of Sunnyside (Sunnyside) 2014 application.

Jamie Johnson, Teacher at Pioneer Elementary School in Sunnyside, WA, expressed concern over the perceived lack of a school psychologist, education plan, transportation plan, meal plan, and competitive wages in the 2014 Sunnyside application.

¹ Two public comments do not appear in these notes, as the note taker was unavailable due to a technical difficulty.

Paula Green, Special Education (SPED) Teacher in Sunnyside, WA, expressed concern with the full-inclusion education model in the 2014 Sunnyside application in regards to services for SPED students.

Isabelle Castro, English-Language-Learners (ELL) Teacher in Sunnyside, WA, expressed concern with the full-inclusion education model in the 2014 Sunnyside application in regards to services for ELL students.

Shannon Pierce, SPED Teacher in Sunnyside, WA, expressed concern with the full-inclusion education model in the 2014 Sunnyside application in regards to services for SPED students.

Micaela Razo, of the League of Education Voters (LEV), expressed a concern that the 2014 Sunnyside application as well as members of the non-profit's governing board lacked cultural competency.

Karl Johnson, Teacher in Sunnyside, WA, expressed concern with the perceived lack of a transportation plan in the 2014 Sunnyside application.

Heidi Hellner-Gomez, Executive Director of Instructional Leadership of the Sunnyside School District, expressed the district's desire to be unified in pursuit of excellence.

Brian Hart, Executive Director of Teaching and Learning of the Sunnyside School District, expressed concern that the approval of a charter school in Sunnyside, WA could have an effect on the district's resources.

Tom Franta, CEO of WACHarters, noted that Commission-approved charter school First Place Scholars had received a Charter Schools Program U.S. Department of Education Grant.

Derek Weaver, Doctor in Sunnyside Washington, expressed the need for public school options in Sunnyside, WA.

Gary Johnson, Board Member of Charter Schools of Sunnyside, expressed respect for the educators and superintendent of Sunnyside School District, as well as the need for public options in Sunnyside, WA.

Veronica Rivero, Board Member of Charter Schools of Sunnyside, expressed the need for public school options in Sunnyside, WA.

EXECUTIVE SESSION

Open session was suspended at 10:54 a.m. The Commission went into executive session pursuant to RCW 42.30.110.

Open session was reconvened at 11:29 a.m.

CONFLICT OF INTEREST DISCUSSION

Commissioner Wright noted that his employer, the College Success Foundation, received funding from the Bill and Melinda Gates Foundation (BMGF). Commissioner Wright noted that this could be perceived as a conflict of interest with 2014 charter school applicant Green Dot Public Schools Washington State, as the non-profit received funding from BMGF as well.

Commissioner Dziko noted that the perceived conflict of interest was too far removed, and moved to allow Commissioner Wright to participate in the resolution on Green Dot's 2014 application; Commission Williams seconded: the motion passed unanimously.

EVALUATION TEAM RECOMMENDATION OVERVIEW

Executive Director Halsey presented an overview of the 2014 Request for Proposals and the evaluation team recommendation process. Mr. Halsey noted that applications were thoroughly vetted by an evaluation team, who in turn participated in in-person capacity interviews with each applicant to produce a draft recommendation report. Applicants were provided an opportunity to respond to any factual or clerical errors found in the draft recommendation report, and the evaluation team addressed these discrepancies before producing a final recommendation report.

For applicants currently operating multiple charter schools (Charter Management Organizations [CMO]) a separate due-diligence report was created by the National Association of Charter School Authorizers (NACSA) regarding the CMO's student performance data.

RESOLUTION PROCESS OVERVIEW

Chair Sundquist presented an overview of the 2014 resolution process including the roles of lead Commissioners. Those Commissioners were:

- Commissioner Wright: Bilingual Charter Academy
- Chair Sundquist: Green Dot Public Schools Washington State, Seattle Charter School
- Commissioner Jacka: Charter Schools of Sunnyside, Sunnyside Charter Academy
- Commissioner Williams: The Ducere Group, The Village Academy

Chair Sundquist noted that the lead commissioner would present a resolution of either approval or denial. In the case of a resolution of denial, the lead commissioner would give reasons for denial.

CHARTER SCHOOL APPLICATION RESOLUTIONS

Bilingual Charter Academy

Evaluation Team Recommendation and Executive Director Remarks

Mr. Halsey noted that the Bilingual Charter Academy was recommended for denial because the application partially met the Commission rubric standard in Educational Program and Operational Plan and did not meet the standard in Financial Plan. Mr. Halsey acknowledged the large community presence at the Bilingual Charter Academy's public forum, and noted that this indicated a need and desire for the proposed charter school in Clark County, WA. However, the application did not meet Commission standards. Mr. Halsey concurred with the recommendation for denial.

Applicant Addresses Commission

Commission Questions for Applicant

There was no representative from the Bilingual Charter Academy at the October 9 Commission meeting.

Commission Discussion and Resolution

Lead Commissioner Wright noted that it was unfortunate that there was no representative from the Bilingual Charter Academy at the October 9 Commission meeting. Lead Commissioner Wright also expressed concern that the proposed charter lacked a plan for Spanish-speaking ELL students. Lead

Commissioner Wright moved to deny Bilingual Charter Academy because the proposal did not meet the established rubric standard in:

- Educational Program
- Operational Plan
- Financial Plan

Chair Sundquist noted that the Bilingual Charter Academy's Public Forum had served as a learning process for the Commission's own language services provided at public events.

Commissioner Jacka seconded the resolution for denial: the resolution passed unanimously; Bilingual Charter Academy was denied a charter.

The Commission broke for lunch at 12:00 p.m.

The Commission returned from lunch at 12:54 p.m.

**Green Dot Public Schools Washington State, Seattle Charter School
*Evaluation Team Recommendation and Executive Director Remarks***

Mr. Halsey noted that Green Dot WA was recommended for approval because the application met the Commission rubric standard in all areas, including Existing Operators – Green Dot National is a CMO. Though the applicant had met the rubric standard in all areas, Mr. Halsey had concerns about Green Dot WA's perceived lack of public representation at its public forum. Mr. Halsey noted that Green Dot WA's bylaws may limit the Washington-based board's autonomy, as Green Dot National may remove the Washington board members. Mr. Halsey concurred with the recommendation for approval.

Applicant Addresses Commission

Bree Dusseault, Executive Director of Green Dot WA, updated the Commission on the community outreach efforts made by Green Dot WA since the applicant's public forum, including the establishment of community advisory teams. Ms. Dusseault noted that Green Dot WA would use information gleaned from the community advisory teams to build Green Dot WA's board of directors. Ms. Dusseault noted that she expected Green Dot WA's community outreach efforts to deepen when the Commission-approved Green Dot WA Charter School #1 opened in fall 2015. Ms. Dusseault noted that Green Dot US had received a \$14M Charter Schools Program U.S. Department of Education Grant earmarked for replication; \$3M of this grant is slated for Green Dot WA.

Commission Questions for Applicant

Marco Petruzzi, CEO of Green Dot National, and Megan Quale, Chief Growth Officer of Green Dot National, joined Ms. Dusseault for questions from the Commission.

Chair Sundquist asked the representatives to address the concerns about Green Dot WA's bylaws limiting the Washington-based board's autonomy. Mr. Petruzzi responded that Green Dot National's ability to remove Washington board members was to mitigate departures from the Green Dot National model.

Chair Sundquist asked the representatives to address data in NACSA's due-diligence report showing a lag in student performance when Green Dot National began a growth phase. Mr. Petruzzi responded that at

the time that the data was being collected, Green Dot National had begun serving students from the bottom 1% – prior to the collection of the data, Green Dot National had served the bottom 15%.

Commissioner Dziko expressed disappointment over the lack of community representation at Green Dot WA's public forum. Commissioner Dziko questioned whether diversity was an afterthought for Green Dot WA. Ms. Dusseault responded that she had been hired just prior to the public forum in September 2014, and that Green Dot WA had not had a Washington-based employee prior to May 2014. Green Dot WA's request to open in fall 2016 would allow for greater community engagement.

Commissioner Dziko asked why Green Dot WA had come into Washington State without a Washington-based employee. Mr. Petruzzi responded that the 2014 growth phase had been the first where Green Dot National expanded out of California.

Commissioner McGuire asked if it would be possible for the affected community to reshape a Green Dot WA school. Ms. Quale responded that there was a balance between community advisory and the core Green Dot National Education model.

Commissioner Wright asked if Green Dot WA had considered any mitigation if levy dollars were not received in the amount stated in the application budget. Mr. Petruzzi responded that though there was a high probability that the school could function without levy funds, philanthropy and federal grants could mitigate this situation.

Commissioner Jacka asked if Green Dot WA knows the average levy amount for Seattle. Ms. Dusseault estimated \$3200.

Commission Discussion and Resolution

Lead Commissioner Sundquist noted Green Dot National's track record as being supportive of the CMO's expansion; though the community engagement seen at the public forum was not done to many Commissioners' satisfaction, Green Dot National's track record showed an ability to work in at-risk communities. After consulting William Haft, VP of Authorizer Development for NACSA, Lead Commissioner Sundquist concluded that Green Dot WA's bylaws did not affect the Commission's oversight. Lead Commissioner Sundquist moved to approve Green Dot WA.

Commissioner Williams commented that Green Dot WA's approval would add CMO experience to the Commission's portfolio. Commissioner Williams seconded the resolution for approval: the resolution passed 6 to 3 – Commissioners Dziko, Jacka, and McGuire opposed.

Charter Schools of Sunnyside, Sunnyside Charter Academy

Evaluation Team Recommendation and Executive Director Remarks

Mr. Halsey noted that Sunnyside was recommended for approval because the application met the Commission rubric standard in all areas. Though the applicant had met the rubric standard in all areas, Mr. Halsey held concerns about the Sunnyside board's cultural competency. Mr. Halsey concurred with the recommendation for approval with a condition added that board members receive professional development in the area of cultural competency.

Applicant Addresses Commission

Brittany Weaver, Chair of Sunnyside, reported that since the prior RFP, Sunnyside had improved its budget and added two new board members. Ms. Weaver noted that Sunnyside was committed to working with the local school district. Ms. Weaver noted that, pending approval, Sunnyside was prepared to hire a school director. Ms. Weaver noted that Sunnyside had partnered with Inspire, a network servicing seasonal, migrant and rural economically disadvantaged clients in Washington State. Ms. Weaver noted that Sunnyside had chosen its educational program specifically for transitional ELL students.

Commission Questions for Applicant

Erin Martin, Vice Chair of Sunnyside, Gary Johnson, Treasurer of Sunnyside, and Veronica Rivero, Board Member Sunnyside, joined Ms. Weaver for questions from the Commission.

To ascertain the construction of the board to facilitate good governance and compliance with the charter contract affiliation provision, Chair Sundquist asked what percentage of the board attended the same congregation. Ms. Weaver responded that 3 of 7 board members attended the same congregation.

Commissioner Navarro expressed dismay at the lack of cultural competence in Sunnyside's application, citing *A Day in the Life of a Sunnyside Charter Academy Student* as particularly upsetting, most notably the choice of "Maria" for student's name. Commissioner Navarro asked how the board intended to address this lack of cultural competence. Ms. Weaver responded that Sunnyside's partnership with Inspire would build the board's cultural competence. Ms. Rivero commented that the choice of "Maria" was unintentional. Ms. Martin added further that the choice of "Maria" was not meant to be a cultural stereotype.

Commissioner Dziko commented that the Sunnyside board's proximity to certain cultural groups was not the same as cultural competency. Commissioner Dziko asked how the board intended to address this lack of cultural competence. Ms. Weaver responded that the group did not know to address this concern other than adding board members from certain cultural groups.

Commissioner Jacka asked how Sunnyside intended to provide transportation options for SPED students. Ms. Martin responded that the group intended to contract with the district, and to locate the school near a district school. Ms. Martin added that services could as well be contracted through ESD 105. Commissioner Jacka continued, noting several service gaps in the group's application including the lack of a school psychologist. Ms. Weaver responded that Sunnyside intended to be a small school that would take such student matters on a case by case basis, and that it was not fiscally responsible to invest in a full time employee.

Commissioner Navarro asked how the group intended to provide services for ELL students who are not at grade level in a full-inclusion classroom. Ms. Weaver noted that the curriculum chosen had a Spanish-language primer, and that the schools intended use of blended learning would help fill in the gaps teachers could not address.

Commissioner McGuire expressed concerns that the curriculum chosen was Euro-centric, and asked the group to speak to this. Ms. Weaver responded that the curriculum was chosen with the intent of overcoming cultural barriers, raising the educational level of the community. Ms. Martin noted that the curriculum was still in development, and could be changed at a later date.

Commissioner Williams asked how the group intended to address Individualized Education Programs (IEP) in a full inclusion classroom. Ms. Martin noted that the group hoped to put a model similar to the Schoolwide Integrated Framework for Transformation (SWIFT) into place. Ms. Martin added that they hoped to contract with SWIFT to build capacity.

Commissioner Dziko noted the perceived lack of cultural engagement in the group's first application, and asked why the board, personally, had put forward an application. Ms. Weaver responded that her family had moved to Sunnyside to serve the underserved. Ms. Rivero responded that the underserved community did not know how to find resources, and that there was an exodus of a certain cultural group's professionals from Sunnyside, WA. Ms. Martin noted that her own daughter is a SPED student, and she wanted to create a place where parents like her could have their voice heard. Mr. Johnson responded that he wanted the community to have more public school options.

Commission Discussion and Resolution

Lead Commissioner Jacka noted that certain service gaps could be easily filled in in the application, but that there was still an underlying lack of engagement from the community. Lead Commissioner Jacka moved to deny the application; Commissioner Navarro seconded the resolution for denial.

Commissioners Dziko, Navarro, Wilburn and Chair Sundquist each echoed a similar sentiment that the group's board had engaged diligently in creating the application, but that there was still work to be done in terms of cultural competency.

The resolution passed unanimously; Sunnyside was denied a charter.

The Commission developed the following conditions of denial:

- The evidence received during the application process did not demonstrate a clear community need and broad support;
- The application and comments made during the public comment period by board members as well as the oral and written components of the application process indicated a lack of cultural competence or demonstrated ability to work effectively in cross-cultural situations;
- The educational model of complete inclusion gives rise to concerns that the needs of English Language Learners and Special Education students would not be met;
- The above-listed concerns demonstrate an inability to meet the identified educational needs and successfully open and operate the proposed charter school.

Chair Sundquist moved to adopt the four conditions of denial; Commissioner Williams seconded: the motion passed unanimously.

The Ducere Group, The Village Academy

Evaluation Team Recommendation and Executive Director Remarks

Mr. Halsey noted that the The Village Academy (Village) was recommended for denial because the application partially met the Commission rubric standard in Educational Program. Mr. Halsey noted as well that questions existed regarding the group's Financial and Operational Plan. Mr. Halsey concurred with the recommendation for denial.

Applicant Addresses Commission

Calyn Holdaway, Board President, highlighted the fact that The Village had met standards in the Financial and Operational Plan. Ms. Holdaway noted that The Ducere group had been established to offer services to non-traditional students. Ms. Holdaway noted that the group had placed a high need on hiring professional and highly-qualified teachers to serve ELL students.

Commission Questions for Applicant

Commissioner Dziko applauded the group's passion, but expressed concerns that the educational program contained too many best practices to be effective. Commissioner Dziko noted that WACHarters should be working with the group.

Commissioner Jacka asked what was meant by hiring professional and highly qualified teachers. Ms. Holdaway responded that The Village would focus on hiring teachers with SPED backgrounds with the hope that 50% of the teachers would be qualified SPED teachers, and 20% be qualified ELL. Ms. Holdaway noted that the group placed a high priority on professional development as well. Commissioner Jacka asked what the hiring plan would be for said teachers. Ms. Holdaway responded that the group was approached consistently by highly-qualified teachers, and that the group would advertise with agencies associated with the services the group intended to provide. Commissioner Jacka asked what benefits the group intended to provide to attract said teachers. Ms. Holdaway noted that the compensation package offered was competitive for Pierce County, WA, the group would offer substantial professional development, and that the group would offer small rewards for doing non-education related activities.

Commissioner Williams asked to have the hiring of the current school principal explained. Ms. Holdaway responded that the current principal was hired as the SPED director with the intention of grooming towards the principal position; however, the original principal candidate declined because of a family illness. Ms. Holdaway noted that the group had set aside monies for contracting a CEO for two years to further groom the current principal.

Mr. Halsey asked how the group had chosen the city of DuPont, WA as a location for the school, and what community outreach had been done in this community. Ms. Holdaway responded that DuPont had a large contingent of military families with SPED students as Joint Base Lewis McChord (JBLM) provided specialized services for such families. Ms. Holdaway noted that the community outreach done outside of DuPont indicated that parents were willing drive long distances to obtain services for their SPED students. Ms. Holdaway noted that the group had always advertised that the school was likely to locate in DuPont, and that DuPont was a central location for the students the school intended to serve.

Commission Discussion and Resolution

Lead Commissioner Williams noted the passion of the group, but reiterated concerns with the educational program. Lead Commissioner Williams moved to deny the application.

The Commission discussed the legal implications of long distance transportation to the school, as well as the proposition of approving the school with conditions. Mr. Halsey encouraged the Commission to consider staff capacity in overseeing such conditions.

Commissioner McGuire seconded the resolution for denial: the resolution passed 6 to 3 – Commissioners Dziko, Navarro, and Wright opposed.

The Commission developed the following conditions of denial:

- The Village did not meet the rubric standard in the educational program.
- The Village did not meet the rubric standard in the financial plan.

Chair Sundquist moved to adopt the conditions of denial; Commissioner Dziko seconded: the motion passed unanimously.

CHAIR REPORT – STEVE SUNDQUIST

Chair Sundquist gave a brief report of Commission activities since the September 23 meeting.

The Commission adjourned at 4:15 p.m.