

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

Thursday, December 11, 2014 – 10:00 a.m. to 5:00 p.m.

Bates Technical College
South Campus
Building E
Auditorium 102 and 103
2201 South 78th Street
Tacoma, WA 98409

Attendance:

Commissioners: Dr. Margit McGuire, Raymond Navarro, Dave Quall, Steve Sundquist, Dr. Roberta Johnson Wilburn, and Cindi Williams

Absent: Trish Millines Dziko, Kevin Jacka, 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 10:10 a.m. Attendance was taken. The following Commissioners were present: Dr. Margit McGuire, Raymond Navarro, Dave Quall, Steve Sundquist, and Cindi Williams. It was determined a quorum was present to proceed with the meeting.

Approval of the November 13 Special Commission Meeting Minutes

Meeting minutes for the November 13 Special Commission Meeting were tabled because, with Commissioner Williams' abstention, a quorum of Commissioners who had attended the meeting was not available.

PUBLIC COMMENT

Kristina Bellamy-McClain, school leader of SOAR Academy, urged the Commission to adopt an academic performance framework incorporating a regression analysis of school performance.

Jen Davis Wickens, Executive Director of Summit Public Schools: Washington State, urged the Commission to adopt an academic performance framework incorporating a regression analysis of school performance.

Bree Dusseault, Executive Director of Green Dot Public Schools: Washington State, urged the Commission to adopt an academic performance framework incorporating a regression analysis of school performance.

Calyn Holdaway, President of The Ducere Group, clarified that her group's protest of the 2014 Request For Proposals (RFP) for new charter schools was in no way intended as an allegation of unethical behavior on the part of the Commission. Ms. Holdaway reported that her group had noted the concerns the Commission had highlighted in its resolution of denial of The Ducere Group's application, and that these concerns were being addressed as her group moved forward; Ms. Holdaway urged the Commission to reverse its resolution of denial, and put forward a new resolution of approval with conditions for her group's application.

FINDING COMMON GROUND DIALOGUE – MELIA LACOUR

Mr. Halsey introduced Melia LaCour, Director of Equity in Education for Puget Sound Educational Service District (PSESD). Ms. LaCour informed the Commission that she had been contracted by the Commission to facilitate a level-setting for the Commission's use of the terms Cultural Competence, Cultural Relevance, and Cultural Inclusivity.

Commissioner Wilburn arrived at 10:30 a.m.

Ms. LaCour informed the Commission that she would be identifying key areas within the Commission's 2014 RFP rubric where defined language regarding Cultural Competence, Cultural Relevance, and Cultural Inclusivity could be added to give further guidance to applicants as to the Commission's expectations. Ms. LaCour noted that she would correspond with Mr. Halsey regarding this language in preparation for the Commission's 2015 RFP.

FIRST PLACE SCHOLARS – DR. LINDA WHITEHEAD & DAWN MASON

Board Chair Dawn Mason introduced Dr. Linda Whitehead, who has been hired as First Place Scholars' interim school leader. Ms. Mason noted that First Place expects that they will be held accountable by the Commission.

Dr. Whitehead presented the Commission with additional attachments to the corrective action plan she had submitted the evening prior. These documents included:

- An amendment to First Place's board bylaws to adjust the number of board members to 11-15, passed December 9, 2014
- An updated board roster
- Resumes for each board member
- Documentation of completed background checks, and a spreadsheet of those still pending
- An updated organizational chart

Dr. Whitehead noted that, though a certified special education teacher had not yet been hired, student needs were being met by other services contracted by the school in the interim; Dr. Whitehead expected to have a special education teacher on-boarded by January 12, 2015.

Commissioner Navarro asked for a status update on Individualized Education Plans (IEP) at First Place in light of the lack of a certified special education teacher. Dr. Whitehead responded that she had reviewed each IEP and the school was contracting for services required in the IEP's, as well as providing instructional aides.

Commissioner Williams asked if there were any positive occurrences that the school could report. Dr. Whitehead responded that passion is definitely present in the existing teaching staff, and that Science, Technology, Engineering, and Mathematics (STEM) enrichment is still occurring. Ms. Mason noted that the school's board had been replaced for the better quickly, and that this corrective action could not have occurred as quickly as it did in a traditional public school.

EXECUTIVE SESSION

Chair Sundquist adjourned open session at 12:25 p.m. An executive session was held pursuant to RCW 42.30.110(1)(i).

ACTION FROM EXECUTIVE SESSION

Chair Sundquist reconvened the Commission from executive session at 1:41 p.m.

Mr. Halsey noted that, per WAC 108-10-030, he believed he had the delegated authority over the entire school oversight process. He desired to make this authority explicit, and asked for a motion confirming this authority. Commissioner Williams moved to confirm this authority, and Commissioner Wilburn seconded: the motion passed unanimously.

Mr. Halsey recommended that the Commission not accept First Place's corrective action plan as it was deficient and untimely and, as such, he had not had time to properly review the documents provided by Dr. Whitehead prior to the Commission meeting. Commissioner Williams moved to not accept the corrective action plan, and Commissioner McGuire seconded: the motion passed unanimously.

2014 RFP PROTESTS

Mr. Halsey introduced Judith Billings, who had reviewed the two protests of the 2014 RFP from Charter Schools of Sunnyside (CSOS) and The Ducere Group. Ms. Billings had provided, as well, an analysis and recommendation regarding each protest. Ms. Billings noted that her review focused on whether the 2014 RFP processes had been followed.

Before Ms. Billings presented her recommendations, Mr. Halsey clarified that staff had received public comment after the noted cut-off date, and that these public comments had subsequently been withheld from the Commission in its decision making process.

Ms. Billings reviewed the CSOS' protest. The protest alleged a matter of bias or conflict of interest on the part of Commissioner Jacka and Chair Sundquist; Ms. Billings found both allegations of bias or conflict of interest as lacking merit. The protest also alleged a three-part non-compliance with procedures described in the RFP; Ms. Billings found each allegation of non-compliance as lacking merit. With both set of allegations lacking merit, Ms. Billings recommended that the Commission dismiss the protest as lacking merit, and uphold the October 9, 2014 resolution to deny CSOS a charter. Commissioner Navarro moved to dismiss the protest and uphold the resolution, and Commissioner Williams seconded: the motion passed unanimously.

Ms. Billings reviewed The Ducere Group protest. The protest alleged two matters that fell outside of the grounds for protests; Ms. Billings found the matters as lacking merit. With the matters lacking merit, Ms. Billings recommended that the Commission dismiss the protest as lacking merit, and uphold the October 9, 2014 resolution to deny The Ducere Group a charter. Commissioner Navarro moved to dismiss the protest and uphold the resolution, and Commissioner Quall seconded: the motion passed unanimously.

CHAIR REPORT – STEVE SUNDQUIST

Chair Sundquist noted that in a recent study by the National Association of Charter School Authorizers (NACSA), Washington's policy rated first out of twenty-one states with few authorizers.

Chair Sundquist noted that he would be signing and sending reappointment letters for Commissioners Dziko, Navarro, and Williams to those commissioners' appointers.

Chair Sundquist presented the Commission's travel policy for Commissioners to review in advance of travel opportunities in 2015.

EXECUTIVE DIRECTOR REPORT – JOSHUA HALSEY

General Updates

Mr. Halsey presented the Commission's 2015 public meeting schedule, as follows:

Wednesday, January 14, 2015 | 10:00 a.m. – 5:00 p.m.

TAF Bethday Community Learning Space
Multipurpose Room
605 SW 108th Street
Seattle WA 98146

Thursday, February 12, 2015 | 10:00 a.m. – 5:00 p.m.

South Seattle Community College, Georgetown Campus
Colin Educational Hall, Room C122
6737 Corson Avenue S
Seattle, WA 98108

Thursday, March 19, 2015 | 10:00 a.m. – 5:00 p.m.

Clark College
Gaiser Hall, Room 213
1933 Fort Vancouver Way
Vancouver, WA 98663

Thursday, April 16, 2015 | 10:00 a.m. – 5:00 p.m.

STAR Center
Voyage Studio
3873 S 66th Street
Tacoma, WA 98409

Thursday, May 21, 2015 | 10:00 a.m. – 5:00 p.m.

Skagit Valley College, Mount Vernon Campus
Northwest Career & Technical Academy, Auditorium
2405 East College Way
Mount Vernon, WA 98273-5899

Thursday, June 18, 2015 | 10:00 a.m. – 5:00 p.m.

South Seattle Community College, Georgetown Campus
Colin Educational Hall, Room C122
6737 Corson Avenue S
Seattle, WA 98108

Thursday, July 16, 2015 | 10:00 a.m. – 5:00 p.m.

Educational Service District No. 123
Blue Mountain Room
3918 W Court Street
Pasco, WA 99301

Thursday, August 13, 2015 | 10:00 a.m. – 5:00 p.m.

South Seattle Community College, Georgetown Campus
Colin Educational Hall, Room C122
6737 Corson Avenue S
Seattle, WA 98108

Thursday, September 17, 2015 | 10:00 a.m. – 5:00 p.m.

STAR Center
Voyage Studio
3873 S 66th Street
Tacoma, WA 98409

Thursday, October 15, 2015 | 10:00 a.m. – 5:00 p.m.

Yakima Valley Community College
Deccio Higher Education Center, Parker Room
S 16th Avenue & Nob Hill Boulevard
Yakima, WA 98902

Monday, November 9, 2015 | 10:00 a.m. – 5:00 p.m.

Spokane Public Schools, Warehouse
2815 East Garland
Spokane, WA 99208

Thursday, December 10, 2015 | 10:00 a.m. – 5:00 p.m.

STAR Center
Voyage Studio
3873 S 66th Street
Tacoma, WA 98409

Commissioner Williams moved to accept the meeting schedule, and Commissioner Wilburn seconded: the motion passed unanimously.

Mr. Halsey presented the Commission's 2015 RFP schedule, as follows:

Month	Date & Activity
January	13: RFP and Rubric Revisions to Commissioners
February	10: RFP/Rubric/Budget Template Finalized 13: RFP Released 27: Applicant Questions Due
March	13: Responses to Applicant Questions 19: Webinar Training for Applicants on Submission Process 23: Evaluator RFQ Released
April	17: Notice of Intent Due (5pm PDT) 22: Webinar Training for Applicants on RFP's Substantive Requirements 24: Evaluator RFQ Responses Due (5pm PDT)
May	1: Preliminary List of Evaluators Identified 6-7: Evaluator Training 15: Proposals Submission Deadline (5pm PDT) 22: Final Completeness Findings Released and Evaluator Teams Solidified

June	5: Proposal Hard Copies Due 22-25: Consensus Calls 30 Capacity Interviews
July	20-31: Public Forums 31: Recommendation Reports Published and Delivered to Commissioners with Memoranda and Guidance
August	13: Final Approval/Denial Resolutions Deadline 21: Report of Action Due to State Board

Commissioner Wilburn moved to accept the 2015 RFP schedule, and Commissioner Quall seconded: the motion passed unanimously.

Authorized Schools Update

Mr. Halsey noted that Rainier Prep has received enrollment documents from about sixty students. Mr. Halsey informed the Commission that Rainier Prep had requested an extension from January 31, 2015 to March 31, 2015 of the school's preopening condition to provide a written, signed copy of facility lease, purchase agreement and/or other facility agreements for primary and ancillary facilities as are necessary for the school to operate. Mr. Halsey recommended the Commission approve this request. Commissioner Williams moved to approve the request, and Commissioner McGuire seconded: the motion passed unanimously.

Mr. Halsey noted that contract negotiations with Green Dot Seattle had concluded. The contract contained negotiated language concerning payment and provision bonds, premium limits, and background check renewal schedules. Mr. Halsey recommended the Commission move to empower Chair Sundquist to sign the contract. Commissioner Williams moved to empower Chair Sundquist as such, and Commissioner McGuire seconded: the motion passed unanimously.

Legislative Engagement Strategy Update

Mr. Halsey gave a brief update regarding two proposed bills drafted by Commission staff. Commissioner Williams asked if any other legislation was to be introduced affecting the Commission. Mr. Halsey noted that Sen. Andy Billig had contacted him in regards to a bill to allow district authorizers to limit the number of charter schools authorized in their districts.

Commission Website Update

Mr. Halsey noted that the Commission's redesigned website had been launched on December 5, 2014.

Commission Budget Update

Mr. Halsey noted that the Commission was on track to close out the calendar year within its budgeted allotments. Mr. Halsey noted that the Commission had underspent its previous fiscal year's allotment by an estimated forty-thousand dollars. Mr. Halsey had held this spending back to mitigate costs associated with the League of Women Voters challenge of the Charter Schools Act.

DEBRIEF 2014 RFP

The Commission broke into small groups to discuss the lessons learned from the 2014 RFP and potential changes to the Commission's 2015 RFP. Mr. Halsey noted that he would combine all lessons learned and potential changes in a recommendation for the 2015 RFP, due at the January 14, 2014 Commission meeting.

Commissioner Quall departed at 3:00 p.m.

PERFORMANCE FRAMEWORK

Financial Performance Framework Approval

Dr. Cathy Fromme presented the Financial Performance Framework (FPF) to the Commission for approval. Commissioner Williams moved to accept the FPF, and Commissioner Navarro seconded: the motion passed unanimously.

Organizational Performance Framework Update

Dr. Fromme presented the draft Organizational Performance Framework (OPF) with changes discussed at the November 13, 2014 meeting. Dr. Fromme noted that the OPF was on-track for an approval vote at the January 14, 2014 meeting.

Academic Performance Framework

Dr. Fromme presented the draft Academic Performance Framework (APF) and a memo detailing proposed changes to the APF. Dr. Fromme noted that Commission staff had seen a delay in receiving data from the Smarter Balanced assessment trial runs; without the Smarter Balanced assessment data, target setting for the APF would be set using outdated tests. Dr. Fromme recommended delaying target setting for the APF until summer of 2015. By delaying target setting until the summer of 2015, the Commission staff would be able to conduct trial runs on the 2015 Smarter Balanced assessment data. Commissioner McGuire moved to delay the target setting, and Commissioner Williams seconded: the motion passed unanimously.

Dr. Fromme presented the need for further student performance comparisons in the APF. Dr. Fromme recommended that the Commission approve the inclusion of at least one other comparison measure to schools a student might otherwise attend, and empower the Executive Director to gather additional information needed to make a specific comparison measure recommendation to the Commission in January. Commissioner McGuire moved to empower the Executive Director as such, and Commissioner Williams seconded: the motion passed unanimously.

Dr. Fromme presented the need for a further measure beyond the three-year Achievement Index (AI) released by the State Board of Education (SBE). Dr. Fromme recommended that the APF include the three-year AI composite and also a mechanism for incorporating annual AI performance, and that Commission staff be empowered to explore options and make a recommendation for how to incorporate the annual performance measure. Commissioner Williams moved to empower Commission staff as such, and Commissioner Navarro seconded: the motion passed unanimously.

EXECUTIVE DIRECTOR YEARLY EVALUATION

Chair Sundquist noted that Mr. Halsey had completed a memo regarding his self-evaluation of his performance over the past year. He encouraged each Commissioner to review the memo, and noted that he would be moving forward with the evaluation process detailed at the September 23, 2014 meeting.

WRAPPING UP 2014 AND LOOKING AHEAD TO 2015

Mr. Halsey noted that he had included conflict of interest forms in the Commissions materials, and encouraged each Commissioner to review and return the forms by the January 14, 2015 meeting.

NEXT STEPS

The Commission has identified the following next steps:

- 1) Review and Approve OPF and APF
- 2) Executive Director Annual Performance Review
- 3) Advise on Reappointment of Commissioners
- 4) Review Conflict of Interest Policy
- 5) Draft and Review Records Retention Policy
- 6) Approve Amendments to Authorized Charter Contracts
- 7) Further Define New Standing Committees Established in Bylaws
- 8) Review and Amend Memorandum Of Understanding (MOU) with NACSA
- 9) Review and Approve Changes to RFP
- 10) Gather Further Information Regarding Charter Management Organizations (CMO) RFP Expectations

The Commission adjourned at 4:52 p.m.