



CHARTER SCHOOL COMMISSION MEETING MINUTES

Thursday, February 16, 2017 | 10:00 a.m. to 5:00 p.m.

Green Dot Destiny Middle School
1301 E 34th Street, Tacoma, WA 98404

Attendance:

Elizabeth (Betsy) Cohen, Kaaren Heikes, Dr. Stacy Hill, Dr. Margit McGuire, Raymond Navarro, Steve Sundquist, and Cindi Williams.

Leadership Team: Cathy Fromme, New School Application Director; Paula Kitzke, Special Education Program Review Supervisor; Nadja Michel-Herf, Director of School Quality and Accountability; Aileen Miller, Assistant Attorney General; Sandy Green, Executive Assistant

Guests from Excel Public Charter School (Excel) and Green Dot Public Schools WA State (Green Dot): Jessica de Barros (Board Chair Excel), Roland Bradley (Excel board member and grandparent of student at Excel), Bree Dusseault (Executive Director Green Dot), and Marguerite Kondracke (Board Co-chair Green Dot)

Call To Order:

Roll Call

Chair Sundquist called the meeting to order at 10:10 a.m. The following Commissioners were present: Betsy Cohen, Dr. Stacy Hill, Dr. Margit McGuire, Raymond Navarro, Steve Sundquist, and Cindi Williams. It was determined that a quorum was present to proceed with the meeting. Stacy Hill attended the meeting via conference call from 10:00 am - 11:30 pm. Kaaren Heikes joined the meeting at 11:00 am.

Consideration of the January 26, 2016 Commission Meeting Minutes

Meeting Minutes for the January 26, 2016 Commission Meeting were reviewed and approved. Betsy Cohen moved to approve the minutes as written. Cindi Williams seconded. Motion carried unanimously, with no opposes, no abstentions.

Public Comment

There was no public comment provided.

Chair Report

Chair Sundquist reported on the membership of the Commission. He announced that Commissioner Dave Quall had resigned early last month. Dave was one of the original nine commissioners appointed to the Commission and served the Commission well. Dave's resignation opens up another seat to be filled. There are now three vacant seats to be filled. The Superintendent of Public Instruction will have a new designee, though it has not been acted upon yet. Dan Grimm is interested in serving on the Commission. Steve will have more to report at the next meeting.

Steve reported that the process to complete the paperwork to move Joshua Halsey to a higher salary band so that the Commission can finalize his raise is taking place. Comparative salary data will be provided at a future meeting.

Tour of Green Dot Destiny Middle School

To get a deeper understanding of the charter schools the Commission authorizes and monitors, the Commission is holding its monthly open public meetings in charter schools when scheduling allows for it. This month Green Dot Destiny Middle School hosted the Commission and provided a tour of Green Dot Destiny Middle School from 10:30 am – 11:08 am.

Executive Director Report

Executive Director Joshua Halsey was unable to attend the meeting due to illness. Cathy Fromme and Steve Sundquist presented his report in his absence.

Steve recognized Dave Quall's service on the Commission, informing Commissioners of Dave's history with charter schools. Dave served in the House of Representatives in the 1970s when the first charter school law was introduced and has seen numerous iterations of it since then. His voice on the Commission will be missed.

Cathy informed commissioners that staff, in collaboration with the National Association of Charter School Authorizers (NACSA) and the Washington State Charter Schools Association (WA Charters), designed and initiated a robust stakeholder engagement process to solicit feedback for improvement regarding the Commission's Academic Performance Framework (APF). She informed the group that Joshua Halsey spent substantial time with the APF feedback process. An overview of the APF and feedback was provided in the meeting materials packet. Staff will prepare a FAQ document to address stakeholders' questions and concerns.

Commission staff are in the process of completing the Site Visit Guidance document for currently operating Commission authorized charter schools. All site visits have been scheduled and will take place from March to June. The purpose of the annual site visits is to serve as a tool to inform continuous improvement for the Charter School Commission and its authorized schools and to provide data points

in determining a charter school's compliance with its contract and state and federal rules and regulations.

On February 9th, the Commission hosted the monthly New School Orientation professional development series for schools opening in Fall 2017. Topics included the Commission's Annual Compliance Calendar, McKinney-Vento & Foster Care Education Policies & Procedures.

Former Commissioner Dan Grimm had requested information as to the specific enrollment of special education students by disability in each charter school. A chart of the OSPI special education child count reported in the December federal collection was included in the meeting materials packet.

Notice of Intentions (NOIs) to apply for a new charter school are due by 5 p.m. on February 17th. The next step will be to review NOIs and formalize application evaluation teams.

The charter school lawsuit summary judgment hearing was held on January 27, 2017. The court heard arguments and asked questions. A ruling will be issued in February.

A meeting roster of individuals and organizations that Executive Director Halsey met with since the January Commission meeting was included in the meeting materials packet.

Charter Contract Updates and Considerations

Excel Public Charter School's Contract and Green Dot

Steve Sundquist informed commissioners that the Commission has received the requested paperwork from both Excel Public Charter School (Excel) and Green Dot Public Schools WA State (Green Dot) regarding a potential transfer of contract. The Commission conducted an intense due diligence process and had many conversations with Excel and Green Dot to be sure that they understood what they needed in order to make a recommendation on a transfer. Cathy walked the commissioners through the transfer documents. Nadja went over the financial component of the transfer documents.

Excel and Green Dot had been asked if they would like to join the commissioners at this meeting to give them an opportunity to provide additional information to the Commission. Jessica de Barros (Board Chair Excel), Roland Bradley (Board member and grandparent of student at Excel), Bree Dusseault (Executive Director Green Dot), and Marguerite Kondracke (Board Co-chair Green Dot) provided an overview of their partnership and what they have done in preparation for a transfer of the Excel Public Charter School's contract to Green Dot.

Prior to the presentation, Steve Sundquist and Cindi Williams each made a disclosure that they knew one of the guests: Steve stated that Bree was an employee of Seattle Public Schools when he was on

the Seattle School Board, but he sees no conflict of interest; Cindi stated she has known Marguerite from her time at the White House.

Cathy Fromme provided a summary of the analysis Commission staff had done. After a robust discussion and question and answer session, an executive session was requested.

Executive Session

An Executive Session was begun at 1:30 pm pursuant to the Open Public Meetings Act (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 was planned to end at 1:35pm.

Open Session

At 1:38 pm, Chair Sundquist resumed Open Session stating that no final action was taken during the Executive Session.

Steve Sundquist moved to support Excel's contract transfer petition to the State Board in March 2017 on the following conditions:

- Green Dot adheres to the essential elements of Excel's educational program with only those proposed changes outlined in Green Dot's submission dated February 16, 2017;
- Green Dot complies with the organizational and financial plans described in the February 16, 2017 submission;
- Green Dot satisfies Section 5.23 of the Charter Contract by demonstrating to the Commission's satisfaction that they are successfully executing their contractual obligations under the Green Dot Destiny charter contract;
- Green Dot and Excel successfully negotiate a transfer of assets that preserves the status of Excel's public funds and assets as public funds and assets for use by the school and subject to the return provisions of the Charter Schools Act and the Charter Contract.

After discussion of the motion on the table, an executive session was requested.

Executive Session

An Executive Session was begun at 1:58 pm pursuant to the Open Public Meetings Act (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 was planned to end at 2:05 pm.

Open Session

At 2:07 pm, Chair Sundquist resumed Open Session stating that no final action was taken during the Executive Session. The motion that had been on the floor prior to the executive session was continued.

Betsy Cohen seconded the motion; Motion carried 5-0-1 with no opposes; Kaaren Heikes abstained. (Betsy Cohen, Kaaren Heikes, Margit McGuire, Raymond Navarro, Steve Sundquist, Cindi Williams voted)

Charter Contract Updates and Considerations (continued)

Spokane International Academy (SIA)

SIA is requesting a transfer of their charter contract to the Charter School Commission because they are rapidly outgrowing their facility and have been unable to secure a facility for their growth needs within the boundaries of their authorizer, Spokane Public Schools (SPS). Since the Commission was not involved with the authorization of SIA's charter contract, Commission staff will require a higher level of engagement and more documents than they requested from Excel/Green Dot before it will make a recommendation to transfer the contract. The Commission had thoroughly vetted Excel and Green Dot prior to authorizing their charters. It will take more time to vet SIA before a decision can be made regarding their requested charter transfer. Joshua Halsey has already provided SIA with a transfer application and has stated that he will not recommend the SIA transfer unless it is reviewed thoroughly, as any new applicant would be. This is new territory for the Commission, and Aileen Miller informed the group that Joshua generally brings new things to the commissioners for a formal vote to ensure understanding, alignment and to create a thoughtful precedent. Aileen provided motion language for the commissioners to allow Joshua to do due diligence on a potential SIA contract transfer.

Chair Sundquist informed the group that Commissioner Stacy Hill is a board member of SIA, which is a conflict of interest; therefore, she would not participate in the Commission's work and consideration of this transfer request. Stacy had already left the meeting at 11:30 am, so was no longer at the meeting for this agenda item.

Steve Sundquist moved to support SIA's interest in transferring its charter contract from SPS to the Commission, and requested that Commission staff give the SIA charter contract transfer request a thorough review and vetting. Cindi Williams seconded; there were no opposes; Kaaren Heikes abstains. Motion carried: 5-0-1.

(Betsy Cohen, Kaaren Heikes, Margit McGuire, Raymond Navarro, Steve Sundquist, Cindi Williams voted)

Legislative Update

Kaaren Heikes provided the Commission with a review of the proposed Democratic and Republican education budgets. The meeting materials packet contained a comparison chart of *2017 K-12 Education Funding Proposals*. Senator Mullet's SB 5825, which addresses the state's paramount duty to fully fund K-12 education by creating a new partnership between the state and local school districts, came out

February 15. Kaaren will locate Senator Mullet's budget and will provide it to the Commission. Negotiations have not yet started. Kaaren stated that the Republic plan has a lot of policy proposals in it; it is not solely a budget. Republicans don't want to start negotiations until they see what policy proposals are submitted by the Democrats. The only charter school bill is SB 5129 concerning charter school students participating in interschool athletics and extracurricular activities.

State-Issued Emails

Liz Lewis-Lee, OSPI Systems Administrator Network Operations, provided an overview of state-issued emails, including security and training required. It was an opportunity for commissioners to ask questions, such as how to integrate a state-issued email account with other email accounts.

Next Steps

The following next steps were identified:

1. COB Friday, February 17, NOIs are due; send email to commissioners of the NOIs
2. Next meeting is March 16th in Spokane, WA
3. Phone call meeting if needed

Meeting Adjournment

Chair Sundquist adjourned the meeting at 3:15 pm.