

## CHARTER SCHOOL COMMISSION MEETING MINUTES

Thursday, June 27, 2019 | 10:11 a.m. to 4:11 p.m.

Technology Access Foundation: 605 SW 108th Street, Seattle, WA 98146

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### Attendance:

Elizabeth (Betsy) Cohen, Jessica Garcia, Dan Grimm, Kaaren Heikes, Gayle Pauley, Steve Sundquist and Cindi Williams.

Leadership Team: Joshua Halsey, Executive Director; Paula Kitzke, Director of School Quality and Accountability; Krystal Starwich, Director of New School Applications; Daniel Nyachuba, School Evaluation Analyst; Aileen Miller, Assistant Attorney General; and Amanda Martinez, Executive Assistant.

### Call To Order

#### Roll Call

Chair Williams called the meeting to order at 10:11 a.m. The following Commissioners were present: Betsy Cohen, Jessica Garcia, Dan Grimm, Kaaren Heikes, Gayle Pauley, Steve Sundquist and Cindi Williams. It was determined that a quorum was present to proceed with the meeting.

#### Consent Agenda

The meeting minutes for the May 30, 2019 Commission meeting and standing committee updates were reviewed. Commissioner Sundquist moved to approve the consent agenda. Commissioner Pauley seconded. The motion passed unanimously with no opposes; no abstentions.

### Public Comment

Rekha Bhatt from Washington State Charter Schools Association (WA Charters) provided public comment regarding Willow Public School. Ms. Bhatt shared her full support and confidence in Willow's incoming Executive Director, Brenda McDonald.

### Cascade Public Schools Conditional Approval Consideration

Director of New School Applications, Krystal Starwich provided an overview of Cascade Public School's (Cascade) submissions regarding the conditions set forth in their conditional approval at the May resolution meeting.

Commissioners engaged in dialogue surrounding the second conditional approval of Cascade’s Proposal Approval Resolution #19-02A, *The Board of Directors must take the necessary steps to cure any conflicts of interest and bring them in to compliance with sections 5.5 and 5.16 of the charter contract.*

Commissioners engaged in dialogue regarding the second conditional approval regarding the perceived conflict of interest surrounding two board members. Dialogue included:

- Commission acknowledgement of the work Cascade has done to develop a high-quality application and address the Commission’s concerns;
- Heighten oversight regarding this conflict of interest situation beyond the regular oversight process such as quarterly school reviews, board observations, etc.; and
- Benefit of ex-officio status over removing from the board completely or moving to a consultant role.

Chair Williams called the Cascade co-founders and board members forward to address the Commission. Cascade emphasized the following:

- Acknowledgement and appreciation for the concerns and questions raised;
- Belief that the structures and mechanisms that Cascade has put in place will help manage any risks of conflict, real or perceived including bylaws, memorandums of understanding, recusal processes, etc.; and
- The value proposition to having the specific board members with their expertise, diversity, deep engagement and strategic thinking.

Commissioners voted as follows: Betsy Cohen, aye; Jessica Garcia, aye; Dan Grimm, nay; Kaaren Heikes, abstained; Gayle Pauley, nay; Steve Sundquist, aye; Cindi Williams, aye. The vote was 4-2, with one abstention. The motion passed.

Commissioners engaged in dialogue surrounding the third conditional approval of Cascade’s Proposal Approval Resolution #19-02A, *Cascade Public Schools must demonstrate, to the satisfaction of the Commission, how the instructional practices work together and further the school’s capacity to deliver results for their student population.*

Commissioners expressed that Cascade’s additional materials provided clarity surrounding questions that were still had regarding the academic program. They also expressed that the “day in the life” document was helpful.

Chair Williams moved to certify that Condition #3 of approval resolution 19-02A for Cascade Public Schools has been satisfied. Commissioner Pauley seconded. No opposes; no abstentions. Motion passed unanimously.

## **Commission Educational Equity Policy Consideration**

Executive Director Halsey provided an overview of the Commissions equity work to date along with the updated draft policy. The Commission started the educational equity engagement in May 2018 with

consultant Melia LaCour. Commission staff will develop an implementation plan in consultation with Ms. LaCour for the August meeting and the Commission will review the policy annually for any updates.

Chair Williams moved to adopt the equity policy. Commissioner Heikes seconded. The motion passed unanimously with no opposes; no abstentions.

## **Willow Public Schools Consideration of Enforcement Action**

Senior Assistant Attorney General, Aileen Miller provided an overview of oversight processes with a focus on corrective action and revocation.

Executive Director Halsey provided an overview of both the memo and Stay of Revocation Agreement that had been negotiated with Innovation Schools (Willow Public Schools). Evidence from the two-day first-year site visit, board observation, and conversations with school leadership and board members uncovered significant concerns and violations of the charter contract, including:

- Failure to provide project-based learning under the terms of the charter contract (an educational program term)
- Failure to provide a personalized education plan for every student (an educational program term)
- Failure to provide restorative discipline and trauma-informed teaching (an educational program term)
- Failure to provide an extended school day of 40 minutes (an educational program term)
- Failure to hold a sufficient number of board members (3) on its board or the required leadership and administrative staff
- Combined with these contract violations, concerns about the financial viability have arisen to the low student enrollment and additional costs associated with the school attempting to remedy the contractual violations outlined above.

Executive Director Halsey recommends that the Commission move forward with a Stay of Revocation Agreement, whereby Willow stipulates to the revocation of their charter contract based on specified contractual violations and agrees to satisfy certain conditions designed to bring Willow into compliance before next school year. In exchange, the Commission would agree to stay the revocation and allow Willow to continue operating if Willow comes into compliance as detailed in the Proposed Agreement. This Proposed Agreement reflects a fair resolution of the very serious issues that have been identified, while providing an alternative to what otherwise would be a recommendation of revocation.

Willow Public School's Executive Director, Dr. Brenda McDonald, was offered an opportunity to address the Commission and to provide additional context regarding the agreement, input on the process to date and further clarity on the direction of the school moving forward.

Dr. McDonald's shared that:

- Conversations with Commission staff happened as the result of the two-day site visit, which was believed by Willow to have been a conversation on the current state of affairs, clarity on specific items and the plan for moving forward. The perceived breaches of the contract were not known until the Stipulation Agreement was presented to Dr. McDonald and board designee, Lisa Chamberlin.
- Though in agreement with missing components of quality and consistency at Willow, Dr. McDonald felt that there was a lack of due process with the Commission foregoing corrective action and moving toward revocation and the Stipulation Agreement. Dr. McDonald believed that communications between Commission staff and Willow had not indicated any findings or concerns.
- There are items in the Stipulation Agreement that do not accurately characterize the state of the school, including the concerns regarding financial stability of the organization, the school leadership turnover and the professional development for the core academic programs.
- Dr. McDonald expressed her concern on student recruitment and family confidence given Walla Walla is a rural town.
- The board, and school, are prepared to sign and move forward with the Stipulation Agreement as presented.

Executive Director Halsey provided a further timeline of events for Commission staff surrounding Willow Public Schools.

- Staff became aware of issues in April from information shared by Washington State Charter Schools Association (WA Charters)
- Follow-up with then school leader, Dan Calzaretta, stated that the information from WA Charters was not accurate
- Staff moved forward with standard oversight procedures, including the First Year Site Visit, Quarterly School Reviews and Board Observations
- Board Chair, Joe Cooke, spoke with Executive Director Halsey, Chair Williams and Commissioner Sundquist. Mr. Cooke stated that:
  - Dr. Brenda McDonald, with her successful history of turn around models in traditional schools, along with her current experience of founding and running Spokane-authorized charter school, Pride Prep, had been brought in to assess current affairs and correct Willow's path moving forward.
  - Board Membership had dwindled to three members, with Mr. Cooke planning to leave the board shortly thereafter due to health reasons. This resignation, without any additional members added to the board, would have the board operating out of compliance with their bylaws.
- Executive Director Halsey and Director of School Quality and Accountability, Paula Kitzke, started investigating through the two-day site visit and a board observation on June 5. The board meeting indicated that:
  - The board did not have the capacity to govern the school due to having only two members and violated their own bylaws by falling under the minimum of three board members

- The board was unaware of where students were academically and could not accurately report student achievement results
- The board did recognize there were issues and were moving towards fixing them by hiring Dr. McDonald
- The board did not seem to understand their role of oversight over Dr. McDonald, including her tasks of both board recruitment and development
- Commission staff continued to gather additional information through standard operating procedures in oversight that show the educational program terms have been violated. Breaches at this juncture to the educational program terms, as outlined in the charter contract, and severity of these breaches indicate that revocation is warranted, without corrective action being an option
- Executive Director Halsey believed in conversations with Lisa Chamberlin, board designee for Willow, that the school is in agreement with and would execute the Stipulation Agreement.

Commissioners engaged in dialogue with Executive Director Halsey for clarification on the items presented. This discussion included:

- Commissioners were curious of Lisa Chamberlin and her willingness to sign on behalf of Willow as the board's designee given Dr. McDonald's push back.
- Clarification that the Stipulation Agreement would override the Revocation Process, and that corrective action was skipped due to the severity of the contract breaches.
- Executive Director Halsey recommendation of the Stipulation Agreement is impart due to the addition of a Dr. McDonald's experience with both turn around and charters experience with Dr. McDonald, coupled with a new board, and new administrative staff. Willow will also implement and develop the same educational program terms outlined in their charter contract and add the International Baccalaureate (IB) program, which Dr. McDonald has in her current charter school, Pride Prep.
- The school leader moving forward is from Dr. McDonald's leadership pipeline at the school she founded in Spokane, Pride Prep. He has not been a school leader before, but has done his administrative internship with Dr. McDonald, who has confidence in his ability. Dr. McDonald has also recruited a new board member with fundraising capacity, who will be joining the board shortly.
- The Stipulation Agreement includes a probation of the school for two years with a significant amount of scrutiny and oversight during that period.
- The onus of notification and any significant changes is on the charter school, along with the Stipulation Agreement and waiver of due process is within the Commission's right outlined in the charter contract.
- Exclusive delegated authority to a subset of Commissioners, preferably the Executive Committee to decide if the agreement has been fulfilled by the school. Commissioners asked this delegated body to make the final decision with discretion on enrollment targets and
- Commissioners stressed that everything has to go through the filter of the students and the families, as the communities are who the Commission should be held accountable to.

Chair Williams moved to accept and approve the Stipulation and Stay of Revocation Agreement negotiated between Commission Staff and Innovation Schools dba Willow Public School. Commissioner Cohen seconded.

Commissioner Grimm amended the motion and moved to accept and approve the Stipulation and Stay of Revocation Agreement negotiated between Commission Staff and Innovation Schools dba Willow Public School and that the Commission's initial discretion regarding 2(g) of the agreement be made by our Chairwoman and two Commissioner designees, preferably the Executive Committee. Commissioner Cohen seconded. Amendment to the motion carried unanimously, with no opposes; no abstentions.

Commissioners voted as follows: Betsy Cohen, aye; Jessica Garcia, aye; Dan Grimm, aye; Kaaren Heikes, abstained; Gayle Pauley, aye; Steve Sundquist, aye; Cindi Williams, aye. The vote was 6-0, with one abstention. The motion passed.

## **Rainier Prep Presentation and Engagement**

Maggie O'Sullivan, Karen Lobos and Joan Hsiao of Rainier Prep presented to Commissioners regarding financials, compliance, teacher retention, student academic achievement and what Rainier Prep is doing to continuously achieve high results on the Commission's Performance Frameworks.

## **Performance Committee Discussion and Consideration**

### **2017-18 Academic Performance Summaries**

Director of School Quality and Accountability, Paula Kitze, presented academic performance summaries for the 2017-18 school year.

### **Consideration of Performance Framework Updates**

Director of School Quality and Accountability, Paula Kitze, provided proposed updates to the Commission's Performance Frameworks. Each of the three Performance Frameworks; Academic, Financial and Organizational, have proposed changes.

Commissioner Sundquist moved to adopt all changes as presented to the Performance Frameworks. Chair Williams seconded. No opposes; no abstentions. Motion carried unanimously.

### **Expansion and Replication Policy Discussion**

Commissioner Heikes provided an update around the Expansion and Replication Policy development. Commission staff will continue to work with a contractor, the performance committee and bring decision points back to the full Commission for consideration and direction.

## **Commission Updated Annual Budget Consideration**

Executive Director Halsey provided an overview of the updated agency 2020 FY budget with the new appropriations from legislative session.

Commissioner Cohen moved to approve the 2020 budget as presented. Commissioner Sundquist seconded. No opposes; no abstentions. Motion carried unanimously.

## **Executive Director Report**

### **Green Dot Public Schools Update**

Executive Director Halsey provided an update on Green Dot Public Schools (Green Dot). On Thursday, June 6, Green Dot's board of directors passed two resolutions to close both Destiny Middle School and Excel Public Charter School at the end of the current school year. Green Dot cited decreasing enrollment and subsequent funding challenges as the primary reason for closure.

The Finance Committee had been closely monitoring Green Dot's financial sustainability, and still met with Green Dot leadership on June 21. Green Dot plans to continue support of their third school, Rainier Valley Leadership Academy (RVLA) to be financially sustainable and solvent moving forward and will be undergoing transitions at the home office, board and school level. Commission staff will continue to update the Commission of any changes at Green Dot and RVLA.

### **Ashé Preparatory Academy Update**

Executive Director Halsey provided an update on Ashé Preparatory Academy's (Ashé Prep) facility. Ashé Prep's original application was for the school to be located in the Skyway/Renton area, but they have not been successful in locating a facility. Ashé Prep has requested that the Commission amend Attachment 4 of the contract to be located for the 2019-2020 school year in Kent, at Green Dot Excel's facility.

Commissioner Cohen moved to approve amendment #1 of Ashé's charter contract that will allow Ashé to occupy a school facility in Kent, WA. Commissioner Sundquist seconded. The motion passed unanimously with no opposes; no abstentions.

### **SOAR Closure Updates**

Executive Director Halsey provided an update regarding SOAR Academy closure. Commission staff and SOAR staff continue to meet on the transition team.

### **Annual Charter Sector Convening Review**

Executive Director Halsey provided an overview of the annual charter sector convening on June 24. Topics included an overview and theory of change, recent research regarding special education full-inclusion within charter schools and a pane from SOAR Academy's board of directors regarding lessons learned and hopes for the future.

Chair Williams joined Executive Director Halsey in a conversation with school personnel and board members regarding recent school closures and how to increase transparency in communication between schools and the Commission.

### **July State Board of Education Meeting Engagement**

Chair Williams will present at the State Board of Education (SBE) Meeting on July 10 with an update of the Commission.

Commissioner Sundquist provided a brief update on the open Commissioner appointment.

## Executive Session

No Executive Session was needed.

## Next Steps

Chair Williams identified the following next steps:

1. Continue developing a Commissioner pipeline
2. Legislation and legislative priorities tracking
3. Legislative lessons learned
4. SOAR Academy Updates and Reflection
5. Active Ingredients Project Updates
6. Charter School Replication and Expansion Application Development
7. Equity Policy Implementation in August
8. Cascade enhanced oversight
9. Equity Definition Annual Review in the calendar
10. Commission FY 2019 Final Budget
11. Willow Stipulation and Stay of Revocation Agreement updates
12. Green Dot RVLA transition
13. Charter schools board support
14. Strategic Plan update
15. Commission committee and officer update

## Meeting Adjournment

Chair Williams adjourned the meeting at 4:11 p.m.