

## CHARTER SCHOOL COMMISSION MEETING MINUTES

Thursday, October 13, 2016 | 10:00 a.m. to 5:00 p.m.

South Seattle College, Georgetown Campus, Colin Education Hall  
6737 Corson Avenue South, Seattle, WA 98108

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### Attendance:

Commissioners: Dan Grimm, Kaaren Heikes, Dr. Stacy Hill, Dr. Margit McGuire, Raymond Navarro, Dave Quall, Steve Sundquist

Absent: Trish Millines Dziko, Cindi Williams

Leadership Team: Joshua Halsey, Executive Director; Paula Kitzke, Special Education Program Review Supervisor; Aileen Miller, Assistant Attorney General; Sandy Green, Executive Assistant

Guests: Lyria Boast (Public Impact), Whitney Spalding-Spencer (NACSA)

### Call To Order:

#### Roll Call

Chair Sundquist called the meeting to order at 10:22 a.m. The following Commissioners were present: Dan Grimm, Kaaren Heikes, Dr. Stacy Hill, Dr. Margit McGuire, Raymond Navarro, Dave Quall, Steve Sundquist. Commissioners Hill and Navarro attended via telephone. It was determined a quorum was present to proceed with the meeting. Dave Quall left at 1:45 pm.

#### Approval of the September 15, 2016 Commission Meeting Minutes

Meeting Minutes for the September 15, 2016 Commission meeting were reviewed and approved. Margit McGuire moved. Dave Quall seconded. Motion carried, with no opposes. Kaaren Heikes abstained.

### Public Comment

Melissa Westbrook, Seattle Schools Community Forum Blog, provided comments around SBAC scores, schools that took SBAC while an ALE, and lack of public notification about any legal action against a charter school or the charter law, as well as lack of agendas and minutes from board meetings.

Note: Prior to today's meeting adjourning, several commissioners voiced opinions on whether or not to address information provided by individuals during the Public Comment session that may be incorrect or

out of context. Some stated that the standard is to not counter public comments, while others felt the Commission should offer clarification or context.

## **Re-arrangement of Agenda Items**

Due to stormy weather and out-of-state guests needing to get to SeaTac airport before the worst predicted conditions, agenda items were reorganized in order to accommodate travelers' needs. The Academic Performance Framework presentation was moved up to occur after the Public Comment session.

## **Performance Framework Update**

Lyria Boast (Public Impact) and Whitney Spalding-Spencer (NACSA) reported the results of the trial run on the draft Academic Performance Framework. They talked about what they tested, what the data means, the need to understand the proposed targets (these have not been approved yet), how the Commission wants to use the data, and how it all fits together. This sets the stage for consideration of the Academic Performance Framework in November or January, depending on what other steps are involved.

## **Summit Public Schools Presentation**

Jen Davis-Wickens (Chief Regional Officer) and Abigail Cedano (Senior Director of Schools) provided an overview of the Summit Public Schools Washington charter school model. In addition to the overview, Renee Fletcher, a parent of a student, spoke about her child's experience at Summit Public Schools Washington.

## **Education Service Provider (ESP) Contract Overview and Consideration**

Executive Director Halsey informed the Commission of the process that takes place when an ESP contract is reviewed and provided Commissioners a checklist document that was developed as a guide for the review process. The checklist has been vetted with counsel. The ESP contract review and consideration process provides Commissioners and staff with clarity regarding their roles and responsibilities. Staff are responsible for working with schools to clarify the purpose and use of an ESP contract, working with counsel to review the ESP contract and supporting documentation, and providing a recommendation for consideration to the Commission. Commissioners are responsible for reviewing the staff's recommendation and then considering the contract. The Commission retains decision-making authority regarding providing the authorized charter school with written approval of the ESP contract. Schools cannot just go out and execute an ESP contract—Commissioners must approve it. Counsel Miller stated that approval of the ESP contract means that the school has satisfied the legal and contractual requirements of their charter, not that the Commission endorses it. After consideration of the ESP review process and the checklist document, commissioners took a vote on whether or not to ratify the process and checklist.

Steve Sundquist moved to ratify the above process and associated checklist to provide clarity to staff and schools regarding the development of an ESP contract. Margit McGuire seconded. Motion carried, with no opposes and no abstentions.

## **Charter School Finance Overview**

T.J. Kelly (Director of OSPI School Apportionment and Financial Services) and Dierk Meierbachtol (OSPI Legal Services Chief Legal Officer) provided a presentation to inform the Commission on how state money flows to charter schools and how that compares with traditional schools, along with the process which charter schools are required to report data. Schools report data into various databases and each month a new apportionment is processed based on data that is reported. State apportionment is based on various factors, with enrollment data being the most significant. Per the charter school law, charter schools are given an allocation based on budgeted enrollment for the first year. Monthly appropriation is more consistent in the first year than in following years.

## **SOAR Academy's Proposed Education Service Provider (ESP) Contract with Seneca Family of Agencies**

Executive Director Halsey informed the Commission, that having carefully and thoroughly reviewed SOAR Academy's proposed ESP contract and supporting documentation, he concluded that SOAR Academy had satisfied the requirements of the Charter School Act and the SOAR/Commission Charter Contract, and recommended that the Commission provide SOAR Academy with written approval to execute the proposed ESP contract with Seneca Family of Agencies. The Commission has been talking about the ESP contract over the last three meetings, and Mr. Halsey has responded to all the issues that were previously raised.

Steve Sundquist moved to direct himself as Commission Chair, to sign the attached letter that provides SOAR Academy written approval to execute its proposed ESP contract with Seneca Family of Agencies. Dan Grimm seconded. Motion carried, with no opposes and no abstentions.

After Steve Sundquist signs the letter that was included in the meeting materials, the Executive Director will send both an electronic copy and a hard copy of the letter to SOAR Academy on Friday, October 14, 2016 and will retain a copy that will be placed in SOAR Academy's oversight file.

## **Chair Report – Steve Sundquist**

Chair Sundquist provided an update on the appointment process for the two vacant seats on the Commission. There was initially some confusion about who will make the appointments, and it was decided that Senator Litzow will put forward both names. A number of people have been approached, with some having conflicts and others indicating that they were not interested. Consequently, we have not yet completed these appointments. With Senator Litzow in a competitive election and

Commissioner Williams' busy schedule, the process is capacity constrained Chair Sundquist asked commissioners to contact him or Executive Director Halsey if they know anyone who might be a good candidate.

With OSPI's superintendent changing, Chair Sundquist stated that he and Executive Director Halsey had reached out to offer briefings to both Erin Jones and Chris Reykdal.

## **Conflict of Interest Disclosed**

Margit McGuire put forward that she has a conflict of interest, since the dean of the college she works for is on the board of Summit Public Schools Washington and the dean is her boss.

## **Executive Director Report**

### **Charter School Updates**

Washington State was awarded a \$6,973,684 federal Department of Education Charter School Program (CSP) grant on September 28, 2016. The grant will be administered by the Office of Superintendent of Public Instruction (OSPI) and will last three years. Included in the meeting materials was a summary of the grant, which includes the overall project goals, management plan and projected budget. OSPI and Joshua Halsey will be meeting with the CSP program officer soon to discuss the specifics of the award and any changes made to the project.

### **Equity in Education**

Joshua Halsey and Melia LaCour, Executive Director of Equity in Education at Puget Sound Educational Service District (PSESD), engaged in phone conversations around having a Commission work session regarding deepening the Commission's individual and collective cultural competence and developing an educational equity policy. The meeting materials included a safe-the-date flyer for the November 10, 2016 "Achieving Educational Racial Equity Through Policy and Beyond – Part IV" event, which will be held from 9:00 am—3:30 pm at the Crowne Plaza, Seattle Airport. Mr. Halsey asked that commissioners let him know if they are interested in attending the event.

### **Every Student Succeeds Act (ESSA) Workgroups and Consolidated Plan Team.**

Gil Mendoza, OSPI Deputy Superintendent, invited Joshua Halsey to participate in the agency's *Every Student Succeeds Act (ESSA)* workgroups and Consolidated Plan Team. He attended several meetings and will provide Commissioners with a full report at the Commission's November monthly meeting.

### **Agency Rule Updates**

The passing of the new charter school law (E2SSB 6194) triggered the need for rule-making activities to align the Commission's agency rules with the new Charter School Act. The majority of the rule changes being proposed are minor in nature and do not affect the intent or effect of the agency rules. An outline of the steps associated with updating the Commission's rules, as well as a summary of the proposed

updated changes, was included in the meeting materials. The Commission plans to host a public hearing regarding the proposed agency rules from 10-11am on Tuesday, December 6, 2016 at the Commission office in Olympia. Commissioners were asked to consider the proposed updates to the agency's rules and the public hearing date/time/location, and to be prepared to review public comments regarding the proposed rules during the Commission's November meeting.

Steve Sundquist moved to empower the Executive Director to file with the Office of the Code Reviser, a CR-102, which will state that a public hearing will be held at the Charter School Commission's office on Tuesday, December 6, 2016 from 10-11am. Kaaren Heikes seconded. Motion carried, with no opposes and no abstentions.

### **Commission Bylaws Consideration**

As a follow-up to the September Commission meeting, the Commission's bylaws, which have been updated as a result of the new Charter School Act and lessons learned since the last bylaw updates, was presented to the Commission for consideration. After a discussion, it was decided to table this item until the next meeting. Commissioners were asked to contact Joshua Halsey with changes they have, and then he and Aileen will go through the bylaws language and will present the bylaws for consideration at the next meeting.

### **Recognizing Jack Archer**

Jack Archer, former Director of Basic Education Compliance at the State Board of Education (SBE), retired in September. Joshua Halsey expressed gratitude to Jack for his unwavering support of the Commission during the past three years. Mr. Halsey acknowledged that Jack was a critical thought partner to him, Commissioners, staff, and Aileen as they navigated the various paths of developing a charter sector in Washington. Chair Sundquist added that SBE has been key in setting up the charter school rules that the Commission works with, and that the Commission owes Jack a debt of gratitude. Jack will be missed. Best wishes to you Jack!

### **New School Application Update**

The Commission will not be using the Charter Tools platform this year for the New School Application, as it has been integrated into OSPI's i-Grants platform, which school districts are already using. The online portal for charter school applicants will be released in December. The application process involves public forums and a minimum of two commissioners are to attend each forum. Dates for the Public Forums will be established at the November meeting.

### **Calendar for 2017 CSC Regular Meetings**

Joshua Halsey presented a draft of the *Proposed 2017 Public Meeting Calendar* and asked commissioners to provide input on the proposed dates and locations. Chair Sundquist reminded the

group to take weather conditions and travel into consideration; therefore, it was suggested to meet in Yakima in September and in Spokane in the spring.

## Meeting Roster

The meeting materials packet included a list of the individuals and organizations that Executive Director Halsey had met with since the September Commission meeting.

## Executive Session

There was no executive session at this meeting.

## Next Steps

The following next steps were identified:

1. Next meeting is November 17<sup>th</sup> at South Seattle College - Georgetown Campus
2. Complete appointment process through Senator Litzow
3. Academic Performance Framework (January/February)
4. Draft legislative strategy
5. Executive Director performance evaluation
6. New schools solicitation process and application (November)
7. NACSA travel expenses (November)
8. Performance audit
9. Bylaws considered
10. Officer elections
11. Calendaring for Commission's 2017 public meetings

**Commission adjourned at 4:00 p.m.**