



CHARTER SCHOOL COMMISSION MEETING MINUTES

Thursday, November 14, 2019 | 10:10 a.m. to 5:13 p.m.

Technology Access Foundation: 605 SW 108t Street, Seattle, WA 9848

Attendance:

Betsy Cohen, Jessica Garcia, Dan Grimm, Heather Lechner, Harium Martin-Morris, Dr. Kristina Mayer, Dr. Margit McGuire, Gayle Pauley, Steve Sundquist, and Cindi Williams.

Leadership Team: Joshua Halsey, Executive Director; Krystal Starwich, Deputy Director; Aileen Miller, Assistant Attorney General; and Amanda Martinez, Executive Assistant.

Call To Order

Roll Call

Chair Williams called the meeting to order at 10:10 a.m. The following Commissioners were present: Betsy Cohen, Jessica Garcia, Dan Grimm, Heather Lechner, Margit McGuire, Gayle Pauley, Steve Sundquist and Cindi Williams. Commissioner Mayer was present via teleconference. It was determined that a quorum was present to proceed with the meeting.

Consent Agenda

The meeting minutes for the October 17, 2019 Commission meeting and standing committee updates were reviewed. Chair Williams moved to approve the consent agenda. Commissioner Cohen seconded. The motion passed, with no opposes; Chair Williams abstained.

Public Comment

No public comment was provided.

Chair Report

Commissioner Appointment Updates

Chair Williams provided an update on Commissioner appointments.

Stipulation and Stay of Revocation Agreement Framing Discussion

Commissioner Sundquist provided an overview of the framing and process at Willow Public Schools which ultimately resulted in the Stipulation and Stay of Revocation Agreement.

The Commission engaged in discussion around the process with an eye towards improvement. One area of improvement was better support for Commissioners regarding the legal process and its implications.

The Executive Committee will continue these conversations and surface learnings for the entire Commission.

Executive Director Report

General Updates

Executive Director Halsey provided an update regarding staffing capacity in the agency. There are two current positions open of School Evaluation Analyst and Oversight Specialist. Contractors will be utilized for the various oversight processes until vacant positions have been filled.

Executive Director Halsey provided an update regarding the audit on the agency's oversight processes and procedures. A report of the findings will be presented in early 2020.

Executive Director Halsey, Commissioner Lechner and staff attended the National Association of Charter School Authorizers (NACSA) annual conference. Commission staff hosted two workshops that were well attended and well received. These workshops were *Mission-Specific Goals: Powerful Tools for Schools and Authorizers* and *Assessing Applicant Capacity Through Use of a Performance Task*.

Executive Director Halsey and Deputy Director Starwich observed and participated in a renewal site visit with long-time authorizer, State University of New York (SUNY). This was a great learning opportunity and will be brought back to the both standing committees and the full Commission in 2020.

Executive Director Halsey provided an overview of the charter contract renewal process and timeline. The formal process will begin in the spring for Rainier Prep, Summit Olympus, and Summit Sierra.

SOAR Academy Closure Updates

Executive Director Halsey provided an update regarding SOAR Academy (SOAR) closure. Commission staff will meet with SOAR, Seneca Family of Agencies, Puget Sound Educational Service District and Washington State Charter Schools Association (WA Charters) to continue the closure process of the school.

Ashé Preparatory Academy Update and Discussion

Commission staff and the Ashé team will continue to explore the cause and lessons learned to be shared from Ashé Prep's experience. The transition team will continue to meet to ensure smooth process of school closure.

Willow Public Schools Stipulation and Stay of Revocation Agreement Update

Executive Director Halsey provided an update regarding Willow's Stipulation and Stay of Revocation Agreement. Materials for both the Stipulation and Stay of Revocation Agreement, along with annual compliance deliverables have been late. There is a pattern of Willow not meeting deadlines and Executive Director Halsey recommends the Commission communicate to the school that this behavior cannot continue.

Executive Session

An Executive Session was begun at 11:20 a.m. pursuant to the Open Public Meetings Act, RCW 42.30.110(1) to evaluate the 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.

Open Session

At 12:13 p.m., Chair Williams resumed open session stating that no final action had been taken during the Executive Session.

Spokane International Academy (SIA) Charter Transfer Consideration

Executive Director Halsey provided an update and recommendation for approval of the Spokane International Academy charter contract transfer from Spokane Public Schools. The transfer would be for one year, subject to pre-opening conditions geared towards the renewal process, which will begin in the spring of 2020.

Travis Franklin, school leader at Spokane International Academy, and Ken Vorhees, board chair, provided the Commission with additional details about the school, including the academic model, staff investment in the model, partnership with Whitworth University, new facility, enrollment lottery, and transition from school district oversight to state agency oversight.

Chair Williams moved to agree to the transfer of SIA oversight to the Commission on the following conditions:

- SIA agrees to and executes the Commission's charter contract, which will be limited to a one year term and requires satisfaction of the conditions precedent identified in Attachment 1 to the charter contract

Commissioner Cohen seconded. The motion passed, with no opposes; no abstentions.

Executive Director Report Continued

Summit Investigation

Executive Director Halsey provided an overview regarding an investigation of Summit Atlas and Summit Sierra regarding their compliance with legal obligations under state and federal laws and regulations governing special education. Investigators have been retained to facilitate the process and to review the documentation submitted by the Summit.

Annual Authorizer Report Review

Executive Director Halsey provided a final draft of the Annual Authorizer Report due to the State Board of Education (SBE) on December 1, 2019, which included information regarding the four charter contract surrenders that occurred over the past six months.

Charter Expansion and Replication Policy Consideration

Executive Director Halsey provided an overview of the Charter Expansion and Replication Policy.

Chair Williams moved to approve the Charter Expansion and Replication Policy. Commissioner Lechner seconded. The motion passed, with no opposes; no abstentions.

Green Dot Washington State Rainier Valley Leadership Academy Update

Executive Director Halsey provided an update on Green Dot Rainier Valley Leadership Academy's transition proposal from Green Dot National to a stand-alone charter school operator.

Commissioners engaged in dialogue and surfaced questions regarding this proposal. Discussion is as follows:

- The timeline for the transition and how it coincides with student enrollment for the next school year.
- The Commission Executive Committee will engage in community events and hear directly from the community to ascertain if there is a true demand for the school from the community.
- Rainier Valley Leadership Academy's proposal is predicated on a fully enrolled school, the school is not currently fully enrolled.
- The proposed transition includes the obligation of debt until 2045 for the former Destiny Middle School building in Tacoma. Work has been underway with Washington Charter School Development to find a long term tenant that can occupy this building and reduce the debt obligations, as zoning requires the building to be occupied by a school. A question surfaced regarding Green Dot National's moral or legal obligation to the Tacoma building.
- Green Dot National will be leaving Washington State, however Green Dot Public Schools Washington State still has a non-profit and will still hold the charter contract.
- Green Dot National as the charter management organization (CMO) has historically provided back office and academic supports for the model and was a large consideration in approving the charter school application.
- The board plans to change the name from Green Dot to Rainier Valley Leadership Academy to signal a complete severance of the relationship.

Executive Director of Green Dot Public Schools Washington State, Bree Dusseault, engaged in dialogue with the Commission. Clarification on materials is as follows:

- There have been two dozen community meetings since September with a variety of stakeholders, including parents, students, staff and general community meetings. Many adjustments have been made from these meetings.
- Education Program Terms and curriculum would no longer be dictated by Green Dot National, but the stand-alone school is still using the community meetings and feedback to determine what the academic programming would look like.
- Green Dot National has been phasing out their supports and transitioning to the expertise at the Educational Service District level and building capacity in-house over the current school year.

Executive Session

An Executive Session was begun at 2:10 p.m. pursuant to the Open Public Meetings Act, RCW 42.30.110(1) to evaluate the 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.

Open Session

At 3:35 p.m., Chair Williams resumed open session stating that no final action had been taken during the Executive Session.

Commissioner McGuire moved to deny Green Dot authorization to make the material and substantial changes proposed in its transition plan, particularly the organizational restructure, because they reflect too significant a departure from the organization and school that formed the basis for the Commission's authorization and the charter contract. Commissioner Pauley seconded.

Discussion around the motion included:

- A question of willingness for Green Dot National to maintain the contractual obligation for the duration of the contract.
- Commissioner Garcia has recused herself in the past due to her relationship with Green Dot as a parent. As the Vice Chair of the Finance Committee, she urged the Commission to lift the recusal.

Commissioner Cohen moved amend the motion to defer the vote on the motion to the Commission's January meeting in order to give Green Dot time to respond to concerns expressed in the finances. Commissioner Martin-Morris seconded.

Commissioners voted as follows: Betsy Cohen, aye; Jessica Garcia, recused; Dan Grimm, nay; Heather Lechner, aye; Harium Martin-Morris, aye; Kristina Mayer, abstained; Margit McGuire, nay; Gayle Pauley, nay; Steve Sundquist, aye; and Cindi Williams, aye. The vote was 5-3, one abstention; one recusal. The motion passed.

Willow Public Schools Stipulation and Stay of Revocation Agreement Update Continued

There was a break in the agenda to accommodate guests' travel arrangements. Please see above notes for discussion regarding Willow Public Schools prior to the break.

Chair Williams moved to issue a Notice of Noncompliance with the Stipulation and Stay of Revocation Agreement and Notice of Perceived Problem relating to the noncompliance with the Commission's Annual Compliance Calendar. Commissioner Cohen seconded.

Discussion around the motion included:

- There was a clear violation around their contractual obligations around timely submittal of compliance documents.
- Student performance data will be available in January to determine the progress the new regime has made on educating students.
- The Stipulation and Stay of Revocation Agreement was negotiated in good faith with the school and the deadlines set within the Agreement were mutually agreed upon.
- The burden is on Willow to show the progress they have made and evidence of that progress.

Commissioner Cohen moved to amend the motion to inform Willow that a vote will be taken at the January Commission meeting whether to lift the Stipulation and Stay of Revocation Agreement from the noncompliance. Commissioner Lechner seconds.

Commissioners voted as follows to the amendment: Betsy Cohen, aye; Jessica Garcia, nay; Dan Grimm, nay; Heather Lechner, aye; Harium Martin-Morris, aye; Kristina Mayer, nay; Margit McGuire, nay; Gayle Pauley, nay; Steve Sundquist, aye; and Cindi Williams, aye. The vote was 5-5. The motion failed.

Commissioners voted as follows to the original motion by Chair Williams: Betsy Cohen, aye; Jessica Garcia, nay; Dan Grimm, nay; Heather Lechner, aye; Harium Martin-Morris, aye; Kristina Mayer, nay; Margit McGuire, nay; Gayle Pauley, nay; Steve Sundquist, aye; and Cindi Williams, aye. The vote was 5-5. The motion failed.

Commissioner Grimm moved to lift the Stay of Revocation. Commissioner McGuire seconded.

Discussion around the motion included:

- In the absence of an agenda reflecting action being taken, Willow was not able to participate in this conversation.
- Willow is out of compliance on the current Stipulation and Stay of Revocation Agreement and should be held accountable.
- Performance data will be public in December and will provide a more thorough understanding of the learning performance of Willow under the new leadership.

Commissioners voted as follows: Betsy Cohen, nay; Jessica Garcia, aye; Dan Grimm, aye; Heather Lechner, nay; Harium Martin-Morris, nay; Kristina Mayer, abstained; Margit McGuire, aye; Gayle Pauley, aye; Steve Sundquist, nay; and Cindi Williams, nay. The vote was 5-4 and one abstention. The motion failed.

Commissioner Grimm moved to issue a Notice of Noncompliance with the Stipulation and Stay of Revocation Agreement and Notice of Perceived Problem relating to the noncompliance with the Commission's Annual Compliance Calendar. Commissioner Lechner seconded. The motion passes unanimously, with no opposes; no abstentions.

Executive Session

No Executive Session was needed.

Next Steps

Chair Williams identified the following next steps:

1. Continue developing a Commissioner Pipeline / Executive Committee
2. Closure Updates and Reflections/ Lessons Learned
 - a. SOAR Academy
 - b. Green Dot Destiny
 - c. Green Dot Excel
 - d. Ashé Preparatory Academy
3. Green Dot and Rainier Valley Leadership Academy Transition
 - a. Academic Information
 - b. Community Timeline
 - c. Commissioner Garcia's recusal
4. Charter School Replication and Expansion Application Implementation
5. Strategic Plan Update – Equity Policy Implementation
6. Willow Stipulation and Stay of Revocation Agreement Update
7. Facilities and Funding Deep Dive with Charter School Development
8. Charter Contract Renewal and Non-Renewal
9. SUNY Lessons learned – likely at the committee level
10. Spokane International Academy Charter Contract Transfer Complete
 - a. Replication piece with significant growth in students
11. State Board of Education Annual Authorizer Report Submitted
12. Growth Data Results
13. Oversight Audit Results and Recommendations
14. New School Application Process

Meeting Adjournment

Chair Williams adjourned the meeting at 5:13 p.m.