Maine Charter School Commission

DRAFT – MINUTES PENDING COMMISSION APPROVAL AUGUST 4, 2015.

MINUTES

The Maine Charter School Commission held a meeting on **Tuesday, July 7, 2015**, at the Burton Cross Office Building, 111 Sewall Street, Augusta, Maine.

I. Call to Order

Chair, Shelley Reed, called the meeting to order at 9:45 a.m.

II. Roll Call

The following members were present: John Bird, Nichi Farnham, Jana Lapoint, Laurie Pendleton, Ande Smith, Mike Wilhelm and Shelley Reed, Chair.
Also in attendance were Bob Kautz, Executive Director; Gina Post, Director of Program Management; and Deanne Lavallee, Administrative Assistant.

III. Adjustments to the Agenda

None.

IV. Acceptance of Minutes

A. Moved by Jana Lapoint; seconded by John Bird and voted unanimously to accept the May 5, 2015, Minutes as written.

B. Moved by John Bird; seconded by Mike Wilhelm and voted unanimously to accept the June 8, 2015, Strategic Planning Notes as written.

V. Officers' Reports

A. Chair

Attended the RFP Information Session; had 5 groups that are going to be submitting applications. John and Laurie were there, as well as, Gina and Bob.
June 17, 2015, Informational Meeting Notes available on the MCSC website or by calling the office.

Committee assignments for the applicants were discussed and agreed upon. Dates/venues set for the potential Review Team Interviews and the Commission Interview-Public Hearings.

With Jana and Bob, attended the OPEGA, regarding GWH-MeANS new President and the Governor's alleged withholding of funds for Good Will-Hinckley. OPEGA is doing a study on the money for the Good Will-Hinckley system; scheduled to report out mid-to-late July.

Strategic Planning Sub-Committees – great work is being done by many; exciting to see every person is ready and willing to take on this mission to improve the Commission and the public charter schools. Thank you!

B. Vice Chair

VI. Staff Reports

A. Executive Director

- DOE – US Grant – Information Meeting, conference calls.
- Tri-State in regard to filling the impending vacancy – Administration Assistant.
- Gina and I have conferenced on how things are going. She is making great progress.
- July 7 LD tracker sent out this morning. LD 1448 had many procedural changes included for charter schools and others. It was not discussed so is considered "dead." A Governor's Bill should come back in the next session.

B. Director of Program Management

End-of-Year reports – draft of Cornville and Fiddlehead should go to team members at the end of today. There is still data missing because we do not have test scores/attendance. Please provide feedback regarding changes/wordsmith/deletions/missing information. After I make your changes and receive more school data, I will send a more complete version to you so that when we have the Report Writing Meeting; it will be for final adjustments.

Concurrently, researching what others are doing for end-of-year reports.

Peg Armstrong (DOE SPED) , Bob and I met with Carrie Branson and John D'Anieri at Harpswell Coastal Academy, as a follow-up, regarding some parent concerns – particularly concerning special education. Things have been dealt with in a timely manner with follow-up.
Have established procedures for next year to strengthen the SPED process by dividing responsibilities per their own analysis of how things have been going. There is now a coordinator to keep track of the advance process prior to the meetings and the follow-up.

Are there just negative parents in the parent group; it is a volunteer group. HCA's enrollment is not in trouble. HCA Leadership is attending parent meetings to allay concerns. Need more diverse group; should be in the end-of-year report.

VII. Unfinished Business

A. Election of Officers

Chair called for nominations for Chair and Vice Chair.

Moved by John Bird; seconded by Jana Lapoint to retain the current slate.

Are there any other nominations? Hearing none.
Commission voted unanimously to approve Shelley Reed, Chair, and Ande Smith, Vice Chair, for FY 16.

John Bird, Laurie Pendleton and Ande Smith took the Oath of Office this morning for their next three-year term as members of the Maine Charter School Commission.

Note: Spoke to Dr. Phil McCarthy, Senior Analyst, Education and Cultural Affairs Committee, regarding the meeting requested by the "*Committee*" with the Commission. He will check with the "*Committee*" Chairs and ask them what it is they want to be discussed. I have not heard back from him; this may happen during the next session.

B. Report writing dates for end-of-year reports – approved 7/7/15.

School	Date	Time	Room
Baxter	7-31-15	10:00	541
Cornville	7-30-15	9:00	541
Fiddlehead	7-30-15	10:30	541
Harpswell	8-4-15	Following Bus. Mtg	103
MeANS	9-1-15	Following Bus. Mtg.	103
Maine Connections	8-3-15	1:00 p.m.	536
Maine Virtual	Aug. 11	9:30 a.m.	Pre-Opening Meeting

Sequence for the Public Charter School End-of-Year Report:

1. Draft End-of-Year Report from Gina to Review Team Chair.
   Chair reviews report, confers with Team as needed, makes recommendation on completion of the Final Draft Report (Report-Writing Meeting).
2. Report-Writing Meeting with Review Team for Final Draft Report.
   May be conference call or may be in-person meeting or meeting may not be necessary per Chair and Team.
3. Final Draft Report to Public Charter School for review – Governing Board Chair and School Administrator.
4. Report to Commission for a discussion and vote to accept/approve.
5. Send FINAL End-of-Year Report to Public Charter School.
6. Meeting at/with the School Chair and/or Administration.
7. Post FINAL End-of-Year Report on MCSC Website.
8. Use FINAL End-of-Year Report for DOE Commissioner's Annual Public Charter School Report.

C. School visits for school year 2015-16 – changes in procedure / timing of visits will be handled by the Monitoring Sub-committee.

D. Administrative Assistant Vacancy.

Hire permitted to begin training two weeks prior (on or about August 12) to Deanne's final day. Sooner if a candidate is willing to start at 2-3 days per week.

Bob is working with Tri-State in the hiring process.

We can begin seeking a candidate.
Usually a person seeking temporary employment is for immediate placement.
Linda will advertise for an Administrative Assistant the end of July.
Bob and Gina will interview candidates.

The contract is for the position not for the person so the current contract will continue through June 30, 2016. The 2015-16 Administrative Assistant Contract is 40 hours per week times 50 weeks per year. Due to a *temporary's* unpaid time off, this will leave a fund balance for the cross-over of two Admins. for training and/or any overtime that might be essential.

If during the fiscal year due to work hours the line becomes deficient, a contract amendment could be done to accommodate for the extra funds necessary.

Moved by Mike Wilhelm; seconded by Ande Smith and unanimously voted to approve the filling of the administrative assistant vacancy to include the capacity for a training period with the current and new staff

VIII. New Business

A. Cornville Non-material Amendment notice

New Board Members:

- Stacey DeMerchant;
- Beth Enman;
- Stephanie Miller;
- Roseanna S. Vanadestine.

Moved by John Bird; seconded by Jana Lapoint and voted unanimously to accept new Cornville Regional Charter School Governing Board Members S. DeMerchant, Beth Enman, Stephanie Miller, and Roseanna S. Vanadestine.

B. Fiddlehead Non-material amendment Notice -

New Board Member - Jennifer McClure-Grover.

Moved by John Bird; seconded by Jana Lapoint to accept Jennifer McClure-Groover to the Fiddlehead Governing Board. Discussion:

Nichi Farnham: In our review, when asked, Fiddlehead said they have a board skills set matrix; but this is another person coming from an education background. There are gaps in their board – fundraising, marketing, legal.

Shelley Reed: This needs to be in the letter to them. A discussion at their end-of-year visit this was specifically addressed.

Bob Kautz: We will have a conversation before the letter is sent. MCSC can say this person does not seem to be filling the skill gap; what is your plan. MCSC does not have the authority to reject a person.

Shelley Reed: Just noting it. The motion was voted.

Post Note: Jennifer McClure-Groover was accepted as a new member of the Fiddlehead Governing Board on January 6, 2015. Mary J. O'Connor's resume and acceptance was intended for the July 7 meeting and will be sent to MCSC for the August 4, 2015, meeting.

C. Harpswell Coastal Academy Material Amendment Requests for Commission Approval and non-material notification:

1. Additional facility in Brunswick for HCA Grades 9-12.

Moved by John Bird; seconded by Jana Lapoint to approve the additional facility in Brunswick subject to receipt of sufficient budget, building description, emergency plan for the building and a few other *minor* items.

Ande Smith: Has the Review Team had any dialogue with HCA regarding the additional facility?
John Bird: They know we are not happy about reading about it in the newspaper; *(per end-of-year visit discussion.)*

Laurie Pendleton: They know they are being sent a letter.

John Bird: We do need to remind them of all the things we need.

Mike Wilhelm: Do they have a contract without notifying MCSC?

Shelley Reed: They have a signed lease.

Bob Kautz: The situation was: they did not communicate with us. They sent out their newsletter which included information that they are renting the Seeds of Independence facility for their upper grades and that they hired a person who was a guidance person at Bath Middle School to be the head of that facility. We told them about it. They apologized. We discussed with the governing board at the end-of-year visit. They apologized; said it was an oversight. They would do better in the future.

Shelley Reed: It was suggested to them that they do a dramatic reading of their contract at the next meeting so they would understand what is in it. And, to show in their Minutes that they discussed the contract and had a better understanding of it.

Laurie Pendleton: The Board Members were surprised they had that culpability to the Commission.

Jana Lapoint: I will approve the building, but it is conditional. I have to see a budget; I want to see how they think they are going to pay for the space. They were very tight in the beginning. I know they will have more children; but I still need to see that budget.

Ande Smith: What do we make them do when they are opening a school? Transportation plan, food, the whole boat. And, what did they send us?

Shelley Reed: The transportation plan is very important; when talking to the Kids, they didn't know if they were coming back because they do not know how they are going to get to Brunswick.

John Bird: Approving this is subject to all of those conditions – spelled out.

Ande Smith: If we approve it now, even subject to conditions, they are going to go forward and we will have no ability to reel it back. It puts us in a bad position in July because they have already been out selling it in the community. For them it is a done deal. Do we say "You can't do it;" or *"Go along with it,"* which this school has been the worst school in terms of being able to run itself that we have.

Mike Wilhelm: this goes back to the Executive Director of the School because that individual should be advising the board of what is necessary so the board can take the necessary steps.

John Bird: He is a practitioner of: *"it is better to ask for forgiveness."* The point is we are stuck in a sense. This is July; we can pull the whole thing back and cause a public relations disaster. Whether we drop this motion and go at it another way, they are going to open and that is a very good location for them. I think we can still sanction them in all kinds of ways going forward and definitely have to get Sally to be stronger with John D'Anieri. We can definitely push on that front.

Shelley Reed: What are the things on the Pre-opening Plan that we can hold them to?

Jana Lapoint: We need to see there is insurance. As far as I am concerned, they are not opening until I have the "stuff." Even if it hits the public, I don't care.

Mike Wilhelm: It will be worse if we have not done our due diligence.

John Bird: When the dust has settled on this school, in most of the situations that have occurred, they have continued to educate the kids pretty well and have a good product.

Bob Kautz: Motion – Subject to those items being received in time for a final vote of the Commission.

Ande Smith: I would be inclined not to vote for it. I really don't care what kind of fire storm falls upon them – even if they have to close the school; they are untrustworthy. We can table this motion until Bob and Gina have delivered to us basically a charter school application that has all the materials and all the material content for opening a new facility – budget, transportation plan, food plan, insurance, etc. – and bring that "bucket of stuff" to us in August.
Shelley Reed: Motion is we need to receive this list of things (Pre-opening) and we will take another vote in August. So they know that we looked at it and said we can't approve this going forward until we have received documents.

John Bird: I am comfortable with that; I think we are splitting hairs here. It is fine.

Ande Smith moved to table the vote to approve; seconded by Nichi Farnham.

Discussion:

Jana Lapoint: Why table it?

Ande Smith: We are taking no action. We are not telling them we are going to vote for it and we are not telling them we are not going to vote for it.

John Bird: We are tabling it because we do not have the information we need to even consider it.

Nichi Farnham: A material amendment needs to be solid per the contract.

John Bird: This is another reminder of the fact that we get into the situation where they are not doing what they are supposed to do and we are sitting here in an awkward position. We do not want this to happen again. We are tabling and sending a letter to them.

Mike Wilhelm: Letter explaining why it was tabled. There is no motion to write a letter.

Nichi Farnham: Motion to table takes precedent over any other motion.

Bob Kautz: The review team, as well as all others, should review the materials prior to the August 4 meeting so they can make a recommendation to the Commission.

Motion by Ande Smith to table the vote to approve the additional facility in Brunswick subject to receipt of sufficient budget, building description, emergency plan for the building and other pre-opening items; seconded by Nichi Farnham and voted unanimously.

2. Addition / changes in HCA Senior Management – received Matthew A. Hamilton's resume and an organizational chart from Harpswell.

Motion by Laurie Pendleton; seconded by Mike Wilhelm and voted unanimously to approve Matthew A. Hamilton's hire by Harpswell Coastal Academy as the 9-12 Assistant Head-of -School and the Finance Director.

3. New Chair of the HCA Governing Board – Sarah (Sally) MacKenzie.

Motion by John Bird; seconded by Mike Wilhelm and voted unanimously to accept Sarah MacKenzie as Harpswell Coastal Academy's Governing Board Chair.

D. MeANS Non-material Amendment Notice:
New Interim President Robert Moody – current employee of GWH-MeANS.

Motion by John Bird; seconded by Nichi Farnham and voted to accept Robert Moody as Interim President of GWH and MeANS.

E. MeANS New Finance Director – Received notice July 2, 2015, for Donna Ferenc, who started work on July 6, 2015.

Motion by Nichi Farnham; seconded by Laurie Pendleton and voted to accept Donna M. Ferenc as the new Finance Director for Good Will-Hinckley and Maine Academy of Natural Sciences.

E. MeANS Material Amendment Requests for Commission Approval:

1. Move of School to New Facility.

June 23, 2015, letter to MeANS detailing information needed for a change of facility material amendment.

Spoke with Rob Moody this morning, materials not sent because we do not have the documentation; will send us something in writing.
Email received July 7, 2015, from Rob Moody:

> *The substantial completion date for the building is August 21, 2015. We will have the Certificate of Occupancy and all inspections by the end of August. The building is located on the campus of Good Will-Hinckley and the new address is Moody School, 13 Easler Road, Hinckley, Maine 04944*

Jana Lapoint: We need to have all the information for the new facility we are requiring of Harpswell.

Bob Kautz: This is something that has been known to the Commission from very early stage as far as the funding, etc. We did not ask for anything when they moved from the old

high school to their current location at 16 Prescott Drive because it was on the same campus. But if we have requested it from Harpswell, we need to request it from them.

John Bird: This is a very different situation. We know what they are doing; they have raised the money for it; it is part of their strategic plan. In terms of what we are dealing with in Harpswell, I don't know that we have to go through the same details. I am chair of the review team; I will check into it when I go up there on the 20th.

Jana Lapoint – The Governor took away $530,000 from them for one year in two years that is over a million. Had they not changed; they would not have had the money to go into that new building or to continue.

John Bird: My understanding is that whole thing is a lot of talk – no actual action has taken place at all – the $530,000. The Governor wrote a letter that threatened to do that – Alfond weighed in; but nothing essentially happened. How does that effect what we are talking about?

Nichi Farnham: What we need in order to approve a (material) amendment? Is this a new lease situation? It is a new facility.

Bob Kautz: They (MeANS) are contracting Good Will-Hinckley for the occupancy of the space and it is no different than what they had when they were at Averill High School – the old high school on the campus – just shifting around within the facilities there – they are not moving to a different location that is miles away owned by someone else. To my knowledge, the budget has not changed. This morning, I asked Rob Moody again – he said: *"'Even if the money was taken away from us, we could survive for a year; then we would be faced with another situation.'"*

Gina Post: Perhaps we do not need the budget and transportation part, but the building description and emergency evacuation plan and insurance.

Ande Smith: The material difference between Harpswell and this (MeANS) is that the Review Team knows and they are satisfied with the viability of the school and is well thought out and well understood. This is not new. If we want to see different documents, we should always ask for them; but we have not done that. The reaction to Harpswell is they do not have their "stuff" together – this school (MeANS) has been working on this for a long time to be implemented. I am most worried about the fiscal viability; which they (MeANS) have probably worked out.

Bob Kautz: A certificate of occupancy we will have; we required a certificate of occupancy when they moved to their current location of 16 Prescott Drive. The insurance is carried from one building to the next; their emergency plan is not going to be any different.

Ande Smith: Staff can collect administrative documents that make us comfortable.

Shelley Reed: I would feel ok about this if the review team goes and checks out this other documentation – like the certificate of occupancy they will not have until the end of August. Emergency plans are important. And, when you open a new building, even private schools, you have to check on certain things – down to the water temperature in the building. I think it is in our bounds to say – *you are moving to a new location show us some of this stuff.* Some of this was in the letter (June 23, 2015, regarding moving to a different facility from Gina Post to Chair Bill Brown cc to E. Pariser and Troy Frost).

Nichi Farnham: We are going up for the end-of-year meeting on July 22 and John is going on the 20th. If we see something…

Bob Kautz: We could see things they do have to produce, which is all part of a certificate of occupancy, water has to be tested.

John Bird: In the beginning, the question we had was the relationship of Good Will-Hinckley to MeANS and the money back and forth. We are satisfied that has been handled very, very well. MeANS is the reason Good Will-Hinckley is alive and reasonably well. This building is going to be fabulous. Let's just move forward and we (Review Team) will do our due diligence.

Shelley Bird: John Bird, Nichi Farnham and Jana Lapoint are the MeANS Review Team.

Laurie Pendleton: It is not so much our concern with Harpswell's management; it is that Harpswell is moving to a totally different facility that is off their current facility. They are leasing it. MeANs is basically moving house on the same and they own it.

Moved by Mike Wilhelm; seconded by Laurie Pendleton and voted unanimously to approve MeANS moving into their new facility name and location Moody School, 13 Easler Road, Hinckley Maine 04944.

Post Note: 7-7-15 Letter to MeANS: The new facility with a name and address of: Moody School, 13 Easler Road, Hinckley, Maine 04944, by a vote of the Commission July 7, 2015, is approved upon receipt of documents required by the MeANS Charter Contract dated July 31, 2012, sections 1.5 Location, 1.6 Facilities and 6.10 Material Amendment as soon as possible and no later than the opening day of school for students.

2. MeANS Proposed Performance Indicators recommendation from Review Team.

Bob Kautz: The Performance Indicators are not ready for the Review Team yet. Laurie was kind enough to review them; I have shared with Emanuel. His question is: *he is trying to get materials ready for end-of-year visit, which one should he do?* He is going to share (Laurie's Recommendations) with the Board and will get back to me with their reaction and what changes they might make. Move to the August 4 Meeting.

F. USDOE Maine DOE Charter School Grant Update and consideration of requests. Discussion about writing, funding a writer with MACS; in conversation with Sarah Forster, DOE Grant Writing would not be within the oversight law of MCSC. Also, involved with this grant is the DOE's required oversight of all charter school authorizers, which would include MCSC.

Moved by John Bird; seconded by Jana Lapoint and unanimously voted to encourage the SEA (State Education Agency) to file the application for the Federal DOE Charter School Grant in order to strengthen the charter school movement in Maine.

Post Note: This was all moot because in a July 8th meeting between Roger Brainerd and the Governor. Governor LaPage will not allow the DOE to submit a grant application for federal funds.

G. Strategic Plan Activity:
Monitoring, Contract, Application, Budget Committees present their plans of action and the milestones and the resources needed to accomplish the task.

Application Committee not meet today – perhaps meet by conference call in order for the other four committees to convene this afternoon – two per hour.

Contract – Monitoring Budget – Public Documents

Develop a more firm calendar to move forward with the information pertaining to your group.

IX. Other

Heard prior to G. Strategic Plan Activity.

1. Executive Director Performance Objectives
Asking the Commission if Ande and I can meet with Bob to go through the Executive Director Priorities established with Bob – the two identified areas are financial and personnel management. Commission members gave a verbal affirmative.

2. Colorado Trip for the National Association of Charter School Authorizers October 19-22, 2015. Forms to complete for NACSA Registration and name as it appears on your identification and date-of-birth for airline tickets.

3. Review Teams for RFP Applicants School Year 2016 with projected dates for Review Team Interviews and Commission Interview-Public Hearing. Complete table Pages 11-12.

X. Announcements

A. Turn in Expense Account Vouchers at the end of the meeting.

B. Reminders of important dates for your calendar:

- Maine Virtual Review Team –
  August 11 = Pre-Opening.
  December 2 = 90-Day Visit.
- Applications available for Review – on or before September 10.
- September 28 – October 2 = Review Team Interviews with Applicants.
- October 13 = Vote on Applications moving to Phase 2 of the process.
- October 19 – 22 = NASCA Conference, Omni Interlocken Resort, Broomfield, Colorado.
- October 23, 26, 27 = In-person Interviews – Public Hearings in catchment areas.
- November 17 = Applicant vote to contract negotiations.

XI. Public Comment

None.

XII. Adjourn

Moved by Jana Lapoint; seconded by Laurie Pendleton and voted unanimously to adjourn the Business Meeting at 12:32 p.m.

Maine Charter School Commission

Public Charter School Review Teams

	End-of-year visits 2014	Jana	Shelley	Ande	John	Laurie	Mike	Nichi	Approved 7-7-15 Report Writing			End-of-year visits MCSC Approved 5-6-14* 2015
Baxter	Thursday, June 12, 2014	**Chair**		Member	Member				**7/31/15**	**541**	**10:00**	Thurs, Jun 11, 2015
Cornville	Thursday, May 29, 2014	Member	Member				**Chair**		**7/30/15**	**541**	**9:00**	Thurs, May 28, 2015
Fiddlehead	Tuesday, June 10, 2014	Member	**Chair**					Member	**7/30/15**	**541**	**10:30**	Tues, June 9, 2015
Harpswell	Thursday, June 5, 2014		Member		Member	**Chair**			**8/4/15**	**103**	**1 ish**	Thurs, June 4, 2015
MeANS	Tuesday, July 22, 2014	Member			**Chair**			Member	**9/1/15**	**103**	**1 ish**	Wed, July 22, 2015
Maine Connections	Pre-opening Meeting Wed. August 20,2014 9:30 a.m.		90-Day Visit December 9, 2014	**Chair**		Member	Member		**8/3/15**	**536**	**1:00**	Mon, May 18, 2015
Maine Virtual Academy				Member		Member	**Chair**	**Pre-Opening Tues. 8-11-15** 90-Day Visit Wed. 12-2-15			**9:30**	NA in 2015

APPLICANT REVIEW TEAMS	Jana	Shelley	Ande	John	Laurie	Mike	Nichi	Review Team Int.	RM	Commission Int. Public Hearing	Place
Acadia Academy Lewiston-Auburn			Member		Chair		Member	W. 9-30-15 12-2 p.m.	500	Mon. 10-26 2-6 p.m.	103
Inspire ME Academy York County	Member	Chair				Member		Th. 10-1-15 9:30-11:30 a.m.	500	Thurs. 10-29 10 -2	YCCC?
Peridot Montessori Charter School Hancock County (Ellsworth)				Member	Member		Chair	W. 9-30-15 2:30-4:30 p.m.	500	Wed. 10-28 2-6 p.m.	Ellsworth Public Library
Sheepscot Bay Charter School Wiscasset			Chair			Member	Member	W. 9-30-15 9-11 a.m.	500	Mon. 10-26 9 a.m. - 1 p.m.	103
Snow Pond Arts Academy Sidney	Member	Member		Chair				Th.10-1-15 12:30-2:30 p.m.	500	Tues.10-27 8:30 - 12:30	103

Important Dates:

9-1-15 Application Due Date

9-28 thru 10-2 First Interview **10-13-15 Vote to Interview-Public Hearing**

10-21 thru 10-27 Interview-Public Hearing **11/17/15 Final Vote to Contract**

*1/20/2015 Added MCA to L. Pendleton to balance the assignments.

*3/3/2015 **Amended date for MCA end-of-year visit and assigned dates for MVA Pre-opening and 90-Day Visit.**

P/CSC/Commission Members Assignments - Tasks REVIEW TEAMS - PUBLIC CHARTER SCHOOLS 2015 W/Mtg Dates.

7/7/2015 Commission Approved Applicant Review Teams; Review Team Interview Dates/Times; Commission Interviews and Public Hearings Dates/Times/Places.

Commission Approved End-of-Year Report Writing Dates/Times.

P/CSC/Commission Members Assignments-Tasks/ **7-17-15** Review Teams Charter Schools-Applicants 2015 ALL DATES