Maine Charter School Commission

Draft for Review and Acceptance at the April 7, 2015, Commission Business Meeting.

MINUTES

The Maine Charter School Commission held a meeting on **Tuesday, March 3, 2015**, at the Burton Cross Office Building, 111 Sewall Street, Augusta, ME.

I. Call to Order

Chair, Shelley Reed, called the meeting to order at 9:37 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, and Deanne Lavallee, Administrative Assistant.

III. Adjustments to the Agenda

Cornville revised Performance Measures and Metrics. Review Team will evaluate and make a recommendation at the April 7, 2015, meeting. These will be sent to you for your review.

IV. Acceptance of Minutes

A. Moved by Nichi Farnham; seconded by Mike Wilhelm and voted unanimously to accept the January 6, 2015, Minutes as written.

B. February 3, 2015, Business Meeting Minutes – not complete for this meeting; deferred to the April 7, 2015, meeting.

V. Officers' Reports

A. Chair

1. Information on Fiddlehead meeting on February 5.
Fiddlehead will be adding Grades 4 and 5 – need assessments for that population.
A member of their board created a software program to have performance measures/metrics, Maine Learning Results, Common Core Standards - color and number coded so you can tell who is on target and who needs more work. – all on one page by individual, grade, school. Will be interesting to see how this "matches" the state testing of the student's knowledge.

2. Brief on Meetings with Speaker Eves and Senator Alfond.
Have gone into these meetings open to their questions and comments.
The funding is a conversation with all of them.

Senator Alfond has multiple concerns about another virtual school. Is the funding of virtual charter schools appropriate or in excess of what it should be? His preference is a state-run virtual school akin to New Hampshire's V-Lac. He is a proponent of school applicants reaching out to their prospective communities. Senator Alfond spent a half day at Baxter and came away thoroughly impressed with the work they are doing. Asked for a copy of the student report on the Homeless in Portland.
Different tone this year with the Legislators; focus on the funding issue. Brian Hubble received a bag of lettuce from MeANS when he visited; he is a sponsor of a bill that has a lot to do with the funding.
Meeting with Speaker Eves – was very comfortable, very open discussion. Wanted to know what our status is, differences; not anti-charter schools. Open to the value that charter schools have for children in the state as a choice.

3. Update on search for a Director of Program Management.

   Working on the Contract with Tri-State; needs approval from DAFS and then we can advertise for the actual position.
   Who would be a good candidate? Packet contains the Program Manager job description and compensation; will be sent to you via email for you to share.

4. Update on February 4 meeting with Harpswell administration and chair; in response to receipt of an unsatisfactory report on the school. Concerns that students were unsupervised in some ways. HCA held a parent meeting for discussion of issues of concern; only one parent spoke. One email was from a parent who had previously home schooled her child and now her child is going to a Christian school; the other was from an interested friend of this parent. How do you know if your children are safe in school? What does your supervision look like? Are students supervised at all times? Kids were allowed in the gym out of the cold and someone would be there in general to supervise. All students are taking a student climate survey. We encouraged them to on a regular basis show that kids are supervised. Understanding the other side, they talked to us about the nature of the people who had made the complaints. They had multiple discussions with the individual and tried to reaffirm the safety of students. We feel they are taking appropriate steps; there are some things they can do. This is a school where students work on projects together – not just sitting in a classroom in chairs that are nailed to the floor. Kids in groups of 2-4-6 are working on projects in the hallway, the gym or other. The work is more field and collective work and they will be spread out through the building. Board Chair wants to know when there are allegations to be able to investigate and respond. Issues should go through the chain of command within the school first before they come to the Commission. MCSC has offered to facilitate meetings between the concerned and the school. Need to think about how the accusations can turn into a wild fire and getting it cleared up and being assertive on a routine basis. Charter schools survival is going to depend on whether the feet are walking toward the school or away from the school.

B. Vice Chair

Have completed the 90-day Report on the Maine Connections Academy.

C. Executive Director

1. Meeting with Heads of Public Charter Schools – February 24 – Charter School Cooperative. Have produced a paper entitled: <u>Shared Services, Resources and Personnel for Maine's Charter Schools -</u> I.e. payroll services, transportation services, food Services, compliance issues – if one could solicit the needed information and share it amongst all members, recruitment, legal services, audits, energy. Assign different school "heads" to tasks to see how it can work; i.e. a group

working on compliance issues and documenting questions they want to raise by priority. Will be setting up another meeting for March or April.

Side Bar: Trying to keep track of the interpretation of current laws as to what is covered for charter schools and what is not; October 2014 – DOE's interpretation.
Commission needs to think about how proposed new laws are applicable to charter schools. The more laws where it says charter schools will do this, that and the other thing, the less flexibility and creativity the charter schools can apply to their situations. Needs to be a balance of things that it would be appropriate for charter schools to be included in a new law and things that might be restrictive to their creativity. If we allow it to slide without being aware of the consequences, could end up with schools that are not really providing choices.
This is a priority for the Commission.
MACs has done a great job in keeping track of the bills and their effect on the charters.
The Governor's Office should also be aware – not just our responsibility.

The only laws that apply to charter schools are only those that are referenced in the charter school law or it is specifically made applicable to charter schools.
Proficiency diploma - it was decided that if public (district) schools have to do it then (public) charter schools should have to do it. It would be hard for us to be against since we require it in our RFP.
Students who are moving between schools need to have some sort of consistencies.

Question: Do charter schools have to be explicitly stated in the law to be required to do it?

How the members are picked to serve on the Commission is in a bill. I don't want it to become full-time employees and the Commission just comes to vote. Why would it be changed if we are doing our job?
Prior two sessions, all the effort was to defeat the charter schools. Now they are here – they are public schools, they should be treated the same as other public schools.
A phrase to watch for: In the interest of consistency -

2. Education Committee visit to MEANS – February 20.
   Brian Langley – truck broke down and Brian Hubble was only member to visit.
   Tour of Moody Hall with solar panels for the building and the green houses; scheduled to open in September. President of Kennebec Valley Community College attended regarding their relationship growing with MeANS. Senator Langley's intention is to also visit Baxter.

3. Update on MVA – Meeting with Amy Carlisle, March 2.
   In search for head of school, finishing the interviews this week; may have a hire by Friday.
   Discussed enrollment – comparison with MCA for advantage or disadvantage.
   Requirement, up front, to tell a prospective candidate that there is another virtual option available in the state.
   MCA did not have that problem last year. MCA has the announcement on the home page of their website; I spoke to Karl about placing it on their enrollment page.
   MVA – when enrollment specialist is called, the script informs parents that there is another option and their contact information.
   MVA is putting it on the home page, enrollment page and in their script.
   MCA has been asked to have it on their home page and on their enrollment page and in the script.

   MVA needed to set some percentages for participation in the surveys – they would like 85% participation in the first year. Second and third year, etc. is increased.
   We should be able to bring it to the Commission next month for approval.

Laurie Pendleton: They still have their Preamble with weights.
Amy liked the scoring guide. They are concerned that all measures are important, but some have greater implications than other measures. Types of students they have are ones who may need a lot of growth to occur in their progress – they would see that as being worth more than just proficiency. Growth should be more valuable than proficiency.
This would be true of any school preferring to be on a growth model rather than a proficiency model. K-12 uses growth to determine if they are doing well or not. I would like to be sure we have a balance of growth and proficiency.
MVA review team needs to look at Laurie's suggestion as a model of scoring, the Preamble, the new performance indicators and make a recommendation for the charter commission.

We should have consistent measures to be sure we are comparing equally. Every school should be using weighted measures or no one using the weighted measures.

Type of student is irrelevant. Types of communities determine what students show up there. Should all be graded by the same performance measures.
We want to be able to compare apples to apples to apples; but we don't have the "no child left behind" – you are at 79%, you are done. Consistent standards and if they vary – talk about why and understand those factors. Over time, if weighted standards give us a better, wider view of that slice – then let's do it with everyone.
We need an understanding of what your school looks like compared to the public district schools and other public charter schools.
If we are using the percentages and they do not meet the percentage, MEA will come in and say "why aren't you closing that school."

Review team needs to determine if MVA will use the weights in the Preamble or not and not doing with one and not all.
NACSA says Authorizers should have a standard protocol for analyzing schools.

4. Any Commission Member issues with the dates for the end-of-year meetings – all agreed:
   a. Cornville – May 28 – Jana, Shelley and Mike.
      Harpswell – June 4 – Laurie, John and Shelley.
      Fiddlehead – June 9 – Nichi, Shelley and Jana.
      Baxter – June 11 – Jana, Ande and John.
      MeANS – July 22 – John, Nichi and Jana.
      MCA – May 18 – Ande, Laurie and Mike.
      MVA – Pre-Opening Meeting Ande, Laurie and Mike Tuesday, August 11.
      90-Day Visit - Wednesday, December 2, 2015.

   b. Start the Day's Schedule earlier than 10 a.m.
      Review Team sharing the "sites" of the visit rather than every member attending all.
      School administrator visited 3-4 classrooms with the Review Team and then after explained how the curriculum was meeting the vision and mission of their school.
      What needs to be produced from this visit?
      Should be designed to give us the answers we need to give a thoughtful end-of-year report.
      There is some show and tell stuff that is not productive for what we are doing.
      Next meeting do best practices and have normative standards for this visit.

5. **February 9, 2015, Report on Recurrent Enrollment and Administrative Structure of Maine's Public Charter Schools** request from Senator Langley and Representative Kornfield.

   - Representative Stearns was particularly interested in the administrative structure. Charter schools have 850 students and have several principals. Public District Schools would not have all those administrators.

   Public District Schools have only one principal, but employ several different department heads, plus central office administrative services.
   Public Charter Schools are wholly owned subsidiaries with limited financial resources and limited administration.

   - How many students started and how many finished the year in the charter school.

   Enrollment - Information is not consistent because of the way they reported it and little quirks between each one of the schools.

VI. Unfinished Business

A. 127th Legislature First Session, Public Charter Schools LDs.

LD 3 – *An Act To Ensure Consistent Certification of Graduation Standards in Publicly Funded Secondary Schools.* We (MCSC) require and are doing it.
The public district schools have already had to submit a waiver for the "due date." Because this is not in the public charter school contracts, we need to support the charter schools.
Neither for nor against: We have the requisite capacity to regulate charter schools, because you do not want to impair the creativity of a school or how it is structured. You should not foreclose the possibility that there may come a time when you do not want to have a proficiency-based diploma.
Charter schools are meant to be alternative public schools within the public system.

DOE will have to respond to this legislation if it passes. The 60 percent schools are included in this LD with the public charter schools. This was not factored in with when the waiver for an extension was to be filed.

LD 65 – *An Act To Apply Equally a Curtailment or Other Loss in General Purpose Aid to Education.*
This will not go too far; in the bill dealing with the funding of charter schools, it says charter schools will be curtailed the same as any other school.

LD 131 *An Act To Amend the Laws Related to Public Funding of Charter Schools.* Includes:

- *" 'Each virtual public charter school shall also submit to the Legislature each report that the virtual public charter school is required to submit to the Commissioner of Education or to the DOE.'"*
- Section 12: " '*A moratorium on operations of virtual public charter schools. The MCSC may not approve, authorize or execute a contract for a virtual public charter schools during the period between the effective date of this section and one year following the effective date of this section.*' "
- *' "The MCSC shall review the requirements of Title A Chapter 112 and the virtual public charter school models that have been implemented in other states and shall develop a model for virtual public charter schools that will best serve the academic and developmental needs of students in the state. The MCSC shall submit a report of review to the joint standing committee of the Legislature no later than December 3, 2015. ...to include findings, recommendations and any necessary legislation regarding the authorization and operation of virtual public charter schools in the state..."'*

Our position was to be in opposition to 131.

No need to have a legal moratorium on virtuals because our RFP is issued in June (2015); applications received in August and a decision in November for a school to open in September 2016.
We do not have the capacity to do the study. It would cost $32,000 as an estimate that we have for it. Further, the Commission has spent years looking at schools across the country; spent time learning as much as could be done about virtual schools and had added into the RFP a lot of provisions that responded to the learnings that the Commission had gained over the last three years. Confident that what we are doing is protecting Maine citizens and students.

LD 235 ***An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of Education, the Maine Arts Commission and the Maine State Museum and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2015.***

The Governor's Bill for Funding. **PART C:** Representative Hubble had worked closely with DOE in regard to the Governor's Bill. This migrated into LD 131 and removed it from the Governor's Supplemental Appropriations Bill.

LD 265 ***An Act To Require the State To Fund Public Charter Schools.***
Representative Higgins required the State to fund charter schools. Education and Cultural Affairs Committee said - all criteria is in the newly constituted LD 131. Voted: Ought not to pass.

Public Hearing Monday, 2/23/15.

The net result LD 131:
Removed the moratorium, the study and the reports to the Legislature; basically the funding bill; voted unanimous.

LD 218 – ***An Act To Support Fair Financing in Charter Schools and School Administrative Units.***
(no scheduled hearing) Per pupil allocations paid by an SAU for a public charter school must be returned to the SAU of the student's residence on a pro-rated basis if the student discontinues enrollment at the public charter school.
DOE is not answering questions on LD 131 until the final draft. Intent the August 1 anticipated enrollment would be the determiner for the initial billing; then trued-up by the October 1 enrollment. Then based on the February 1 enrollment.
Suggested to be Against – not an efficient methodology.

LD 306 – ***Resolve, To Prevent Overpayment for Virtual Education.***
Requires DOE along with the Maine Education Policy Research Institute to design an essential programs and services model for funding virtual public charter schools that reflects evidence based appropriate costs to reduce the current overpayment made to virtual public charter schools for service provided that are not actually provided by the virtual public charter schools. Report to the Legislature by June 1, 2015.
Neither for nor against – It is too soon to know the actual costs. Assumptions may not have merit. With the MCSC RFP, (Virtuals) are required to have a facility for teachers/staff; hire the teachers.

LD 338 – ***An Act To Reduce Remedial Course Requirements at Maine Community Colleges.***
If a student needs remedial courses at a community college, someone has to pay for it. Theory is – it is an indication that the school the student graduated from did not adequately prepared them. Results based on the Accuplacer. The bill wants the community college to accept that cost. If a community college grants someone admission and they are not ready, whose fault?

LD 391 – Resolve, To Create a State-run Virtual Academy Providing Maine Students with Access to Online Learning through Their Existing School Districts. Neither for nor against.

SUMMARY

This resolve does the following.

1. It directs the Department of Education to convene a stakeholder group to develop plans to establish online and digital learning opportunities, which may include a state-administered virtual academy and a state-administered digital learning exchange, that provide all public schools in the State access to online instruction, online courses and digital learning resources for their students.

2. It directs the stakeholder group, in collaboration with the Department of Education, to complete the design of online and digital learning opportunities for Maine students and submit a report, including findings and any necessary implementing legislation, to the Joint Standing Committee on Education and Cultural Affairs by December 1, 2015.

3. It directs the stakeholder group, in collaboration with school administrative units in the State, to develop a memorandum of understanding with the Virtual Learning Academy Charter School in New Hampshire to provide Maine secondary school students with access to virtual learning programs during the 2015-2016 school year.

According to the law, public school districts cannot authorize a district virtual charter school – only the MCSC can authorize. If you have a preponderance (more than 51 percent virtual classes), it constitutes a virtual school.

LD 536 – ***An Act To Amend Provisions Regarding the Appointment of Members of the Maine Charter School Commission.*** Against.

Bob Kautz: **Current Process**:

1. The MCSC Members of the State Board of Education review possible candidates; makes nominee recommendations to the State Board of Education.
    a. The State Board of Education interviews each of the nominees.
2. The nominees go before the Education and Cultural Affairs Committee for an interview.
3. The Education and Cultural Affairs Committee gives the State Board of Education their sentiments in regard to the nominees.
4. Then it is the State Board of Education's decision to approve or not approve each nominee as a member of the Maine Charter School Committee.

LD 536 is basically the same process with the addition of the Education and Cultural Affairs Committee makes recommendation to the full senate to be appointed by the full senate.

Shelley Reed: By route of the governor, first things go forward from the State Board of Education for appointment to the Commission by the governor and each appointment by the governor is subject to be reviewed by the Joint Standing Committee – (Education and Cultural Affairs) and then confirmation by the senate.

Bob Kautz: Background: Every legislative session since the beginning of charter schools (2011) has included discussions that MCSC has authority to approve charter schools, which is taking large amounts of money from resident school districts and there is no public vote on the budget. No one was elected to the governing board of the schools or to the charter commission. It is really not representing the will of the people. We go after good people, the people come on and they work. How many would want to go through this? Up to now, no action has been taken – there has not been a bill that directly addressed this topic.

John Bird: The charter school law was created by the Legislature. Did they not do the will of the people? I understand Public District Schools are overseen by an elected body.

Jana Lapoint: The process for the State Board of Education, it is the governor first nominates.

Judith Jones: The State Board of Education controls the Maine Charter School Commission. The intent was to move this as far from the political process as possible. It is an amalgamation of many other states' experiences and the model law that was put out by the National Alliance for Public Charter Schools; they had

a number of suggestions. There are 13 states that have independent charter school commissions; this is still a fairly new model nationally. We looked at this array of experiences, options and multiple steps. We worked with the National Alliance on each of the options and came up with this one. The thinking was that the State Board of Education would be relatively neutral to everyone. We know the idea that anyone that deals with public money should be elected is just very prevalent.
Ande Smith: This does not address that; you would have to have the people who run school cafeterias elected because they get money from the state. The logic does not go anywhere.
This changes the routing of who approves us when. What route do other commissions do? They are saying that all other commission members have to go through the Senate for a vote.

Jana Lapoint:

1. Ande, John, Laurie will come before the State Board of Education after they have already been vetted by us (Jana, Ande, Nichi) to begin with.
2. Now we send them over to the Education and Cultural Affairs Committee.
   They can take a vote or not, get back to us and then we bring them back to the State Board of Education for that final approval.

This is months and months and now to add two more – the senate and the governor. What do we do if the governor doesn't like the nominee?

Ande Smith: This is a solution looking for a problem. Currently, we have a very apolitical group who appoints the members to a similarly apolitical group and that provides the best outcome to this charter school law. If you are not going to make it exactly the same as every appointment that comes from the Governor's Office, then you should not do it.

Jana Lapoint: The Education and Cultural Affairs Committee has the right to tell the State Board of Education what they did not like about a nominee. If we don't have enough respect for them to say: "Maybe the State Board of Education should not approve this person."

Shelley Reed: Many members of the Education and Cultural Affairs Committee have signed onto this bill; they have the voting advantage. The best they can do for more transparency since the positions cannot be publicly elected.

Jana Lapoint: A couple of months ago, the State Board of Education asked for the opportunity to interview the nominees for the MCSC prior to their interview with the Education and Cultural Affairs Committee. This adds a month to the process.

Side note: It was asked last year that the Education and Cultural Affairs Committee be provided with a list of the current members and their expertise on the Commission.

Judith Jones: The Maine State Board of Education nominates the four public members. Those nominations would go to the governor who would actually appoint those people. The governor nominating new members is the big change.

Bob Kautz: The appointment to the Maine Charter School Commission is the only state agency in which that level of appointment is constructed, all the rest have to go through the governor. The argument will be - we are not asking anything different than any other agency.

Roger Brainerd: Remember the fact that the Governor wanted you all fired at one point. This Governor and other governors have declined to nominate new people for certain bodies because they didn't want that body to continue. If you open this up, it is a can of worms. If they get into a political situation where somebody doesn't want charter schools, it wouldn't be that hard to say: *I am not going to nominate new people this year.*

LR 1852 - *Appropriations and Financial Affairs and Education and Cultural Affairs Joint Standing Committees Biennial Budget for FY 2016 and FY 2017*

Bob Kautz: March 9, 2015, 1:00 p.m. The Maine Charter School Commission (Bob and Shelley) will present the MCSC Budget at the public hearing with the Education and Cultural Affairs and Appropriations and Financial Affairs Joint Standing Committees.
We have reduced the budget from what it was the previous year because the flow of the 3%. We are using that 3% to increase the staffing and services that we can provide to make sure that they are doing the proper oversight. Eventually MCSC will get to a point where we can take over all of it.

B. Maine Connections Academy 90-Day Visit Report.

Maine Connections Academy
90-Day Review
December 20, 2014

Maine Connections Academy 90-Day Review Report approved as written by the Maine Charter School Commission on 3-3-15.

Maine Connections Academy (MCA) has substantively met all the 90-Day review milestones. This was confirmed in the Review Team's on-site evaluation, conducted December 9, 2014 at their office on 75 Robert's Road, South Portland. A subsequent telephone conference was held on December 17, 2014 to gain further insight into the financial reports presented at the December 9th meeting. The Review Team was comprised of Ande Smith (chair), Michael Wilhelm, and John Bird, with Bob Kautz in attendance for the Commission and Peg Armstrong of the Maine DoE in an advisory capacity regarding special education matters.

The review was comprised of an oral and documentary review of materials specified under Exhibit E to MCA's contract. This review was primarily conducted with MCA Principal Karl Francis. The Review Team also conducted a tour of MCA's facilities, conducted an interview with several MCA Board members, including Amy Volk, Nick McGee, and Amy Linscott, and conducted a working lunch with most of the MCA faculty and several students and parents. Two additional students were interviewed by phone.

Academic Proficiency

The MCA Contract requires the school within 3 months of opening to "provide the Commission with a protocol for fulfilling its assessment plan (formative and summative) as listed in the Charter Application." The Commission reviewed MCA's proposed use of assessment tools for long-term assessment of proficiency including its LEAP (proprietary) tool for middle school students and SCANTRON for high schoolers, finding that the school was effectively implementing the system identified in its charter application. The Review Team spent considerable time reviewing MCA's implementation of its Assessment Objective Performance Report (AOPR) and the dashboards used by the school to review student participation and achievement as they progressed through lessons. The Review Team walked through live data to see how learning coaches were engaged based on dashboard cues of struggling students.

Based upon its observation and questioning, the Review Team believed that the data being collected provided the means for the school to meet its obligations to provide meaningful assessment and progress monitoring of students as they progressed through the relevant sections.

Parent Engagement and Conferences

The MCA Contract requires that "Within three months of the start of Year One, the School will provide the Commission with a plan for parent engagement and conferences." The Review Team reviewed the "Parent Involvement Plan: Maine Connections Academy" adopted by the MCA Board on September 19,

2014. The Review Team followed up on its review of the document with questioning of students, parents and faculty regarding the school's engagement and outreach. The Review Team also took the opportunity to inquire of students, parents, and teachers regarding the school's communications and received positive feedback on the school's execution of engagement.

The Review Team found that the engagement plan and its initial execution were consistent with the obligations of the school and seemed to be effective.

Financial Performance

The Review Team reviewed summary data of MCA's quarterly financial statements, required to be prepared under the MCA Contract. While the summary data was complete in and of itself, the Review Team requested more detailed information consistent with that provided to the Board. That was received and a conference call to review that information was held on December 17th, which included Ande Smith, MCA Board Member Nick McGee, MCA's independent CFO Heather Neal, and Shawn Soltz, an accountant at Connections Education.

The Review Team had some concerns regarding the mechanism by which the pro-rata reimbursements for dropped students from Connections Education to MCA was accomplished. In the December 17th call, Heather Neal and Shawn Soltz explained how the process was accomplished with budget reserves and a true up at the end of the school year. This approach was selected to avoid numerous payments which would largely be offset by joining students. Both MCA's outside CFO and Nick McGee expressed satisfaction that the conservative budget estimations would result in a net inflow of cash to MCA at the end of the year and that the one-time nature of the accounting adjustment would provide them an effective means of reconciling adds/drops from a budgetary standpoint.

The Review Team also noted that it was unclear when the start-up loan facility would be liquidated as required under the MCA Contract. As of the 90-day review, MCA had no specific plan for payback of its startup-loan from Connections Education. It was expressed to the Review Team that should financial performance meet expectations, payback would begin in year one, but as of the 90-day performance, the decision was withheld. It was also noted that Connections Education could make available a charitable grant to MCA, which might be used to off-set the loan, but MCA had made no decision on whether to accept such a grant.

The Review Team in its December 9th meeting found that there was no material concern with the viability of the school based on its initial 90-day performance, but the full team did not meet to review the subsequent detailed financial statement. As part of the recommendations of the Review Team in this report, it is recommended that a budget review be conducted shortly after the end of March.

Student Enrollment Reports

The MCA Contract requires that it file quarterly enrollment reports to be reviewed by the Commission. The first enrollment report was reviewed by the Review Team, which identified no material issues in the report. The Review Team also inquired regarding the number of drop-outs from MCA. MCA noted that approximately 40 students from their opening enrollment cohort had withdrawn from MCA as of the 90-day review. It also noted that of the replacements at that point, there had been no withdrawals. As required under its Contract, MCA had conducted exit interviews of those students and it was noted that the vast majority of those cited that the school was not a good match for the family or the student. The Review Team also inquired as to whether those students withdrawing were disproportionately special education students. MCA noted that of the 40, approximately 5 were special needs students, and noted that two had only recently dropped for habitual truancy.

The Review Team concluded that MCA had meet its obligations regarding enrollment and reporting and that no material issue existed with the school's performance in this regard.

Pre-Opening Plan

The Review Team confirmed completion of several ministerial items that were outstanding at the time of opening, such as conclusion of a cleaning contract for the MCA facility.

Discussion:
Ande Smith: Physical Education teacher hired directly by MCA and saved them approximately $8,000.
Laurie Pendleton - Are they having trouble recouping the materials and books sent to students who drop? Did not indicate any issue.
Ande Smith: 40 Students have dropped Exit Surveys: "Not a good fit"– too hard or too much work.
Laurie Pendleton: What questions are being asked? Not a good fit" - is a very broad statement – Was the student expecting high quality instruction or contact from teachers and not getting it.
If it is too hard – it is an independent learning path. They should be able to adjust the independent learning path so that it meets my needs as a learner so that it is not too hard. By default you could end up with having all motivated students in the school. It is basically counseling out, which is a big no-no.
Jana Lapoint.: The survey data might help them as a recruiting tool to avoid this continuing to happen to this same kind of student.
Laurie Pendleton: We should be asking these questions at the next review for specific data – questions. Are the questions being asked "in person;" or is there an on-line survey?
Bob Kautz:. 64 students have dis-enrolled as of February 9.
Jana Lapoint: Another virtual program here in Maine – only motivated students because it requires that type of student to do the work.
Nichi Farnham: Public District Schools have to surround the student with focus and services to catch them up and get them back on line. Do the virtual schools have to do that?
Laurie Pendleton: Do they have students who are failing and staying?
Ande Smith: I don't have that data. I don't think they are looking for churn; they are afraid of high churn rates. I think they are working hard with the kids who are falling behind.
Laurie Pendleton: Without knowing the questions and what the raw data looks like – others can jump to these same conclusions.
Shelley Reed: All schools are supposed to be doing exit interviews; good for all the public charter schools.
Bob Kautz: All have in their applications explained how adaptive they can be to help students; if they are really successful with that, you might not have any churn for reasons like "it's too hard."
John Bird: I was very impressed with the environment of the school; teachers what they are doing and how they are doing it; and happy parents. Karl and the Board are working very hard, on-top of things and conscientious.

Moved by John Bird; seconded by Mike Wilhelm and voted unanimously to approve the Maine Connections Academy 90-Day Report as written.

C. Staff Evaluation questions by Committee

Mike, Laurie and Jana to help with the process of creating the evaluation and analyzing the data received. Categories: Communications and Relationships; Policies and Procedures; Finances; Personnel Management; Knowledge of the Field; Professional Attributes. Within the next two weeks, send in your questions, phrasing, measures, which I will organize and return to you for your review; to be prepared for the April 7 meeting to be sent out to the public charter schools in April on line. Ultimately, this will evolve into performance goals for the executive director position.

VII. New Business

A. Cornville Regional Charter School updated Performance Measures with kudos from Cornville extended to Laurie for all her help on this task.

Moved by Ande Smith; seconded by John Bird and voted unanimously to accept the 3-3-15 Draft of the Cornville Regional Charter School Performance Measures for review and recommendations of the review team (Mike Wilhelm, Chair; Jana Lapoint; Shelley Reed).

The performance measures update needs to be completed with all the public charter schools.

B. Jana Lapoint: The State Board of Education will be interviewing the reappointments of John Bird, Laurie Pendleton and Ande Smith on March 11, 2015. From there, the nominees will be sent to the Education and Cultural Affairs Committee.

C. Jana Lapoint: Teachers Certification and how we are going to approve. Teachers have to be certified by the State of Maine within three years unless they have some unique qualifications. Who decides "Unique Qualifications" – does the State Board of Education Certification Committee? Most all schools teachers are certified; only a very few that are not.
Has to be a program in place for 5 years out as to how does this look and can we as a whole system bring them all together under one umbrella or has it got to be with each one of their schools.

Bob Kautz: Under Highly Qualified Teacher (HQT) it is the principal of the school who makes the determination not the State Board of Education. Discussion with DOE has been is that the Head of the School would make the determination if they meet the exceptionality or expertise of the advanced degree, etc.

John Bird: Currently, Certification has to let us know if the teachers are certified. If it is a highly qualified exception, provide reasons for determination.

Ande Smith: Prior discussion of whether we wanted the schools to do it or the charter commission to do it; it would not go to the State Board of Education.

John Bird: We should keep this in house and not involve the State Board of Education.

Bob Kautz: Highly qualified is a federal regulation that all schools have to observe – as do public district schools. In the law, it says the charter schools have to meet all the federal requirements for charter schools.
And, according to the law, teachers have to be certified or be certified within three years of the date of hire with the exception of if they have an advanced degree or a certificate or work history in the area of their teaching. In the state, they have to be sure the schools have highly qualified teachers to get the federal monies – what has been permissible is the principal making the determination.

Jana Lapoint: Public district schools have set a standard of what they need by highly qualified teacher. Now we are going back to our charter schools – are they all going to have all the same standard of highly qualified? If we have someone from the community question the qualifications of a HQT teacher, we have to be able to say what that principal saw within that teacher that maybe has never passed a state exam. We (State Board of Education) in Certification see it every day – what they are required to have.

Bob Kautz: There is a federal definition and procedures for highly qualified that they would have to meet and those would be applicable with certification.

Laurie Pendleton: Schools can have a certain percentage that are not highly qualified.

John Bird: We have a system in place now; federal law requirements; Boards should let us know if they have an exception.

Bob Kautz: We have to use the process that is in the State Certification Rules for highly qualified because that is what the federal government has dictated as the way to choose it. As long as they have used that – and that is how they have made the determination, it is legitimate.

Shelley Reed: This is one of the items on their list(Charter School Cooperative) that they want answers to – special education, certification.

Mike Wilhelm: If your teacher is not highly qualified, parents have to be notified by letter.

Shelley Reed: *" Under the law we have to tell you this, but we have hired this teacher for the following reasons ... and your child is receiving an appropriate education."*

VIII. Other

IX. Announcements

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

B. Next regularly scheduled meeting: **April 7, 2015,** Time: 9:30 a.m.

X. Public Comment

Carter Hall: Guest - Thanked the Commission for allowing him to observe them at work; commended them on their thoughtfulness of purpose.

XI. Adjourn

Motion by Jana Lapoint; seconded by Mike Wilhelm and voted unanimously by those present to adjourn at 1:27 p.m.