Maine Charter School Commission

DRAFT

The Maine Charter School Commission held a regular Business Meeting at the **Burton M. Cross Office Building**, Room #103B, on **Tuesday, October 4, 2016.**

1. Call to Order and Declare a Quorum

The meeting was called to order by Commission Chair, Laurie Pendleton, at 9:37 a.m. and a quorum was declared.

Commission Members present were: Laurie Pendleton, Chair; Dr. Mike Wilhelm, Vice Chair; John Bird; Nichi Farnham; Jana Lapoint; and Shelley Reed.

Also present were Bob Kautz, Gina Post and Amy Allen.

Members of the public present included Amy Linscott, Maine Connections Academy; Doug Bourget, Maine Connections Academy; Wendy Betts, Consultant with Wayfinder Schools; Paul Andrews, Wayfinder Academy; Dottie Foote, Wayfinder; Vicki Wallack, Maine School Management Association; Jean Walker, Cornville Regional Charter School; John D'Anieri, Harpswell Coastal Academy; Carrie Branson, Harpswell Coastal Academy; Roger Brainerd, MACS; Judith Jones; MACS; Alex Serra, Serra Consulting (working with MACS); and Tiffany Nielson, Eaton Peabody.

2. To Consider Action Relative to Additions or Adjustments to the Agenda

A report on the Blue Ribbon Commission was added under the Vice Chair Report section of the agenda.

3. To Take Action Relative to Accepting as Printed the Minutes of the September 6, 2016 Business Meeting

Moved by John Bird; seconded by Jana Lapoint and voted unanimously by those present to accept the September 6, 2016 Business Meeting Minutes as written.

Nichi Farnham commented that she still likes the new format of the minutes. Laurie Pendleton agreed that the minutes are much easier to read.

4. **OLD BUSINESS**

4a. Update on Strategic Planning Sub-Committees:

- Implement Renewal Process
- Clarify Commission's Role
- Plan the Future
- Review and Develop Policies and Procedures
- Create a Long Term Financial Plan

Laurie Pendleton remarked that she will have a report for next month's meeting after the Board Chair Workshop taking place after the business meeting. Nichi Farnham commented that she has noticed several

areas in the Commission's operation where she'd like to see more consistency and perhaps even have a policy in place with procedures for implementation going forward.

Shelley Reed thanked Gina Post for the PowerPoint she produced that walks the Review Teams through the Renewal Process. She stated that it will be a helpful tool in regards to what the Commission's role and responsibilities are.

4b. Harpswell Coastal Academy Update on Start of the 2016-2017 School Year

Shelley Reed stated that the written update that was provided by HCA was very helpful and she feels that this is an exciting time for the students. She likes that the other facilities around Brunswick Landing have stepped up to offer spaces while the school is going through its transition.

Laurie Pendleton asked if there was an update on when the construction at its new location will be completed. John D'Anieri stated that they are looking at the first week in November as a current estimate.

4c. Update on Baxter Academy for Technology & Science's Snow Day Learning for the 2015-2016 School Year and Consider a Request to Continue Snow Day Learning for the 2016-2017 School Year.

Moved by Jana Lapoint; seconded by Shelley Reed and voted unanimously by those present to approve Baxter Academy's request to continue Snow Day Learning for the 2016-2017 school year.

Shelley Reed commented that the Snow Day Learning model that Baxter has implemented is really good and hopes that other schools look into snow day learning.

Laurie Pendleton commented that she was impressed when the students shared what they were doing during their snow day learning. She stated that one could see that learning was really taking place when school wasn't in session.

5. **NEW BUSINESS**

5a. To Consider and Accept Notification of Changes to Snow Pond Arts Academy's Governing Board and Advisory Council

<u>Carl Steidel</u>

Moved by Jana Lapoint; seconded by Shelley Reed and voted unanimously by those present to accept the notification that Carl Steidel will share the Chair position with Anne Hammond.

Dr. Mike Wilhelm asked why there was a need for a shared Chair position. Bob Kautz explained that Snow Pond had a shared position from the very beginning but the person who previously filled the co-Chair position, Scott Cowger, had resigned and the vacancy has been left unfilled until now.

<u>Janna Townsend</u>

Moved by Jana Lapoint; seconded by Shelley Reed and voted unanimously by those present to accept the notification that Janna Townsend has moved from the Advisory Council to the Governing Board.

Shelley Reed commented that she thinks Ms. Townsend will be a good addition to the Board due to her experience and Nichi Farnham indicated that she's a known entity which is also beneficial.

5b. To Consider and Approve the Hiring of Doug Bourget as the School Leader for Maine Connections Academy

Moved by Shelley Reed; seconded by Jana Lapoint and voted unanimously by those present to approve the hiring of Doug Bourget as the School Leader for Maine Connections Academy.

Bob Kautz remarked that Doug had been a teacher with MCA and a School Leader in the administrative set-up with Karl Francis and has been the Interim Principal since Karl's resignation. Bob also stated that Commission staff have had a number of interactions with him and find him to be very positive to work with as well as somebody who stays on top of things that need to be done.

Laurie Pendleton commented on the benefit of his experience as a teacher at Maine Connections Academy before taking on the role of School Leader and was impressed with his certification as a K-12 Building Administrator.

5c. To Consider and Approve Request from Maine Connections Academy to Increase Both its Enrollment and Grade Span for the 2017-2018 School Year

Bob Kautz explained that Maine Connections Academy had withdrawn their request the day prior to the meeting so no further action is needed.

5d. Discussion and Vote to Either Approve the Wayfinder Academy Application to Continue to an In-Person Interview and Public Hearing or to Deny the Application with no Further Action

Nichi Farnham, as Review Team Chair, introduced the other Review Team members – Shelley Reed and Dr. Mike Wilhelm. She then summarized the sections of the Review Team's Findings of Fact Report. She shared Wayfinder Academy's Vision which is "Wayfinder Academy strives to be a leading educational model for keeping kids in school, encouraging life-long learning and nurturing the skills to move them into adulthood. It is important to understand the complexity of each individual student, to identify and cultivate interests and gain both academic and life skills for a promising future. The scope of programming and approaches at Wayfinder Academy are specifically designed to meet the unique needs of each individual." Wayfinder Academy has two distinct educational options – a community based Passages Program Track for pregnant or parenting teens and a nine month Residential Program Track. The Passages Program Track is based on the Passages Program Track of Wayfinder Schools which is a home-based high school degree program for expecting and young parents ages 14 to 20 who live within an eight county catchment area including Knox, Lincoln, Waldo, Washington, Cumberland, York, Androscoggin and Sagadahoc counties and whose education was interrupted by early parenthood. The nine month Residential Program Track is based on the Residential Program Track used by Wayfinder Schools located on the Opportunity Farm campus in New Gloucester and serves students from the entire state of Maine.

Nichi explained that the Findings of Fact Report is a template that has been used in the past. She stated that Section A pertains to the Education Plan and specifically the Mission and Vision, the Academic Program, Special Student Population, Assessment and the School Climate and Discipline. Based on the application Submitted, as well as the Applicant Interview with the Review Team, the Review Team was tasked with answering the questions, "Is the Education Plan compelling? Are we convinced that the applicant makes a strong case? Does the Education Plan support the vision and mission of the school?" The Review Teams' summary of that section was that because these programs have been operational for years and have documented success with at-risk students, it has made a strong case for the quality of the program via a positive correlation of practice to student success and the Educational Plan focused on the at-risk population and pregnant and parenting youth is compelling as it meets a need for youth who are not served as comprehensively in other public school settings. In regards to the Education Plan, there is a strong vision and mission for a private Wayfinder Schools program. A concern is the plan for going forward as a public charter school, which must be open to all students, which wasn't evident in the application or during the application

interview and the specificity of the mission and vision with regard to meeting the needs of at risk students, and its plans documented success meeting those needs, provides sufficient evidence.

Section B of the Findings of Fact Report is the Organizational Plan consisting of School Calendar and Daily Schedule, Student Recruitment and Enrollment, Staffing and Human Resources, a Pre-Opening Plan, Management and Operation and Community Development. Nichi commented that the Review Team came up with strengths for each section as well as questions and concerns. Because all the members of the Commission had received a copy of the report prior to the meeting she didn't read it verbatim but summarized, "Are we convinced that the school has an effective plan to recruit, retain and grown an outstanding staff?" The Review Team found that Wayfinder Academy outlined the attributes of necessary staff to meet student needs. Retaining staff through professional development, benefits, vacation allocation. Not identified are recruitment practices. "Does the management and operations plan support the vision and mission of the school?" The management and operations plan proposed in the application supports the vision and mission of the Wayfinder Schools but will open enrollment of Wayfinder Academy jeopardize the vision and mission? The plan addresses how Wayfinder Schools has been organized as it currently operates; leaving adjustments to be made to become Wayfinder Academy – a public charter school.

Section C of the Findings of Fact Report covers Governance, specifically the Governing Body, and Governing Board Composition. The summary in that section, "Are we convinced that the Board members and Executive Leadership have the skills, background and understanding of their roles necessary to make this a viable and sustainable public charter?" The Review Team stated that Board members have diverse skills and backgrounds with the capacity to lead the organization as evidenced by their resumes, bios and statements. "Does the Governance Plan support the vision and mission of the school?" Nichi explained that the Review Team had three points – (1) Wayfinder Academy public charter school will need a board with different skill sets and knowledge of Maine Public school law in order to ensure the school meets all of the requirements of being a public charter school; (2) the strong ties of the Wayfinder Schools board and the Wayfinder Academy board suggest that their experience governing the former will inform governance of the latter; and (3) there is a component that Board members have the evaluation plan needed to look at the components of the Residential and Passages programs to accurately evaluate the needs and success of the school.

Section D of the Findings of Fact Report covers Business and Financial Services – D1 is the Budget, D2 is Financial Management, D3 is Facilities, D4 is Transportation, D5 is Insurance, D6 is Food Service and D7 is Closure Protocol. Nichi explained that the Review Team had comments in all sections, both strengths and questions/concerns. The Review Team was asked to answer the following question – "Are we convinced that the applicant has operating capital adequate to open the school and for the first years of operation and have a viable sustainable model for the next five years?" Their answer was, Wayfinder Academy has the benefit of the history and funding capacity of Wayfinder Schools to provide in-kind and financial resources. They were also asked to answer the question – "Does the Finance Plan support the vision and mission of the school?" The Review Team answered that given the historical knowledge of Wayfinder Schools the budget reflects the line items which support the types of programs that Wayfinder Academy will deliver in its mission and vision.

Overall, the Review Team was asked to answer the following question – "Are you convinced that this is a unique viable model that will meet the needs of the students it wishes to serve?" The Review Team commented that it is a model that currently successfully serves very specific populations in need of unique programs. As public schools they will have to open enrollment to any student who applies, at risk or not. Students who simply wish to complete high school in one year will be able to attend the Residential program that is designed for students who have had their education interrupted for a variety of reasons. Students who wish to have an education provided in their homes who are not a young parent, or about to be, will be able to enroll in the Passages program. The applicant believes the targeted populations will self-select. Perhaps, but even if 25% of the students enrolled are not in the target population, the ability to address the needs of the larger target population will be diminished, thereby diluting the schools' effectiveness. Unlike charter schools that are constructed around a specific curricular approach that tend to attract students/parents who wish that kind of approach, these schools are constructed around the express needs of a specific and limited type of student.

Based on all of the information above, the Review Team recommended that the full Commission deny the application for further consideration.

Laurie Pendleton thanked Nichi Farnham for sharing thoughts on behalf of the Review Team and explained the next steps in the process. She stated that there would be a motion and a second to accept the recommendation of the Review Team to deny the application for further consideration. She explained that to move the application forward, there would have to be a majority vote by the Commission to do so and that if they were to move forward the next process would be an In-Person Interview and Public Hearing and that the Commission would consider the application at its November 8th meeting. If, at the November 8th meeting, the application is approved, the Commission would vote on the contract and if approved, Wayfinder Academy would become a public charter school.

Motion by Dr. Mike Wilhelm; seconded by Nichi Farnham to accept the Review Team's recommendation to deny the Wayfinder Academy application to move forward.

John Bird asked the Review Team if it found any fault in the way that Wayfinder Schools is operating now. And if it didn't, was the recommendation to deny based solely on the fact that Wayfinder Academy wasn't able to convince the Review Team that it could transition to an open enrollment school.

Nichi Farnham stated that was correct. Dr. Mike Wilhelm added that there were concerns around the applicability of state law for public schools in various areas of the proposal, specifically Special Education and certification/credentialing of teachers relative to state law. Shelley Reed commented that Wayfinder Academy, both in its application and during the applicant interview, did not seem to have the structure or the appropriate certification necessary to deliver special education services. She added that there were many good and solid pieces to the application but that there were areas where state education statute just was not met and that was the biggest reason to recommending the denial.

John Bird stated that he was surprised that the recommendation would be to stop the process at this point acknowledging that there had been other applicants who at this point in the process had issues but were allowed to move forward. He pointed to the strengths of the Wayfinder Academy application and the proven track record of Wayfinder Schools. Shelley Reed added that the areas of concern certainly aren't insurmountable but that this wasn't the point in the process for the Commission to ask themselves "with coaching they'll be able to meet state laws". The application just didn't strongly suggest that they could.

Jana Lapoint shared that she hadn't seen anything with the application or during the applicant interview that would suggest that Wayfinder Academy wouldn't be able to work through and that she would rather work through the issues with the school rather than denying them with no further action at this point. She also commented that the state of Maine needs this school and what they are doing.

Nichi Farnham asked Laurie Pendleton to remind the Commission what the next step will be should the Review Team's recommendation to deny not be approved unanimously. Laurie explained that there would be an In-Person Interview and a Public Hearing that would involve the full Commission rather than just the Review Team.

John Bird asked to refer to the section of the public law that clearly says a school meeting special populations are not able to be considered. He asked if the law says that you can't have a school that meets special population needs become a public charter school. Shelley Reed and Nichi Farnham both stated that that was not the issue. Shelly commented that the entire Wayfinder Academy program is built around meeting the needs of specific populations and that if Wayfinder Academy becomes a public charter school they won't be able to say that only the most needy and at risk kids or only pregnant or parenting teens can attend. They will be subject to open enrollment and the concern is that a population of students who need these services will lose.

John Bird asked the Review Team to explain their reluctance with the governance section of the Wayfinder Academy application. Nichi Farnham stated that the Board has some proven strengths but their weakest area comes back to the application not showing they will follow public charter school law. Of particular concern is the IEP process and documentation and truancy and attendance issues. She shared that in some ways, Wayfinder is ahead of its time in regards to the law and that the law needs to catch up but they are being evaluated based on the way the law is today and with that the application doesn't follow public charter school law. She shared that had the application showed how Wayfinder would address these areas as a public charter school that the Review Team may have looked at the application differently.

The Review Team members acknowledged that they had a difficult time and had lengthy discussions about the application before recommending the denial and the other Commission members agreed that it must have been a very tough decision. Jana Lapoint stated that she loves the application and what Wayfinder is doing in the community. She shared that she has concerns about certain areas – particularly Special Education – but doesn't feel that the school can't "wrap their arms" around it. She said she feels that the application overall is strong enough to allow them to move forward.

Bob Kautz reminded the Commission about its beginnings and how it has improved the process, based on the current laws, over the years when it comes to approvals and denials and that with the assistance of Sarah Forster the Commission learned to recognize the importance of making its decisions based on the Information presented in an application and answers to clarifying questions. He cautioned that this is not the time to change the process.

Dr. Mike Wilhelm asked Bob Kautz to explain the role of the In-Person Interview and what the purpose of that meeting is. Bob explained that the purpose of that meeting is to allow all of the Commission members, not just the Review Team, to ask clarifying questions about the application itself and to gain a better understanding of the application before voting on November 8th.

Shelley Reed asked if Wayfinder Academy will have the opportunity to come to that interview with information different from what was in the original application and if they can give answers that were different than those given during the Review Team interview with the applicant. She stated that now that the school is aware of the Review Teams' concerns they can come into a meeting with different answers – answers that will satisfy the initial concerns. Bob Kautz stated that they can come into an interview and say whatever they want to say but the question that has to be asked is have they changed their application in any way or have they just clarified some of the information. He reminded the Commission again that since 2011 the process of approval or denial has developed significantly – that they've developed an application, developed a rubric for evaluating those applications, become more familiar with the law and the process and the intent of the process and began using NACSA standards in making their decisions. He stated that the Commission needs to look at the application itself to make the decision.

Dr. Mike Wilhelm explained that the Review Team struggled with how Wayfinder will comply with the state assessment that requires all third year students to take the assessment. The Residential Program Track has fourteen students. In a program that provides 24 high school credits in a nine month period, how do you determine who is a third year student? He agrees that their concept is definitely out of the box but that the application doesn't show a matrix that would translate grade levels and how that would translate into public law.

John Bird asked what the difference is between the concept that Wayfinder Academy has described and a magnet school. He stated that a magnet school is a public school. Nichi Farnham and Dr. Mike Wilhelm shared that they both asked the same question and the difference is that a magnet school has its own designation and is under a separate law.

John Bird commented that we need schools like this in our system. Dr. Wilhelm stated that the Review Team is not suggesting that Wayfinder Academy can't comply. They just need to show their connectivity to the law as it stands now and their application and answers to clarifying question doesn't show they can. Nichi Farnham added that that the law would need to be changed.

Bob Kautz shared that the law, as it's currently written, is perplexing to our current charter schools. They ask what freedoms they have that makes them different from public schools. The feeling is their opportunity to be unique under current public law is not giving them the same liberties they felt they were going to have. There are a number of aspects of the law that need to be considered to be changed but right now we are being asked to approve or deny an application based on what the current law says. He stated that as the law currently stands, whoever applies to the school gets in and if there's more who apply then there are slots, that the school must hold a lottery. The ramifications with a school such as Wayfinder who focuses on a very specific population is that every single student is a non-pregnant or parenting teen and then the school has lost their identity. When you have a program that's designed for a unique population, when you dilute that population, and that's what the Review Team said, when you dilute it you worry whether the program can actually be delivered if that isn't the population being served.

Jana Lapoint shared that in looking at our different charter schools, parents certainly have the right – according to the law – to enroll their kids in any of them they wish but why would they send a child to Snow Pond if they weren't interested in music, art or theater or why would they send them to Baxter if they don't like math and science? She stated that even though the law calls for open enrollment, parents – if they are selecting a school for the right reasons – are self-selecting based on their child's needs, abilities and interests. She shared that this isn't a bad thing, and works for parents who use the system the right way. For those who don't, a school has to take that child and work with them just like they would in any other public school. Shelley Reed commented that they might find in that process that the school that they've selected isn't a good fit. Jana agreed and stated that she wants our young people in Maine to have a choice and this school is a chance for choice. She cautioned that not giving them this chance for choice will have consequences down the road.

Shelley Reed asked that if the Commission were to take Wayfinder Academy into a Public Interview and a Public Hearing would they be willing to accept different answers than the answers given during the clarifying interview.

Laurie Pendleton shared that a sticking point is the wording in the law. That in Chapter 2 the wording states that "for each application, the Commission shall determine whether the application appears to demonstrate the applicant's competence in each element of the Commission's published approval criteria and appears to demonstrate that the applicant is likely to open and operate a successful public charter school as required in Title 20-A, section 2401(4)(C)(1)." Dr. Wilhelm agreed and stated that the interview is just to clarify what is in the application itself. Laurie then stated that her concerns are Special Education and whether or not the burden of complying with the public law regarding Special Education will put Wayfinders' program in jeopardy and the assessment aspect – how will we know that the students are being successful? She asked what the benefit of moving Wayfinder Schools to a public charter school will be if they have to change the program significantly to meet public law.

John Bird stated that he would like an opportunity to discuss this issue with other leaders that are attending the NACSA Conference at the end of the month. He feels that other states have struggled with the same questions and that discussing with them would be helpful conversations to have as the Commission moves forward. He understands that it might be too late for the Wayfinder decision at this point but states that when he thinks of the concept of special needs, the irony is that Wayfinder is a school that is striving to meet those needs for corners of the population that until now has been left out.

Bob Kautz asked if Dr. Foote, from Wayfinder Academy would like to share any thoughts with the Commission. Dr. Foote shared that the population Wayfinder serves is out of school youth who are not being

funded by the state and, in her opinion, [not funding them] is unethical. She states that students deserve to have funding follow them and the Wayfinder programs allow these students to finish school. She shared that the conversation has been an interesting one and that she honors the perspective that John Bird and Jana Lapoint have shown and is disappointed that the law is the way it is currently.

Roger Brainerd from MACS shared that other states have wrestled with this and have found solutions. He strongly suggested that the Commission take a look and find out what the solution to this situation might be. He referenced the upcoming NACSA Conference and asked that the Wayfinder vote be delayed until after the conference in order to give those attending a chance to discuss this nationally. He indicated that Maine law, as it is currently written, needs to be tweaked as there have been many changes nationally since Maine law was passed in 2011.

Bob Kautz shared that the Commission can't delay the vote as Roger Brainerd suggested. It has to vote whether to advance or to have the application end at this point. He stated that delaying in the hopes that the law changes is a lot of speculation. He cautioned about conditional approval and shared that if the Wayfinder Academy application is denied, the school will have an opportunity to submit an application next year that better fits what the law requires.

Before taking a vote, Laurie Pendleton reviewed the next steps in the process again with the Commission members – In-Person Interview, followed by a Public Hearing which will have to happen before the Business Meeting on November 8th. A roll call vote to accept the Review Teams' recommendation to deny the Wayfinder Application without further action was taken and the results were as follows:

John Bird - No
Nichi Farnham - Yes
Jana Lapoint - No
Laurie Pendleton - No
Shelley Reed - Yes
Dr. Mike Wilhelm – Yes

Bob Kautz explained that the motion to accept the Review Team's recommendation to deny the Wayfinder Application to move forward has failed. He further explained that because the vote was tied three to three the Commission has essentially taken no action and that a motion would be needed to approve the application to move forward. A quick break was taken in order for Bob to get in touch with attorney Sarah Forster for clarification on the vote stating that if a motion was made to approve the application to move forward, and all members voted the same as they did for the denial, what would the consequences be of another three to three vote.

After a quick break, Laurie Pendleton called the meeting back to order and asked Bob Kautz to share what he learned from his discussion with Sarah Forster. Bob asked Gina Post to display Chapter 2, Section 6.2 on the overhead projector so that everyone could see it. He then read from the law, "If the Commission determines that the application does not meet the criteria set forth in subsection 1, the Commission shall deny the application without further Commission review and notify the applicant of the denial. Otherwise, the Commission shall arrange for an in-person interview and a public hearing on the application before taking a final vote on the application." Because the Commission did not have a majority vote to deny the application, a further vote to approve is not necessary. The Wayfinder Application moves forward in the process as the Commission did not vote to deny. He shared that there would have to be a positive vote for the process to end and since there wasn't a positive vote, but a vote taken, the application moves ahead automatically as there was no prevailing side.

There was discussion on when and where the In-Person Interview and Public Hearing should be scheduled. Gina Post shared that both of those meetings are typically held in the catchment area and John Bird

commented that it will have to be scheduled after members return from the NACSA Conference. It was decided that the In-Person Interview and Public Hearing would be held on Tuesday, November 1st at the Wayfinder School in New Gloucester. The In-Person Interview will be held from 2pm to 3:30pm followed by the Public Hearing from 4pm to 5:30pm. Dr. Foote commented that one of their buildings is approximately 10,000 square feet and is certainly large enough to accommodate a large group.

Bob Kautz shared that the entire Commission needs to acquaint or reacquaint itself with the Wayfinder Application. He stated that the Commission needs to be prepared and thinking of questions – whether they've been asked before or not – to ask at the In-Person Interview and reminded the members that they will need to determine if the information received during the interview changes the application or if it just clarifies information that was provided in the application.

Nichi Farnham reminded the group that there were many outside reviewers who reviewed and commented on the Wayfinder Application prior to the Review Teams' interview with the applicant and asked if these comments could be shared with the entire group. Bob Kautz stated that they would be.

Laurie Pendleton asked if there was any further discussion and moved onto the next agenda item.

5e. To Consider and Approve 2015-2016 Monitoring Reports & Performance Reports

Laurie Pendleton explained that the reports will be discussed by the Review Team Chair and that a vote to approve the reports as written will be taken individually.

- Baxter Academy for Technology and Sciences – Monitoring Report

Jana Lapoint indicated that there was a slight change to the Baxter Monitoring Report and asked Gina Post to explain the change. Gina shared that Baxter Academy has been ramping up its fabrication and engineering and design courses in order to reach the performance indicator of 90% of students taking all three of these classes for the graduating class of 2018. The graduating classes of 2016 and 2017 are in that ramp up stage and 63.3% of students meeting their performance indicator at this point. In discussions with Kelli Pryor at Baxter, it was decided that that a note would be made in the report that will say the school is ramping up and for the class of 2018 they will have all 90% of those indicators met and in the meantime students are doing as many of them as possible but because they didn't start earlier they don't have the capacity to reach those. The original report showed Baxter partially meeting their student academic proficiency and the corrected report shows them meeting their contract agreement taking into consideration the ramp up phase. Jana Lapoint then shared that it appears that Baxter is "on the move" as they have a high number of students on the waiting list wanting to get into the school.

Laurie Pendleton asked if there were any questions or further discussion about the Baxter Monitoring Report and asked for a motion and a second to approve the report as written.

Moved by Jana Lapoint; seconded by John Bird and voted unanimously by those present to approve the Baxter Academy for Technology & Sciences Monitoring Report as written.

- Cornville Regional Charter School – Performance Report

Shelley Reed reported on Cornville's report indicating that it's the Year 4 Performance Report so it's a major report. She commented that she's never seen a school set its eyes on the mission and vision and not let go of it at all. She indicated that the staff is engaged and is analyzing data constantly and that they found interesting ways to get to the material that the students are learning so it's an exciting place for the students to be. She shared that the communication that is sent home is individualized to each student rather than being mass announcements and that whatever difficulties have emerged, the school has risen to those occasions and worked through things.

Jana Lapoint commented that sitting on the Blue Ribbon Commission she hears that rural schools aren't making it and that they need more funding. She explained that Cornville is the perfect example of a school who is as rural as rural can be being able to accomplish a lot with a little. She shared that it's exciting to visit Cornville and see the children understanding the lingo. She says that it shows our small rural schools can do the work if they're put in the right environment and have the right teachers, leaders and staff.

Shelley Reed commented on their fiscal responsibility and Jana Lapoint commended them for being financially solvent. She recalls them purchasing their building for $1 and the concern she had for them financially but that they went and found their first grant for $10,000 and it just keeps on going.

Laurie Pendleton asked if there were any questions or further discussion about the Cornville Performance Report and asked for a motion and a second to approve the report as written.

Moved by Shelley Reed; seconded by Jana Lapoint and voted unanimously by those present to approve the Cornville Regional Charter Schools' Performance Report as written.

- Fiddlehead School for Arts and Sciences – Monitoring Report

Shelley Reed shared that many of the charter schools have ongoing construction projects and Fiddlehead is no different. She stated that every time the Review Team visited the school they were readjusting the building to continue to achieve the low student teacher ratio as well as being able to give students a bright, airy and light-filled space for learning. She commended the Governing Board for responding to items that the Charter Commission brought to its attention.

Jana Lapoint questioned why the report indicated that student attendance "does not meet" the attendance goal when it is only 1% off. She wondered why it didn't indicate "partially meets". Gina Post explained that there is no definition in the goal that says if it's within 1% is partial so therefore it does not meet. Laurie Pendleton further explained that if they had defined individual attendance goals for different grade levels and some grade levels met them and some didn't that that would be considered partial.

Laurie Pendleton asked if there were any questions or further discussion about the Fiddlehead Monitoring Report and asked for a motion and a second to approve the report as written.

Moved by Shelley Reed; seconded by John Bird and voted unanimously by those present to approve the Fiddlehead School of Arts and Sciences' Monitoring Report as written.

- Harpswell Coastal Academy – Monitoring Report

Laurie Pendleton shared that Harpswell Coastal Academy's attention to its mission is pretty astounding. She shared that when the Review Team members are in the school and talk to students and staff it is evident that it's really a different place to be. It's a different way of doing school and the students are happy being there and learning. She commented on their entrepreneurial spirit and that the new location, once up and running, is going to be great.

Dr. Mike Wilhelm commented that the challenges that it has faced at the beginning of this school year surrounding the new location and transportation had to have taken an immense amount of work and time and the fact that it has been able to handle it so well is a testament to its administrative capacity to deal with sudden and abrupt changes.

Bob Kautz commented that the communication that was being sent to parents and community members surrounding the challenges were constant, up-to-date, and informative and that their positive approach to the situation greatly assisted the process.

Laurie Pendleton asked if there were any questions or further discussion about the Harpswell Monitoring Report and asked for a motion and a second to approve the report as written.

Moved by John Bird; seconded by Shelley Reed and voted unanimously by those present to approve the Harpswell Coastal Academy's Monitoring Report as written.

- Maine Academy of Natural Sciences – Performance Report

John Bird reported that MeANS is in its fourth year and that reading the report one can really see the progression of the school over time. He indicated that MeANS is a school that specializes in an agricultural model and because of its program attracts a particular kind of student, although open to all students. He commented that the Review Team has worked with the school over the years to get its performance indicators right and feels that there has been good progress so far. He shared that the staff and faculty are very hardworking and that the Board, parents, and students are very committed. He commented that there have been some challenges surrounding the transition to a new building and a larger than anticipated freshman class but going into the fifth year it should be ready to go.

Jana Lapoint shared that she appreciated the openness and honesty of the faculty. She stated that they were willing to sit with the Review Team and not be afraid to share items that they felt could be improved. John Bird agreed and stated that the Board has never been stronger than it is now and that MeANS has excellent leadership.

Laurie Pendleton asked if there were any questions or further discussion about the MeANS Monitoring Report and asked for a motion and a second to approve the report as written.

Moved by Shelley Reed; seconded by Jana Lapoint and voted unanimously by those present to approve the Maine Academy of Natural Sciences' Performance Report as written.

- Maine Connections Academy – Monitoring Report

Dr. Mike Wilhelm shared that the commendations and the recommendation at the end of the report are very positive. He shared that teachers are very committed to the school. Overall student performance data was a bit mixed but positive. He stated that the school has developed great relationships with outside organization. He shared that there were a few items of concern, which have come up in the past – student participation in field trip opportunities, SAT participation and truancy. Dr. Wilhelm commented that the Review Team overall is feeling really good about Maine Connections Academy and are pleased with the leadership and would recommend that the monitoring report be approved.

Laurie Pendleton asked if there were any questions or further discussion about the MeANS Monitoring Report and asked for a motion and a second to approve the report as written.

Moved by Dr. Mike Wilhelm; seconded by Jana Lapoint and voted unanimously by those present to Approve the Maine Connection Academy's Monitoring Report as written.

- Maine Virtual Academy – Monitoring Report

Dr. Mike Wilhelm reported that MeVA has just completed their first year as a charter school. He shared that in the middle of the school year there was turnover at the school head level and consequently much of the data that the Review Team looked for in terms of completing this report did not exist. He stated that administratively the school is now aware of the data that the Commission requires and that the Review Team has confidence in that it will be collected and communicated. He commented that the faculty appears to be very committed to the school and wants to see it succeed and that they have all experienced a significant learning curve during this

first year. The Board takes a very hands-on approach to governing the school. Dr. Wilhelm shared that in addition to the concern about the collection of data, that the Review Team identified some other areas of concern – the increase in live sessions for students, developing social opportunities for students, and greater learning coach and family involvement in the process of instruction. He indicated that learning plans had not been developed for students within the first nine weeks of school so to there is no good data on how graduating seniors will compare to their peers. The school needs to get more students involved in mandated assessment as they struggled with the participation rate this first year and they need to overcome some truancy issues but notes that the Review Team will be watchful of the school this coming year.

Jana Lapoint commented that they have a lot of work to do and Shelley Reed shared that the report is difficult to look at, particularly the fact that kids did not have their individualized learning plan within the first nine weeks of school. Dr. Wilhelm reiterated the situation with the administrative turnover and indicated that new staff came in knowing nothing about the virtual environment and the requirements of the Commission and the contract. They were more interested in making sure they were connecting with the parents and the students at that time and have made significant strides since then.

Bob Kautz shared that the school has made a concerted effort to learn the reporting procedures to the state. That they've attended workshops and had discussions with others who are doing it correctly and that they aren't simply disregarding it. He commented that there were a lot of factors that played into the lack of data but that the person who is now working with the school is provided by K12 and is much more focused.

Jana Lapoint stated that a motion should be made that the Review Team conduct another assessment within the first three or six months of school indicating that the issues can't continue for another entire school year. She shared that our virtual schools are the most difficult to monitor and that the Commission would be remiss if they didn't go back in and check on them. She feels that it will be a big mistake if the Commission doesn't stay on top of them.

Bob Kautz explained that the decision to be made is to make a motion to deny the report as written and re-write it to include a statement that the Review Team will do another assessment within the first 120 days of school or to approve the report as written and then make a motion to go back into the school and do a review.

Dr. Wilhelm and Shelley Reed both recommended a separate motion and Gina Post shared that it is in their monitoring plan that there is a mid-year check. We can go in and ask for all the same date for the performance indicators, make sure it's being collected and see where they stand.

Laurie Pendleton asked if there was a motion to accept the Maine Virtual Academy's Monitoring Report as written.

Moved by Shelley Reed; seconded by Mike Wilhelm and voted unanimously by those present to approve the Maine Virtual Academy's Monitoring Report as written.

Dr. Mike Wilhelm suggested that a motion be made that the Commission perform a follow-up with MeVA three months into the school year to determine whether data is being collected as required. John Bird stated that there certainly a need for that based on what is reflected in the report. He shared that he understands that there were mitigating circumstances but we need to assure that they are back on track.

Laurie Pendleton asked if there was a motion to that the Review Team go back to the school before January 1st to meet and monitor them.

Moved by Dr. Mike Wilhelm; seconded by John Bird and voted unanimously by those present that the Review Team go back to the school before January 1st to meet and monitor them.

5f. To Consider and Approve the 2015-2016 Annual Report to the Commissioner

Dr. Mike Wilhelm suggested that the Commission approve the report without further discussion. Laurie Pendleton asked if there was any further discussion. Gina Post shared that there is one revised item in the report. She indicated that in Section E the language has been updated due to where the money comes from, primarily that it comes from the state rather than it being billed. She shared that the language change doesn't drastically change the meaning and that the dollar amounts are the same, just reworked to reflect the way things are done now. She also explained that the Monitoring and Performance Reports that the Commission approved would be a part of the Annual Report to the Commissioner when it's submitted.

Laurie Pendleton asked if there was any further discussion on the Annual Report.

Moved by Dr. Mike Wilhelm; seconded by John Bird and voted unanimously by those present to approve the Annual Report to the Commissioner.

5g. FY17 Budget vs. Actual – October 1 Report

All Commission members present received a copy of the report.

6**.** **REPORTS**

6a. Chair

No report given.

6b. Vice Chair

Dr. Mike Wilhelm reported on the latest Blue Ribbon Commission meeting. He commented that it was a good meeting and directed members to a video that had been presented indicating that it may be of interest to others.

6c. Executive Director

Bob Kautz reported that he and Deb Plowman (DOE) appeared before the Lewiston School Board to answer its questions regarding district authorization of charter schools. Lewiston is in the very early stages of the discussion and no decisions have been made either way. An article that appeared in a local newspaper was shared with the Commission.

Bob also discussed an article regarding school inspections and referenced Vermont as a state that is taking the lead on the subject. They have several school districts that have signed on to pilot the program and commented that it would be interesting to follow up with them.

6d. Program Manager

Gina Post discussed the upcoming NACSA Conference. Amy Allen made travel booklets for all those traveling to the conference. Gina went through each section – Flight Information, Shuttle Information, Hotel Information, NACSA Information and Travel/Per Diem. She explained that the books were designed specific to each traveler.

Gina also discussed the scheduling of meetings and conference calls with Commission members. There has been a great deal of activity as of late and trying to keep track of schedules and meetings has gotten confusing. She stated that Commission staff is here to make their lives easier and asked them to think of ways that we can assist them with streamlining the scheduling process. Some ideas that were discussed were each

Commission member holding a block of time each week, perhaps Tuesday mornings, for Commission business; and creating a Google calendar to share.
John Bird commented that with the number of meetings that are being scheduled, Commission members have to remain as flexible as possible in terms of their availability and Shelley Reed commented that the amount of activity really shows how active the Commission is.

7. ANNOUNCEMENTS

7a. Turn in Expense Account Vouchers at the End of the Meeting

Laurie reminded Commission members to turn in the Expense Account Vouchers that are in their packets at the end of the meeting.

7b. Renewal Application Site Visits and Public Hearings

Laurie Pendleton reminded the group that two charter schools are in the renewal process – Cornville Regional Charter School and MeANS. As part of the renewal process, each school will have a site visit and a public hearing. The schedule is as follows:

Site Visits – Friday, October 14, 2016
Maine Academy of Natural Sciences – 9:30am to 12:00pm
Cornville Regional Charter School – 1:30pm to 4:00pm

Public Hearings – Tuesday, October 18, 2016
Maine Academy of Natural Sciences – 9:30am to 11:30am
(16 Prescott Drive, Hinckley)

Cornville Regional Charter School – 1:00pm to 3:00pm
(1192 West Ridge Road, Cornville)

7c. The Board Chair Workshop will be held this afternoon from 12:30pm to 3:30pm in Room #103B, Cross Office Building – Augusta.

No action to be taken.

7d. Upcoming Commission Meetings - November 8 **(please note that this is the SECOND Tuesday of the month, not the first as usual)**, December 6 and January 3

Laurie reminded the group about the upcoming Commission Meeting dates paying particular attention to the November 8th meeting which is the second Tuesday of the month rather than the first.

Laurie asked if there were any additional comments or discussion. Bob Kautz reported that the Charter Commission has been invited to co-present with MACS at the Maine School Management Conference in Augusta on Friday, October 28th. He indicated that the group needs to come together with MACS to discuss what the presentation will be and who will attend. Laurie commented that the meeting was bumping up against the Board Chair Workshop and that the Commission will schedule a time to discuss the conference details with MACS.

8. PUBLIC COMMENT

No public comment.

9. ADJOURN

Meeting was adjourned at 12:29 p.m.

Moved by Jana Lapoint; seconded by Shelley Reed and voted unanimously by those present to adjourn.