***October 11, 2022 Commission Meeting Minutes Approved by Commission Vote on***

***December 13, 2022***

**The Maine Charter School Commission held a Regular Meeting on**

**Tuesday, October 11, 2022**

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| **Item Number** | **Agenda Item** |
| **1** | **Call to Order and Declare a Quorum** |
|  | The meeting held in person and via Zoom in accordance with the Commission’s remote meeting policy, was called to order by Commission Chair, Wilson Hess, at 1:05pm and a quorum was declared.  Commission members present were Wilson Hess, Norm Higgins, Tom Keller, Tori Kornfield, Jim Handy (1:07pm), Nichi Farnham, and Leigh Weisenburger Albert.  Also present was Amy Allen.  *Commission member, Wilson Hess, read the Commission’s Vision Statement.* |
| **2** | **Reminders** |
| 2a | This meeting is being recorded via Zoom. |
| 2b | We ask members of the public to hold comments until public comments are being heard. |
| 2c | When speaking, state your name and speak slowly and clearly and loudly enough for the captioner to pick up your comments. Amy will interrupt if the captioner is having a difficult time hearing what is being said. |
| **3** | **Comments from Commission Chair, Committee Reports and Additions or Adjustments to the Agenda** |
| 3a | **Comments from Commission Chair**  Chair Hess welcomed the three new members to the Commission – Norman Higgins of Sebec, James Handy of Lewiston, and Leigh Weisenburger Albert of Lewiston.  Chair Hess also announced that Tori Kornfield has agreed to chair the School Performance Committee. |
| 3b | **Committee Reports**   * Tori Kornfield - Chair, School Performance Committee - reported on the work being done by the Committee * Nichi Farnham - Chair, Finance Committee - reported on the work being done by the Committee * Wilson Hess - Chair, Executive Committee - reported on the work being done by the Committee. He also announced the following Committee Assignments:   + Jim Handy will join the School Performance Committee;   + Leigh Weisenburger Albert and Norm Higgins will join the Finance Committee; and   + Tori Kornfield joined the Executive Committee. |
| 3c | **Additions or Adjustments to the Agenda**  *None* |
| 4 | **Meeting Minutes Approval** |
| 4a | To Consider the Minutes from the September 13, 2022 Business Meeting  A copy of the draft minutes was distributed for review and consideration.  A copy of the draft minutes was distributed for review and consideration. It was noted that Item #7a has Shelley Reed both motioning and seconding the item. Jim Rier seconded the motion. This will be corrected before marking approved and posting to the website.  **Moved by Nichi Farnham; seconded by tori Kornfield and voted unanimously by those present** to approve the minutes from the September 13, 2022 Business Meeting with minor correction. |
| **5** | **Public Comment\*** |
|  | Heather King, Head of School at Maine Arts Academy, spoke about the school’s request to move to a new facility.  Dick Durost, Vice Chair of Maine Arts Academy’s Governing Board, gave several reasons for the desire to move to a new location – more space, safety, rent vs. own, etc. He also thanked Steve Bailey, Executive Director of the Maine School Management Association, for welcoming public charter schools as Associate Members of the association.  Jana Lapoint, former Charter Commission Member and current member of both the Baxter Academy for Technology and Sciences Governing Board and the Maine Connections Academy’s Governing Board, spoke in favor of deferring the vote of Harpswell Coastal Academy’s renewal application until November 8, 2022.  Bob Kautz, former Executive Director of the Maine Charter School Commission, reminded the Commission that charter schools are schools of choice and that the students currently attending Harpswell Coastal Academy chose to enroll there because they weren’t receiving what they needed at their previous school. HCA essentially met the expectations that were set for consolidation. They should be renewed with conditions.  Walter Wallace, Head of School at Maine Connections, shared that the school has submitted eligibility determination requesting to increase enrollment to 500 students for the 2023-24 school year.  Will Rowan, parent of two students who currently attend Harpswell Coastal Academy, spoke in favor of the renewal of HCA’s charter contract.  Marianne Estes, parent of a student who currently attends Harpswell Coastal Academy, spoke in support of the school’s renewal application. |
| **6** | **Presentations** |
|  | *None* |
| **7** | **Executive Director/Commission Staff Report** |
| 7a | Update on Q1 Governing Board Chair/President Convening  On Thursday, September 22nd, the Commission sponsored a half-day session for governing board presidents with Mary Bradley from the National Charter Schools Institute. The session built upon learnings from the online modules and will continue throughout the school year, with two remote virtual sessions and another in person session later in the school year.  Board presidents were encouraged to bring one other board member and their board’s strategic plan to the session.  Feedback during and after the session was positive.  Commission Members Wilson Hess, Tom Keller, and Shelley Reed attended the convening. Tom shared that the convening provided “very active professional development” and encouraged other Commission members to attend future convenings. |
| 7b | Update on Lincoln Barretta Enrollment Mastermind Session  On Wednesday, October 5th, Commission staff held an “Enrollment Mastermind Session” with staff from Lincoln Barretta. Most, not all, charter schools had personnel in attendance. |
| 7c | Hiring of Part-Time Administrative Assistant  As part of the Commission’s transition plan, funds were incorporated into the budget to hire “operational support”. Amy announced that Dania Heard was hired on September 26th and is currently working 15 hours per week with a plan to increase to 20-30 hours over the next several weeks. |
| 7d | Update on Custom Performance Framework Targets  Amy reminded the Commission of the framework that was adopted in June 2022. Part of the framework gives boards/schools an opportunity to create custom targets that will highlight progress toward meeting both their mission and vision.  Currently, 6 of the 10 schools have identified their targets with a goal of all having identified by the end of November. |
| 7e | Media Update   * 7e.1 Construction delay cramps Harpswell charter school ahead of renewal vote * 7e.2 Dozens turn out to support Harpswell charter school as commission weighs future * [Harpswell Coastal Academy urges community to turn out for hearing](https://harpswellanchor.org/2022/09/harpswell-coastal-academy-urges-community-to-turn-out-for-hearing%EF%BF%BC/) * [‘We really need this school’: HCA parents, students testify in favor of charter renewal](https://harpswellanchor.org/2022/10/we-really-need-this-school-hca-parents-students-testify-in-favor-of-charter-renewal%EF%BF%BC/) |
| **8** | **Unfinished Business** |
| 8a | To Consider the Approval of the Commission’s Staff Retirement Benefit *(Tabled Until Recalled)* |
| **9** | **New Business Requiring Approval** |
| 9a | To Consider the Approval of Community Regional Charter School’s Request to Incur Debt  Travis Works, CRCS Executive Director, gave an overview of the roofing needs at Overman Academy. The cost will be $150,000 to replace 10,000 square feet with energy efficient roofing materials. The loan will be paid off over a 3-5 year period.  Joe Drago, MCSC Finance Consultant, recommended approval as the project appears necessary and an analysis of the loan terms indicates that the school can repay the loan as required.  **Moved by Nichi Farnham; seconded by Tom Keller and voted unanimously by those present** to approve Community Regional Charter School’s request to incur debt to replace the roof at Overman Academy. *This approval is contingent upon receipt of a commitment letter from the bank.* |
| 9b | To Consider the Approval of Harpswell Coastal Academy’s Request to Defer the Decision on their Application to Renew its Charter Contract from October 11, 2022 to November 8, 2022  A copy of the deferral request was distributed for review and consideration.  Harpswell Coastal Academy Governing Board Chair, Cynthia Shelmerdine, gave remarks supporting the deferral indicating that having an additional month of data under the new leadership team will show the Commission that the school is on a positive trajectory.  Tori shared that she would not support a deferral indicating that “the school is always in come from behind mode” and “another month won’t change that”.  Jim shared that, despite having been recently appointed to the Commission, he is comfortable with the information he has received from staff and feels prepared to make a decision today.  Leigh shared that although she has not had an opportunity to visit the school, she has received enough information to make an informed decision on renewal today.  **Moved by Nichi Farnham; seconded by Tom Keller and voted as follows to defer the decision on HCA’s renewal application from October 11, 2022 to November 8, 2022 – Leigh Weisenburger Albert (no); Nichi Farnham (yes); Jim Handy (no); Norm Higgins (no); Tom Keller (yes); Tori Kornfield (no); and Wilson Hess (yes). *The motion to defer was defeated*.** |
| 9c | To Consider the Approval of Harpswell Coastal Academy’s Application to Renew its Charter Contract  Cynthia Shelmerdine had an opportunity to share her thoughts regarding the renewal of the charter before Clare Vickland, Commission Consultant, presented background supporting the staff’s recommendation to non-renew.  Items supporting non-renewal were as follows:   * Financial Viability   + HCA has struggled to meet enrollment expectations in order for its budget to be sustainable.   + Should HCA not have 170 students enrolled on Count Day, the school indicated that it could not maintain a balanced budget without cuts to professional development and educational materials.   + While the school experienced fundraising success during a large campaign related to the consolidation, it is unlikely that the school can continue to expect large amounts of donations on a recurrent basis. * Academic Outcomes   + 66% - the percent of performance targets the school met for which data was available   + 29% - the percent of academic targets the school met for which data was available * Staff Turnover * Facility Viability * Persistent document concerns since 2018   Commission members had an opportunity to share their thoughts regarding renewal with Tori, as Chair of the School Performance Committee, indicating that the Committee cannot recommend renewal based on the number of academic targets not being met and the chronic absenteeism rates from year to year and Nichi, as Chair of the Finance Committee, indicating concerns around “financial fragility and non-sustainability”.  **Nichi moved to approve Harpswell Coastal Academy’s application to renew its charter contract. This was seconded by Norm Higgins and the roll call vote was as follows** - **Leigh Weisenburger Albert (no); Nichi Farnham (no); Jim Handy (no); Norm Higgins (no); Tom Keller (no); Tori Kornfield (no); and Wilson Hess (no).**  **A resolution, as stipulated by rule and statute in the case of non-renewal, was moved by Jim Handy; seconded by Tom Keller and the roll call vote was as follows – Leigh Weisenburger Albert (yes); Nichi Farnham (yes); Jim Handy (yes); Norm Higgins (yes); Tom Keller (yes); Tori Kornfield (yes); and Wilson Hess (yes).**  *Resolved, that Harpswell Coastal Academy’s application for renewal was not granted due to its failure to meet or make sufficient progress toward the performance expectations set forth in the charter contract, including enrollment standards, chronic absenteeism, academics, and overall fiscal fragility.*  Clare Vickland, Commission Consultant, then presented on a possible renewal with conditions scenario and outlined the following conditions for the Commission to consider:   1. Align enrollment to Contract Requirements - demonstrate evidence of a successful recruitment and retention plan by increasing student enrollment to 200 students by February 28, 2023. 2. Increase NWEA MAP participation - 92% of eligible students will participate in the required fall NWEA MAP assessment administration on November 1, 2022 3. Curriculum Implementation - Finalize development and alignment of the EL curriculum and create a plan for full implementation in SY23-24 by February 28, 2023 4. Address Chronic Absenteeism - Develop and implement a plan that reduces chronic absenteeism to less than 18% by February 28, 2023 5. Demonstrate Facility Viability - Complete a Capital Improvement Plan to address adaptations to the current facility that will make it appropriate for 5-12th grade student use, including adequate water pressure for sanitation purposes, appropriate library spaces, and plans to support students traveling from yurts to the main building by February 28, 2023. 6. Demonstrate Financial Viability    1. Submit a balanced budget with reasonable enrollment assumptions that does not rely on unsecured funds (fundraising). Budget narrative should address the impacts to implementation of the educational model based on staffing, professional development, and material adjustments by January 31, 2023.    2. Engage a mutually agreed upon consulting accountant to ensure the FY23 QUARTERLY financial statements are properly completed in a timely fashion.    3. The school may not borrow on a line of credit or take on new debt of any kind without MCSC approval.   Interim Head of School at Harpswell Coastal Academy, Mel Christensen Fletcher, spoke on behalf of the school sharing that she has seen “tremendous growth” over the past 7 years and “understands the concern about space”. She distributed a handout “Harpswell Coastal Academy - Growth Plan” that outlined plans for increasing enrollment, finances and facilities, decreasing chronic absenteeism, NWEA participation and curriculum implementation.  Chair Hess shared that a “healthy institution does reach out to raise funds” and suggested removing that stipulation from the list of conditions. Tori cautioned that “you can’t count on fundraising” and Chair Hess reminded members that the school has shown its fundraising capacity within their local community.  **Norm moved that a #7 be added to the list of conditions to consider - “The school will present an action plan to strengthen performance and membership of the board”. This was seconded by Nichi Farnham and roll call vote to add to the list of conditions was as follows - Leigh Weisenburger Albert (yes); Nichi Farnham (yes); Jim Handy (yes); Norm Higgins (yes); Tom Keller (yes); Tori Kornfield (yes); and Wilson Hess (yes).**  **Leigh moved to add the following action item between #3 and #4 - “The school will develop a plan for the upcoming academic year (2023-2024) to achieve greater success in academic performance framework targets/indicators.” This was seconded by Jim Handy and roll call vote to add to the list of conditions was as follows - Leigh Weisenburger Albert (yes); Nichi Farnham (yes); Jim Handy (yes); Norm Higgins (yes); Tom Keller (yes); Tori Kornfield (yes); and Wilson Hess (yes).**  Having added additional conditions regarding governance and academic success, Nichi Farnham **moved to approve Harpswell Coastal Academy’s application to renew its charter contract with conditions. This was seconded by Norm Higgins and the roll call vote was as follows – Leigh Weisenburger Albert (yes); Nichi Farnham (yes); Jim Handy (no); Norm Higgins (yes); Tom Keller (no); Tori Kornfield (no); and Wilson Hess (yes).**  ***As a renewal vote requires five votes in the affirmative, the motion fails and the HCA charter contract will not be renewed for an additional charter term. The current charter will terminate on June 30, 2023.*** |
| 9d | To Consider the Approval of Harpswell Coastal Academy’s Request to Amend Enrollment  *As Harpswell Coastal Academy’s renewal application was denied, there was no reason to consider this request.* |
| **10** | **New Business Requiring Notification and Acceptance** |
| 10a | New Governing Board Members:   * 10a.1 Tina Meserve - Maine Virtual Academy   Resignations:   * Linda Belanger - Community Regional Charter School * Esther Williamson - Ecology Learning Center * Ed LeBlanc - Maine Virtual Academy   **Moved by Jim Handy; seconded by Tori Kornfield and voted unanimously by those present** to accept notifications of new board members as presented. |
| 10b | FY23 Budget vs. Actual Report  A copy of the report was distributed for review and consideration.  **Moved by Jim Handy; seconded by Tori Kornfield and voted unanimously by those present** to accept the FY23 Budget vs. Actual Report. |
| **11** | **Monthly School Portfolio/Data Report** |
| 11a | Preliminary 2022-23 Enrollment  ACADIA Academy (244 students)  Baxter Academy (357 students)  CRCS (339 students)  ELC (102))  FSAS 192  HCA 171  MCA 463  MeAA 226  Means 168 students  MeVA 438  Amy reminded the Commission that these are *very**preliminary* enrollment numbers as they have not been certified by schools nor accepted by the Department of Education.  If these numbers hold, overall enrollment across the portfolio will be down from last year. Final numbers *may* be ready for the November meeting, but most likely not until the December meeting. |
| **12** | **Executive Session** |
|  | At 4:36pm Jim Handy moved that the Commission enter into Executive Session for the purposes of discussing personnel matters. This was seconded by Norm Higgins and voted unanimously by those present to enter into Executive Session.  Returned from Executive Session at 5:15pm with Jim Handy moving to endorse the framework for transition regarding personnel with the Commission Chair in consultation with the Executive Committee. This was seconded by Leigh Weisenburger Albert and voted unanimously by those present to endorse the framework for transition as described. |
| **13** | **Future Topics** |
| 13a | November:   * Consider the Approval of Maine Arts Academy’s Request for a New Facility * Consider the Approval of Maine Arts Academy’s Request to Incur Debt * Consider the Approval of SY21-22 Annual Monitoring Reports * Consider the Approval of SY21-22 Annual Report to the Commissioner   December:   * Maine Connections Academy’s Independent Third-Party Evaluation Presentation * Maine Virtual Academy’s Independent Third-Party Evaluation Presentation |
| **14** | **Announcements** |
| 14a | This Month’s Celebrations *(None)* |
| 14b | Important Dates *(None)* |
| 14c | Portfolio Calendar Items  *(None Reported)* |
| 14d | Next Regular Business Meeting – November 8, 2022 *(Community Regional Charter School, 48 South Factory Street, Skowhegan)* |
| **15** | **Adjourn** |
|  | Chair Hess adjourned the meeting at 5:16pm with no objections. |

**\*** *The Charter School Commission does not allow airing of complaints in public meetings regarding Commission and charter school employees or school employment matters, in order to protect employee privacy, to comply with Maine law and pursuant to our contractual relation with the schools. To the extent that the Commission receives complaints and concerns relating to school employees in writing, those concerns will be reviewed and addressed by the Commission and its staff outside of a public meeting. This meeting is not the appropriate forum for such comments. You are free to direct your concerns in writing to the Commission’s Executive Director, if you have not done so already.*