

**Meeting Minutes
of the
NC Public Charter School Advisory Council Meeting
State Board Rm. 755
April 8, 2013**

Attendance/NCPCSAC	Aaron Means Kwan Graham John Betterton Richard Hooker (absent) Alfred Dillon Rebecca Shore Tim Markley	Jennie Adams Paul Norcross Baker Mitchell Alan Hawkes Robert Landry Joseph Maimone Cheryl Turner Kate Alice Dunaway
Attendance/SBE/DPI	<i>Office of Charter Schools</i> Thomas Miller, Consultant Lisa Swinson, Consultant Cande Honeycutt, Consultant Deanna Smith, Consultant Joel Medley, Director <i>State Board of Education. Legal Council</i> Katie Cornetto	<i>Attorney General's Office</i> Laura Crumpler <i>State Board of Education, Executive Director</i> Martez Hill

CALL TO ORDER AND MEETING AGENDA REVIEW

The meeting was called to order at 10:00 am by Chairman John Betterton. Dr. Joel Medley introduced Mrs. Deanna Townsend-Smith, new OCS consultant.

Mr. Alan Hawkes asked that the agenda be altered to allow speakers from the floor 3 minutes to voice their opinion about the 24 applications that were “thrown out” by the Office of Charter School staff. **He made a motion that thirty minutes be allocated for speakers and/or a representative to voice their opinions. Each person should be given 3 minutes each to voice their opinions or provide information about their application. Ms. Adams seconded.** Dr. Timothy Markley stated that it would be unfair for applicants who did not know that the opportunity would be available to speak. Mr. Joseph Maimone agreed with Dr. Markley and asked that Mr. Hawkes amend his request to allow the applicants or their representatives to speak tomorrow afternoon so that they could be notified. Mr. Hawkes stated that Senator Berger’s office had informed him that there were applicants who would like to vent their frustrations. Ms. Crumpler stated that the meeting agenda would have to be amended and it would take a two-thirds vote in order to do so. Mr. Hawkes stated that the by-laws state that there would have to be a majority vote. Dr. Markley asked if Mr. Hawkes motion could be tabled until after the OCS shared their reasons for not forwarding the application. Mr. Betterton agreed and continued to review the remainder of the agenda.

APPROVAL OF MINUTES

Mr. Maimone stated that the wording pertaining to the out of state board members seemed misleading. He then made a motion for the minutes to be approved with the correction of the minutes. Dr. Timothy Markley seconded. Mr. Mitchell abstained.

CHARTER APPLICATION PROCESS DISCUSSION

Dr. Medley stated that the Council instructed OCS not to forward any incomplete applications because there was concern about the increase in the number of applications. Members of the Council wanted a more stringent initial review so the Council would only see the best applicants. He stated that the Office of Charter Schools staff (OCS) asked the Council to specifically identify for OCS what criteria were to be used in a more rigorous screening. Dr. Medley explained the step-by-step process that OCS used in the initial screening of the applications resulted in the applications being read a minimum of three times. He went on to say that applications that were deemed incomplete were further discussed with legal. This past week 2 more incomplete applications were identified.

Dr. Thomas Miller shared a document that listed all of the applications that were deemed incomplete, along with the area(s) that were deemed incomplete. He reminded the Council that several hours of training were provided and bi-weekly updates were emailed notifying applicants of any changes to the online system. On February 18, 2013, applicants received an email with a checklist that suggested that they ensure that every single piece of their application was there. It was a clear, transparent process.

Dr. Miller clarified that Addie C. Morris had "0" students listed for years 6-10 and they had to physically put those numbers in. Dr. Markley asked if there was any reference to a calendar in Davidson Charter Academy. Dr. Rebecca Shore asked if KIPP Halifax College Prep had a blank page for the organization chart. Dr. Medley noted that one school with a large deficit was not a system error as he and Dr. Miller reviewed the numbers that were reflected in the school's budget.

Dr. Markley stated that OCS did a thorough job. Dr. Medley stated that it took time to make the decisions and the OCS process was transparent. He expressed that OCS did their best to follow the directives of the Council. Mr. Betterton stated that the intent of the Council was to ensure that there would be quality applications by tightening up the application process. He further explained that when policies are created they sometimes have to be revisited when the outcome is not matched by the desire. The overriding thought is to make sure we approve good quality applications. Ms. Crumpler stated that it is important to make the right decision. If you submit an application that is not finished it is not timely or complete. If they make corrections then you are allowing them to ignore the deadline. You have to remember the consistency by applying the conditions that have been set.

Mr. Hawkes stated that he had an issue with how OCS staff could equate \$800,000 to \$510 deficits. Mr. Betterton stated that the office was given criteria and were asked to prescreen and not evaluate. Mr. Hawkes asked if there was something in place in which OCS could have called a Council member if they needed clarification. Ms. Graham stated that OCS did what the Council asked them to do and that members of the council needed to be careful in their language towards OCS. Dr. Markley reminded

everyone that the Council did not want OCS to evaluate the applications because that was the role of the Council.

Mr. Mitchell asked if there were clear instructions to the applicant that negative fund balance or negative annual deficit would not forward their application. Mr. Martez Hill stated that the Council was charged with creating a review process for the application. He further explained that SBE has the authority to establish additional standards. Ms. Crumpler stated that a school's budget must be economically sound. Baker stated that if an application meets the requirements then it should be forward to the Council to do a qualitative evaluation. Dr. Medley stated that OCS did look through the application to see if the missing information could be found. He recalled in a previous meeting that a council member stated "If a budget is negative we know you cannot operate a school with a negative balance." Dr. Shore read from the application directions that stated that applicants were asked to provide an academic calendar. Dr. Landry stated that OCS did screen the applications and we put them in a situation in where they had to evaluate. Mr. Betterton stated that the applications that were not forward to the Council could be assigned to a subgroup to be reviewed. He suggested that the Council think over it, discuss and make a decision tomorrow.

Mr. Hawkes stated that he would like the speakers from the floor to share their opinions because there is nothing more important than letting the applicants that were turned away to speak. He stated that he was asked by the Senate Pro Tem's office to intervene. Dr. Markley stated that some of the applications were incomplete. Mr. Norcross suggested that there be a subcommittee who is willing to look at the applications and override OCS. Mr. Betterton stated that that is a possibility.

Mr. Betterton reminded the Council that Mr. Hawkes made a motion that needed to be voted on. The motion failed 5-7 with Dr. Landry, Mr. Dillon, Mr. Norcross, Dr. Markley, Ms. Turner, Ms. Dunaway and Mr. Means dissenting.

Mr. Mitchell made a motion that whereas over one-third of the March 1, 2013 applications were rejected on various grounds by the Office of Charter Schools and were withheld from Council, and Whereas a number of these applicants have asserted that the grounds for their rejection rested on immaterial or non-statutory grounds and have presented evidence for their assertions, the Council hereby instructs the Office of Charter Schools to re-examine these applications using the law in General Statute 115C-238.29B(b) to determine if an omission exists which would render the application non-conforming in a material manner. If there be no material non-conformance with General Statute 115C-238.29B(b) by a timely submitted application, the Office of Charter Schools is directed by Council to submit the application to the Council for evaluation. Mr. Hawkes seconded. The motion failed 2-10 with Ms. Dunaway, Dr. Markley, Ms. Adams, Mr. Dillon, Mr. Means, Ms. Turner, Ms. Graham, and Dr. Shore dissenting. Mr. Norcross abstained.

ADJOURN INTO SUBCOMMITTEES APPLICATION REVIEW

**Meeting Minutes
of the
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April 9, 2013**

Attendance/NCPCSAC	Aaron Means Kwan Graham John Betterton Richard Hooker (absent) Alfred Dillon Rebecca Shore Tim Markley	Jennie Adams Paul Norcross Baker Mitchell Alan Hawkes (absent) Robert Landry (absent) Joseph Maimone Cheryl Turner Kate Alice Dunaway
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CALL TO ORDER AND MEETING AGENDA REVIEW

The meeting was called to order at 8:30 am by Chairperson John Betterton by reading the Ethics Statement.

CHARTER APPLICATION PROCESS DISCUSSION

Mr. Betterton stated that yesterday's biggest issue was the twenty-five schools that were not forwarded to the Council. Mr. Betterton stated that he would like for the Council to look at the applications that were not forwarded. Mrs. Cheryl Turner stated that the directions that were given to OCS created some unintended consequences and it should be done so that quality schools are not eliminated. Mr. Alfred Dillon replied that all schools should not be brought forward but a subcommittee should look at them prior to them being resubmitted. Mrs. Jennie Adams moved that the applications that were sorted out be reviewed by a subcommittee. The motion was seconded by Mrs. Cheryl Turner. Mrs. Laura Crumpler reminded the Council that there needed to be a determination that applications be complete. She urged the Council to decide if the applications are complete regardless of the material. Dr. Markley suggested that there be an appeals component for schools that were not forwarded. Ms. Kate Alice Dunaway explained that some applications did not have signatures or had missing appendices. Mrs.

Crumpler asked for a definition of “appeal.” Mr. Betterton restated that they would be able to present in writing an explanation and the appeals group could look at that. Ms. Adams made a motion to accept the applications that were weeded out with an appeals subcommittee that would decide whether to review the application. Dr Markley stated that it should be the applicant that puts forth the effort to appeal and the subgroup would determine whether it should be forwarded to a subcommittee to be reviewed. Mr. Mitchell stated that OCS did a lot of work in a short time screening the applications and they deserve credit for it and asked the Council what criteria would be used in screening the applications. Mr. Betterton stated the Council had already established the criteria. Ms. Adams asked that her motion be withdrawn. Ms. Adams made a motion that a subcommittee be formed in order to review the appeals from the charter school applications that were rejected in the initial sort. Ms .Turner seconded. The motion passed 9-0 with Ms. Dunaway and Mr. Mitchell. Mr. Betterton stated that the subcommittee would convene within the next two weeks.

The following Council members stated that they had to leave early Dr. Shore, Dr. Mitchell, Dr. Markley, and Ms. Dunaway. Mr. Betterton stated that some of the application reviews would have to be rescheduled.

ADJOURN INTO SUBCOMMITTEES APPLICATION REVIEW