

**Minutes of the
North Carolina Charter School Advisory Board
Education Building
301 N. Wilmington Street
Raleigh, NC 27601-2825
November 13, 2014**

Attendance/NCCSAB	Alan Hawkes Joseph Maimone Phyllis Gibbs Helen Nance Sherry Reeves Mike McLaughlin	Alex Quigley Eric Sanchez Tammi Sutton Becky Taylor Cheryl Turner Steven Walker
Attendance/SBE/DPI	<i>Office of Charter Schools</i> Lisa Swinson, Consultant Deanna Townsend-Smith, Consultant Robin Kendall, Consultant Shannon Sellers, Consultant Darrell Johnson, Consultant Kebbler Williams, Consultant Brian Smith, Consultant Cande Honeycutt, Consultant	<i>Attorney General's Office</i> Laura Crumpler

CALL TO ORDER

The meeting was called to order at 10:00 am by Chair Helen Nance. Ms. Sherry Reeves led the CSAB in the Pledge of Allegiance and Ms. Nance read the Ethics statement and the CSAB Mission Statement.

Mr. Maimone stated that he requested some corrections to the minutes and had not seen them. Therefore, he stated that he was not comfortable accepting the minutes without the corrections. Ms. Nance concurred. Lisa Swinson shared that the corrections were made when she was notified by Mr. Maimone and they were placed into the Dropbox file for CSAB review. Mr. Walker suggested that the minutes discussion be moved to New Business to give the members time to review.

Dr. Deanna Townsend-Smith provided an overview of the charter application completeness process. She explained that the OCS staff would share the mission, county, and information related to the completeness or incompleteness of each application so that a decision could be made.

Ms. Nance reminded the CSAB to follow Robert's Rules of Order. She asked them to raise their hand to be recognized before speaking. After being recognized, they would be permitted to speak. She also reminded them not to have interaction with the audience during the meeting. She then adjourned the meeting for subcommittees.

SUBCOMITTEE MEETINGS

The Policy and Performance Subcommittees met from 10:05 am to 10:45 am to determine whether applications were complete or incomplete.

SUBCOMMITTEE REPORTS

Policy Subcommittee:

Mr. Walker made a motion to accept the recommendations of the Policy Subcommittee for charter applications that were deemed complete:

- Extraordinary Leaders Academy
- Thomas Bass Leadership Academy
- Francis Classical School
- Leadership Academy for Young Women
- Queen's Grant High School
- Lake Academy
- Piedmont Preparatory Academy
- Union Day School
- Charlotte Classical School
- Unity Classical Charter School ("Unity")
- Kaleidoscope Art and Technology Charter
- Fern Leaf Community Charter School

Mr. Maimone seconded. The motion carried unanimously.

Mr. Walker made a motion to accept the recommendations of the Policy Subcommittee for charter applications that were deemed incomplete.

- Next Generation Academy was deemed incomplete because it was missing a board member resume, as well as, Appendix Q and R.
- Young Inspiration Charter School was deemed incomplete for missing board member information and Appendix V.
- Forsyth Preparatory Academy, Pine Springs Preparatory Academy and Cape Fear Preparatory Academy checked on the application that they would be a conversion school and they did not include the conversion evidences to convert a public school to a charter school.

Mr. Sanchez seconded. The motion carried unanimously.

Performance Subcommittee:

Mr. Maimone made a motion to accept the recommendation of the Performance Subcommittee for charter applications that were deemed complete. Ms. Sutton made a motion to amend the motion not to include Cardinal. Ms. Reeves seconded. The motion passed unanimously.

Mr. Maimone explained that OCS deemed the Cardinal application incomplete because in the application it was stated that the board would have 6 board members but there were only 5 listed in the chart and 5 documents were included. Ms. Sutton explained that the application was incomplete because it stated that the board would comprise of 6 but only 5 were listed in the application.

- Central Wake Charter High School
- Capital City Charter High School

- Town Center Charter High School
- Northeast Academy of Aerospace and Advantage
- Fortis Academy Legacy Academy of Charlotte
- Gateway Charter Academy
- Matthews-Mint Hill Charter Academy
- Peak Charter Academy
- Kannapolis Charter Academy
- Mooresville Charter Academy
- Union Preparatory Academy at Indian Trail
- Cardinal Charter Academy at Knightdale
- Mallard Creek STEM Academy
- A. Michael Dion School of Leadership and Arts
- Ridgeview Charter School
- Addie C. Morris Children's School
- Lionheart Charter Academy

Mr. Walker made a motion to deem the aforementioned applications as complete. Ms. Reeves seconded. The motion carried 10-1 with Ms. Sutton dissenting.

Mr. Maimone made a motion to accept the recommendation of the Performance Subcommittee for applications that were deemed incomplete:

- Heritage Charter School was deemed incomplete because it was missing Appendix V. Progressive Charter School was deemed incomplete because it was missing Articles of Incorporation and the signatures for Appendix V were missing. Additionally, a criminal background check was missing for one of the board members.
- Asheville Math and Science Academy did not include IRS Form 990 although it was a replication application.
- Academy of Excellence was deemed incomplete because it was missing 2 of 3 board member resumes.
- Community Academy Charter Public School was deemed incomplete because it did not include all necessary appendices.

Ms. Sutton seconded. The motion carried unanimously.

CHARTER RENEWALS

Ms. Shannon Sellers read the CSAB Mission Statement and explained that OCS kept the mission, as well as, the Renewal Framework in mind as recommendations for interviews were made. She further explained that decisions were also based on Senate Bill 793. Furthermore, the decisions were made pending a financial review by Finance and Business (FBS). Mr. Walker asked when the schools submitted information to the FBS. Dr. Medley replied that the information that FBS currently had was not current and Ms. Alexis Schauss and her team would be providing information to the CSAB by the December meeting. Independent audits were due October 31 to the LGC and then they are forwarded to the Department. Mr. Walker replied that he did not like to make recommendations without all of the

information. Ms. Sellers stated that OCS recommended that the following schools not come in for an interview pending a financial review:

- The Arts Based School
- ArtsSpace Charter School
- Bethany Community Middle
- Bethel Hill Charter School
- Cape Fear Center for Inquiry
- Metrolina Regional Scholars Academy
- Millennium Charter Academy
- Piedmont Community Charter
- Socrates Academy
- Two Rivers Community Charter
- Union Academy
- Charter Day School: The original recommendation was to bring them in for an interview because they were placed on a Financial Probation Status. However, at 9:40 am this morning, the Chief Financial Officer removed this warning and we now recommend that Charter Day not come in for an interview.
- **Ms. Turner made a motion that the aforementioned schools receive a ten year renewal, without an interview, pending financial review.** Questions arose about whether or not the CSAB would be recommending term length at this point. Dr. Medley replied that not bringing them in for an interview means that they meet the statutory components for a ten year renewal. However, Alexis Schauss will be available in December. **Mr. Maimone seconded. The motion carried unanimously.**

Dr. Tammy Howard, Director of Accountability, discussed how proficiency and growth were created. Dr. Howard explained that proficiency measure is the percent of students who meet a benchmark. Growth, in contrast of that, is looking at significant progress for where they are now. Schools need to be rewarded for making proficiency and growth. If a school is not making proficiency status each year but are making growth that is good. Proficiency and growth cannot be separated. Mr. Walker asked as far as growth calculations, when you have students who move around if their growth is immediately calculated. Dr. Howard explained that EVAAS looks at all students previous test scores and would be included in the growth model. Mr. Hawkes asked if a student has high scores how do they grow. Dr. Howard replied for the school accountability growth, when there is a large number of students who are scoring well EVAAS looks at whether they are continuing to score well. Dr. Howard stated that all schools in NC have the potential to demonstrate growth.

Ms. Sellers stated that OCS recommended the following schools come in for an interview:

- Alpha Academy: OCS recommends that they come in for an interview based upon governance concerns noted during the renewal process and not being comparable to the LEA the last three years. Mr. Maimone stated that the school has made growth with a higher minority population than the local LEA. Ms. Turner asked for more information concerning the governance issues. Ms. Robin Kendall explained that the Chief Operating Officer of the school is also a voting member of the board. In addition the COO also manages the school's finances and is the spouse of the school administrator. Mr. Walker asked if that concern violated the terms of the charter. Ms. Crumpler stated that it is not a best practice. Dr. Medley stated that OCS brought the

concern to CSAB's attention because it was a concern that had been raised with boards during the application interview process. Mr. Maimone asked if there was a clear conflict of interest statement that is signed each year by each board member and if it was reflected in their board minutes. Ms. Kendall replied that she was not aware that the board employed this practice. Ms. Reeves inquired about the number of years the COO had been a board member. Ms. Kendall replied thirteen years. Ms. Taylor asked if it has been a concern in the past. Dr. Medley replied that the concern was not a concern in the past. Ms. Nance stated coming in for an interview did not mean that you will not receive a ten year renewal. It just means that there were questions. Ms. Taylor concurred. Mr. Maimone stated that there were no compliance issues and there were no financial issues. He stated that he did not see that they had not met the criteria. They meet or exceeded growth three years in a row with a high minority group. There is no reason to say that they should be invited in for an interview. Mr. Sanchez referred to the Renewal Framework and explained that it was clear that the school would receive a 7 year renewal. Mr. Hawkes stated that he was concerned about a CEO/CFO being on the board because it was a conflict of interest. He added that he hoped a stipulation be added to the school's renewal term. **Mr. Maimone made a motion to grant Alpha Academy a ten year renewal with stipulations that any salaried employee of the school be a non-voting member on the Board. Ms. Reeves seconded.** Ms. Turner replied that the decision that should be made is whether they should be brought in for an interview. **The motion failed 9-2 with Mr. Maimone and Ms. Reeves dissenting. Ms. Reeves made a motion to bring Alpha Academy in for an interview. Ms. Taylor seconded.** Mr. McLaughlin stated that the Director's response to the renewal documents was defensive. **The motion carried 10-1 with Mr. Maimone dissenting.**

- Haliwa-Saponi Tribal School: Ms. Sellers explained that the school had noncompliance in EC, as well as, the academics were not comparable to the LEA. Dr. Bill Hussey, Director of Exceptional Children's, explained that there was a monitoring review in October. There were concerns with the appropriate licensure of teachers. Progress reports, which are required by state law, were not written for students. There was noncompliance with IEPs and re-evaluations. **Mr. Quigley made a motion to invite Haliwa-Saponi Tribal School in for an interview. It was seconded by Ms. Reeves. The motion carried unanimously.**
- Healthy Start Academy- Ms. Sellers stated that Healthy Start was not currently compliant in EC and their academics were not comparable with the LEA. **Mr. Walker made to invite Healthy Start Academy in for an interview. Ms. Sutton seconded. The motion passed unanimously with Mr. Quigley abstaining.** Ms. Turner requested that the reports from EC be provided to CSAB prior to the next meeting. Mr. Maimone asked for the demographic breakdown for schools whose subgroups are significantly different than the LEA.
- Phoenix Academy- Ms. Sellers informed the CSAB that Phoenix Academy was not meeting the law requiring charter schools to either have a proficiency of 60% or have growth for two out of three years. Had the SBE not decided that the 2012-13 data not have sanctions there would be a discussion of revocation or assumption of the charter. They have not made growth for the last two years. Phoenix received a letter on October 6th placing them on the academic watch list. Phoenix is 1 of 17 schools that is on the watch list. Mr. Walker commented that he understood that the school did not make growth 2 out of 3 years but the school's enrollment was going through the roof and they were outperforming the LEA every year. **Mr. Walker made a motion**

not to invite Phoenix Academy for an interview. Ms. Gibbs seconded. Ms. Nance replied that it would have been helpful for them to complete the self-study but they chose not to take the opportunity to tell all of the neat things that they are doing. **The motion failed 4-7 with Ms. Turner, Ms. Taylor, Mr. Quigley, Mr. Sanchez, Ms. Sutton, Ms. Nance and Ms. Reeves dissenting. Mr. Sanchez made a motion to bring Phoenix in for an interview. Ms. Reeves seconded. The motion carried 7-4 with Mr. Maimone, Mr. Walker, Ms. Gibbs and Mr. Hawkes dissenting.**

- Southern Wake Academy- Ms. Sellers shared that Southern Wake Academy did not have any compliance issues; however, their academics were not comparable with the LEA. **Mr. Walker made a motion bring them in for an interview based on academic scores. Ms. Sutton seconded. The motion carried 10-1 with Mr. Maimone dissenting.**
- Success Institute- Ms. Sellers stated that Success was not comparable to the district in any of the last 3 years. They made growth but were noncompliant in Child Nutrition. **Mr. Walker made a motion to bring them in for an interview. Ms. Reeves seconded. The motion carried unanimously.**
- The Academy of Moore County- Ms. Sellers explained that The Academy of Moore was not comparable to the district in proficiency 2 of the last 3 years. They exceeded growth one year, met growth one year, and did not meet growth one year. Ms. Lisa Swinson explained that although the school's enrollment and academics had a history of decreasing, the school was beginning to turn around. **Mr. Maimone made a motion not to bring them in for an interview. Ms. Gibbs seconded. Ms. Nance replied that she did not feel comfortable giving the school a ten year renewal based on their past history. The motion failed 3-7 with Mr. Walker, Ms. Turner, Ms. Taylor, Ms. Nance, Mr. Quigley, Mr. Sanchez, and Ms. Sutton dissenting. Mr. Walker made a motion to invite them in for an interview. Mr. Quigley seconded. The motion carried 7-2 with Mr. Hawkes and Mr. Maimone dissenting. Ms. Gibbs abstained.**
- Washington Montessori- Ms. Sutton informed the CSAB that Washington Montessori was currently noncompliant in Exceptional Children's. Dr. Hussey explained that Washington has had 3 years of needing assistance, which is not significant. They have also had a complaint. Ms. Nance asked if there was a possibility that a review be done for the school before December. Dr. Hussey responded that that would not be possible. Mr. Quigley stated that this is not a significant compliance issue. **Mr. Quigley made a motion not to bring the school in for an interview. Mr. Maimone seconded. The motion carried unanimously.** Ms. Reeves asked if not inviting them in meant that they will receive a ten year renewal. Ms. Nance replied that that criterion was not in the motion.

PRELIMINARY PLANNING YEAR UPDATE

Dr. Kebbler Williams presented a synopsis of the Professional Development Schedule for schools that were slated to open in Fall of 2015. There is 100% attendance in which at least one board member is attending the training. Dr. Williams gave the CSAB an overview of the trainings that the school boards had received and would be receiving. Ms. Nance asked if the schools that are slated to open if they are

on track to be successful in opening. Dr. Williams replied that there is no information to make that determination.

RECOMMENDATIONS FOR REPLICATION

Mr. Quigley asked for clarification on charter board trainings that was addressed in letter “e” of the policy draft. He stated that it seemed that the boards would go through training if they were a new board. Ms. Nance concurred. Mr. Walker read 6.5 of Senate Bill 793. Mr. Maimone replied that he did not see an issue with the Fast Track boards participating in the current year training process instead of waiting a year. Ms. Crumpler explained that because there was already a SBE approved policy there do not need to be an additional one created. What has already been established meets the statute. Ms. Taylor replied that she likes the suggestion that Mr. Maimone made. They can go ahead and start the process and they know that going through the training does not guarantee that they will be approved. Mr. Maimone stated that the applicant has to mark replication on the application in order to be eligible. Mr. Walker replied that if Ms. Crumpler believed that the statute had been fulfilled it should be taken back to the Policy Subcommittee and it does not have to be taken to the SBE. Mr. Quigley asked if there were schools that were going through the Fast Track Replication. Dr. Townsend-Smith replied that the applications for this year do not fit those guidelines. Mr. Maimone asked if current applicants would be eligible to participate in next year’s training. **Mr. Walker made a motion to send the policy back to the Policy Subcommittee to rework the language. It was seconded by Mr. Quigley. The motion carried unanimously.**

NEW BUSINESS

Mr. Walker distributed copies of emails that were sent by the board of Cape Fear Preparatory, Forsyth Preparatory, and Pine Spring Preparatory. The issue was that they checked that they were a conversion of a traditional public but they did not provide the information for a conversion. They sent a letter to Dr. Townsend-Smith in September indicating that they had a problem with the application system in which they were not able to submit the application without checking that they were a conversion. They wanted to make sure that they were clear that they were not a conversion school. Mr. Walker explained that if he had the letter prior to making his decision, he would have made a different decision. **Mr. Walker made a motion to reconsider Cape Fear, Forsyth and Pine Springs. Mr. Hawkes seconded.** Mr. Maimone asked if there were any other issues with the applications. Dr. Townsend-Smith replied that there were no other issues with the three applications.

- Ms. Turner asked why OCS deemed the application incomplete after the board provided the email. Dr. Townsend-Smith replied that the school chose “conversion” and other applicants had no problem with this issue. With one of the four being right, it could not be a system error.
- Mr. Walker asked if Dr. Townsend Smith remembered receiving the letters. Mr. Walker replied that if he would have received the letters he would have had a different decision.
- Dr. Townsend-Smith replied that the applicants chose “conversion” for 3 out of 4 of their applications. Typically when an applicant group has a problem she explained that she was diligent about helping them. This group did not feel comfortable giving the username and password so that she could troubleshoot.

- Ms. Taylor asked if all of the applications were submitted at the same time. Dr. Townsend-Smith replied that Cape Fear submitted at 2:40 pm. Pine Springs submitted at 2:53 pm. Forsyth submitted at 3:17 pm. Piedmont submitted at 3:37. The last submission was correct while the previous three were not. The email was submitted on September 29 through email and Dr. Townsend Smith asked them to submit it through the online system. The application was due on September 26.
- Ms. Nance reminded the CSAB that a motion was on the floor. She restated that motion: **Mr. Walker made a motion to reconsider Cape Fear, Forsyth and Pine Springs. Mr. Hawkes seconded. The motion carried unanimously.**
- **Mr. Walker made a motion to deem Cape Fear Preparatory, Forsyth Preparatory, and Pine Spring Preparatory the schools complete. Ms. Gibbs seconded. The motion carried unanimously.**

REPORT TO THE JOINT LEGISLATIVE EDUCATION OVERSIGHT

Ms. Alexis Schauss presented a draft copy of Report to the Joint Legislative Education Oversight Committee. She explained that it was being presented to CSAB because they were listed in the Bill for consent. There were 3 charter schools they did not respond. House Bill 884 required a report and this is the first year that it is being required to provide data for the drop-out prevention pilot program for charter schools and a joint report for contracts for contract services for charter school boards. An electronic survey was sent to all charter schools and the data that was gathered was used to create the report. There were three schools that did not respond. Getting the responses was labor intensive.

- Mr. Maimone asked why the legislators needed the data. Ms. Schauss replied that it was the first year and she and her department were complying with the request.
- Mr. Maimone stated that he would be concerned if he received a report that a school was under financial noncompliance because they did not submit a report. Dr. Medley replied that the charter agreement states that schools are to comply with reports. Ms. Schauss replied that it is labor intensive when people do not respond. FBS does not make a determination of where it is important or not. If the General Assembly requires it, it holds that same weights as anything else.
- **Mr. Walker made a motion to accept the report. Ms. Reeves seconded. The motion passed unanimously.**

Ms. Swinson asked if the Policy subcommittee would be meeting during the December meeting to discuss the Replication document. Mr. Walker made a motion for the Replication document to be referred back into the Policy subcommittee until it is presented to the Board. Ms. Gibbs seconded. The motion carried unanimously.

Dr. Medley commented about an article that was presented in a Charlotte newspaper. He explained that the overall average of all schools that opened this school year was around seventy-three percent of their projected enrollments.

The meeting adjourned at 2:30 pm.