

July 28, 2020

MINUTES OF THE
UTAH STATE CHARTER SCHOOL BOARD MEETING

Thursday, July 28, 2020
Mountain Heights Academy/WebEx

DRAFT

Members Present:

Chair DeLaina Tonks (*refrains from voting, unless otherwise noted)
Vice Chair Bryan Bowles
Member Cynthia Phillips
Member Jim Moss
Member Krystle Bassett
Member Michelle Smith

Staff Present:

Jennifer Lambert
Assistant Attorney General David Jones
Amber Hellstrom
Stewart Okobia
Greg Connell
Marie Steffensen
James Madsen
Jenna Magnetti
Robert Kohutek

Others Present:

Stephanie Speicher, Chris Jones, Royce Van Tassell.

Call to Order

Chair Tonks called the meeting to order at 9:05 AM

Pledge of Allegiance

There was no flag present so the Pledge was not made.

Board Chair Report

Chair Tonks asked everyone to speak loudly so the microphone could sufficiently broadcast their voices to those participating online, then thanked everyone for wearing masks. Conversations

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with USBE leadership about SCSB process and communications, schools' reopening plans due August 1st, stakeholder appreciation for online options, USBE Law and Licensing discussing special education administrative rule and approval of the SCSB's Expansion Request process which requests will now be heard in September was discussed.

Public Comment

Mr. Chris Jones commented on the SCSB's contract with BWP Communications and the hope of future in-person meetings.

Consent Calendar

A) June 11, 2020 Minutes, B) Monthly Financial Report, C) SCSB Revised FY2021 Budget.

Motion

Member Smith moved to approve, and Member Bassett seconded "to approve the consent calendar." The motion carried unanimously.

Satellite Application and Process

Ms. Marie Steffensen presented, and the board discussed, the SCSB's Satellite Application (for schools seeking new campuses) and its associated process, noting changes and similarities between the existing process and that of the Expansion Requests but with definitions as suggested by the USBE Law and Licensing Committee and alignment with the requirements of R277-552-7.

Executive Director Lambert read proposed changes to board members concerning budget for Satellite school in finance section, adding the word "attempt" in the enrollment section, and changes to GASB and FASB.

Motion

Vice Chair Bowles moved, and Member Phillips seconded, "to approve the Satellite process with the changes that Ms. Lambert has just read to us." The motion carried unanimously.

Annual Certification Report

Mr. Greg Connell presented on the amount of schools who completed their certifications and in what standing schools are, data trends, background checks, number of board members, and compliance with Open and Public Meetings Act.

Board members discussed disconnect at some schools between governing boards and administrations, Notice of Concerns, and difficulties in maintaining requisite number of board members.

Motion

Vice Chair Bowles moved, and Member Smith seconded, "that we move our Legislative

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Requests for Special Session agenda item to before our closed session so we have enough time to talk about it.” The motion carried unanimously.

Possible Legislative Requests for Special Session

Holding enrollment for students whose parents do not want them to return to school during the pandemic was discussed.

Motion

Member Phillips moved, and Member Smith seconded, “that we seek as a board, and Legislative Committee, that we make adjustments to enrolled preferences in statute that would include, based on the COVID context, a preference for schools to choose to hold their (student’s) spot for a year off so they can rejoin the school the following year without penalty.” The motion failed unanimously.

Motion

Member Phillips moved, and Member Smith seconded, “that we support an additional preference in (UCA) 53g-6-52 that includes an individual returning to a school after leaving because of a pandemic.” The motion carried unanimously.

Motion

Member Phillips moved, and Member Smith seconded, “that we move into executive session to discuss potential pending litigation.” The motion carried unanimously with the following votes:

Member Phillips—yes
Member Moss—yes
Vice Chair Bowles—yes
Member Smith—yes
Member Bassett—yes

Closed Session in Accordance with The Utah Open and Public Meetings Act to discuss pending or reasonably imminent litigation

Motion

Vice Chair Bowles moved, and Member Smith seconded, “that we come out of closed session.” The motion carried unanimously with the following votes:

Member Phillips—yes
Member Moss—yes
Vice Chair Bowles—yes
Member Smith—yes
Member Bassett—yes

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Consideration of USBE Request Regarding AISU Balance

The board discussed USBE's request that the SCSB provide recommendations on how to settle the remaining balance of funds (+/- \$81,000) from the AISU closure.

Motion

Member Phillips moved, and Member Smith seconded, "that the State Charter School Board leadership, on behalf of the board, execute payment of the remaining debt, contingent upon an agreement between the SCSB and the USBE that recognizes or acknowledges existing statute that the SCSB is not responsible for the debt of charter schools." The motion carried unanimously.

Board Self Evaluation and Strategic Planning

Survey sent to stakeholders and its reception, board self-evaluation, best practices, and goals were presented, debated, and discussed, including: the issue of being supportive of schools while still providing oversight, visiting schools, messaging resources and support to schools, mentor program, division of authorizing and oversight and unifying the two, duties of performance managers, restructuring of staff, a simulation of scenarios.

Motion

Member Smith moved, and Member Bassett seconded, "that we go into closed session to discuss the character, competence, and mental health of an individual." The motion carried unanimously with the following votes:

Member Phillips—yes
Member Moss—yes
Vice Chair Bowles—yes
Member Smith—yes
Member Bassett—yes

Closed Session in Accordance with The Utah Open and Public Meetings Act to discuss the character, professional competence, or physical or mental health of an individual

Motion

Member Smith moved, and Member Bassett seconded, "that we come out of closed session." The motion carried unanimously with the following votes:

Member Phillips—yes
Member Moss—yes
Vice Chair Bowles—yes
Member Smith—yes
Member Bassett—yes

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Adjourn

Motion

Member Smith moved to adjourn.