

October 8, 2020

**MINUTES OF THE**  
**UTAH STATE CHARTER SCHOOL BOARD MEETING**

Thursday, October 8, 2020  
[www.youtube.com/utahscsb](http://www.youtube.com/utahscsb)

**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  
Member Stephanie Speicher

**Staff Present:**

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

**Others Present:**

Mike Haynes (USBE), Scott Jones (USBE), Angela Stallings (USBE), Kent Fuller (Canyon Rim), Steve Hurst (SGA), Matt Smith (SGA), Christy Hall (SGA), Courtney Webb, Neil Walter (SGA), Will Fountain (Athlos), Joell Wright (Athlos), Darin Knicely (Athlos), Ben Hyink (Athlos), John Phan (Athlos), Mandi Kartchner (Athlos).

**Call to Order**

Chair Tonks called the meeting to order at 10:08 AM and read a statement about holding the meeting without an anchor location due to COVID-19.

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### **Public Comment**

No public comment was made.

### **Board Chair Report**

Conflict of Interest forms, congratulations for Ms. Karen Peterson for her new role as the deputy education director in the governor's office, enrollment counts, thanked teachers, National Merit Semifinalists; Deep Chakraborty, of Thomas Edison Charter School, placing 4<sup>th</sup> in Utah and 15<sup>th</sup> in the nation in the Kingston math competition; and UAPCS' awards were discussed.

### **Executive Director Report**

Executive Director Lambert discussed the first Charter School Governing Board Member meeting, Ed Direction seeking nominations of 11 teachers who have done particularly well during these unique times, future two-day seminar co-hosting with Ed Direction, NACSA virtual conference, and hiring Dr. William Evans as the school performance coordinator was discussed.

### **Consent Calendar**

*A) September 10, 2020 Minutes, B) Monthly Financial Report, C) Institute for Technology Centered Leadership Proposal, D) Camino Nuevo Technical Academy Proposal, E) Davinci Academy "Exhibit A" Amendment, F) Quest Academy "Exhibit A" Amendment, G) Terra Academy "Exhibit A" Amendment, H) Endeavour Hall Bylaws Amendment*

### **Motion**

Member Smith moved, and Member Bassett seconded, "to approve the Consent Calendar." The motion carried unanimously with the following votes:

Vice Chair Bowles—Yes

Member Smith—Yes

Member Speicher—Yes

Member Phillips—Yes

Member Bassett—Yes

Member Moss—Yes

### **School Spotlight—Transfer Rate Report**

*Canyon Rim Academy*

Ms. Robert Kohutek presented on Canyon Rim Academy's excellent transfer rate.

The school showed two videos of students and staff displaying their strong culture, then were questioned and discussed their strong culture.

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### **Probation Status Update and Possible Action**

#### *St. George Academy*

Mr. Greg Connell presented on St. George Academy (SGA)'s met and unmet terms and expressed a belief that staff recommends Warning and no longer finds urgency to close the school for financial reasons at this time.

Representatives of SGA discussed taking the SCSB's concerns very seriously, making budget adjustments at school and with developers, status of USBE Start-Up loan, unsecured notes, pursuing bonding and other financing options, financial advisors, low enrollment, and changes to director.

SCSB members discussed quick and vigorous response SGA made, financing, nearby housing developments, and community interest in the school.

#### **Motion**

Member Phillips moved, and Member Smith seconded "that we remove St. George Academy from Probation and move their status to Warning with continued oversight and specific terms of Warning." The motion carried unanimously with the following votes:

Member Smith—Yes  
Member Speicher—Yes  
Member Phillips—Yes  
ice Chair Bowles—Yes  
Member Bassett—Yes  
Member Moss—Yes

#### **Motion**

Member Smith moved, and Member Bassett seconded, "to adjust the agenda to move the goals and policy amendment discussions to now as opposed to after lunch." The motion carried with the following votes:

Member Smith—Yes  
Member Speicher—Yes  
Member Phillips—Yes  
Member Bassett—Yes  
Member Moss—Yes

### **Board Policy Amendment**

#### *Review of Facilities Contracts or Financing Agreements for Charter Schools*

Mr. Stewart Okobia presented on the current draft, requirements in the law, themes from public comment, and potentially creating a fillable form for schools.

The crafting of a third draft and posting for public comment was discussed.

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**Motion**

Vice Chair Bowles moved, and Member Phillips seconded, “to have staff prepare a third draft and post for public comment, and discuss in future meeting.” The motion carried unanimously with the following votes:

Member Smith—Yes  
Member Speicher—Yes  
Member Phillips—Yes  
Vice Chair Bowles—Yes  
Member Bassett—Yes  
Member Moss—Yes

**Discussion to the Motion**

Effectiveness of the process and resolving concerns was discussed.

**SCSB Goals**

Vice Chair Bowles displayed the goals and presented the new Innovation goal.

The board discussed the survey, its follow-up, timeline, deadlines, focusing on end product rather than intermediate dates, and inclusion of board members when drafting was discussed.

**Motion**

Member Smith moved, and Member Speicher seconded, “that we adopt the Innovate goal as currently written.” The motion carried unanimously.

**Discussion to the Motion**

Having ideas submitted to the Innovations Committee, and getting the committee running again was discussed.

**Probation Status Update and Possible Action**

*Athlos Academy*

Mr. Stewart Okobia discussed financing, lease agreements, principal payments, debt-to asset ratio, lease burden, bond presentation draft, Notice of Concern, retention rate, projected enrollment, bond financing agreement, facility purchasing agreement, property tax, landlord concessions, issues existing before COVID; schools still being able to bond on Notice of Concern, Warning, or Probation; and the recommendation of Warning or Probation.

Deputy Superintendent Jones discussed the letter provided by USBE not being intended to attest to school’s financial viability, not being able to speak for the board, sharing concerns articulated by Mr. Okobia, and enrollment.

Representatives of Athlos Academy discussed drop of enrollment and Notice of Concern items, ownership of not communicating progress to SCSB staff, decrease in enrollment, basketball program, recent articulation agreement with Real Salt Lake, staff review and trainings, community loyalty to school and director, finding an exceptional director, gratitude for SCSB

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staff, athletics, parent survey, rigor in academics, teacher surveys, professional development, partnerships, staff salaries and benefits reductions, class sizes, supplies and materials, communications with parents, requesting delay on vote for audited financials to be reviewed, asking for amendment of Notice of Concern with invitation to report at the SCSB's April 2021 meeting, willing to provide monthly updates, property taxes, and why the school is bonding for more than appraisal of building.

### **Discussion to Presentations**

SCSB purpose and options, catch-22 of Warning/Probation, how to help school with debt-to asset ratio, realizing savings, surviving on low enrollment, accountability, reduction in salaries, and the unresolved terms of Notice of Concern were discussed.

### **Motion**

Member Smith moved, and Member Phillips, "to delay consideration of moving to a Warning or Probation status until our next board meeting, and we add an enrollment concern to our Notice of Concern and ask the school to maintain monthly reports and work with staff until that concern is resolved, and to continue to receive monthly updates from the school on the progress it is making on enrollment and overall financial status." The motion failed unanimously.

### **Discussion to the Motion**

Reasoning for only delaying by one month, as opposed to honoring the school's request for a delay to April, was discussed.

### **Motion**

Member Smith moved, and Member Phillips, "to delay consideration of moving to a Warning or Probation status until our April board meeting, and we add an enrollment concern to our Notice of Concern and ask the school to maintain monthly reports and work with staff until that concern is resolved, and to hear back a report on their status at every month at our board meeting between now and then." The motion carried with the following votes:

Member Smith—Yes

Member Phillips—Yes

Member Speicher—Yes

Vice Chair Bowles—Yes

Member Bassett—Yes

Member Moss—Yes

### **Discussion to the Motion**

Government vs management role of board and noting that monthly reports should be delivered from Athlos to staff.

### **Adjourn**

### **Motion**

Member Smith moved to adjourn. The motion carried unanimously.