

STATE CHARTER SCHOOLS COMMISSION

MEETING MINUTES

April 28, 2021, 10:00 a.m.

Virtual Access: <https://global.gotomeeting.com/join/261431085>

Phone: [+1 \(408\) 650-3123](tel:+14086503123) Access Code: 261-431-085



Attendees: Commissioners: Buzz Brockway – Chairman; Hunter Hill – Vice Chairman; Jose Perez; Tom Lewis; Fitz Johnson; Dr. Lina Millan; and Tony Lowden. SCSC Staff: Lauren Holcomb – Executive Director; Morgan Felts – Chief Operations Officer; Katie Manthey – Director of Research and Evaluation; Kristen Easterbrook – Charter Development Manager; Kathy Schieber – Financial Analyst; Erin Wright – Associate General Counsel; Kiara Thompson – Program Coordinator; Erica Acha-Morfaw – Administrative and Communications Coordinator; Jackson Caruso – SCSC Intern.

I. Call to Order (*Chairman Brockway*)

- The meeting was called to order.
- Chairman Brockway completed a commissioner roll call. All commissioners (a quorum) were present.
- Executive Director Holcomb announced new staff members at SCSC.
- Chairman Brockway announced that Lt. Governor Geoff Duncan has appointed Mike Dudgeon to the SCSC board to replace Commissioner Tom Lewis.
- Commissioner Tom Lewis was thanked for his service to the SCSC board.

II. Approval of February SCSC Meeting Minutes (*Chairman Brockway*)

- Commissioner Lowden moved for approval of the March 2021 SCSC meeting minutes. The motion was seconded by Commissioner Perez. The motion passed by unanimous vote.

III. School COVID Update (*SCSC Executive Director*)

- The CDC is recommending social distancing between students of 3 feet.
- Vaccine distribution in the schools is going well.
- The SCSC staff is working with the Commissioners to schedule school visits, prioritizing schools that are up for renewal and new schools.
- The Commission will seek school feedback on a waiver proposal that would permit schools to provide a remote learning option for the 2021-2022 school year for up to 25% of students. The SCSC expects brick and mortar schools to resume in-person instruction next year, however, it also wants to ensure schools can respond to community need. The proposed waiver would allow:
 - Schools to provide a remote option for up to 25% of students;
 - Students will remain subject to all testing and accountability requirements; and
 - Schools will determine eligibility criteria for students.
- The SCSC staff anticipates presenting the waiver to the SCSC Board for vote at the May board meeting.

IV. Legislative Update (*SCSC Executive Director*)

- As a reminder, austerity reductions to education formula funds were partially restored.
- The state is providing retention bonuses to school personnel and certain state workers.
- Funds were added to the Charter Facility Grant.

- The American Rescue Plan Act provides almost \$4 billion in funds to Georgia school systems for their COVID-19 response.
- With respect to charter school-related legislation, Senate Bill 153 transitions State Charter School Commission system-collaborative schools to the State Board of Education on July 1, 2021 and Senate Bill 59 proposes to allow state charter schools to opt into the State Health Benefit Plan (SHBP) upon renewal of their charter contract. These bills were passed and sent to the Governor's Office for signature.

V. **Organizational Development** (*SCSC Charter Development Manager*)

- SCSC staff hosted its financial management certification training.
- SCSC supports schools through two programs, the Georgia Charter Schools Association and Carl Vinson Institute of Government. Currently, Fiscal Year 2021 classes are wrapping up and SCSC will be sending new course dates for Fiscal Year 2022.
- SCSC hosted its last governance training on April 13, 2021. Pre-recorded sessions are available through June 30th. 259 governing board members attended governance trainings during FY21, around 92-93% of board members. Governing board members who still need to complete trainings can do so through an approved provider, which is available on the SCSC website.
- SCSC is developing its FY22 training calendar. Schools or the Commissioners can let SCSC staff know if they want to request specific content or trainings.
- Commissioner Lowden asked if SCSC provided any COVID-specific training. SCSC staff stated it offered training on hybrid environments or virtual learning environments in August 2020. Governance training did also include a discussion on legal mandates still required during COVID. Michele Neely with the Georgia Charter Schools Foundation hosted a training for charter schools on how to prepare and protect facilities.

VI. **Petitions** (*SCSC Associate General Counsel*)

- 12 schools submitted petitions for the FY20 petition cycle and the SCSC staff will recommend approval of six petitions at today's meeting.
- The SCSC received nine petitions to review for the FY21 petition cycle. SCSC staff disqualified four petitions and will undertake substantive review of the remaining five petitions.
- Of the remaining 5 petitions, 3 are looking to operate as brick-and-mortar schools and two are opting to serve as statewide virtual schools.
- Petitions are lower than typical during this cycle, which is expected given the circumstances.

VII. **Pre-Opening Schools** (*SCSC Charter Development Manager*)

- Of the four schools that SCSC anticipated opening in Fall 2021, one has elected to defer to Fall 2022, two schools are on track to open as planned, and one school has been requested to remedy its training noncompliance and provide more information on its facility timeline by next week.
- SCSC staff are actively monitoring the three schools' projected enrollment for Fall 2021 to make sure schools are preparing to open with enough students enrolled to make the schools fiscally viable. Schools will submit final numbers for enrollment funding next month.

VIII. **Accountability** (*SCSC Financial Analyst*)

- SCSC has selected four audit firms to participate in the Approved Auditor program. The purpose of the Approved Auditor program is to facilitate high quality financial reviews of the schools. This year, four firms submitted proposals and all four firms were selected.
- Schools must notify SCSC by May 5, 2021 of their desire to participate in the Approved Auditor program and select an auditor.

- SCSC will cover the cost of the school's annual audit if the school elects to use a firm through the Approved Auditor program.

IX. **School Performance Reviews** (*SCSC Director of Research and Evaluation*)

- Annually, SCSC requires schools that do not meet an area of the Comprehensive Performance Framework (CPF) to share their improvement plans with the SCSC Board. Because there was no academic data for the previous year, the schools here today did not meet either finance or operations under the CPF.
- Brookhaven Innovation Academy presented regarding its failure to meet financial standards.
 - The school recently faced two issues. First, it had to ensure stable leadership. The school has now had stable leadership for three years. The other issue the school had to solve was its facility's location. The Brookhaven/Chamblee area was too expensive and distracts from the school's primary mission. Therefore, the school board decided to buy a permanent existing building in Norcross through a bond deal. The school knew that enrollment would likely decline when parents in the Brookhaven/Chamblee area withdrew their children, which raised the school's enrollment variance. Also, debt-to-income ratio rose during that time. Now, the enrollment variance has decreased. In addition, the debt-to-income ratio is down. The board anticipates that this trend will continue. Therefore, the school has turned a corner and sees a clear path forward.
 - The school representative engaged in a short discussion with the Commissioners about their old land and the possibility of selling it. The school may have the ability to access athletic facilities in perpetuity while still reducing debt from the land in Chamblee. If this agreement does not pan out, the school plans to list and sell the land.
- Coweta Charter Academy presented regarding its failure to meet financial standards.
 - The school had an entire leadership changeover and board turnover recently.
 - Regarding the financial standards, the school addressed its enrollment variance. The school was slightly behind in enrollment variance, but now understands the importance of ensuring historical projections and upcoming projections are correct. The school's current enrollment is now exceeding in-house projections. In addition, the school has a bond on its building, which means the school receives less points on its metrics. Last night, the board decided to refund the bond agreement, which it hopes will place more cash in its fund balance. The school also has limited assets due to bond and other factors, and is seeking ways to increase assets to correct debt to asset ratio. The school has increased assets with technology purchases this school year.
 - Finally, the board has become very involved in reviewing all finances and improving outcomes.
 - The school representative engaged in a short discussion with the Commissioners related to reasons for board turnover and test scores.
- Fulton Leadership Academy (FLA) presented regarding its failure to meet financial standards.
 - Last time the school presented, it had a negative fund balance, high facility expenses and enrollment was declining. The school shared its plan to reduce facility expenses. During the same period, it signed a forbearance agreement to stay out of default. Since then, the following occurred:
 - FLA has engaged a marketing company to increase enrollment.
 - The board has been reviewing financial metrics monthly.
 - FLA used savings and funds from payroll protection to increase monetary reserves.
 - The school continues to operate within budget, minimizing expenses, and increasing enrollment.
 - The school believes it is on target to end the year without a negative fund balance.
 - The board continues to consider facility options.

- The school lost its access to the gym near its property after the school's current landlord sold the gym. The school continues to explore options to continue access to a gym to maintain enrollment.
- The school representative engaged in a short discussion with the Commissioners.
- Georgia School for Innovation & the Classics presented regarding its failure to meet operational standards.
 - The board has stressed to the staff that policies must reflect what the staff is doing. The board believes the school is not doing anything wrong, but the policies do not always reflect the accurate requirements.
 - The school does very well with academic and financial performance.
 - The area the school serves is one of the fastest growing areas in the state. The school will request to expand and serve more students, including other areas experiencing a lot of growth. The school is building baseball and softball fields and looking to serve more families.
 - The school representative engaged in a short discussion with the Commissioners.

X. Old Business

- Scintilla Charter Academy Amendment Request. At the last meeting, the SCSC Board tabled an amendment request by Scintilla Charter Academy to expand to serve the seventh and eighth grades. SCSC staff recommends **denial** of Scintilla Charter Academy's request.
 - Commissioner Lowden moved to take the amendment request off the table. Vice Chairman Hill seconded the motion. **Commissioner Johnson abstained from this vote**. The motion was approved unanimously by all voting commissioners.
 - Commissioner Lowden moved to make a substitute motion to approve the amendment on a probationary basis. Commissioner Perez seconded. After brief discussion, Commissioner Lowden called to question. **Commissioner Johnson abstained from this vote**. The motion was approved unanimously by all voting commissioners.
- Southwest Georgia STEM Amendment Request. At the last meeting, the SCSC Board tabled an amendment request by Southwest Georgia STEM to expand to serve tenth grade. SCSC staff recommends **denial** of Southwest Georgia STEM's request.
 - Vice Chairman Hill moved to take the amendment request off the table. Commissioner Lowden seconded the motion. **Commissioner Johnson abstained from this vote**. The motion was approved unanimously by all voting commissioners.
 - Commissioner Lowden moved to make a substitute motion to approve the amendment on a probationary basis. Commissioner Perez seconded. **Commissioner Johnson abstained from this vote**. After brief discussion, Commissioner Lowden called to question. The motion was approved unanimously by all voting commissioners.

XI. Action Items

- Resurgence Hall Replication Petition Recommendation. SCSC staff recommended **approval** of Resurgence Hall's request to replicate.
 - Vice Chairman Hill moved to adopt the recommendation of SCSC staff. Commissioner Johnson seconded the motion. The recommendation was adopted unanimously by all voting commissioners.
 - Vice Chairman Hill thanked the school representatives for their dedication and resilience in the face of adversity.
 - No member of the public chose to comment.

- DeKalb Brilliance Academy. SCSC staff recommended **approval** of DeKalb Brilliance Academy’s petition to establish a charter school.
 - **Commissioner Milan moved to adopt the recommendation of SCSC staff. Commissioner Lowden seconded the motion. The recommendation was adopted unanimously by all voting commissioners.**
 - Commissioner Lowden expressed strong interest in this area of the state and claimed 16 schools have been failing children of color in that district for decades. He states he hopes this school can provide opportunity for the children of the district and give the families a choice of what good looks like.
 - The school responded by affirming their commitment to educating entire families and the children of the district to foster future success.
 - The school confirmed their location for the physical building of the school.
 - Commissioner Lowden expressed strong concerns about this area again, related to sex trafficking of minors which he states is high in the area. Commissioner Lowden hopes this school helps change the whole community.

- Liberation Academy. SCSC staff recommended **approval** of Liberation Academy’s petition to establish a charter school.
 - **Commissioner Lowden moved to adopt the recommendation of SCSC staff. Commissioner Milan seconded the motion. The recommendation was adopted unanimously by all voting commissioners.**
 - Vice Chairman Hill asked what “cultural relevance” is as it pertains to the school’s educational curriculum.
 - The school expressed the importance of showing the students success from people who look like them within the curriculum and educational model used by the school.
 - Commissioner Lowden also expressed that he views the use of curriculum involving people of the same race as the students as important to foster success.
 - Commissioner Lewis asked whether there is support for mental illness in the school. The school affirmed this is provided.
 - Vice Chairman Hill states he believes identity is important as far as whether students identify with “their learning”. Vice Chairman Hill expressed concern, stating he believes race is less important than stressing the “internal values” that we all aspire to.
 - Commissioner Perez agreed with Vice Chairman Hill.

- Miles Ahead Charter School. SCSC staff recommended **approval** of Miles Ahead Charter School’s petition to establish a charter school.
 - **Commissioner Lowden moved to adopt the recommendation of SCSC staff. Commissioner Perez seconded the motion. The recommendation was adopted unanimously by all voting commissioners.**
 - Commissioner Lowden stated this board was one of the best presentations he had seen in a long time, referring to the school’s initial presentation prior to this meeting.

- Destinations Career Academy of Georgia. SCSC staff recommended **approval** of Destinations Career Academy of Georgia’s petition to establish a charter school.
 - **Commissioner Lowden moved to adopt the recommendation of SCSC staff. Commissioner Perez seconded the motion. The recommendation was adopted unanimously by all voting commissioners.**

- Chairman Brockway encouraged the school to get the facts and dig into the data to ensure familiarity with the day-to-day work of their online school. Expressed concern that online schools sometimes work great, and sometimes do not, and there is importance in making sure the data they collect is accurate.
 - Vice Chairman Hill states he believes in career education but has concern in offering that to a sixth or seventh grader, as it may force young students to “check-out” of academics early.
 - The school clarified their belief that experiential learning is appropriate for this age group.
 - Commissioner Lowden expressed hope that this school will keep children engaged and involved in school. States that there have been struggles with attendance in rural areas and especially with online schools.
- Zest Preparatory Academy. SCSC staff recommended **approval** of Zest Preparatory Academy’s petition to establish a charter school.
 - After a statement opposing the petition by a representative from the Douglas County School Board, on behalf of the Superintendent, **Vice Chairman Hill moved to adopt the recommendation of SCSC staff. Commissioner Johnson seconded the motion. The recommendation was adopted unanimously by all voting commissioners.**
- PEACE Academy. SCSC staff recommended **approval** of PEACE Academy’s petition to establish a charter school.
 - **Commissioner Perez moved to adopt the recommendation of SCSC staff. Commissioner Johnson seconded the motion.**
 - Vice Chairman Hill stated concerns with tracking achievement under an Afrocentric education curriculum model. The PEACE Academy representative clarified the purpose and reasons for the use of their proposed curriculum model and the value of the content to the students in their proposed district.
 - **Vice Chairman Hill moved to table consideration of the petition. Chairman Brockway did not recognize the motion to allow time for discussion.**
 - Commissioner Lowden spoke about the importance of bringing the community together. He charged the school with the task of teaching true diversity through their teaching.
 - Commissioner Millan asked whether the Hispanic students within the school might feel alienated by the curriculum. The school representative stated that cultural education blocks are in place to allow for students of different ethnic backgrounds to feel welcome and learn in a comfortable environment. Commissioner Millan then asked about work to change disciplinary policies to help limit time out of the classroom for students.
 - The school representative clarified the school’s stance, which includes the use of all cultures present in the school body for the educational curriculum. The school representative also clarified the school’s position on “restorative justice” for the commissioners.
 - Vice Chairman Hill vocalized his concerns about the school’s partnership with Crossroads Antiracism Organizing & Training, expressing concerns about ideology being shared with students of such a young age. Vice Chairman Hill stated opposition to the focus on race and feels like the school is infusing politics and diminishing American history.
 - Commissioner Lowden stated that he believes there is no intent to bring politics into the classroom. He reiterated his stance that the students are benefited by seeing individuals similar to themselves doing successful things and acting as positive role models.
 - Commissioner Johnson expressed concern that the board is leaving its lane and focusing on the name of a curriculum model, rather than the actual school function and finances.
 - **Vice Chairman Hill moved to table consideration of the petition to further research Afrocentric pedagogy and whether it would benefit the students. The motion did not receive a second.**

- Commissioners Brockway, Lowden, Millan, Lewis, Perez and Johnson voted in favor of the motion. Vice Chairman Hill opposed the motion. The motion passed.

XII. **Public Comment**

- One member of the public spoke in support of PEACE Academy.

XIII. **Adjourn**

- The meeting was adjourned.