

STATE CHARTER SCHOOLS COMMISSION MEETING

March 27, 2013, 10 a.m.

Georgia Department of Early Care and Learning Conference Room
East Twin Tower, Room 854, Atlanta, Georgia 30334

Meeting Minutes

1. The meeting was called to order by Commission Chair Charles B. Knapp. Chairman Knapp verified that all members of the commission were present and a quorum existed.
2. Also present was the Director of the Charter Schools Division at the Georgia Department of Education, Mr. Lou Erste.
3. Approximately 40 members of the public also attended the meeting including charter school staff and representatives, Georgia Charter Schools Association staff, charter school business representatives, and members of the media.
4. A motion was made by Commissioner Rippner and seconded by Commissioner Perez that the Commission approve the meeting minutes from the January 30th and the February 20th Commission meetings. The motion was unanimously approved.
5. Chairman Knapp next requested that Bonnie Holliday, executive director of the Commission, provide progress updates on Commission work to date. Director Holliday updated Commissioners on office space renovations, a new agency website (scsc.georgia.gov) that will display contact information for Commission staff when it becomes available, and staffing. Mr. Gregg Stevens, who currently serves as Deputy General Counsel for the Department of Education, was announced as the Commission's General Counsel and Petitions Manager starting April 1, 2013. Other hires are planned, but will not take place until FY14.
6. Chairman Knapp then led a discussion of communication protocols for Commissioners. It was decided that Chairman Knapp would appoint a 3-member committee to develop communication guidelines to propose to the Commission at the May 29th meeting.
7. A funding overview for State Charters was then provided by Director Holliday. Commission schools will receive the equivalent of a 5 mill share reduction for FY14. The precise reduction in per pupil funds has not been finalized but will likely be up to \$1000 per student.
8. Chairman Knapp then raised the issue of pursuing 501(c)(3) status for the Commission. Because the former Commission obtained non-profit status in 2011, the new Commission may be able to re-establish said 501(c)(3). Commissioner Lewis voiced support for this idea as 501(c)(3) status would provide a mechanism for raising additional funds to support the work of Commission schools. Mr. Stevens will examine the logistics of reviving the Commission's 501(c)(3) and will provide a progress update at the May29th meeting.

9. Chairman Knapp requested that Commissioners review the draft bylaws and the draft Conflict of Interest policy and submit suggested revisions or amendments to Director Holliday. The timeline for adoption of both the bylaws as well as the Conflict of Interest policy will be contingent on the amount of revision needed but is expected to take place by the May 29th meeting.
10. Director Holliday then provided a brief overview of general eligibility criteria for petitioning groups seeking Charter Commission status. This criteria is memorialized in State Board rule, but is also posted on the Commission website. An explanation of the Commission's expedited review process was also provided. Director Holliday noted that only former Commission schools and current State Chartered Special Schools were eligible to apply for the Commission during the expedited review process that took place in March 2013.
11. After reviewing the annual application process timeline posted on the Commission's website, a motion to approve said timeline was made by Commissioner Perez and seconded by Commissioner Lowden. The motion was then unanimously approved.
12. Commissioner Perez then provided an update of recent communications he had with two schools: Fulton Science Academy (FSA)—a locally approved charter high school in Fulton County and Fugees Family School (FFS)—an independent school serving refugees in the metro area. With regard to FSA, Commissioner Perez stated that the Commission was not in a position to assist this school in pursuing Commission status during the expedited review process because 1) FSA did not meet the stated eligibility criteria for expedited review and 2) the school's termination process was already underway. With regard to FFS, Commissioner Perez pointed out that the letter of the law indicates that the Fugees School is a private school, and as such, ineligible to petition the Commission. He then argued that Fugees School is a private school in name only and not in function, and he inquired about the Commission's willingness and/or ability to implement a solution for the school that would involve initiating a new Fugees School application with an eventual merger. In this particular case, Commissioner Perez felt that the current process resulted in a waste of resources that should be dedicated to children's needs instead of paperwork. In addition, Commissioner Perez also pointed out that statute 20-2-2083 charges the Commission to "direct state charter schools and persons seeking to establish state charter schools to sources of private funding and support." In light of this charge, Commissioner Perez argued that Fugees School had independently sought private funding without having the benefit of the Commission's assistance so now the Commission should guide them through the rest of the charter process. Commissioner Perez argued that the Commission should explore how to best help this school—and others like it—find private funding and earn a charter. As a way to focus these efforts, Commissioner Perez suggested the Commission establish a budget and/or rules committee.
13. Director Holliday next provided an overview of the recommendations for schools applying for Commission status during the expedited review process. This overview included an update on performance goal adjustments that align new contracts with the State's NCLB waiver requirements, conditional virtual school enrollment expansion that make virtual expansion contingent on a school's ability to meet contracted performance goals, and individualized information about each of the schools recommended for approval. The following schools were recommended for approval: 1) Atlanta Heights Charter School, 2) Cherokee Charter Academy, 3) Coweta Charter Academy, 4) Georgia Connections Academy, 5) Heritage Preparatory

Academy, 6) Mountain Education Charter High School, 7) Odyssey School/GCA, 8) Pataula Charter Academy, and 9) Provost Academy. It was noted that Odyssey/GCA is recommended for approval contingent on the school's release from current contractual obligations to the State Board. Additionally, the recommendation for Odyssey/GCA specifies that the school will be receive a one-year charter term for the 2013-2014 school year followed by two individual charters for both Odyssey and GCA that will allow them to separate and operate independently beginning in Fall 2014.

14. Mr. Erste noted a typo in the recommendation for Mountain Education Charter High school MECHS. The MECHS attendance zone was listed as serving seven North Georgia Counties, but it should have stated the attendance zone as being statewide. Director Holliday committed to revising that recommendation to reflect the correct attendance zone.
15. Commissioner Lewis inquired about the status of the recent audit of Odyssey/GCA's special education compliance that was conducted by the Department of Education, and Mr. Erste explained that the school had made significant progress and would soon be released by SBOE from its current contractual obligations. Mr. Erste also noted that upon the school's release in good standing, the Commission's approval of Odyssey/GCA as a Commission charter will go into effect.
16. Chairman Knapp then inquired about the authority of the Commission to initiate early termination of a charter term if a school is performing poorly. Mr. Erste explained that Georgia law allows the termination of a charter contract at any time for failure to achieve performance targets. He also encouraged the Commission to set its own policy for charter termination. Chairman Knapp expressed a desire to align the Commission's process with that of DOE and the State Board so that both authorizers maintain the same minimum standards for the specific academic, financial, operational, governance, or financial issues that may lead to early termination.
17. Upon conclusion of discussion, Commissioner Lewis made a motion to approve the recommendations as presented with the amendment to MECHS's attendance zone. The motion was seconded by Commissioner Rippner, and unanimously approved.
18. There being no further business to come before the Commission, a motion to adjourn was made by Commissioner Lewis and seconded by Commissioner Williams. The motion was unanimously approved, and the meeting was adjourned at approximately 12:00pm