

MINUTES OF THE  
MISSISSIPPI CHARTER SCHOOL AUTHORIZER BOARD  
Regular Monthly Meeting  
Monday, February 17, 2014

The regular monthly meeting of the Mississippi Charter School Authorizer Board was held at 10:00 a.m. on Monday, February 17, 2014, at the office of the Board of Trustees of the Mississippi Institutions of Higher Learning, located at 3825 Ridgewood Road, Jackson, Mississippi. In attendance were:

Tommie Cardin, Chairman  
Chris Wilson, Vice Chairman  
Johnny Franklin  
Dr. Karen Elam  
Krystal Cormack

Board member Dr. Carey Wright participated by teleconference. Dr. Bonita Coleman-Potter was unable to participate due to a death in her family.

Board Chairman Tommie Cardin called the meeting to order at 10:05 a.m.

ITEM I. ADOPTION OF THE AGENDA

A. Adoption of Agenda

A draft agenda was previously circulated to the Board members. Chairman Cardin announced the addition of two items. The first under New Business and is a presentation by Home Enterprise Corporation. Secondly, under Old Business Chairman Cardin added an item addressing consideration to move forward with advertising for the executive director/general counsel position.

**Chairman Cardin requested a motion to adopt the agenda as amended.**

**MOTION: Dr. Elam**

**SECOND: Ms. Cormack**

**There being no discussion and following a vote in favor by all members participating, the motion carried.**

ITEM II. APPROVAL OF THE MINUTES

A. Approval of Minutes

The Minutes of the January 27, 2014 meeting were distributed to the Board members for review.

**Chairman Cardin requested a motion for approval of the Minutes of the January 27, 2014 Meeting.**

**MOTION: Mr. Wilson**

**SECOND: Mr. Franklin**

**There being no discussion and following a vote in favor by all members participating, the motion carried.**

ITEM III. CHAIR REPORT

A. Attorney General Opinions

Chairman Cardin stated that the Board is waiting on the two opinions requested by it concerning (1) the property status of conversion schools, and (2) the issue of which parents are eligible to sign a petition in support of the conversion of a public school to a public charter school.

B. Administrative Matters

Chairman Cardin reported that he and Dr. Wright had discussed the technical and administrative assistance needs of the Board, including website design, etc., and Dr. Wright had generously offered the services of the Department of Education staff, if needed. Chairman Cardin stated that he would have some of the administrative staff in his office coordinate with the staff of the MDE to supplement and augment the work of any consultant that is hired. He believes this will be the most efficient and cost effective way to meet the current needs of the Board.

C. Legislative Update

Chairman Cardin reported that all bills introduced in this legislative session that relate to the Charter School Authorizer Board are now dead, including the bill addressing the job description of the executive director and the law degree requirement. He stated that the Board is now in a position to consider moving forward with advertising for the position of Executive Director/General Counsel and that will be discussed below under "Old Business."

ITEM IV. COMMITTEE REPORTS

A. RFP and Application Committee

Ms. Cormack reported that the committee is waiting to receive data from the Mississippi Department of Education concerning free and reduced lunch percentages and special education percentages that will then be disseminated to charter school applicants on a county by county basis. Applicants have been encouraged to move forward in developing the other areas of their applications in the meantime.

She further reported that the committee has hosted one in-person technical support meeting and two telephonic meetings to answer questions of prospective applicants concerning the application process. Some questions that were unable to be answered during the meetings have been referred to Chairman Cardin for clarification and an answer will be disseminated to the applicants when that information is available.

Lastly, Ms. Cormack reported that the committee is working on a timeline for the next cycle of applications and hope to have a draft of that timeline available for review and discussion at the next monthly meeting.

B. Executive Director/Consultant Search Committee

Chairman Cardin stated that this item would be discussed further in Old Business and his recommendation will be that the Board move forward with advertising for the position in light of the status of the proposed legislation.

ITEM V. OLD BUSINESS

A. Consultant Proposals

Dr. Elam stated that a proposal from NACSA has been circulated to the Board members for their review. She noted that in the proposal, all administrative support work has been cut in order to reduce costs and the process has been changed to accommodate the limited funds available to put toward this effort. NACSA proposes to move through the application review process in three states. First, NACSA and the Board will go through the applications received and determine the degree of completeness and whether all legal eligibility standards are met. This will require the assistance of the Attorney General's Office to determine that all statutory requirements are met. During this stage, NACSA will contact applicants requesting additional information where their applications are incomplete. In stage two, NACSA will set up a threshold quality review and they, along with the Board and one outside consultant to be determined by NACSA, will determine which of the applications that have reached this stage are of such quality that they should move on to a full review. It will be up to the Board to determine where that bar is placed and that might be determined by the number of applications received. In stage three, the applications that meet the criteria set by the Board in stage two are then put through an in depth evaluation by teams of three or four outside consultants. The consultant teams prepare questions to be addressed with the applicants in the in-person capacity interviews. The capacity interviews will be conducted by the NACSA evaluation teams with the full Board in attendance to observe. NACSA will prepare a comprehensive written evaluation of each applicant and, along with the evaluation teams, will come to the Board with a recommendation on whether to grant or deny each application. Applicants who are denied are provided with that feedback so that they are better prepared in the next cycle if they wish to pursue subsequent applications.

The additional support addressed in the proposal includes training for the Board by NACSA on how it is to receive these applications. They also propose conducting a conference call with prospective applicants to answer any technical questions and in order to establish a rapport with them before the evaluation process begins. These would each need to be scheduled to take place in the next few weeks, well before the March 14<sup>th</sup> application deadline. They will also do due diligence on any CMO applicants already operating charter schools in other states. Two of the three CMO's who have submitted letters of intent have already been evaluated in the last two years so that will lower the Board's cost in that area.

The timeline proposed meets the statutory requirements as well as the timeline originally set in the Board's RFP.

The proposed costs are as follows: Stages one and two have a combined project cost of \$20,000 and stage three is priced at \$7,500 per applicant. This proposed fee covers all associated costs including travel expenses and consultant fees. The due diligence reviews for the three CMOs is \$10,000 bringing the total to \$120,000 based on a total of 12 applications reviewed.

NACSA has \$40,000 available that was provided by the Walton Foundation and designated to assist another state but that state has been unable to move forward with its efforts. NACSA is seeking authority from the Walton Foundation to transfer those funds to assist Mississippi.

**Chairman Cardin requested a motion to accept the proposal of NACSA as set forth and to authorize the Chair to draft a contract consistent with the terms of the proposal.**

**Motion: Ms. Cormack**

**Second: Mr. Wilson**

Chairman Cardin opened the floor for questions but first reminded the Board that it has received a grant from Mississippi First in the amount of \$25,500. Twenty Thousand of that is to go toward the Board training by NACSA and working with other experts and \$5,000 to go toward external review teams.

Ms. Cormack questioned NACSA not making the determination of legal eligibility and who would do that. Chairman Cardin stated that the Board would call upon Cathy Boteler at the Department of Education for this and Dr. Wright agreed.

Ms. Cormack requested clarification on the issue of Board members observing the evaluation process but refraining from commentary or participation, and Dr. Elam stated that that was correct and that the intent is to educate the Board members on the process so that the Board can become more self-sufficient in these areas in the future.

Ms. Cormack asked who will create the contract once an application is approved. Dr. Elam stated that it would be the Board who would create a contract between the Board and the applicant with the advice of NACSA, if needed. Chairman Cardin stated that there are more than likely templates to use to tailor to the Board's specific needs.

Chairman Cardin further stated his encouragement for each Board member to be as actively engaged in each stage of this process as possible and not seek to turn the process over to an outside organization. Dr. Elam stated that NACSA makes it clear that a lot of the decisions will be made at the discretion of the Board and they will seek Board approval.

Mr. Franklin posed the question of how would the cost be reduced if there are fewer than 12 applications. Dr. Elam stated that that had been mentioned in the negotiations but a final determination had not been made at this time. Alternative options were discussed and Chairman Cardin stated that those negotiations would continue in the development of a contract.

Ms. Cormack asked if the applications will be made public as were the letters of intent. Chairman Cardin stated that that would be governed by the Mississippi Public Records Act and, as far as he was aware, the applications would be public. Any information determined by an applicant to be proprietary in nature will need to be brought to the Board's attention by that applicant and that portion would be kept confidential.

**There being no further discussion and following a vote in favor by all members present, the motion carried.**

B. Executive Director/General Counsel

Chairman Cardin reminded everyone that a draft job description for this position has been previously circulated for everyone's approval. There are revisions that need to be made to that and it will be re-circulated to the Board. He stated that a deadline for submission of applications needs to be set and after some discussion it was decided that the deadline would fall sixty (60) days after the first date of advertisement for the position.

Mr. Wilson asked how the funding for the position would be handled. Chairman Cardin stated that an appropriation had been requested from the legislature and the advertisement will make clear that the position is subject to the availability of public funds.

**Chairman Cardin requested a motion to authorize the Chair to revise the job description and advertisement, include a sixty (60) day application period, and re-circulate same to the Board members for approval.**

**MOTION: Mr. Franklin**

**SECOND: Dr. Elam**

**There being no further discussion and following a vote in favor by all members present, the motion carried.**

#### ITEM VI. NEW BUSINESS

A. Presentation from Hope Enterprise Corporation

Mary Elizabeth Evans, Vice President of Community and Economic Development with Hope Enterprise Corporation made a brief presentation to the Board. Ms. Evans provided that Hope Enterprise Development is a Community Development Financial Institution (CDFI), certified by the U.S. Department of Treasury and providing financing for community development facilities such as community hospitals, childcare centers, etc. Hope is interested in offering financing for charter school facilities as they begin in the State of Mississippi. Hope is in the process of applying for a federal grant from the U.S. Department of Education known as the Credit Enhancement for Charter School Facilities Program, which would provide funding to Hope as a guarantee for financing it would provide to charter schools specifically for their facilities. One category of the grant application requires a demonstration of support by charter schools, management organizations and charter authorizers in the region. Ms. Evans provided the Board members with a draft letter of support for their consideration.

Mr. Franklin asked if the grant was limited to facilities and Ms. Evans stated that it is but Hope is looking into other sources for further funding to support financing other aspects of the charter schools including operating costs.

Ms. Cormack asked how Hope would choose for which school to provide financing. Ms. Evans stated that Hope maintains a rigorous underwriting process for any loan application. Specifically for charter schools, they review the management of the organization, the track record of services provided including their record of raising test scores in the areas in which the CMOs are currently operating charter schools and the financial stability of the organization.

Ms. Cormack stated her support for this proposal and the urgent need for such funding that is being voiced by prospective applicants.

**Chairman Cardin requested a motion to authorize the Chair to execute the proposed letter of support in substantially the form presented by Hope Enterprise Corporation.**

**MOTION: Mr. Franklin**

**SECOND: Mr. Wilson**

**There being no further discussion and following a vote in favor by all members present, the motion carried.**

#### ITEM VII. PUBLIC COMMENT

Mike Sayer with Southern Echo requested clarification of the budget discussion regarding the \$40,000, from where that funding is coming, and how that is viewed as part of the adjustment of obligations depending on how many applications are reviewed.

Dr. Elam explained that the budget in the proposal is set at \$20,000 for stages one and two combined and \$7,500 per applicant in stage three. The proposal estimates that we will have 12 applicants go through the entire process for a total of \$90,000 for stage three. There is a cost of \$10,000 for the due diligence review of the three CMOs who have submitted letters of intent for a total of \$120,000. NACSA has stated that it is in the process of securing \$40,000 from the Walton Foundation toward helping Mississippi get their charter schools establish so now the portion we agree to pay is \$80,000. The question is if we have fewer applicants than the 12 budgeted for, do we still receive the full \$40,000 assistances or is it reduced proportionally.

Marilyn Young with Southern Echo in Tunica asked if the \$7,500 for the application process is refundable if the applicant does not move forward with the application process.

Dr. Elam stated that the Board is only charged for the number of applicants that reach the full team evaluation. Chairman Cardin clarified for Ms. Young that the applicant is not the one being assessed the charge, it is a charge being assessed to the Board.

Stanley Ellis, Director of Federal Programs for Tunica County asked about the future timelines for organizations wishing to make a charter application. He also encouraged the Board to

consider charging application fees to “weed out” substandard applicants as well as to recoup some of the Board’s operating costs.

Chairman Cardin advised that the timeline for the current application cycle is in the RFP, and the timetable for upcoming application cycles will be available soon. Dr. Elam stated that the schedule will be the same for each subsequent cycle. Ms. Cormack stated that that timetable for future cycles is being developed now and stated that she will be working with Dr. Wright to ensure that the timetable is in sync with the time in which school districts are graded by the Department of Education so that it can be determined if a district can receive a charter without their respective board’s approval.

ITEM VIII. NEXT MEETING

The next Board meeting will be held March 17, 2014 at 10:00 a.m. at IHL.

A date for training with NACSA will be scheduled in the next two weeks. Possible dates for consideration are February 24, 2014 from 10:00 to 12:00 or February 25, 2014 from 3:00 to 5:00 at IHL. Chairman Cardin stated that he would confirm availability with Dr. Coleman-Potter and notify every one of the final date.

ITEM IX. ADJOURN

**Chairman Cardin requested a motion to adjourn.**

**MOTION: Mr. Franklin**

**SECOND: Ms. Cormack**

**There being no discussion and following a vote in favor by all members present, the motion carried. The meeting adjourned at 11:25 a.m.**

ADOPTED, this the 17<sup>th</sup> day of March, 2014.

  
\_\_\_\_\_  
TOMMIE S. CARDIN, Chairman