



**Board Meeting Agenda**  
November 30, 2017  
2:30 p.m. EST  
**Indiana Government Center South**  
**Conference Room 19**  
**402 West Washington Street**  
**Indianapolis, IN 46204**

**Board Members Present**

Joshua Owens (Chair)  
Virginia Calvin  
Jill Robinson Kramer  
Gretchen Gutman  
Janet Rummel  
Mark GiaQuinta

**Board Members Absent:**

DeLyn Beard

**ICSB Staff Present:**

James Betley  
Bridgett Abston  
Amy Osborne  
Nicky Hornyak

## **I. Call to Order/ Board Meeting Minutes Approval**

- a. Call to Order
  - i. Chair Josh Owens called the meeting to order at 2:52 p.m. EST
- b. Approval of Board Minutes
  - i. The minutes of November 13, were approved unanimously by voice vote.

## **II. Other Board Business**

### **a. Phalen Leadership Academy Amendment Request**

- i. Statement from ICSB Executive Director
  - 1. James Betley gave a background on the history of Phalen's charters and request to delay activation. Mr. Betley then briefed the board on the updated documents submitted by Phalen after the board requested to table the motion at the previous board meeting. Mr. Betley also informed the board that past practice from the board has been to grant amendment requests unless there seems to be no movement. Mr. Betley stated the staff recommendation to move the dates of the two active charters.
  - 2. Board Member Mark Giaquinta asked for clarification on the difference between activation and granting a charter. Mr. Betley explained that the prior board granted Phalen's request for 10 charters in 2012, however that is no longer the board's process.
  - 3. Mr. Betley reviewed the second amendment request is to add a 9<sup>th</sup> grade at Phalen middle school in the 2019-2020 school year.
  - 4. Member Janet Rummel inquired about the second request of Phalen to take an existing charter and open a high school. Mr. Betley clarified that a grade configuration did not need to be brought to the board, but if Phalen were to do so they would need to come before the board because the approved grade configuration is not the same.
  - 5. Mr. Betley then gave background on Phalen's second request, to allow James and Rosemary Phalen Leadership Academy (JRPLA) to add grade 9 in the 2018-2019 school year.
  - 6. Mr. Betley explained that since the addition of a 9<sup>th</sup> grade to JRPLA is outside of the original grade span their charter was approved for, the first request of its kind received by ICSB, it was brought before the board.
    - a. Mr. Betley, in reference to the ICSB charter agreement, stated that Executive Director has authority to approve variances in enrollment based on the charter agreement, however past practice has been to bring it in front of the board. Mr. Betley then asked the board for clarification on the powers of the Executive Director in regards to amendment and enrollment requests. Chair Owens affirmed that Mr. Betley, as Executive Director, had the authority based on the charter agreement.
    - b. Mr. Betley informed the board about the communication between ICSB, Ball State University, and the Mayor's office. He described the procedures of other authorizers, and emphasis is based more on the date the amendment is submitted, rather than what was in the original charter agreement.
  - 7. Mr. Betley explained that after speaking with Mr. Phalen about the 6-9<sup>th</sup> grade configuration, Mr. Phalen informed him of their plan to partner in the future. If JRPLA is able to find a partner high school they will absorb the other grades, and if they are unable to partner then they will come back before the board to ask to open a high school.
  - 8. The staff recommendation is to grant the request of adding a 9<sup>th</sup> grade to JRPLA, having Phalen come back to staff before the Fall of 2018 with a status update on their partner search that staff can then share with the ICSB Board to determine how to proceed.

9. Member GiaQuinta expressed concern over the activation delays of Phalen's charters.
- ii. Chair Owens invited Earl Phalen to speak to the board.
  1. Mr. Phalen explained to the board the need in the community for these requests, stating for decades there has been nothing for kids for decades on the Far East side of Indianapolis. He recapped how other Phalen schools have progressed, and how JRPLA's start. He expressed to the board his desire to continue the Phalen program.
- iii. Chair Owens opened the floor for public comments on Phalen's requests.
  1. Jenna Murray, parent of JRPLA students, spoke of the need of options in terms of high schools within her district, and how change is needed for her children.
  2. Eric Baden, friend of JRPLA student, read a testimonial from Kevin Renyold. In it he describes the vast difference between the environment of JRPLA and John Marshall. He expressed his need and support for the school in the letter.
  3. Nicole Fama, Principal JRPLA, spoke to the board about positive input received from schools about students that have transferred. She questioned the message students are given when bussed to different community to go to school. She finished by asking the board to vote for an exceptional school with a proven record.
- iv. Chair Owens asked for any further public comments, hearing none he opened the discussion back to questions. Owens proposed splitting the actions into two votes; JRPLA grade level extension to grade 9, and the opening dates of two charters to 2019-2020 and 2020-2021.
  1. Mr. Betley clarified that the staff recommendation is that the grade expansion be granted on the condition of updating staff on the partnership status in fall of 2018. He expressed his concern of the possibility they don't have a high school partner, or open high school.
  2. Board Member Jill Kramer asked for clarification on the request. Board Member Gretchen Gutman stated that the board was approving 9<sup>th</sup> grade. Member GiaQuinta questioned the timeframe of one year. Chair Owens stated that the addition of a 9<sup>th</sup> grade at JRPLA, if approved would be indefinite. Mr. Betley added that it was on the condition that they come back and update staff.
  3. Board Member Rummel asked for clarification. She was under the impression that when Phalen came back with the update, if they did not find a high school partner the 9<sup>th</sup> grade does not go away.
  4. Member Kramer stated that if they do find a partner, the 9<sup>th</sup> grade would be absorbed, and if they don't they have to come back before the board. Mr. Betley affirmed, and proposed a solution where the board would make a decision at the update meeting with Phalen based on their status.
  5. Member Kramer articulated that an indefinite 9<sup>th</sup> grade is what the meeting was being held for. Various members asked questions regarding the hypothetical situations the school could face.
- v. Chair Owens paused the discussion and asked Member Kramer to speak.
  1. Ms. Kramer expressed the importance of a resolution so the 9<sup>th</sup> graders would have somewhere to go, because of the unique 6-9 configuration. Member Gutman stated that there are schools around the state that don't have high school components in them. Member Kramer restated that there are no other schools with a set-up of 6-9<sup>th</sup> graders, taking away a large group of a high school.
  2. Member GiaQuinta expressed his concern regarding the impact the configuration would cause. He stated he was comfortable with JRPLA having a 9<sup>th</sup> grade until the high school

- component was settled, however he cannot vote for an indefinite addition until he knows the impact.
- vi. Chair Owens opened the floor for any further comments, hearing none he opened the floor for a motion on the request.
    1. Board Member Dr. Virginia Calvin moved to accept the recommendation as submitted by Mr. Betley and staff.
    2. Member Rummel asked for clarification on the motion. She commented on the Phalen update meeting, and rescinding the 9<sup>th</sup> grade.
    3. Chair Owens stated that regardless of the outcome of the update meeting, the 9<sup>th</sup> grade would remain at JRPLA.
  - vii. Chair Owens then moved for a vote.
    1. The motion passed 4-2 with Members Calvin, Rummel, Gutmann and Chair Owens voting yes. Members Kramer and GiaQuinta voted no.
  - viii. Chair Owens expressed the importance of working with Mr. Betley for an expedient solution to Mr. Phalen. He then shifted to the second request of delaying the dates of the two existing charters held by Phalen to 2019-2020 and 2020-2021. Owens opened the floor to questions or comments from the board.
    1. Member GiaQuinta expressed concern over granting future activations with an uncertain landscape.
    2. Member Kramer posed the option that Phalen would have a charter available in 2019-2020 to open a high school. Mr. Betley clarified they would have to come before the board due to the grade configuration.
  - ix. Chair Owens questioned Mr. Phalen if he believed all of the granted charters would be used. Mr. Phalen stated he believed that yes, all of the charters would be used by 2024. Chair Owens opened the floor for any final questions, and asked board members if they understood how the charters would be moving and what else would be effected.
  - x. Hearing no response, Owens moved to change the opening dates of the two existing charters for Phalen, one in 2019-2020 and a second to 2020-2021. Member Calvin seconded.
    1. The motion was deadlocked with Members GiaQuinta, Gutman and Chair Owens voting no; and Members Calvin, Rummel, Kramer voting yes.
  - xi. The board discussed in what the effect the vote has on the next steps Mr. Phalen could take going forward. The board had clarifying questions for Mr. Betley about the application cycle. The discussion included a proposed plan to used one of the charters to open a high school in 2019-2020.
  - xii. Chair Owens paused discussion to remark that the board did not take away the two charters. He stated they had an activation date and the school did not open. Chair Owens expressed his support to Mr. Phalen, and about the future plan to be proposed for a high school.
    1. Mr. Phalen thanked the board for the 9<sup>th</sup> grade addition, and questioned the decision to let a charter fall off rather than allow the opening of a high school. Chair Owens emphasized that it was process oriented, and that would be a different request than what was in front of the board.

**b. ACE Preparatory Academy Amendment Request**

- i. Statement from ICSB Executive Director
  1. Mr. Betley gave background on ACE's recommendation. He informed the board of the statutes that are applicable to this request, including the definition of capacity, and the powers of an executive director. He also spoke of his communication with other

authorizers and their processes with enrollment issues. Mr. Betley opened the floor for questions.

2. Member GiaQuinta raised concern that approval could be unfair to traditional public schools. Mr. Betley stated that was why he wants structures in place. Member Gutman remarked this was a bigger discussion than for the day.
- ii. Member Gutman moved to accept the staff recommendation that ACE Prep be allowed to amend its projected enrollment structure to adjust its enrollment capacity. Member Rummel seconded.
- iii. Chair Owens moved for a voice vote. Members Rummel, Gutman and Chair Owens voting yes. Members Calvin, Kramer and GiaQuinta voting no.
- iv. Chair Owens questioned Mr. Betley about the charter agreement portion that this decision is up to the Executive Director. Mr. Betley stated that he wanted board confirmation of those powers. Chair Owens explained that from his perspective Mr. Betley did indeed have those powers.

**\*Board Member Gutman left the meeting at 3:59 p.m.**

**c. Higher Institute of Arts and Technology Amendment Request**

- i. Statement from ICSB Executive Director
  1. Mr. Betley briefed the board on the current status of conversations with BSU and OEI. The focus of talks has been on preschool in charters. Mr. Betley's recommendation is to do nothing at the moment, and wait until hearing back from legal advice.

**III. Staff Updates**

**a. Revised Policies and Procedures**

- i. Mr. Betley informed the board on various changes to ICSB policies and procedures. Mr. Betley reminded the board of open door laws, and avoiding group conversation emails.
- ii. Member GiaQuinta moved to approve the revised charter agreement. Member Rummel seconded. Chair Owens took a voice vote, which passed unanimously.
- iii. Chair Owens tabled the revised accountability system, and policies for a future meeting.

**b. ICSB Schools Update**

- i. Mr. Betley tabled due to lack of information at present time.

**c. Board Meeting Calendar Dates**

- i. Chair Owens requested staff send out an online poll to select dates.

**IV. Closing Remarks**

- a. Chair Owens expressed that conversations are getting longer, and advised staff to consider spacing items out in consideration. He thanked the board and staff, especially for arranging board training previously held.

**V. Adjourn**

- a. Chair Owens moved to adjourn. The meeting adjourned at 4:27 p.m. EST.