



Idaho Charter School Network

TESTIMONY TO THE IDAHO SENATE EDUCATION COMMITTEE
MARCH 13, 2018
TERRY RYAN, CEO OF THE IDAHO CHARTER SCHOOL NETWORK

Chairman Mortimer, Vice-Chair Thayn, and members of the committee.

For the record, I am Terry Ryan and I am speaking today to you in my role as the leader of the Idaho Charter School Network.

I want to thank you for taking up House Bill 566.

This bill is worthy of your support for seven basic reasons:

- 1) Research tells us that, **“effective principals are key to strengthening teaching and schools**, but there has been an insufficient investment in recruiting, preparing, and supporting great principals, particularly for high-poverty schools.”
- 2) Idaho is the fastest growing state in the union and **we need to welcome and embrace the very best talent we can for our schools and children**. We have some outstanding nontraditional leadership talent wanting and prepared to run a charter school in Idaho.
- 3) When launched back in 1998 the **legislative intent of the state’s charter school program was to “serve as learning laboratories with hope that successes could potentially be applied throughout the larger public education system.”** House Bill 566 builds on this intent.
- 4) **Idaho’s public charter schools are held to a higher standard than all other public schools in the Gem State**. Everyone of Idaho’s 52 public charter schools have to have a state approved authorizer, the entity that approves the school and determines, on the basis of performance, whether to extend or end a charter’s right to operate.

- 5) **Idaho's public charter schools as a sector are high-performing.** See attachment A for comparison of student achievement on 2016-17 ISAT for public charter schools and public district schools. They have earned the right to be different.
- 6) **Idaho is one of only a handful of states with charter school laws that do not offer this level of basic administrator flexibility.** According to data shared with me by the National Alliance for Public Charter Schools 28 of 35 states with charter laws require that charter administrators only need to have a B.A., pass a criminal background check and be hired by an approved charter school board of trustees. Flexibility in hiring school personnel is a basic charter school freedom recognized across the country.
- 7) **As we work to compete with other states for federal charter school program start-up dollars one of the basic flexibilities required in the competition is administrator flexibility.** This bill will make Idaho's charters more competitive for scarce federal funding dollars and encourage the steady expansion of Idaho's high-performing charter school sector.

But, don't just take my word here. Here are some comments from some of Idaho's top public charter school leaders.

James R. Dalton, American Heritage Charter School in eastern Idaho writes: "This bill applies to me. I am co-founder of two charter schools, former board member, and now charter school employee. Yet, I am not a traditional educator. I have a juris doctorate degree, worked for one of the largest law firms in the world, clerked for a judge on the 9th Circuit U.S. Court of appeals, and served in the U.S. Attorney's office as a federal prosecutor. I also spent six years as general counsel and later general manager to a group of companies based in Idaho, overseeing more than 100 employees and managing a large portfolio of assets and operating companies. I have more than 12 years of legal and business management experience, in addition to several years' experience working in the Idaho Governor's office during the administration of Dirk Kempthorne." Yet, Dalton continues, "Because I don't have traditional educator credentials, the

school isn't reimbursed for my wages and I am instead paid out of the school's maintenance and operations budget. This is a hardship on the school."

Keith Donahue, Sage International School of Boise, says: "I'd like to share my 'non-traditional' path to becoming a school leader. I hold a Bachelor's Degree in Economics. I also learned my Juris Doctor and worked as an Idaho Deputy Attorney General for several years. My client, the Idaho Department of Environmental Quality, then hired me in a non-attorney capacity to manage multiple programs. Through these two positions, I gained 10+ years of experience interpreting Idaho law and policy, overseeing state and federal budgets, drafting legislation, rules and policy, and managing personnel – all transferable to school leadership...Given my non-traditional path, I am not a certified administrator and cannot be our official charter administrator.

Deby Infanger, Board Chair from the American Heritage Charter School in Idaho Falls writes: "I currently have an over-qualified parent of 5 of our students hired as the Executive Director of American Heritage Charter School. He is an attorney by trade (with a doctorate degree of course) and has also managed a large business and worked in the US Attorneys office. But, according to current policy, he isn't qualified enough to be the administrator for a small charter school and I must pay him out of discretionary funds (like an aide)."

Michelle Ball, veteran teacher and educator from Idaho Falls shares: "I am the most qualified in our school to be the administrator to fulfill the commitments of our charter. I hold a bachelor's degree, have a wealth of experience and founded Alturas International Academy, yet my position is not funded by the state. This is unfair to the school and students that we serve as my qualifications are way beyond those who have the needed state requirements. Fortunately, our new principal and I have a great relationship, but it took a lot of effort to find someone who believed in our mission."

Jim Smith, long-time educator and community leader from the Upper Carmen Charter School in Salmon simply states: “I’ve been a charter school superintendent for 14 years, a former traditional school superintendent for 19 years, and served as the Chief Certification Officer and as a Deputy Superintendent for the Idaho Department of Education...I fully support and encourage the passage of HB566. Allowing us to continue truly serving students utilizing our successful model with our established and trained administrators will be an ongoing benefit to generations of our students.”

Thank you for the opportunity to testify here today and I will happily take any questions you might have for me.

**ATTACHMENT A: PERFORMANCE OF ALL STATE CHARTER STUDENTS AND ALL STUDENTS STATEWIDE
(2016-17 ISAT DATA FROM IDAHO DEPARTMENT OF EDUCATION)**

	ALL CHARTER COHORT	ALL STATE PUBLIC STUDENTS
Share Proficient ELA	63%	53%
Share Proficient Math	52%	43%
Share Making Adequate Growth ELA	74%	65%
Share Making Adequate Growth Math	64%	55%

TABLE 2: PERFORMANCE OF ECONOMICALLY DISADVANTAGED STUDENTS BY ALL CHARTER COHORT AND ALL STUDENTS STATEWIDE

	ALL CHARTER COHORT	ALL STATE PUBLIC STUDENTS
Share Proficient ELA	51%	41%
Share Proficient Math	39%	31%
Share Making Adequate Growth ELA	64%	57%
Share Making Adequate Growth Math	52%	45%

TABLE 3: PERFORMANCE OF MINORITY STUDENTS¹ BY ALL CHARTER COHORT AND ALL STUDENTS STATEWIDE

	ALL CHARTER COHORT	ALL STATE PUBLIC STUDENTS
Share Proficient ELA	53%	37%
Share Proficient Math	40%	27%
Share Making Adequate Growth ELA	65%	54%
Share Making Adequate Growth Math	53%	42%

¹ Minority student is defined as Hispanic, American Indian, Asian, Black, More than one race, and Hawaiian/Pacific Islander

DEFINITION OF "MET OR EXCEEDED GROWTH"

CHARTER COMMISSION MEASURES

- ARE STUDENTS MAKING ADEQUATE ACADEMIC GROWTH TO ACHIEVE MATH PROFICIENCY WITHIN 3 YEARS OR BY 10TH GRADE?
- ARE STUDENTS MAKING ADEQUATE ACADEMIC GROWTH TO ACHIEVE ENGLISH LANGUAGE ARTS PROFICIENCY WITHIN 3 YEARS OR BY 10TH GRADE?

NOTES ON CALCULATION OF "MET OR EXCEEDED GROWTH"

1. EXCLUDED NON-CONTINUOUSLY ENROLLED STUDENTS
2. EXCLUDED ALL IELEA TESTS.
3. ONLY INCLUDED THOSE STUDENTS WHO SHOULD HAVE TESTED AND DID TEST.
4. EXCLUDED STUDENTS WITH AN LEP STATUS OF L1
5. EXCLUDED STUDENTS IF THEIR GRADE WAS NOT SERVED AT THE SCHOOL.
6. EXCLUDED STUDENTS WHO TOOK THE TEST IN OFF-GRADES (GRADES 9 OR 11, USUALLY)
7. STUDENTS IN ONE SCHOOL DISTRICT WERE INCLUDED TWICE IN FILE -- FIXED.
8. ONLY INCLUDED THOSE IN 4TH, 5TH, 6TH, 7TH, 8TH GRADES IN 2016-2017
9. EXCLUDED STUDENTS WHO TOOK THE "ALT" TEST IN ONE YEAR (EITHER 2015-2016 OR 2016-2017) AND THE "REGULAR ISAT" IN THE OTHER YEAR.
10. EXCLUDED STUDENTS WITHOUT A TEST SCORE IN 2016-2017 AND A TEST SCORE IN 2015-2016

DEFINITION OF "PROFICIENT OR ABOVE"

STUDENTS WHO SCORE A 3 OR 4 ON ISAT

THIS WILL NOT AGREE WITH RESULTS REPORTED BY SDE DUE TO DIFFERENCES IN POPULATION INCLUDED.

NOTES ON CALCULATION OF "SHARE PROFICIENT AND ABOVE"

1. EXCLUDED NON-CONTINUOUSLY ENROLLED STUDENTS
2. EXCLUDED ALL IELEA TESTS.
3. ONLY INCLUDED THOSE STUDENTS WHO SHOULD HAVE TESTED AND DID TEST.
4. EXCLUDED STUDENTS WITH AN LEP STATUS OF L1
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7. STUDENTS IN ONE SCHOOL DISTRICT WERE INCLUDED TWICE IN FILE -- FIXED.



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March 12, 2018

VIA EMAIL

The Honorable Dean Mortimer
dmortimer@senate.idaho.gov

Re: Support for House Bill 566 concerning Charter Administrators

Dear Senator Mortimer:

I strongly support House Bill 566, which creates a new charter school administrator certificate, and encourage your vote in support. I support this legislation for several reasons.

First, this bill applies to me. I am a co-founder of two charter schools, former Board member, and now current charter school employee. Yet, I am not a traditional educator. I have a juris doctorate degree, worked for one of the largest law firms in the world, clerked for a judge on the 9th Circuit U.S. Court of appeals, and served in the U.S. Attorney's office as a federal prosecutor. I also spent six years as general counsel and later general manager to a group of companies based in Idaho, overseeing more than 100 employees and managing a large portfolio of assets and operating companies. I have more than 12 years of legal and business management experience, in addition to several years' experience working in the Idaho Governor's office during the administration of Dirk Kempthorne.

Last year, the American Heritage Charter school board hired me, because I have a deep understanding and commitment to its mission and vision, and because they believed I could help them better administer and manage its affairs. Because I don't have traditional educator credentials, the school isn't reimbursed for my wages and I am instead paid out of the school's maintenance and operations budget. This is a hardship on the school.

For me to obtain the traditional administrator certificate, I will have to spend a significant amount of money and time to first obtain teacher credentials, work as a teacher for 3 or more years, and then spend tens of thousands more to take additional college courses to get the right certificate to be an administrator. That piece of paper ignores my actual experience and track record in management, and it will shed very little light on my actual ability to lead any organization. This legislation will allow charter boards to consider a broader range of potential administrators and acknowledges that there are capable managers in fields other than education.

Second, if charter schools are to be incubators for educational innovation, then Charter Boards should be empowered to make innovative hiring decisions. Finding a traditional educator who shares the charter vision and is willing to both lead and carry the burden of change is tough. In many instances, the innovative leadership needed for change may come from experienced professionals in other industries, who can bring new ideas and a different perspective to school improvement. If we want more of the same, then we should stick with the traditional structures and mindsets of public education. But, if we want innovation, we need to do things differently. This often requires leadership with unconventional backgrounds.

Third, as a former board member, I have seen, first-hand, how difficult it is to find, hire, and retain good administrators. Traditional administrators (and teachers) perceive great risk in leaving an established school district to work in a school they see as untested or different. They may not accept the innovative vision of a Charter's mission, and they frequently fear burning bridges in a local district if they leave to join a Charter venture. Giving charters the ability to expand their hiring pool will empower Charter boards to find competent professionals of their choice, who both share their vision and who have the aptitude to administer a charter organization.

Finally, I note that the job of a charter school administrator carries with it additional burdens that may deter many traditional administrators from applying. For example, in a traditional school district, an administrator oversees facilities, including managing a maintenance or a custodial department. In a Charter School, the administrator not only *oversees* facilities, he or she may be knee deep in facilities maintenance: shoveling snow, taking out the garbage, and plunging clogged toilets, in between building budgets, meeting with parents, handling student discipline, and supervising the afterschool activities. The risk and the requirements of Charter start-up and maintenance may not appeal to traditional educators who have advanced in their career enough to have met the requirements for a traditional administrative certificate.

Charter boards need the ability to assess their own needs, to be innovative, and to hire the administrator of their choosing. I encourage your support of House Bill 566 and the creation of the new Charter Administrator certificate.

Sincerely,

A handwritten signature in black ink that reads "James R. Dalton". The signature is stylized with a large, looping initial "J" and a long, sweeping horizontal stroke at the end.

James R. Dalton



SAGE
INTERNATIONAL SCHOOL

Think World.

TESTIMONY IN SUPPORT OF HB 566

Keith Donahue
March 13, 2018

Senate Education Committee Members:

As a 'non-traditional' school leader, I am writing in support of HB 566. I am the Executive Director of Sage International School in Boise - a K-12 school of choice serving 1,000 students. From my perspective, HB 566 is directly in line with the intent and education goals the legislature articulated when it established a charter school system in Idaho:

"It is the intent of the legislature to provide opportunities for teachers, parents, students and community members to establish and maintain public charter schools which ***operate independently from the existing traditional school district structure*** but within the existing public school system." Idaho Public Charter School Act, Legislative Intent, Idaho Code 33-5202, emphasis added.

In the Idaho Charter Act, the legislature states that charter schools are intended to operate independently to allow them to expand learning opportunities and develop innovative teaching methods and school models. See Idaho Code 33-502. In return for this 'increased autonomy' to create, innovate and operate outside traditional structures, charters are held to a high level of accountability. Charters have a governing board directly overseeing our schools, we have an authorizer that audits our performance (education, operational, budget) annually, and we are subject to the same academic testing standards as traditional schools. The ultimate accountability charters face is that if we are not providing an exceptional school choice, families and students choose not attend our school, and we close.

It is this 'increased autonomy -- increased accountability' balancing act that fosters innovators to get involved, to take risks, and to push education forward, while assuring kids are being well cared for. By requiring the leader of a charter school to satisfy the administrative certification requirement used in the traditional school system, the current law falls short on the 'increased autonomy' side of this balancing act, throwing charter schools square into the 'traditional school district structure' the legislature intended charters to operate outside. HB 566 helps restore balance by providing schools the increased autonomy needed to attract and retain innovative, non-traditional educational leaders.

It is my understanding that most states already do what HB 566 proposes, they do not subject charter leaders to the traditional school system's 'certified administrator' requirement. What this means for Idaho is that a non-traditional charter administrator who may have successfully

run a charter school in another state would not be able to come to Idaho and be a 'charter administrator.' Current law makes it unnecessarily difficult to attract this talent.

To close, I'd like to share my 'non-traditional' path to becoming a school leader. I hold a Bachelor's Degree in Economics. I also earned my Juris Doctor and worked as an Idaho Deputy Attorney General for several years. My client, the Idaho Department of Environmental Quality, then hired me in a non-attorney capacity to manage multiple programs. Through these two positions, I gained 10+ years of experience interpreting Idaho law and policy, overseeing state and federal budgets, drafting legislation, rules and policy, and managing personnel - all transferable to school leadership. I left IDEQ to be a stay-at-home dad for five years and, as a new parent, became more focused on education. In late 2009, I accepted a founding board member positions with a soon-to-opened charter school, Sage International. After serving on the board, I transitioned into employment with Sage International as our Development Director for four years and ultimately into the role of Executive Director.

Due to my non-traditional path into school leadership, I bring a different perspective to my role that I believe pushes our school to innovate and helps my entire team think 'outside the box' - I see and approach our challenges and opportunities differently. I am also well-suited to mitigate many of the risks that can topple a charter, such as navigating the lease/purchase of facilities. Given my non-traditional path, I am not a certificated administrator and cannot be our official 'charter administrator'. I am fortunate that, given the scale of Sage International, I have certificated administrators on my leadership team that are able to serve as our official charter administrator. Other smaller charters (or traditional public schools that are small or in rural districts) may not be as fortunate.

Our situation at Sage International is just one example of how current law complicates, rather than fosters, an innovative, non-traditional approach to education in Idaho - undermining legislative intent. I support HB 566 - and I look forward to innovating, empowering educators, and expanding educational opportunities in Idaho for many years to come.

Thank you for your time and for your service.



Keith Donahue
Sage International School of Boise
Executive Director
keith.donahue@sageinternationalschool.org



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March 12, 2018

Dear Chairman Mortimer and Members of the Senate Education Committee,

Last year I tried (and failed miserably) to gain the support of the ISBA committee as a whole to support legislation to allow schools to hire (and receive funding for) a highly qualified but alternately educated administrator. I was outvoted ten (10) votes against for every one (1) vote of support. Apparently, none of the school board members present had ever had a hard time filling a vacant post! You and I know that is not true, but we also know that the "mystique" of the correct certification is strong. I would contend that the right person is more important than the right piece of paper when hiring (every time).

I have been in the traditional business field for over 40 years (insurance and real estate) and now have been serving as a volunteer in the charter school business for 12 years. I am a founder of two public charter schools. I currently serve on the board of one of these schools, North Valley Academy in Gooding, Idaho and as the board chair at American Heritage Charter School in Idaho Falls, Idaho.

I currently have an over-qualified parent of 5 of our students hired as the Executive Director of AHCS. He is an attorney by trade (with a doctorate degree of course) and has also managed a large business and worked in the US Attorneys office. But, according to current policy, he isn't qualified enough to be the administrator for a small charter school and I must pay him out of discretionary funds (like an aide). In order to become qualified, he has to teach for three years and pay for additional schooling to become a certified public-school teacher! He can and has taught at a university, but he can't teach at a K-12 school! What is a person called that gets more education after a doctorate? In this case, you call him a Life Saver! My school has never run so smoothly.

I hope you will join me in supporting H566, which creates a new charter school administrator certificate, sans the additional education and years of teaching. I agree with the requirement to take the training in the Danielson Model of Evaluation. Thank you for considering this bill and allowing charter schools to innovate as we have been commissioned to do.

H566 will help other schools like mine to find an administrator that best suits our needs and promotes our defined missions. Charter school boards are willing to take on additional responsibilities in areas of finance and recruitment and a host of other things. Please let us take another step forward in responsible yet innovative hiring practices.

Sincerely,

/s/ Deby

Deby Infanger

Board Chair, American Heritage Charter School

"The advancement and diffusion of knowledge is the only guardian of true liberty."
~James Madison



1451 Jessie Clark Ln, Pocatello ID 83202 • Phone: 208-238-1388

Members of the Senate Education Committee,

Thank you for your continued service to the great state of Idaho. Today, I write in support of HB 566. As a leader of 3 (and soon to be 4) charter schools in Idaho, I have experienced the need to attract and develop the very best talent available in school leadership.

In a succinct statement on the impact of leadership, Robert Birnbaum has said: “Leadership constitutes one of the most critical determinants of ultimate success or failure of a school. The difference between excellence and mediocrity is often a direct reflection of the leadership within an organization”.

There is little doubt that school leader training programs are often helpful in preparing teachers to become school administrators. However, few argue that principalship programs are the only path to becoming an effective school leader. In fact, with some 28 states across the nation already allowing charter schools the flexibility to attract and hire school administrators from other pathways, Idaho creates barriers to attracting charter school administrators from other states with ample relevant experiences. In some instances, these candidates have worked with students from diverse racial backgrounds and low-income neighborhoods and have been able to close achievement gaps in innovative ways. These are the kind of leaders we need in our state as we seek to create highly successful learning environments for all students.

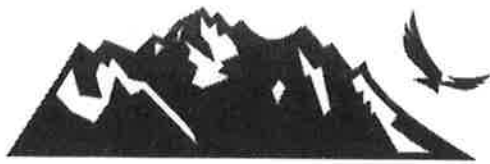
A few years ago, I sought to hire a man who had worked in private schools both as a teacher and administrator for many years. He held a doctorate in education and taught University level courses. Most critically, he possessed the fortitude and mindsets necessary to equip him as an excellent leader in a small, high performing charter school. When he applied to the state of Idaho to receive his credential, he was told which courses he would need to take to become certified as an Idaho school administrator. In response to the requirements, he said “I have taught these courses at a Tier 1 University, can I show you the syllabus to satisfy these requirements?” He was unable to do so, and never became a school administrator in Idaho- a loss to our students and state.

The accountability layers that charter schools have in place create a high stakes environment where getting the right person in the driver’s seat is critical to the survival of the school. Charter schools need the flexibility to select that person from a broad field of candidates- including those from private school backgrounds, from other states without similar credentialing requirements, and those with specialized experiences in fields outside of education. I support the flexibility that HB 566 creates for charter schools and the potential talent pool that it creates for such a critical role.

Jason Bransford

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ALTURAS

INTERNATIONAL ACADEMY

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March 12, 2018

The Honorable Dean Mortimer
Chairman, Senate Education Committee
P.O. Box 83720
Boise, ID 83720-0081

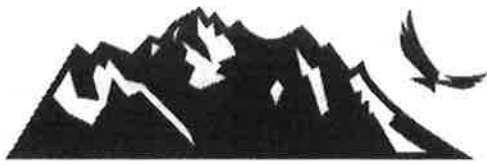
Dear Chairman Mortimer and Members of the Senate Education Committee,

I hope you will join me in supporting House Bill 566, which creates a new charter school administrator certificate.

My name is Michelle Ball and I am the co-founder and Executive Director of Alturas International Academy in Idaho Falls, Idaho. Our first year was affected by the limited pool of applicants to choose from who held the proper certification to fill our administrator position. The individual we hired did not understand our vision or share our philosophy of education. His traditional approach made our first year very difficult to adhere to our charter, the commitments we made to the Charter Commission, our students and parents, as well as our grant from Albertsons. His focus was solely on the skeleton of our institution. While our structure is important, he lacked the skills to support school philosophy and vision, which is the heart of the school and what makes our student body successful. In the end, we parted ways before the year was over and had to find an interim principal to support us. This was a very trying time and without the dedication of our board, business manager, office staff, and myself this situation would have impaired our ability to succeed in achieving a solid foundation for our charter.

If we had the flexibility of H566, there would have been more candidates who could have filled this position, one of them being myself. We would have found an administrator who would have better fulfilled the vision and mission of our charter. Unfortunately, given the situation, we felt our charter was being compromised and it is only because of the board's and my deep commitment that we were able to stay on track. We spent a tremendous amount of time trying to help our former administrator understand our educational philosophy, unfortunately, his mindset would not change.

I am the most qualified in our school to be the administrator to fulfill the commitments of our charter. I hold a bachelor's degree, have a wealth of experience and founded Alturas International Academy, yet my position is not funded by the state. This is unfair to the school and students that we serve as my qualifications are way beyond those who have the needed state



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requirements. Fortunately, our new principal and I have a great partnership, but it took a lot of effort to find someone who believed in our mission.

H566 will allow my school and other charter schools to find an administrator that best suits their mission and reach their highest potential. The criteria ensure that the individual is qualified and completes the teacher evaluation training, while also requiring our charter school board to take responsibility for the hire.

Again, I hope you will join me in supporting H566.

Sincerely,

Michelle Ball
Executive Director
Alturas International Academy

Upper Carmen Public Charter School, Inc.
12 Ethel's Way # 33
Carmen, Idaho 83462

Sue Smith, Founder and Principal

Jim Smith, Superintendent

March 12, 2018

Senate Education Committee

Re: Comments in favor of HB 566

Dear Chairman Dean Mortimer and Members of the Committee,

My name is Jim Smith. I've been a charter school superintendent for 14 years, a former traditional school superintendent for 19 years, and served as the Chief Certification Officer and as a Deputy Superintendent for the Idaho Department of Education.

My most rewarding educational experience has been serving in the charter school environment.

The true value in creating a charter school is the ability to develop the curriculum and the culture for that school. Over the past 14 years, we at Upper Carmen Charter School have been able to identify most of the parameters that make our school successful as well as unique, and to recruit and train the educational staff who make this "work" for students.

Our undeniable best resource for teachers has proven to be the grow your own model, where we find highly dedicated, intelligent and willing individuals who are able to accept the educational model we have created. We have then layered on the requirements to meet state teacher certification.

Our undeniable best choice for an administrator follows the exact same process, however very few individuals are willing to add the additional years and credits simply for the certificate. Too often the educators coming from experience in a traditional setting fail to identify the true value of the established culture. In fact we almost closed our school this past year due to not being able to use one of our excellent teachers as the school administrator, due to the huge time and financial commitment to become certified.

From my experience as an administrator, and experience with charter boards; I fully support and encourage passage of HB 566. Allowing us to continue truly serving students utilizing our successful model with our established and trained administrators will be an ongoing benefit to generations of our students.

Respectfully,

Jim Smith

