

Kathy Zlomke <kzломke@coloradoleague.org> 

October 7, 2014 1:07 PM

To: Schlieman, Gina </O=CDE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/

CN=RECIPIENTS/CN=Schlieman, Gina>, Lori Ventimiglia <lventimiglia@coloradoleague.org>

Cc: Nora Flood <nflood@coloradoleague.org>, Morgan, Gretchen </O=CDE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Morgan, Gretchen>, Terry Croy Lewis <tcroylewis@coloradoleague.org>

RE: Some thoughts for future charter school evaluations

5 Attachments, 98 KB

Gina,

Thanks for the heads-up, and that's really unfortunate that the district didn't turn the waiver request in after the contract was finalized as the school's requested waivers were included in their charter application.

☹ Kathy

Kathy Zlomke

Program Manager for New School Development

Colorado League of Charter Schools

We've Moved!

New Address (effective February 26, 2014)

2696 S. Colorado Blvd., Suite 250

Denver, CO 80222

303-989-5356 x 104

kzломke@coloradoleague.org

From: Schlieman, Gina [mailto:Schlieman_G@cde.state.co.us]

Sent: Tuesday, October 07, 2014 10:57 AM

To: Kathy Zlomke; Lori Ventimiglia

Cc: Nora Flood; Morgan, Gretchen; Terry Croy Lewis

Subject: RE: Some thoughts for future charter school evaluations

Just as an FYI, a further clarification on the school's situation is that they never sought any waivers to state statute with our office, and so they currently do not have any employment waivers.

Kelly Rosensweet called the school today to make sure they were aware of this fact and explain the process for

applying. However, they do not have any waivers to state statute listed in their charter contract.....

Gina Schlieman
Charter School Program & Grant Manager
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From: Kathy Zlomke [<mailto:kzlomke@coloradoleague.org>]
Sent: Friday, October 03, 2014 2:39 PM
To: Schlieman, Gina; Lori Ventimiglia
Cc: Nora Flood; Morgan, Gretchen; Terry Croy Lewis
Subject: RE: Some thoughts for future charter school evaluations

Hey Gina,

This one can likely be touchy and sometimes districts do handle some of the areas contractually. When we first opened Twin Peaks, as St. Vrain's first charter, the district insisted that we purchase SpEd services through them, that they do our books (I think which included payroll, PERA withholding, etc., sending purchase orders, and accounts payable all through properly executed paperwork from us), and that we go through their liability insurance program as these were all areas that they were nervous they could get in trouble for if we didn't meet compliance issues. We were also able to purchase some items such as health insurance through their program, at cost, which saved us a bunch of money. They also provided information on what had to be in the employee files, and they maintained copies of critical documents in their risk management offices with the entire main employee files retained at the school. That way they could respond quickly in the event there was an unemployment, liability or other claim pending. I think the main difference in the employee files at the district and TPCA was the employee agreement we had developed vs. the contract they had the district employees sign. Anyway just some thoughts that some of this may not be out of the ordinary, especially depending on the exact wording that covers these areas contractually. Charters are always so interesting!

Thanks,

Kathy

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From: Schlieman, Gina [mailto:Schlieman_G@cde.state.co.us]
Sent: Friday, October 03, 2014 2:33 PM
To: Kathy Zlomke; Lori Ventimiglia
Cc: Nora Flood; Morgan, Gretchen; Terry Croy Lewis
Subject: RE: Some thoughts for future charter school evaluations

Thanks for this info, Kathy.

In noting the arrangement being “not typical or appropriate”, I was referring to the fact that the contract stipulated that employment/HR would be handled under the district. I'll clarify that with him. I was trying to acknowledge the items he raised in a neutral fashion, and knowing a bit more of his context I want to make sure he understands it as such.

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From: Kathy Zlomke [<mailto:kzломke@coloradoleague.org>]
Sent: Friday, October 03, 2014 2:26 PM
To: Schlieman, Gina; Lori Ventimiglia
Cc: Nora Flood; Morgan, Gretchen; Terry Croy Lewis
Subject: RE: Some thoughts for future charter school evaluations

Thanks, Gina,

I appreciate the feedback on this. We have also just heard from the school that he was let go. Ken was brought on to set up all of those systems that he is complaining about not being set up. He was also caught (by the district) in misusing the CSP funds (to pay himself). Ultimately he cost the school in lost funds from their CSP fund by not managing it well. He apparently is suing his last employer and is threatening to sue Children's Kiva. The district who doesn't agree with Children's Kiva on anything – agreed wholeheartedly with him being let go in July. Bill Bethke is overseeing and advising the school on this matter. They have since brought on an excellent business manager who effectively set up all of these systems that this guy was supposed to take care of.

I honestly think you may want to rescind the statement... “ *You are right that the arrangement you outlined below is not typical or appropriate* ”. This is likely to be a mess if he thinks he's going to be able to use it in a case against the school.

Also, what I find interesting is that usually the person hired by the school for the business operations aspect comes in with the knowledge and expertise to set up the systems he is pointing out. I'm assuming that when he was hired in April prior to opening that they didn't have many other employees. I looked through their application, and the following is a line out of their final submitted application, and Appendix X in the attached document notes that his duties are to work under the ED and with the board to set up policies, procedures, etc.:

Business Manager Job Description and Qualifications

This important role oversees all financial procedures and controls.

While we look for good checks and balances for financial oversight in our application reviews, along with thorough job descriptions which this group included both of in their application, it is anticipated that the school will hire and rely on people with expertise in the various areas to help establish and implement policies and procedures as they get their school up and running. I also think Bill Bethke was involved in a somewhat contentious negotiation with Children's Kiva and this district, for their contract, and there may have been some things the district wasn't willing to give up control on. It isn't unusual under such circumstances for districts to have areas they won't budge on in the final contract, with the school having to decide to take it or not open. We oftentimes are not asked to weigh-in on contract negotiations.

Thanks,

Kathy

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Program Manager for New School Development

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From: Schlieman, Gina [mailto:Schlieman_G@cde.state.co.us]

Sent: Thursday, October 02, 2014 2:50 PM

To: Lori Ventimiglia; Kathy Zlomke

Cc: Nora Flood

Subject: FW: Some thoughts for future charter school evaluations

Lori & Kathy,

I received the below today from an individual who has been involved with Children's Kiva Montessori that just opened in Montezuma-Cortez. It seems there may have been a lack of attention to appropriate HR policies & procedures by both the school and the district. I wanted to share this with you as potential feedback, which you may want to consider for your quality criteria document.

Best,

Gina

Gina Schlieman
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From: Schlieman, Gina
Sent: Thursday, October 02, 2014 2:32 PM
To: Kenneth Geiger
Subject: RE: Some thoughts for future charter school evaluations

Hello Kenneth,

Thank you for this feedback. You are right that the arrangement you outlined below is not typical or appropriate. We will share it with relevant partners and colleagues that assist in the charter application and new school development process, as well as authorizing practice oversight.

Best,

Gina

Gina Schlieman
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From: Kenneth Geiger [<mailto:kgeiger.ins@gmail.com>]
Sent: Thursday, October 02, 2014 11:28 AM
To: Schlieman, Gina
Subject: Some thoughts for future charter school evaluations

Hi Gina,

Based on my experiences with Childrens Kiva Montessori Charter School, I'd like to pass-on some thoughts on what criteria you might want to consider when evaluating future charter school applications. These are:

- Does anyone directing the school actually have some knowledge about federal and state employment laws?
- Does the school have a operations plan that actually makes sense?

I make these suggestions because of the following...

Employment Law: At the end of April, 2014, they hired me as the Business Manager. I discovered that:

- They did have an FEIN. (I believe that the only reason they had done this was because they knew that they needed an FEIN to apply for a 501(c)(3) exemption.)
- They had no means to actually process and pay a payroll. The CCSP Grant that had been approved is a reimbursement grant and they only had \$1,000 +/- in the bank.
- They had not applied-for a Colorado Tax ID.
- They had not applied-for a Colorado Unemployment Insurance Account.
- They did not have a PERA Account.
- They did not have an Employers Liability (Workers Comp) Insurance Policy.
- They did not know that an employee's credentials needed to be verified and that an I-9 needed to be filled-out on the first day of an employee's work.
- They did not know that a W-4 needed to be filled-out on the first day of an employee's work.
- They did not know that a Colorado "Affirmation of Legal Work Status" needed to be filled-out within 20-days of an employee's first day of work and that a photocopy of the employee's "credentials" needed to be filed with this form.

Operations Plan: As defined in their Contract with RE-1, Kiva Charter School's Operations Plan was:

- RE-1 would process Kiva Charter School's payrolls and issue paychecks drawn on a Kiva Charter School checking account. However, the payroll taxes would be submitted by RE-1 using RE-1's FEIN not Kiva Charter School's FEIN.
- The Kiva Charter School's employees would be added to RE-1's PERA Account.
- The Kiva Charter School's employees would be covered under RE-1's unemployment insurance account.
- The Kiva Charter School's employees would be covered under RE-1's workers comp. insurance policy.
- The Kiva Charter School's employees would be covered under RE-1's employee benefits package.
- The Kiva Charter School's employees were given RE-1's employment packet to fill-out.
- Both Bart Skidmore, whom I believe you know, and I felt that this operations plan was bogus and we both advised the Kiva Charter School's Board accordingly.

Regards,

Ken Geiger



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