

STATEMENT OF ASSURANCES

14 Del. C. §§ 512 Criteria (1) through (14)

The Board of Directors of this charter school certifies that it will:

1. Comply with all federal and state laws and regulations applicable to the operation and management of a charter school.
2. Update the application to incorporate any modifications and/or conditions identified as pre-conditions to final approval by the Secretary of Education and State Board of Education and operate the program in accordance with the content of the updated and approved charter granted by the Department of Education and State Board of Education. The school's board of directors will not implement any modifications to the charter school program or operation without the express written consent of the Department of Education.
3. Notify the Department of Education in writing within 30 days when the school's administrative head or any member of the board of directors change.
4. Provide the Department of Education with copies of all the policies and bylaws of the school and the school's board of directors and inform the Department in a timely manner when bylaws change.
5. Comply with the provisions of a Performance Agreement, as required by the Secretary of Education.
6. Conduct all meetings of the board of directors in a manner consistent with the Freedom of Information Act, 29 Del. C. Ch. 100.
7. Include a member of the Board of Directors who is a certificated teacher from at least one of the charter schools operated by the board and at least one parent of a student enrolled in a charter school operated by the board, consistent with 14 Del C. § 512(1).
8. Disclose any ownership or financial interest in the charter school, including but not limited to the building and real property to be used in the operation of the charter school, by the charter school founders and the board of directors of the proposed charter school, in accordance with 14 Del. C. § 511(o).
9. Annually certify to the Department, on a form to be provided by the Department, that prior to the payment of any fees or other sums to a management company employed by the board, the board will ensure that sufficient revenues of the school are devoted to adequately support the school's proposed educational program, per 14 Del. C. § 512(14).
10. Provide results of a criminal background check and check of the Child Abuse Registry for each charter school founder and board member for review as part of the application

process and on an ongoing basis if new board members are seated or current board members are convicted of a crime or placed on the Child Abuse Registry, in accordance with 14 Del. C. § 511(p).

11. Advise any person or entity offering a loan to the school that debts of the school are not debts of the State of Delaware and that neither the State nor any other agency nor instrumentality of the State is responsible for the repayment of any indebtedness.
12. Maintain corporate status as described in 14 Del. C. § 504.
13. Not discriminate against any student in the admissions process because of race, creed, color, sex, disability, or national origin or because a student's school district of residence has a per student local expenditure lower than another student seeking admission.
14. Not operate in a sectarian manner or include religious practices in its educational program.
15. Participate in the Delaware Comprehensive Assessment System and comply with the requirements of the State Public Education and Accountability System pursuant to 14 Del. C. § 151, 152, 153, 154, and 157 and Department rules and regulations implementing Accountability, to specifically include the Delaware Comprehensive Assessment System (14 DE Admin Code 275.4.2.1.1).
16. Manage the school within all State administrative and financial systems listed in 14 Del. C., § 512(9) including accounting, payroll, purchasing, retirement, and benefits. All school funds will be managed through the school's accounts set up in the First State Financials (FSF). If the school will opt out of the State's retirement and/or benefits system notice must be provided to the Department.
17. Initiate and maintain direct communication with other public and nonpublic schools to assure efficient notification and transfer and exchange of records.
18. By the first day of instruction each school year, ensure that all teachers meet the certification requirements of the Delaware charter law and are properly listed in the PHRST and DEEDS programs.
19. Employ only staff who have complied with the requirement of having a successful criminal background check, and report to the Department of Education by September 1 of each school year that the school is in full compliance with state law related to this requirement.
20. Cooperate fully with Department of Education requests for reporting information and activities related to monitoring the school's compliance with the charter and applicable state and federal laws and regulations.

21. Distribute copies of the Department's Frequently Asked Questions About Delaware Charter Schools/Parent Guide to Delaware Charter Schools to all parents seeking to enroll their child(ren) as well as to parents of enrolled children.
22. Comply with the requirements for reporting school crimes as described in 14 Del. C. § 4112.
23. Comply with the certification required by 14 Del. C. §506 (c)(3) relating to attendance for a least one school year.
24. Participate in all training offered by the Department of Education to charter schools prior to the opening of the school.
25. Establish a student application and admissions process that will enable the school to provide the local districts in which the students reside with a preliminary roster of students for the subsequent year on or before April 1 each year.
26. Ensure that by April 1 each year the school has enrolled at least 80% of the total authorized number of students and that it has notified each school district of information about enrolled students.
27. Comply with the Individuals with Disabilities Education Act (IDEA) and 14 Del. C. Ch. 31 and the federal and state regulations adopted pursuant to them.
28. Comply with Section 504 of the Rehabilitation Act of 1973 and with the Americans with Disabilities Act of 1990 and the regulations adopted pursuant to them.
29. Comply with Title VI and VII of the Civil Rights Act of 1964.
30. Comply with Title IX of the Education amendments of 1972.
31. Have certified special education teacher(s) providing services for students with disabilities.
32. Ensure that students have physical examinations prior to enrollment.
33. Ensure that required immunizations and screenings (lead, TB, etc.) are in compliance.
34. Administer medications and medical treatments, including first aid.
35. Screen for health problems (vision, hearing, postural/gait, etc.).
36. Monitor student health, and maintain health records.
37. Ensure emergency care for known and unknown life-threatening health conditions.

38. Ensure health representation on IEP teams when student's needs require such.
39. Ensure that the application for a charter contains an affirmation that, no later than June 15 immediately preceding the authorized opening date of the school, the applicant shall secure a Certificate of Occupancy, either temporary or final, for the premises in which the school is to be located; provided that any temporary Certificate of Occupancy must permit occupancy at the premises by school staff and students for school purposes, in accordance with 14 Delaware Code, Section 511 (l). If the charter is approved and the charter holder shall subsequently fail to obtain the necessary Certificate of Occupancy as required by this section, the opening of the school shall be delayed by one year from the date previously authorized by the approving authority and the charter shall be placed on probation subject to the terms and conditions imposed by the Department of Education with the consent of the State Board of Education. No waivers are available for this requirement.
40. Participate and receive training in the use of the Department of Education's Pupil Accounting system eSchoolPLUS.
41. Intend to comply with all additional curriculum regulations including 501, 502, 503, and 525 and any other curricular regulations.
42. Follow the Family Education Rights and Privacy Act (FERPA), and implement federal and Department of Education regulations regarding disclosure of student records.

As members of the Board of Directors of the Charter Holder, we hereby agree to these assurances as a condition of the approval of the charter.


We have reviewed the Delaware Charter Law (14 Delaware Code, Chapter 5) and 14 DE Admin Code, Section 275 in the Regulations of the Department of Education (Regulation 275), and have based the responses in this application on the review of these documents.

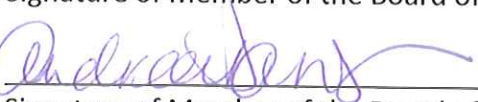
19 DEC 2012
Date of Signature

First State Military Academy

Name of the Charter School


Signature of the Chairperson of the Board of Directors


Signature of Member of the Board of Directors


Signature of Member of the Board of Directors



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