

CHARTER SCHOOL ACCOUNTABILITY COMMITTEE

DELAWARE DEPARTMENT OF EDUCATION



PIKE CREEK CHARTER MIDDLE SCHOOL

**NEW APPLICATION TO OPEN IN 2015
(First charter renewal September 2018)**

FINAL REPORT

CSAC Initial Meeting: January 29, 2014

CSAC Initial Report Published: February 24, 2014

CSAC Final Meeting: March 24, 2014

CSAC RECOMMENDATION: NON-APPROVAL

In July 2013, Governor Jack Markell signed H.B. 165 into law, bringing sweeping changes to Delaware's existing charter school laws. This legislation included a number of provisions to strengthen the rigor of the application process for new charter schools, including additional requirements for the charter school application and heightened approval criteria.

Per 14 Del. C. §511(e), the first Charter School Accountability Committee (CSAC) meeting provided the applicant an opportunity in for an interview in support of the application, and provided the members of the Charter School Accountability Committee and the Delaware Department of Education with an opportunity to assess applicant capacity and gather additional information, and allowed the applicant to clarify information provided in the application,. The applicant was provided with an Initial Report that detailed areas of follow-up and concerns identified by members of the CSAC during the Initial Meeting. The applicant then submitted a response to the Initial Report, which was considered by the members of the CSAC.

After reviewing the response to the Initial Report, CSAC held a Final Meeting to issue a recommendation on whether the application should be approved. This Final Report details the CSAC's recommendation and any outstanding concerns about the application.

The following were in attendance at the Final Meeting of the CSAC on March 24, 2014:

Voting Committee Members of the Charter School Accountability Committee

- David Blowman, Deputy Secretary, DDOE (Chair to the Committee)
- Tasha Cannon, Deputy Officer Talent Recruitment, Selection and Strategy, Teacher & Leader Effectiveness Unit (TLEU), DDOE
- Karen Field Rogers, Associate Secretary, Financial Reform & Resource Management, DDOE
- Michelle Whalen, Education Associate, Exceptional Children Resources, DDOE (proxy for Barbara Mazza)
- Duncan Smith, Education Associate, Education Associate, Science Assessment and STEM, DDOE (proxy for April McCrae)

Ex-officio Members (Non-voting)

- Kendall Massett, Executive Director, Delaware Charter School Network
- Donna Johnson, Executive Director, Delaware State Board of Education

Staff to the Committee (Non-voting)

- Catherine Hickey, Deputy Attorney General, Counsel to the Committee
- Jennifer Nagourney, Executive Director, Charter School Office, DDOE
- John Carwell, Education Associate, Charter School Office, DDOE

Representatives of the Proposed Charter School

- Michael Smith, Founding Board Member

1.1 Executive Summary

14 Del. C. §§ 512 (1), (2), (3), (5) and (6)

The purpose of the Executive Summary is to provide a high level overview of the application. The Executive Summary does not receive a rating.

1.2 Founding Group and School Leadership

14 Del. C. § 512 (1)

The applicant has adequately addressed the concerns noted in the CSAC Initial Report.

The applicant is advised that the review of criminal background and Child Protection Registry is still ongoing. Documents are sent to the Department of Education on an ongoing basis and will continue to be reviewed as they come in. For this reason, any concerns arising from these documents will be raised at a later point in the process.

1.3 Education Plan

14 Del. C. §§ 512 (4), (5), (6), (7), (8) and (11)

The applicant has adequately addressed the concerns noted in the CSAC Initial Report.

The applicant is advised of a new regulation, which was enacted after the new charter school applications were submitted. 14 DE Admin Code 614 (<http://regulations.delaware.gov/AdminCode/title14/600/614.pdf>) provides uniform definitions for conduct which may result on expulsion or placement in alternative school. These regulations apply to both districts and charter schools, and are effective as of the 2014-15 school year. These were required by the legislature, and once they are effective, only the conduct defined in this regulation can be used by any charter or district to expel or alternatively place a student. All applicants who are approved to open a new charter school will be required to use a student code of conduct that conforms to the regulation.

1.4 Performance Management

14 Del. C. §§ 512 (4), (5), (6) and (7)

The applicant has adequately addressed the concerns noted in the CSAC Initial Report.

1.5 Staffing

14 Del. C. § 512 (6)

The applicant has adequately addressed the concerns noted in the CSAC Initial Report.

1.6 Governance and Management

14 Del. C. §§ 512 (1), (2), (6) and (9)

The applicant has adequately addressed the concerns noted in the CSAC Initial Report.

1.7 Parent and Community Involvement

14 Del. C. §§ 512 (1) and (6)

The applicant has adequately addressed the concerns noted in the CSAC Initial Report.

1.8 Start-up and Operations

14 Del. C. §§ 512 (1), (8), (9), (10), (12) and (13)

The applicant has adequately addressed the concerns noted in the CSAC Initial Report.

1.9 Facilities

14 Del. C. § 512 (8) and (12)

No concerns were noted.

1.10 Budget and Finance

14 Del. C. §§ 512 (8) and (9)

It was noted during the Final Meeting that the school did not demonstrate economic viability. The following concerns were noted:

- **Curriculum:** It is not clear where the curriculum costs listed on pages 89-90 fit into either the 100% budget or 80% contingency budget. The costs are much greater than the \$36,248 listed in the budget.
- **Vendor Quotes:** quotes for different items do not tie into the budget (Page 93).
- **Textbook Costs:** All students (except low income students) are required to purchase a netbook computer or device (Page 92). It might not be permissible for public schools to charge for textbooks or curricula. If it is determined that the school cannot charge students for these devices, the applicant must account for additional technology costs in the budget.
- **2% Contingency:** The 80% contingency budget does not cover the 2% contingency (Page 109).
- **Foundation Funding and Donations:** The funding sources are not clear to cover expenses which amount to \$300K (Page 111).

The applicant was required to submit revised budget materials that addressed the above concerns and demonstrated financial viability prior to the publication of the Final Report in order to receive a recommendation. After the meeting, the applicant submitted revised materials that did not satisfy this requirement.

2.5 Charter Management Company and Highly Successful Charter School Operator Supplement

14 Del. C. §§ 512 (1), (6), (8), (9), (10) and (11)

Not applicable to this application.

Conclusion:

A motion was made and seconded that the application be recommended for approval contingent on a required submission of revised budget materials, including a 100% budget and 80% contingency budget, that demonstrates economic viability and does not adversely impact other approval criteria by Friday, March 28, 2014. The motion was unanimously carried.

After the meeting, the applicant submitted revised materials that did not satisfy this requirement.

Mr. Blowman articulated the next steps in the new application process as follows:

- The CSAC Final Report will be issued to the applicants no later than March 28, 2014.
- The applicant's final public hearing will be held on April 2, 2014 at 6:00 p.m., here in the 2nd Floor Cabinet Room in the Townsend Building.
- The process will conclude with the State Board of Education meeting on Thursday, April 17, 2014 where Secretary Murphy will present the Department of Education's decision on the application.