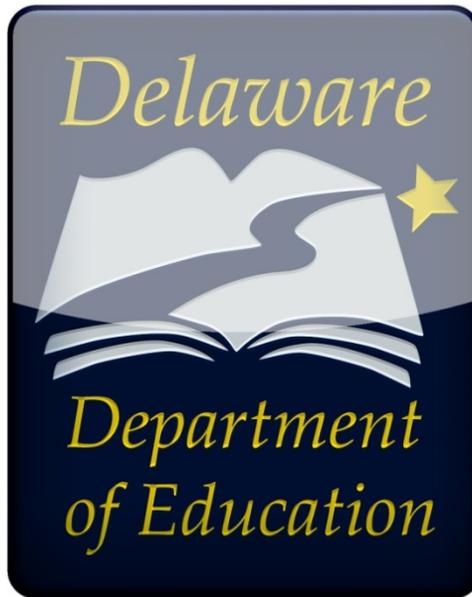


CHARTER SCHOOL ACCOUNTABILITY COMMITTEE

DELAWARE DEPARTMENT OF EDUCATION



FIRST STATE MILITARY ACADEMY

FINAL REPORT AND RECOMMENDATIONS

APPLICATION TO OPEN A CHARTER SCHOOL

Opening Date: August 2014

Grades: 9 - 12

Location: New Castle County

Date of Report: 6 May 2013

Background

Name	First State Military Academy		
Projected Enrollment	2013-14	(planning)	
	2014-15	200	(125- grade 9; 75-grade 10)
	2015-16	325	(125- grade 9; 125-grade 10; 75-grade 11)
	2016-17	450	(125 per in grades 9, 10, 11)
	2017-18	500	(125 per in grades 9, 10, 11)
At Capacity	500	Grades 9 -12	
Mission	The mission of the First State Military Academy is to provide an educational experience that focuses on developing the intellectual, physical, and emotional growth of our Cadets.		
Vision	Through an environment of academic rigor, military discipline, citizenship, leadership, and the application of strong moral values, graduates will develop respect for themselves, those on whom they depend, and those who depend on them; ensuring successful entry into adult life.		

The Charter School Accountability Committee (Committee) convened on:

- 24 January 2013 for the Initial Meeting
- 6 February 2013 for the Preliminary Meeting.
- 23 April 2013 for the Final Meeting to make a final recommendation based on the school's response to the Committee's preliminary report.

At the Final Meeting, the Committee focused on the following criteria which required further clarification:

- Education Plan
- Performance Management
- Governance and Management
- Start-up and Operations
- Budget and Finance
- Charter Management Company Supplement

Education Plan

At the Preliminary Meeting, the Committee determined that the following subsections of the Education Plan did not meet the standard. The Committee discussed the applicant's response to the Preliminary Report and noted the following:

Student Performance Standards

- the response met the standard

School Culture

The Committee noted that Code of Conduct requires some minor edits (see below):

- To be in compliance with Delaware's bully prevention law (14 Del. C. 4112D), the definition of bullying in section II (A) needs to have the word "or" added to the end of the statement below:

*Placing a student, school volunteer or school employee in reasonable fear of substantial harm to his or her emotional or physical well-being or substantial damage to his or her property; **or***

- The end of the first sentence in section IV.(B). of the hazing policy refers to an "institution of higher learning." It should refer to First State Military Academy.

Special Populations and At-Risk Students

Students with Disabilities

- the response met the standard

English Language Learners

The Committee noted the following:

- Districts/charters are required by law to notify parents in a language they understand that their child/children have been identified as English Language Learners. The phrase "to the extent practicable," has been removed from the 14 Del. C. Chapter 31. It is a legal obligation of the district/charter to provide notice in a language format that the parents of ELL students can understand – even when it is not "practicable and a translator or translation company/agency must provide the written notice. This section should be amended.
- The Delaware English as a Second Language/Title III program is not the same as the Delaware World Language Initiative and does not use the same language proficiency standards. ACTFL standards are not used in the ESL program. This section must be amended to include this information.

The Committee requested the following:

On or before June 28, 2013, submit for review the school's amended policy for serving English Language Learners.

Gifted Students

- the response met the standard

Student Recruitment and Enrollment

- the response met the standard

Student Discipline

- the response met the standard

The Accountability Committee concluded that the applicant's response to the "Education Plan" section met the standard with conditions.

Performance Management

Interim Assessments

- the response met the standard

The Committee determined that the applicant's to "Performance Management" section met the standard.

Governance and Management

The Committee noted the following:

- The submitted proposed amended by-laws, scheduled to be adopted by the applicant's board on April 16, 2013, addressed most of the concerns listed in the preliminary report; the adoption by the Board needs to be confirmed. However, the proposed amended by-laws, in Article I, Section 8, which lists the bases on which discrimination is prohibited, omits several bases required by state and federal laws, e.g., marital status, genetic information, age, sexual orientation and disability.
- The Committee recommended that the by-laws be further amended to make it clear that the applicant will not discriminate on any basis prohibited by any applicable law. Additionally, in Article II, there is a lack of consistency in the references to "Initial" and "Founding" Directors, and a lack of consistency as to whether Directors are to be appointed or elected; similarly, there is a lack of consistency in Article III as to whether Officers will be elected or appointed, and the Committee recommended that those inconsistencies be reconciled or explained.
- Thus, the response met the standard with the following condition.
 - ***On or before June 28, 2013, submit amended by-laws in accordance with the Committee's recommendation.***

The Accountability Committee concluded that the "Governance and Management" section met the standard with a condition.

Start-Up & Operations

Start-up Plan.

The Committee noted the following:

- The response included a more detailed narrative to supplement the original start-up plan. However, the response lacked specific and concrete steps necessary to complete the tasks identified in Attachment 19. The response included job descriptions for staff at the Charter Management Company Innovative Schools.
- A concern regarding the capacity of Innovative Schools to take on the initial start-up (and ongoing) activities. If all current applications are approved, Innovative Schools would be involved in the start-up of four new charter schools for the 2014-15 school year. Additionally, Innovative Schools has also been identified as the back-office vendor for a fifth school that, if approved, would open the same school year.

- The Committee also noted that the start-up activities identified in Attachment 19 occur prior to July 1, 2014 (in May and June). It is not clear how these activities will be funded. Additionally, the Committee questioned the timing of these activities and a potential conflict for any new teachers who are finishing out the 2013-14 school year at another school.
- The Committee requested the following:

On or before May 31, 2013 submit a plan to address items above.

Transportation

The Committee noted the following concerns:

- The capacity of the Charter Management Company to provide assistance with safe transportation planning, execution and its ability to respond to contingencies and emergencies.
- The response cites an incorrect regulation and is not clear. Normally, hub stops are established outside of the district of the school. For those students living outside of the district of the school, it is the responsibility of the parents to transport their children to either the out-of-district hub stops, a point on a regular bus route within the district of the school or to the school.

The Committee concluded that the response did not meet the standard and imposed the following condition:

- **On or before May 31, 2013 submit a plan to address the items above.**

Note: The budget worksheet uses \$785/student as a basis for transportation. The FY13 allowance for transportation is \$843.85/student for charter schools in Kent County.

Safety and Security

- the response met the standard

Lunch/Breakfast

The Committee noted the following:

- The response indicates that FSMA will participate in the National School Lunch/School Breakfast Program and will be using a vendor for meals.
- Delaware Met must contact Aimee Beam, Program Manager for School Nutrition, at 302-735-4060 during the planning year if they plan to participate in the National School Lunch/School Breakfast Program. Contact during the planning year is essential so that they can receive proper training and complete the application and procurement processes.

The Accountability Committee concluded that the “Start-Up Operations” section met the standard with conditions.

Budget and Finance

The Committee noted the following:

- The State revenues on the budget worksheets do not match State revenues calculated on the revenue worksheets. There is no explanation for the difference in the two numbers.
- The budget does not include a counselor in Year 1.
- The budget does not include custodians in Years 1 and 2. It is not clear from the budget narrative whether these costs are included in Line 43.
- The information/calculation provided in the narrative for Line 33 does not match the budget spreadsheet. Which number is correct? Additionally, the narrative notes that \$2,000 has been budgeted for legal fees, which seems very low considering the average billing rate for legal services.
- The narrative indicates that lines 3-55 on the Federal Funds worksheet were not budgeted at that time. However, the worksheet has amounts for FTEs for years 1-4. How were these amounts calculated?

Thus, the Committee requested that:

On or before May 31, 2013, provide clarification regarding the items listed above.

The Accountability Committee concluded that the applicant’s response to the Budget and Finance section did not meet the standard.

Charter Management Company Supplement

The Committee noted the following:

- The capacity of Innovative Schools (IS) to support FSMA’s educational program is addressed in a meaningful way. IS will partner with national design partner, New Tech. IS will act as the local touch point and leverage the expertise of New Tech to ensure that the school model is replicated with fidelity. The time allotment for the CMO Coordinator position is not clear.
- The major area of concern is Innovative School’s capacity to take on a significant portion of the start-up and ongoing activities of the school. If all current applications are approved, Innovative Schools would be involved in the start-up of four schools for the 2014-15 school year. Additionally, Innovative Schools has been identified as the back-office vendor for a fifth school that, if approved, would be opening in the same school year.
- It is not clear how the FSMA board will effectively oversee, monitor and evaluate the Innovative Schools.

- There is a concern regarding the allocation of the “Back Office Support Specialist” position. The response indicates that ¼ of a full-time position will be allocated for two schools (essentially 1/8 of a full-time position per school). This allocation cannot effectively support a charter school given the vast array of duties this position handles.

The Committee requested that:

- ***On or before May 31, 2013, provide clarification regarding the items listed above.***

The Accountability Committee concluded that the “Charter Management Company” section did not meet the standard.

Summary and Recommendations

Application Sections	Charter School Accountability Committee’s Recommendations
(1) Founding Group and School Leadership	Met
(2) Education Plan	Met with conditions
(3) Performance Management	Met
(4) Staffing	Met
(5) Governance and Management	Met with a condition
(6) Parent and Community Involvement	Met
(7) Start-up and Operations	Met with conditions
(8) Facilities	Met
(9) Budget and Finance	Not Met
(10) Charter Management Company	Not Met

The Charter School Accountability Committee recommends to the Secretary of Education that the application for the First State Military Academy be approved with conditions.

Appendix A

List of Attendees

Preliminary Meeting of the Charter School Accountability Committee

First State Military Academy

23 April 2013

Members of the Committee

- Mary Kate McLaughlin, Committee Chair, Chief of Staff
- Mary Ann Mieczkowski, Director, Exceptional Children Resources
- Debora Hansen, Education Associate, Visual and Performing Arts; Charter School Curriculum Review
- April McCrae, Education Associate, Education Associate, Science Assessment and STEM
- Kendall Massett, Executive Director, Delaware Charter Schools Network (Non-voting)

Staff to the Committee

- Catherine T. Hickey, Deputy Attorney General, Counsel to the Committee
- John Carwell, Director, Charter School Office
- Patricia Bigelow, Education Associate, Charter School Office
- Chantel Janiszewski, Education Associate, Charter School Office
- Brook Hughes, Education Associate, Finance Charter School
- Sheila Kay-Lawrence, Administrative Secretary, Charter School Office

Representatives of the First State Military Academy

- David McGuigan, Board Member
- Dennis Dinger, Board Member
- Rhonda Hill, Innovative Schools

Additional Attendees

- Barbara Mazza, Education Associate, Curriculum Access & Differentiation of Instruction