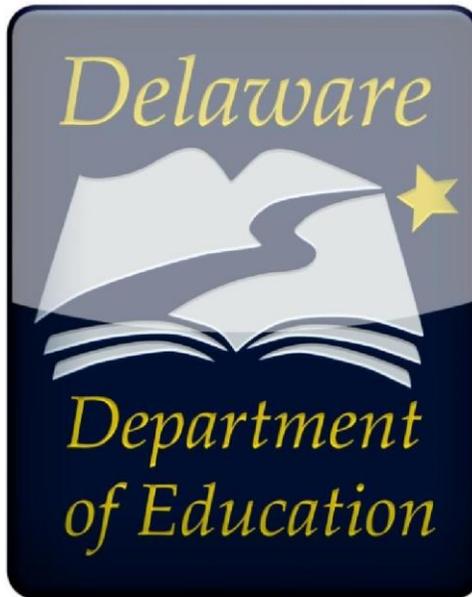


**CHARTER SCHOOL ACCOUNTABILITY COMMITTEE
DELAWARE DEPARTMENT OF EDUCATION**



FIRST STATE MILITARY ACADEMY

PRELIMINARY REPORT AND RECOMMENDATIONS

APPLICATION TO OPEN A CHARTER SCHOOL

Opening Date: August 2014

Grades: 9 - 12

Location: New Castle County

Date of Report: 22 March 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.		

Members of the Charter School Accountability Committee (Committee), met with representatives from the First State Military Academy (FSMA) on 24 January 2013 for the Initial Meeting and on 7 February 2013 for the Preliminary Meeting. The Committee discussed each of the ten criteria of the application.

Founding Group and School Leadership

The Committee discussed the response to the Founding Group and School Leadership section in the application and noted the following at the Preliminary Meeting.

- The Founding Board has education, deep business and executive-level experience and several members with military backgrounds consistent with the proposed mission of the school.
- The application includes Charles Taylor on the list of Founding Group members. He has deep charter school knowledge in leadership, facilities, school finance etc.; however, Mr. Taylor is no longer involved with the Applicant group. How will the Applicant backfill for this capacity?
- The applicant team has obtained board training.

The Accountability Committee concluded that the applicant's response to the "Founding Group and School Leadership" section met the standard.

Criterion 2: Education Plan

The Committee discussed the response to the Education Plan section of the application and noted the following.

Curriculum and Instructional Design.

English Language Arts – Meets Approval

- The Scope and Sequence documents, including Bio-Lit (an integrated biology and literature program) for grades 9-12, showed alignment of instruction to standards.
- Although curriculum tools are noted in the curriculum documents, no description is provided.

Mathematics – Meets Approval

- All content has been aligned to the Common Core State Standards for mathematics.
- Units of instruction have been accessed from the Interactive Mathematics Program (IMP) curricular resources.

Science – Meets Approval

- Although the Applicant provided a comprehensive Scope and Sequence that adequately described plans for implementation and also provided plans for participation in the Science Coalition, it is unclear how this will occur. Also, who will attend Coalition meetings, what is the timeline for staff development, and who will be responsible for coordinating these efforts?
- As plans for the school building progress, the applicant needs to meet the requirements of 14 DE Admin Code 885 (Chemical Safety and Storage).

Social Studies – Meets Approval

- Integrated courses are admirable. The Applicant will need to follow the intent of the Delaware Recommended Curriculum.

Health Education – Meets Approval

- The Scope and Sequence shows alignment of instruction to standards.
- Future curriculum development and creation of units of instruction should focus on Health for Personal Power. Curricular resources can be found at:
http://www.doe.k12.de.us/infosuites/staff/ci/content_areas/health.shtml

Physical Education – Meets Approval

- The Scope and Sequence shows alignment of instruction to standards.
- Future curriculum development and creation of units of instruction should focus on P.E: Fit for Life. Curricular resources can be found at:
http://www.doe.k12.de.us/infosuites/staff/ci/content_areas/phys ed.shtml
- Assessment should include Fitnessgrams.

World Languages – Meets Approval

- Unit concepts should not focus exclusively on grammar topics but rather on how those grammar structures serve communicative language functions.

- Performance tasks should be included in each unit of instruction, not selected units, because language learning is focused on knowing *how to use* language and not simply knowing *about* language.
- Given the school's focus on school-wide JROTC (Junior Reserve Officers' Training Corps), First State Military Academy may want to consider offering world language programs other than Spanish, such as Arabic or French, given the Department of Defense's list of "Critical Languages." There are several Federal programs that provide financial support for offering articulated sequences of "critical languages."

Visual and Performing Arts – Meets Approval

- Comprehensive Scope and Sequence documents are evident for Art Appreciation and Drawing and include aligned learning targets as well as formative and summative assessment measures. The school plans to use model units of instruction from the Delaware Recommended Curriculum. The Art Appreciation Scope and Sequence includes opportunities for art making as well as a focus on art history.
- Comprehensive Scope and Sequence documents are evident for Music Theory and Introduction to Music and include aligned learning targets as well as formative and summative assessment measures. The Introduction to Music class includes learning opportunities to contrast music genres such as Ragtime, Blues, Jazz, and Rock.

Professional Development – Meets Approval

- Comprehensive professional development plans have been developed for teachers, staff, and the commandant. Professional development is differentiated to meet the needs of these individuals. The planned professional development includes, but is not limited to, the Echo Data System (Echo is a New Tech web-based data management system and networking/ communication tool that students and teachers can use.), special education, Khan Academy (a non-profit educational site with over 4,000 videos, assessments, and other educational resources), Homeworkspot.com, universal and diagnostic Assessments, and New Tech resources such as leadership residencies and instructional coaching.
- Professional development reflects researched-based best practices and on-going professional development for staff over time.

Technology – Meets Approval

- As part of the New Tech High model, the applicant proposes the extensive use of technology as a tool for instruction, curriculum development, and assessment.
- The student-to-computer ratio is 1:1.
- In the curriculum, the school will include safe computer practices provided through iSafe.

Student Performance Standards

- **Response Required:** The wording on exit standards for grade 12 on attachment six reads, "Passing grade in World Power, World Voices (World History and English language arts), social studies, physics, pre-calculus/statistics or calculus." Does this mean that a student has a choice of which of these courses he/she can take and/or pass in order to complete grade 12? Is this a typo? Please provide clarification.

The "or" at the end of the exit standard identified above was intended to differentiate between the two math classes, and indicated that grade 12 students will need to take and pass either

pre-calculus/statistics or calculus in 12th grade. To avoid confusion the exit standard has been revised to read that all grade 12 students need to earn a “Passing grade in World Power, World Voices (world history and ELA), physics, and math (IMP 4, Pre-Calculus/Statistics, or Calculus).” To increase clarity and uniformity across the grade levels, similar wording was added to grades 9-11. The revised Exit Standards for FSMA are included as Appendix 6.

- Otherwise, the student performance standards are appropriate.

High School Graduation Requirements

- High school graduation requirements. The applicant plans to meet the minimum state graduation requirements and will also require above this minimum.
- Meeting career and technical education requirements. The applicant team states that it does not plan to apply for state or federal career and technical education (CTE); however, the applicant needs to understand that the *JROTC program* as outlined does not currently meet CTE requirements. Therefore, if in the future, a decision is made to apply for CTE state and federal funding, the LEA would be responsible for applying for CTE course and/or pathway approval through the CTE course and/or pathway approval process.
- College and career readiness. The response noted Common Core State Standards alignment; P/SAT requirements; and researching, visiting, and applying to colleges. The New Tech model has a focus on college and career readiness and students being able to be accepted to college without the need of remediation. FSMA will emphasize communication skills and self-direction.
- Success Plans. The Advisory will replace the traditional homeroom as a vehicle for cadet support and the Advisory focus will be driven by cadet needs.

School Calendar

The Applicant provided a complete and comprehensive school calendar that included school days, holidays, professional development for teachers, and Boot Camp for cadets. The school's exhibition day appeared on the key but was not identified on the school calendar.

School Schedule

The proposed block schedule was broken out by class. Features of the school are reflected in the calendar and included Alpha and Bravo days, morning formation, JROTC, and integrated courses aligned to English language arts, such as CaGE (Civics and Geography, English); Bio-Lit; American Studies; and World Powers, World Voices. Travel time has been built into the senior's schedule to attend a composition class at Delaware Technical and Community College. Drivers education, technology, physical education, drawing, and three years of Spanish are planned for a student's career at FSMA.

School Culture

Response Required (see below):

- Because of recent legislative and model policy changes, the school is advised to make

- changes about its bullying prevention policy. Appendix B contains relevant information.
- It is unclear *how* a student/parent should report what they believe to be an incident of bullying to school administration.
 - The anti-hazing policy is not addressed. (Reference: 14 Del Code § 9301)
 - Through infrastructures such as JROTC, the New Tech Network, and the use of technology, First State Military Academy will enable students to take responsibility for their own education. Students will use the Echo system to organize their learning, interact with other cadets and instructors, and make best use of time inside and outside the regular school day.

Please see Appendix 9-C of this response for a revised Bullying Prevention Policy which addresses the concerns noted above and in Appendix B.

Supplemental Programming

Based on JROTC, the school will offer Drill Team, Color Guard, Honor Guard, Rifle Team, Raider Team, Leadership Weekends, and JROTC Summer Camp. Also, based on student interest and the availability of staff members to sponsor the groups, the school will offer sports programs, clubs, and activities. Because of limited funding, Summer School will be offered only to students needing extended school year services. Also, cadets will provide twenty-five hours of community service each year.

Special Populations at At-Risk Students

Students with Disabilities

Response Required (see below):

- The plan states that students must reach Tier III of the RTI process before they can be referred for a special education evaluation. Under the IDEA, students are *not* required to participate in the RTI process before being evaluated to determine eligibility for special education.

In addition to the RTI process outlined in the charter application which may result in an evaluation to determine eligibility for special education, First State Military Academy parents or guardians who have specific concerns about the academic progress of their child may request in writing that a psychological evaluation of the child be conducted to determine their eligibility for special education services. In addition, educational professionals at the First State Military Academy who suspect that a child has a disability may bring these concerns, along with data gleaned from assessments and research based intervention practices, to the Instructional Support Team for their review and evaluation referral.

Once results of the evaluation are made available, the teachers, parents, school administrator, psychologist, and cadet will meet to discuss the results of the evaluation and determine whether or not, based on the recommendations of the psychologist and collected data from the IST, the cadet is eligible for an Individualized Education Plan (IEP). This same team will meet to craft that plan, taking into account Evaluation Summary recommendations, cadet performance data against grade level expectations and outcomes, as well as cadet college and career aspirations for appropriate transition planning.

- The plan does not adequately describe how the school will provide a continuum of educational placements for students with disabilities, including students who may not participate in the general education setting for part or all of the school day.

The First State Military Academy will hold fast to the following IDEA principles:

- Special education is a service, not a place;
- All cadets with disabilities will have access to the general education curriculum;
- A broad range of services will be provided, addressing the needs of all cadets with disabilities;
- IEP teams will first consider providing each cadet services in the general education classroom, with supplementary aids and services appropriate to that cadet's needs;
- A continuum of options will be provided that vary in the extent to which they provide education for a cadet with a disability alongside his/her non-disabled peers;
- Parents will have full access to a system of procedural and substantive rights and assurances that they are informed participants in educational decision-making--concerning both the services provided and the setting they are provided in--for their children.

Following these principles, for those cadets with disabilities who are likely to succeed with the help of well-designed, carefully implemented and rigorously assessed general education interventions, special education services will be delivered in the general education classroom through a full inclusion model. Where services delivered in the general education classroom are *not likely* to result in cadet success, a continuum of alternative options will continue in the form of special classes through part-time special classes or full-time support in specialized school settings.

Regardless of the school setting, appropriate services will be provided for all cadets with disabilities, and at all times, the First State Military Academy will comply with DE code 14 Del.C. §3110 for definitions of least restrictive environments and will provide the following the continuum of placements to cadets¹. *Following the development of a child's IEP, the team shall determine the child's educational placement in the least restrictive environment based on the child's individual needs and the services identified in the IEP (Reg. 27.1).*

Educational placement options shall include, but not be limited to, the following:

Services in the General Education Classroom

27.1.1 Inside Regular Education Class >=80 percent of the day: Children with disabilities receiving special education and related services outside the regular classroom less than 21 percent of the day. This may include children with disabilities placed in: regular class with special education related service provided within regular classes; regular class with special education related services provided outside regular classes; or regular class with special education services provided in resource rooms.

At FSMA, general education class services with supplementary aids and services, when needed, will be conducted in conjunction with related services, special education teacher support services, and collaborative team teaching, which is an element of the New Tech Network model within the integrated, co-taught courses. Based on the needs of the cadet and

¹ Note that the listed codes and definitions were identified in consultation with Mary Ann Mieczkowski.

his/her IEP, the continuum of services within the regular classroom could include any of the following:

1. Instructional Adaptations:
 - Changing the manner in which information is presented, paced, or sequenced
 - Structuring support through a co-teaching model
 - Incorporating flexible grouping and instructional practices such as cross-age tutoring, heterogeneous grouping, and/or peer partnerships
2. Curriculum Accommodations:
 - Changing how a cadet accesses information and demonstrates learning without substantially changing the instructional level, content or the performance criteria.
 - Using assistive technology, such as audio tapes instead of books, large print books, Braille materials, calculators, and/or word processors.
 - Providing individualized supports, such as the rephrasing of questions and instructions, testing modifications, and providing curricular aids such as highlighted reading materials, main idea summaries, organizational aids, pre-written notes, and/or study guides
 - Allowing additional time to move between classes; special seating arrangements; testing modifications
3. Curriculum modifications:
 - Changing what a student is expected to learn and demonstrate when participating in the general education curriculum
 - Changing the instructional level, the content and the performance criteria. While the cadet works on a modified course content, the subject area remains the same as the rest of the class
 - Redesigning the size, breadth or focus of the assignment
4. Behavior Intervention/support plans
 - Addressing behaviors that impede learning through structured feedback loops that are appropriately timed based on the needs of the student

Part-time or Full-time Special Education Classes/Services

27.1.2 Inside Regular Class <= 79 percent of the day and >= than 40 percent of the day: Children with disabilities receiving special education and related services outside the regular classroom for at least 21 percent of the day and no more than 60 percent of the day. This may include children placed in: resource rooms with special education related service provided within the resource room; or resource rooms with part time instruction in a regular class.

At FSMA, cadets who have an IEP indicated placement of inside the regular education classroom between 40% and 79% of the day will receive necessary classroom accommodations and modifications as mandated within their IEP when they are in their general education classroom(s). Part time or full time special education classes/services will also be delineated within the cadet's IEP as to which environment/setting will allow students the appropriate access to the general curriculum when the needs of the cadet are of an intensity that cannot be met within the regular education classroom. This can include part-time resource support, or resource room with part time instruction within a cadet's regular, general education class.

27.1.3 Inside Regular Class < 40 percent of the Day: Children with disabilities receiving special education and related services outside the regular classroom for more than 60 percent of the day. This may include children placed in: self-contained special

classrooms with part time instruction in a regular class; or self-contained special classrooms with full time education instruction on a regular school campus.

Also an educational setting, for those cadets who are in need of a specialized setting, special classes full-time in specialized school settings will be provided when it is deemed by the IEP team that it is educationally justifiable and/or medically relevant.

Supplemental or Out of School Special Services

27.1.6 Homebound and Hospital: Receives education programs in homebound hospital placement. Includes children with disabilities placed in and receiving special education and related services in: hospital programs, or homebound programs.

At FSMA, homebound instruction could occur for multiple reasons. When a cadet is not able to attend school for an extended period, he/she will receive his/her education at home until it is determined that they are able to attend the regular educational program.

This range of services is broad but it is not static for any individual cadet. As cadet progress is assessed, attention will be paid to the needed services, ensuring provision of services in the least restrictive environment. Each time an IEP is developed for a cadet (e.g., as part of the initial evaluation, at annual reviews, and/or at other re-evaluations), general education with needed supplementary aids and services must be considered as an option. Decertification of cadets no longer in need of special education services will also be considered. Again, all decisions regarding placement at the FSMA will be educationally justifiable based on data collection, teacher, cadet and parent input, as well as psychological recommendations per results of educational testing.

- The plan does not adequately describe how staff will be trained and monitored regarding the implementation of special education regulations, to include the provision of a free, appropriate public education to students with disabilities; the duty to locate, evaluate, and identify students with disabilities; and the provision of all the procedural safeguards available to students with disabilities, and their parents, including the disciplinary protections. The response provided primarily addresses strategies used in the general education setting, and does not focus on special education rules.

In addition to professional development that will focus on the areas of universal and diagnostic assessment as outlined in the charter application, teachers at the First State Military Academy will engage in trainings led by the Special Education staff at the school so all teachers are knowledgeable of the IDEA regulations and the specific accommodations and modifications that are to be provided to cadets with special needs. These professional development sessions will ensure all stakeholders that FSMA facilitators and administrators are knowledgeable in their roles and responsibilities in providing each cadet with a free and appropriate public education.

Each year, prior to the opening of school, professional development time will be devoted to a special education team-led session on the roles of each person involved in the IEP process as well as in delivering high quality, scientifically and research based instructional strategies and practices to all cadets at FSMA. Teachers will be led through the process outlining their duties to locate, evaluate and identify cadets with disabilities through the defined RtI process, as well as through recommendations to the IST. Teachers will also be taken through the Procedural Safeguards so that they have a firm understanding on the rights of cadets and parents of a cadet with a disability.

In addition, because the FSMA has the luxury of being a smaller school setting, and each cadet within the school will be well known, the special education team will also make time during pre-school professional development time to create each facilitator an “IEP at a Glance” sheet for each cadet who has an IEP. This will allow teachers to become familiar with the expectations placed upon them for delivering high quality instruction that specifically imbeds appropriate accommodations and curricular modifications for cadets requiring them. This smaller, focused group will then have the opportunity to ask the special education team any questions they may have regarding a particular accommodation or modification. This will negate any school year confusion and will open the door to thoughtful communication between special and regular educators.

Through the school year, one PLC per month will be dedicated to special education topics such as IEP development, the role of the regular education teacher, specialists, and administration in the process, and the regulations outlining the processes and timelines associated with data collection, evaluations, IEP development and how to effectively deliver accommodations and provide modifications as deemed necessary for a cadet to have full access to the general education curriculum as outlined in the IEP. This will allow for the special education team to also provide “IEP at a Glance” sheets for any newly identified or newly enrolled cadets so all teachers have a common understanding of who the cadets are and what their needs are in order to successfully access the general curriculum. This will also be time for the special education team to bring back additional information from any external professional development they attended which could benefit special education services provided to identified cadets.

The school leader will have the responsibility of monitoring teacher compliance with accurate and timely data collection as well as ensuring that the needs of all cadets are being met through IEP delineated accommodations and modifications. In years one and two of operations, the school leader will be supported by the CMO project manager in monitoring the special education services and regulations. In year three of operations and beyond, the FSMA will hire an assistant principal who will assume responsibility for the special education services and regulations.

English Language Learners

Response Required (see below):

- There are significant errors in the section related to English language learners (ELLs).
- ELLs do not have Individualized Education Programs (IEPs) unless the students have a disability and are dually identified as English language learners. The application refers to students “not being served under an IEP, but who are suspected of having a language delay.” This means that they are screening out the students with disabilities (SWD) as also being ELLs. There is not a clear understanding demonstrated by the Applicant of the distinctions and overlaps between ELLs and SWD/ELLs.
- The Home Language Survey must be given to *all* incoming students, not only the ones that the school “suspects” of having a language delay. This requirement is the same for all Delaware districts/schools.
- The identification of ELL students is not clear. There is no mention of the initial diagnostic English language proficiency test, W-APT (WIDA [World-Class Instructional Design and Assessment]-Access Placement Test), or enrolling the students into an ELL program with parental permission.

- The classification of migrant students is not a district/charter responsibility; it is done completely by the State Education Agency (SEA) under Title I, Part C, Migrant Education Program. The applicant has not demonstrated a clear understanding of this process.
- The application does not indicate that services will be provided to all ELLs. It only mentions that services will be provided to those ELL students who are eligible for intense supplemental English language instruction.
- All ELLs must be served with ELL services until they reach a Tier C Level 5.0 on the WIDA ACCESS test (Assessing Comprehension and Communication in English State-to-State) and can be exited from the ELL program.

At the First State Military Academy, all provisions within Title 14 Education DE Administrative Code will be followed with regard to Educational Programs for English Language Learners² (ELLs).

Screening and Identification of Students:

All incoming cadets will be given the Home Language Survey. If any questions from the Home Language Survey indicate that a cadet’s home language is something “other than English,” FSMA will give the WIDA-ACCESS Placement Test (W-APT) to the cadet³ to identify cadets who may be designated as English Language Learners. This assessment assists educators with programmatic placement decisions such as the identification and placement of ELLs. If a cadet’s performance on the W-APT is above a 4.0, but additional information is recommended, other indicators to consider for whether or not a cadet requires English Language support is information from family members and school personnel, performance evaluations by teachers, results of criterion or normed-referenced tests and/or cadet academic history, including work samples.

Any cadet who achieves a score on the English language proficiency assessment that is lower than the eligibility cut off score in listening, speaking, reading and writing as established by the Department of Education shall be identified as an ELL and entitled to a program of instruction for ELL’s. After a cadet is identified as an ELL, FSMA will send a notification home to parents, if practicable, in a language the parent or guardian can understand, stating that their cadet is eligible for English language development services. Parents/guardians have the right to refuse placement of their cadet in the bilingual or ESL programs and also has the right to withdraw their cadet from either program, but must do so in writing.

At the beginning of the school year, identification, screening and parental notification of eligible students will be given within 25 days of enrollment.

Services for English Language Learners:

All programs of instruction for ELLs will include formal instruction in English language development, and instruction in academic subjects so that ELLs have access to the regular curriculum. Programs will be in consistent pursuit of the goal of prompt acquisition of full English proficiency.

Teachers will be educated in a vast range of modifications that can be made to curriculum in order to meet the needs of ELLs. These modifications will range from purposefully imbedding elements into the plan to differentiating the lesson’s implementation. Teachers will be guided through the lesson planning process, where a teacher must not only prepare a lesson that is

² <http://regulations.delaware.gov/AdminCode/title14/900/920.shtml#TopOfPage>

³ Specific information on the WIDA in Delaware can be found at <http://wida.us/membership/states/Delaware.aspx>

derived from content standards and Delaware World Language Grade Level Expectations, but also clearly identifies both content and language objectives that should be attained by each cadet during the course of instruction. Much like the preparation of a quality lesson in a “traditional” classroom, the teachers of FSMA will be diligent in their strategy choices, being sure to provide content and strategy instruction at the level of a cadet’s comprehensible input, so as to challenge, yet not frustrate language learners.

In order for the necessary modifications to be made so teachers can reach and teach the diverse learners that may exist in their classrooms at their current content and language acquisition level, teachers will have to be educated in how to deliver multiple assessments whose data will dictate necessities for intervention and strategy instruction. Based on the ACCESS for ELLs (Assessing Comprehension and Communication in English State-to-State for English Language Learners), and the American Council on the Teaching of Foreign Languages (ACTFL), the current level of language acquisition is determined, based on identified proficiency guidelines, with all cadets placing within one of the six levels from “entering” at level one to “bridging” at level five or Novice-Low to Advanced-High (according to the ACTFL performance and proficiency guidelines for language learners, which are imbedded into the Delaware World Language Grade Level Expectations). Once this level is determined, teachers are able to use the resources from the World-Class Instructional Design and Assessment (WIDA) and SIOP to be able to provide cadets with appropriate opportunities to access both the content and language objectives.

Exiting the ELL Program:

Each year, all students who are identified ELLs will take the WIDA ACCESS (Assessing Comprehension and Communication in English State-to-State) test to determine their level of English Language Proficiency. All ELLs will be served with ELL services until they reach a Tier C Level 5.0 on the WIDA ACCESS test and can be exited from the ELL program.

Overlap between Students with Disabilities and English Language Learners:

The evaluation process to determine if an ELL student is also a Student with Disabilities will account for the student’s identified disabilities as well as his/her cultural and linguistic differences. Cadets, who have home languages other than English as determined by the Home Language Survey (HLS), will be assessed in both their native language and English, using culturally non-biased assessments that collect information--from parents, bilingual/ESL teachers, and others--which includes observational data, social emotional behavior data, sociocultural information, and academic/educational test data. Whenever possible, language assessments in both the native language and English will be used to determine the cadet’s development in all areas including listening, speaking, reading and writing. Special consideration will be given to the overall context of how, where and who will provide special education services to ELLs.

The FSMA team will engage in considerations for determining service language of special education services through:

- Student home language use, based on the HLS responses and follow-up interviews with the parents and student;
- Cadet levels of proficiency, both expressive and receptive, in the native language and English;
- Teacher observations of cadet work over an extended period of time;
- Portfolios and other samples of verbal and written cadet work, both native language and English;

- Informal cadet assessment information, including language samples and interviews in the native language and English; and
- Cadet school history, including such issues as whether previous schooling has been interrupted and the number of years a cadet has received bilingual/ESL services, as well as a review of report cards and cumulative records.

Once these assessments are conducted and data are collected and reviewed, the cadet will be provided with one of three options.

1. Bilingual instructional services will be provided if the student is deemed eligible and services are necessary for cadet success.
2. ELL instructional services which will enable him or her to continue to progress toward acquiring English language proficiency.
3. No bilingual or ELL instructional services, if data and the social history and other information reveal either that there is no other language that impacts the cadet's language development or the cadet has the language skills required to ensure academic and social success in an English language setting.

The language service option chosen will reflect the needs of the individual cadet. It will not be selected on the basis of availability of personnel, programs or financial resources.

Gifted Students

The school will align their efforts to the NAGC (National Association for Gifted Children) guidelines for gifted education and will seek dually certified educators. In addition, the school plans to engage the larger community in unique school-community interactions and will seek opportunities for its gifted cadets to explore ways to enhance their learning through the use of their strengths and talents.

Student Recruitment and Enrollment

- **Response Required:** The preferences listed in Attachment 8 do not mirror those permitted by statute; specifically:
 - The *allowable* preference is for children of persons employed on a *permanent* basis for at least 30.0 hours per week.

Please see revised Attachment 8-A Student Enrollment Policies/Procedures

- The recruitment and marketing plans include many ways to provide access to all interested students, including academically low-achieving students, students with disabilities, youth at risk of academic failure, and families in poverty. The plans include the FSMA Recruitment Committee of the Board, the school leader, and the CMO project manager. Efforts include visiting middle schools, a targeted advertising campaign in diverse neighborhoods, hosting information sessions, and publishing information in English and Spanish.

Student Discipline

Response Required (see below):

- A statement needs to be included about ensuring compliance with 14 DE Admin Code 601 and 14 Del Code §4112 that school administrators will attend required Delaware

Department of Education (DDOE) trainings about the mandatory school crime reporting law as required by 14 Del Admin Code 601 and that staff will receive training on their duty to report certain incidents of misconduct to school administration under this regulation and statute. In addition, administrators will utilize the DDOE School Climate and Discipline program manager and DOJ Ombudsperson for technical assistance in regard to the Mandatory School Crime Reporting Law.

FSMA will be proactive in the training and professional development of all teachers, administrators, and staff to assure that all state and federal laws are followed with full compliance in the discipline of all cadets. FSMA will ensure compliance with 14 DE Admin Code 601 and 14 Del Code §4112 that school administrators will attend required Department of Education trainings about the mandatory school crime reporting law and staff will receive training on their duty to report certain incidents of misconduct to school administration under this regulation and statute. In addition, administrators will utilize the DOE School Climate and Discipline program manager and Department of Justice (DOJ) Ombudsperson for technical assistance in regard to the Mandatory School Crime Reporting Law.

- The Applicant needs to add procedures for student expulsion. The grievance process is different from the due process procedures for suspension and expulsion. Assistance is available through the DDOE.

Procedures for the expulsion of student are attached as Attachment 9-E.

The Accountability Committee concluded that the “Education Plan” section did not meet the standard.

Performance Management

The Committee discussed the response to the Performance Management section in the application and noted the following.

Mission-Specific Educational Goals

The response appears to meet the expectations for mission-specific educational goals. The Applicant is reminded that many of the prospective students most likely will be first-generation college applicants. Support beyond the academic will be essential to meeting the goal of college acceptance and attendance for many of the students.

DCAS Expectations for At-Risk Students (If proposing to serve students at risk of academic failure)

This criterion is not applicable as the applicant is not seeking a waiver or exemption.

Mission-Specific Organizational Goals

- The application cited two goal areas: (1) Person Conduct and Military Discipline and (2) School Satisfaction and Market Accountability. The culture of the school will emphasize leadership, trust, respect, and responsibility. The measures cited are average daily attendance and the expectation that school culture will result in a low suspension and discipline rate as well as reportable incidents.
- The FSMA community will demonstrate strong involvement and satisfaction from

parents, staff, and the community. The measures include parent attendance at cadet project exhibitions, satisfaction surveys, low teacher turnover, and community/business support.

Student Performance Levels and Academic Needs

MAP (Measures of Academic Progress) testing will be used as a diagnostic tool to determine baseline reading and mathematics levels upon enrollment. A comprehensive description of how academic needs will be addressed is provided.

Interim Assessments

Response Required: The only interim assessments listed in this section are for mathematics and English language arts. There are no assessments listed for science, social studies, or any other academic or related arts programs, including physical education or health education. Students attending the FSMA should expect to receive a well-rounded education providing responsible instruction and monitoring in *all* subjects.

The First State Military Academy will be a member of the Social Studies Coalition and will use the formative and summative assessments, transfer tasks, and rubrics developed by the Coalition. In the integrated social studies courses (grades 9, 11, and 12), for the units in the curriculum map that are not developed by the Social Studies Coalition, the teachers at the First State Military Academy will use materials, assessments, and rubrics from the New Tech Network Project library. The project library is a resource of project outlines, instructional guides, assessments and rubrics developed by master teachers across the New Tech Network. Although developed in other states, the projects selected by the First State Military Academy to augment the Delaware Social Studies Coalition units in each integrated map are aligned to Delaware's Prioritized Social Studies Standards. In the stand-alone Enhanced Economics course, teachers will use the Social Studies Coalition units and interim assessments. For the units defined in the Enhanced Economics curriculum map that are not from the Coalition, teachers will use the instructional materials and interim assessments from *Economics: Concepts and Choices* from Holt McDougal. In developing the interim assessments for non-Social Studies Coalition units, teachers will critically evaluate the project library's or publisher's suggested assessments and revise based on the Delaware Social Studies Standards identified for that unit and the enduring understandings, essential questions, and learning targets identified for that unit.

For science, the First State Military Academy will be a member of the Science Coalition and will use the formative and summative assessments and rubrics defined in the curriculum materials developed and/or adopted by the Coalition. For the science courses that have not been fully developed by the Science Coalition, teachers will use the instructional materials and interim assessments from the following materials:

- Grade 10: *Science and Global Issues – Biology* from Science Education for Public Understanding
- Grade 11: *The Natural Approach to Chemistry* from Lab-Aids

Both of these courses are aligned to Delaware Prioritized Standards for Science and are used across Delaware. As the *Next Generation Science Standards* are adopted by Delaware, the science teachers from the First State Military Academy will work with the Science Coalition, as opportunities are available, to re-align instruction and interim assessments to these standards.

In Spanish, teachers will use teacher created interim assessments that are aligned to the Delaware Prioritized World Language Standards, and the enduring understandings, essential questions, and learning targets reflected in the curriculum maps. Both formative and summative assessments will reflect the various modes of communication, including interpersonal, presentational, and interpretive tasks. The Spanish teacher will use rubrics to articulate expectations for the assessment, to guide the development of the students' products, and as the final assessment tool.

In the physical education program, the physical education teacher will use the model units available on the DDOE Physical Education webpage which are aligned to Delaware's Physical Education Standards. These model units provide performance assessments and rubrics to assess both the student's performance of the fitness concept and written responses which articulate understanding. For units of instruction articulated in the curriculum map for which there are not model units, the teacher will create assessments and rubrics similar to those found in the model units and aligned to the Physical Education Standards. Students will also participate in the Fitness Gram assessment at the beginning and end of the physical education course.

In health, teachers will use the assessments defined by the model health units available on the DDOE website. Additional materials and assessments outside the DDOE model health units will come from Heathteacher.com or will be teacher created and aligned to the Delaware Health Education Standards and the enduring understandings, essential questions, and learning targets reflected in the curriculum maps.

In the visual and performing arts, teachers will use teacher created interim assessments and rubrics that are based on Delaware's Visual and Performing Arts Standards. The assessments will be largely performance based and evaluate students' capacity to demonstrate their understanding of theoretical concepts of the visual or performing arts and their ability to create artworks and musical interpretations and compositions. For example, as students are learning about a style of art or genre of music, they will be asked to articulate their understanding of the characters of artistic style or genre, how the elements of art or music manifest themselves in that style, comparisons to other styles or genres, and describe how and why they have applied their understanding of that art style or musical genre to the piece they are currently developing or practicing.

Measuring and Evaluating Academic Progress

The response meets the requirements of this section.

Information System to Manage Student Performance

- This section has met the requirements set forth in the application.
- It will be important that the applicant work over time with technology staff at the Delaware Department of Education to review the Echo application and the marriage of Google Apps, which is used within the Echo system, with secure data services. This may (or may not) be a security issue for the Department of Technology and Information (DTI).

Training and Support for Teachers in Data Use

The response meets the requirements of the application.

Corrective Actions if the School Falls Short of Student Goals

The requirements of this section have been met.

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

Staffing

Staff Structure

- The mission is focused on the cadets, with strict discipline and accountability noted throughout the application. There is no social promotion. Thus, the staffing plan should demonstrate that most hires “fit” this school culture design and will hold adults accountable in the same way that the students are. The staffing plan aligns with this vision, starting with the hiring of the Commandant and the military staff/JROTC staff that will report directly to the Commandant.
- A long-term vision for capacity/staffing is evident, for example: by Year 5, the staffing structure will look differently and the Charter Management Organization (CMO) will “roll-off.”
- At-will contracts are outlined with a very clear military chain-of-command structure that aligns with the school culture plan. The Commandant is the delineated leader of all hiring decisions, in partnership with external partners and the CMO, which could provide strong thought-partnership.
- Organizational charts outline clear chain-of-command and demonstrate strong understanding of how personnel drive governance (for example, in Attachment 15).
- The response outlines an educator compensation plan that is aligned with the Christina School District, with the exception of administrators whose salaries are based upon competitive charter school rates. It is unclear why the salary structure is district-based for one group of educators and not the other. There are competitive trade-offs to each.
- The certification status for all educators is denoted as a priority. The application demonstrates an understanding of how the emergency certification process works for educators and this is noteworthy given the frequent use of this certification by Delaware’s charter schools. The response outlines clear opportunities for promotion/advancement based upon individual as well as collective student achievement. (A “fiscal health” clause is also noted which, given the staffing structure, is a potential cause for concern.)

Staffing Plans, Hiring, Management, and Evaluation

- External partnership with the Delaware Talent Management Project (DTMP) is proposed within the charter. This denotes a commitment to strong recruitment, selection, and induction processes as well as a culture of collecting human capital data on an on-going basis. An external partnership with the New Tech Network is also outlined for the purposes of building a “large pool” of candidates for positions.
- Basic DPAS II requirements are acknowledged with a clear outline of how the charter will meet regulatory requirements of educator credentialing. Through DTMP, the

evaluation process for the school leader will include feedback from teachers. Termination procedures are broadly outlined under the DPAS II section, though not clearly linked to DPAS II performance. On the other hand, the Board is positioned with a strong accountability function for the Commandant.

Professional Development

- A comprehensive professional development plan for the school leader as well as for the staff has been provided. Half of the days allotted to professional development in the summer prior to the opening will be dedicated to the opening of the school as opposed to curricular and instructional areas of focus. It is unclear as to why this amount of time is dedicated to the opening of school.
- While a master calendar and sample student schedule is provided and teacher collaboration time appears inherent, an explanation of *how* the schedule specifically accommodates teacher collaboration and professional development time is not provided in detail.
- A well-developed professional development evaluation model has been provided.

The Accountability Committee concluded that the “Staffing” section met the standard.

Governance and Management

- The Board has demonstrated governance experience.
- The Founding board participated in the Innovative Schools Board Development Program, visited a New Tech Network school and attended informational webinars.
- The application includes plans to form a Citizens Budget Oversight Committee.
- Comprehensive ongoing Board training to be provided by Innovative Schools.
- **Response Required:** The by-laws submitted appear to be in draft form; they contain some remarks that seem to be communications from the drafter to reviewers (e.g., the last sentence in Article II, Section 3).

The By-Laws for FSMA have been revised to conform to the above-referenced requirements. Please see revised Attachment 13-B for the draft By-Laws. Please note the attached revised By-Laws remain in draft form until approved by the Board of FSMA at their next board meeting which is scheduled for April 16, 2013.

- **Response Required:** The finalized version of the by-laws might streamline the proposed activities and provide clarity for such areas as provisions addressing the creation of the Board of Directors. It is not clear from the by-laws if there are to be two co-existing Boards, one the “Founding Board” and one the “Operating Board” or if the intention is to subsume one into the other. The application itself indicates that the Founding Board will transition to the Operating Board, but the by-laws do not make that clear.

The By-Laws for FSMA have been revised to conform to the above-referenced requirements. Please see revised Attachment 13-B for the draft By-Laws. Please note the attached revised By-Laws remain in draft form until approved by the Board of FSMA at their next board meeting which is scheduled for April 16, 2013.

- **Response Required:** The Citizen’s Budget Oversight Committee is included in the draft by-laws as a sub-committee of the Charter school’s Board; however, the law contemplates that this committee be a stand-alone one.

The By-Laws for FSMA have been revised to conform to the above-referenced requirements. Please see revised Attachment 13-B for the draft By-Laws. Please note the attached revised By-Laws remain in draft form until approved by the Board of FSMA at their next board meeting which is scheduled for April 16, 2013.

- **Response Required:** The Delaware open meetings law (29 Del. C., Chapter 100) covers committees of the Board and does not permit action without a formal meeting, contrary to the provisions of Article VIII, Section 3 of the by-laws.

The By-Laws for FSMA have been revised to conform to the above-referenced requirements. Please see revised Attachment 13-B for the draft By-Laws. Please note the attached revised By-Laws remain in draft form until approved by the Board of FSMA at their next board meeting which is scheduled for April 16, 2013.

- **Response Required:** The Delaware Public Integrity Commission issued an opinion (07 63) concluding that charter schools are “state agencies” under the State Code of Conduct (29 Del. C., Chapter 58), and that the Code of Conduct applies to charter schools, their Board members, and their employees. Such things as a code of conduct, conflicts provisions, or by-law provisions regarding contracts with Board members should conform to the State Code of Conduct.

The By-Laws for FSMA have been revised to conform to the above-referenced requirements. Please see revised Attachment 13-B for the draft By-Laws. Please note the attached revised By-Laws remain in draft form until approved by the Board of FSMA at their next board meeting which is scheduled for April 16, 2013.

The Accountability Committee concluded that the “Governance and Management” section did not meet the standard.

Parent and Community Involvement

- The response described comprehensive parent and community involvement.
- A feasibility study and community meetings have been completed.

The Accountability Committee concluded that the “Parent and Community Involvement” section met the standard.

Start-Up Operations

Start-up Plan. The start-up plan is a chart outlining the tasks that need to be completed. There is no narrative provided to show that the Applicant truly understands the tasks required and has concrete steps to be taken to ensure completion and compliance. A narrative with more context needs to be provided.

The following narrative is intended to provide supplemental information to Attachment 19 which was included in the original charter application. Attachment 19 outlined the specific tasks, timelines, and individuals responsible in accordance with the application question. Specific execution plans for each task will be fleshed out by the leadership team immediately following the approval of the school's charter.

The organizational structure of the leadership team that will execute start-up plans for the school will initially involve a collaborative effort involving Innovative Schools, operating as CMO, and the school's Board of Directors. Once the Commandant (school leader) is hired – as soon as possible following the school's charter approval – he or she will complete the primary leadership team during the Planning Year and through the school's start-up.

To ensure that Innovative Schools' CMO work is adequately staffed, during the Planning Year FSMA will be assigned a team of four individuals. This team will work directly with the school's board of Directors and Commandant to build their capacity to operate their school independently by the school's first charter renewal. Responsibilities, time commitment, and key tasks for each of the team members during the planning year are outlined below:

- **CMO Coordinator**
 - Responsible for coordinating Innovative Schools CMO strategy and ensuring quality and timely delivery of all services from Innovative Schools and any subcontractors to all four CMO clients. The CMO Coordinator will manage contract negotiations with CMO clients and any CMO subcontractors; develop and monitor the yearly work plans to ensure all CMO deliverables and critical start-up activities are met; and, evaluate CMO services and staff performing CMO work.
- **CMO Project Manager (Time allotment: approximately ½ of a full-time position per school)**
 - This position will be an Innovative Schools staff member with academic expertise and will report to the CMO Coordinator. This person will be responsible for client management and serving as direct liaison with the school's Board of Directors and Commandant. Examples of CMO Project Manager responsibilities will be tracking and executing planning year deliverables and conditions of approval, helping to build board capacity through attendance at monthly board meetings and coordinating board trainings, coordinating Commandant recruitment (already in progress), overseeing the development of student recruitment materials, working with the school coach to ensure all training related to the school's academic program is taking place, and more.
- **Back Office Support Specialist (Time commitment: approximately ¼ of a full-time position per two schools)**
 - This position will be filled by an Innovative Schools staff member with expertise in charter school finance. This person will support the development and tracking of the charter school's budget and the implementation of financial and operational protocols to ensure compliance with laws and regulations for a public charter school.
- **School Coach (Time commitment: based on contract with national school design partner)**

- This position will be subcontracted from Innovative Schools to the national school design partner, New Tech Network. This position will work closely with the CMO Project manager, and will provide intensive professional development to the Commandant and teaching staff to ensure a thorough replication of the academic program the school has chosen. Professional development from the school coach will be delivered through a combination of off-site, on site, and virtual training.

Innovative Schools' four-member CMO team, the Commandant, and the school's board of directors will provide a variety of expertise to ensure a successful Planning Year and a strong school start-up that is more robust than most typical charter school start-up staffing structures. This multi-layered approach ensures balanced and broader decision making about critical start-up activities from specially trained paid staff (CMO and Commandant) and volunteer staff (the Board of Directors).

Following charter approval, as CMO, Innovative Schools will assign a CMO Project Manager to the First State Military Academy. During the first two years, this Project Manager along with the School Coach and Back Office Support Specialist will work directly with the Commandant to make sure that the school's academic program, school culture, and operations are firmly established and adequately serving students and staff. This leadership team will report directly to the Board of Directors.

In relation to the academic program, both the school principal and the CMO Project Manager will attend all professional development sessions related to the launch of the academic program so that, if in the unfortunate event there would be a transition in school leadership at any time, the CMO project Manager will be able to maintain a consistent, local presence and ensure that a high quality academic program is maintained until a new leader is hired. Over time, as teachers are hired and as funding makes it possible for the school to hire teachers and a curriculum specialist, ongoing professional development will help spread capacity to implement the academic program across the school and ensure ongoing sustainability. As capacity is built, Innovative Schools' staffing commitment will scale back, serving more as a consultant while helping to maintain the high quality of the academic program through regular monitoring and evaluation until the school's first charter renewal.

This same type of arrangement is true for non-academic related areas of the school as well. The CMO Project Manager and Back Office Support Specialist will work closely with the Commandant during the first two operating years to ensure all financial and operating protocols are in place. In Year 3, when the school should have enough funding to hire an Operations Manager, Innovative Schools will train this person to take over and CMO supports will scale back dramatically to provide more of a consultation and evaluation role.

This structure has proven effective for Innovative Schools' current CMO Clients, Academia Antonia Alonso and Early College High School at DSU. The organization has been planning for the addition of two CMO clients and is adequately staffed to absorb the additional work.

Transportation. The application states: *“FSMA will make every effort to accommodate transportation to/from the school beyond any single school district by establishing central hub points inside of the district for student pick-up and drop-off.”* Schools are to provide transportation for those students meeting the eligibility criteria in 14 DE Admin Code 1104

and that those who reside in the same district as the school will receive the same level of transportation service that would be provided by that school district. Hub points may be established for those outside of the district in which the school is located.

Per DOE Regulation 1104, the FSMA will provide transportation for all students who reside within the district of residence for the school. For those who reside outside of the school district, FSMA will make every effort to accommodate transportation to/from the school by establishing central hub points inside of the district for student pick-up and drop-off.

The application states that the school leader will maintain responsibility for oversight of transportation operations. Page 10-7 of the Staffing Chart indicates that the Operations Manager will be the manager for transportation. It appears that the Administrative Assistant depicted on the organizational chart will be the initial Operations Manager who will oversee daily transportation requirements.

While ultimately the Commandant (school leader) is responsible for the safety of all students, the actual day-to-day supervision of the transportation will fall to the Operations Manager. The Administrative Assistant would be the first contact when transportation issues are brought to light. Situations that require higher-level attention will immediately be handed over to the Operations Manager.

The Start-up Plan, pages 19-3 to 4, include actions by the Charter Management Organization (CMO). The staff performing these actions ought to have school transportation experience; their role ought to be advisory; and the CMO will have no continuing operational, day-to-day role for transportation.

The CMO will be the acting Operations Manager during the start up. In this role, they will be providing support in the day to day operations that include transportation. CMO staff members include prior school leaders who have transportation experience in Delaware public schools. Again, the school leader will maintain the ultimate responsibility for oversight; school leaders frequently delegate other staff front line responsibilities in many areas, including transportation oversight.

Appendix F has a sample transportation contract. The final contract should be signed, attested to, and dated to ensure that it will be effective before students are provided transportation. Additionally, the contract needs to have an attachment that will identify the buses to be used (bus number, size, model year, license, and VIN [vehicle identification number]) and needs to be submitted to the DDOE Education Associate for Charter School Finance by September 1 each year.

All final contracts will be signed, attested and dated to ensure effective operations prior to contract implementation. Contracts will include attachments that will identify the buses to be used (bus number, size, model year, license, and VIN [vehicle identification number]) and needs to be submitted to the DDOE Education Associate for Charter School Finance by September 1 each year.

Safety and Security, a statement is needed from the Applicant that the First State Military Academy will comply with the requirements of The Omnibus School Safety Act of the 146th Delaware General Assembly and 14 DE Admin Code 621.

FSMA will comply with the safety requirements of The Omnibus School Safety Act of the 146th General Assembly and 14 DE Admn Code 621.

Lunch/Breakfast. The Applicant plans to participate in the National School Lunch/School Breakfast Programs (NSLP/BSP) and, as a participant in these programs, must follow NSLP procurement processes for obtaining a vendor for meals, which includes going to bid. Schools participating in the NSLP/SBP must have a current Food Establishment Permit. The Applicant will need to contact Public Health to ensure that the facility has one or must obtain one.

FSMA will follow the NSLP procurement process for obtaining a vendor for meals, which includes going to bid.

The Applicant must provide a plan for obtaining a Food Establishment Permit from Public Health if there is not a current one in place in the kitchen. Also, the Applicant must provide an acknowledgement that that FSMA will follow the NSLP procurement process for obtaining a vendor for meals.

FSMA will always maintain a Food Establishment Permit and will contact Public Health to ensure the proper permit is in place prior to the school opening.

Insurance. The Applicant submitted a quote relative to insurance coverage.

Student Records. FSMA will use the eSchoolPLUS (eSP) pupil accounting system to ensure the timely transfer of data to other schools and to the DDOE. All staff members will be required to use eSP; be trained in the system; and keep current with training and DDOE data requirements.

The Accountability Committee concluded that the “Start-Up Operations” section did not meet the standard.

Facilities

- The Board of the First State Military Academy is assessing appropriate sites for the location of the school.
- It is expected that the facility will be located in the greater Smyrna/Clayton area in Kent County and will be acquired through lease once the school charter has been approved.
- The Board is currently investigating the feasibility of leasing the St. Joseph’s Industrial School site in the greater Smyrna/Clayton area of Kent County. This location was used as the startup site for Providence Creek Academy (PCA) charter school, and has become available now that PCA has relocated to its new site. Following approval of FSMA’s charter, the board will move forward to structure plans for acquisition of this, or another suitable site.
- Additional information is provided in Appendix E.

The Accountability Committee concluded that the “Facilities” section met the standard.

Budget and Finance

Response Required (see below):

- The budget pages submitted are not complete.

Revised budget worksheets are attached (Attachments 21-A and B)

- The Other Funds portion of the budget does not show the entire page; thus, it is impossible to determine if the budget presented is balanced and realistic.

The print settings were corrected and updated budget sheets were sent to DOE on February 5, 2013. The updated budget sheets may be found in Attachment 21-A and 21-B.

- The budget narrative indicates that the CMO (charter management organization) fees are budgeted on lines 53-56 of the State Funds page; however, there is nothing budgeted until Year 3 and the amount shown does not align with the contract submitted.

The print settings were corrected and updated budget sheets were sent to DOE on February 5, 2013. The updated budget sheets may be found in Attachment 21-A and 21-B.

- The 80% budget contains no narrative to explain the changes.

When developing a contingency plan for lower enrollment, the line items listed below were reviewed and updated to try and minimize expenditures without impacting the quality of the academic program or negatively impacting the school culture. In general, line items were changed that are directly correlated to the number of students enrolled.

- Reduced the total number of teachers to account for the lower enrollment, while maintaining reasonable class sizes. This change resulted in lower salaries, benefits, and OECs.
- Reduced several direct expense line items – supplies, textbooks, assessments, etc. These specific line items should go down with a lower number of students.
- Facility and occupancy costs remain the same in both versions of the budget. We are assuming that we will have a lease that will need to be adhered to regardless of the actual enrollment.
- The Fundraising goals were increased in the early years of the school's operation. Once the school is open and the full grade configuration is achieved, we will start to generate surpluses even at 80% enrollment.

The Board maintains a high level of confidence in the ability to meet enrollment targets. In the unlikely circumstance of a short fall of these targets, the Board has already begun the important task of building relationships with the local foundations to help cover any gaps in the first few years of operation.

The Accountability Committee concluded that the “Budget and Finance” section did not meet the standard.

Charter Management Company Supplement

- The partnership with an established school model, the New Tech Network, is a benefit.
- While Innovative Schools has provided back office support services to a number of charter schools it is a new charter management organization (CMO) and has contracts with two recently approved charters and is listed as the CMO for another applicant group in the current application cycle. As a CMO, Innovative Schools could potentially have responsibility for four startup charters. Provide an explanation of Innovative Schools' capacity to serve all four schools (including this First State Military Academy) with quality.

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

Innovative Schools is a growing non-profit organization that operates three service divisions (Models, Staffing and Solutions) through the dedicated efforts of 12 full time employees, 6 part-time employees, and over 18 consultants. Innovative Schools further extends its staff capacity to deliver unique programs to Delaware public schools through close partnerships with several nationally recognized non-profit organizations including Big Picture Learning, New Tech Network, Expeditionary Learning, EdWorks, New York City Leadership Academy and The New Teacher Project. By June 2013, Innovative Schools intends to add two additional full-time staff members.

In Innovative Schools' role as CMO, it will not be adding additional programming, which would require a significant amount of new staff. Instead, we are coordinating existing programming that is already in place through our organization's three divisions. When coordinated, these services provide the essential resources and capacity that is necessary to successfully launch new charter schools. We are able to accomplish this coordination within our current staffing structure and through partnerships with national school design organizations, as explained below.

In its CMO framework, Innovative Schools will serve as the CMO lead, maintaining a local presence in the school over the course of the CMO agreement and coordinating appropriate local and national resources available through our three service divisions. Because each school's academic program will be unique and based on an existing, nationally recognized model (Expeditionary Learning for Academia Antonia Alonso, EdWorks Early College for ECHS at DSU, Big Picture for The Delaware Met, and New Tech for FSMA), as CMO Innovative Schools will subcontract replication of the academic program to the national models that the school has chosen. This proposed arrangement creates a balanced workload for new school start-ups by leveraging Innovative Schools' local expertise and understanding of the needs of Delaware's public schools while allowing our national partners to execute the work that they do best – school design.

To ensure that Innovative Schools' CMO work is adequately staffed, during the Planning Year each CMO school will be assigned a team of four individuals. This team will work directly with each school's board of Directors and school leader to build their capacity to operate their school independently by the school's first charter renewal. Responsibilities, time commitment, and key tasks for each of the team members during the planning year are outlined below:

- **CMO Coordinator**
 - Responsible for coordinating Innovative Schools CMO strategy and ensuring quality and timely delivery of all services from Innovative Schools and any subcontractors to all four CMO clients. The CMO Coordinator will manage contract negotiations with CMO clients and any CMO subcontractors, develop and monitor the yearly work plans to ensure all CMO deliverables and critical start-up activities are met, and evaluate CMO services and staff performing CMO work.
- **CMO Project Manager (*Time allotment: approximately ½ of a full-time position per school*)**
 - This position will be an Innovative Schools staff member with academic expertise and will report to the CMO Coordinator. This person will be responsible for client management and serving as direct liaison with the school's board of directors and school leader. Examples of CMO Project Manager responsibilities will be tracking planning year deliverables and conditions of approval, helping to build board capacity through attendance at monthly board meetings and coordinating board trainings, coordinating school leader recruitment (already in progress), overseeing the development of student recruitment materials, working with the school coach to ensure all training related to the school's academic program is taking place, and more.
- **Back Office Support Specialist (*Time commitment: approximately ¼ of a full-time position per two schools*)**
 - This position will be filled by an Innovative Schools staff member with expertise in charter school finance. This person will support the development and tracking of the charter school's budget and the implementation of financial and operational protocols to ensure compliance with laws and regulations for a public charter school.
- **School Coach (*Time commitment: based on contract with national school design partner*)**
 - This position will be subcontracted from Innovative Schools to the national school design partner (Big Picture Learning, New Tech Network, Expeditionary Learning, or EdWorks Early College) that the client has selected. This position will work closely with the CMO Project manager, and will provide intensive professional development to the school leader and teaching staff to ensure a thorough replication of the academic program the school has chosen. Professional development from the school coach will be delivered through a combination of off-site, on site, and virtual training.

Together, Innovative Schools' four-member CMO team, the school leader, and the school's board of directors will provide a variety of expertise to ensure a successful Planning Year and a strong school start-up that is more robust than most typical charter school start-up staffing structures. This multi-layered approach ensures balanced and broader decision making about critical start-up activities from specially trained paid staff (CMO and School Leader) and volunteer staff (the Board of Directors).

Following charter approval, as CMO, Innovative Schools will place a CMO Project Manager at the school site. During the first two years, this Project Manager along with the School Coach

and Back Office Support Specialist will work directly with the school leader to make sure that the school's academic program, school culture, and operations are firmly established and adequately serving students and staff. This leadership team will report directly to the Board of Directors.

In relation to the academic program, both the school principal and the CMO Project Manager will attend all professional development sessions related to the launch of the academic program so that, if in the unfortunate event there would be a transition in school leadership at any time, the CMO project Manager will be able to maintain a consistent, local presence and ensure the academic program maintains high quality until a new leader is hired. Over time, as teachers are hired and as funding makes it possible for the school to hire teachers and a curriculum specialist, ongoing professional development will help spread capacity to implement the academic program across the school and ensure ongoing sustainability. As capacity is built, Innovative Schools' staffing commitment will scale back, serving more as a consultant while helping to maintain the high quality of the academic program through regular monitoring and evaluation until the school's first charter renewal.

This same type of arrangement is true for non-academic related areas of the school as well. The CMO Project Manager and Back Office Support Specialist will work with the school leader closely during the first two operating years to ensure all financial and operating protocols are in place. In Year 3, when the school should have enough funding to hire an Operations Manager is hired, we will train this person to take over and our supports will scale back dramatically to provide more of a consultation and evaluation role.

This structure has proven effective for Innovative Schools' current CMO Clients, Academia Antonia Alonso and Early College High School at DSU. The organization has been planning for the additional of two additional CMO clients and is adequately staffed to absorb the additional work.

Innovative Schools is different from other Charter Management Organizations in the following ways:

- Innovative Schools is a non-profit organization while other CMOs that have operated in Delaware have been for-profit
- Innovative Schools' CMO model is a scale down model. The most intensive support occurs when the school is first launched and is scaled down as the school matures and builds capacity in staff and experience. Following the CMO contract, the school has the option to maintain services as needed based on their needs (similar to the way we support charter and districts schools already). For-profit CMOs typically have a longer term or permanent contract with the school.
- Innovative Schools is locally based and staffed and has been supporting back office support services for several years with great success. For the academic program, Innovative Schools' is partnering with national school design organizations that have launched networks of schools across the country with great success. This local and national perspective will offer the school multi-layered support and perspectives.
- Innovative Schools supports both district and charter schools with Human Capital initiatives. These resources are already well established and will be useful in helping to launch new schools.

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	Not Met
(2) Education Plan	Not Met
(3) Performance Management	Not Met
(4) Staffing	Met
(5) Governance and Management	Not Met
(6) Parent and Community Involvement	Met
(7) Start-up and Operations	Not Met
(8) Facilities	Not Met
(9) Budget and Finance	Not Met
(10) Charter Management Operator	Not Met

The Charter School Accountability Committee recommends to the Secretary of Education that the application for the First State Military Academy **not** be approved.

Appendix A

List of Attendees

Preliminary Meeting of the Charter School Accountability Committee

First State Military Academy

7 February 2013

Members of the Committee

- Mary Kate McLaughlin, Committee Chair, Chief of Staff
- Karen Field Rogers, Manager, Financial Reform & Resource Management; Interim Chairperson
- Debora Hansen, Education Associate, Visual and Performing Arts; Charter School Curriculum Review
- Jennifer Kline, Education Associate, Procedural Safeguards and Monitoring
- April McCrae, Education Associate, Education Associate, Science Assessment and STEM
- Kendall Massett, Executive Director, Delaware Charter Schools Network (Nonvoting)
- Donna R. Johnson, Executive Director, State Board of Education (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

Representatives of the First State Military Academy

- Karen DeLissio, Board Member
- Dennis Dinger, Board Member
- Melinda McGuigan, Board Member
- Dawn Downes, Innovative Schools
- Rhonda Hill, Innovative Schools
- Natalie Sadaf, Innovative Schools

Additional Attendees

- Leighann Hinkle, Office of Management and Budget

Appendix B

Information for the School Culture Section

School Culture

Due to recent legislative and model policy changes, recommend editing the following sections of the sample bullying prevention policy as follows:

- Under investigative procedures – *“Part of the procedure of the investigation of such instances shall include a determination of whether the target of the bullying was targeted or reported being targeted wholly or in part due to the target’s race, age, marital status, creed, religion, color, sex, disability, sexual orientation, gender identity or expression, physical appearance or national origin. This subsection does not preclude the school from identifying other reasons or criteria why a person is a target of bullying.”*
- Add reporting requirement section – *“All alleged and substantiated incidents of bullying must be reported to the DDOE within 5 working days. The report of substantiated incidents shall include the determination of whether the target of the bullying was targeted or reported being targeted wholly or in part due to the target’s race, age, marital status, creed, religion, color, sex, disability, sexual orientation, gender identity or expression, physical appearance, national origin or other reason.”*
- Under education – *“All school employees must either attend the provided training session live or participate via the on-line training module provided by the DDOE (Delaware Department of Education) through its Professional Development Management System (PDMS). Regardless of training content delivery used, staff with Identify Management System (IMS) accounts shall verify training by checking the assurance statement for the bullying/gang identification course in the Blackboard course delivery system. School administration will finalize verification through the PDMS.”*
- Additional sections which are required under law to be present in policy include:
 - Requirement that any school employee that has reliable information that someone is the target of bullying shall immediately report it to the school administration.
 - Requirement that school establish a site-based committee responsible for coordinating the school’s bully prevention program and that the program be implemented throughout the year.
 - Requirement that school develop a system of supervision in non-classroom areas (as funding will permit).
 - Requirement that the guardian of the target of bullying be notified (policy already has language which requires bully’s guardian to be notified).
 - Procedure for communication between school and medical professionals who may be treating students due to bullying.

- See recently approved regulation which requires additional language to address cyber bullying that will need to be added to policy.
<http://regulations.delaware.gov/register/march2013/final/16%20DE%20Reg%20955%2003-01-13.htm>
- Add new section titled “School Ombudsman Information.” Include following statement:
“The telephone number of the Department of Justice School Ombudsman shall be provided in writing to parents, students, faculty and staff; and shall be on the website of the school district and each school. The contact information shall also be prominently displayed in each school.”
- For reference purposes, the most recent version of Delaware’s Model Bullying Prevention Policy can be found at:
[http://www.doe.k12.de.us/infosuites/students family/climate/files/BullyPrevPolicyTemplate2012.doc](http://www.doe.k12.de.us/infosuites/students%20family/climate/files/BullyPrevPolicyTemplate2012.doc)
- Anti-hazing policy is not addressed. Reference [14 Del. C. §§ 9301-9304](#)

Appendix C

Information about a Technology Plan

A. Goals

- Goal 1 – Does the skills assessment currently exist or will it be developed? Who will align the needs to the professional development and student needs? Who will provide the instruction?
- Goal 3 – will devices be replaced of lost or stolen? Has insurance been considered?
- The plan Does not clearly describe how technology will be integrated into the curriculum.

B. Professional Development

Please see above

C. Assessment of Services, Hardware, and Software Needed

- Technology staffing appears insufficient for the 1:1 environment proposed.

Budget

- The use of CAD/CAM was unclear, though included in the budget.
- The use of “school software” is unclear/

Infrastructure and Federal Requirements

Currently, the Department of Technology and Information (DTI) files for federal eRate funding on behalf of all LEAs. This funding is used to support the provision of the State’s K12 network for internet access. New LEAs have one year to meet the federal requirements under the Children’s Internet Protection Act (CIPA) and will be required to certify that they are meeting or are in the process of meeting these requirements during their first year in order for DTI to file on their behalf.

These requirements are that:

- a. The school must have a board approved Internet Safety Policy that meets CIPA requirements.
- b. The school must have an internet safety curriculum in place that includes the following content:
 - i. Safety on the Internet
 - ii. Appropriate behavior while on online, on social networking Web sites, and in chat rooms; and
 - iii. Cyber bullying awareness and response.

It is strongly recommended that the school consider fulfilling both of these requirements upon school opening for the protection of their students and to reduce risk to the school. An Internet Safety curriculum (iSAFE – www.isafe.org) that the LEA may choose to adopt is funded by the Delaware Center for Educational Technology (DCET). Assistance with accessing this curriculum and meeting these requirements is available from:

Appendix D

Information about the Staffing Plan

The charter application evaluation criteria state that “a strong Staffing section will have the following characteristics”:

- Compensation packages, system, and strategy that are likely to attract and retain strong staff.
- Recruitment and hiring strategy, criteria, timeline, and procedures that are likely to result in a strong staff that meet teacher certification requirements of the Delaware charter law and are well suited to the school.

The charter application sketches out broad principles for each of the criterion above; however, there is not a robust recruitment/selection plan. The recruitment/hiring strategy, criteria, timelines, and procedures require more information, including, but not limited to:

- A deeper understanding of what resources will be put towards recruitment of staff
- Selection model/criteria for all Lab School instructional staff (rubric format acceptable)
- More robust and detailed timeline around staffing for school opening in 2014.

Appendix E

Information about Facilities

- Once site is determined, will need to provide DDOE with a property layout/floor plans;
- DDOE may need to perform a site visit to review and assess;
- Certificate of Occupancy: Delaware law requires that new charter applicants obtain a Certificate of Occupancy by June 15th prior to the opening of the school. It is critical that the applicant allow sufficient time for the permit processing to ensure the facility is approved within a timely manner. Contact should be made early in the process with various agencies to determine when requests must be submitted for approval. Many agency approval processes require significant lead-time and multiple steps. If the Board of Directors of a charter school is unable to obtain the Certificate of Occupancy by this schedule, they should consider requesting a one-year delay for the school opening. See 14 Del Code § 511 Approval procedures:
<http://delcode.delaware.gov/title14/c005/index.shtml>
- For final school site, need to ensure compliance and with ADA regulations: see http://www.ada.gov/2010ADASTandards_index.htm
- **School Safety:** It is recommended to refer to the State of DE Homeland Security's Comprehensive Emergency Management Planning for Schools (CEMPS)
<http://www.nh.gov/safety/divisions/hsem/Planning/planningschools.html>

RELATED PROJECT INFORMATION

- Prior to the construction of a new charter school or the renovation of an existing building as a charter school, it is recommended that the charter school review the following websites for laws and regulations:
 - Preliminary Land Use Service (PLUS)
<http://stateplanning.delaware.gov/plus/>
 - For State of Delaware laws pertaining to asbestos, 16 Del Code Chapter 78 that can be accessed at the following link:
<http://delcode.delaware.gov/title16/c078/index.shtml>
 - Federal EPA laws and additional information pertaining to asbestos can be obtained at the following links:
www.epa.gov/schools or www.epa.gov/asbestos
- Further, contact the regional EPA office in Philadelphia at:
Asbestos Program Coordinator
USEPA Region 3
1650 Arch Street
Philadelphia, PA. 19103-2029
(215)814-2103
- For additional information see the following reference documents:
 - 14 Del Code Chapter 5 (Charter Schools) of Delaware Code.
 - Department of Education School Construction Manual-
<http://facilitynet.doe.k12.de.us/schooldata/default.shtml>