

BRYAN TOWNSEND
STATE SENATOR
11TH District



SENATE
STATE OF DELAWARE
411 LEGISLATIVE AVENUE
DOVER, DELAWARE 19901

Secretary Mark Murphy
Delaware Department of Education
Fourth Floor
820 N. French St.
Wilmington, DE 19801

VIA HAND DELIVERY AND EMAIL

December 3, 2014

Dear Secretary Murphy,

I write in support of Gateway Lab Charter School (“Gateway”) and ask that you too support renewal of Gateway's charter notwithstanding the recent recommendations of the Charter School Accountability Committee. I am unable to attend the public meeting scheduled for December 10. I trust you will accept this letter and the concerns I express, and will take the same responsive actions, as if I had spoken these words on December 10.

From inception in 2009, Gateway has been a school focused on meeting the needs of students with Individualized Education Plans and special needs. The percentage of these students among the total of all Gateway students clearly shows that Gateway has remained focused on its mission, even though Gateway did not seek a special interest preference (and to be measured by alternative goals and metrics) until this past summer. With Gateway now slated to be evaluated under an alternative framework upon the conclusion of this school year—and with Gateway just recently having completed a comprehensive analysis and begun a thorough implementation of recommended changes—a decision to close Gateway is premature.

It is important to consider several changes Gateway has made, including: investing in a high-quality leader with experience leading a school serving primarily special education students; revamping its curriculum; and revising staffing and focusing professional development for staffing to address the specific needs of student learning. Additionally, the path Gateway is traveling is similar to the journey of Positive Outcomes Charter School. Positive Outcomes is the only other charter school measured by an alternate performance framework. Positive

Outcomes was granted renewal even though the school had not met standards of academic performance under the alternate metrics. Importantly, Positive Outcomes had shown growth toward meeting the standards, and in fact met the standard this year under the alternate measures.

A comparison of Gateway's recent performance to the standards under the alternate framework suggests that Gateway is on a trajectory similar to Positive Outcomes at the time of the latter's renewal: trending towards meeting the standard and likely to meet that standard within two years. It also is laudable that Gateway has begun to hold itself to an even higher standard. As part of a commitment to monitoring and impacting student learning and academic growth and to developing student-specific interventions, Gateway has gone above and beyond State requirements (and other charter schools) by monitoring specific instructional growth metrics for Gateway students and formalizing this approach in the Gateway charter agreement and contract. We should permit this approach to develop momentum and realize the full potential it so clearly holds.

I close on a note of deep concern but equally deep hope. Upon announcement of the Charter School Accountability Committee's decision to recommend non-renewal of Gateway's charter, the community of northern Delaware was flooded with the words and tears of Gateway parents, who feared their children would have to attend public schools that they assert will not (and did not) serve their children well. No matter how laudable and specialized Gateway's mission and efforts are, no parent or child should ever have to fear attendance at a traditional public school. Yet this is the reaction we invite every day with the laws, regulations, policies, and approaches that have taken hold here in Delaware. The reaction of the Gateway community evidences to me the deep, tragic schisms that exist in Delaware public education. This schism stems from a failure over the years to be proactive in utilizing the mechanisms of charter schools and school choice to develop cutting-edge, effective approaches to education that are immediately translated throughout the broader education system. Lessons learned at Gateway should be translated into effective practices at all Delaware public schools serving students with special needs, just as Gateway should be open to learning about the development of effective practices that are in fact occurring in traditional district schools. As I understand the status of special-needs education in Delaware, this kind of collaboration has not occurred, even as Delaware students and families desperately (even if unknowingly) await it. This aspect of the Gateway story is all too similar to many of the other charter school stories in Delaware. Under the current system, the full and true impact of an individual school on Delaware's public school system is not felt until: (1) a charter is recommended for non-renewal and parents express their concerns about alternatives, or (2) one of any number of issues reaches a boiling point in the broader education community. In either case, all parents and schoolchildren would have been better served by an education system that focuses on proactive collaboration and that does not resist a candid acknowledgment of the demographic trends that have taken on a life of their own

within the framework of charter schools and school choice in Delaware. These developments, trends, and (increasingly) culture within Delaware's public school system cause me grave concern. I sincerely hope you are willing and able to hear the cries of Gateway's parents as a call to action.

In conclusion, based on the work and improvements underway at Gateway and the passion of the entire Gateway community, I urge you to support renewal of Gateway's charter, to continue to monitor Gateway's performance improvements in the coming year, and to begin steering the Delaware public education system in a new direction of collaboration and optimism.

Sincerely,

A handwritten signature in cursive script that reads "Bryan Townsend".

Bryan Townsend

cc:

Mary Kate McLaughlin, Chief of Staff, Department of Education (via email)

Lindsey O'Mara, Education Policy Advisor to Governor Jack Markell (via email)

Catherine Dolan, Head of School, Gateway Lab Charter School (via letter and email)

DAVID L. TACKETT
COUNCILMAN ELEVENTH DISTRICT



COUNCIL

LOUIS L. REDDING CITY COUNTY BUILDING

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Secretary Mark Murphy
Delaware Department of Education
Fourth Floor
820 North French Street
Wilmington, Delaware 19801

December 9, 2014

Dear Secretary Murphy,

Please accept this letter of support for the Gateway Lab Charter School. I respectfully request that you also support the renewal of their charter. This school has had a positive impact on many of my constituents. They have found that their children, whose needs were not previously being met, are finding success at Gateway. At this school there is a sense of community that fosters the needs of each child. Parents and friends are an active part of their *Parent Advisory Council* and *Gateway Friends and Family* organizations. Their current leadership has a strong plan for moving forward and my hope is that you will allow them the opportunity to succeed, by renewing their charter.

Regards,

David L. Tackett
Councilman, Eleventh District

vmg



GOVERNOR'S ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS

GEORGE V. MASSEY STATION
516 WEST LOCKERMAN STREET
DOVER, DELAWARE 19904
TELEPHONE: (302) 739-4553
FAX: (302) 739-6126

December 5, 2014

Jennifer Nagourney, Director
Charter School Office
Delaware Department of Education
John G. Townsend Building
401 Federal Street, Suite 2
Dover, DE 19901-3639

RE: Gateway Lab School Charter Revocation

Dear Ms. Nagourney:

I am writing to you on behalf of the Governor's Advisory Council for Exceptional Citizens (GACEC), the state advisory panel for the Individuals with Disabilities Education Act (IDEA) for Delaware. The GACEC advises the Governor, General Assembly, State Board of Education and other agencies on the unmet educational and related service needs of Delaware citizens with exceptionalities. Other responsibilities of the GACEC include commenting publicly on educational issues, such as rules and regulations pertaining to students with special needs, monitoring the Delaware State Plan for Public Education and the distribution of educational funds. The GACEC also assists the state in evaluating programs and gathering information for the United States Department of Education.

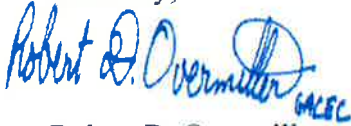
In conjunction with our role as the state advisory panel, we would like to share our concerns on the recent decision by the Charter School Accountability Committee to recommend the State Board of Education revoke the charter of the Gateway Lab School based on assessment data. The GACEC understands that there are rules and regulations that must be adhered to; however, in the case of the Gateway Lab School, we ask that the following circumstances be reviewed in order to make a fair decision.

In order to accomplish a more complete review of the school aside from test scores, I met with the director, Catherine Dolan and spent time visiting classrooms. During this visit, I found all students fully engaged in the learning process and observed multiple teaching methods being utilized that have been found to be beneficial for students with disabilities in need of more

individualized learning programs. Numbers are important but do not provide a complete assessment of the school, its administration and its students. The majority of the students at the Gateway Lab School have various learning challenges and many are on the autism spectrum. Indeed, Department statistics for the 2013-14 school year confirm that the student body at Gateway was comprised of 58.7% special education students. The administration of the school has changed in the past year to improve their focus on academic progress. Also, the Gateway Lab School requested and was granted a waiver which would allow them the opportunity to use an alternate assessment tool; however, the waiver does not go into effect until the fall of 2015.

Council requests that the Charter School Accountability Committee not revoke the charter until after the Gateway Lab School has been given the opportunity to use the waiver to address their assessment issues. If you have any questions on our comments, please contact the GACEC office at 302-7349-4553. Thank you in advance for your consideration.

Sincerely,



Robert D. Overmiller
Chairperson

RDO:kpc

CC: The Honorable Mark Murphy, Secretary of Education
Dr. Teri Quinn Gray, State Board of Education
Chris Kenton, Professional Standards Board
Mary Ann Mieczkowski, Department of Education
Tina Shockley, Department of Education
Paula Fontello, Esq.
Terry Hickey, Esq.
Ilona Kirshon, Esq.



DELAWARE GENERAL ASSEMBLY
 STATE OF DELAWARE
 LEGISLATIVE HALL
 DOVER, DELAWARE 19901

Secretary Mark Murphy
 Delaware Department of Education
 820 North French Street
 Wilmington, DE 19801

December 4, 2014

Dear Secretary Murphy,

We are writing to you today on behalf of the families whose children attend Gateway Lab School. Many families have communicated to us expressing their concerns regarding the proposed closure of Gateway. We are aware of the Charter School Accountability Committee recommendation of non-renewal for Gateway Lab School and we recognize the work the committee has done. We do have concerns as to why Gateway Lab School has been recommended for non-renewal but Delaware Academy of Public Safety and Security and Positive Outcomes were both recommended for renewal under similar Academic Framework outcomes. Delaware Academy of Public Safety and Security did not meet the Academic or the Financial Frameworks and Positive Outcomes did not meet the Academic Framework; but both were renewed. Additionally, Positive Outcomes was named a Partnership Zone School in 2010 and received an additional \$600,000 in funding from the Race to the Top Grant. Positive Outcomes did not meet the standards on the Academic Framework in 2011, 2012, or 2013. It took four years and over \$600,000 of additional funding before Positive Outcomes met the Academic Framework standards. How can the state not provide the same assistance to Gateway?

	<u>Gateway Lab School</u>		<u>DE Academy of Public Safety & Security</u>		<u>Positive Outcomes Charter</u>
Enrollment	208 students		330 students		120 students
Special Education	58.70%		13.30%		63.30%
Low Income	27.90%		29.40%		38.30%

Gateway Lab School serves 58.7% special education students compared to the state average of 13.6%; this is over four times Delaware's average. The numbers alone demonstrate the needs that this school fulfills for the families within our state. The school's mission statement states: "It will provide an extraordinary educational opportunity for children who are struggling to achieve academic success in a traditional school environment, utilizing research-based intervention strategies and a highly tailored, arts-based learning environment that seeks to identify and capitalize on a student's strengths and interests."

Gateway Lab School has made significant changes over the last year: the board hired a new school leader Catherine Dolan. The University of Delaware's Delaware Academy for School Leadership group was brought in to complete a Comprehensive Success Review. The Comprehensive Success Review report included the current status. Areas for improvement and strategies of how to achieve the goals were also mentioned. The Comprehensive Success Review report, recommended the school hire someone to just focus on instruction, so Stacy Solomon was assigned as Principal of Instructional Focus. The school's curriculum was changed for English Language Arts and mathematics.

If you agree with the recommendation of the Charter School Accountability Committee and close Gateway Lab School, you need to ask yourself, "Will these students be better off with their school closed or will they be better served continuing where they are? Will Gateway students receive the same individualized learning that they are currently receiving? Will the students return to their feeder schools and be placed in classrooms with class sizes of 8 to 14 students? Will the students be engaged and still want to go to school every day like they do currently? Will their families be able to be as involved as they are at Gateway?"

We respectfully request that you renew Gateway's charter and monitor their progress. We all want what is best for children: keeping Gateway open is what is best for the students and their families.

Sincerely,



Representative Kim Williams



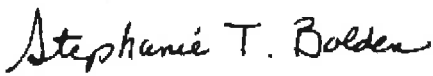
Representative Michael A. Barbieri



Representative Paul Baumbach



Representative Andria Bennett



Representative Stephanie Bolden



Representative Gerald Brady

Brian Bushweller

Senator Brian Bushweller

Bethany A. Hall-Long

Senator Bethany Hall-Long

Deborah Hudson

Representative Deborah Hudson

James Johnson

Representative James Johnson

Helene M. Keeley

Representative Helene Keeley

John R. Kowalko Sr.

Representative John Kowalko

John L. Mitchell

Representative John L. Mitchell

Michael Mulrooney

Representative Michael Mulrooney

Ed Osienski

Representative Ed Osienski

W. Charles Paradee, III

Representative W. Charles Paradee

Karen Peterson

Senator Karen Peterson

Charles Potter

Representative Charles Potter

John Viola

Representative John Viola



DELAWARE GENERAL ASSEMBLY
STATE OF DELAWARE
LEGISLATIVE HALL
DOVER, DELAWARE 19901

Secretary Mark Murphy
Delaware Department of Education
401 Federal St Ste 2
Dover DE, 19901

VIA US MAIL AND FAX

December 8, 2014

Dear Secretary Murphy,

In response to the recent review of The Gateway Lab Charter School, and the possible closure, we request the Department of Education's Charter School Accountability Committee reverse their decision.

The State of Delaware offers many alternatives in education for our children. The Gateway Lab Charter School educates children with Individualized Education Programs and 504 Plans, a unique group of students, which have found positive results because of this program.

My colleagues and I have received countless emails and calls for support. Based on the information shared by the Gateway Lab Charter School we request that school remain open.

On December 10, at the public hearing, please consider our support in favor of the Gateway Lab Charter School remaining open as you make your decision.

Sincerely,

Kevin Poore *Margaret Rose Henry* *Valeri Longhurst* *Belkany A. Hall-Long*

Senator Poore

Senator Henry

Representative Longhurst

Senator Hall-Long

cc Catherine Dolan, Head of School, Gateway Lab Charter School (via US mail)

JOSEPH E. MIRO
STATE REPRESENTATIVE
22ND District



HOUSE OF REPRESENTATIVES
STATE OF DELAWARE
411 LEGISLATIVE AVENUE
DOVER, DELAWARE 19901

COMMITTEES
Appropriations
Education
Health & Human Development
Joint Finance

December 4, 2014

The Honorable Mark Murphy
Delaware Department of Education
Townsend Building
401 Federal Street, Suite 2
Dover, DE 19901

Dear Secretary Murphy,

I am writing to urge you and the State Board of Education to renew the charter of Gateway Lab School at the State Board of Education's next meeting on December 18, 2014.

On behalf of a number of parents who have contacted my office with concerns that the school's charter would not be renewed, resulting in the school's closure, I am writing in support of the charter being renewed and Gateway Lab remaining open.

As you are aware, Gateway Lab serves a particular student demographic in the northern New Castle County area, with more than half of enrollment determined as special education. Gateway Lab's approach to learning is highly-tailored to students who have had trouble achieving in a traditional school setting. Please consider the personal testimony I received recently from a proud parent whose child attends Gateway Lab:

She's expanding her mind and abilities with the help and support of the wonderful teachers at Gateway. We have already had (her) IEP and were so impressed at how well they seemed to know and understand her after only two months. Last Thursday night we sat in a packed room full of Gateway parents and listened to testimonies about happy thriving students.

We heard from many parents who shared their personal experiences of quantitative evidence of growth in both academic and social skills in each and every one of their children. Many of these children were unsuccessful in feeder pattern and parochial schools.

Like the parents and citizens who have contacted my office, I, too, am concerned that if Gateway Lab were to close, many of the students would be forced to return to a school that offers only a traditional educational style, where they, unfortunately, had previously been under-served.

Please consider all other alternatives with closure of the school as the last possible solution. I urge you to renew Gateway Lab School's charter. As members of academia, you and the State Board of Education members understand that all children learn differently. And, when a student has trouble thriving in a traditional school setting, it may take more than just traditional measurements to evaluate a child's overall academic performance in order to determine how much progress is actually being made.

5 Firechase Circle, Newark, Delaware 19711
Home: 302-454-1840 Dover: 302-744-4171 Wilmington: 302-577-8723 Fax: 302-577-6396
Email: Joseph.Miro@state.de.us

Because I am unable to attend the public hearing on this issue on December 10, 2014, I am also sending a copy of this letter to the State Board to be included as part of the public comment record. Thank you for your careful consideration of this request and please feel free to contact me directly to discuss this matter further.

Sincerely,

A handwritten signature in black ink that reads "Joseph E. Miro". The signature is written in a cursive style with a large, stylized 'J' and 'M'.

Joseph E. Miro
State Representative
22nd District

cc: Delaware State Board of Education
Jennifer Nagourney, Department of Education
Catherine Dolan, Gateway Lab School
Nathaniel Schwartz



State of Delaware
Office of the Lieutenant Governor

Matthew Denn
Lieutenant Governor

The Hon. Mark Murphy
Secretary of Education
John G. Townsend Building
401 Federal Street
Dover, DE 19901

Dr. Teri Quinn Gray
President, Delaware State Board of Education
John G. Townsend Building
401 Federal Street
Dover, DE 19901

December 8, 2014

Dear Secretary Murphy and Board President Gray:

We are writing to request that you reject the recommendation of the Charter School Advisory Committee with respect to Gateway Lab School. Closure of this school would displace scores of students with disabilities, over the objections of their parents, with no thought given as to where those students would then receive an appropriate education. The Committee's recommendation is abrupt, short-sighted, based upon a myopic view of the evidence, and harmful to a unique population of students that the state is required by law to protect.

If you have reviewed the comments already submitted by parents of Gateway students, you have a sense of the students who make up much of Gateway's student body. Many Gateway students come because other schools failed them. Chuck and Jackie B.'s son came to Gateway because he struggles with a disorder on the autism spectrum that caused him to be repeatedly disciplined and suspended when he attended third grade at another school. He is thriving at Gateway as a fourth grader. Jackie G.'s daughter is, for the first time, receiving support services that she should receive as a new Gateway student. Tim H.'s third grade son is another new student at Gateway, he struggles with Asperger's, but his reading comprehension has skyrocketed since starting at Gateway this year. And there are many more in the record. The proposed closure of Gateway is not comparable to the closures of other charter schools, where students can at least theoretically transfer to equivalent academic programs in other schools. Most of the students at Gateway have struggled in traditional academic settings, and telling them that they must return to those settings is like pushing them off a life raft.

If the letters you have received from parents have a tone of shock or surprise, there is a justified reason for that. The committee's recommendation for non-renewal is at odds with the state's interaction with Gateway since the school opened its doors three and a half years ago. Since Gateway's first test scores were received in 2012, the Department of Education has had the ability and responsibility to monitor Gateway's student test score performance, and the ability under 14 Del.C. 515(b) to place the school under formal review at any time based on any perceived inadequacy in its student test scores. That has not occurred. Instead, all that has been asked of Gateway is that it sign off on a boilerplate 2013 "Performance Agreement." (Predictably, Gateway has not been able to meet the terms of the standardized Performance Agreement, which called for it to catapult from "Falls Far Below Standard" to "Meets Standard" or "Exceeds Standard" in every category in the space of a single school year, something that no Delaware charter school we know of has done.) Throughout Gateway's brief history, the school has candidly acknowledged difficulties in establishing and maintaining the first charter school of its type in the state — again, with no adverse action or even suggestion of adverse action taken by the state. The committee itself acknowledged the challenging task Gateway has set out for itself: according to the minutes of the committee's October 14, 2014 meeting, the committee chair "noted that there has definitely been growth, but it has not tipped many cells and the school is serving a challenging population and has articulated a solid plan/approach."

Yet, after three and a half years of silence from the state, the committee's recommendation is that the state's first formal action with respect to Gateway be to shut it down. Not only does this defy common sense, but it is contrary to the intention of the General Assembly and Governor in establishing the state's charter school law. Delaware's charter school law requires that the state have four full school years of experience with a charter school before initiating the renewal process, presumably because this was deemed to be the minimum amount of evidence necessary to accurately assess a school's performance. Not only has the committee based its recommendation on nothing more than student testing data, it has not even waited to accumulate what the law deems to be the minimum amount of test data necessary to make a proper recommendation.

The point has already been made by several parents that comparing the progress of Gateway's students, two thirds of whom struggle with diagnosed disabilities, to the progress of other Delaware students tells us little about the quality of instruction at the school. Gateway was subjected by the committee to a standard based exclusively on student test scores that there was no reasonable expectation it could meet given the students it serves. So, notwithstanding the fact that Gateway's score on the alternative evaluation has increased by 25% in the last two years, and notwithstanding the fact that the committee expressly stated that the school had a solid plan in place to further improve student performance, the committee recommended closure based on nothing other than a mathematical formula. The committee records do not indicate that any committee members observed any instruction at the school, nor do they indicate that the experiences of students in their previous schools were even considered in the recommendation.

Finally, the committee records do not indicate that any consideration was given as to what would happen to Gateway's students should the charter not be renewed. The state has both a moral and legal responsibility to ensure that the heightened needs of these students are addressed. As

mentioned earlier, there is extensive evidence that those needs were not being met prior to Gateway's opening, and there is no evidence that the deficiencies in other public schools that drew students to Gateway have been remedied. But the committee, in making its recommendation, has asked you to compel the same parents who withdrew their children from these unsuccessful environments to return them there.

Nothing in this letter is meant to suggest that the situation at Gateway is ideal. The school itself has conceded that it needs to do better. It may be at some time in the future that if things do not improve, Gateway's charter should not be renewed. But if so, that decision should be made by people who have actually observed instruction at the school and analyzed something more than a spreadsheet of test scores, and that decision should be made with some forethought given to what will happen to the uniquely vulnerable students who would be displaced. Because neither of those has occurred in this instance, we respectfully request that you renew Gateway's charter and instruct the Department to exercise closer oversight over the school going forward.

Lieutenant Governor Matthew Denn

State Representative Melanie George Smith

Cc: Catherine Dolan, Head of School, Gateway Lab School

PATRICIA M. BLEVINS
President Pro Tempore
STATE SENATOR
7TH District



SENATE
STATE OF DELAWARE
411 LEGISLATIVE AVENUE
DOVER, DELAWARE 19901

December 4, 2014

The Honorable Mark Murphy
Secretary, Dept. of Education
401 Federal Street, Suite #2
Dover, DE 19901

Dear Secretary Murphy:

As you prepare to make your decision on whether to close the Gateway Lab Charter School, I would like to provide some input on the matter.

I have been contacted by a number of parents and grandparents regarding their satisfaction with Gateway Lab Charter School. They have stated that their children and grandchildren are finally blossoming, both developmentally and educationally, in this uniquely supportive environment. For the first time in their lives, these students are learning to love learning. These are children who have faced significant challenges in their previous schools and many had lost confidence in themselves and their abilities. This could not be reversed overnight, but Gateway Lab has shown that these children can regain their confidence and can find a renewed zest for learning.

We know that this school is not one that can be judged by test scores. Ideally, I would like us to find a new way to measure progress in schools that serve students with special needs. Additionally, we should consider giving this kind of school extra support to succeed, as they serve a population of students that traditional schools have a great deal of difficulty serving.

If Gateway Lab is closed, the test scores of these students will not rise. Test scores will remain the same, but will simply be attributed to different schools. What is most concerning is the uprooting and destabilization these children will certainly experience should they be required to attend a new school next year. These students, who desperately need creative interventions and a stable environment, will have to cope with yet another impediment to their overall growth.

For their sake, and for the sake of an innovative school with an exciting concept, I sincerely urge you to choose to keep this school open, and am eager for the State to find a way to help it succeed.

Sincerely,

A handwritten signature in cursive script that reads "Patricia M. Blevins".

Patricia M. Blevins
President Pro Tempore
Delaware State Senate

PMB:clr