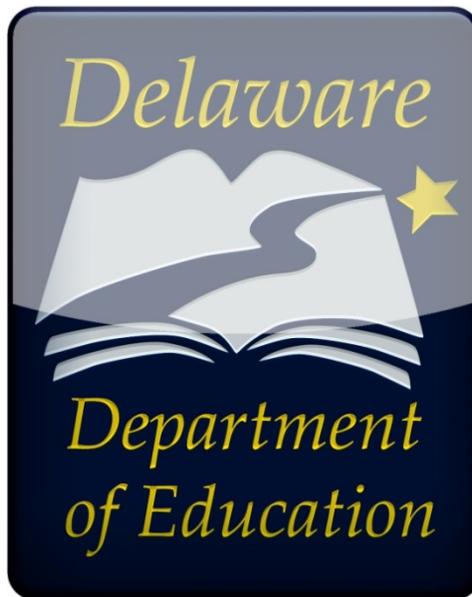


CHARTER SCHOOL ACCOUNTABILITY COMMITTEE

DELAWARE DEPARTMENT OF EDUCATION



KUUMBA ACADEMY CHARTER SCHOOL

INITIAL/PRELIMINARY REPORT AND RECOMMENDATIONS

APPLICATION TO MODIFY AN EXISTING CHARTER

Opening Date: September 2001

Grades: K - 5

Location: New Castle County

September 30, 2012 Unit Count: 340

Date of Report: 10 April 2013

Background

Name Kuumba Academy Charter School

Current Enrollment 263

Projected Enrollment

Year 1	295	K-6
Year 2	445	K-7
Year 3	644	K-8
Year 4	855	K-8

Mission The mission of Kuumba Academy Charter School is to be Delaware's premier arts-integrated charter school with a commitment to provide a rigorous, high quality academic program in an environment that values parents as key partners in the education of their children; honors the individuality and unique learning style of each student; and utilizes the arts as a tool for academic learning.

Vision The vision of Kuumba Academy Charter School is that the school will be an exceptional educational community that embraces cultural awareness and empowers students to achieve integrated academic and artistic excellence.

Members of the Charter School Accountability Committee (Committee) met with representatives of Kuumba Academy Charter School (KACS) on 11 March 2013 for the Initial/Preliminary Meeting. With the nature of the modification request, the Committee reviewed each of the fourteen approval criteria listed in 14 Del. Code §512.

Initial Meeting Discussion

The following is a summary of the salient points of the Initial Meeting in which representatives from Kuumba Academy responded to questions from members of the Committee.

The KACS applicant team was asked how the Board has increased its capacity to support the expansion of the school that will add grades 6 – 8 to the existing K – 5 configuration and will also have an early learning center through first grade at the current site with grades 2 – 8 at the Community Education Building (CEB).

The Kuumba applicant team responded:

- The Board is continually looking to expand with new members whose experience relates directly to the vision and mission of the school. Another critical step in the expansion was to secure funding through the Longwood Foundation. Some of the funding will be used to contract with individuals with project management experience and resource development.
- The school has added Board members to help with facilities planning and curriculum planning.
- The school has also been considering such an expansion for a number of years.

The applicant team was asked to describe the factors that led to the expansion decision.

The applicant team responded:

- The parents have urged school leadership to expand by adding grades 6 to 12. Parents want the family atmosphere and rigorous education experiences provided at KACS.
- Parents had reservations about the availability of high quality charter schools for 6th – 12th graders.
- Furthermore, parental and community interest and support were critical to the founding of KACS and both are apparent for the expansion.
- Both parents and KACS staff believed that the students were being done a disservice by not having a 6th to 8th grade program. Such an expansion will provide students with an easier transition to middle school than would be otherwise possible.

The applicant team was asked about possible “growing pains” with the expansion.

The applicant team responded:

- The transition of students from other schools to the middle school grades would present challenges because of the rigor of the KACS academic program, especially in areas such as mathematics.
- The school has experienced similar challenges with students coming to KACS in the 3rd, 4th, or 5th grades. A six-week summer program was very helpful in transitioning these students. Such a program as well as tutoring could be helpful during the expansion.
- Additionally, teachers new to the school will also need support as they are inducted into the culture and educational program of the school.
- Finally, to address the integration of new teachers into the culture of KACS and its educational program, the school leadership is planning to keep half of the current staff in one building and the other half will be in the CEB building.

The applicant team was asked about inconsistencies in the financial information, such as: the State revenue estimates were \$2.6 million whereas the submitted budget is \$2.7 million; the enrollment estimates on the budget sheet had 295 students but the estimates for both sites are 290 students.

There were also discrepancies in the electronic and hard copies on the enrollment page as well as for estimated costs for salaries, rent, and contracted services that appeared on the budget worksheets but not in the revenue projections.

The Applicant will respond to these and other issues in its response to the Preliminary Report.

Preliminary Meeting Discussion

Criterion One: Applicant Qualifications

The Committee discussed the response to the Applicant Qualifications section of the application and noted the following.

- The governing body possesses and will contribute the wide range of knowledge and skills needed to oversee a successful charter school.
- The governing body has the capacity to work as an effective unit in the interest of the proposed expansion.

- There is a demonstrated understanding of the Board’s responsibility for the educational and fiscal integrity of the school and for fulfilling the terms of the charter.
- The current school leader is well-qualified to implement the specific educational program being proposed and to continue to effectively serve the target population.
- KACS has strong leadership and faculty. The school’s results speak for themselves.

The Committee concluded that Criterion One was met.

Criterion Two: Form of Organization

The Committee discussed the response to the Form of Organization section of the application and noted the following.

- The copy of the application reviewed did not include the original certificate of incorporation. The by-laws included with the modification application limit the mission of the corporation to “... creating a ... learning environment for children enrolled in grades kindergarten through five” which does not allow for the expansion of the grades sought in the modification application.
- The by-laws need to be reviewed and potentially revised to address this issue as well as to assure that:
 - Article V, particularly Section 7, is in conformance with 29 Del. Code Chapter 100, including Section 10004 (e) (3);
 - Article VII, in general, and Section 2 (a) in particular, is in conformance with 29 Del. Code Chapter 100, including Section 10004;
 - Article IX, in general, is in compliance with 14 Del. Code, Chapter 5, including Sections 509 and 513; with 14 Del. Code Chapter 15, including Sections 1508 and 1509; and with 29 Del. Code Chapter 100, including Section 10003.

The Committee concluded that Criterion Two was not met.

Criterion Three: Mission, Goals, Educational Objectives

The Committee discussed the response to the Mission, Goals, and Educational Objectives section of the application and noted the following.

- The mission and vision of the school is clearly articulated; well-known by school stakeholders; and implemented in daily practice. Students and parents are proud of their school.
- KACS involves staff, students, parents, and other stakeholders in its accountability for student learning and in the school’s program evaluation process.
- High expectations and a rigorous academic curriculum align with the school’s mission.

The Committee concluded that Criterion Three was met.

Criterion Four: Goals for Student Performance

The Committee discussed the response to the Goals for the Student Performance section of the application and noted the following.

- The response included a set of student goals that described growth and proficiency in mathematics and English language arts for its student population; however, the school did *not* address the question that was asked. Question Four, Section A asks the school to provide performance goals in a manner that is disaggregated by grade and ethnicity. This is meant to elicit a response that addresses any weaknesses within any given grade level of the school and/or any achievement gaps that may be present among the population of students.
- In Section B, the school was asked to update the performance targets based on current data, but a reference to the goals in Section A is all that was provided. The goals in Section A do not include data from current testing cycles.
- Section C asks that those applying for renewals/modifications provide the original documentation regarding assessment tools and strategies and to provide the results of these assessments along with discussion. Kuumba has provided a chart containing an assessment schedule and rationale, but there are no data or discussions provided.
- Section D requests a current and signed Performance Agreement between the school and the Secretary of Education as well as providing a description of the current performance of the school with regard to the Agreement and a discussion of highlights and concerns. This was not included in the application.
- Section E requires the school to provide a list of proposed measurable performance objectives with specific measurable targets for each year of the charter renewal period. This was not included with the application.

The Committee concluded that Criterion Four was not met.

Criterion Five: Evaluating Student Performance

KACS answered sections A (process whereby student evaluation information will be used to improve student performance), B (description of corrective action that will be taken when students do not meet performance expectations) and C (school requesting a waiver for an enrollment preference for students at risk of academic failure) with adequate information and narrative to answer the questions posed in the application.

The Committee concluded that Criterion Five was met.

Criterion Six: Educational Program

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

Curriculum

English Language Arts

- Unit questions and understandings minimally align to learning targets. A minimally developed learning plan gives inconsistent or no evidence of student achievement of the identified learning target(s).
- Links between learning goals, learning targets, and assessments are unclear.
- *English language arts does not meet approval.*

Mathematics

- *Mathematics meets approval*

Science

- While the school provided a comprehensive scope and sequence adequately describing plans for implementation as well as providing plans for participation in the Science Coalition, it is unclear how this will occur. 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 must keep in mind 14 DE Admin. Code 885 about Chemical Safety and Storage.
- The school is a Science Coalition member.
- *Science meets approval*

Social Studies

- It is evident that the school intends to utilize the Delaware Recommended Curriculum for Social Studies.
- The school is a Social Studies Coalition member.
- *Social studies meets approval.*

Health Education

- *The response was well done and health education meets approval.*

Physical Education

- *The response was well done and physical education meets approval.*

World Languages

- In general, the alignment set forth meets the standards but there is a fundamental shift that has to occur regarding the “unit questions and understandings” which still treat language as a set of forms that need to be accurately mastered. The focus of the standards is on the ability to use the language to communicate, so essential questions (EQs) that focus on grammatical forms are contrary in nature to the standards.
- The model templates have some issues in both their presentation of activities and their rubrics. First, there is a sense of a misunderstanding of the modes of communication, as shown by examples such as “memorized” interpersonal communication. This mode, by definition, includes the ability to engage with another person without a script and a near complete absence of the written interpersonal mode. Additionally, interpretive communication often is mislabeled and should be presentational communication. Students

need to be provided with authentic materials in the target language to work with. Rubrics often focus on counting, whereas the best rubrics should be holistic in nature (e.g., not “5 vocabulary words” but rather “appropriate vocabulary”). As another example, the description on page L-50 is full of basic Spanish errors.

- There is a tension between a very textbook-focused curriculum and lesson units that focus on real life-like tasks. Variety is evident, but again, the misunderstanding of the modes of communication leads to some tasks not fulfilling all of the standards for world languages.
- Many of the assessments are presented as questions; however, the previous formative assessments leading to these to ensure student preparation are unclear. Additionally, the assessments do not show a focus that is clear. The “Leading to” steps are informative, but the assessment itself is lost within the text. (Examples: Page L46, Interpersonal Assessment. Role plays that are memorized are not Interpersonal. On page L47, the Interpretive Assessment includes no materials that the students have to work on interpreting or at least this is not clearly stated. In Presentational Assessment; “creating a dialogue as one person” is unclear.). All of these rubrics have time and/or word count minimums which are not a best practice; e.g., “no error with the imperative” focuses only on form and is not developmentally appropriate at this level.
- *World languages does not meet approval.*

Visual and Performing Arts

- The school is commended for providing a variety of learning opportunities in the arts and utilizing partnerships between the school and the community to do so.
- There is a balance among art making, reflection and analysis of masterworks of art, and student works of art.
- There is an uneven number of class sessions at each grade level. Visual Art 6th grade: 59 class meetings; 7th grade: 75 class meetings; 8th grade: 54 class meetings. Musical Theatre 6th grade: 34 class meetings; 7th grade: 22 class meetings, Dance: 22 class meetings; 8th grade Musical Theatre: 22 class meetings; Dance: 20 class meetings. The assumption is that 7th and 8th grade course offerings were by semester but clarification is required to explain the inconsistencies among the other class meetings.
- It is unclear to what extent teachers in the building will be engaged in the development of curriculum and what role Arts Integration Solutions plays in this effort.
- *Visual and performing arts does not meet approval.*

Technology

- **Curriculum.** The Common Core State Standards specifically require that students be technologically literate in a variety of ways. This will be followed in 2014 by the transition to the Smarter Balanced Assessment which is a comprehensive web-based assessment requiring student literacy in the use of technology and various digital media.
- It is recommended that the school embrace a framework that will allow consistent implementation of technology. The ISTE NETS (International Society for Technology Education; National Educational Technology Standards) (www.iste.org) or the Partnership for 21st Century Skills (www.P21.org) are sample models.
- It is unclear how this requirement will be met in either curriculum materials or computer hardware.

- **Professional Development.** The appropriate use of instructional technology does not appear to be a part of the professional development plan.
- **Delaware Comprehensive Assessment System.** The Delaware Comprehensive Assessment System (DCAS) is a computer-based assessment that requires that students be online and seated one to a computer to be able to take the assessment. This, therefore, requires the school to have ample technology on-site and to have students sufficiently technologically literate to be able to take the assessment. It is unclear how this requirement will be met in either curriculum materials or computer hardware.
- **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. The 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:

- *Technology does not meet approval.*

Plans for At-Risk Students

- Kuumba Academy's response to the criterion for at-risk students is appropriate.

Student-Teacher Ratio

- The student-teacher ratio is provided as 1:18.

Unique Features of the School

- The Kuumba Academy Charter School's unique elements have been provided in comprehensive detail.

High Quality Professional Development

- Professional development at Kuumba Academy Charter School is intended to be multi-tiered, research-based, and on-going.
- New teachers receive the book, *Teach Like a Champion* (the book provides effective teaching techniques and is targeted to teachers in the first few years of teaching), as well as the Delaware Mentoring program that provides highly effective Kuumba teachers as mentors. Teachers also receive peer visits and feedback from instructional coaches.

- For experienced teachers, the following are offered: 10-day summer intensive professional development in Arts Integration Solutions, a program that focuses on providing teachers with the tools to effectively use arts integration to help every student succeed. The intent is for teachers to use the arts to teach mathematics, science, reading, and writing.
- Experienced teachers participate in grade level Professional Learning Communities and receive early release days to participate in the Delaware Reading and Writing Project, mathematics professional development in Singapore math, professional development for Arts Integration Solutions, as well as for professional development that the Delaware Department of Education sponsors.

School Calendar and Master Instructional Schedule

- The school calendar was presented in appendix M of the school's application. The calendar included ten full days of professional development in August as well as two early dismissal days for staff development within the school year. The calendar also included testing dates, special holidays such as Kwanzaa, the school lottery day, the Art Show, and Spring Musical. The culmination of the calendar was the Kindergarten Moving Up Celebration.
- While no master school schedule was provided, a number of teacher schedules were included that clearly outlined core instruction as well as a wide variety of additional instruction within the school day.

The Committee concluded that Criterion Six was not met.

Criterion Seven: Students with Special Needs

Kuumba Academy's response to the criterion for special needs students is appropriate.

The Committee concluded that Criterion Seven was met.

Criterion Eight: Economic Viability

The financial information submitted was inconsistent. The State revenue estimate sheets yielded funds totaling \$2,612,259; but Kuumba Academy Charter School based its budget from revenues totaling \$2,723,440. Similar discrepancies between the revenue estimate and budget occurred in each subsequent fiscal year.

Additional discrepancies were seen in the estimated cost of such items as salaries, rent, and contracted services on the budget worksheet compared to the "Revenue and Expense Project for Expansion Project" document that was submitted with the application. Unless these discrepancies are further explained, DOE cannot assure that the expansion is sustainable.

The Committee concluded that Criterion Eight was not met.

Criterion Nine: Administrative and Financial Operations

Plan for managing financial operations

- Kuumba's current financial and administrative operations are functioning within the budget and accounting guidelines and no significant deficiencies have been presented.
- The information presented in the modification application shows that Kuumba Academy is positioned to continue functioning with compliance through their expansion.

Roles and responsibilities of the Board of Directors

- The school submits reports and responds to reasonable inquiries in a thorough, accurate, and timely manner. Formats for reporting comply with stated requirements, and any variances are explained.
- The governing Board meets regularly and its meetings are held in accordance with applicable provisions of law; appropriate recording of all actions taken is ensured; and Board records are maintained in a comprehensive and systematic manner, in both soft and hard copy. The Board creates and adopts all necessary policies and ensures their consistent implementation.
- The Board establishes clear and well understood systems for decision-making and communication that result in a common sense of purpose and understanding for all stakeholders.
- The Board creates and monitors immediate and long-range financial plans to effectively implement the school's education program and ensure financial stability and sustainability.
- The school is audited by a certified public accountant. The school's audit is in accordance with Generally Accepted Auditing Standards.

Internal Form of Management at the School

- The school leadership implements its academic program in alignment with its charter. The school runs smoothly. Processes and procedures are in place and followed. The leadership is seen as effective and is well respected.
- School leadership has developed policies and specific practices that clarify the responsibilities and relationships among key leaders, governing board members, staff, students, and parents.
- The school leadership participates regularly in professional development opportunities that provide relevant insight into the trends, issues, and potential changes in the environment in which charter schools operate.

Teacher and Parent Involvement in Decision-Making at the School

- A comprehensive response has been provided.

Criteria and Timeline for Hiring Staff

- The charter response in section (e) highlights several important elements of the human capital continuum, with safeguards in place for quality control, including references, writing samples, and sample lessons being presented as a criterion for hire. Board approval/ interaction with these processes could either be helpful or detrimental, depending on the type of interaction the Board has with the school leader's hiring process.
- Overall, this section included key elements, yet limited detail. Timelines are general. "Early Spring" should be better defined, e.g., with key milestone timelines for staff planning and recruitment. The process for determining staffing needs could be inclusive of additional elements and a final determination date for outgoing staff. Furthermore, it is unclear what the "criteria" for staff selection is. There is no competency-based model articulated within

this section, which raises human capital concerns in terms of consistency and data collection around hiring decisions. This feedback should be provided to the school leadership.

Recruitment of Delaware Certified Teachers

- Kuumba has developed a large pool of candidates by providing an attractive environment for recruits. The school's partnership with *Teach For America* is important in charting a path for ongoing success and external partnership with leading human capital organizations.
- The addition of a "Director of Human Capital" would provide tremendous capacity in forming external partnerships and driving the internal processes of staff recruitment, selection, and induction. The charter is aware of all DOE-provided opportunities and should continue to leverage available resources. DOE will continue to observe Kuumba's relationships with state-provided resources and welcomes the charter's efforts to partner with schools of education to leverage those relationships and talent sources as well.
- The response provides a clear path forward for the charter in this area.

Incorporation of the Delaware Performance Appraisal System in Staff Evaluations

- The charter modification demonstrates a clear, high-level understanding of the DPAS II process. DOE has monitored the charter's implementation of DPAS II through ERS (Evaluation Reporting System), site visits, and ongoing trainings/sessions. The charter has been in compliance to date.
- The school does not outline a process for differentiating performance or how it will handle data about differential performance. While that may be embedded in the charter's explanation in this section, more explicit detail should be requested for the response to this section.

Human Resources Policies

- Kuumba Academy included a copy of its Human Resource Manual with its application. Policies include, but are not limited to: Nondiscrimination Statement (Policy 2.1); Management Responsibilities (Policy 2.2); Employment Practices (Policy 2.3); Employee Classifications (Policy 2.4); Evaluations (Policy 2.6); Leave Policies (Policies 2.13, 2.14, 2.15) and Benefits (Policy 2.16). In addition, the Manual includes policies covering discipline and separation procedures.

School Accountability to Parents

- Parents/families and the community are given accessible and relevant information about their child's progress through a variety of methods to communicate student achievement to parents, which include progress reports, report cards, and parent/student meetings.

Contracting Operations with an Outside Group

- *This criterion is not relevant. KCAS is not contracting any operations with an outside group.*

Requirements for Outside Groups Managing Education, Administration, and/or Financial Operations

- Kuumba Academy will continue to contract with Michelle Lambert, CPA, to manage the financial operations of the school.

Plan to Recruit Students

- The school develops and creates policies that are widely distributed and that do not discriminate against students based on race, creed, color, religion, gender, or orientation.
- Recruitment strategies are consistent with the mission of the charter and focus on the targeted population which is inclusive of a diverse range of learners.

Admissions Preferences and Selection Process

- The listed preference for “kindergarten children who have been enrolled in the Christina Cultural Arts Center preschool program” does not appear to be a statutorily permitted preference, unless it is intended to refer to or describe students who have a specific interest in the school’s teaching methods, philosophy, or education and is so clarified. Additionally, clarification is needed that this interest preference is described in the school’s charter.
- Clarification is needed that the preference for children of staff members of the school is described in the school’s charter.

Timetable for School's Application and Admissions Process

- The school has clear open enrollment procedures and, if over-subscribed, has adopted and applied a public lottery policy for enrollment.

The Committee concluded that Criterion Nine was not met.

Criterion Ten: Insurance

- The information submitted was adequate.

The Committee concluded that Criterion Ten was met.

Criterion Eleven: Student Discipline and Attendance

- The responses to sub-sections A, Student Rights and Responsibilities Manual, and C (the reporting of school crimes) were deemed as appropriate.
- In the second to last paragraph in subsection B (the handling of discipline for students with disabilities), the reviewer recommended the insertion of this statement: “School officials who report a crime committed by a child with a disability, as defined by § 3101(2) of this Title, shall comply with 20 U.S.C. § 1415(k)(6)(B) by ensuring that copies of the special education and disciplinary records of the child are transmitted, to the extent that FERPA allows, for consideration by the appropriate authorities to whom the crime is reported.
- Under subsection D (attendance policies), the reviewer recommended the additions of these statements:
 - That administrators will attend required DOE trainings about the mandatory school crime reporting law as required by 14 DE Admin Code 601.
 - That administrators will use the DOE School Climate and Discipline program manager and DDOJ Ombudsperson for technical assistance in regard to the Mandatory School Crime Reporting Law.
 - That any eSchool Plus discipline kicker list notifications relating to the reporting of mandatorily reportable crimes will be addressed within a specified period of time, i.e., 48 hours.

- An assurance statement that the school will follow the requirements of 14 DE Admin Code 601, which is in addition to the law 14 Del. Code § 4112, for the reporting of certain acts of misconduct.
- In subsection E, the reviewer recommended a description of the actions that the school will take to ensure that students meet required levels of attendance. (An example is: Upon the third unexcused absence, the school will call the parent/guardian to review the attendance policy. Upon the fifth unexcused absence, a certified letter will be sent to the parent/guardian with a copy of the attendance policy. Upon the eighth unexcused absence, a parent conference will be held.

Additionally, the response by the applicant ought to include specific examples of where and when the attendance policy will be distributed to students, such as: the attendance policy will be included in the student Code of Conduct which will be distributed and reviewed with students during the first day of school.

The Committee concluded that Criterion Eleven was not met.

Criterion Twelve: Health and Safety

Procedures to ensure health and safety of students and staff; processes to ensure physical examinations before enrollment, immunizations, etc.

- The application adequately addresses these two areas. It is noted that the school intends to have two full-time nurses on staff. Additionally, the school is partnering with Affinity Health to provide additional services to students, including ones related to emotional health.

Criminal Background Checks

- The response is appropriate.

Location of the school, building code compliance, maintenance, physical education location and safety

- While Christina Cultural Arts Center (CCAC) owns the building currently housing the school, the proposed expansion of KACS to serve students in middle school will require additional space beyond the North Market Street location.
- The KACS Board has applied for space in the Community Education Building (CEB) in Wilmington to accommodate this expansion and to continue fulfilling the school's vision to prepare students for post-secondary education, careers, and engaged community citizenship.
- KACS's original location at 519 N. Market Street is slated to become an Early Learning Center serving Pre-K through Grades 1. If approved, students in grades 2-8 would be located in the Community Education Building. The pre-school expansion will be led by the CCAC; the K-1 and middle school expansion will be led by KACS.
- KACS will still continue to pay rent to CCAC for the 519 N. Market space, but the cost will go down based on the square footage that CCAC will use for the Pre-K program.
- Costs associated with the expansion to the CEB are still in the process of negotiation. For the purposes of planning, the lease rate used for calculations is \$14.72/sq ft. and is reflected in the Budget Narrative and Worksheets.
- The new site will be inspected prior to opening to ensure compliance with health and safety standards. The school will operate with exterior doors locked against entrance during school hours but will allow egress as needed for safety purposes. All persons entering the

building during the day must be admitted through the main entrance; visitor identification will be worn in view by non-employees.

- In the interest of safety for students, staff, and visitors, controlled access to the school's facility will be maintained at all times. A security system will provide visual live feeds of all building entrance locations, as well as other key spaces inside and outside of the building. All outside doors will remain locked from the outside, except during student arrival and dismissal times. Visitor access will be limited to the main entrance until proper identification and guest pass procedures have been completed.

Full compliance with all applicable building codes for public schools and accessibility for individuals with disabilities. Renovations of the facility.

- KACS is working to finalize site/facility arrangements with the CEB, pending approval of the school's charter modification. Upgrades to the leased facilities will include any necessary health, fire, and safety upgrades as well as enhancements for access and use by people with disabilities. New entrance ramps, fire-protected shelter spaces on the upper floors, fire-retardant doors and walls, and multiple dedicated ADA compliant bathrooms in buildings are just a few examples of the efforts that will be made to meet and often exceed established regulations.
- The school facilities will maintain compliance with all county and city code requirements and will work with personnel from DOE to ensure school-specific health, safety, and logic aspects of the site are addressed. The school facilities will also meet the standard requirements of the Financial and Operational Performance Indicators established by the DOE.

Building maintenance practices

- In addition to periodic inspection practices required by the state and local codes and authorities, KACS has established annual maintenance, cleaning, and security services contracts for its operations. This formal approach to engaging reputable and insured firms in support of the school provides accountability and assurance that KACS's facilities are kept in order and functioning safely and appropriately. In addition to outside contracts, KACS currently employs a full-time building engineer who is responsible for the day-to-day operations of the school building.

Location and facilities for physical education and any safety issues

- All Kuumba students at the 519 site will continue to have daily access to the Salvation Army playground for gym space. Students enrolled at the CEB location will have access to shared gymnasium facilities within that site.
- The curriculum reflects physical activities, such as basketball, volleyball, parachute, hula hoop, indoor soccer, and other similar activities that can be adapted to the confined space. The neighborhood surrounding the school does have sidewalks that can be used on occasion for walking. Adequate supervision will be provided for students when they are asked to walk on the sidewalks and parental permission will be obtained before allowing students to engage in supervised physical activities off the immediate site of the school.
- Once the CEB site is finalized, DOE will need the final layout/floor plans.
- DOE may need to perform a site visit to review and assess.
- Appendix B contains additional relevant information.

School Transportation

- The response about how students will be transported to the school is adequate.
- The response to providing transportation for students residing outside of the district in which the school will be located is not aligned with DOE regulations. Schools are to provide transportation for those students meeting the eligibility criteria in 14 DE Admin Code 1105 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 where the school is located. The Applicant needs to clarify its response to this section.
- The response to providing specialized transportation for special needs students is adequate.
- The response to the plan for oversight of school transportation operations is adequate.

Providing Meals to Student and Compliance with the Free/Reduced Lunch Program

- The response to the plan for providing meals to students is inaccurate. Kuumba does not contract meals from a qualified food service vendor as stated. Rather, they are a self-preparation facility. They purchase the food components from food service vendors, but not entire meals. In addition, it mentions that they participate in the Fresh Fruit and Vegetable Program (FFVP), but this is incorrect. The last year of participation in FFVP was SY 10-11.
- Aside from these errors, Kuumba does participate in the National School Lunch Program and School Breakfast Program and operates in compliance with USDA requirements. They have recently had a staffing change in the food service position and DOE did an onsite visit for training.
- The response to compliance with the requirements of the Federal Free and Reduced Lunch Program for eligible students is adequate.

The Committee concluded that Criterion Twelve was not met.

Criterion Thirteen: Student and School Data

- The response to this criterion is adequate.

The Committee concluded that Criterion Thirteen was met.

Criterion Fourteen: Management Companies

This criterion is not applicable. Kuumba Academy Charter School will not employ a charter management company.

Summary and Recommendations

Criterion	Charter School Accountability Committee's Recommendations
(1) Applicant Qualifications	Met
(2) Form of Organization	Not Met
(3) Mission, Goals, Educational Objectives	Met
(4) Goals for Student Performance	Not Met
(5) Evaluating Student Performance	Met
(6) Educational Program	Not Met
(7) Students with Special Needs	Met
(8) Economic Viability	Not Met
(9) Administrative and Financial Operations	Not Met
(10) Insurance	Met
(11) School Discipline and Attendance	Not Met
(12) Health and Safety	Not Met
(13) Student and School Data	Met
(14) Management Companies	Not Applicable

The Charter School Accountability Committee recommended that the charter school modification application for Kuumba Academy Charter School **not** be approved.

Appendix A

List of Attendees

Initial/Preliminary Meeting of the Charter School Accountability Committee

11 March 2013

Application to Modify an Existing Charter

Voting Members of the Committee

- Mary Kate McLaughlin, Chairperson of the Charter School Accountability Committee and Chief of Staff, Delaware Department of Education
- Debora Hansen, Education Associate, Visual and Performing Arts, Charter Curriculum Review
- Paul Harrell, Director of Public and Private Partnerships
- April McCrae, Education Associate, Education Associate, Science Assessment and STEM
- Karen Field Rogers, Manager, Financial Reform & Resource Management
- Kendall Massett, Executive Director, Delaware Charter School Network (Non-voting)
- 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 from Kuumba Academy Charter School

- Raye Jones Avery, Founding Board Member
- Hugh Atkins, Board Member
- Sally Maldonado, Head of School
- Tamara Price Cobb, Assistant Principal
- Lynne Howard, Expansion Director
- Michelle Lambert, Accountant
- Darren Moore, Insurance Agent, Board Member

Appendix B

Additional Information for Criterion 12

- **Contracts with custodial staff or other maintenance contracts:** As per Delaware Code, it is required that services contracted for are provided in a nonreligious and nonsectarian manner and are of a nonreligious and nonsectarian type. See 14 Del. Code § 504A: <http://delcode.delaware.gov/title14/c005/index.shtml>
- **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 Delaware Code, Title 14, § 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
- **For the properties identified,** being that they are all centrally located in the city, there is concern with children's safety walking on sidewalks which come along with safety logistics to carry out any outdoor physical activity program, if any. School bus as well as parent drop off and pick up transportation logistics for physical activity programming (such as transportation to the Salvation Army grounds) must be identified and conform with state and local safety and traffic regulations.
- **School Safety:** It is recommended to refer to the State of DE Homeland Security's Comprehensive Emergency Management Planning for Schools (CEMPS) http://dema.delaware.gov/information/school_safe.shtml

Related Project Information

For State of Delaware laws pertaining to asbestos, Title 16, Chapter 78 of Delaware Code 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:

- Title 14, Chapter 5 (Charter Schools) of Delaware code.
<http://delcode.delaware.gov/title14/c005/index.shtml>
- Department of Education School Construction Manual,
<http://facilitynet.doe.k12.de.us/schooldata/default.shtml>