

**DELAWARE DEPARTMENT OF EDUCATION**  
**CHARTER SCHOOL APPLICATION FORM FOR**  
**A NEW SCHOOL TO BE OPENED**  
**SEPTEMBER 4, 2001**

MOT Charter School  
Name of Proposed School

Mrs. Robin Lester  
Head of Board

September 4, 2001  
Opening Date

Year 1: K-5, Year 2: K-6, Year 3: K-7  
Grades for school

First year enrollment                      450

Second year enrollment                      525

Third year enrollment                      600

Mrs. Robin Lester  
Name of Contact Person

34 South Du Pont Highway  
St. Georges, Delaware 19733  
Mailing Address of Contact Person

302-834-0813  
Telephone Number of Contact Person

Kindergarten through fifth grade

Kindergarten through sixth grade

Kindergarten through seventh grade

Note: If this application is approved by the Department of Education and State Board of Education, with or without amendment, the final approved application and any amendments will serve as the approved charter for the school. A charter cannot be altered without the approval of the Secretary of Education and State Board of Education.

## Overview

1. As an introduction, describe the proposed charter school in one page or less. Include school level (primary, elementary, middle school, high school, K-12, etc.), grades to be served, target population (if any), school size, location (i.e. name of city or county), founding group, school focus or special educational approach, and any other descriptive information (i.e. parental involvement) that will provide a context for the remaining narrative in this application.

The mission of the proposed MOT Charter School is to open portals of opportunity for Middletown, Odessa and Townsend (thus "MOT"), Southern New Castle County communities through excellence in public education.

The founding group includes:

Mrs. Robin Lester  
34 South Du Pont Highway  
St. Georges, DE 19733

Kevin Hensley  
203 East Dickerson Lane  
Middletown, DE 19709

Jennifer Taylor  
107 MacArthur Drive  
Wilmington, DE 19804

Lacy Holly  
322 Great Oak Drive  
Middletown, DE 19709

Jennifer Holly  
322 Great Oak Drive  
Middletown, DE 19709

The program of this school is based on the fundamental belief that every child has a birthright to a first-class education, which adds meaning, dignity, and a sense of community. That birthright is delivered by combining the beneficial rigors of a classical education with the latest technology and the best teaching and learning practices worldwide. MOT will prepare children to be informed, responsible world citizens who will proceed through their endeavors with proficiency, passion, and purpose. The school will serve as a community pillar for lifelong learning, pride, and self-actualization.

A special focus of MOT will be the agricultural history of Delaware. Through a partnership with the Delaware Agricultural Museum, students will learn about Delaware and Delmarva's agricultural heritage, agricultural industries and farm home life. Students will learn about grain harvesting, the evolution of the tractor, and the poultry, produce and dairy industries. It is important for students, and families, to learn about their State's rich agricultural history to keep this legacy alive.

Characteristics of MOT's education program include the following:

- K-5, adding one grade per year

- Projected first year enrollment of 450, adding 75 students per year
- Extended school year of 200 student days
- Extended school day of 7 hours 30 minutes
- Open enrollment for All Students
- Strong skills based on 3 Rs-- Reading, wRiting, aRithmetic, and as well as Arts, Research, and Reasoning
- Disruption-free Morning Basic Skills Program-3 Rs and Science
- Interdisciplinary program based on History of World Culture, the Paragon Curriculum
- Foreign Language—Spanish—for all students beginning in Kindergarten
- Resource Teachers in Spanish, Physical Education, and Music
- Full-Day Kindergarten
- Monthly School-wide Performance Assessments
- No Social Promotion
- Curriculum Alignment with Delaware Curriculum Standards and Standardized Testing Measures
- Pre- and Post-Testing of Students Annually
- Extensive Technology—1:3 Computers per Student
- After-school and Summer New Century Tutorial Program in Reading and Math
- Explicit phonics instruction in conjunction with content-rich classic and multi-cultural literature in the morning session of core subjects.
- Traditional Discipline/Contract with Parents via Code of Student Conduct
- Free after-school and Summer Tutorials for Teacher-Identified Students
- Extensive Parent and Community Volunteer Program

## 2. Statement of Need

### a. Why is there a need for this type of school?

There is a need for a school that features an innovative curriculum, a longer school day and an extended school year.

According to the Delaware Department of Education Delaware Student Testing Program (DSTP), students in the four school districts in the Appoquinimink School District as follows in National Percentile Ratings:

Third grade Reading: Decreased in the period of 1998 to 2000—from 44.1 to 41.25

Third grade Math: Decreased in the period of 1998-2000—from 39.05 to 37.83

Fifth grade Reading: Decreased in the period of 1998-2000—from 45.43 to 40.2

Fifth grade Math: Decreased in the period of 1998-2000—from 38.93 to 35.70

With the exception of the 3<sup>rd</sup> grade reading test score, all 2000 test scores were less than the State of Delaware averages

### b. Why is the charter school model an appropriate vehicle to address this need?

The MOT Charter School will focus all its resources to address the academic needs of its students, while parents and community supporters will be able to provide for the additional needs of students critical to their educational success. The MOT Charter School expects to attract students of all social and economic backgrounds, including children who would be termed "at risk." While the structure and curriculum of the school will be suited for children of all academic abilities, they will be especially responsive to

the needs of children who come to the school already behind in their educational development.

The MOT's morning focus on the core curriculum will cultivate skills essential to academic success. The afternoon Paragon Curriculum will teach to the students' multiple intelligences. (A detailed description of the curriculum and Learning Standards and Objectives is attached in Exhibit C.) The school's 7.5 hour school day, 200-day school calendar, full day kindergarten, 1 – 3 ratio of computers to students, free before-and-after school and summer tutorial programs, and other unique strategies will support high academic achievement in all students.

In addition, this charter school will have a "no social promotion" policy, which requires that students earn their way from one grade to the next through academic achievement. "No social promotion" means that we use various assessments to determine the appropriate grade level of a student. Specific performance goals will be established once baseline data is available. The various assessment used include ITBS, New Century, performance assessments from the Paragon curriculum, as well as Delaware Student Testing Program.

Moreover, our "performance pay" plan for administrators and teachers ties their compensation to student performance, and ultimately, to job stability.

- c. How will this charter school improve public education in Delaware? What will be the school's key strategies for improving student performance? If the strategies are successful, are there any major barriers to the use of those strategies in non-charter public schools throughout the state?

The community will enjoy a significantly positive impact in many ways:

The school's building will be constructed or renovated and will house state of the art technology for teachers and students, as well as for use by parents and the community.

The school's building and grounds will be safe and secure for teaching and learning, as well as for students and community activities.

Student learning will be the purpose of the school.

Parents of all children will have ability to participate in the decision making process.

The school will provide 1 to 3 ratio of computers to students.

The school will have a full-day Kindergarten.

The school will offer 7 1/2-hour school days and a 200-day school year.

It is possible that many of these strategies could be used in non-charter public schools if the school districts and administrators decided to implement such changes.

- d. How will the education practices used in this charter school be shared with other Delaware educators?

MOT is planning to establish a partnership with the Delaware Agricultural Museum in Dover as part of our focus on the importance of agriculture in Delaware. MOT will

establish additional partnerships with communities, school districts and local businesses, enlisting their insight and commitment to providing a world-class education for all children. MOT will obtain financial support and direction from business for its educational programs and will seek partnerships with the local business community to attract volunteers. The school faculty and staff will be encouraged to participate in community activities.

MOT Charter School will conduct education workshops, enabling educators and community members to benefit from our computer technology and distance training. MOT will serve as a welcome and engaging center for life-long learning, dedicated to community service and outreach.

### **Qualifications of the Applicant**

3. Identify the group seeking the charter
  - a. Identify the names and the places of residence of the founding Board of Trustees and indicate which members are teachers certified in Delaware, parents, and community members. Describe how the location of the founding group of members is related to the proposed location of the charter school. Give a brief description of how the backgrounds of the founding group relate to their serving as founders of a public charter school.

The group consists of:

**Robin Lester**  
**Kevin Hensley**  
**Jennifer Taylor**  
**Lacy and Jennifer Holly**

**Bios of the founder and initial Board members are attached as Exhibit A.**

- b. Describe how the group came together, and if there are any partnership arrangements with existing schools, educational programs, business, non-profit organizations, or any other entities or groups. If any consultants or contractors were enlisted to prepare this application, please name them, describe their qualifications and the areas where they provided information and assistance.

The founders established a partnership with Mosaica Education, Inc., a Delaware corporation which manages eight charter schools, five in Michigan, two in Delaware, and one in New Jersey. The Board of Trustees will contract with Mosaica Education, Inc. to provide curriculum, training, administrative and other services. Following is a list of the members of the Mosaica Education management, teacher training and curriculum design team.

### **Management**

The management team for Mosaica Education, Inc., includes Michael J. Connelly, President; Gene Eidelman, Chief Operating Officer; Dawn Eidelman, Ph.D., Director of Curriculum; and Michael DiRaimo, Director of Partnership Development. Mosaica's corporate offices are located at 1675 Broadway, 16<sup>th</sup> Floor, New York, NY 10019, and 4040 Civic Center Drive, Suite 200, San Rafael, CA 94903. The phone numbers are 888-290-0695 and 415-491-1305.

Mosaica Education, Inc. was formed by Gene and Dawn Eidelman, who started Prodigy™ Consulting in 1988. Prodigy was an education management organization which developed and operated community and corporate-sponsored childcare centers and school-age enrichment programming. In less than seven years, Prodigy's corporate client list grew to include six of the ten largest American corporations, labor unions and government agencies. In January 1995, Prodigy was sold to Children's Discovery Centers of America, Inc. (CDCR), the fourth largest childcare company in the U.S.

Mosaica obtained its first management agreement with a board of a charter school in inner city Saginaw, MI on August 13, 1997 and opened it on September 22, 1997 with 260 students. The facility was expanded in February 1998 and its current enrollment is 450 students in grades K-7.

Mosaica's second management agreement is with Mosaica Academy Charter School of Bensalem, PA. It opened in the Fall of 1998 and was the first suburban K-6 charter school in the state of Delaware. The school has expanded to K-7<sup>th</sup> grade with an enrollment of 500.

Mosaica Education received contracts to manage six more schools in the fall of 2000 in Delaware, Delaware, and New Jersey. Another four schools have received authorization to open in the Fall of 2001. Currently, Mosaica-managed schools have a total enrollment of more than 3,000 students in grades K-7.

Michael Connelly is the President and Chief Executive Officer of Mosaica Education. Prior to joining Mosaica, he was President of Lepercq Capital Management and General Partner of venture capital partnerships managed by Lepercq. Mr. Connelly has an extensive background in business development, education management, venture capital, and law. He is on the Board of Directors of New Century Education Corporation, Columbia Law School Association, and New York Venture Capital Forum.

Dr. Dawn Eidelman supervises the development of curriculum, teaching methods and staff training. Dr. Eidelman has thirteen years experience as an exemplary teacher, college professor, curriculum designer and successful business executive. A multilingual specialist in the Humanities, she holds Master's and Ph.D. degrees from Emory University, is a published author and serves as Director of the Paragon Curriculum Design Team.

Gene Eidelman defected to the United States from the former Soviet Union in 1976 when he was 18 years old. In 1989, he was selected as One of the Ten Outstanding Young Americans by the United States Jaycees and as One of the Ten Outstanding Young People of the World by the Junior Chamber International. Mr. Eidelman has nineteen years of proven experience in finance, budgeting, marketing, human resources, quality assurance and organizational effectiveness in private and publicly owned companies, as well as a particularly strong acumen for delivering high quality private educational services under a myriad of contractual arrangements. Mr. Eidelman serves as Mosaica's Chief Operating Officer.

Michael Holmes, Ed.D. is Mosaica's Vice President of Operations and Curriculum. Dr. Holmes enjoyed a 28-year career in education working in school districts in Tennessee, Georgia, Colorado, Illinois, and Delaware. During his career, he has worked as a teacher, counselor, instructional coordinator, director of special education, assistant CAO, CAO, assistant superintendent, and superintendent. Dr. Holmes received his formal training at the University of Tennessee at Chattanooga, Memphis State, West Georgia College, and Peabody College at Vanderbilt. He has demonstrated expertise in the areas of leadership,

school improvement planning, teaching and learning, assessment, staff selection, and technology.

Randy Truelove, C.P.A. is the Company's Chief Financial Officer. Prior to joining Mosaica, Mr. Truelove was the chief financial officers for Children's' Discovery Centers of America, Inc., the fourth largest child care company in the U.S.

Michael DiRaimo is the Company's Director of Partnership Development. Mr. DiRaimo has a background in governmental affairs and education policy. He was the Director of Program Funding and Director of Government Liaison Services for the Pittsburgh Public School District from 1989 to 1994. Prior to that, Mr. DiRaimo was the Assistant Director, Government Relations, for the Delaware School Boards Association.

Rebekah Renshaw is the Company's Executive Vice President of Operations. Ms. Renshaw started her career as a first grade teacher. She later joined CDCR as a child care center director. In 20 years she became CDCR's Executive Vice President of Operations, responsible for 250 centers in 23 states. Between 1995 and 1997, she served as COO of the Prodigy division. Ms. Renshaw provides operations support to the CAOs of the charter schools.

#### **Advisory Board**

Mosaica's Advisory Board reviews curriculum development and assessment for Mosaica Education, Inc. It will be of benefit to the school, but it will have no formal relationship with the charter school.

Dr. Gene Carter, Executive Director of the Association for Supervision and Curriculum Development and recently published author of *The American School Superintendent: Leading in an Age of Pressure*, is the former superintendent of Norfolk, VA. With over 186,000 members from 122 different countries, ASCD is one of the largest education associations in the world, including superintendents, central office staff, CAOs, teacher, school board members, curriculum designers, university faculty and students. A veteran educator, Dr. Carter has served as a private and public school teacher, as well as public school administrator and university professor. Dr. Carter is active in community, business and civic organizations, serving on a number of prestigious boards. His fruitful career has yielded many honors and awards, including the 1991 Distinguished Alumni Award from Teachers College, Columbia University, where he earned his doctoral degree in instructional and curricular practice. In 1988, the American Association of School Administrators selected him as the first National Superintendent of the Year. He is listed in *Who's Who Among Black Americans*.

Dr. Mike Kneale, international motivational speaker and President of both Kneale Enterprises and Educational Research and Development Institute (ERDI), is the former superintendent of Colorado Springs, CO. A bout with cancer compelled Dr. Kneale to leave his position as superintendent. Overcoming enormous odds, he used his victory over the life-threatening illness to spur him on to a greater degree of commitment and passion to excellence in education. A champion of the underdog, Dr. Kneale has dedicated his second chance at life to revitalizing public education. To this end, he established ERDI, an organization that brings together outstanding leaders of American education and leaders of free enterprise who share a common commitment to improving education for all children in the U.S. A much sought-after, world-class motivational speaker on the power of human potential and the importance of quality in education, Dr. Kneale presents 200 days a year all around the globe.

Dr. John Porter, former Michigan State Superintendent, President-emeritus of Eastern Michigan University, and founder of the Urban Education Alliance is also the former superintendent of Detroit. Dr. Porter's long and distinguished career demonstrates an outstanding dedication and commitment to teaching and education. At the age of 38, he was the youngest chief state school officer in the nation and the first black state school superintendent in the United States. As CEO of the Urban Education Alliance, Inc., a non-profit foundation whose purpose is to assist urban school districts to increase student achievement and improve school effectiveness, Dr. Porter was instrumental in creating the *Sixteen-Step Strategic Planning Process*, designed to help urban schools thrive, rather than merely survive. Published author, member of several boards of directors and recipient of numerous awards and honors, Dr. John Porter was inducted into the Michigan Education Hall of Fame in 1992.

Wayne Vasher, Ed.D. recently retired from the position of the Company's Director of Partnership Development for Michigan. Prior to joining Mosaica, Dr. Vasher was Executive Director of the Charter Schools Office for Saginaw Valley State University. His previous experience includes 25 years as superintendent of school districts ranging in size from 4,000 to 30,000 students. Dr. Vasher's responsibilities included establishment and operation of Mosaica's schools in Michigan.

#### **Paragon Curriculum Design Team Leaders**

Anne Manyak, M.A. in Anthropology, seasoned public elementary teacher, curriculum designer, writer and managing editor, has worked on Macmillan/ McGraw Hill's *Adventures in Time and Place* videodisc series, *Ancient World 2001™* for the California Department of Education, as well as *Science 2001™* for the National Science Foundation. Ms. Manyak serves as a design team editor.

Eric Engdahl, M.A., Ph.D., Visual and Performing Arts specialist, contributes 15 years of experience in children's educational theatre as actor, director, producer and set designer, and has directed the last 3 summer institutes for the prestigious California Arts Project, a training program for elementary school teachers. A strong proponent of teaching to Multiple Intelligences in the classroom, Dr. Engdahl brings to the Paragon Design Team a remarkable gift for transforming rigorous content material into hands-on, experiential education that's tremendously fun. Dr. Engdahl serves as a design team editor.

Marie Judson, M.A. in Instructional Technologies, B.A. in English, and California Secondary credential in English and Computer Applications, brings experience in teaching, training, and instructional design and development from both education and corporate training environments. She has worked with school and community programs in assessing technology needs, designing effective training and support materials, and delivering training. Ms. Judson serves as the Director of Instructional Technology.

Kristina Baker, MCP (Microsoft Certified Professional) is Mosaica's Director of Information Technology. She brings over 15 years experience in computers, electronics, and networking; including system design, implementation, support and training. Prior to leaving the Navy, she was recognized as one of the Navy's best for her expert project-management and technical support organization.



Iris Martinez Kane was educated at U.C. Berkeley and U.C. San Diego Scripps Institute in biological sciences and marine biology. She has 12 years teaching experience in science and bilingual studies for both private and public schools. A National Science Foundation Fellow, Ms. Kane has worked for Prentice Hall *Science Explorer* CD-ROM series; Addison-Wesley *Science Insights* middle school series, MacGraw-Hill *The Nature of Life*, as well as Spanish-Language writing and editing for Addison-Wesley and Harcourt Brace. Ms. Kane serves as our design team Science and Spanish-Language writer and editor.

Margit Frendberg, M.A. has an extensive background in multicultural curriculum design and urban education. She has developed and implemented award winning supplemental academic programs throughout the San Francisco Bay Area. She has also consulted with schools and community-based organizations to assist them in solving their educational challenges. She is a key editor and writer for Paragon.

Wendy Frey is a published fiction writer and poet, and an experienced curriculum designer and educator. She teaches fiction writing and classes combining writing, art, and theater. Ms. Frey holds B.A. degree in English from Grinnell College, and a M.F.A. in Creative Writing from Goddard College. Ms. Frey serves as a design team editor.

Susan Key M.A., Ph.D. in Musicology, brings to the team a background rich in multi-grade teaching, curriculum design and professional musical performance. Most recently Dr. Key taught at the College of William and Mary and at the University of Maryland at College Park. Prior to that she participated in the curriculum design and implementation of an interdisciplinary school-wide program based on the history of human culture at one of the nation's top prep schools. She also wrote and consulted for Warner Music and Prentice-Hall. She is currently a music professor at Stanford University.

Sheri Scarborough, M.A. was educated at Princeton and Berkeley in English and Literature. She has seven years experience in teaching and designing curriculum for both private and public schools. Ms. Scarborough has assumed many leadership roles including facilitating a six-year review process at the high school level, and coordinating a program for immigrant students. She is Mosaica's language arts and assessment specialist.

In addition to Mosaica Education, Board Members will contact businesses, community groups, and the chamber of commerce to solicit input and support from leaders in the community. Community groups will be instrumental in providing guidance to customize MOT's program to the interests and needs of the community, in order to serve its students most meaningfully and effectively.

- c. Describe the plans for further recruitment of Board members of the school.

Community meetings will be held for this purpose. Guidelines and qualifications are as follows:

Necessary qualifications of Trustees:

- Bona fide resident of the State of Delaware
- Interest and experience in public education
- Commitment to mission and beliefs stated in the Charter

Number of Trustees: Minimum of five (5), maximum of nine (9).

Length of term of each:

Three years, with initial staggered terms of three years for one third (1/3) of the members Trustees, two years for one third (1/3) of the members Trustees, and one year for the remaining Trustees, with the right to reappointment for successive three year terms.

Proposed method of appointment or election:

Public notice will be given of vacancies on the Board. Interested individuals will be given an opportunity to apply for appointment to the Board. The Board will review applicants for each vacancy and recommend a candidate for each vacancy that exists on the Board after the initial Board has been appointed

Process for making executive decisions:

The Board will meet on a regular basis to make major policy decisions. The Chief Administrative Officer (CAO) and Mosaica Education, Inc. will be empowered to make executive decisions in line with the school's policies and procedures.

#### **Documentation of Incorporation**

4. Identify the name of the corporation, date of incorporation, and name of the corporation's chief operating officer. Attach a certified copy of the Certificate of Incorporation and any available by-laws of the corporation. The by-laws shall provide for representation of the school's teachers and parents of students on the Board.

The Corporation's name is MOT Charter School. Articles of Incorporation and By-laws are attached as Exhibit B.

#### **Mission and Purpose of the School**

5. Describe the purpose, mission, goals, and core philosophy of the proposed school.

MOT Charter School's purpose is to open portals of opportunity for children and adults in the community through excellence in public education. The school will serve as a community pillar for life-long learning, pride, and self-actualization. Looking to the past to prepare students for the future, MOT will combine the beneficial rigors of a classical education with the latest technology and the best teaching and learning practices worldwide. By studying the great ideas of human genius that transcend time and place, MOT students will cultivate multi-cultural perspective and global awareness. MOT Charter School will prepare students to be informed, responsible world citizens who will proceed through their endeavors with purpose, passion and proficiency.

MOT Charter School will not track children by ability, convinced by compelling evidence that early tracking typecasts children into polarized groups of winners and losers. For slower learners, consigned to watered-down curriculum, the judgment too often becomes a self-fulfilling prophecy. Instead MOT teachers will compel all students to excel by concentrating on engaging every child in learning and by holding students to high standards. All students, including the best and brightest, will be stimulated and challenged by the Paragon Curriculum.

The premise for MOT is that character development and personal management skills should form the basis for schooling. Students must be empowered to take responsibility for their own learning and development. The school should facilitate the learning process

within an environment that encourages high ethical and academic standards and reinforces the positive values taught at home.

MOT's educational goal is to prepare students to be creative, intuitive and analytical thinkers with a solid understanding of the history of ideas. The content-rich Paragon Curriculum will prepare students to solve problems both individually and collaboratively, using critical thinking skills cultivated through comparative, interdisciplinary study. Extensive access to computer technology as an authentic learning tool will enable MOT students to address unprecedented career challenges and global opportunities facing them in the 21<sup>st</sup> century.

The Paragon Curriculum combines the pragmatism and rigors of a classical education with the best teaching practices worldwide, including technology. To the traditional 3 Rs of Reading, WRiting and ARithmetic, MOT adds Art, Research and Reasoning. In addition, foreign language will be taught as an integral part of the curriculum.

### **Educational Program**

6. Describe the school's education plan including the following:

- a. Provide an overview of the curriculum in each content area. Indicate how the school's curriculum approach will focus on the state content standards and state performance indicators (if available at the time of application), as well as any additional curriculum objectives the school may have. Describe how the curriculum approaches are consistent with the assessment strategies that will be used. Indicate how the instructional strategies are consistent with the school's curriculum.

Following are the most important ways in which MOT's program differs from those offered by traditional public schools:

1. Explicit phonics instruction, in conjunction with content-rich classic and multi-cultural literature in the morning session of core subjects.
2. Math and science taught as discrete subjects, in the morning session, to cultivate skills essential to academic success.
3. Full-day Kindergarten.
4. 1 to 3 ratio of computers to students. Technology applications, including CD-ROMs and Internet sites are woven into the fabric of the curriculum, instead of segregating technology into a separate once-a-week computer class. Our classroom computers and strategic application of technology develop genuine computer literacy and allow students to experience the value of the computer as an integrated learning tool across the curriculum.
5. Integrated Paragon program in the afternoon, including social science, literature, philosophy, drama, music, art, science, history, math, geography and character development through the hands-on study of "great ideas" in world culture.
6. Foreign language for all students beginning in Kindergarten.
7. Approximately one hour per day more instructional time.
8. School year increased by twenty days.
9. Strong student accountability measured by a national standardized test administered twice each year.
10. Individualized personal learning plan for every child.

Attached to this application, as Exhibit C, are the scope and sequence of the Core and Paragon curriculum, the alignment with Delaware's History, Geography, Social Studies,

Economics standards (K-8), and supporting lesson plans. MOT will teach it's core Language arts, mathematics, and science using nationally recognized curricular programs with alignments to ITBS, ASCD, and to Delaware Content Standards. Our language arts, science, and mathematics learning objectives for each grade level, is attached. The school's software tutorial program will be aligned with Delaware's specific content standards. MOT's Middle Years (middle school) program, based on *International Baccalaureate*, is also included.

## **CORE CURRICULUM: MORNING PROGRAM**

### **Reading**

The scope and sequence of basic reading involves mastery of "tool skills" in three areas. The skill areas gain in difficulty and spiral through the primary grades K-2. MOT Charter School will teach content-rich classic and multicultural literature in conjunction with explicit phonics instruction to develop reading skills in K-2 when children are making the transition from learning to read to reading to learn.

Leveled books from the classroom library will feature the blend of phonics and sight word practice essential for beginning readers. Beginning at grade 1, MOT Charter School students will use a research-based spelling program that introduces them to spelling patterns and to high-frequency, high-utility words they use most often in their reading and writing. The spelling program further develops phonetic awareness and features an innovative CD-ROM extension to engage students further in spelling and proofreading practice.

The Socratic method featured by Paragon Plus literature program, as well as the multicultural reading selections make for a very compatible fit with the content-rich Paragon Curriculum, which is based on the history of ideas in world culture. Both Paragon Plus in the morning session and the Paragon Curriculum in the afternoon, employ an integrated interpretive reading and discussion program that encompasses all disciplines across the curriculum. Interpretive activities enable students to become more aware of their reactions as they read, develop a sensitivity to language, value their own curiosity about a text, and explore new ideas through writing. Through the curriculum, students practice many reading and thinking skills: recalling and organizing details from the story, drawing inferences, analyzing characters' motives, and finding the main idea of a passage or the text as a whole. The activities involve reading the selection twice - once for general meaning, and the second time for making notes while thinking of a central question. Next the group discusses answers to a central question to which there are many possible interpretations. Finally, each student writes an essay around another question related to the theme of discussion. Paragon Plus literary selections emanate from the historical period featured in the afternoon Paragon Curriculum.

### **Phonics**

MOT will use a highly effective phonics program for K-2 students and phonetically controlled, level classroom literary books to promote reading fluency and phonetic awareness. Phonemes are the smallest components of sound in language. As MOT students learn their letter formations, they acquire simultaneously the phonemic rules that govern the spelling and the pronunciation of the English language. MOT is a strong proponent of teaching students the correct spelling at the initial encounter; saving time and frustration in having to relearn rules after "inventive" spelling patterns have taken root.

Spanish instruction at all levels further enables student understanding of parts of speech and other linguistic principles. Moreover, because Spanish is such a phonetic language, instruction in Spanish reinforces training in Language Arts phonetic awareness.

## **Writing**

Students write for a variety of purposes and projects. Some are daily assignments such as in journals, some are short-term assignments involving very few drafts such as letter writing and project proposals. Still other writing assignments are longer term (typically 4 weeks) and are assignments based on a theme of World Culture in a historical context. Each type of writing is distinct from the others and involves discrete sub-skills in reading, writing, thinking, and listening.

Long-term thematic writing assignments are either narrative or expository in nature. Expository research assignments usually focus on a body of knowledge in one of the subject matter areas such as literature, social studies, science, mathematics, etc. Student works range from "The Hero's Journey in the Odyssey," to "A Letter to Joan of Arc," to the headline "FREE TEA IN THE SEA: The British are NOT Amused," and "A Biography of Martin Luther King, Jr." Narrative material usually is organized around models of literary genre such as fables, folk tales, historical fiction, modern fiction, science fiction, poetry, fantasy, adventure, and mystery. Students use elements of style unique to each genre as models for their own writing.

## **Mathematics**

MOT Charter School will teach mathematics as a discrete subject in the morning session that is not subject to interruptions of any kind. In the interest of curricular continuity and quality assurance, MOT will adopt a school-wide program incorporating a well-designed manipulative element. MOT's software curriculum alignment program will ensure that it's curriculum meets or exceeds the State content standards and performance indicators. The rich and varied applications of math will be integrated into the Paragon Curriculum in the afternoon session for additional practice and application. Through Science ("Tools, Technology, and Innovations") units under each of the ten Human Eras and in measuring, counting and "marketplace" activities, the Paragon Curriculum will reinforce math skills cultivated in the traditional morning session. Moreover, by studying the lives of great thinkers in the history of ideas, students will encounter the intellectual contributions of prominent mathematicians and will apply their theories to concrete mathematical activities.

## **Science**

The Academy's science program will engage students in scientific inquiry by tapping into their sense of wonder about the world around them. Students wonder then plan how they will find answers to their questions. This leads them to conduct investigations, which may take form as activities, research, reading or interviews with experts. Students then reflect on what they have learned through their investigations and share the outcomes of their discoveries. As with Everyday Mathematics, Science Anytime by Harcourt Brace reveals to students the discipline's relevance across the curriculum and its applicability to our everyday lives.

## THE PARAGON CURRICULUM

### A World of Ideas That Make A World of Difference

#### Across Eras, Continents and Disciplines

The unique Paragon Curriculum is predicated on the idea that we must impart to all children the content knowledge and academic skills that will provide them with the necessary intellectual capital to succeed in mainstream culture. Rather than teach history in bits and pieces in arbitrary sequence, Paragon's fully integrated, chronological approach demonstrates to students how one idea builds on and evolves into another. The curriculum illustrates how sweeping cycles of conflict and resolution repeat themselves and leads students to understand how and why various world cultures have risen to power and prominence, only to be supplanted by new precedents set by others.

Studying history across continents depicts for older students, the manner in which many ideas develop at the same time in independent cultures unaware of the other's breakthroughs. In comprehending synchronicity and the genealogy of ideas, students develop a larger conceptual picture of history and an enhanced awareness of the interrelationships of many areas of knowledge. Rather than memorize names, dates and wars in isolation, students recall the sequential circumstances surrounding these events and remember more readily both factual information and conceptual relevance.

The Paragon Curriculum is designed around eight ages of history or **Human Eras**, which constitute the monthly conceptual themes:

<i>The Ancient World</i>	40,000 B.C. to 500 B.C.
<i>The Classical World</i>	499 B.C. to A.D. 500
<i>The Middle Ages</i>	501 to 1459
<i>Renaissance and the New World</i>	1460 to 1600
<i>Kingdoms and Colonies</i>	1601 to 1752
<i>Revolution and Independence</i>	1753 to 1825
<i>The World in Motion</i>	1826 to 1913
<i>The 20<sup>th</sup> Century</i>	1914 to 2001

#### Aligning Paragon with Local and State Standards

Although all Paragon students will immerse themselves in the historical, cultural and scientific worldview of the **Human Era** they are studying simultaneously with other grade levels, each grade will focus on a unique **Essential Question**. The monthly conceptual theme, or **Essential Question** allows teachers to foreground one unifying principle over others and to render reading, writing and academic content far more focused. This also enables Paragon to satisfy various local and state curriculum standards by highlighting those areas that students are expected to master at a specific grade level. Paragon provides continuity by maintaining the over-arching chronological order dictated by history, but accommodates specific content standards with monthly units based on a conceptual theme which can be adapted for different grade levels. Paragon aligns its curriculum units with national, state and local district needs, freeing faculty to spend their time crafting creative and compelling lessons for the unique interests and needs of their students. Step-by-step Daily Lesson Plans are organized around **Investigative Questions**, the types that have no easy answers and that have captivated thinkers for millennia.

## THE CONTENT CORE OF THE PARAGON CURRICULUM

### History and Social Studies

Social studies represent the integrated study of the social sciences and humanities to promote civic competence and intellectual capital. Social studies constitute the organizing, chronological core of the Paragon curriculum precisely because it is multidisciplinary and interdisciplinary in nature. It provides coordinated, systematic study drawing upon such disciplines as anthropology, archaeology, economics, geography, history, law, philosophy, political science, psychology, religion, and sociology, as well as appropriate content from the humanities, mathematics, and natural sciences.

- Social issues, such as poverty, crime, and public health, are increasingly understood to transcend the boundaries of disciplines, cultures, and nations. The mentality and application of racism will be explored. Discussions of Race vs. Racism and its effect on our society, i.e. race, gender, disabilities, etc., will be featured. As these issues grow increasingly complex, the work to develop solutions demands an increasingly integrated view of scholarly domains and of the world itself.
- Many scholars now define themselves by the issues and problems they address and use several disciplines to inform their work. Entirely new departments and programs reflect this development. Academic programs in American Studies, African-American Studies, Biotechnology, Comparative Literature, Cultural Studies and Medical Ethics, for example, draw on multiple disciplines and their processes to address the needs of humanity.
- Technology provides increasingly easy access to data bases that are interdisciplinary and multidisciplinary as well as to scholarship in many disciplines.
- Scholars increasingly consider themselves to be members of the international academic community and share findings regularly across intellectual and geographic boundaries.

It is within this context that the Paragon Curriculum was conceived. It pays attention to the specific contributions of history, the social sciences, humanities, fine arts, the natural sciences, and other disciplines, while simultaneously providing an umbrella for the integrative potential of these several disciplines. Paragon's power stems from recognizing the importance of the disciplines and their specific perspectives in understanding topics, issues, and problems. Moreover, Paragon teaches students to recognize that topics, issues, and problems transcend the boundaries of single disciplines and demand the power of integration within and across them. Paragon employs a constructivist, student-centered approach to hands-on learning.

### Science

Science is also integrated into the Paragon Curriculum, which features biographies of great scientists, accounts of breakthrough discoveries, and detailed hands-on activities for students to stimulate interest in the scientific method. The interdisciplinary approach enables students to see science as an integral part of their lives, rather than as a daunting discipline.

The goal of the Paragon Curriculum is to enrich the science by integrating it with the liberal and fine arts, as well as with the social sciences, the synthesizing strands that weave together the Paragon Curriculum. Mathematics as the language of science, and of economics, also constitutes an integral part of the Paragon experience for students. The

Paragon Curriculum draws from and extends the morning session's traditional core program, *Science Anytime* and *Everyday Mathematics*.

### **Technology and Computer Literacy**

Technology is the application of scientific knowledge for the purpose of solving practical problems, extending human capacities, and improving the quality of life. The Paragon Curriculum emphasizes the use of technological tools to facilitate and enrich learning across academic disciplines. Information technology is the most frequently used technological tool. Students use computers to communicate via the Internet, to express themselves creatively, to solve problems, to organize data, to conduct research, and to explore mathematical and scientific principles through simulations.

To master true computer literacy, students require hands-on access to computers in real time, rather than isolated visits to a computer lab. THE ACADEMY will be equipped with a computer for every two to three children, as well as with a laptop for each teacher and administrator. The personal desktop computers will be linked to the Internet, affording access to curriculum and resources available in cyberspace or on disk. Paragon Lesson Plans direct students to specific Internet sites on a regular basis.

The school's library will be styled as a Media and Resource Center, supplying a library of excellent books and CD-ROMs. The library holdings will contain the books prescribed by the Core Knowledge Foundation and those that support the content-rich Paragon Curriculum, as well as TV/VCRs, overhead and slide projectors for pedagogy. The Multimedia Center will also feature a Multimedia Arts and Sciences Studio for student radio and video portfolio productions.

Each classroom will be equipped with a TV/VCR to support the distance learning technology, as well as the Paragon Curriculum, which features film clips from classic and quality motion pictures to make history come alive for students. Overhead projectors in every classroom will further enable teachers to engage students with the captivating transparencies that support the Paragon Curriculum.

### **The Arts**

Rather than relegate art, music and foreign language to the periphery of the curriculum, Paragon's design integrates them into its interdisciplinary center.

To truly integrate the arts into the Paragon Curriculum, teachers will be trained in the visual and performing arts. Daily Paragon Lesson Plans are outlined with step-by-step instructions to ensure seamless implementation. Art, drama, music and dance interrelated to the core curriculum draw many marginal students into the center of learning. Acting vicariously (not acting up) enables students to try on different roles without compromising their quality of life. It is no accident that "playing" (as in what children do) and "playing" (as in acting and putting on a play) and "playing" (as in playing a musical instrument) are the same word. Without the "play" in the process, it loses its validity and vitality.

Paragon's purpose is to make the arts a vital component of a child's education, while at the same time placing the strongest possible emphasis on the basic skills of reading, writing and arithmetic. The arts offer children opportunities to assimilate and apply what they have learned in ways relevant and meaningful to their experience. Their enhanced



skills of communication, analysis and self-expression enable them to compete far more successfully with their traditional learning classmates.

### **Music**

According to Plato, "Music...gives a soul to the universe, wings to the mind, flight to the imagination... and life to everything." The impulse to make music is ageless and universal. Music has the capacity to communicate volumes about an era and its people. The Paragon Curriculum conveys to students, features of the music of different eras and composers by having them sing, dance, and perform with rhythm instruments. Students also learn to listen for specific features and to discern how one era or culture often imitates and reinvents the music of another. All teachers, including the Spanish, Physical Education and Music Specialists will receive a Paragon cassette to accompany each of the eight five-week units and will be trained to integrate their respective fields to Paragon's school-wide program.

The music specialist will also conduct choral and instrumental instruction. The music specialist will consult with teachers on the musical portions of Paragon Lessons to draw from and extend the Paragon Curriculum in music class.

### **Foreign Language**

The school program will treat foreign language as an integral part of the core curriculum, providing all instruction in the target language to simulate an environment of immersion. Spanish instruction will commence in kindergarten and build purposefully toward proficiency with each successive grade level. Communication will be lively and animated with vocabulary content tied thematically to the integrated curriculum. Moreover, multimedia pedagogical resources (videos, CDs, CD-ROMs, children's books) in the target language will convey to students the cultural experiences of their peers in Spanish-speaking countries. The program will cultivate the natural facility of younger students for foreign language acquisition by beginning at an early age with a high quality program.

### **Character Education**

Students learn about character, ethics, empathy and self-esteem implicitly by studying the world's greatest thinkers, both canonical and unsung, and by stepping into the shoes of great historical figures, both real and imaginary. Through content-rich study, children come to understand the expansive potential open to them if they can identify with early clarity their individual strengths and sense of purpose. Paragon students contemplate questions that have captivated thinkers for millennia: What makes a "Hero"? What makes me unique? How can we learn from the past? How do we apply that knowledge to the future?

In addition, a dress code will be enforced. Emphasis will be placed on manners, discipline, attention, retention, and conflict resolution.

### **Achieving academic excellence through the Paragon Curriculum:**

Paragon's program is designed to increase the student's ability to read, study, search for information, use social science technical vocabulary and methods, apply the scientific method to real world situations, practice reasoning through mathematical analysis and logic, and use computers and other electronic media.

To develop this skill category, Paragon increases the student's ability to use the writing process and to classify, interpret, analyze, summarize, evaluate, and present information in well-reasoned ways.

Paragon cultivates the student's ability to conceptualize unfamiliar categories of information, to establish cause/effect relationships, and to determine the validity of information and arguments. The interdisciplinary Paragon Curriculum expands the boundaries of traditional, segmented courses to enable students to define their roles and responsibilities as enlightened citizens.

The Paragon Curriculum enhances the student's ability to express and advocate reasoned personal convictions within groups, to recognize mutual ethical responsibility in groups, to participate in negotiating conflicts and differences or to maintain an individual position because of its ethical basis. Paragon calls upon the student to work individually and in groups.

**By studying the history of human culture, students learn implicitly about values and ethics that transcend time and place.**

- Individual beliefs/majority rule
- Obeying the law/the right to dissent
- Cultural variety/cultural assimilation/uniformity
- Community progress/individual liberties
- Individual rights/public safety
- Celebrity vs. Heroism

b. Provide evidence of the school's curriculum aligning with the state content standards and state performance indicators (or comparable alternative indicators). Indicate how the instructional strategies are consistent with the schools curriculum.

The Academy is confident based on the in-depth research on Delaware standards and alignment provide by our curriculum consultants that the Paragon curriculum and the school's core curriculum will enable students to meet Delaware content standards. We attach a description of how the Paragon curriculum aligns with the Content Standards of the Delaware Department. Other comparable alternative indicators include the program's alignment with ASCD standards. These are included in Exhibit C.

c. Describe how the curriculum approaches are consistent with the assessment strategies that will be used.

The interdisciplinary, thematic approach integrates all areas of curricula to stress application of knowledge and skills. The unique Paragon Curriculum, which will constitute the afternoon program at the MOT Charter School, generates a school-wide monthly theme for learning, and relies upon a spiraling continuum for each theme (era in the history of ideas). The school program's multiple assessments also encourage students to learn in ways consistent with their individual learning styles, which increases learning opportunities.

d. What teaching methods will be used? How will this pedagogy enhance student learning?

## **Reading**

The school will provide a balanced approach to Reading instruction which combines the explicit teaching of mechanical skills necessary to cultivate fluency, along with the whole language activities designed to stimulate the young intellect and imagination and to inspire a love of reading. Roger Sensenbaugh writes in "Phonemic Awareness," in ERIC Digest, 1997, that a child's success in learning to read derives from three powerful predictors: 1) the preschooler's ability to recognize and name letters of the alphabet; 2) the child's general knowledge about text; and (3) his/her awareness of phonemes. MOT will set children up for success by developing in emerging readers these early aptitudes, and by blending explicit phonic instruction with whole language methodologies.

We concur with the Position Statement of the International Reading Association (January 1997):

When phonics instruction is linked to children's genuine efforts to read and write, they are motivated to learn. When phonics instruction is linked to children's reading and writing, they are more likely to become strategic and independent in their use of phonics than when phonics instruction is drilled and practiced in isolation. The most important element in the process of learning to read is that of acquiring the series of strategies that will allow children to decode or sound out words that are already in their vocabulary.

### **Writing**

This essential skill constitutes an integral part of the curriculum. Writing assignments develop from discussions in Socratic "Circle" Seminars based on Literacy Place readings, and on Paragon Curriculum multimedia, fine art and scientific selections. The methodology for Circle Seminars draws from Mortimer Adler's work on the Paideia approach.

Grammar and phonetic instruction arise authentically from these writing and editing experiences. Rather than isolate the teaching of these tools, our program demonstrates their applicability by teaching phonemic principles at the initial reading stage of a new selection and by conveying grammatical concepts at the final editing stage of a writing assignment.

The phonics program will introduce phonemes specific to the English language, teaching (and reinforcing to) students at all grade levels the spelling and pronunciation rules, which govern our language. Teachers will be trained to blend phonetic instruction seamlessly into writing and editing assignments with their students.

### **Mathematics**

The curriculum will feature units of study that follow the NCTM standards based on everyday life experiences. A skills-based program geared to high achieving students, the program will stress writing about and discussing mathematics. Black Line Masters which integrate social studies skills, such as map making, serve as a compatible fit with the afternoon Paragon Curriculum.

Although students will be expected to achieve mastery of all the basic computational skills, the school regards mathematics as far more than a calculating tool. Students will devote a considerable amount of time to solving complex problems that require interpretation and analysis beyond the superficial level. Instead of merely memorizing assorted formulas by rote, students will acquire an understanding of the fundamental ideas of mathematics and its logic.

### **Technology**

Technological advances accelerate at a rapidly changing pace, mandating a need in today's workplace for literate, analytical employees with a command of computer literacy and broadly informed problem-solving capacities.

To master true computer literacy, students require hands-on access to computers in real time, rather than isolated visits to a computer lab. MOT will be equipped each with a computer for every three children, as well as with a laptop for each teacher and administrator. The personal desktop computers will be linked to the Internet, affording access to curriculum and resources available in cyberspace or on disk. Paragon Lesson Plans direct students to specific Internet sites on a regular basis. The MOT library will be styled as a Multimedia and Resource Center, supplying a library of excellent books and CD-ROMs, as well as TV/VCRs, overhead and slide projectors for pedagogy. The Multimedia Center will also feature a Media Arts and Sciences Studio for student radio and video portfolio productions.

To make history come alive for students, MOT will have TV/VCRs to support the educational content videos, such as *Time/Life* and *Discovery Channel* titles related to Paragon historical and geographical topics. Overhead projectors in every classroom will further enable teachers to engage students with the captivating transparencies that support the Paragon Curriculum.

**The Paragon Curriculum features the following aspects of the best teaching and learning practices worldwide:**

**Integrated interdisciplinary work**

- Allows for more efficient use of time for students and teachers.
- Enables students to develop accelerated academic, aesthetic and technical skills.
- Instills in students a strong aptitude for assimilating disparate ideas.
- Presents opportunities to apply esoteric concepts to practical contexts.
- Provides mechanism through project-based learning for integrating newly acquired knowledge from different disciplines.
- Applies skills developed in reading, writing and mathematics to relevant, real-world situations.

**Essential Questions -- the Paragon Framework**

- Reflect the grand, sweeping patterns in the evolution of cultural world views.
- Represent a breakthrough in how people see themselves, their purpose or their relation to the physical world. Also exemplifies a transition in awareness of the material world or universe.
- Define a prevailing world view.
- Illustrate a "great" idea with relevance, significance and endurance which transcends time and place.
- Address the "so what" question that we would have students consider in their writing, performances and presentations.
- Amplify the role of common people who become heroes in developing ideas, inventions and art that become mainstream social norms

**Paragon instills and cultivates the following:**

- Strong interactive skills - cooperation, networking, teamwork and information pathway knowledge;
- Responsibility for learning - knowledge of one's purpose, identification of goals, development of a plan, gathering information, and implementation of a plan;
- A sense of wonder and inquiry;
- Decision making - identifying and struggling with complexities, solving problems and thinking critically, developing creativity, rather than strict conformity to conventional practices;
- Self-direction and personal initiative;

**Paragon's curriculum is powerful because it is meaningful.**

- Students learn connected networks of knowledge, skills, beliefs, and attitudes that they will find useful both in and outside of school.
- Instruction emphasizes depth of development of important ideas within appropriate breadth of topic coverage and focuses on teaching these important ideas for understanding, appreciation, and life application.
- The significance and meaningfulness of the content is emphasized both in how it is presented to students and how it is developed through activities.
- Classroom interaction focuses on sustained examination of a few important topics rather than superficial coverage of many.
- Meaningful learning activities and assessment strategies focus students' attention on the most important ideas embedded in what they are learning.
- The teacher is reflective in planning, implementing, and assessing instruction.
- Drawing from the Core Knowledge Foundation's advocacy of content-rich curricula, Paragon instills the cultural literacy and intellectual capital children need in order to succeed in mainstream contemporary culture. Paragon's distinction from Core Knowledge is our fully integrated, chronologically sequenced framework.
- All disciplines, including math and science, the liberal arts, fine arts, social sciences, foreign language and physical education weave strands of connection between different ways of knowing (epistemology.)

**Paragon teaching and learning are powerful because they are integrative.**

- Paragon is integrative in its treatment of topics.
- It is integrative across time and space
- Paragon teaching integrates knowledge, skills, beliefs, values, and attitudes to action.
- Paragon teaching and learning integrate effective use of technology.
- Paragon teaching and learning integrate across the curriculum.

**Paragon teaching and learning are powerful because they are value-based.**

- Powerful Paragon teaching considers the ethical dimensions of topics and addresses controversial issues, providing an arena for reflective development of concern for the common good and application of social values.
- Students are made aware of potential social policy implications and taught to think critically and make value-based decisions about related social issues.
- Rather than promulgate personal, sectarian, or political views, Paragon teachers make sure that students: 1) become aware of the values, complexities, and dilemmas involved in an issue; 2) consider the costs and benefits to various groups that are embedded in

potential courses of action; and 3) develop well-reasoned positions consistent with basic democratic social and political values.

### **Paragon Curriculum teaches to the Multiple Intelligences.**

Multiple Intelligences, a term coined by psychologist and author, Dr. Howard Gardner, refers to seven domains of ability in which students can excel:

- Linguistic Intelligence- (speaking, reading, explaining things to others.)
- Logical-Mathematical Intelligence- (measuring recipes, balancing a checkbook, estimating distance.)
- Spatial Intelligence- (drawing, finding one's way around a room, picturing something in the mind's eye.)
- Musical Intelligence- (listening to music, singing, playing an instrument)
- Kinesthetic Intelligence- (playing sports, making things by hand.)
- Interpersonal Intelligence- (having friends, working or playing with a group)
- Intrapersonal- (enjoying time alone to think to wonder and to imagine.)

The last two intelligences, inter- and intrapersonal are comparable to "Emotional Intelligence," the determining factor for success in life delineated by Daniel Goleman, Ph.D. in his best-selling book by the same title. The first two intelligences outlined by Gardner, Linguistic and Logical-Mathematical, are those measured by standardized tests.

The morning program will be devoted to the "basics" of the first two intelligences—Reading/ Writing (including phonics and spelling) and Arithmetic/ Science. The afternoon session, the interdisciplinary Paragon Curriculum, cultivates all seven of these multiple intelligences, along with an eighth, the "Integrative Intelligence," which refers to the ability to make connections across disciplines.

### **Orchestrating the Paragon Curriculum**

Consider the metaphor of a musical ensemble such as an orchestra (the Paragon Curriculum) as it performs a specific musical composition (a grade level or specific course within the curriculum). At certain times, one instrument (a discipline such as history) takes the lead while others (such as geography and economics) play supporting roles. At other times, several instruments (history, fine arts, literature, etc.) or the full ensemble play together to fully address the composer's thematic aims. The quality of the performance derives from the composer's creation of the music (design of the Paragon Curriculum with the animated spark of creativity derived from exemplary teaching). Accompanying features includes the unique qualities of individual instruments (the contribution of individual disciplines), the acoustics of the setting (expertise of curriculum designers and teachers, school site facilities, and instructional resources). Crucial to the success of the performance are the skills of musicians and the conductor (students, teachers, curriculum design team and onsite curriculum coordinator). All must work collaboratively and synergistically to know when and how to express the meaning of the composition (curriculum).

- e. Describe how the educational program will address students with IEPs and/or accommodation plans.

When making educational placement decisions, we will ensure that parents are members of the group making these decisions and are subject to the requirements regarding provision of the least restrictive environment. MOT will follow all other guidelines issued by the Delaware Department of Education. If a child with an IEP (Individualized

Educational Program) at a public school enrolls in our school, we will implement the existing IEP to the extent possible, or will provide an interim IEP agreed to by parents until a new IEP can be developed. IEPs will be developed, revised and implemented in accordance with IDEA. They will be subject to annual revision, but may be revised at will, if warranted.

MOT assures that the school will be in compliance as follows:

#### Provision of Special Education Services

The Charter School will fully comply with federal laws and regulations governing children with disabilities, particularly the Individuals with Disabilities Education Act (IDEA), as follows:

1. The charter school is responsible for providing a free appropriate public education (FAPE) to children with disabilities enrolled in that charter school who have been determined by an Individualized Education Program (IEP) to require special designed instruction.
  2. The charter school will ensure that children who are suspected of having disabilities are properly evaluated by a multidisciplinary team, which is acceptable to the Delaware Department of Education, and that children who have already been identified are re-evaluated by the multidisciplinary team at established intervals required by IDEA.
  3. When a multidisciplinary team determines that a special education student requires specially designed instruction, the charter school will ensure that the IEP is fully implemented in accordance with IDEA, and reviewed annually.
  4. The charter school will maintain the confidentiality of personally identifiable information regarding children with disabilities as required by the Family Educational Rights and Privacy Act (FERPA).
  5. The charter school will ensure that children with disabilities and their parents are guaranteed procedural safeguards as required by law, which may include: access to records, appointment of surrogate parents, notice, opportunity for mediation of disputes, and the right to a due process hearing.
  6. The charter school will ensure that children with disabilities, who may be suspended and/or expelled from school, are afforded all due process rights under state and federal law. Whenever children with disabilities are subject to disciplinary action, the charter school where these students are enrolled is solely responsible for providing educational services during that period of exclusion from school.
  7. The charter school will fully comply with any and all requirements of the American with Disabilities Act (ADA), the Individual with Disabilities Education Act (IDEA) and Second 504 of the Rehabilitation Act.
- f. Describe the school calendar and hours of operation. Provide the calendar for the first year of school operation.

## 2001-2002 SCHOOL CALENDAR

### 2001

September 4	First Day of School
October 12	Columbus Day
November 22, 23	Thanksgiving Break
December 15	Last Day Before Christmas

### 2002

January 2	School Resumes
January 14	Martin Luther King Day
February 11	Presidents' Day
March 25-29	Spring Break (or adjust to State)
May 27	Memorial Day
June 28	Last Day of School

This represents the tentative calendar for the first year of operation.

### SCHOOL DAY SCHEDULE

7:00-8:00	Before School Child Care for Students (Fee-Based)
7:45	School Open for All Students
8:00	School Day Begins (Kindergarten is full-day)
8:00-11:30	Core Curriculum: Reading: Socratic Seminar, Phonics Writing Workshop, Spelling, Editing Mathematics Hands-on Science
9:00&10:15	Morning Breaks
11:30-12:00	Lunch
12:00-3:30	Paragon Curriculum Social Studies, History, Literature, Philosophy, Science, Visual and Dramatic Arts, Film Making, Music and Physical Education integrated in conceptual monthly themes organized around the chronological history of great ideas.
1:15 & 2:30	Afternoon Breaks
3:45-4:45	After-School Tutorials (Free if prescribed by the teacher)
3:30-6:00	After-School Child Care (Fee-Based)

### Characteristics:

1. Morning instruction in the core curriculum disciplines will not be disrupted for announcements, pull-out programs, etc.
2. All breaks will be scheduled to minimize interruption of student work.
3. All teachers, including specialists in Music, Spanish, Physical Education will be trained to participate in Socratic Seminars in the morning session Reading and Language Arts program to reduce teacher to student ratios.
4. All students will receive interdisciplinary instruction in the integrated Paragon Curriculum comprising the afternoon session.
5. Teachers will be allotted an average of one-hour daily planning time.
6. Tutorials and after-school instructional programs are free to students who have been referred by teachers. Childcare is fee-based.



- g. Describe any other features of the school's educational plan (including special materials or focus on technology) which will aid the reviewers in understanding the unique nature of the school.

This is included above, in item 6a.

#### **Measurable Student Performance objectives**

- 7. What are the specific performance objectives for students and what tools will be used to measure whether students meet or exceed those objectives? For example:
  - a. Describe the school's academic objectives for student learning for the initial three-year charter period and their relationship to the content standards set by the State Board of Education. Indicate the specific measurable performance targets on each objective for each of the initial three years of the charter.

MOT's objectives include higher standardized test scores, steady improvement in the quality of performance-based assessments, improved student attendance, higher graduation rates, superior teacher training, as well as enhanced motivation, satisfaction and morale on the part of students, teachers, parents and community members.

It is our goal that students who attend the Academy for three years will achieve grade-level proficiency as measured by the state assessments. The School will administer the survey instrument for the Iowa Test of Basic Schools (ITBS) (or other nationally recognized assessment test) to all new students within 30 days of the beginning of the school year to establish a "base-line measurement" and then again within 30 days of the end of the school year ("end-of-year measurement"). It is the goal of the Marion T Academy that the average performance on the assessment test will increase by the length of time between the baseline and end-of-year measurements, or that the average percentile rankings for the students on the end-of-year assessment shall have increased from the base-line assessment.

The school day and academic calendar will be extended, resulting in more than five additional years of instruction over the K-12 sequence. Increased learning time allows for greater mastery of curriculum content and for increased exposure to engaging enrichment programs that develop the whole student.

The interdisciplinary, thematic approach integrates all areas of curricula to stress application of knowledge and skills. The unique Paragon Curriculum, which will constitute the afternoon program at the MOT Charter School, generates a school-wide monthly theme for learning, and relies upon a spiraling continuum for each theme (era in the history of ideas). Multiple assessments also encourage students to learn in ways consistent with their individual learning styles, which increases learning opportunities.

Exhibit C includes the Language Arts, Mathematics, Science and Paragon curriculum Standards and Objectives.

- b. Describe the assessment tools that will be used including State assessments and other standardized or performance assessment that may be used. On what timetable will they be used? If relevant, how will these be developed?

As required by law, MOT will participate in the state assessment in each subject area at each grade required by the Department of Education.

In addition to the Delaware Student Testing Program and any other assessments called for by the State of Delaware, MOT Charter School will carry out its own multiple assessment program characterized by the following:

- Pre- and post-tests (e.g. ITBS) to all students as set forth above
- Criterion reference tests in Reading/Language Arts, Mathematics, Science, and Social Studies
- Student report cards (3 times per year)
- Parent Satisfaction Survey Concerning Classroom Instruction and School Climate (annually)
- Authentic assessments using portfolios—print and videotape

These tests will be used to evaluate the effectiveness of the school's educational program in helping the students achieve desired outcomes, and in measuring student performance relative to national norms.

### **Portfolio and Performance-Based Assessment**

**Portfolios:** MOT Charter School will rely heavily on student portfolios. These portfolios will document students' work, display a command of skills and content, and provide insight into the learning process over time. These portfolios will include a variety of student work samples, along with observations and evaluations of student learning and performance by the student, peers, school staff and parents.

**Performance-based assessments:** These assessments require students to actively solve problems and apply knowledge in production-driven learning activities. These activities may include science experiments, dramatic and oral presentations, video productions, research, etc. Each **Human Era** curricular unit will culminate in a collaborative video portfolio production. Children can elect to perform a programmed reading (i.e. Greek tragedy and comedy) or to design a documentary report (i.e. "A Day in the Life of a Medieval Knight.")

**Documentary assessments:** These assessments involve organizing the information a teacher collects regarding a child's learning process and achievements. Interpretations of these assessments will be used to individualize curriculum and instruction. These methods of assessment are connected to students' lives and learning experiences and represent the real-world challenges they will face.

In addition to authentic assessment strategies, more traditional teacher-developed tests will also be used.

Rubrics for a sample Paragon Unit are attached in Exhibit C as an example of the above assessments.

- c. How will student evaluation information be used to improve student performance?

The results of the Delaware assessments and ITBS will be reviewed by teachers and administrative staff to determine the effectiveness of instruction with concurrent suggestions for improvement in methodology or curricular strategy.

Multiple formative tests will be devised using the professional judgment of individual teachers as they relate to the performance objectives and standards of the curriculum.

Test results will be used as a basis for measuring individual student progress and performance.

The academic program for MOT Charter School is designed to facilitate numerous learning strategies. Thus, the methods of student assessment will be varied in order to align with instructional approaches and individual learning activities in a given area. However, equal emphasis will be placed on mastery of "the basics" and on authentic assessment.

MOT Charter School will conduct on-going student assessments to collect qualitative and quantitative data to benchmark school performance against national and international standards. Additionally, to verify that its students are mastering core competencies, MOT will administer all standardized achievement testing required by the State.

The MOT Charter School will offer students the vital opportunity to display their depth of learning through assessment methods beyond traditional paper and pencil tests. MOT tries to make its educational program and authentic assessment practices responsive to Howard Gardner's work on multiple intelligences. The use of technology as an integral tool for learning, and extensive exposure to the arts have proven highly successful in raising the interest and achievement of at-risk students.

In addition to instilling in students enthusiasm for learning, eagerness for academic challenge and passion for excellence, MOT Charter School will also promote in students a sense of personal accountability and a determination to be good citizens at school and in the community.

MOT will provide an academic village of SchoolHouses, comprised of all grade levels, in which children can develop their intellectual, social, psychological and vocational capabilities. MOT School will hold students to rigorous standards of academic and personal achievement and will provide the support necessary to assist them in fulfilling the full range of their respective intelligences.

- d. What actions will be taken when students do not meet performance expectations?

The ongoing assessment set-forth above, allows us to adjust students' individualized programs under the New Century tutorial program.

These assessments will be used in a variety of ways notably to improve classroom techniques, strategies, and methodologies.

Students who are having difficulty keeping up with their classmates will be provided intensive tutorials before and after school to keep them on a "level playing field" with their peers. The New Century program provides parents, teachers and students with instantaneous information on a student's performance in basic skills and suggests instructional activities to overcome deficiencies in performance.

- e. How will the school meet the school accountability requirements of the Delaware Accountability Act of 1998?

MOT Charter School's Board of Trustees and Parent Committee will develop a school improvement plan that will be reviewed by the public prior to Board approval. The plan will include the provisions of Section 14—Accountability. MOT Charter School plans to achieve, at a minimum, "Accredited" status after two years of baseline data.

## **Admission Policies and Procedures**

8. What is the plan (including timetable) to be used for recruiting students? How will the school recruit a sufficient number of students to be financially viable?

The MOT Charter School will utilize an open enrollment plan to encourage all parents to consider enrolling their children. Any child who is qualified under the laws of Delaware for admission to a public school is qualified for admission to MOT. If more students submit applications by March 1, 2001 than can be accommodated by the school's capacity—class, grade, or building, a lottery will be held to enroll students.

October, 2000-February, 2001:

Public relations will be a strong part of the marketing program of MOT Charter School. We will draft a press release based on the highlights of MOT's high tech-humanities approach and distribute it to the media. We will hold enrollment meetings in Middletown, Odessa, Townsend and the Southern New Castle County area.

We will send letters to the HR director of major local corporate employers, outlining MOT's benefits to their employees—especially emphasizing summer programs and after school care. Our purpose in writing to these companies will be to get access to their employees for marketing the program. For the smaller companies we will create a flyer regarding the school or send a fax—or both. MOT Charter School will make presentations to the Chamber of Commerce and Realtors in the area. MOT Charter School will hire an independent public accounting firm to conduct a lottery, if it is necessary.

MOT will develop marketing materials that speak to parents' inquiries as to why they should enroll their child in the MOT Charter School.

The Charter School will hold its open houses for prospective students, parents and community supporters. Refreshments and a carnival atmosphere will attract families to the exhibit of educational programs to be featured at the new MOT Charter School.

We will display curriculum materials and will provide educational family entertainment. We will conduct Parent Seminars, featuring educational experts addressing topics such as: "The Basics and Beyond: How to Spark Creativity to Make Learning Come Alive" and "Reading + Writing + Arithmetic + Art = Results: Teaching to Multiple Intelligences." These provocative Parent Seminars will be open to the community at large, free of charge.

The Charter School will hold a Grand Opening for prospective families and for community and corporate supporters.

9. What is the plan for selecting students if more students seek admission than space allows?

The initial enrollment phase will be completed on March 1, 2001. In instances where a lottery is utilized for admission purposes, lottery practices will include the following:

- When a parent draws the name of one child, any sibling of that child who has applied to the school will also be admitted.
- A waiting list will be maintained in order drawn by lot, if needed, for the admission of students at a grade level should space become available during the school year.

10. State law prohibits charter schools from limiting admissions except for a limited number of circumstances which are specifically permitted by Del. C., Title 14, Section 506. Which, if any, preferences authorized by this statute does the school propose to use?

N/A

11. How will the school accommodate at-risk and special education students?

The MOT Charter School program will ensure the necessary supports for at-risk students. The SchoolHouse model allows for a smaller, more intimate school within a school, and the interdisciplinary Paragon Curriculum teaches to the multiple intelligences, while building invaluable cultural literacy in an active and engaging manner. The school's rich, integrated use of technology enables us to custom-tailor our school-wide program to our students' unique skills and interests. The integrated high-tech/humanities approach encourages all students to realize their full potential, whether their needs are traditionally categorized as "at-risk," "disabled," "ESL," or "gifted and talented." MOT Charter School exposes students to the hands-on learning experiences that make a world of difference for those who are "at-risk" of academic failure.

MOT Charter School will review IEPs with incoming students. If parents and Special Education staff concur that a student's IEP is appropriate for his/her special needs, we will implement the program as outlined. If parents and Special Education Staff believe that an IEP should be amended, we will consult with outside specialists, as indicated by a specific student's special needs, to develop a new IEP that will best serve that student.

MOT Charter School will not establish student admissions criteria that would discriminate on the basis of race, socio-economic status, English language proficiency, special education disability or academic achievement level. When making educational placement decisions, we will ensure that parents are members of the group making these decisions and are subject to the requirements regarding provision of the least restrictive environment. MOT will follow all other guidelines issued by the Delaware Department of Education. If a child with an IEP (Individualized Educational Program) at a public school enrolls in our school, we will implement the existing IEP to the extent possible, or will provide an interim IEP agreed to by parents until a new IEP can be developed. IEPs will be developed, revised and implemented in accordance with IDEA. They will be subject to annual revision, but may be revised at will, if warranted.

#### Provision of Special Education Services

MOT Charter School will fully comply with federal laws and regulations governing children with disabilities, particularly the Individuals with Disabilities Education Act (IDEA), as follows:

1. MOT is responsible for providing a free appropriate public education (FAPE) to children with disabilities enrolled in that charter school who have been determined by an Individualized Education Program (IEP) to require special designed instruction.
2. MOT will ensure that children who are suspected of having debilities are properly evaluated by a multidisciplinary team, which is acceptable to the Delaware Department of Education, and that children who have already been identified are re-evaluated by the multidisciplinary team at established intervals required by IDEA.

3. When a multidisciplinary team determines that a special education student requires specially designed instruction, MOT will ensure that the IEP is fully implemented in accordance with IDEA, and reviewed annually.
4. MOT will maintain the confidentiality of personally identifiable information regarding children with disabilities as required by the Family Educational Rights and Privacy Act (FERPA).
5. MOT will ensure that children with disabilities and their parents are guaranteed procedural safeguards as required by law, which may include: access to records, appointment of surrogate parents, notice, opportunity for mediation of disputes, and the right to a due process hearing.
6. MOT will ensure that children with disabilities, who may be suspended and/or expelled from school, are afforded all due process rights under state and federal law. Whenever children with disabilities are subject to disciplinary action, the charter school where these students are enrolled is solely responsible for providing educational services during that period of exclusion from school.
7. MOT School will fully comply with any and all requirements of the American with Disabilities Act (ADA), the Individual with Disabilities Education Act (IDEA) and Second 504 of the Rehabilitation Act.

### **Administrative/Management Operations**

#### **12. Governance: Board of Trustees**

- a. What will be the roles and responsibilities of the Board of Trustees?

The Board shall have and exercise the corporate powers prescribed by the laws of the State of Delaware. The essential function of the Board shall be policy making, the assurance of sound management and active participation in the provisions of necessary funds. The Board has ultimate responsibility to determine general, academic, financial personnel and related policies deemed necessary for the administration and development of the Charter School in accordance with its stated purposes and goals.

Process for making executive decisions:

The Board will meet on a regular basis to make major policy decisions. The Chief Administrative Officer (CAO) will be empowered to make executive decisions in line with the school's policies and procedures.

Required Management Organization for the Board:

An affirmative vote of a majority of the members of the Trustees of the Charter School, duly recorded, showing how each member voted, shall be used in order to take action on the following subjects:

School Calendar  
Adopting textbooks  
Appointing or dismissing Charter School administrators  
Adopting the annual budget  
Purchasing or selling of land  
Locating new buildings or changing the locations of old ones  
Creating or increasing any indebtedness  
Adopting courses of study  
Designating depositories for school funds

Entering into contracts of any kind where the amount involved exceeds \$200  
Fixing salaries or compensation of administrators, teachers, or other employees of the Charter School.

Entering into contracts with and making appropriations to an intermediate unit, school district or Area Vocational/Technical School for the charter's proportionate share of the cost of services provided or to be provided by the foregoing entities.

- b. How will new Board members be recruited and prepared to fulfill their responsibilities?

Community meetings will be held for this purpose. Guidelines and qualifications are as follows:

Necessary qualifications of Trustees:

- Bona fide resident of the State of Delaware
- Interest and experience in public education
- Commitment to mission and beliefs stated in the Charter

Public notice will be given of vacancies on the Board. Interested individuals will be given an opportunity to apply for appointment to the Board. The Board will review applicants for each vacancy and recommend a candidate for each vacancy that exists on the Board after the initial Board has been appointed.

- c. What will the internal form of management to be implemented at the school, including any plans to contract with an outside group to manage the school? If there are plans to contract with an outside agency, identify the group and describe the relationship between the group and Board of Trustees, and outline the services the outside group will be providing. If an outside group is used to managed the school, a copy of the proposed management agreement with that group will be required at a future date.

The school will be managed by the Chief Administrative Officer ("CAO"). The CAO will supervise the Curriculum Implementation Facilitator (CIF), Instructional Technology Coordinator (ITC), Teachers, Teachers' Aides, Secretary and Bookkeeper. The Board of Trustees will contract with Mosaica Education, Inc. to provide instructional, administrative and other services.

Mosaica Education, Inc. (MEI) is a company that manages public schools at current district spending levels, either under contract with local school districts or funded directly by states under charter school laws that permit private management. MEI currently manages eight operating charter schools in three states, with four additional charter schools authorized and scheduled to open in the fall of 2000.

Following below is a summary of the educational and administrative services provided to a charter school through a management agreement that typically runs concurrent with the term of the charter granted by the authorizing agency.

**A. Educational Services.**

For the term of the Charter, Mosaica Education, Inc. (MEI) would provide to the MOT Charter School and its students the following educational services:

- Curriculum. The Paragon™ Curriculum and curriculum development;

- Instruction. Instructional services and personnel, including the principal, teachers and support staff;
- Instructional Tools. Instructional tools, equipment and supplies, including text books, computers, software and multi-media teaching tools;
- Extra-Curricular and Co-Curricular Programs. Extra-curricular and co-curricular activities and programs; and
- Additional Educational Services. Any other services necessary or expedient for the provision of teaching and learning at the Charter School as agreed to from time to time between MEI and the Board of Trustees.

The Educational Services will be provided in accordance with the educational goals, curriculum, methods of pupil assessment, admissions policy, student recruitment policy, school calendar, school day schedule and age and grade range of pupils to be enrolled at the MOT Charter School, as adopted by the Board of Trustees and as provided for in the Charter.

#### **B. Administrative Services.**

For the term of the Charter, MEI would provide to the MOT Charter School the following administrative services:

- Personnel Management. Management and professional development of all personnel providing Educational Services and Administrative Services;
- Facility Operation and Maintenance. Operation and maintenance of the charter school's facility (the "Facility") to the extent consistent with any and all leases or other documents pertaining to the Facility;
- Business Administration. Administration of all business aspects of the charter school;
- Transportation and Food Services. Provision of transportation and food services for the students enrolled at the charter school, as required by the Board;
- Public Relations. Any and all advertising and public relations with the community and the media;
- Budgeting and Financial Reporting.
- Maintenance of Financial and Student Records.
- Admissions. Implementation of the Academy's admission policy;
- Student Hearings. Administration and enforcement of student disciplinary and special education;
- Semester Reports. MEI will provide to the Board on a semester basis (or more often if necessary for the Board to satisfy its obligations under the Charter, the Code and other applicable laws and regulations) a report detailing (A) the school students' academic performance, and (B) MEI's performance of the Educational Services and Administrative Services;
- Rules and Procedures. MEI will enforce the rules, regulations and procedures adopted by the charter school not in direct conflict with the management agreement, the Charter, the Code and other applicable laws and regulations. MEI will recommend rules, regulations and procedures applicable to the charter school and its students; and
- Additional Administrative Services. Any other services reasonably necessary or expedient for the effective administration of the charter school.

The Administrative Services will be provided in accordance with the Educational Program and the management contract.



- d. How will teachers and parents be involved in the decision making at the school?

Extensive pre-service and in-service training, combined with timely and consistent teacher performance evaluations will ensure that teachers and administrators enjoy a productive and communicative relationship.

Research and common sense indicate that children who have active parent involvement in their education perform well in school. Parents who apply for admission of their children to MOT Charter School will know that they are expected to be actively involved in their child's education at home and at school. To the extent allowed by law, parents will be required to participate in their child's education at school.

Parents will take an active role in decision-making with regard to the education of their individual child(ren) through contracts to be designed by teacher, parent(s) and student. Parents will also contribute to policy-making decisions through the input derived from an annual Parent Satisfaction Survey Concerning Classroom Instruction and School Climate.

### 13. Staffing

- a. What is the proposed size of staff that the school will have in each of its first three years of operation?

First year: 41

Second year: 44

Third year: 47

- b. List the staff positions and indicate the full-time equivalent for each position for the first year of school operation.

Chief Administrative Officer (Principal), 1

Curriculum Implementation Specialist, 1

Instructional Technology Coordinator, 1

Clerical, 2

Teachers, 18

Guidance, 1

Teacher assistants, 10

Custodian, 2

Special Education, 2

Spanish Teacher, 1

Physical Education, 1

Music Teacher, 1

- c. What is the plan for having certified special education teacher(s) available for students with disabilities?

MOT Charter School will provide Special Education Staff. MOT will review IEPs with incoming students. If parents and Special Education staff concur that a student's IEP is appropriate for his/her special needs, we will implement the program as outlined. If parents and Special Education Staff believe that an IEP should be amended, we will consult with outside specialists, as indicated by a specific student's special needs, to develop a new IEP that will best serve that student.

- d. What will be the criteria and timeline to be used in the hiring of teachers, administrators, and other school staff?

The Chief Administrative Officer (CAO) will supervise the Curriculum Implementation Facilitator (CIF), Instructional Technology Coordinator (ITC), Teachers, Teacher Aides, Secretary and Bookkeeper, and other support services that may be provided through Mosaica's own employees or through service contracts for such services as psychological services, Special Education resource services, custodial care, maintenance, and food service. The timeline for hiring is in Section 18, Start-Up Activities.

Following are job descriptions for the Charter School teachers, CAO, Curriculum Implementation Facilitator (CIF), Instructional Technology Coordinator (ITC), teachers' aides, and school secretary.

### TEACHER

**QUALIFICATIONS:** Demonstrated competence as a Reading and Language Arts teacher, demonstrated competence in all areas of content responsibility, computer literate, respected as a student and as an individual, excellent verbal and written expression, strong interpersonal skills

**REPORTS TO:** CAO

**SUPERVISES:** Students, Volunteers, Assigned Support Staff, and Code of Student Conduct

**JOB GOAL:** To provide students with a first class learning experience which contributes to their development as enlightened and responsible citizens and as leaders in their communities

### **PERFORMANCE RESPONSIBILITIES:**

1. Shares a commitment to the success of the mission, goals, and objectives of the Charter School
2. Accepts responsibility for the achievement of students
3. Guides the learning process toward achievement of curriculum goals and implementation of personal learning plans of students
4. Demonstrates effective planning and organization for instruction
5. Selects appropriate materials for implementation of the Paragon Curriculum and adapts materials and methods to learning styles and abilities of students
6. Uses creative instructional methods and procedures and adapts effectively to unusual situations
7. Motivates students to achieve at their highest level of ability and potential through classroom activities, assignments, relationships, participation and feedback; holds high expectations and demonstrates sensitivity to different learning styles
8. Uses resources effectively to support learning activities in the classroom, the school, and the community
9. Demonstrates exceptional classroom techniques which include the art of questioning, clarity of assignments, communications in large and small groups with individual students, an atmosphere of mutual respect, independent thought and expression, and student and teacher experiences
10. Works cooperatively with parents and generates parents' confidence in the teacher

11. Demonstrates genuine concern for students in a climate characterized by high personal and student expectations
12. Promotes good citizenship through actions as role model
13. Provides a classroom atmosphere based on the principles of firm, fair, and consistent practices, respect for individual children, and development of responsible citizenship
14. Participates in the development of policies and regulations that affect instruction and conditions for success
15. Uses technology effectively for instruction, record keeping and other administrative tasks, and communications
16. Shares responsibility for professional, cooperative staff relations and for out-of-class activities important to operation of school
17. Conducts himself or herself according to professional, ethical principles.
18. Continually strives to improve classroom methods, teaching techniques, and interpersonal relationships
19. Shares responsibility for marketing the Charter School in the community
20. Displays personal qualities which reflect favorably upon the individual, the group, and the school
21. Displays pride in being a teacher and a member of the Charter School team
22. Assumes other responsibilities assigned by the CAO

#### CHIEF ADMINISTRATIVE OFFICER (CAO)

**QUALIFICATIONS:** Master's degree, minimum three years outstanding experience in an education leadership position, superior written and oral communications skills, well respected as an education and community leader, exemplary human relations skills

**SUPERVISES:** All school staff and students

**JOB GOAL:** To provide school leadership to ensure excellence in teaching and learning, community support, and efficiency in operation.

#### **PERFORMANCE RESPONSIBILITIES:**

1. Provides instructional leadership and excellent student achievement results through focus on the four basic element of curriculum, instruction, performance, and evaluation
2. Shares responsibility for development and implementation of the school's strategic plan
3. Communicates Board Actions to staff, students, and parents
4. Develops policy recommendations for the Board's consideration and action
5. Files required reports with local, state and federal education agencies, Board of Trustees
6. Maintains administrative records according to the Delaware Public School Code
7. Implements school budget, analyzes and controls expenditures with an understanding of the relationship between the instructional program and the budget process, and relies on cost benefit analyses for budgetary decisions
8. Prepares schedules, assigns staff, sets job performance standards, and evaluates staff
9. Generates public support for the school's program and education in general as the public information officer of the school and supervisor of the overall public relations program

10. Develops a Code of Student Conduct which defines responsibilities of administrators, teachers, parents, and students and which creates a safe, secure school for learning
11. Represents the Charter School at local, state, and national events
12. Develops effective staff and professional development programs that match school goals and individual goals to improve performance and model continuous professional improvement
13. Uses technology effectively for administrative, instructional, and communications functions
14. Demonstrates adeptness with the Paragon Curriculum and monitors its proper implementation and assessment
15. Schedules the use of time to protect academic subject blocks from disruptions to ensure effective and efficient use of time
16. Knows school law, including the implications on the educational program and on liability, keeps abreast of developments and consults with the Board members in times of uncertainty
17. Carries out marketing plans to attract students to the Charter School
18. Participates in local and state Principals' associations
19. Serves as a role model who acknowledges through actions and behaviors, the critical value of human relationships to the satisfaction of personal and professional goals and to the achievement of organizational purpose
20. Provides ethical leadership within the intellectual, cultural, economic, political, and governmental context in which the school operates
21. Assumes other responsibilities assigned by the Management Company

#### CURRICULUM IMPLEMENTATION FACILITATOR (CIF)

**QUALIFICATIONS:** Graduate degree in Social Sciences or Humanities, valid teacher certificate, demonstrated competence as a Reading and Language Arts teacher, Social Science and Humanities teacher, Media Resource Specialist and Teacher trainer. Demonstrated mastery of all areas of content responsibility, computer literate, respected as a leader, a teacher of teachers and as an individual. Exemplary verbal and written expression, strong interpersonal skills. Experience with oral history, or the performing arts.

**REPORTS TO:** CAO

**SUPERVISES:** Instructional Program Implementation in Language Arts and Paragon, Teacher Instruction.

#### **JOB**

**GOAL:** To provide teachers with an exemplary ongoing professional development program experience which contributes to their development as informed, responsible and accountable educators and as leaders in their classrooms.

#### **PERFORMANCE RESPONSIBILITIES:**

1. Shares a commitment to the success of the mission, goals, and objectives of the Charter school.
2. Accepts responsibility for the successful implementation of the School's Program and for the achievement of students.
3. Assumes responsibility for coordinating and reporting monthly teacher feedback surveys on Paragon Curriculum to the Director of the Curriculum Design Team.

4. Experience mapping and implementing curriculum
5. Resource specialist for Multimedia Center and Hands-on History. Experience with oral history, or the performing arts. (Creates a Multimedia Display for each Paragon Unit.
6. Assumes responsibility for Parent Education at Paragon Programs, scripting transitions between student performances and providing narrative historical context and review of what students have learned during the time period studied.)
7. Excellent research and communication skills, including Internet research proficiency, working knowledge of MSWord and educational software.
8. Guides the teachers' learning process toward achievement of curriculum goals and implementation of personal learning plans of students.
9. Leads teachers in effective planning, curriculum mapping and organization for instruction.
10. Selects appropriate materials for implementation of the Paragon Curriculum and guides teachers in adapting materials and methods across the curriculum to the learning styles and abilities of individual students.
11. Uses creative instructional methods and procedures and adapts effectively to unusual situations.
12. Motivates teachers to achieve at their highest level of ability and potential through classroom activities, assignments, relationships, participation and feedback; holds high expectations and demonstrates sensitivity to different learning styles.
13. Organizes resources effectively to support learning activities in the classroom, the school, and the community.
14. Demonstrates exceptional classroom techniques which include the art of questioning, clarity of assignments, communications in large and small groups with individual students, an atmosphere of mutual respect, independent thought and expression, and student and teacher experiences.
15. Works cooperatively with parents and generates parents' confidence in the teacher and instructional program.
16. Demonstrates genuine concern for students in a climate characterized by high personal and student expectations.
17. Promotes good citizenship through actions as role model.
18. Provides a school culture based on the principles of firm, fair, and consistent practices, respect for individual children, and development of responsible citizenship.
19. Participates in the development of policies and regulations that affect instruction and conditions for success.
20. Uses technology effectively for instruction, record keeping and other administrative tasks, and communications.
21. Shares responsibility for professional, cooperative staff relations and for out-of-class activities important to operation of school.
22. Conducts himself or herself according to professional, ethical principles.
23. Continually strives to improve classroom methods, teaching techniques, and interpersonal relationships.
24. Shares responsibility for marketing the Charter school in the community.
25. Displays personal qualities that reflect favorably upon the individual, the group, and the school.
26. Displays pride in being a member of the Charter School Leadership Team.
27. Assumes other responsibilities assigned by the CAO.

EVALUATED BY: CAO.

## INSTRUCTIONAL TECHNOLOGY COORDINATOR (ITC)

**QUALIFICATIONS:** Math, Science, or MIS degree, valid teacher certificate, demonstrated competence as a Math and Science teacher, Educational software resource specialist, Excellent research and communication skills and Teacher trainer. Demonstrated mastery of all areas of content responsibility, respected as a leader, a teacher of teachers and as an individual. Exemplary verbal and written expression, strong interpersonal skills. Experience troubleshooting Windows based computers, peripherals, and video equipment.

**REPORTS TO:** CAO

**SUPERVISES:** Teacher training in technology, Successful technology integration throughout the curriculum and in administrative organization.

**JOB GOAL:** To provide teachers with an exemplary ongoing professional development in math and science instruction and in technology integration across the curriculum which contributes to their development as informed, responsible and accountable educators and as leaders in their classrooms

### **PERFORMANCE RESPONSIBILITIES:**

1. Shares a commitment to the success of the mission, goals, and objectives of the Charter school.
2. Accepts responsibility for the successful implementation of the School Program and for the achievement of students.
3. Coordinates the New Century software tutorial program.
4. Specialist in educational technology integration across the curriculum.
5. Responsibility for assessment/accountability school-wide in Math and Science.
6. Exemplary research and communication skills, including Internet research proficiency, knowledge of MSWord and educational software.
7. Adept at developing graphic arts design work for Curriculum mapping, Graphic Organizers, etc.
8. Leads teachers in effective planning, curriculum mapping and organization for instruction in mathematics and science.
9. Assists the Design Team and the CIF in identifying exceptional educational software support for implementation of the Paragon Curriculum .
10. Uses creative instructional methods and procedures and adapts effectively to unusual situations.
11. Motivates teachers to achieve at their highest level of ability and potential through classroom activities, assignments, relationships, participation and feedback; holds high expectations and demonstrates sensitivity to different learning styles.
12. Organizes resources effectively to support learning activities in the classroom, the school, and the community.
13. Demonstrates exceptional classroom techniques which include the art of questioning, clarity of assignments, communications in large and small groups with individual students, an atmosphere of mutual respect, independent thought and expression, and student and teacher experiences.
14. Works cooperatively with parents and generates parents' confidence in the teacher and instructional program.

15. Demonstrates genuine concern for students in a climate characterized by high personal and student expectations.
16. Promotes good citizenship through actions as role model.
17. Provides a school culture based on the principles of firm, fair, and consistent practices, respect for individual children, and development of responsible citizenship.
18. Participates in the development of policies and regulations that affect instruction and conditions for success.
19. Uses technology masterfully for instruction, record keeping and other administrative tasks, and communications and trains faculty and staff in the area in pre-service and in-service training sessions.
20. Shares responsibility for professional, cooperative staff relations and for out-of-class activities important to operation of school.
21. Conducts himself or herself according to professional, ethical principles.
22. Continually strives to improve classroom methods, teaching techniques, and interpersonal relationships.
23. Shares responsibility for marketing the Charter school in the community.
24. Displays personal qualities that reflect favorably upon the individual, the group, and the school.
25. Displays pride in being a member of the Charter school Leadership Team.
26. Assumes other responsibilities assigned by the CAO.

EVALUATED BY: CAO.

#### TEACHERS' AIDE

REPORTS TO: CAO or Classroom Teacher

1. Provide assistance to classroom teachers—especially with direct student instruction as determined by the teacher.
2. Assist in managing student behavior in playground, cafeteria, and hallways.
3. Provide clerical assistance in both the classroom and in the office as needed and assigned.
4. Provide general assistance for meetings, assemblies, fairs, productions and other special events.
5. Perform any assigned functions as directed by CAO or classroom teacher.

EVALUATED BY: CLASSROOM TEACHER AND/OR CAO.

MOT will begin recruiting quality teachers and administrative staff 2/15/2001.

- e. Will the school hire Delaware certified teachers? Will any non-certified teachers be hired? If non-certified teachers will be hired, what will be the procedures to ensure that the non-certified teachers are participating in alternative certification programs if available?

Of the teachers employed, a minimum of 65% will be certified. Non-certified teachers will be required to obtain certification within 24 months of employment. Teacher's aides will preferably hold an Associate's Degree and as a minimum, will have a high school diploma.

- f. What will be the teacher/student ratio of the school?

Class size will be limited to no more than 25 students.

- g. What will be the human resource policies governing salaries, contracts, hiring, and dismissal?

MOT will be an equal opportunity employer. Employees will be employed on an “at will” basis. The Board will hold an annual assessment of the individual Performance Pay Plans for Administrators and Teachers.

- h. If the school plans to operate outside of state benefit and retirement systems, what benefits will the school offer its employees (including insurance and retirement?)

#### Retirement and Health Insurance

All employees will be able to enroll in the Public School Employees’ Retirement System. All employees will be offered health care benefits similar to the health care coverage offered to employees of the local school district.

#### Time Off

Employees will accrue sick leave at the rate of ½ day per month, i.e. ½ of their normally scheduled daily hours of work per month, and will accrue additional leave to be used for discretionary leave or for bereavement leave for the deaths of parents, spouses, siblings and children at the rate of an additional ½ day per month.

Time off pay for hourly and salaried employees will be equivalent to the pay such employees would have received for the hours they are normally scheduled to work during their time off from work. Time off is not counted towards hours worked for purposes of calculating overtime. Employees who resign or are terminated for any reason during their employment will not receive payment for earned unused time off benefits. Time off benefits will not accrue while an employee is on leave of absence, unless otherwise required by state law.

If a holiday falls during an employee’s scheduled time off, the employee will receive holiday pay for that holiday. If the employee is eligible for such pay, he/she will not be charged for time off benefits for that day.

#### Sick Leave

Employees may use accrued sick leave to receive pay for absences due to illness, injury, disability or conditions requiring treatment by a health care practitioner. Employees should request such leave in writing thirty (30) days in advance. If this is not possible, employees should give as much advance notice as reasonably possible. Where an employee uses three (3) or more days of sick leave, the employee will be required to provide a statement from their health care practitioner, on a form provided by MOT – or containing information substantially identical to that required on the form, stating, among other things, the necessity for the sick leave requested. MOT may also require employees using sick leave of three (3) or more days to provide the School with the note of a health care practitioner authorizing the employee’s return to work. At the end of the academic year, employees will be reimbursed \$5/hour for every hour of unused accrued sick leave. Sick leave may not be carried over from one year to the next.

#### Discretionary Leave and Bereavement Leave



Employees may obtain bereavement leave in advance of its accrual. However, if an employee terminates his/her employment with the Company before the borrowed leave is accrued, the amount of such leave will be deducted from the final paycheck.

Discretionary leave bereavement may not be carried forward from year to year.

The granting of requested sick leave, discretionary leave, or bereavement leave will be solely at the discretion of MOT, taking into consideration the reason for the leave, the needs of the School and other relevant circumstances.

- i. What professional development activities/opportunities will be made available to teachers and other staff?

All teachers in the MOT Charter School will be trained to teach Reading and Language Arts and to use technology for instruction, assessment, data management, and communication. Teachers will be talented communicators, purveyors of content knowledge, and professionals trained in effective pedagogy.

#### Teacher in-service education

In-service education in the MOT Charter School will be customized to the population of students and to the Paragon Curriculum. MOT training will also be on-going and connected. This contrasts to the more general approaches to in-service education prevalent in school districts which arises from less focused missions, goals, and objectives.

A recent Rand study reveals that new teaching strategies can require as extensive a period as 50 hours of instruction, practice, and coaching before teachers become comfortable with them.

The widespread use of technology in the MOT Charter School requires extensive teacher training. MOT is committed to providing the depth of pre-service and in-service training necessary to ensure exemplary teaching practices.

### 14. School Accountability

- a. What methods of internal evaluation will be used by the staff to ensure that the school is meeting its stated mission and objectives?

The procedure and method for the internal evaluation/audit of the Charter School's programs will be generated by the mission of MOT Charter School and by the State Department of Education. The audit practices should begin with the educational program design and then test the success of the school's total program by identifying, collecting, analyzing, reporting, and using pertinent information for each program's future. Results of the audit will determine program refinement, program revision, or program elimination.

Data utilized for the audit and subsequent program decisions will include such information as the following:

1. The Delaware Department of Education for meeting and achieving Delaware Standards.

2. Meeting or exceeding all content standards outlined by the Department of Education, as these standards become available.
3. Iowa Test of Basic Skills, or other standardized tests used in the State, in Reading/Language Arts, Mathematics, Science, and Social Studies for insight into our students' preparation assessment tests and for knowledge of our students' achievement, relative to other students in America
4. Parent Satisfaction Survey Concerning Classroom Instruction and School Climate (Annually)
5. CAO's Evaluation of Staff (Individual and Summary Report to Board of Trustees Annually)
6. Student Report Card (three times per year)
7. Assessment of Performance Pay Plan for Administrators and Teachers (Annual Report to Board of Trustees)
8. The Department of Education shall have ongoing access to the records and facilities of the school to ensure that the Charter School is in compliance with requirements for testing, civil rights, and student health and safety.

b. How will the teachers and staff be evaluated?

Instead of having a different teacher every year, students in the MOT Charter School will progress through grades K-2 and 3-5 with the same teacher, a practice referred to as primary care teaching. Primary care teaching provides advantages for children, including a personalized student-teacher relationship, longitudinal teacher accountability for student achievement, and open communications between parents and teachers.

Teachers and administrators will be expected to subscribe fully to the mission, goals, and objectives of the MOT Charter School. Teachers will be on annual at-will performance-based contracts. MOT faculty will subscribe to a "performance pay plan," whereby compensation is linked to student performance.

The CAO will submit Individual and Summary Evaluation Reports of Staff to the Board of Trustees annually. The Board will also hold an annual assessment of the individual Performance Pay Plans for Administrators and Teachers.

c. How will the school be held accountable to the parents of children at the school?

Each child will have an individualized personal learning plan, jointly developed by the student, parent(s), and teacher. The learning plan outlines goals, details learning exercises and charts progress toward immediate and long-term improvement in student performance. This plan is created and maintained on-line, serving as a real-time report card and permitting highly reliable monitoring of student performance. The plan also affords easy retrieval of attendance, test and progress data.

The exemplary diagnostic and prescriptive software from New Century will enable MOT to custom-tailor our curricular materials in Language Arts and Mathematics to students' individual needs, and to monitor their progress. The New Century program provides parents, teachers and students with instantaneous information on a student's performance in basic skills and generates instructional assignments to promote proficiency in areas of weakness.

MOT will administer an annual Parent Satisfaction Survey Concerning Classroom Instruction and School Climate.

- d. What internal controls will be used for budgets and financial records?

The school budget will be prepared by Mosaica Education, Inc., and will be subject to approval by the Board of Trustees. Financial Statements, showing budget compliance, will be prepared on a monthly basis, and distributed to all members of the Board. Financial statements will be audited by a CPA firm licensed in Delaware.

All records will be maintained by administrative and clerical staff on school property. All information required to be disseminated to the general public, will be as so required by law.

15. What is the plan for facilities to accommodate all the students for which the charter is being sought?

- a. Where will the school be located?

The school will be located in the Middletown-Odessa-Townsend area of Southern New Castle County, Delaware in an acceptable building renovated for this school, or a new building constructed for the school.

- b. If a site has been identified, describe the site and how it will be suitable for the proposed school. Will the site be purchased or leased? When will the school's Board of Trustees have direct control of the site?

The site has not been identified. When a site is identified, improvements will be made to be in compliance with applicable building and safety codes and ADA. Mosaica Education, Inc. will make all necessary improvements to the property and will lease it to MOT Charter School. Improvements will be completed before June 30, 2001 and certificate of final occupancy will be submitted to the Department on or before July 1, 2001.

The facility will accommodate the first three years enrollment. The property will be large enough to cover future growth and additional classrooms should the charter be extended additional years.

- c. Are the facilities in full compliance with all applicable building codes for public schools and are they accessible for special needs students? If the site needs renovation, describe how the facilities will be renovated.

Improvements will be made to be in compliance with applicable building and safety codes and ADA. Mosaica Education, Inc. will make all necessary improvements to the property, which will be completed before June 30, 2001 and certificate of final occupancy will be submitted to the Department on or before July 1, 2001.

- d. What funds will be needed to acquire (purchase or lease) the facilities and ready them for school opening? What are the plans for obtaining these funds?

The necessary financing will be arranged by Mosaica Education, Inc.

16. What is the plan for transporting students to and from school?

- a. Will the school provide transportation or will the local district be asked to provide transportation for the school's students? Describe the plan for providing transportation to all eligible students.

The MOT Charter School will utilize a private contractor for student transportation. The contractor will be selected through a public bid process and shall be required to meet all the standards and requirements of transportation contractors established by Delaware laws and regulations.

Transportation will be provided to students in grades K-6 who reside in the district and live one mile or more from the school. In the third year and in the event that the charter school expands to include grades 8-12, transportation will be provided to students in grades 7-12 who reside in the district and live two miles or more from the school.

The charter school reserves the right to expand transportation services to students in K-6 who live closer than one mile to the school and for students K-7 who live closer than two miles to the school, if warranted by safety considerations.

- b. How will students who reside outside the district in which the school will be located be transported to the school?

The charter school's contract with a private provider will include provisions for eligible students who are not residents of the school district where the MOT is located. School bus routes will be established for such eligible students who reside within five miles of the school district boundary in which the charter school is located. For eligible students enrolled in the school who live more than five miles from the school district boundary in which the charter school is located, transportation will be provided to and from bus stops along the established bus routes mentioned above.

- c. How will special needs students be transported?

Special needs students will be transported in accordance with the requirements of State and local district(s) in which the students are located.

## 17. School Meals

Describe the plan for providing meals to students.

MOT intends to provide an on-site kitchen for food preparation. The Charter School will contract with a local quality food service provider to cook the meals. Free and reduced meals will be provided as required by Federal, State, and local code.

## 18. Start-Up Activities

What administrative tasks will be undertaken between approval of the charter and school opening? Describe the tasks, how they will be accomplished, who will accomplish them, and when they will be accomplished.

The Board of Trustees will oversee and Mosaica Education will undertake the following tasks upon approval of the charter:

### Site Issues

Identify site

June 2000

Finalize plans	August 2000
Start construction	October 2000
Complete construction	July 2001
Order Furniture/Materials	February 2001
Delivery of furniture and Materials	July 2001

#### Admission

Implement marketing and PR strategy	October 2000
Hold enrollment meetings	Oct. 99-Feb. 2001
Hold lottery	March 20
Send admission letters	March 31
Notify State	March 31
Establish wait list	March 31
Request student records	March 31
Roster of students	April 30

#### Staffing

Hire receptionist	February 2001
Hire CAO	March
Advertise Teachers' positions	March
Start interviewing teachers	April
Extend offers to teachers	June
2-week teacher training	August
First staff evaluation	January 2001
Second staff evaluation	June 2001

#### Financial Management

Arrange Insurance	Spring 2000
Identify and hire auditor	January 2001
Establish payroll	February
Open account	February
Produce financials reports	Monthly

#### Special Education Services

Identify students with IEP	May 2001
Acquire records	June 2001
Define services requirements	July-August
Hire/contract with providers	July-August

#### Food Service

Identify free/reduced lunch	June 2001
Select vendor	June 2001

#### Health & Safety

Health/safety handbook	February 2001
Send medical forms to parents	April 2001
Check for completeness	June 2001
Identify medical resources	July
Staff first aid training	August
Health and fire inspection	June 2001

## Financial Viability

### 19. Projected Budget

- a. What costs are projected for the twelve month period prior to school opening? What will be the sources of funds to cover these costs?

Please see Budget Worksheets attached as Exhibit D.

- b. Are there plans to conduct any fund-raising efforts to generate startup capital or to supplement the per pupil revenues from the state and local districts? If so, please explain.

MOT Charter School will apply for all relevant state and federal grants and will seek financial support from local foundations committed to excellence in public education.

- c. Will there be other sources of revenue in addition to the state and local entitlements? If so, please identify all other sources of funds?

Please see attached worksheets, Exhibit D.

- d. What will be the budget for the school (please use the attached budget worksheets)?  
Note: state and local revenue estimates may be obtained from the Education Specialist for School Accounts at the Delaware Department of Education, Jerry Gallagher, (302) 739-4664.

See attached Exhibit D.

Please note: The calculation in the attached budget for Other Federal Funding is based on an estimate of \$350 per student in the first year, increasing \$10 per student per year thereafter. Assuming (i) 15% of students will be classified as below the poverty line, and (ii) 15% will require IEPs, federal funding would be approximately \$350 per student.

- e. What will be the back-up plan for the finances of the school if actual enrollment is below the projections presented in this application? What is the minimum number of students the school can enroll each year to remain open?

The minimum number of students for the school to be academically and financially viable in year one would be 250. The reduced revenue would be offset by the reduced expenditures required for less students. We anticipate adding a minimum of 50 students per year (and could add 250 in year two if the initial enrollment was 250). A minimum enrollment for year two would be 300, and for year three would be 350. For more budget information, see attached Exhibit D.

- f. If the school is managed by an outside group(s), what financial arrangements will be made between the Board of Trustees and this group(s)?

Attached as Exhibit E is sample management agreement which specifies the financial arrangements.

Please note: Included in the amounts payable to the management company for "Curriculum & Training" in the "Student Support" section of the budget are the costs associated with the professional development and in-service training to be provided in accordance with this Application; the provision of the Paragon Curriculum; and the

supervision of the implementation and integration of curricular material acquired from other publishers.

- g. If public funds remain at the end of a fiscal year, what will be the disposition of those funds?

Funds will be retained in Charter School reserve account.

## 20. Financial Operations

How will the financial operations of the school (in the areas of accounting, payroll, purchasing, compensation, and benefits management) be managed?

Purchasing procedures will be modeled after the requirements of the Public School Code, but will provide as much flexibility as possible consistent with the need for adequate control and oversight and the need to create and maintain competition for school purchases.

The MOT CAO shall establish a revolving checking account from which he/she will be authorized to spend up to \$500 on any single transaction for the purchase of supplies, materials, instructional aids, educational software, books, transportation and/or tickets for special events. Such a checking account will be established with the signatures of the CAO and the Bookkeeper. The CAO's signature indicates that the expenditure is consistent with the instructional needs of the school and consistent with the guidelines established by the Board of Trustees. The Bookkeeper is authorized to reimburse the account at appropriate times to reestablish the \$2,500 limit out of the general account of the Charter School with receipts documenting each expenditure.

Expenditures in excess of \$500 and up to \$10,000 will only be permitted when sufficient funds remain in the budget and only with three bids made. Such expenditures are authorized by the Board of Trustees, but will require that a summary of such expenditures, the name of the vendor, the amount of the purchase and the purpose of the purchase be submitted to the Board of Trustees at each monthly meeting for ratification.

Expenditures in excess of \$10,000 will require prior approval of the Board of Trustees and a minimum of three bids to ensure competition and advertising where appropriate. The Board of Trustees will develop additional procedures as the need arises.

Required financial procedures: The Treasurer of the Charter shall deposit the funds belonging to the Charter School in a depository approved by the Board and shall at the end of each month make a report to the Charter Board of the amount of funds received and disbursed by him or her during the month. All deposits of Charter School funds by the Charter Treasurer shall be made in the name of the Charter School.

The Board of Trustees of a Charter School shall invest Charter School funds consistent with sound business practice. Authorized types of investments for Charter Schools shall be:

- United States Treasury bills
- Short-term obligations of the United States Government or its agencies or instrumentality's
- Deposits in savings accounts or time deposits or share account of institutions insured by Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance

Corporation or the National Credit Union Share Insurance Fund to the extent that such accounts are so insured, and for any amounts above the insured maximum, provided that approved collateral as provided by law therefore shall be pledged by the depository.

Obligations of the United States of America or any of its agencies or instrumentality's backed by the full faith and credit of the United States of America, The State of Delaware or any of its agencies or instrumentality's backed by the full faith of the State, or of any political subdivision of the State or any of its agencies or instrumentality's backed by the full faith and credit of the political subdivision.

Shares of an investment company registered under the Investment Company of America Act of 1940 (54 Stat.789, 15 U.S.C. \*80a-1 et seq.).

Note: All investments shall be subject to the standards set forth in the Delaware School Code.

The School Treasurer shall settle his accounts annually with the Board of School Trustees for each school year.

An annual school audit shall be conducted according to the requirements of Article 24 of the School Code of 1949. Charter School Board of Trustees shall follow the requirement set forth for School Boards in this section.

- b. Will the school operate within all state administrative and financial systems? If not, what specific procedures have been undertaken to gain approval for alternate administrative and financial services?

A specific memorandum of understanding will be developed and executed by the Board of Trustees for MOT Charter School, the approving authority; the Budget Director, the Controller General, and the Secretary of Finance to assure that the State's fiduciary duties and interests in the proper use of appropriated funds and as benefits and pension trustee are fulfilled and protected, the State's financial reporting requirements are satisfied, and the interests of charter school employees are protected.

### **Legal Liability**

21. What has been done to assess the legal liability of the school, its employees, and the Board of Trustees? What are the various options being considered for liability protection? Describe the types and limits of insurance coverage the school plans to obtain. The proposed costs for the coverage must be reflected in the budget worksheets. The applicant should contact the Insurance Coverage Office at (302) 739-3651 for further information on liability protection for public schools in Delaware.

Charter school will obtain the following insurance:

(a)	Comprehensive General Liability	\$2,000,000
(b)	Officers and Trustees/ Errors and Omissions	\$ 500,000
(c)	Property Insurance	As required by landlord
(d)	Motor Vehicle Liability	\$1,000,000
(e)	Bonding	
	Minimum amounts: \$25,000	
	Maximum amounts \$100,000	
(f)	Other	\$ 500,000



## **Student Discipline Policies**

### **22. Code of Conduct**

What will be the school rules and guidelines government student behavior? Include a general outline of the student handbook which describes issues of student discipline, student rights and student responsibilities. Describe how discipline will be handled with special education students.

The MOT Charter School will distribute to parents, staff and the governing Board, a Code of Conduct that calls for a partnership in responsibility. MOT is committed to instilling in students respect for the rights of others.

These rules governing discipline and conduct will inform parents, teachers and administrators what is required of students. These adults, along with the Board of Trustees are charged with the responsibility of helping students to develop self-discipline. The MOT Student Code of Conduct delineates the partnership that the school and the larger community share across several broad concepts:

- Environment, which includes the climate of the school.
- Education, which includes preparation and work habits.
- Respect, which includes treatment of others.
- Participation, which includes involvement in school activities; and
- Expression, which includes dress, as well as verbal and nonverbal issues.

The Code of Student Conduct will be distributed to parents and students at the beginning of each school year. The parent, student, and teacher will be required to sign the acknowledgment page which states that the parent understands the Code of Student Conduct, including the consequences of unacceptable behavior by the student. The acknowledgement page also states that the parent has reviewed and explained the Code of Student Conduct with the child, and that the teacher shares responsibility with the parent to ensure a safe, secure school for learning.

The Board of Trustees will demand safe and secure schools for teaching and learning and will incorporate suspension and expulsion statutes into the Code of Student Conduct, including the due process rights that a student attending a public school is entitled to under Delaware law. A student will be expelled for violation of the statute concerning a weapon on school property and will be excluded from attending the MOT Charter School. Additional reasons for expulsion may include drug-related violations, arson, assault and battery, and other serious crimes.

The Code of Student Conduct will make clear to parents their legal obligation to ensure that their children follow their assigned daily schedules unless properly excused by the CAO or his/her authorized representative. Each student shall provide a satisfactory written explanation from his/her parent for any absence from class and for the release of a student from school during the school day. The CAO may at his/her discretion, accept a personal or telephone contact with the parent in lieu of a written excuse for the student's absence. Justifiable absences include those due to illness of the student, death in the family, medical or

dental appointment, observance of a religious holiday, or other reasons deemed acceptable to the CAO.

MOT Charter School will ensure that children with disabilities and their parents are guaranteed procedural safeguards as required by law, which may include: access to records, appointment of surrogate parents, notice, opportunity for mediation of disputes, and the right to a due process hearing. MOT will ensure that children with disabilities, who may be suspended and/or expelled from school, are afforded all due process rights under state and federal law.

## **Health and Safety**

23. What procedures will be implemented to ensure the health and safety of the school's students, staff and guests? What staff (e.g. nurse) will be hired or contracted with to ensure that these provisions will be handled in a satisfactory manner?

The school nurse along with the administrators will be responsible for monitoring all entering students for their health records and ensure that immunizations and TB and HepB screenings are conducted. The nurse will keep all student health records up to date and will participate with any IEPs that deal with medical problems. The school will also contract with a doctor and dentist to make sure that all student medical requirements will be met. The nurse will be available during the day to administer medication, monitor student health, screen for health problems (vision, hearing, etc.) and maintain health records.

MOT Charter School intends to comply with all of the following mandatory safety measures:

- (a) **Immunization of Students:** Every child will be immunized against diphtheria, tetanus, whooping cough, poliomyelitis, red measles (rubeola) and rubella. Should the Department of Health and Human Services determine the need for an additional immunization in the interest of public health, the MOT Charter School Charter will work to ensure parent compliance. Every parent, guardian, person in loco parentis and person or agency, whether governmental or private, with legal custody of a child, has the responsibility to ensure that the child has received the required immunization at the mandated age. The school has the responsibility to be certain that parents have met the immunizations' requirements of law.
- (b) **Fire and Safety Regulations:** The MOT Charter School will meet the building (including appropriate fire control mechanisms, for example, fire extinguishers, fire alarm system and/or sprinkler system) and furnishings code for fire and safety regulations. The CAO of the school will schedule, hold, and report monthly fire drills. Teachers and students will be informed of fire drill procedures. Exits and fire evacuation plans will be posted in each room and hallways of the building. The school's building will be available for inspection to appropriate officials for regular inspections and for special inspections prompted by a complaint by an interested party. The school will work with local officials to satisfy the recommendations relative to the abatement of the fire or safety hazard.
- (c) **Food Inspections:** The MOT Charter School will comply with the regulations promulgated by the Department of Health and Human Services for food purchases, preparation, serving, and disposing of food and food products.
- (d) **Hazardous Chemicals:** The Charter School has the responsibility to inform and train its employees properly on the hazardous substances they work with and to design and

put in place employee protection programs. Employee training programs provide necessary hazard information to employees, so they can participate in and support measures in place at school. OSHA's Hazard Communication Standard applies to schools because all workers may use or be exposed to hazardous chemicals. The school will have a written hazard communication program available to all employees.

- (e) **Blood-borne Pathogens:** The school will act in accordance with OSHA's Blood-borne Pathogen Standard to establish an exposure control plan to minimize workplace risks. Blood-borne pathogens refer to pathogenic microorganisms that are present in human blood and that can cause disease in humans. These pathogens include, but are not limited to hepatitis B virus (HBV) and human immunodeficiency virus (HIV). OSHA standards apply to all occupational exposure to blood (human blood, human blood components, and products made from human blood) or to other potentially infectious materials (human body fluids, unfixed tissue from a human, HIV-containing cell or tissue cultures, organ cultures, and HIV- or HBV- containing culture medium or other solutions, as well as blood, organs, or other tissues from experimental animals infected with HIV or HBV).

The school will have a written Exposure Control Plan that is accessible to all employees. The Plan will include (1) designations job classifications, tasks and procedures which involve potential exposure, (2) indications of required engineering and work practice controls, and (3) specifications of necessary personal protective equipment. Training to protect employees and children and reduce workplace risks of hepatitis B and HIV infection will include such topics as the following:

- Modes of transmission of blood-borne pathogens
- Identifying hazards
- Prevention through engineering controls
- Handling contaminated syringes, laundry, and biomedical waste
- Proper use of personal protective equipment
- Instituting safe workplace practices and engineering controls
- Hepatitis B vaccine
- Proper "housekeeping" to avoid risks
- Post-exposure reporting

## Assurances

**The Board of Trustees of MOT Charter School assure that, the school will do the following:**

1. Not discriminate against any student in the admissions process because of race, creed color, sex, handicap, or national origin or because of a student's school district of residence has a per student local expenditure lower than another student seeking admission.
2. Not operate in a sectarian manner or include religious practices in its educational program.
3. Participate in the State Assessment Program and meet the requirements for school accountability as described in the Accountability Act of 1998.
4. Manage the school within all state administrative and financial systems listed in Del. C., Title 14, Section 512(9), of if the school plans to operate outside of any listed system it has been specifically noted in this application and the applicant will submit a formal request to the State Budget Office to initiate a Memorandum of Understanding as described in Del. C., Title 14, Section 512(9).
5. Maintain direct communication with other public and nonpublic schools to assure efficient notification and transfers and exchange of records.
6. Update the application to incorporate any modifications and/or conditions identified as pre-conditions to final approval by the Secretary of Education and State Board of Education as set forth in its written decisions and order; and operate the program in accordance with the content of the updated and approved charter granted by the Board. The school's Board of Trustees may not implement any additional modifications to the charter school program or operation without the express written consent of the Department of Education.
7. Notify the Department of Education in writing within 30 days when the administrative head or members of the Board of Trustees change.
8. Provide the Department of Education with copies of the policies and by-laws of the school and the school's Board of Trustees and inform the Department when by-laws change.
9. Before September 1 of each year, provide the Department of Education with evidence of the certification status of teachers employed at the school.
10. Employ only staff who have complied with the requirement of having successful criminal background check and report to the Department of Education by September 1 of each school year that the school is in full compliance with state law related to this requirement.

11. Cooperate fully with the Department of Education requests for reporting information and activities related to monitoring the school's compliance with the charter and applicable state and federal laws and regulations.
12. Comply with the provisions for performance agreement, as required by the Secretary of Education.
13. Distribute copies of the Department's **Parent Guide to Delaware Charter Schools** to parents seeking to enroll their child(ren) as well as to parents of enrolled children.
14. Conduct all meetings of the Board of Trustees in a manner consistent with the Freedom of Information act, especially the legal requirements of Del. C. Title 29, Sections 10002, 10003, and 10004.
15. Prior to opening the school, include representation the teachers employed by the school and parents of students enrolled at the school on the Board of Trustees, consistent with Del. C., title 14, Section 511(a).

On behalf of the Board of Trustees of MOT Charter School, I agree to these assurances as a condition of the approval of the charter.

MOT Charter School

Name of the Charter School

Robin D. Lester

Signature of the President of the Board of Trustees

Robin Lester

Robin Lester

Name of the Signer (type or print)

12-27-99

Date of Signature

## Exhibit A

## FOUNDERS

### **Robin S. Lester**

*Robin Lester is a Fundraising Consultant, working with Republican candidates in Delaware and neighboring states. Beginning with the 1994 Roth Campaign, she has worked for Senatorial and Gubernatorial candidates in Delaware and New Jersey, highlighted by a successful fundraising campaign to return U.S. Senator William V. Roth, Jr., of Delaware, to the Senate in 1994. She is currently Finance Director for the Roth 2000 Campaign.*

*Since 1976, Lester has worked in a variety of volunteer capacities in previous Roth campaigns and for other Republican candidates in Delaware. Lester has extensive fundraising and organizational experience outside of politics, working for community organizations including the Junior League of Wilmington, Child, Inc., the Odessa Women's Club and the Wilmington Friends School, serving two terms as Home and School President.*

*Before leaving to raise a family and pursue volunteer activities, Lester served as Public Relations Director for the American Lung Association of Delaware for five years. A Political Science graduate of the University of Delaware, Lester lives on a family farm in St. Georges with her husband, Ken, and their two teenage daughters, Kate and Sarah.*

### **Kevin Hensley**

*Kevin Hensley is a Realtor with Patterson Schwartz Real Estate and is licensed in both Delaware and Maryland. He has been with Patterson Schwartz three years and over 70% of his business is located in the Middletown-Odessa-Townsend area. He specializes in residential resales as well as new construction. Kevin grew up in the Bethesda, Maryland area and graduated from the University of Delaware with a Bachelors of Arts degree in 1988. He is very involved in the Junior Achievement volunteer program and regularly teaches classes in schools in the Middletown area. Kevin lives in Middletown with his wife, Verna, and their four-year-old daughter, Julia.*

### **Jennifer H. Taylor**

*Jennifer Taylor is a marketing and educational consultant. Her husband, James, currently serves on the Red Clay Consolidated School District Public School Board. They are expecting their first child in the spring. Taylor's college degree*

*was in Political Science Education. She is involved in community service work, and has spent the majority of the past year working on public education reform in Delaware.*

**Lacy and Jennifer Holly**

*Lacy is an attorney with the law firm of Mattleman Weinroth & Miller located in Newark, DE. He is a general practitioner and handles many different aspects of law. He grew up in the Bear, DE area and attended both undergraduate as well as law school in Virginia. His wife, Jennifer, is a graduate of the University of Delaware and has a graduate degree in education. Lacy and Jennifer live in Middletown with their three young children.*



## Exhibit B

**BYLAWS  
OF  
MOT CHARTER SCHOOL, INC.**

A not-for-profit corporation  
Adopted as of \_\_\_\_\_

**ARTICLE I – POWERS AND FUNCTIONS OF DIRECTORS**

Subject to limitations imposed by law, the Certificate of Incorporation, or these bylaws, all corporate powers shall be exercised by or under the authority of the Board of Directors (the “Board”). The Board has the power to manage the property and business of this corporation (the “Corporation”). The members of the Corporation (the “Members”) shall have no voting rights, other than as provided by the General Corporation Law of the State of Delaware and the provisions of these bylaws.

Without limiting the foregoing, the Board shall conduct the business of the Corporation, including:

- i. Adopting the bylaws of the Corporation;
- ii. Determining the general policies and strategic planning of the Corporation;
- iii. Establishing the annual budget and approving major expenditures;
- iv. Selecting projects and approving the overall budget of said projects;
- v. Approving the administrative budget of the Corporation;
- vi. Approving the annual financial statements of the Corporation; and
- vii. Electing officers and filling vacancies in said offices as may occur from time to time during the year.

**ARTICLE II – MEETING OF THE BOARD**

**Section 1. Compliance with Delaware Code.**

The Board shall conduct its meeting within the State of Delaware as if it were a “public body” as defined in 29 Del. Code § 10002(a) and according to the requirements of Chapter 100 of said Title 29 (the “Act”), including provisions relating to the open meetings requirements of the Act. In addition to the published notices required by the Act, notices of each meeting of the Board shall be forwarded to its members by any method, which preserves proof of such notice.

## Section 2. Quorum.

A quorum for the transaction of business at any meeting of the Board shall consist of one-third of the voting directors then serving, except as may otherwise be required by law. An act of the majority of directors present and voting at a duly called meeting shall be the act of the Board, except as may otherwise be provided elsewhere by these bylaws.

## Section 3. Reliance.

A member of the Board, or of any committee thereof shall, in the performance of his or her duties, be fully protected in relying in good faith upon the records of the Corporation and upon such information, opinions, reports or statements presented to the Corporation by any of its officers, or employees, or committees of the Board, or by any other person as to matters the member reasonably believes are within such other person's professional or expert competence and who has been selected with reasonable care by or on behalf of the Corporation.

# **ARTICLE III – MEMBERSHIP OF THE BOARD**

## Section 1. Number.

The Board shall consist of up to eleven members. Once the Charter School (the "school") has opened, at least one member of the Board shall be a teacher employed at the School and at least one member shall be a parent of a student enrolled at the School. The initial Board shall consist of four members. However, the number of directors constituting the Board may be reduced as a result of a vacancy or increased upon the election of additional members as provided in Sections 7 and 5, respectively, of this Article III.

## Section 2. Eligibility.

The directors of the Corporation shall be the only Members of the Corporation and, upon ceasing to be a director, any such person shall cease to be a Member. The election of a director as provided in these bylaws shall likewise serve to elect such director to membership in the Corporation.

## Section 3. Voting Rights.

Each director shall have one vote.

#### Section 4. Liability.

No director shall be personally liable for the debts, liabilities or obligations of the Corporation.

#### Section 5. Election and Term.

The initial directors of the Corporation shall be selected by the Incorporator pursuant to a written action. Directors shall, in their discretion, elect additional eligible directors pursuant to an affirmative vote of a majority of all the directors of the Corporation, provided that the limit on the number of directors set forth above in Section 1 of this Article III shall not be exceeded. Once selected, a director shall remain a director until the director's resignation or incapacity.

#### Section 6. Chair of the Board

The Board shall elect, at its original meeting and each annual meeting, a Chair of the Board (the "Chair") who shall be a director and who shall hold office until the next annual meeting of the Board and until elected and qualified or until his or her earlier resignation or removal by act of the board. The Chair shall preside at meetings of the Members of the Corporation and of the Board. In the absence of the Chair, a Vice-Chair shall preside at meetings of the members of the Board.

#### Section 7. Vacancies.

Any vacancy on the board shall reduce the number of directors constituting the whole Board and the number of duly elected and acting directors until such time, if any, as an additional eligible director is elected pursuant to Section 5 of this Article III.

#### Section 8. Removal.

A director may be removed from the Board with or without cause by an affirmative vote of at least a majority of directors.

#### Section 9. Compensation.

Directors shall serve without compensation.

### Section 10. Resignations.

Any director may resign from a committee of the Board, an office of the Board, or the board itself by giving written notice to the Chair or the Secretary. Any such resignation shall take effect on the date of receipt of such notice or at any later time therein specified, and, unless otherwise specified, the acceptance of such resignation shall not be necessary to make it effective.

## **ARTICLE IV – COMMITTEES OF THE BOARD**

### Section 1. Establishment by Chair

The Chair of the Board may appoint, or may provide for the appointment of, committees consisting of directors with such duties and powers as the Chair may, from time to time, designate and prescribe, except as indicated in Sections 2 and 3 below. In the absence or disqualification of any member of any committee and any alternate member in his or her place, the Chair may appoint another member of the Board to act at the meeting in place of any such absent or disqualified member. The Chair may, from time to time, suspend, alter, continue or terminate any of such committees or the powers and functions thereof.

Without limiting the foregoing, the Chair shall initially provide for the following committees: Executive Committee and Budget Committee.

### Section 2. Executive Committee

The Executive Committee shall consist of the Chair, Vice Chairs, the Secretary, and the Treasurer. The executive Committee shall have and may exercise all the powers and authority of the Board, except as otherwise provided by law. Without limiting the foregoing, the Executive Committee shall approve of the Corporation's administrative budget, including the compensation of any employees.

### Section 3. Budget Committee.

The Budget Committee shall consist of the Chair, the Secretary, the Treasurer and two other directors to be appointed by the Chair. The Budget Committee shall be responsible for establishing an annual budget an administrative budget, including the compensation of any employees.

### Section 4. Action.

Unless otherwise provided in the resolution of the Board designating a committee, a majority of the members of the whole committee shall constitute a quorum unless the committee shall consist of one or two members, in which case one member shall constitute a quorum. All matters properly brought before the committee shall be determined by a majority vote of the committee.

#### Section 5. Procedures.

Each committee may determine the procedural rules for meeting and conducting its business and shall act in accordance therewith, except as otherwise provided by law. Adequate provision shall be made for notice to all members of any committee of all meetings of that committee.

### **ARTICLE V – MEMBERS**

#### Section 1. Annual Meeting.

An annual meeting of the Members of the Corporation shall be held immediately preceding the annual meeting of directors at such place, on such date, and at such time as shall have been established by the Board.

#### Section 2. Special Meetings.

Special meetings of the members of the Corporation may be held at the call of the Chair for any purpose or purposes. Such request shall state the purpose or purposes of the proposed meeting.

#### Section 3. Compliance with the Act Notice.

A notice of any annual or special meeting, setting forth the time, date and place of the meeting, shall be given by the Secretary in person, by mail, by telephone, by telecopier or by telegram not less than ten (10) days in advance of the meeting to each Member at the address last shown on the records of the Corporation. Unless otherwise indicated in the notice thereof, any and all business may be transacted at any annual or special meeting. In addition to the provisions of this §3, all meeting of Members shall be conducted pursuant to and in compliance with the Act.

#### Section 4. Quorum.

At any meeting of the Members, a quorum for the transaction of business shall consist of one-third of all of the Members of the Corporation, except to the extent that a greater number of Members may otherwise be required by law. An act of the majority of Members present and voting shall be the act of the members, except as may otherwise be required by these bylaws.

#### Section 5. Waiver or Consent.

The transaction of business at any meeting of the members of the Corporation, however called and noticed and wherever held, shall be as valid as though held at a meeting after regular call and notice, if a quorum is present and if, either before or after the meeting, each of the Members not present sign a written waiver of notice or consent to the holding of the meeting or an approval of the minutes. All such waivers, consents, or approvals shall be expressed in writing and filed with the corporate records or make a part of the minutes of the meeting; provided, however, that no such action shall be valid if taken in such a way as would not comply with the Act.

### **ARTICLE VI – OFFICERS**

#### Section 1. Officers.

The officers of the Corporation shall consist of the Chair, Vice Chair, a Secretary, a Treasurer, and such assistants to the Secretary or Treasurer as the Board may deem necessary. The officers shall perform such duties as described in this Article and shall receive no compensation for these services, except as otherwise expressly noted. Only members of the Board may serve as the Chair, vice Chair, Treasurer, and Secretary. Any person may hold more than one office.

#### Section 2. Election and Term.

The officers of the Corporation shall be elected by, and serve at the pleasure of, the Board. The initial officers shall be elected for one-year terms provided that an officer appointed to fill a vacancy shall serve for the remainder of the term of his or her predecessor, and provided further that an officer shall serve until his or her successor is elected and qualified in accordance with these bylaws.

#### Section 3. Vacancies.

A vacancy in any of the offices of the Corporation may be filled for the unexpired term by appointment by the Chair.

#### Section 4. Chair.

The Chair shall preside at all meeting of the Board and all meetings of the Members of the Corporation. The Chair shall serve as the principal executive officer of the corporation. The Chair shall see that all orders and resolutions of the Board and the Executive committee or other committees of the Board are carried into effect. The Chair shall also have general supervision and direction of the officers and shall see that their duties and those assigned to other directors are properly performed.

#### Section 5. Vice Chair.

Each Vice Chair shall have such powers and duties as may be prescribed from time to time by the Chair or by the Board. In the absence or disability of the Chair, the Vice Chairs shall perform all the duties of the Chair.

#### Section 6. Secretary.

The Secretary shall keep or cause to be kept a record of the proceedings of the Board, shall make service of all such notices as may be required under the provisions of these bylaws or by law, shall be custodian of the corporate records and of the corporate seal, and shall have such other powers and duties as may be prescribed from time to time by the Chair or the Board.

#### Section 7. Treasurer.

The Treasurer shall be responsible for the oversight of the custody of all funds of the Corporations, shall generally supervise the accounting and bookkeeping of the Corporation, shall regularly report to the Board as to the financial condition and results of the operation of the Corporation, and shall have such other powers and duties as may be prescribed from time to time by the Chair or the Board.

### **ARTICLE VII – EXECUTION OF INSTRUMENTS**

#### Section 1. Checks, Drafts and Orders for Payment of Money.



All checks, drafts and orders for payment of money shall be signed in the name of the Corporation and shall be signed by one of the following officers: The Treasurer, the Secretary or any Assistant Treasurer or Assistant Secretary.

#### Section 2. Contracts.

All contracts, conveyances or other instruments which have been authorized by the Board shall be executed in the name and on behalf of the Corporation, and have affixed thereto the corporate seal, by the Secretary of the Corporation or his or her delegate.

### **ARTICLE VIII - INDEMNIFICATION**

#### Section 1. Right to Indemnification.

The corporation shall indemnify and hold harmless, to the fullest extent permitted by applicable law as it presently exists or may hereafter be amended, any person who was or is made or is threatened to be made a party or is otherwise involved in any motion, suit, or proceeding, whether civil, criminal, administrative or investigative (a "proceeding") by reason of the fact that he, or a person for whom he is the legal representative, is or was a director or officer of the Corporation or is or was serving at the request of the corporation as a director, officer, employee, or agent of another corporation or of a partnership, joint venture, trust or enterprise or nonprofit entity, including service with respect to employee benefit plans, against all liability and loss suffered and expenses (including attorneys' fees) reasonable incurred by such person. The Corporation shall be required to indemnify a person in connection with a proceeding (or part thereof) initiated by such person only if the proceeding (or part thereof) was authorized by the Board of the Corporation.

#### Section 2. Prepayment of Expenses.

The Corporation shall pay the expense (including attorneys' fees) incurred in defending any proceeding in advance of its final disposition, provided, however, that the payment or of expenses incurred by a director or officer in advance of the final disposition of the proceeding shall be made only upon receipt of an undertaking by the director or officer to repay all amounts advanced if it should be ultimately determined that the director or officer is not entitled to be indemnified under this Article or otherwise.

### Section 3. Claims.

If a claim for indemnification or payment of expenses under this Article is not paid in full within sixty days after a written claim therefore has been received by the Corporation, the claimant may file suit to recover the unpaid amount of such claim and, if successful in whole or in part, shall be entitled to be paid the expense of prosecuting such claim. In any such action the Corporation shall have the burden of proving that the claimant was not entitled to the requested indemnification or payment of expenses under applicable law.

### Section 4. Nonexclusively of Rights

The rights conferred on any person by this Article VIII shall not be exclusive of any other rights which such person may have or hereafter acquire under any statute, provision of the certificate of incorporation, these bylaws, an agreement, vote of Members or disinterested directors or otherwise.

### Section 5. Other Indemnifications

The Corporation's obligation, if any, to indemnify any person who was or is serving at its request as a director, officer, or employee or agent of another corporation, partnership, joint venture, trust, or other enterprise or nonprofit entity shall be reduced by any amount such person may collect as indemnification from such other corporation, partnership, joint venture, trust, enterprise or nonprofit enterprise.

### Section 6. Liability Insurance.

The Corporation may purchase and maintain insurance on behalf of any person who is or was a director, officer, employee or agent of the Corporation, or is or was serving at the request of the Corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise against any liability asserted against him and incurred by him in any such capacity, or arising out of his status as such, whether or not the Corporation would have the power or the obligation to indemnify him against such liability under the provisions of this Article VIII.

**Exhibit D**

# Charter School Application Budget Worksheet

Students		450	20.17% 525	17.71% 600
Revenue	Planning Year	Year 1	Year 2	Year 3
State Appropriations		2,288,090	2,749,529	3,304,027
Local Funds Transfers		407,500	489,681	588,434
Charter School Federal Funds	135000			
Other Federal Funds		157,500	189,263	227,432
Transportation		308,859	371,147	445,996
Food		100,000	120,167	144,401
Total	135000	3,261,949	3,919,786	4,710,290
Personnel				
Teachers		540,000	648,902	779,766
Principals/Administrative	55000	91,142	109,523	131,610
Clerical	20000	41,680	50,086	60,186
Custodial		28,954	34,793	41,810
Substitutes		30,000	36,050	43,320
Teachers' Aides		144,000	173,040	207,938
Special Education Teachers		77,510	93,141	111,925
Salaries	75000	953,286	1,145,535	1,376,555
Health Insurance	5000	174,368	209,533	251,789
Benefits	13613	171,305	205,853	247,367
Subtotal Personnel	93613	1,298,959	1,560,921	1,875,712

Students		450	525	600
Revenue	Planning			
Student Support	Year	Year 1	Year 2	Year 3
Transportation		308,859	371,147	445,996
Food/cafeteria		100,000	120,167	144,401
Extra Curriculum		25,000	30,042	36,100
Materials & Supplies		60,000	72,100	86,641
Textbooks		150,000	180,251	216,602
Computer lease Payment		60,000	72,100	86,641
Contracted Services		58,000	69,697	83,753
Testing Materials		15,000	18,025	21,660
Curriculum & Training by Management Co	8437.5	203,872	244,987	294,393
Contingency		51,129	61,440	73,831
Subtotal Student Support	8437.5	1,031,860	1,239,955	1,490,017
Administrative/operations Support				
Insurance		20,000	24,033	28,880
Mortgage Payments/rent		300,000	360,501	433,203
Utilities		125,000	150,209	180,501
Custodial		45,000	54,075	64,980
Supplies & Materials	5000	40,000	48,067	57,760
Equipment Lease Payment		85,000	102,142	122,741
Telephone/communication		16,500	19,828	23,826
Legal/Accounting	5000	25,000	30,042	36,100
Printing	5000	15,000	18,025	21,660
Postage	5000	15,000	18,025	21,660
Contingency	4512	40,758	48,978	58,855
Services Provided by Management Co.	8437.5	203,872	244,987	294,393
Subtotal	32949.5	931,130	1,118,911	1,344,561
EXPENSE SUBTOTALS				
Personnel	93613	1,298,959	1,560,921	1,875,712
Student Support	8437.5	1,031,860	1,239,955	1,490,017
Administrative/operations	32949.5	931,130	1,118,911	1,344,561
TOTALS	135000	3,261,949	3,919,786	4,710,290
difference	0	(0)	(0)	(0)

## Exhibit E

## SAMPLE MANAGEMENT AGREEMENT

This Management Agreement (the "Agreement") is made and entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 2000, by and between **Mosaica Education, Inc.**, a Delaware corporation ("MEI"), and **MOT Charter School, Inc.** (the "School"), a public school academy established under a charter granted by the Delaware Department Education and State Board of Education pursuant to Del. Code, Title 14, Chapter 5 (the "Code").

### RECITALS

A. The School is being granted a charter (the "Charter") by the Delaware Department of Education and the State Board of Education (the "Chartering Authorities") to organize and operate a public school academy under the Code. The School is organized, among other things, for the following purposes:

- improving pupil achievement for all pupils in the elementary and middle school grades;
- stimulating innovative teaching methods including but not limited to, use of electronic media and computers as well as hands-on technical training;
- creating new professional opportunities for teachers in a learning environment where educational programs can be designed and managed by teachers at the school site level;
- achieving school accountability outcomes by placing full responsibility for performance at the school site level;
- providing parents and pupils with greater choices among public schools;
- preparing students for careers in a rapidly changing global economy; and
- motivating students to attain mastery in core academic curriculum areas and the performing arts.

B. MEI was established, among other things, for the following purposes:

- promoting and encouraging research regarding innovative and effective school design and systems of instruction for elementary and secondary education;
- implementing innovative and effective comprehensive instructional and educational systems, management principles and programs in elementary and secondary education; and

- enabling the School and other schools to achieve their statutory purposes and educational goals.

C. The School and MEI desire to create an enduring educational relationship whereby they will develop educational excellence at the School based on MEI's school design, comprehensive educational program and management principles.

D. The School has approved the MEI curriculum and the School budget for the 2000-2001 school year, and agrees that it is in the best interest of the School to enter into this Agreement with MEI.

E. Nothing in this Agreement should be construed to (i) create an improper delegation of the School's fiduciary or other responsibilities under applicable law or its obligations under the Charter with the Chartering Authorities, (ii) violate the policies of the Chartering Authorities, (iii) interfere with the School's duty to exercise its statutory, contractual and other responsibilities governing the operation of the School, (iv) prohibit the School or the Board from acting as an independent, self-governing public body or (v) provide for public decisions to be made other than in compliance with the Open Meetings Act.

THEREFORE, the parties mutually agree as follows:

## ARTICLE I EDUCATIONAL SERVICES AND ADMINISTRATIVE SERVICES

### 1.01. Educational Services.

(a) For the Term (as defined in Article II below), MEI will provide to the School and its students the following educational services (the "Educational Services"):

- (i) Curriculum. The Paragon™ Curriculum and curriculum development;
- (ii) Instruction. Instructional services and personnel, including the principal, teachers and support staff in accordance with Article VI below;
- (iii) Instructional Tools. Instructional tools, equipment and supplies, including text books, computers, software and multi-media teaching tools;
- (iv) Extra-Curricular and Co-Curricular Programs. Extra-curricular and co-curricular activities and programs (but not Supplemental Programs as defined in Article V below); and



- (v) Additional Educational Services. Any other services necessary or expedient for the provision of teaching and learning at the School as agreed to from time to time between MEI and the School.

(b) The Educational Services will be provided in accordance with the educational goals, curriculum, methods of pupil assessment, admissions policy, student recruitment policy, school calendar, school day schedule and age and grade range of pupils to be enrolled at the School (the "Educational Program") as adopted by the Board of Trustees of the School (the "Board") and as provided for in the Charter.

(c) Subject to this Agreement, the Charter and the authority of the Chartering Authorities, MEI may modify the Educational Services, provided that any modification of the Educational Services will be subject to the prior approval of the Board, and if required by the Charter, by the Chartering Authorities.

(d) MEI will be responsible and accountable to the Board for the provision of the Educational Services, provided, that such obligations, duties and responsibilities are limited by the School Budget established pursuant to Section 1.02(vi) below, and MEI will not be required to expend funds on such services in excess of the amounts set forth in such School Budget.

#### 1.02 Administrative Services.

(a) For the Term (as defined in Article II below), MEI will provide to the School the following administrative services (the "Administrative Services"):

- (i) Personnel Management. Management and professional development of all personnel providing Educational Services and Administrative Services in accordance with Article VI below;
- (ii) Facility Operation and Maintenance. Operation and maintenance of the School's facility (the "Facility") to the extent consistent with any and all leases or other documents pertaining to the Facility;
- (iii) Business Administration. Administration of all business aspects of the School;
- (iv) Transportation and Food Services. Provision of transportation and food services for the students enrolled at the School as required by the Board;
- (v) Public Relations. Any and all advertising and public relations with the community and the media;
- (vi) Budgeting and Financial Reporting.

- (A) Beginning with respect to the 2000-2001 school year, MEI a proposed annual budget (the "School Budget"). Future annual budgets will be prepared by MEI in the same general manner as the 2000-2001 annual budget and will be subject to the approval of the Board, which approval will not be unreasonably withheld. The projected annual budget will include, but not be limited to, the financial details relating to the Educational Services and Administrative Services to be provided pursuant to this Agreement.
- (B) Detailed statements of all revenues received, from whatever source, with respect to the School, and detailed statements of all direct expenditures for services rendered to or on behalf of the School, whether incurred on-site or off-site, upon request.
- (C) Annual audits or other financial statements as required by and in compliance with the Code and other applicable laws and regulations.
- (D) Reports on the finances of the School upon the request of the Board or the Chartering Authorities but not less frequently than is required by the Charter, the Code or other applicable laws and regulations (and no more often than monthly).
- (E) Other information on a periodic basis reasonably necessary to enable the Board to monitor MEI's performance under this and related agreements, including the effectiveness and efficiency of its operations at the School.

(vii) Maintenance of Financial and Student Records.

- (A) MEI will maintain accurate financial records pertaining to its operation of the School, together with all School financial records prepared by MEI and retain all such records for a period of five (5) years (or longer if required by the Code or other applicable laws and regulations) from the close of the fiscal year to which such books, accounts and records relate. All the School financial records retained by MEI pertaining to the School will be available to the School, the Board and the Chartering Authorities for inspection and copying upon reasonable request.
- (B) MEI will maintain accurate student records pertaining to the students enrolled at the School as is required and in the manner provided by the Charter, the Code and applicable laws and

regulations, together with all additional School student records prepared by or in the possession of MEI, and retain such records permanently on behalf of the School or until this Agreement or its successor (if any) is terminated, at which time such records will be retained by and become the sole responsibility of the School. MEI and the School will maintain the proper confidentiality of personnel, students and other records as required by law and the Charter;

- (viii) Admissions. Implementation of the School's admission policy;
- (ix) Student Hearings. Administration and enforcement of student disciplinary and special education hearings in conformity with the requirements of the Code and other applicable laws and regulations (including, but not limited to, requirements involving due process and confidentiality) to the extent consistent with the School's duties and obligations under the Code and other applicable laws and regulations;
- (x) Semester Reports. MEI will provide to the Board on a semester basis (or more often if necessary for the Board to satisfy its obligations under the Charter, the Code and other applicable laws and regulations) a report detailing (A) the School's students' academic performance, and (B) MEI's performance of the Educational Services and Administrative Services;
- (xi) Rules and Procedures. MEI will enforce the rules, regulations and procedures adopted by the School not in direct conflict with this Agreement, the Charter, the Code and other applicable laws and regulations. MEI will recommend rules, regulations and procedures applicable to the School and its students; and
- (xii) Additional Administrative Services. Any other services reasonably necessary or expedient for the effective administration of the School.

(b) The Administrative Services will be provided in accordance with the Educational Program and the Charter.

(c) Subject to this Agreement, the Charter, the Chartering Authorities, the Code and other applicable laws and regulations, MEI may modify the methods, means and manner by which such Administrative Services are provided at any time.

(d) MEI will be responsible and accountable to the Board for the provision of the Administrative Services, provided that such obligations, duties, and responsibilities are limited by the School Budget established in Section 1.02(a)(vi) above, and MEI will not be required to expend funds on such services in excess of the amounts set forth in such School Budget.

and the other in any manner contrary to the terms of this Agreement. Neither the School nor MEI has and neither will represent that it has the power to bind or legally obligate the other. No employee of MEI will be considered an employee of the School by either party for any purpose whatsoever, notwithstanding that one or more employees of MEI may be engaged in providing the Educational Services, Administrative Services or Supplementary Programs (defined in Article V below) to the School on a full-time basis.

3.02. No Related Parties or Common Control. MEI will not have any role or relationship with the School that, in effect, substantially limits the School's ability to exercise its rights, including cancellation rights, under this Agreement. The Board may not include any director, officer or employee of MEI. None of the voting power of the Board will be vested in MEI or its directors, members, managers, officers, shareholders and employees, and none of the voting power of the Board of Directors or Shareholders of MEI will be vested in the School or its directors, members, managers, officers, shareholders (if any) and employees. Furthermore, the School and MEI will not be members of the same control group, as defined in Section 1.150-(f) of the regulations under the Internal Revenue Code of 1986 as amended (or its successor), or related persons, as defined in Section 144(a)(3) of the Internal Revenue Code of 1986 as amended (or its successor).

3.03. Other Schools. The parties acknowledge that this arrangement is not exclusive and that MEI will have the right to render similar services to other persons or entities including other public or private schools or institutions ("Other Schools"). MEI will maintain separate accounts for reimbursable expenses incurred on behalf of the School and Other Schools and only charge the School for expenses incurred or consideration earned on behalf of the School. All grants or donations received by the School, or by MEI for the specific benefit of the School, will be maintained in separate accounts and used solely for the School. If MEI incurs authorized reimbursable expenses on behalf of the School and Other Schools which are incapable of precise allocation between the School and Other Schools, then MEI will allocate such expenses among all such Other Schools and the School on a pro rata basis based upon the number of students enrolled at the School and the Other Schools, or upon such other equitable basis as it shall elect. Marketing and development costs paid by or charged to the School shall be limited to those costs specific to the School and its programs, and shall not include any costs for the marketing and development of MEI or other schools managed by or receiving services from MEI.

#### ARTICLE IV COMPENSATION

4.01. Compensation for Services.

(a) For the term of this Agreement, including each and every Renewal Term, the School will pay MEI an annual fee of (i) 12.5% of the state and local school funds (the "State Aid") that the School receives, directly or indirectly, pursuant to the Code, for the particular students enrolled in the School (the "State Allocation"), plus (ii) subject to federal law and regulations, 12.5% of the funds (the "Federal Funds") that the School receives, directly or indirectly, from the federal government (the "Federal Allocation") (the Federal Allocation together with the State Allocation, the "Management Fee"). Such consideration will not preclude the payment of additional consideration if additional consideration is permitted or specified elsewhere in this Agreement or other agreements between the parties.

(b) Reasonable Compensation. The Management Fee under this Agreement is reasonable compensation for services rendered. MEI's compensation for services under this Agreement will not be based, in whole or in part, on a share of net profits from the operation of the School.

4.02. Payment of Costs. In addition to the Management Fee described in Section 4.01 above and payments made pursuant to any other agreement or agreements subsequently entered into between the parties hereto, the School will reimburse MEI for all costs incurred and paid by MEI in providing the Educational Services and Administrative Services. Such costs include, but are not limited to, rent and/or lease payments (provided, however, that nothing herein shall preclude the parties from entering into an Equipment Lease or Facility Lease with each other or affiliates), salaries of MEI employees, costs related to curriculum, instructional materials, textbooks, library books, computers, software, supplies, food service, transportation, special education, psychological services and medical services. Except as provided in the Equipment Lease or Facility Lease, such costs shall be paid by the School upon presentment of the appropriate documentation and will not include an added fee to MEI unless such fee is approved in advance by the Board.

4.03. Time and Priority of Payments.

(a) MEI will receive its State Allocation portion of the Management Fee in the same number of installments and in the same proportion that the School receives the State Aid. Each installment of the State Allocation will be due and payable within five (5) days of receipt by the School of an installment of State Aid.

(b) MEI will receive its Federal Allocation portion of the Management Fee in the same number of installments and in the same proportion that the School receives Federal Funds. Each installment of the Federal Allocation will be due and payable within five (5) days of receipt by the School of an installment of Federal Funds, including installments disbursed by the State of Delaware on behalf of the federal government.

(c) MEI will notify the School of payments due and owing to MEI pursuant to Section 4.02 above as soon as possible after the end of each month and the School will make such payments to MEI within ten (10) days thereafter.

(d) The School will satisfy its payment obligations under this Article to MEI in the following order of priority: (i) payments due and owing pursuant to Section 4.02 above with the oldest amounts due first; and (ii) payments due and owing pursuant to Section 4.01 above with the oldest amounts due first.

(e) Any payment due under Section 4.01 or Section 4.02 above not paid when due will be subject to a late fee calculated as interest on the amount in arrears calculated at the prime rate of interest announced by MBNA America Bank as its prime rate, plus 2% per annum (the "Late Interest Rate"), for the time overdue; provided that any such amounts due and outstanding for a period exceeding sixty days shall be subject to a late fee calculated as interest on the amount in arrears calculated at 18%, for the entire time overdue (unless such rate is less than Late Interest Rate, in which case, such interest shall be calculated at the Late Interest Rate).

#### 4.04. Other Revenue Sources.

(a) The School and MEI may, together or independently, solicit and receive grants and donations from public and private sources consistent with the mission and Charter of the School, in the name of either MEI or the School; provided, however, that any solicitation of such grants by MEI in the name of the School or which identifies the School shall be subject to the prior approval of the School.

(b) All funds received by MEI or the School for the benefit of the School from such other revenue sources pursuant to this Section 4.04 will be deemed School funds, except that MEI will receive 12.5% of any such funds used to provide Educational Services or Administrative Services, to the extent allowable by the donor or grantor of such other revenue source.

(c) Nothing in this Section 4.04 will be construed to prohibit MEI from soliciting funds or grants solely for its own general corporate purposes and using such funds or grants solely for such purposes.

## ARTICLE V SUPPLEMENTAL PROGRAMS

5.01. Supplemental. In addition to the Educational Services and Administrative Services provided by MEI to the School, MEI may, in its sole discretion, provide additional services, including, but not limited to, pre-kindergarten, summer school, academic camps, before and after school programs, vocational training, and latch-key programs to students and non-students of the School (the "Supplemental Programs"). MEI may retain the full amount of any and all revenues collected from or for such Supplemental Programs; and MEI will be responsible for the full cost of providing such Supplemental Programs. The Board will permit MEI to operate such Supplemental Programs at the Facility without charge to MEI; provided, however, that MEI shall provide to the School a fee equal to 12.5% of the profits (if any) derived by MEI from such Supplemental Programs.

## ARTICLE VI PERSONNEL AND TRAINING

### 6.01. Personnel Responsibility.

(a) Subject to Sections 1.01 and 1.02 above, the Charter, the Code and other applicable laws and regulations, MEI will have the sole responsibility and authority to determine staffing levels, and to select, evaluate, assign, discipline, supervise, manage and transfer personnel necessary to carry out the Educational Services, the Administrative Services, the Supplemental Programs (if any) and all other services provided under this Agreement.

(b) Except as specified in this Agreement or as required by the Code or the Charter, the Principal (as defined in Section 6.02 below), teachers and support staff provided by MEI pursuant to this Agreement will be employees of MEI, provided, however, that it is understood by the parties that so long as the School operates on the Delaware Financial Management System ("DFMS"), the Principal, teachers and support staff will be employees of the School. MEI will be responsible for conducting criminal background checks and unprofessional conduct checks on its employees to the extent required under the Code and other applicable laws and regulations as if the employees were employed by an academy. Upon request, MEI will provide the School documenting evidence of such background checks.

6.02. Principal. Except as provided in Section 6.01, above, the principal of the school ("Principal") will be an employee of MEI, and the employment terms of the Principal will be determined by MEI. MEI will have the authority, consistent with the Code and other applicable laws and regulations to select and supervise the Principal and to hold him or her accountable for the success of the School.

6.03. Teachers. MEI will provide the School with such teachers as are required to provide the Educational Services, Administrative Services and Supplementary Programs (if any).

MEI will determine the number and assignments of such teachers. Such teachers may work at the School on a full- or part-time basis. Each teacher assigned to the School will be qualified in his or her grade levels and subjects, hold valid teaching credentials and/or certification to the extent required under the Code and other applicable laws and regulations, and have undergone a criminal background check and unprofessional conduct check to the extent required under the Code and other applicable laws and regulations. Upon request, MEI will provide the School with documentary evidence of its compliance with this Section 6.03.

6.04. Support Staff. MEI will provide the School with such support staff as is required to provide the Educational Services, Administrative Services and Supplementary Programs. Such support staff may include, among others, teachers' aides, clerical staff, administrative assistants to the Principal, bookkeepers and maintenance personnel. Such support staff may work at the School on a full- or part-time basis.

6.05. Training. MEI will provide training in its instructional methods, curriculum, educational program and support technology to its instructional personnel on a regular and continuous basis. Such training will enable MEI's instructional staff to provide in-service training to each other. Non-instructional personnel will receive such training as MEI determines to be reasonable and necessary under the circumstances.

## ARTICLE VII TERMINATION OF AGREEMENT

### 7.01. Termination.

(a) By MEI. MEI may terminate this Agreement prior to the end of the term specified in Article II in the event that the School fails to remedy a material breach within 30 days after written notice from MEI. A material breach includes, but is not limited to, (i) MEI's failure to receive any fee or reimbursement as required by the terms of this Agreement, (ii) adoption by the School of an Educational Program in substantial variance from the Paragon™ Curriculum or the material recommendations of MEI, or (iii) an act or omission of gross negligence that causes MEI to be unable to perform its material obligations under this Agreement. Termination by MEI will not relieve the School of any obligations for payments outstanding to MEI as of the date of termination.

(b) By School. The School may terminate this Agreement prior to the end of the term specified in Article II in the event that MEI fails to remedy a material breach within 30 days after written notice from the Board. A material breach by MEI includes, but is not limited to: (i) failure to account for its expenditures, (ii) failure to substantially follow the policies, procedures, rules, regulations or curriculum duly adopted by the Board which are not in violation of or conflict with the Charter, this Agreement, the Code, the Paragon™ Curriculum and applicable laws and regulations, (iii) failure to abide by and meet the educational goals set forth in the Charter, (iv) the employment of teachers in violation of the Code or this Agreement, or (v)



## ARTICLE IX INDEMNIFICATION

9.01. Indemnification of MEI. The School will indemnify, and save and hold MEI and all of its employees, officers, directors, subcontractors and agents harmless against any and all claims, demands, suits or other forms of liability that may arise out of, or by reason of, any noncompliance by the School with any agreements, covenants, warranties or undertakings of the School contained in or made pursuant to this Agreement, and any misrepresentations or breach of the representations and warranties of the School contained in or made pursuant to this Agreement. In addition, the School will reimburse MEI for any and all legal expenses and costs associated with the defense of any such claim, demand or suit. The indemnification requirements of this Section 9.01 may be met by the purchase of insurance pursuant to Article X below.

9.02. Indemnification of the School. MEI will indemnify and save and hold the School and all of its employees, officers, directors, subcontractors and agents harmless against any and all claims, demands, suits or other forms of liability that may arise out of, or by reason of, any noncompliance by MEI with any agreements, covenants, warranties or undertakings of MEI contained in or made pursuant to this Agreement, and any misrepresentation or breach of the representations and warranties of the MEI contained in or made pursuant to this Agreement. In addition, MEI will reimburse the School for any and all legal expenses and costs associated with the defense of any such claim, demand or suit. The indemnification requirements of this Section 9.02 may be met by the purchase of insurance pursuant to Article X below.

9.03. Limitations of Liabilities. The School will assert all immunities and statutory limitations of liability in connection with any claims arising from its operations, and will not waive any immunities or limitations without the prior written consent of MEI. Notwithstanding this Article IX, to the fullest extent permitted by law, the School will waive the defense of governmental immunity in any dispute between the parties.

## ARTICLE X INSURANCE

10.01. Insurance Coverage. The School will maintain general liability insurance and umbrella insurance coverage in the amounts required by the Charter. The School will comply with any information or reporting requirements applicable to the School with its insurer(s).

10.02. Workers' Compensation Insurance. Each party will maintain workers' compensation insurance as required by law, covering its respective employees.

10.03 Cooperation. Each party will, upon request, present evidence to the other that it maintains the requisite insurance in compliance with the provisions of this Article X. Each party will comply with any information or reporting requirements required by the other party's insurer(s), to the extent reasonably practicable.

## ARTICLE XI WARRANTIES AND REPRESENTATIONS

11.01. Representations and Warranties of MEI. MEI hereby represents and warrants to the School:

(a) MEI is a duly organized corporation in good standing and is authorized to conduct business in the State of Delaware.

(b) To the best of its knowledge, MEI has the authority under the Code and other applicable laws and regulations to execute, deliver, perform this Agreement, and to incur the obligations provided for under this Agreement.

(c) MEI's actions under this Agreement have been and will be duly and validly authorized, and it will adopt any and all further resolutions or expenditure approvals required for execution of this Agreement.

(d) The Paragon curriculum complies with and will continue to comply with the Charter, the Code and the applicable laws and regulations.

11.02 Representations and Warranties of the School. The School hereby represents and warrants to MEI:

(a) The Chartering Authorities have approved the Charter subject to certain conditions, which, if met, (i) authorizes the School to operate and receive the State Allocation, Federal Allocation and other revenues; (ii) approves the Education Program and other activities contemplated by this Agreement; and (iii) vests the School with all powers necessary and desirable for carrying out the Education Program and other activities contemplated in this Agreement.

(b) The School has the authority under the Code and other applicable laws and regulations to contract with a private entity to perform the Educational Services, Administrative Services, Supplemental Programs, and all other services under this Agreement and execute, deliver and perform this Agreement, and to incur the obligations provided for under this Agreement.

(c) The School's actions and those of the Board have been duly and validly authorized, and the School and Board will adopt any and all further resolutions or expenditure

Notice will be deemed to have been given two days after mailing or on the date of personal delivery or on the date of transmission of a facsimile if on a business day during normal business hours (or, if not, the first business day thereafter). The addresses of the parties are:

To:

With a copy to:

MOT Charter School

Attn: Mrs. Robin Lester

To:

With a copy to:

Mosaica Education, Inc.  
4040 Civic Center Drive  
Suite 200  
San Rafael, California 94903  
Attn: President  
Fax: (415) 491-1309

Haythe & Curley  
237 Park Avenue  
New York, New York 10017  
Attn: Andrew J. Beck, Esq.  
Fax: (212) 682-0200

13.07. Assignment. This Agreement will not be assigned by MEI without the prior consent in writing of the School (which consent will not be unreasonably withheld) or by the School without the prior consent in writing of MEI (which consent will not be unreasonably withheld), provided that MEI may assign this Agreement to an affiliated entity and may without the consent of the School, delegate the performance of but not responsibility for any duties and obligations of MEI hereunder to any independent contractors, experts or professional advisors.

13.08. Amendment. This Agreement will not be altered, amended, modified or supplemented except in a written document approved by the Board and signed by both the President of the School and an authorized officer of MEI.

13.09. Waiver. No waiver of any provision of this Agreement will be deemed to be or will constitute a waiver of any other provision, nor will such waiver constitute a continuing waiver unless otherwise expressly stated.

13.10. Severability. The invalidity of any of the covenants, phrases or clauses in this Agreement will not affect the remaining portions of this Agreement, and this Agreement will be construed as if such invalid covenant, phrase or clause had not been contained in this Agreement. To the extent that any of the services to be provided by MEI are found to be overbroad or an invalid delegation of authority by the School, such services will be construed to be limited to the extent necessary to make the provision of such services under this Agreement valid and binding.