



**Department of Education
Charter School Accountability Meeting**

**February 7, 2013
Charter School New Application
Preliminary Meeting**

The Delaware MET

Ms. McLaughlin called the meeting to order. For the purpose of the record introductions were made:

Committee Members

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

Support to the Committee

- John Carwell, Director, Charter School Office
- Catherine T. Hickey, Deputy Attorney General, Counsel to the Committee
- Patricia Bigelow, Education Associate, Charter School Office
- Chantel Janiszewski, Education Associate, Charter School Office

Other

- Leighann Hinkle, OMB

Representatives of the Applicant Group

- Dawn Downs, Innovative Schools
- Natalie Sadaf, Innovative Schools
- Rhonda Hill, Innovative Schools

Ms. McLaughlin explained that this was the Preliminary Meeting and the second of three Accountability Committee meetings relative to the application for a new charter which includes the Initial Meeting, Preliminary Meeting and Final Meeting. She stated the purpose of today's meeting is for the Committee to discuss the review of the application evaluation criteria and make a preliminary recommendation to approve or deny the application. Unlike the Initial Meeting representatives of the applicant group may attend this meeting as observers, but may not participate in the Committee's interaction. She stated that the Committee's recommendation will be reflected in the Preliminary Report which will be sent out to the applicant and the applicant will have 15 calendar days to respond to the Committee's report and address any concerns they may have.

Ms. McLaughlin said the Committee will review the applicant's response and convene for the Final Meeting and make a final recommendation that will be reflected in the Final Report that will be issued to the applicant, the Secretary of Education and State Board.

Ms. McLaughlin said the Committee’s Report, Recommendations, and the Public Hearing Transcript are sent to the Secretary of Education and State Board, along with any other information which is submitted before the Public Hearing.

Ms. McLaughlin opened the floor for discussion on the Application Criteria:

FOUNDING GROUP AND SCHOOL LEADERSHIP

Mr. Carwell said that the applicant team is comprised of folks who are experienced with governance and management skills. He said the applicant hasn’t selected a school leader as yet, but their plans are focused on providing the right leadership for the school. He said the applicant has included parent and teacher representatives of the board and they have done extensive amount of work in terms of building parent support for the school.

Mr. Carwell’s recommendation was that this criterion is met.

EDUCATION PLAN

Curriculum and Instructional Design. Ms. Hansen said that it delighted her to report that every content area was approved with a couple of comments. She said Science had concerns about safety and the chemicals that will be in the school, as well as alignment with Regulation 885. The school needs to keep in mind how they store and dispose their chemicals once the building has been established.

Ms. Hansen said that the Social Studies scope and sequence is aligned with the Delaware Recommended Curriculum. For Health Education, she recommended that the school should focus instruction on health for personal power, and in physical education the school needs to focus on being fit for life. She said there was a correction from the Initial Meeting in which she stated there wasn’t a scope and sequence for Science, but there was and she made the correction and apologized for the error.

Ms. Hansen said that the Professional Development plan aligned to curriculum. She said one area of concern was Technology because the school applied last year and received comments around technology. She said there was quite a lot of feedback from Wendy Modzelewski around the planning and implementation for use of technology, especially in a school that is going to rely heavily on technology for their instruction and student products. She said this content area was not fully approved.

Ms. Hansen’s recommendation is that this section is partially met with a condition.

Student Performance Standards. Ms. McCrae said in attachment 6 there was a complete checklist of expectations provided, and the narrative descriptions of promotion based on completion of those expectations was consistent.

Ms. McCrae said it would be helpful for the Applicant to provide generic rubrics and/or outlines to align with some of the listed expectations in the checklist. She said it is difficult to understand what is involved in the activities listed on the form provided.

Ms. McCrae’s recommendation is that this section is partially met with a condition.

High School Graduation Requirements. Mr. Carwell said the Reviewer noted the applicant has partially addressed the graduation requirements required in 14 DE Admin Code 505. He said one concern is that the course titles required by this regulation for the graduation class of 2016 (freshman class 2012-2013) are not identified specifically.

Mr. Carwell said that in their response, the applicant should specifically make notation of the understanding of this section of the regulation.

Mr. Carwell's recommendation is that this section is not met.

How the school will meet requirements. This section is N/A.

CTE requirements. Mr. Carwell said the Reviewer noted Delaware MET states in its application that it does not plan to apply for state or federal CTE funding; however, the applicant needs to understand that Career Pathways "Learning through Interest" does not currently meet CTE requirements. He said therefore, if in the future a decision is made to apply for CTE state and federal funding then the LEA would be responsible for applying for the CTE course and/or pathway approval through the CTE course and/or pathway approval process.

Mr. Carwell said this section is not applicable to the applicant.

College and Career Readiness Plan. Mr. Carwell said the Reviewer commented that the SAT is included, and researching, visiting, interviewing, and applying to four-year colleges, as well as an advisory class, are in the plan.

Mr. Carwell's recommendation is that this section is met.

Student Success Plans. Mr. Carwell said the Reviewer comment the use of an advisory program for creation and maintenance of the student success plans were positive and she considered this section met.

Mr. Carwell's recommendation is that this section is met.

School Calendar and Schedule. Ms. Hansen said a complete and comprehensive school calendar was provided which included the school days, holidays, professional development days for teachers and student exhibition days as well as summer success programs for new students.

Ms. Hansen said that her only concern was the 15 staff development days as all but one day were planned for June and August, with the final day scheduled in January. She said the school should spread out professional development throughout the school year to be more effective just in case something comes up during the school year. She said other than that, the calendar section is met.

Ms. Hansen said the school schedule was broken out for grades 9 through 12 and identified specific features of the school including: Pick Me Up, Advisory, Beyond the Bell, Learning through Interest, and Integrated Humanities. She said the Spanish, Health, Physical Education, and Drivers Education rounded out the school schedule and it showed that it took some careful efforts in scheduling a large block of time out for Learning through Interest (LTI), which is the hallmark of the school. She said she wanted to go on the record that with Beyond the Bell, where the school attempted to implement Art and some

other physical education offerings, there should be some flexibility. She said that everyone knows she is very passionate about the Arts and is making sure that schools understand and abide by the regulation.

Ms. Hansens's recommendation is that this section is met.

School Culture. Mr. Carwell said the Reviewer recommended a number of edits to the sample Bullying Prevention Policy because of recent legislative and model policy changes. He said the section information will be provided in the Preliminary Report.

Mr. Carwell said the Reviewer noted it was unclear how a student/parent should report what they believe to be an incident of bullying to school administration.

Mr. Carwell said the Anti-hazing policy was not addressed.

Mr. Carwell's recommendation is that this section is not met.

Supplemental Programming. Ms. Hansen said the Applicant stated that due to limited funding, summer school will only be provided to the students that are in specific need of Extended School Year Services. She said the school states that clubs can be formed and sports teams can be fielded based on student interest. She said additionally, students will be encouraged to find opportunities such as community workshops and classes, along with classes at community colleges, to advance their learning. She said she wanted to investigate this information a little further because it sounds a little loose to her. She recommended that in the applicant's planning process, they should investigate what other big pictures schools are utilizing as supplemental programs for their students.

Ms. Hansen's recommendation is that this section is not met.

Special Populations and At-Risk Students. Ms. Kline said that they noted some areas that were not complete. She said the response under Section 1, 2(b) asked for a description of the evaluation process to determine eligibility for special education. She said the school's plan indicates that students must reach the Tier III of the RTI process before they can be referred for a special education evaluation. She said under the IDEA, students are not required to participate in the RTI process before being evaluated to determine the eligibility requirements for special education.

Ms. Kline said Section 1, 2(d) asked "how will the school provide a continuum of educational placements for students with disabilities?". She said that the school's plan does not adequately describe how they will provide the education placements for disability students, including students who may not participate in the general education setting for part or all of the school day.

Ms. Kline said the last section under 2(g) asked "how will school ensure staff is adequately trained and properly implementing special education regulation?". She said the plan does not adequately describe how staff will be trained and monitored regarding the implementation of special education regulations to include the provision of a free appropriate public education to students with disabilities. She said the duty to locate, evaluate, and identify students with disabilities, and the provision of the procedural safeguards available to students with disabilities and their parents, including the disciplinary protections. She said the response provided primarily addresses strategies used in the general education setting, and does not focus on special education rules.

Ms. Kline's recommendation for this section is not met.

Gifted Education. Ms. Hansen said while they applaud the school's intent to hire dually certified educators and follow Delaware's definition of "highly able learner", there are some concerns about the statement in the application that students will self-select how they will enhance their own learning. Specifically, the concern is about how the school will help the students with their own metacognition, and what resources will assist students in identifying their own strengths, abilities and interest. She is interested in having more information.

Ms. Hansen's recommendation is that this section is not met.

English Language Learners. Mr. Carwell said the Reviewer stated 1) that the ELLs do not have IEPs unless they happen to be a student with a disability who is dually identified as an English Language Learner. He said the application states that student "not being served under an IEP but who are suspected of having a language delay"... this means they are screening out the SWD as also being ELLs. He said there is not a clear understanding demonstrated by the applicant of the distinction and the overlap between ELL and SWD; 2) the Home Language Survey must be given to all incoming students, not just the ones the school "suspects" of having a language delay. He said it is the same for all Delaware districts; 3) the identification of ELL students is not clear. He said that there is no mention of the initial diagnostic English language proficiency test W-APT, or enrolling the student in an ELL program with parental permission; 4) the classification of migrant students is not a district/charter responsibility; it is done completely by the State's Title I, C program. He said there is not a clear understanding of this process demonstrated by the applicant; 5) the application does not indicate that services will be provided to all ELLs. He said it only mentions services will be provided to those ELL students who are eligible for intense supplemental English language instruction. He said all ELLs must be served with ELL services until they reach a Tier C Level 5.0 on the WIDA ACCESS test and can be exited from the ELL program.

Mr. Carwell's recommendation is that this section is not met.

Student Recruitment and Enrollment. Mr. Carwell said Dr. Bigelow reviewed this section and said the applicant team will target the City of Wilmington and New Castle County school districts. She said the response includes Census data and a market segment analysis and research about how adolescents prefer to communicate. This information will be used in the messaging and recruitment plan. Also, the marketing will include parents. He said the team will develop numerous marketing materials and will also identify businesses to serve as internship sites for students. He said the application contains detailed marketing strategies/tools and costs; information targeted toward parents; and information about the Big Picture Learning model. He said the response also includes enrollment data and an enrollment policy.

Ms. Hickey said the preferences listed in attachment 8 do not mirror those permitted by statute; specifically, it is not clear that the 5 mile radius is from the school, as required by statute, and the allowable preference is for children of persons employed on a permanent basis for at least 30.0 hours per week. She said the bylaws need to conform to the requirements of 14 DE Admin Code 275.4.1.3. She said that this includes that the applicant's business is limited to the opening and operation of Charter Schools, before and after school programs, and educationally related programs offered outside the traditional school year. Also, Article II of the Applicant's bylaws is not so limited. Similarly, Article III of the bylaws seems to allow for purposes other than that permitted by the law in the regulation. She said the Delaware open meetings law does not provide for participation by way of speaker phone, which is currently permitted under Article IV, Section 4.11 of the applicant's bylaws. She said the Delaware

Public Integrity Commission issued an opinion (07-63) concluding that charter schools are “state agencies” under the State Code of Conduct, and that the Code of Conduct applies to charter schools, their board members, and their employees. Any code of conduct, conflicts provisions or by-law provision regarding contracts with Board members (e.g., Article VII, Section 7.2 of the applicant’s bylaws) should conform to the State Code of Conduct.

Mr. Carwell’s recommendation for this section is not met.

Student Discipline. Mr. Carwell said the Reviewer ask the applicant to please include a statement that to ensure compliance with 14 Del Admin Code 601 and 14 Del Code §4112, school administrators will attend required DOE trainings about the mandatory school crime reporting law as required and staff will receive training on their duty to report certain incidents of misconduct to school administration under this regulation and statute. In addition, administrators will utilize the DOE School Climate & Discipline program manager and DOJ Ombudsperson for technical assistance in regard to the Mandatory School Crime Reporting Law. He requested that the Applicant also add procedures for student expulsion. The grievance process is different from the due process procedures for suspension and expulsion. Please contact John Sadowski at john.sadowski@doe.k12.de.us for examples and/or assistance. He said it is recommend that the "assurances" section of the application includes the assurance that The Delaware MET will follow the requirements of DOE Regulation 601 (this is in addition to the law §4112) for certain acts of misconduct.

Mr. Carwell’s recommendation is that this section is not met.

Ms. McLaughlin recommended that the Education Plan criterion be considered not met pending further clarification from the applicant.

PERFORMANCE MANAGEMENT

Mission-specific educational goals. Ms. McCrae said the mission-specific educational goals and targets are included, along with measurable or demonstrable measures or assessments that are externally credible. Some assessments that are noted are qualitative and questionably credible, but are coupled with credible quantifiable measures and therefore the section is considered met.

DCAS expectations for at-risk students. Ms. McCrae said that this section is not applicable.

Mission-Specific organizational Goals. Mr. Carwell said Dr. Bigelow reviewed this section as **School Culture** and stated that Delaware Met will demonstrate a positive and safe school culture and climate. The Personal Qualities goal area described above will be written into each student's Personalized Learning Plan. Through the self-reflection built into the Personalized Learning Plan and Restorative Justice practices, the school will create a culture that values differences among students as everyone at the Delaware Met works toward the development of the common community. The average daily attendance at the Delaware Met will meet or exceed the state's average high school daily attendance. Because of a strong school culture, the need to "discipline" students for severe infractions will be low and suspensions from school will be equally low. Moreover there will be very few, if any, reportable incidents that require the engagement of local law enforcement.

Mr. Carwell said that Dr. Bigelow reviewed this section as Market Accountability and said the Delaware Met community will demonstrate strong involvement and satisfaction from parents,

staff, and the community. Parents, guardians, or adult family members will attend their students' project exhibitions each year. Parents will report that they are satisfied with the school on annual surveys and will re-enroll their children each year. Teachers will also demonstrate their satisfaction with the school through high rates of average daily teacher attendance rates, low levels of teacher turnover from year to year, and positive responses on an instructional culture survey. In the community, businesses will continue to partner with the school, providing LTI sites and to partner with advisors and students on projects. The database for LTI sites will grow each year, providing additional opportunities for future students.

Mr. Carwell's recommendation is that this section is considered met.

Student performance levels and academic needs. Ms. Janiszewski said the response indicates an understanding of its target population with regard to student performance levels and academic needs. The Delaware Comprehensive Assessment System will be used as a diagnostic measure of proficiency in reading and math upon enrollment.

Interim Assessments. Ms. McCrae noted that the only interim assessments listed in this section are in mathematics and ELA. There are no assessments listed for science, social studies, or any other academic or related arts programs including physical or health education. Students attending the Delaware MET should expect to receive a well-rounded education providing responsible instruction and monitoring in ALL subjects.

Ms. McCrae's recommendation is that this section is not met.

Measuring and evaluating academic progress. Ms. McCrae said this section does a nice job of illustrating how the school will review, and monitor individual student progress through an academic year. This is the focus of the school - to create one-on-one relationships with students and monitor them through their time at the school. However, this section also asks the school to monitor cohorts of students as well as the progress of the school as a whole. These aspects are NOT addressed by the applicant in the application. The reason for monitoring cohorts of students as well as the school as a whole is to recognize trends and patterns in data and behavior that may inform your school personnel, internship placement, and/or curricular choices (only some examples). This information needs to be considered and added before the section is considered "met."

Information system to manage student performance. Ms. McCrae said while this section is generally met, it is the opinion of this reviewer that a specific person at the school be named as the point person responsible for communication with BPL and Innovative Schools regarding this data. There should be a specific data manager at the charter who is capable of working as liaison between BPL, Innovative Schools, the Charter and DDOE.

Ms. McCrae's recommendation is that this section is partially met.

Training and support for teachers in data use. Ms. McCrae said this section has all the required information in the response and is considered met.

Corrective actions if school falls short of student goals. Ms. McCrae said this section meets the expectations of the application and is considered met.

Ms. McLaughlin's recommendation is that this criterion is not met.

Ms. McLaughlin recommended that the Performance Management criterion be considered not met pending further clarification from the applicant.

STAFFING

Staff Structure. Mr. Carwell said the reviewer noted the organizational charts outline clear chain-of-command and demonstrate strong understanding of how personnel drive governance.

Staffing Plans, Management, and Evaluation. Mr. Carwell providing the following response from the Reviewer:

- Educator recruitment/selection section is sufficient-it describes the relationship between quality hiring and certification, the importance of external partnerships, and a procedural outline for the hiring process.
- Educators are compensated at 90% of Christina School district's scale-but also include an "incentive-based pay structure". Overall, the school's model for compensation shows some prospects for utilizing compensation in talent management, which may lead to attracting a stronger staff than nearby schools- but there is no competitive advantage clearly outlined here.
- Staffing chart outlines reasonable growth in team in relation to growth in student population. The school leader role is central to success.
- Staffing chart indicates a programmatic focus on Spanish language courses &
- The need for many educators to be "dually-certified" in Special Education (aligned with the school programmatic model). That said, pipelines of quality/qualified SPED educators are not identified.
- Staff hiring listed as top-line responsibility for School Leader in job description, as is the 'recruitment, development, and evaluation' of staff
- School leader position currently requires 5-years of instructional/classroom experience-and an M.A. or Doctorate. This may unnecessarily limit the field.
- School leader position prefers experience with "BIG Picture". Again, this tightly aligns with the school's replication philosophy.
- The processes, with a separate job posting for a "Founding Leader", are also included within the charter application. The process includes a timeline, key parties involve, and a sense of the recruitment outlets that the Board will be accessing to identify top candidates.
- Job descriptions represent reasonable first drafts of the positions-performance metrics not including therein but including throughout the application. Organizational chart for Year 1 of operations demonstrates an adequate sense of staffing capacity needed to execute on the proposed model. The org. chart is then taken to a Year 5 state-based upon the big-picture model.
- External partnerships/capacity will be utilized by the charter, which demonstrates an understanding of the capacity needs that the charter will have. (example: Delaware Talent Management for mid-year hires-part of the IS suite of services)

- The selection/staffing criteria listed on pg. 20 of the staffing chart appear out-of- context. Are they the criteria for that final position only or are those staffing criteria across the board? A staff selection rubric would solidify a deeper understanding on how the school will be staffed over the first year of operations and beyond.
- Personnel policy handbook is a SAMPLE version--outlines key areas of personnel policy (compensation, etc.)
- Appendix D-1 outlines Professional Develop "Assessment Alignment" which indicates some sense of how the charter would tailor/customize professional development efforts.
- Procedures for staff dismissal are outlined in Section 4-item 7.
- Basic DPAS-11 requirements are acknowledged and prioritized. For example, the charter explains how the school leader will complete the "online modules" that are required by the DDOE to begin conducting staff evaluations.
- Additional educator evaluation tools appear to be part of the Big Picture Model, but these are not explicitly referenced in the staffing section.

Mr. Carwell's recommendation is that this criterion is met.

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

Ms. Janiszewski's recommendation is that this criterion is met.

Ms. McLaughlin recommended that the Staffing criterion be considered met.

GOVERNANCE AND MANAGEMENT

Mr. Carwell said the organizational chart delineates board and management roles and lines of authority, sound, clear plan for managing the relationship between the governing board and school administration. He asked how will the grievance process be communicated to Parents and how will the Board track the timely resolution of grievances.

Mr. Carwell's recommendation is that this criterion is not met.

Ms. McLaughlin recommended that the Governance and Management criterion be considered not met pending further clarification from the applicant.

PARENT AND COMMUNITY INVOLVEMENT

Mr. Carwell said the commitment from parents and community is evident in the application. The Board hosted a number of information sessions over the past two years designed to inform and involve stakeholders in planning for the proposed high school. The applicant conducted feasibility study

through a survey to get feedback from prospective parents and cadets. The applicant intends to recruit parents for the Board, Advisory Board and Citizen Budget Oversight Committee.

Mr. Carwell's recommendation is that this criterion is met.

Ms. McLaughlin recommended that the Parent and Community Involvement criterion be considered met.

START UP AND OPERATIONS

Start-up Plan. Mr. Carwell said that the start up plan is a chart outlining the tasks that need to be completed. There is no narrative provided to show that the applicants truly understand the tasks required and have concrete steps to be taken to ensure completion and compliance. He asked that a narrative be provided with more context. He said that the applicant would need to provide a detailed narrative for both sections, and the applicant must show a plan for how each task will be accomplished, not just a basic timeline.

Mr. Carwell's recommendation is that this section is not met.

Transportation. Mr. Carwell said that the application states: "*The Delaware MET will make every effort to accommodate transportation to/from the school beyond any single school district by establishing central hub points inside of the district for student pick-up and drop-off.*" Schools are to provide transportation for those students meeting the eligibility criteria in DOE Regulation 1105 and that those who reside in the same district as the school will receive the same level of transportation service that would be provided by that school district. Hub points may be established for those outside of the district where the school is located.

He said the application states the school leader will maintain responsibility for oversight of transportation operations. Page 10-8 of the Staffing Chart indicates that the Operations Manager will be the manager for transportation. It appears that the Administrative Assistant depicted on the organizational chart will be the initial Operations Manager who will oversee daily transportation requirements.

He said the Start-up Plan, pages 19-2 to 4 include actions by the CMO. We believe that staff performing these actions should have school transportation experience, that their role will be advisory and that they will have no continuing operational, day-to-day-- role for transportation.

He said in Appendix G has a sample transportation contract. The final contract should be signed, attested to and dated to ensure that it will be effective before students are provided transportation. Additionally, the contract needs to have an attachment that will identify the buses to be used (bus#, size, model year, license and VIN #) and needs to be submitted to the DOE Education Associate, Charter School Finance by September 1 each year.

Mr. Carwell's recommendation is that this criterion is not met.

Safety and Security. Mr. Carwell said the Reviewer noted that under Safety & Security, a statement is needed that ensures the Delaware MET will comply with the requirements of The Omnibus School Safety Act of the 146th Delaware General Assembly and 14 Del Admin Code 621.

Mr. Carwell's recommendation is that this criterion is not met.

Lunch/Breakfast. Mr. Carwell said that the Reviewer mentions the Applicant is planning on participating in the National School Lunch/School Breakfast Programs (NSLP/SBP). He said the Applicant must follow the NSLP/SBP procurement process for obtaining a vendor for meals, which includes going to bid. Schools participating in this program must have a current Food Establishment Permit and the school must contact Public Health to ensure that the facility has one or must obtain one.

Mr. Carwell's recommendation for this criterion is not met.

Insurance Coverage Mr. Carwell said the Reviewer stated that the Applicant submitted a quote relative to insurance coverage and it meets the standard.

Student Records. Mr. Carwell said the Reviewer stated that the Applicant will use the eSchoolPLUS (eSP) pupil accounting system. He said also the application includes a statement about the staff being fully trained in eSP which meets the standards.

Mr. Carwell's recommendation for this criterion is met.

Ms. McLaughlin recommended that the Start-Up and Operations criterion be considered not met pending further clarification from the applicant.

FACILITIES

Mr. Carwell said that the Reviewer noted there is no site currently determined, however, the Board of the Delaware MET is assessing appropriate sites for the location of the school; It is anticipated that the facility will be located in the City of Wilmington and will be acquired through a lease once the school charter has been approved. The Board intends to aggressively implement a fundraising plan to supplement available resources for school operations. The following locations are currently being evaluated for accessibility for student drop-off/pick-up, ease of access, and cost to remodel:

- 500 Justison Street, Wilmington DE
- 704 N King Street, Wilmington, DE
- 201 W 14th Street, Wilmington, DE

He said once the site is determined, the Applicant will need to provide DOE with a property layout/floor plans. DOE may need to perform a site visit to review and assess the property. If the school site will be located inside existing religious properties, all religious artifacts must be removed from the premises. Delaware law requires that new charter applicants obtain a Certificate of Occupancy by June 15th prior to the opening of the school. It is critical that the applicant allow sufficient time for the permit processing to ensure the facility is approved within a timely manner. Contact should be made early in the process with various agencies to determine when requests must be submitted for approval. Many agency approval processes require significant lead-time and multiple steps. If the Board of Directors of a charter school is unable to obtain the Certificate of Occupancy by this schedule, they should consider requesting a one-year delay for the school opening. See Delaware Code, Title 14, § 511 Approval procedures: <http://delcode.delaware.gov/title14/c005/index.shtml>. For final school site, need to ensure

compliance and with ADA regulations: see http://www.ada.gov/2010ADASTandards_index.htm For the properties identified, being that they are all centrally located in the city, there is slight concern about the sidewalk space available for the children to walk and the safety logistics to carry out any outdoor physical activity program, if any. School bus as well as parent drop off and pick up transportation logistics must be identified and conform with state and local safety and traffic regulations. He said the reviewer recommended to refer to the State of DE Homeland Security's Comprehensive Emergency Management Planning for Schools (CEMPS) <http://www.nh.gov/safety/divisions/hsem/Planning/planningschools.html>

Mr. Carwell's recommendation for this criterion is not met.

Ms. McLaughlin recommended that the Facilities criterion be considered not met pending further clarification from the applicant.

BUDGET AND FINANCE

Ms. Field Rogers noted for the record that they received a revised budget on Tuesday and was not able to review prior to this meeting and her remarks were from the original application. She said the budget pages submitted are not complete. The "Other Funds" portion of the budget does not show the entire page so it's impossible to determine if the budget presented is balanced and realistic. One of the pages states that benefits will be offered in year 1 to the Principal and LTI coordinator as "raises". You cannot employ someone full-time and not offer them benefits. These costs need to be included in the budget. She said the budget in year 1 includes a \$300K operations loan, and a request was made that the Applicant provide information used to estimate the terms and repayment schedule of the loan.

She said the 80% budget contains no narrative to explain the changes. In the 80% enrollment budget, the CMO fee has been reduced but the contract submitted does not contain any clause for a lower fee with lower enrollment.

Ms. McLaughlin recommended that the Budget and Finance criterion be considered not met pending further clarification from the applicant.

Charter Management Company Supplement

Mr. Carwell said the Innovative Schools is new to the CMO space and has contracts with two recently approved charters and is listed as the CMO for another applicant group in the current application cycle. He said the CMO could potentially have responsibility for 4 startup charters. He would like the applicant and the CMO to explain its capacity to serve all four schools with quality. He asked about what schools in the Big Picture Learning network have not succeeded and what lessons learned are being applied to this effort. He said the Budget Narrative (Lines 55-58) shows the CMO fees, but needed further clarification around whether the \$245,626 of the CMO fee included Big Picture Learning fees. He will need to review the breakout.

Mr. Carwell recommended that this criterion be considered not met.

RECOMMENDATION

Ms. McLaughlin said for the purposes of the Preliminary Report her recommendation to the Committee is that the charter application for the Delaware MET High School is **Not Met**. Five ayes; zero opposed; zero abstentions.

Ms. McLaughlin asked Mr. Carwell to share next steps for upcoming meetings and dates.

Mr. Carwell stated the following next steps.

- Final Meeting is scheduled for March 11, 2013 at 1:00 PM
- Public Hearing will be announced at a later date

Meeting adjourned.