



**Department of Education  
Charter School Accountability Meeting**

**February 6, 2013  
Charter School New Application  
Preliminary Meeting**

**Delaware Design-Lab High School**

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

**Attending Voting Committee Members**

Mary Kate McLaughlin, Committee Chair, Chief of Staff  
Paul Harrell, Director of Public and Private Partnerships  
Deb Hansen, Education Associate, Visual and Performing Arts, Charter Curriculum Review  
April McCrae, Education Associate, Science Assessment and STEM  
Karen Field Rogers, Associate Secretary, Financial Reform & Resource Management

**Support to the Committee**

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

**Other**

Donna R. Johnson, Executive Director, State Board of Education  
Kendall Massett, Executive Director, Charter School Network  
Leighann Hinkle, OMB  
Amber Cooper, OMB

**Representatives of Charter School**

Iris Leon, Board Member  
Martin Rayala, Board Member  
Christina. Alvarez, Board Member

Ms. McLaughlin explained 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 review 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 the proposed founding members of the governing body appear to possess and will contribute the wide range and skills needed to oversee a successful charter school. He said the founding group possesses the capacity to work as an effective unit in the interest of the proposed charter school. He said there is a there is a demonstrated understanding of the board's responsibility for the educational and fiscal integrity of the school and for fulfilling the terms of the charter. He said there was a clear evidence of the proposed leader's experience and capacity to design, launch, and lead a school that effectively serves the target population. He also said the proposed leader is well qualified to implement the specific educational program being proposed.

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

#### **EDUCATION PLAN**

**Curriculum and Instructional Design.** Ms. Hansen began with the school's mission "Delight students with education beyond imagination" and she continued with the school's vision "Produce the next generation of innovators who become the problem-solvers of the world" and she commended them for having lofty goals. She and the reviewers had difficulty with the format of the curriculum submitted. She said for an example the school attempted to identify learning targets, and essential questions, and assessments, that they were listed in a long list instead of making an effort to align it horizontally; she said where one component was aligned with another. She said that it might be a design element that needs to be worked on which would help the reviewer team understand the focus of each content area within the curriculum.

Ms. Hansen said the school did acknowledge the fact that both English Language and Mathematics that Delaware is utilizing the Common Core Standards. She said the school did make an effort to align their curriculum; however, what the reviewing team didn't see was the details around how the instruction was explicitly stated. She said in the area of mathematics she said the reviewer made a comment on how the school plans to implement integrated pathways were unclear because there wasn't enough information to see how it would occur. She said it was unclear how the student had to decide whether they will follow an integrated math pathway or a traditional pathway. She said the reviewer wanted this to be explained more in detailed.

Ms. Hansen said the school had chosen to become a member of the Science Coalition but didn't see where it would fit in the budget financially. She said there were concerns about their proposed site within the communication building; and certainly keeping in mind that they must meet the guidelines for Regulation 885 in the handling of chemicals and storage.

Ms. Hansen said in Social Studies there were some concerns about the conceptual details on the curriculum and would like to refer the school to the DDOE website under the Recommended Curriculum for Social Studies. She said the school must have some kind of a plan for economic coursework. She said the reviewer commended the school on the Box City project and found that it was admirable, but did not find it in depth as the units found in the Delaware Recommended Curriculum.

Ms. Hansen said Health and Physical Education both had flaws in their plans. She referred the school to the DDOE website to review the materials specified in the standards. She said specifically to the use of the Fitnessgram which Delaware uses as an assessment measure to determine the student's fitness.

Ms. Hansen said in the World Languages section, she did a word search in the application for the word Spanish and it appeared quite frequently to the extent that the school is planning on having a lunch for students that have dual language (Spanish/English speaking and this is commendable. She said finding ways for the school to integrate Spanish language learners into the school plans with the design and display of the Spanish classroom; all are commendable. She said the only media she found was under sound design under the media section and there was mention of Spanish speaking in there but no scope and sequence for Spanish I, II, or III she said it might have been an omission, but it needs to be addressed.

Ms. Hansen said the Visual & Performing Arts section might have been the most unique one that she ever reviewed. She said it was interesting that in addition to Art, Theatre, Dance and Music the school is proposing new and developing Media Arts Standards. She said for the purposes of the application it is important to know and note that the Delaware State Content Standards for Visual Art is under development and hasn't been adopted yet by the Delaware State Board. She said there was not any alignment of the learning targets with the assessments and Big Ideas which would help with clarity from the school and it may be just an alignment issue.

Ms. Hansen said the Professional plans were quite thought out with details. She said the Reviewer, from the Delaware Center for Educational Technology (DCET), said the plans for the professional development component was a very extensive curriculum development process that needs to be included.

Ms. Hansen said the Technology plays a huge role in this school, not only for professional development but for personal development with the students. She said the Reviewer provided a lot of comments involving the use of software that is free, especially in the hidden costs that she would recommend to help in the development part of the application. She said DDOE provides a lot of information around infrastructure, federal requirements, and the State of Delaware uses an I-Safe Curriculum by technology for the safety of students. She said this area could use an alignment with the Delaware Standards in technology.

**Ms. Hansen's recommendation was that this criterion is not met.**

Ms. Johnson said one of the things that she liked about this section was the connections to the common core standards. She also wanted to mention that Delaware has adopted, as a framework of the Technology Standards, the International Society for Technology in Education (ISTE) and National Educational Technology (NET) for students. She said finding that alignment with the ISTE

NET if the school will be teaching a literature course it is recommended that you would learn this with the ISTE standards. She said the ISTE curriculum Delaware does provide this free of charge it will help with eRate and adjust the requirements she said there are many other free of charge open source tools that could be used as well. She said there are a number of schools in the State that uses I-Safe and other things such as common sense media or other sources.

**Student Performance Standards.** Ms. McCrae said in reference to Attachment 6, she asked that the school please correct the incongruent expectation between graduation and the expectations for science between page 9-10 of Section 3

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

### **High School Graduation Requirements**

- 1) **How the school will meet requirements.** Mr. Carwell said the Reviewer felt the criterion was met because it was clear that the applicant outlined the required State graduation requirements and is including one additional credit.
- 2) **How meet CTE requirements.** Mr. Carwell said the Reviewer looked at the new CTE courses and said the pathways must be approved by the Career and Technical Workgroup. He said a copy of the application and instructions are attached to this review. He said the new CTE offerings must include labor market data to justify the need for the new courses and the pathways. He said the contact person at the DDOE is Michael Fitzgerald, Education Associate who works for Technology Education and he has not been contacted for information on the proposed pathways. He said in addition, the application states that "we plan to develop standards in Media and Design for several courses in 11th and 12th grade"; however, there are already CTE standards for Media and Design in the Communication Technology Pathway.

Mr. Carwell said the Delaware Design-Lab High School Board will establish policies concerning the purpose, content, development, and approval of Career Pathways, consistent with DDOE guidelines. He said the Career Pathway includes three (3) credits of pre-planned and sequential courses required for graduation designed to develop knowledge and skills in a particular career or academic area. He said also the Career Pathway is included in the Student Success Plan.

Mr. Carwell said the options for Career Pathways at DDLHS will include a variety of concentrations in media and design such as Communication Design, Sound Design, Movement Design, Visual Design and Media Design.

- 9th grade students are required to take Introduction to Communication Design as well as Visual Communication to complement State written, oral and mathematical communication requirements.
- 10th grade students are required to take Introduction to Media and Design.
- 11th grade students are required to take any one of the Junior Level courses in media or design and produce a portfolio.

- 12thgraders are required to take an advanced media or design course and complete a capstone project. Junior portfolios and senior projects will be evaluated by a panel of teachers and outside reviewers during Review Week in June.

Mr. Carwell said the 3 ½ Credits of Electives and additional media and design courses beyond those mentioned are also included.

He said the recommendation is that this criterion is not met and the Reviewer is looking for a response of CTE course approval forms for all proposed CTE courses and pathways submitted by the proposed deadline.

Ms. Johnson asked if the pathways had to be CTE pathways; and are there other schools that have pathways that do not use CTE pathways for graduations; or do the schools have to be aligned with the CTE requirements.

Ms. Hansen said nationally the CTE pathways must have at least 16 pathways identified. She said in addition it was necessary to have mirrored pathways in the academic areas of the school curriculum; and also those that are blended and go between. She gave an example of a pathway that is being used at Mt. Pleasant High School is an Audio Engineer. She said it was parsed together coursework and CTE along with music theory; as an example that benefit students, that sends them out in a pathway to pursue post-secondary work. She said a true pathway has to be above and beyond the credits needed for graduation and this open the door for career and technology education; Arts as an example, but they are the elected courses that are parsed together in groups of three that becomes a career pathway.

Ms. Johnson asked if the applicant wants to be considered for the Perkins on funding they will have to be aligned with the CTE pathways for graduation; but it is not a requirement if the applicant chose not to use it. Ms. Hansen replied yes.

*Ms. McLaughlin said this criterion is considered met and if the applicant needs additional information she should consult with the CTE workgroup.*

- 3) **College and Career Readiness Plan.** Mr. Carwell said the Reviewer said the application addresses the multiple facets of preparing students for college and career readiness. He said it does not provide details on the context for this preparation. He said the Reviewer would like the applicant to describe the structures that are in place that they will provide ongoing guidance to students.

Ms. Johnson said one of the things that were listed by the Applicant was that every student was required to complete an application for at least one college. She said she wanted clarification on whether it was a 4 year college or post-secondary requirement in filling out an application for college.

- 4) **Student Success Plans.** Mr. Carwell said the Reviewer considered this section met the criterion.

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

**School Calendar and Schedule.** Ms. Hansen said the 190 day school calendar was quite extensive which included professional development. She said in terms of the schedule the school will use a modified block schedule which permits the flexibility needed for a studio based development. She said this portion of the section is met.

**School Culture.** Mr. Carwell said the Reviewer recommended for the Applicant to edit the following sections of the Sampling Bullying Prevention Policy because of the recent legislative and model policy changes. He said the information will be provided in the Preliminary Report so he read the sections that will be provided as follows; Investigative procedures, Reporting requirements, Education, and additional sections which are required under law.

Mr. Carwell said the Reviewer wants the Applicant to see the recently proposed regulations that has the required additional language to address cyberbullying that will need to be added to the policy. He said the regulation approval is expected to be available in March or April 2013.

Mr. Carwell said the Reviewer wants the Applicant to add the new section titled "School Ombudsman Information" and it will be provided in the Preliminary Report. He said for reference purposes, the Reviewer provided the website that has the most recent version of Delaware's Model Bullying Prevention Policy that will be included in the Preliminary Report as well.

Mr. Carwell said the Anti-hazing policy was not addressed and can be referenced under 14 Del Code §9301.

Ms. Hansen said the school identified five characteristics for operations which are leadership, empathy, design spaces for learning and connecting to community. She said throughout the application there was evidence of this being incorporated in their planning. She said the spaces for learning were talking about the culture of the school in terms of the curriculum and the environment of the school. She said the school environment supports learning skills, such as collaboration, innovation, communication and generating multiple solutions to problems.

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

**Supplemental Programming.** Ms. Hansen said the Applicant stated that summer school will be provided by neighboring school districts in the first year of operation. She said the plans will be developed to serve students in subsequent years. She said the school hopes to utilize TSA and Skills USA; however, it is not possible unless they utilize CTE coursework in the school day. She said it was good to know that the school has partnered with the radio station WCTA to promote student audio and video production.

**Special Populations and At-Risk Students.** Mr. Carwell said these sections were reviewed by several Reviewers. He said under section 1, special education the plan states the school may decide not to accept students with disabilities on the basis of their disability category and education needs. He said the school states it anticipates enrolling 6 to 8% of students in the learning disability or emotionally disturbed categories, and "other disabled students not fitting the two aforementioned categories will be considered for admission on an individual basis as the school evaluates their ability to accommodate individual needs in a safe and supportive environment".

Mr. Carwell said under section 2, programs, strategies and supports the school will provide for students with basic, intensive, and complex disabilities. He said the plan has not identified any programs and strategies to be used to serve students with moderate or complex disabilities. Rather, the plan states the school will serve students with disabilities under the "mildly handicapped range".

Mr. Carwell said under section 1, 2(d) how the school will provide a continuum of education placements for students with disabilities, etc. He said the plan does not adequately describe how the school will provide a continuum of educational placements for students with disabilities, including students who may not participate in the general education setting for part or all of the school day.

Mr. Carwell said clarification is needed for each of these sections.

Ms. Hansen wanted to add that the school in Pennsylvania has been successful and it seems there is a misunderstanding in the use of the individual education plan (IEP) for highly able learners. She said DDOE does not currently and/or is considering a policy in the state of Delaware, but it is certainly one that is in effect in the state of Pennsylvania. She said the school does seem to understand the response to intervention might likely be a place in the school day that could be used to address the needs of highly able learners. She said that it appears that they have planned some extensive professional development within and around the response to intervention.

Mr. Carwell said he had another comment for English Language Learners that the applicant would need to include a Migrant Agricultural Work survey in the registration packet for all incoming students.

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

**Student Recruitment and Enrollment.** Dr. Bigelow said the projected student enrollment is 700; 175 per grade; and the information given was for years 1 –4. She said the school plans to start with grades 9 and 10 and add one grade per year; and each grade is projected to have 175 students with a total enrollment of 700. She said the application indicates that the enrollment decisions were made to enable the school to develop the systems, structures, and school culture to enable students to succeed academically and socially.

Dr. Bigelow said the school has a student recruitment and marketing plan with specific outreach to families in poverty, academically low-achieving students; student with disabilities, and youth at risk of academic failure. She said the recruitment strategies are numerous and varied, including using various include information sessions in partnership with community houses of worship, feeder elementary and middle schools, and neighborhood community centers. She said paper flyer distributions will be placed in various community businesses, day care centers, grocery stores, etc.; and email, online media, and social media marketing will also play a role.

Dr. Bigelow said the response included Attachment 8, Enrollment and Withdrawal Policy. She said the Charter School Accountability Committee voiced concerns at the Initial Meeting about the Policy, such as the use of a portfolio and preferences. Additionally, the application did not appear to include recruitment for all of the New Castle County school districts.

Ms. Hickey said the preferences listed in attachment 8 did not mirror those permitted by statute; the statute permits a preference based on a specific interest in the school's teaching method, the listing of "students who present a multimedia portfolio of design..." might be more of assessment of skill or aptitude (which are not allowable preferences) rather than of interest, and it may be that interest in the teaching method could be established in other ways.

Ms. Hickey said the allowable preference is for children of the school's founders, not children of Board members; allowable preference is for siblings of students enrolled at the school, not siblings in general; the allowable preference is for students residing within the one regular school district in which the school is located, whereas the application provides that a preference will be given to students residing in two districts, Christina and Red Clay; the allowable preference is for children of persons employed on a permanent basis for at least 30.0 hours per week, not simply children of employees as stated in the application. She said there should be clarifications on the preferences.

Ms. Hickey said the requirements of 14 De Admin Code 275 definitions pertaining to this application will be provided in the Preliminary Report.

**Ms. McLaughlin's recommendation for this criterion is not met.**

**Student Discipline.** Mr. Carwell said the Reviewer noted the policies for the Actual Gun Free School and Drug & Alcohol are not included and he provided a link to the location of a sample code of conduct; which will be provided in the Preliminary Report. He asked that a statement be provided by the Applicant to ensure the 14 Del Admin Code 601 and 14 Del Code §4112 school administrators will attend required DOE trainings about the mandatory school crime reporting law.

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

*Ms. McLaughlin said this concludes this section and there are a few criteria that need clarification so this section is considered not met.*

## PERFORMANCE MANAGEMENT

- 1) **Mission-specific educational goals.** Ms. Hansen said the application contains two goals and they are not adequately described. She said the mission and vision seems to be a critical and creative problem solving design but it speaks more to the mission.
- 2) **DCAS expectations for at-risk students.** Ms. McCrae said that this section is not applicable.
- 3) **Mission-Specific organizational Goals.** Ms. Bigelow said the application contained education program goals; however there were no goals relative to the mission of the school. She said the reviewer would have expected some organizational goals that would support the mission and vision of the school that aligns with it. She said this section does not meet the criterion.
- 4) **Student performance levels and academic needs.** Ms. Janiszewski said the Applicant does address that MAP testing will be used as a diagnostic tool plan for Reading and Math; however, the adjustment levels and needs of the students enrolled there is no evidence to support that

assumption as high as 25% of students will require some form of remediation and/or review of skills in order to be successful.

She said the question is to ascertain whether the applicant understands the academic needs of the target population. She said the Applicant needs to provide more detail around the anticipated performance levels and academic needs of the students for the Preliminary Report purpose. She said this section is considered not met.

- 5) **Interim Assessments.** Ms. McCrae said this section was fine and considered met.
- 6) **Measuring and evaluating academic progress.** Ms. McCrae said this section requires more detail/greater explanation to meet the standard. She said the short description basically assures that DDLHS will use data to inform decisions, but the intent of the question is to elicit detailed explanation from the planning committee about how this will be done. An example of specific data use and the sorts of decisions that will be affected by and guided by the data would be useful in helping the committee recognize whether or not the founding members have an understanding of educational data and the relevance and scope of its usefulness.

She said some examples of data to include DCAS data, student formative assessment data, interim assessment data, common exam data, standardized report card data etc.; and she recommends that this section is not met.

- 7) **Information system to manage student performance.** Ms. McCrae said in this section the applicant describes a plan to review student data bi-weekly, and identifies the technology teacher as the responsible party for warehousing and managing student and school data on a regular basis. She considers this section met.

Ms. McCrae said the applicant identifies only eSchoolPLUS as the data management tool that will be used to house and manage school and student data, which illustrates a need for greater research and preparation on the part of the applying party. She said there were other sources of academic achievement data, above and beyond the e-school online resources that are relevant and important to the success of a school data management system. She said one tool includes the Delaware Student Assessment Reporting and Analysis system, and the EdInsight Dashboard system, both available through the Delaware Department of Education data management system. She said the professional development regarding and information pertaining to these systems are available; for more information, please contact DDOE Lisa Alexander at (302) 735-4090.

- 8) **Training and support for teachers in data use.** Ms. McCrae said while it appears that the applicant intends to provide training and support for school leadership and teachers, the resources listed are geared toward RTI versus data analysis for instructional decisions. She said for help identifying professional development programs and online resources that will be appropriate for the types of training and support requested in this section the Applicant needs to contact DDOE Lisa Alexander (302) 735-4090 or Joann Reihm (302) 87-3320 for more information.
- 9) **Corrective actions if school falls short of student goals.** Ms. McCrae said this section meets the expectations of the application.

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

*Ms. McLaughlin said this concludes this section and there are a few criteria that need clarification so this section is considered not met.*

## **STAFFING**

- 1) **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.
- 2) **Staffing Plans, Management, and Evaluation.** Mr. Carwell said the reviewer talked a staff of 15.5 teachers (including .5 Drivers Ed) in the first year of operation, with school leader responsibilities outlined in the ISSLC standards and DPAS-11. He said the application references employment laws and the use of employment contracts and outlines the usage of DPAS-11 in its section on "Accountability for Performance" (with language on the intent of such systems focusing on human capital management for promotion to termination). He said the application also references "tenure", but it is unclear what this means within the charter context.

Mr. Carwell said the charter outlines an educator compensation plan that is aligned with Christina School District with the exception of administrators whose salaries are negotiable. He said it is unclear why the salary structure is negotiable for one group of educators and not the other; and there are competitive trade-offs for each hire. He said the application denotes that an incentive structure for performance will be developed, but does not commit to anything within the application.

Mr. Carwell said the dual certification in SPED is noted as a priority, as it the certification/HQ status for all educators. He said the application demonstrates an understanding of how the emergency certification process works for educators as well-which is noteworthy given the common utilization of this certification by Delaware's charter schools. He said the external partnerships are prioritized for seeking talent as is a four-day educator induction ("Design Institute") prior to school opening (each August).

Mr. Carwell said under the current proposed hiring timeline, a school principal may not be hired until April 2014, which provides a limited runway for staffing. He said the plan anticipates that a school leader may not be on-boarded prior to teacher hiring, which runs counter to the principles of mutual consent hiring.

He said the recruitment strategy is not well-developed, and given the specific of the type of staff members the charter hopes to enlist, this could be problematic in Year 1.

Mr. Carwell said it was recommended by the Reviewer compensation packages, system, and strategy is likely to attract and retain a strong staff.

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

- 3) **Professional Development.** Ms. Janiszewski said the applicant indicated that professional development will be aligned to NSDC standards (NSDC is now called Learning Forward).

Ms. Janiszewski said there is concern regarding providing such in-depth training around a unique training model within the seven days before the opening of the school. She said fitting a variety of professional development into a limited amount of time does not align with NSDC professional development standards.

Ms. Janiszewski said there is no response to question 2 in the Staffing section. She said maybe the applicant has numbered the questions out of sequence. She said even though the number of days and hours of professional development is captured in the application, but an explanation of how the school calendar, staffing plan and schedule will accommodate the professional development plan is missing.

Ms. Janiszewski said while a plan to evaluate and inform professional development are identified and measurable goals are provided, the goals are not results-oriented. In other words, goals are based on inputs, not on outputs. She said it is unclear how professional development will be evaluated for effectiveness.

**Ms. Janiszewski's recommendation is that this criterion is not met.**

*Ms. McLaughlin said this concludes this section and there are a few criteria that need clarification so this section is considered not 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 said it was clear, reasonable selection and removal procedures, term limits, meeting schedules, and powers and duties for members of the governing body; and the allocation of time, financial resources and personnel that is sufficient for planning and start-up prior to the school's opening.

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

Ms. Hickey said the bylaws need to conform to the requirements of 14 DE Admin Code 275.4.1.3 which includes 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. She said 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.

Ms. Hickey said the requirements of 14 DE Admin Code 275.4.1.3.1 requires the inclusion on the board of directors of the charter holder of a Delaware certified teacher employed by the school and at least one parent of a student enrolled in the charter school. She said that regulation does not permit that these members of the board be non-voters as stated in Article IV, Section 4.2 of the Applicant's bylaws. She said the Delaware open meetings law permits participation in meetings by video conferencing; Article IV, Section.

Ms. Hickey said 4.11 of the applicant's bylaws, at attachment 13, adds attendance by way of speaker telephone, which is not addressed by the statute. The DOJ position has been that given the

specified method of video conferencing, telephone conference call is not a permissible method of participation.

Ms. Hickey 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. She said any code of conduct or conflicts provisions (for example, and not by way of limitation, Article IV, Section 4.2; Article VII, Section 7.2; Article VIII, Section 8.1; and Article XI, Section 12.4 of the applicant's bylaws) should conform to the State Code of Conduct.

**Mr. McLaughlin's recommendation is that this criterion is not met.**

*Ms. McLaughlin said this concludes this section and there are a few criteria that need clarification so this section is considered not met.*

## **PARENT AND COMMUNITY INVOLVEMENT**

Mr. Carwell said a plan for meaningful involvement or input of parents and community members in the governance of the school. He said it was clear, sensible delineation of roles and responsibilities of parent councils, advisory committees or other supporting groups. He said it was also clear, sensible definition of governing body roles and responsibilities in relation to management.

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

*Ms. McLaughlin said this concludes this section and there are a few criteria that need clarification so this section is considered not met.*

## **START UP AND OPERATIONS**

- 1) **Start-up Plan.** Dr. Bigelow said the startup plan is a very simple chart outlining the tasks that need to be completed. She said there is no narrative provided to outline additional details that the applicants truly understand the tasks required and have concrete steps to be taken to ensure completion and compliance.

**Dr. Bigelow's recommendation is that this criterion is not met.**

- 2) **Transportation.** Dr. Bigelow said the Reviewer noted that the students being provided transportation shall meet the transportation eligibility requirements in DOE Regulation 1105, Para 11.0 and noted in the Charter School Technical Assistance Manual.

Dr. Bigelow said the application does not mention how transportation will be provided for students outside of the school district where the school is located. She said the application identifies the Principal and Clerk for oversight of transportation and there is no mention of this in the Staffing Plan or the organizational chart, so it is not clear who will be performing the day-to-day transportation duties.

**Dr. Bigelow's recommendation is that this criterion is not met.**

- 3) **Safety and Security.** Mr. Carwell said this criterion was reviewed and met the standards.

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

- 4) **Lunch/Breakfast.** Mr. Carwell said 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 contract which includes going to bid prior to start up; and the school is aware that they will need a Food Establishment Permit from Public Health. He said the plan mentions "Farm to Plate" fruit and vegetable program; however, it sounds like the school is referencing is the Fresh Fruit and Vegetable Program. He said the funding for this program is available only to schools with 50% or more free/reduced population and is not guaranteed to all who apply as it is a limited amount of funding.

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

- 5) **Insurance Coverage.** Dr. Bigelow said the Reviewer stated that the Applicant submitted a quote relative to insurance coverage and it meets the standard.
- 6) **Student Records.** Dr. Bigelow said the Reviewer stated that the Applicant will use the eSchoolPLUS (eSP) pupil accounting system. She said also the application includes a statement about the staff being fully trained in eSP which meets the standards.

*Ms. McLaughlin said this concludes this section and there are a few criteria that need clarification so this section is considered not met.*

## **FACILITIES**

Mr. Carwell said the Reviewer noted the Applicant proposed location has been identified as the Community Education Building (CEB) at 100 West 10<sup>th</sup> Street, Suite 1109, Wilmington, DE 19801 as an ideal location, because it would uniquely fulfill their enrollment and programmatic needs. He said as part of the lease cost the CEB offers infrastructure and student support resources not readily available to charter schools that operate on independent campuses. He said there will be two floors with a total of 54,000 square feet that will meet the school's need if selected.

Mr. Carwell said there was a concern that what if the building that is selected wasn't available; what is Plan B. He said there are a few other items that the Reviewer listed that involved the state law and regulations that will be provided in the Preliminary Report.

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

Mr. Harrell asked if the school had any indication that the space would be available to them in the Community Education Building.

Mr. Carwell said from what he knows there is an application process that CEB does, and from what he read from the application they intend to apply.

Mr. Harrell said that will be a very competitive process because there are a lot of well qualified schools. He said there are newly approved schools that are looking for space in the City for the past 18 months and cannot find any.

Ms. Hansen added a footnote from Science that they are concerned about safety and chemicals that will be in the school. There is a new Regulation 8805 and the school needs to keep in mind how they store and dispose their chemicals.

Ms. Johnson said she had some concerns about the gymnasium facility that will be used at the YMCA center in how the transportation will take the children back and forth to their gym class and how this will work into their financial plan.

Mr. Carwell said it is actually walking distance from the Community Education Building which is around the corner from the YMCA. He said that brings questions around potential students with disabilities and their transportation needs.

*Ms. McLaughlin said this concludes this section and there are a few criteria that need clarification so this section is considered not met.*

## **BUDGET AND FINANCE**

Dr. Bigelow said relevant to the budget and finance the revenue estimates for state and local funds may be high because the school has estimated a 16.6% special education population, including a high number of intense students. She said the school has estimated that all of the students will come from Red Clay and Christina; and neither district has the level of intense students that Design-lab has estimated they will enroll. She said because the funds received from intense students is significantly higher than that of basic or regular education students, the Reviewer was concerned that the school has overestimated their local revenues by almost \$150,000 and approximately 4 state units. She said this will dramatically decrease the funds available to the school. She said additionally, there is no budget narrative that explains the contingency plan on how the budget will be balanced if enrollment doesn't meet targets.

Dr. Bigelow said the budget for the year 1 is inconsistent with the staffing plan as the staffing plan mentions 15.5 teachers while the budget shows just 14.5. The facility cost that is estimated seems reasonable but what is the contingency plan if the CEB isn't available for the school.

Ms. Field Rogers said in the first year it was noted the school will be hiring 3 administrators which seems high. She has some concerns if they do not have 16.6% special education population with an enrollment of 240 to 300 students; the school may not earn 15 units and therefore, may not earn a principal unit at all.

Ms. Field Rogers added a comment that there is an expectation that the board members will make an annual financial contribution to the school; so does that mean only a select few would be allowed on the Board if that is a requirement.

Ms. Johnson said recognizing the fact that there has to be a parent and staff members on the Board and it isn't fair that they would have to make those contributions.

Ms. Field Rogers said it was noted in the application that the parent and staff members wouldn't have to pay more than \$50; but it still raises the questions and concerns.

**Ms. McLaughlin's recommendation for this criterion is not met.**

#### **RECOMMENDATION**

Ms. McLaughlin stated for the purposes of the Preliminary Report her recommendation to the Committee is that the charter application for Delaware Design-Lab High School is **Not Met**. All in favor say, Aye. Opposed? Abstentions? All Ayes. None Opposed or 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.