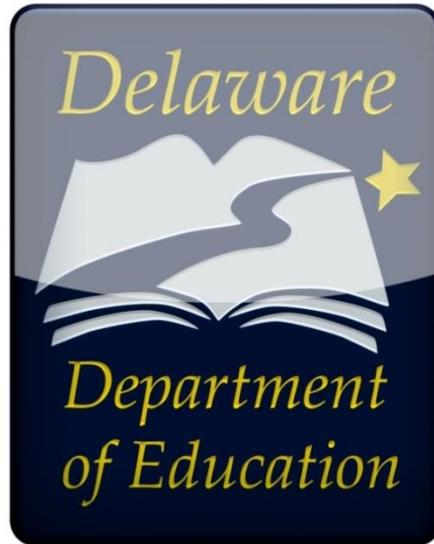


# CHARTER SCHOOL ACCOUNTABILITY COMMITTEE

DELAWARE DEPARTMENT OF EDUCATION



## Delaware STEM Academy

**FORMAL REVIEW  
FINAL REPORT**

CSAC Final Meeting: June 2, 2016  
CSAC Final Report Published: June 6, 2016

### **CSAC FINAL RECOMMENDATION:**

**REVOCATION UNLESS FOLLOW-UP DOCUMENTATION IS RECEIVED BY THE CLOSE OF  
THE PUBLIC RECORD AND IS SUFFICIENT TO MEET CONCERNS OF THE CSAC**

The following were in attendance at the Initial Meeting of the CSAC on June 2, 2016:

**Voting Committee Members of the Charter School Accountability Committee**

- David Blowman, Chairperson of the Charter School Accountability Committee and Associate Secretary, Financial Management and Operations, DDOE
- Karen Field Rogers, Deputy Secretary of Education, DDOE
- April McCrae, Education Associate, Science Assessment and STEM, DDOE
- Barbara Mazza, Education Associate, Exceptional Children Resources, DDOE
- Eric Neibrzydowski, Deputy Officer, Special Projects, Teacher and Leader Effectiveness Branch (TLEB), DDOE
- Chuck Taylor, Head of School, Providence Creek Academy
- Deborah Wilson, Community Representative

**Non-voting Committee Members of the Charter School Accountability Committee**

- Donna Johnson, Executive Director, Delaware State Board of Education
- Kendall Massett, Executive Director, Delaware Charter School Network

**Staff to the Committee**

- Catherine T. Hickey, Deputy Attorney General, Counsel to the Committee
- Jennifer Nagourney, Executive Director, Charter School Office, DDOE
- Brook Hughes, Education Associate, Financial Reform and Resource Management
- John Carwell, Education Associate, Charter School Office, DDOE

**Representatives of the School**

- Ted Williams, Board Chair
- Carolann Wicks, Vice Board Chair
- Jerome Heisler, Vice Board Chair
- Anthony Ragone, Board Member
- Brett Taylor, Executive Director
- Laura Jennice, School Leader
- Teresa Gerchman, Chief Schools Officer, Innovative Schools
- Matthew Swanson, Executive Chairman, Innovative Schools

## Discussion

Mr. Blowman stated that the purpose of the meeting was for the CSAC to continue its review of the relevant statutory criteria to determine whether the charter holder is violating the terms of its charter and, if so, whether remedial measures are warranted.

Mr. Blowman noted that the grounds for formal review were outlined in an April 21, 2016 letter to the Board, which included potential violations of the law and charter in the following areas:

- Financial Viability;
- Ability to Implement the Approved Charter with Fidelity.

Mr. Blowman noted that Delaware STEM Academy (“DSA”) had submitted sets of documents on April 15, May 7, and May 9, which included, but were not limited to:

- Copies of a written statement;
- Statement indicating plans to offer educational services at a different location;
- A revised budget and expenditure summary estimates for fiscal year 2016;
- Copies of several board policies.

Mr. Blowman noted that an Initial Meeting of the CSAC was held on May 10, 2016 and an Initial Report was issued on May 12, 2016. A public hearing was held on May 16, 2016 and the transcript of that hearing is part of the record. Public comments that had been received to date were also part of the record. D submitted their response on May 27, 2016 and is part of the record for the formal review process. During the meeting, the CSAC requested the following:

- Confirm that teachers for specials (e.g. physical education, art, music, etc.) are included in the budget.
- Provide cost estimates for related services.
- Clarify that professional development costs are included in the budget.
- Provide the number of teachers needed for next year (including required certifications) and the teachers who have been offered contracts (including actual certifications).
- Provide a copy of the executed lease for the temporary site located at 1101 Delaware Street, New Castle, DE 19720.

The CSAC confirmed that each of the requested documents had been received in their entirety, along with DSA’s response to the Initial Report.

Mr. Blowman noted that the CSAC would also discuss the proposed application for a major modification to the charter and that DSA would have the opportunity to answer any questions in regards to the major modification application.

## Financial Viability

Mr. Blowman noted that STEM submitted a number of different budgets based upon different enrollment projections. Also, he noted for the CSAC that as of that morning DSA had an enrollment of 124 students against an approved enrollment of 250 students with an 80% requirement of 200 students.

Ms. Field Rogers noted that she focused on the submitted budget for 123 students since that was closest to the current enrollment. She noted that the revenue sheets showed that DSA had earned approximately 7 or so positions. She noted that the plans at that enrollment level include a special education teacher and wondered how they would cover all the students across two grades, also noting that the budget did not include funding for paraprofessionals. Mr. B. Taylor stated that the budget included \$165,000 for various contractual services, which could be used for paraprofessionals if needed. Ms. Jennice stated that the budget included funding for 1.5 special education teachers, who would serve students through pull-out services. She stated that DSA has made offers to teacher candidates with dual certification so that they would have multiple people that would meet the needs of the students. She also stated that the educational model provides an opportunity for flexibility in scheduling that would help accommodate the needs of students.

Ms. Field Rogers noted that the Response to the CSAC Initial Report showed only one offer for a dual certification teacher. Ms. Jennice stated that they currently have three dual certification teachers but will go back to verify if that is correct.

Ms. Field Rogers noted that she didn't see how they were funding a nurse to be onsite all the time during school hours. Mr. B. Taylor stated that they would be included in the contractual services line.

Ms. Field Rogers noted that DSA had a budget of \$10,000 for professional development, and asked if that would be sufficient for a school just starting up. Mr. B. Taylor stated that most of their professional development services are included in the fees to New Tech Network, and the \$10,000 is to support travel, with plans for most of the professional development to be conducted in-state. Ms. Field Rogers noted that the professional development activities were meant to include travel to other New Tech Network schools, and questioned when that would happen and whether there would be sufficient funds to pay for the necessary travel and substitutes.

Ms. Jennice stated the teachers would normally participate in a teacher residency program through New Tech that was now scheduled for an in-service day in the fall so that all staff would be hired and could participate.

Ms. Jennice stated that she has "high expectations that [DSA] will be able to implement the full model from "day one," based upon her experience in New Tech Network startup schools. She

further stated that the reduced staff would further reduce the travel costs associated with professional development.

Ms. Field Rogers noted that the revenue streams seem very soft, and expressed concern about reliance on one-time revenue sources. Mr. B. Taylor stated that the updated budget reflected reduced projections for donations, based upon the CSAC's feedback at the initial meeting. He further stated that DSA had re-negotiated its contracts for lower fees for Innovative Schools, New Tech Network, and its facility. He also stated that DSA had applied for a \$250,000 line of credit with NCALL, and expected a decision at the upcoming June 14th meeting. He stated that DSA has identified other areas where the budget could potentially be cut if needed. He also stated his confidence in the DSA board to raise the budgeted \$200,000 in donations over the next year.

Ms. Field Rogers inquired about the status of the non-SEA grant from the U.S. Department of Education, and whether it had any restrictions. Mr. B. Taylor stated that DSA had been awarded a total of \$608,000, which is flexible and has been allocated to cover the contracts with New Tech Network and Innovative Schools, along with parts of salaries.

Ms. Jennice stated that DSA will receive professional development through New Tech, including two coaches - a planning coach and an academic coach. DSA would also have access to cloud-based systems for students and curriculum materials for teachers.

Ms. Field Rogers noted that she was not clear on how DSA would provide courses such as physical education, health, and foreign languages. Ms. Jennice stated that PE would not be provided in Year 1, but would be provided in Year 2. She stated that other electives would be offered based on the interests of their teaching staff. She stated that DSA also had support for after-school programs, including music, arts, and robotics.

Ms. Field Rogers noted that the approved charter application stated that after-school supports would be available for students, but she did not see funding for those services in the budget. Mr. B. Taylor stated that those would also be included in the contractual fees line, and could potentially be supported from other budget lines, such as the \$15,000 for school climate.

Ms. Field Rogers asked about the number of students who have withdrawn applications during the formal review period. DSA representatives said that there have only been about 7 withdrawals, with many parents and students remaining supportive. There was discussion about ongoing recruitment efforts, including marketing campaigns and knocking on the doors of students who have expressed interest in the school but have not yet fully enrolled. Ms. Field Rogers noted that DSA's enrollment has only risen by 11 students over the last month. Mr. B. Taylor and members of the board stated that there are 252 applications still active in Data Service Center, and noted that once students enroll they remain committed.

Mr. Blowman stated that the CSAC is wrestling with a number of issues in the present case, including a legitimate policy argument about the right size student population for a new charter

school, and the possibility that a smaller size might be best, but also the issue that DSA's charter was approved for twice the number of students currently enrolled, and for a larger educational scope than what is possible under the current budget. He noted that the issue of financial viability is not limited to whether the school can operate in the black, but whether it can do so while maintaining fidelity to the instructional program that was approved and with a high degree of quality from day one within the available resources.

Mr. Blowman asked about the changes to the contracts for Innovative Schools and New Tech Network. Mr. Heisler stated that he met with representatives of Innovative Schools, along with another board member and Mr. B. Taylor, and said they had discussed changes to service levels, including board members absorbing some of the work originally slated to be performed by Innovative Schools and ensuring that Mr. B. Taylor was not "overloaded" with responsibility.

Mr. C. Taylor said he was concerned about whether the board members could make the tough decisions necessary to keep the school functioning at a high level, including whether to let someone go or reallocate resources to ensure that students receive required services, and whether those decisions could be made in a timely manner. A number of DSA board members stated that based on their business backgrounds and their passion and commitment to DSA and its mission, they understand that they need to make tough and timely decisions that are in the best interests of students. A board member also stated that the board is aware that tough decisions will be made before students walk in the door, and that an entire team must work together to support the school's success.

Mr. B. Taylor stated that DSA had submitted an updated organizational chart the day before the meeting, showing that the school would have a "lean and mean staff," with "all hands on deck." He added that the board has been very supportive, but has also consistently held him and Ms. Jennice accountable for deadlines and outcomes. A DSA board member stated that the board is meeting twice a month, with a finance committee meeting before every full board meeting, and with Mr. B. Taylor providing frequent updates on the balance sheets.

Ms. McCrae stated that she had concerns based upon the difference between what was approved in the charter and what was planned at the lower enrollment level. She noted that DSA now plans to begin offering career and technical education (CTE) pathways the second year, including Project Lead the Way, and expressed her concern that because Project Lead the Way is a 3-year program, the 10<sup>th</sup> graders enrolled at DSA in Year 1 would not be able to complete it. She also expressed concern that in the second year, the school would only offer a single program of study, stating that she understood that DSA would be small and need to scale up, but that a single program of study would limit student program options. She stated that DSA should re-consider some of its program choices which are difficult and costly to implement, in favor of subjects like computer science that can be implemented and scaled more affordably. Ms. Jennice stated that she fully understood those concerns, and had been researching possibilities for the initial cohort of 10<sup>th</sup> graders that would enable them to meet requirements, including six-week intensive summer courses. She also stated that DSA is working to implement a brand-new pathway that is

not currently offered in Delaware, and has been working with an advisory group that supports that effort.

Ms. McCrae noted that the organizational chart shows that the administrative assistant would be expected to fulfill many responsibilities that would normally be performed by a school guidance counselor. She expressed concern because there would be no guidance counselor on staff, and she questioned whether all students would be able to fulfill a required three-credit pathway in time for graduation. She also noted that there would be no world language teacher on staff in Year 1, which would limit that pathway, and no band program, which would limit the fine arts pathways. She also expressed concern that the planned CTE pathways are limited, and that without a full-time guidance counselor who is fully trained to help students navigate that system, DSA might be putting its students in jeopardy in terms of fulfilling their graduation requirements. Ms. McCrae stated that she understood that the school has had to make some tough decisions, but those decisions have presented some “major challenges.”

Ms. Jennice and Mr. B. Taylor stated that they are aware of the challenges presented by curriculum offerings, and are looking to be fluid and flexible with their offerings to ensure that the courses meet the needs of students and remain faithful to the requirements of the charter. Mr. B. Taylor further stated that DSA is developing partnerships with other organizations, including the Delaware Nature Center, Museum of Contemporary Design, Delaware Art Museum, Delaware College of Art and Design, FAME, and First Tech. They also noted that they understand the concerns about the lack of a guidance counselor, and stated their commitment to ensuring that students receive high-quality advice from a qualified person, and their willingness to share those job responsibilities across multiple staff members.

Ms. McCrae also noted that the Response to the CSAC Initial Report stated that an offer had been made to a science teacher who will be teaching both 9<sup>th</sup> and 10<sup>th</sup> grade, but no biology experience or certification had been noted, and she wanted to be certain that the person is qualified to teach both subjects. She also noted that 10<sup>th</sup> grade is a biology-literature integrated course, and she wanted to be sure that the curriculum is aligned to Next Generation Science Standards (NGSS). Ms. Jennice stated that the Response to the CSAC Initial Report contained only general information because there was only an offer and not a contract, but added that the individual offered the job had “multiple years’ of experience teaching different subject areas.” She also stated that DSA had interviewed multiple candidates with certifications “across the board.” Ms. Jennice also stated that she would be able to share materials to demonstrate alignment with NGSS standards.

Ms. Mazza stated that she wanted to make two comments and then ask several questions. She noted that Ms. Jennice had met with her last week as requested to discuss special education procedures and recommendations. She also noted that while some programs may involve fluidity and creativity, under IDEA many decisions need to be made before the doors open and there is no flexibility about what is required under student Individualized Education Programs (IEPs). Ms. Mazza inquired about whether a full-time or part-time special education teacher would be

responsible for managing the IEP process, and Ms. Jennice stated that it would be the full-time special education teacher. Ms. Mazza inquired about the administrative process to be used to make sure that that person was meeting the needs of the students. Ms. Jennice replied that both she and Mr. B. Taylor, along with teachers, would participate in the boot camp special education training offered by the DOE. She stated that she, as the academic lead, would be responsible for ensuring special education compliance.

Ms. Mazza inquired about the role of Innovative Schools in overseeing special education, particularly IEPPLUS. Ms. Gerchman stated that Innovative Schools would be responsible for ensuring that the right individuals have access, helping Ms. Jennice complete all IEPs within the required 60 days, and would be working on monitoring to ensure that all requirements would be met and providing supports where needed. Ms. Mazza stated that although there was a contract in place for services, it is important to understand that DSA and its board are ultimately responsible for ensuring that special education services are provided as required. Ms. Jennice, Ms. Gerchman, and all DSA board members present stated that they understood this responsibility.

Ms. Mazza expressed her concern about DSA's ability to meet all student needs, particularly the IEP meetings that need to be held within the 60-day window, with the staff available. She noted that while opening a school is like a business in some ways, that does not apply to special education, where a school could have an IEP meeting scheduled and a family is waiting and teachers need to be pulled out of class but cannot proceed with the meeting because the nurse is not present. She further stated that a clear plan is needed.

Ms. Mazza inquired about the professional development that would be provided to staff in terms of bridging the gap for struggling learners, for students with disabilities, English language learners, and how to make rigorous content accessible to all students. Ms. Jennice stated that New Tech offers training that supports both Response to Intervention ("RTI") and the implementation of project-based learning to meet the needs of all learners. Ms. Mazza noted that DSA currently has five intensive students enrolled, and that with students nearing transition age, the school would also need to figure out how to manage that process with the staff they have.

Mr. Blowman noted that DSA does have more than 200 active student applications in Data Service Center, but that the school has not converted those applications into complete enrollments. He inquired about what might be preventing that shift. Ms. Wicks and Ms. Jennice discussed the DSA's recruitment efforts and the feedback given by parents, including: places on waitlists for other schools, belief that the students are not good in science or math, or unease about the possibility that DSA might close after a year as Delaware Met did in January 2016. They noted that the families that signed up remain committed and enthusiastic about the school, and remain so after being told about the limited course offerings the first year.

Ms. Field Rogers asked what would happen in September if a student wanted to withdraw from the school and enroll elsewhere, particularly whether DSA would let that student out of the first year charter agreement and what that would do to the school climate. Ms. Jennice said that she would meet with the student and parent first to see if there are any concerns that could be addressed to keep the student in the school, and then release the family if the issue could not be addressed.

Mr. Neibrzydowski expressed concern that recruiting great math and science teachers is always challenging, and noted that after getting the right staff, DSA would face challenges around onboarding and preparing to open on a tight timeline. He also expressed concern about what would happen if one teacher with an offer were to decline, and inquired about the talent pipeline. Ms. Jennice stated that the interview teams had included multiple people, including representatives from New Tech Network, Innovative Schools, and the DSA board depending on the role, and this process enabled the team to be aligned on candidate decisions. She also stated that there are additional candidates in case the top choices do not accept offers. Ms. Jennice stated that the candidates knew that they were coming into this specific school model, and were very excited to be part of it.

Mr. Neibrzydowski expressed concern that all of the teachers would have a lot of responsibilities – potential multiple preps, teaching elective classes for which they may not have the background, and then supporting after-school clubs. He inquired about the summer professional development schedule. Ms. Jennice stated that all teachers are required to attend a two-day training in June, and then a seven-day intensive training in July, plus a week of Project Prep training with the students for which they will receive a stipend. She also stated that curriculum development work will be ongoing.

Ms. Wilson asked if DSA planned any professional development programs that would address cultural competency. Ms. Jennice stated that the New Tech Network training addresses that specifically. Additionally, all staff members would go through restorative practices training. Members of the board stated that DSA had also applied for grants through Marmot and Good Samaritan to further support the Project Prep training. Ms. Massett asked for more information about the Project Prep training. Ms. Jennice explained that it is a scenario-based experience where students learn about expectations, dress code, restorative practices, and other critical information about their day-to-day experience at the school. Project Prep also enables students to build relationships with peers and staff while learning about the expectations of the Project Based Learning model.

Mr. C. Taylor asked about the levels of teaching experience of DSA's current teacher candidates. Ms. Jennice stated that they are "across the board" in terms of years of experience. Mr. C. Taylor asked about the school's plans for mentoring and the Delaware Performance Appraisal System (DPAS). Ms. Jennice stated that the school has applied to be part of the Teaching Excellence Framework (TEF).

Ms. Johnson asked the DSA team to describe NTN’s role in the teacher evaluation process. Ms. Jennice explained that NTN would provide support to teachers and coaching on the school model.

Ms. Johnson noted that the Teaching Excellence Framework (TEF) involved multiple classroom evaluations in short periods which can be very time consuming for a school leader but the time investment can be worthwhile. She asked Ms. Jennice how she would implement TEF with fidelity given the multiple leadership responsibilities she will have. Ms. Jennice stated that she and Mr. B. Taylor have spent significant time thinking about their roles and distributing their responsibilities. She also stated that Mr. B. Taylor is designated as the “first responder” so that she can focus on classroom observations. She added that the board chose the dual leadership structure so that she could focus on instructional leadership. Ms. Johnson asked about the other TEF schools DSA is partnering with. Ms. Jennice stated that DSA is partnering with Academia Antonia Alonso, Positive Outcomes Charter School and First State Military Academy. Ms. Gerchman also noted that trainings are held throughout the year. Ms. Jennice stated that TEF is what her teachers need to implement the BPL model effectively so she sees value in investing her time accordingly.

Ms. Johnson asked whether an offer has been extended to a Project Lead the Way certified or credentialed instructor. Ms. Jennice stated that the instructor who was offered the STEM position is aware that s/he will need to attend Project Lead the Way training along with a counselor and/or herself.

Ms. Johnson asked about the timeline for the math teacher to attend training for the Interactive Mathematics Program (IMP). Ms. Jennice stated that the training has not been scheduled and is on hold pending the outcome of the formal review process. Ms. Johnson also asked about the credentials of the Biology and Literature (“BioLit”) instructor and noted that the current candidates are not biology certified nor do they have a background in biology. She asked for a description of the supports that will be provided to the instructor to teach the biology standards. Ms. Jennice stated that the candidate has background and teaching experience in biology. She explained that she did not list the candidate’s biology certification because she has to confirm that the candidate’s New York certification will transfer to Delaware. Ms. Johnson noted that it was not clear on the submitted schedule whether the English Language Arts (“ELA”) teacher would teach biology. Ms. Jennice explained that the ELA and biology teachers will teach during the same block and plan together.

Ms. Johnson asked about the special education program and plans for inclusion. Ms. Jennice noted that all classes are inclusion and push ins/pull outs will happen as needed. Ms. Johnson cautioned that it may be problematic if the special education teacher cannot stay in class for an entire block and a need arises for the teacher to be somewhere else.

Ms. Johnson asked for the timeline for building improvements at the Delaware Street site to make it more suitable for high school students since it was designed for younger children. Mr. B. Taylor noted that improvements have already been made to the bathrooms. He added that

improvements are needed for classrooms designated for science labs. Mr. B. Taylor also noted that the hallways are too narrow for lockers. He further stated that the location will suffice temporarily until DSA moves into the permanent site at Lukens Drive.

Ms. Johnson asked for the timeline for staff training in child abuse, gang violence, drug abuse and bullying. Ms. Jennice stated that the training would be scheduled during the summer. Ms. Johnson also asked the DSA team to confirm that a full-time nurse will be on staff. Mr. B. Taylor stated that a nurse will be available during school hours.

Mr. Blowman expressed serious concerns about the increased risk and vulnerability that have resulted from the numerous adjustments the DSA board has made to the education plans because of low enrollment. He added that each adjustment, while thoughtfully considered, exposes the charter to increased risk of failure. He also noted that hiring and retaining excellent teachers, serving students with disabilities, heavy reliance on non-State and local funds are factors that, if not executed properly, will severely impact the charter. Mr. Blowman also stated that there are tremendous advantages to starting a school with low enrollment but there are equivalent risks. He added that the warning signs are similar to a recent charter failure. Mr. Heisler stated that DSA is open to the Department's feedback to mitigate the risks. Mr. Blowman expressed concern that it will not take much for DSA to reach a tipping point with so many risks.

Mr. Blowman asked about the capacity of the Delaware Street location. Mr. B. Taylor stated that the site can accommodate 360 students. He added that the permanent location on Lukens Drive can accommodate 650 students.

Mr. C. Taylor asked how the DSA board would handle requests for withdrawal if enrollment falls to 90 students by the first day of school. Mr. Williams stated that board would vote to surrender the charter. He added that the board would consider whether the program could be delivered with a reduced enrollment. Mr. Williams noted that if enrollment falls to 90 students, the charter would lose funding for approximately 2.5 teachers and the board would have to look at adjustments to administration. Mr. Williams also noted that the board's first commitment is to the students. Mr. C. Taylor agreed that the board's first commitment should be to the students. He further stated that last year's charter failure did not demonstrate a commitment to students.

Ms. Massett asked about the frequency of communications to parents. Mr. B. Taylor stated that there have been two social engagements and one full meeting with parents. He added that DSA is mindful of early warning signs. Ms. Jennice added that an early warning sign would be significant no shows for the Project Prep summer program. Mr. C. Taylor stated that DSA has to be able to share the good news as well as the bad news with parents. He noted that he is looking for a commitment to the students. Ms. Mazza stated that a decision to close in early August is too late for families to be notified because they will be scrambling to find new schools. Mr. Williams stated that DSA has constant contact with the families. He added that there have been seven withdrawals to date. Mr. Williams reiterated that if half of the students do not show up for Project Prep, it would be the basis for the board to make a decision before August. Mr. Blowman

underscored that the start of the school year is too late for the board to decide on surrendering the charter.

Mr. Blowman asked Mr. Williams to explain the enrollment thresholds the board established to determine whether to surrender the charter. Mr. Williams stated that if the enrollment had not reached 100 in April, the board would have considered surrendering the charter. Ms. Wicks noted that it was important for the board to have confidence in how enrollment was tied to funding and execution of the program.

Mr. Blowman asked the CSAC if they had any questions or if they required any additional information to make a recommendation. Mr. C. Taylor asked the board what decision would be made if enrollment falls below 100 by July 31 and reemphasized that the beginning of the school year is too late. Ms. Jennice stated that she has been in contact with every parent. She added that there will be a mandatory orientation meeting before the mandatory Project Prep which will be strong indicators of the current commitments. She added that parents are anxious about the formal review process. Mr. B. Taylor stated that four additional open houses are scheduled in June and a social gathering when the Delaware Street site becomes available in late June. He also noted that many parents are awaiting the outcome of the formal review process.

Mr. Williams stated that the board is committed to opening the school and to make the tough decisions, if necessary. Mr. Blowman noted that the public comment period ends and the public record closes on June 10 and the formal review process closes on June 16, 2016.

## **Conclusion**

Mr. Blowman asked if there were any additional questions about the major modification request to temporarily relocate DSA to the 1101 Delaware Street site. Mr. Hickey noted that the Department received the lease for the site but the addendum states that it is contingent upon trustee consent. Mr. Heisler stated that he has been assured that trustee consent will not be an issue. He also noted that the rent is scalable based on enrollment, not to exceed \$37,000 and a copy of the modification will be provided.

A motion was made and seconded that the major modification request be recommended for approval. Five voting CSAC members voted “yes” in favor of a recommendation for approval. Mr. Blowman and Ms. Wilson abstained from the vote because they did not attend the CSAC Initial Meeting.

Mr. Blowman asked if there were any additional questions about potential violations of the law and the charter in the following areas:

- Financial Viability;
- Ability to Implement the Approved Charter With Fidelity.

## **Financial Viability**

Ms. Field Rogers noted great concerns with the financial viability of the charter. She added that DSA's financial viability is contingent upon everything going right. Ms. McCrae agreed with Ms. Field Rogers. Mr. C. Taylor stated that he has reservations based on the concerns raised by Ms. Field Rogers but has faith in the expertise of the board to make the right decisions to ensure financial viability. Ms. Mazza agreed with the concerns raised by Ms. Field Rogers. Mr. Neibrzydowski agreed with the concerns raised by Ms. Field Rogers and noted that he foresees a numerous financial difficulties based on the gap between the approved charter and DSA's current capacity to deliver.

## **Ability to Implement the Approved Charter With Fidelity**

Ms. Field Rogers stated that the current state of the charter is not what the Department approved two years ago. Ms. McCrae stated that the approved charter cannot be implemented with fidelity. Mr. C. Taylor stated that the approved charter could be implemented with fidelity. Ms. Mazza stated that the approved charter cannot be implemented with fidelity. Mr. Neibrzydowski stated that the approved charter cannot be implemented with fidelity.

Ms. Massett noted that the charter was approved to implement the New Tech Network model and STEM and asked the CSAC to describe the areas where DSA cannot implement the essential terms of the charter. Ms. McCrae noted she has concerns about DSA's ability to fulfill the proposed STEM and Science program based on their current budget; current teaching staff do not meet certification requirements for biology and literature; and incomplete or non-existing CTE programs of study.

Ms. Massett stated that DSA has demonstrated a commitment to implement the approved charter with fidelity. Ms. McCrae stated that DSA's commitment is not in question but reiterated that DSA has not demonstrated that it can implement the approved charter with fidelity based on the budget, current staffing and other issues previously mentioned. Ms. Massett requested that DSA be provided the opportunity to submit additional information to address the CSAC's concerns in ways that do not impact the budget.

Mr. Blowman noted that the available resources to implement the approved charter with fidelity are limited at this point and there is no room to maneuver in the current budget. He also noted that past experience has proven that the delivery of special education services is one of the single most critical factors that could lead to charter failure. He added that based on the available resources there are major risks to the core compliance and operational components of the educational program. Ms. Mazza noted that there is no flexibility in providing services to students with disabilities.

Ms. Johnson stated that she does not have confidence in the ability of DSA to implement the approved charter with fidelity. She added that it would be problematic if there are issues with

the launch of the school and enrollment drops to 95 students by September 15. Ms. Wilson stated that she has concerns about the ability of DSA to implement the approved charter with fidelity and has concerns about DSA's ability to address the CSAC's concerns in a short period of time. Mr. Blowman stated that DSA has had two years (a planning year as well as the approved one year delayed opening) to prepare to meet its obligations to all students from the day the school opens its doors. He commented that the CSAC's focus is not on fairness to adults but fairness to students.

Mr. Blowman asked the CSAC if there was any information that DSA could provide to address their concerns about DSA's financial viability and their ability to implement the approved charter with fidelity. The CSAC requested the following information:

1. Revised budget sheets based on Year 1 count of 124 students (alternate scenarios were not requested, and should not be submitted).
2. Narrative describing what resources (FTEs, funding levels, etc.) in the new budget have changed from the last budget.
3. Complete Biology/Literature curriculum illustrating alignment with NGSS and an explanation of teacher qualifications to teach the course.
4. Plan for coordination of at least one complete CTE program of study for all students over the course of the next 4 years. This should clearly illustrate how ALL students will have access to and ability to complete the program before first graduation.
5. Plan for special education support for students and a clear illustration of funding to support these resources. This special education support should also have a plan that indicates:
  - a. How small group instruction with inclusion will be handled?
  - b. How needs based funding will be supported?
  - c. How separate classrooms for re-teaching or for intensive pull-out programs will be maintained?
  - d. How teacher release time will be scheduled for special education coordination throughout the year?
  - e. Plan for providing professional development to all staff in closing the achievement gap within the PBL structure and ensuring access for students with disabilities and English Language Learners? When and by whom will this be provided?
  - f. Planned actions for meeting the known special education needs of students enrolled at STEM.
6. There should also be a specific special education plan, independent of Innovative Schools, to indicate checks and balances for staffing.
7. A plan detailing how the 60-day requirement for new IEPs will be met with the staffing level at the new budget.
8. A plan for structures and requirements for novice teacher mentoring should be included—this should include plans for classroom coverage for any “extra” out of class time for novice teacher PD.

9. A schedule and description of what New Tech is providing with regard to teacher training throughout the school year and into the summer of 2017.
10. A detailed PD schedule for all known professional development programs for all staff (and the Charter Board) for the 2016-17 school year.
11. Plans for providing guidance counseling services and world language instruction

#### Additional Materials Requested By the Charter School Office

12. A detailed list of responsibilities that were moved from contracted services to the school following the re-negotiation of agreements with New Tech Network and Innovative Schools.
13. Copies of the award notice for the non-SEA grant specifying how much of the grant may be spent each year.
14. Evidence of trustee consent for use of the 1101 Delaware Street site.

A motion was made and seconded that the charter be revoked unless follow-up documentation is received by the close of the public record on June 10, 2016 and is sufficient to meet concerns of the CSAC so that the charter can be implemented with fidelity in a financially viable manner. Five voting CSAC members voted “yes” in favor of a recommendation for revocation. Mr. Blowman and Ms. Wilson abstained from the vote because they did not attend the CSAC Initial Meeting.

#### **Next Steps:**

- The CSAC Final Report will be issued no later than June 6, 2016.
- A second public hearing will be held on June 7, 2016 at 5:00 p.m. in the 2<sup>nd</sup> Floor Auditorium at the Carvel building.
- The public comment period and public record is open, and will close on June 10, 2016.
- The Secretary of Education will announce his decision at the June 16, 2016 State Board of Education meeting.