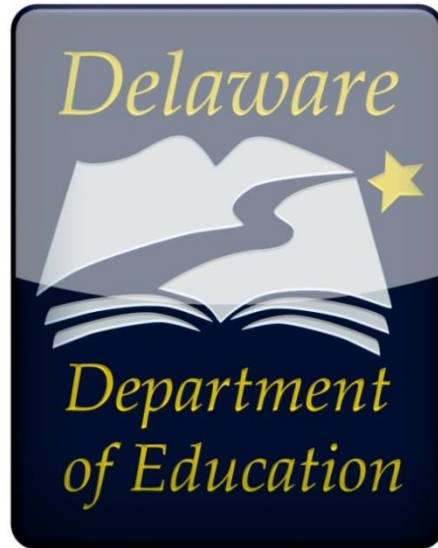


CHARTER SCHOOL ACCOUNTABILITY COMMITTEE

DELAWARE DEPARTMENT OF EDUCATION



Odyssey Charter School

**FORMAL REVIEW
INITIAL REPORT**

CSAC Initial Meeting: March 2, 2020
CSAC Initial Report Published: March 9, 2020

On February 10, 2020, the Department of Education (DDOE) placed the charter of Odyssey Charter School (OCS) on Formal Review, pursuant to Title 14, Delaware Code, Section 515(b), to determine whether the school is violating the terms of its charter and, if so, whether to order remedial measures.

The following were in attendance at the Initial Meeting of the Charter School Accountability Committee (CSAC) on March 2, 2020:

Voting Members of the Charter School Accountability Committee

- Chuck Longfellow, Ed.D., Chairperson of the Charter School Accountability Committee, and Associate Secretary, Operations Support, DDOE
- Susan Veenema, Education Associate, Exceptional Children Resources, DDOE
- Brian Moore, Education Associate, School Climate and Discipline, DDOE
- Gregory Fulkerson, Ph.D., Education Associate, Language Acquisition, DDOE
- April McCrae, Ed.D., Education Associate, CTE / STEM initiatives, DDOE
- James Pennewell, Education Associate, Capital Project Management, DDOE
- Cathy Wolfe, Education Associate, Federal Funds / LEA Indirect Costs, DDOE
- Charles Taylor, Community Member, Retired Head of School

Non-voting Members of the Charter School Accountability Committee

- Audrey Noble, Ph.D., Vice President, Delaware State Board of Education
- Kendall Massett, Executive Director, Delaware Charter Schools Network

Staff to the Committee (Non-voting)

- Darryl Parson, Deputy Attorney General, Department of Justice, Counsel to the Committee
- Leroy Travers, Lead Education Associate, Charter School Office, DDOE
- John Carwell, Education Associate, Charter School Office, DDOE
- Brook Hughes, Education Associate, Finance Office, DDOE
- Jennifer Roussell, Administrative Secretary, Operations Support, DDOE
- Alicia Balcerak, Administrative Secretary, Charter School Office, DDOE

Representatives of the School

- Elias Rigas, President, Odyssey Charter School
- Alisa Moen, Board Member, Odyssey Charter School
- Riccardo Stoeckicht, Co-Head of School, Odyssey Charter School

Discussion

Dr. Longfellow explained that the purpose of the meeting was to review the relevant statutory criteria as to whether the charter holder is violating the terms of its charter and, if so, whether to order remedial measures.

Dr. Longfellow noted that the Delaware Department of Education provided a letter dated February 10, 2020 to Odyssey Charter School's Board President, outlining the grounds for formal review and the following potential violations of the school's charter and Delaware Code.

- Failure to meet current probation condition 1a; (The Majority of Board) members are not members of the AHEPA Family organizations. ("AHEPA family" is understood to include the following organizations: AHEPA, Daughters of Penelope, Maids of Athena, and Sons of Pericles), nor are they members of the immediate family of members of the AHEPA family organizations.
 - As of February 10, 2020, the OCS Board was made up of nine individuals, five of whom are from the AHEPA family.
- Failure to meet current probation condition 1b; A nominating committee consisting of only the non-AHEPA Family board members nominates potential future non-AHEPA Family board members for the non-AHEPA Family board member vacancies and appoints them through a fair and transparent nomination/selection process.
 - As of February 10, 2020 there had been no plan submitted to the DOE to address this condition.
- Violation of 14 Del. C. § 512(15): "The school shall have a satisfactory plan to ensure the effectiveness of its board of trustees..."
 - Recent events in which insensitive remarks were made at a Board meeting have demonstrated a lack of effectiveness on the part of the OCS Board.

Dr. Longfellow stated that the CSAC would identify any areas of ongoing concern and any further information requested from the school that it deems necessary for formulating its final recommendation. Dr. Longfellow gave the school the opportunity to provide an opening statement.

Ms. Moen updated the CSAC on the current make-up of the Board. Currently, there are five non-AHEPA Board members and three AHEPA appointed members. Non-AHEPA members include Rodrigo Torres, Erin Allard, Eva Jannelli, Elias Rigas, and Alisa Moen. AHEPA appointed members include George Hantzandreu, Anamaria Anagnostou, and Sandra Johnson. Ms. Johnson is an OCS parent and non-AHEPA family member who has been a part of the Compliance Committee since its inception to work on the school's by-laws and condition satisfaction.

Ms. Moen stated that the OCS' by-laws committee has worked for the last several months to revise the by-laws and ensure that they are compliant with the conditions of the formal review.

Specifically, she added, the by-laws have been revised to state that the AHEPA family will not comprise a majority of the Board and the establishment of a non-AHEPA Nominating Committee (NANC). Ms. Moen stated that the committee has worked to fill the two non-AHEPA vacancies. She has worked with the NANC since December to establish policies and procedures to ensure an open and transparent process. Ms. Moen stated that OCS submitted drafts of the procedures prior to February 10, 2020 and the department requested additional detail, which the school provided.

Ms. Moen stated that the Board currently has a nomination process open for a teacher representative position. The school, she added, will not fill any AHEPAn positions until all six non-AHEPAn vacancies are filled. Ms. Moen also stated that the Board will then fill the AHEPAn positions until all eleven seats are filled.

Dr. Longfellow opened discussion on the first potential violation of the school's charter: *"Failure to meet current probation condition 1a; The Majority of Board) members are not members the AHEPA Family organizations. ("AHEPA family" is understood to include the following organizations: AHEPA, Daughters of Penelope, Maids of Athena, and Sons of Pericles), nor are they members of the immediate family of members of the AHEPA family organizations."*

Dr. Longfellow asked the school to discuss a scenario in which the school has a full Board of eleven, but two non-AHEPAn members resign simultaneously. He asked the school to describe how they would handle this scenario if the Board would comprise an AHEPAn majority.

Ms. Moen stated that her background includes serving as an attorney who advises corporate Boards, both for-profit and not for-profit. Ms. Moen stated that the school has established a pipeline of non-AHEPAn candidates to keep for up to a year in the event of a sudden resignation. The Board will keep these applicants involved in the school through committees and other matters. Dr. Noble asked the school if they anticipated having an ongoing pipeline of prospective applicants. Ms. Moen stated that the Board had five applications for their last community member opening and four for their teacher representative opening.

Ms. Veenema asked when the AHEPAn members became a non-majority. Ms. Moen stated that recent resignations have occurred on the AHEPAn side of the Board allowing them to fill the non-AHEPAn seats. She added that AHEPA has committed to allow the non-AHEPAn seats to be filled before filling the AHEPA seats.

Dr. Longfellow opened discussion on the second potential violation of the charter. *"Failure to meet current probation condition 1b; A nominating committee consisting of only the non-AHEPA Family board members nominates potential future non-AHEPA Family board members for the non-AHEPA Family board member vacancies and appoints them through a fair and transparent nomination/selection process."*

Dr. Noble expressed concern that the NANC policies and procedures were adopted on February 14, 2020. She added that at the Board's February 19, 2020 meeting, Board selections were made meaning that the committee was meeting before the policies and procedures were

approved by the Board. Ms. Moen stated that the NANC began its work as soon as the committee was formed on December 18, 2019 and their first meeting occurred on January 14, 2020. At that meeting, she added, the NANC discussed the policy and the selection process to evaluate each candidate. In addition, a timeline for applications was discussed and the types of outreach (e.g. mail, social media, etc.) needed to attract a diverse pool of candidates. The policy, she added, was approved in February but everything done before that complied with the policy.

Dr. Noble stated that the OCS Board was working on the policy while trying to nominate a number of new members. She stated that she attended the February Board Meeting and many people were surprised that these members were nominated so quickly after the adoption of the NANC policy. Dr. Noble stated that fairness and transparency might be an ongoing challenge for the OCS Board.

Ms. Moen stated that the by-laws adopted in December included language to partially satisfy condition 1B and established OCS's commitment to following an open and transparent nomination process for non-AHEPAn Board members. Once the NANC was formed, she added, all meetings were publically noticed in accordance with the law. Ms. Moen also stated that the meetings were advertised and posted as required. Ms. Moen reiterated the importance of effective communication. The school, she added, convened a town hall meeting in December and there were many misconceptions regarding the way the Board conducts business. Ms. Moen acknowledged that the Board has a lot of work to do regarding clear and effective communications.

Dr. Longfellow opened discussion on potential Violation of 14 Del. C. § 512(15): *"The school shall have a satisfactory plan to ensure the effectiveness of its board of trustees..."*.

Ms. Moen stated that the Board has reached out to several potential partners to provide governance training on diversity and inclusion. In December, she added, the Board discussed forming a diversity and inclusion committee to work on a broad, school-wide protocol regarding gender diversity, race relations, etc. The Board will have all new Board members undergo governance training.

Mr. Moore asked if representatives from Academia Antonio Alonso might be brought in as partners in this process. Ms. Moen stated that this would be a critical piece in repairing their relationship. The diversity and inclusion committee will look at ways to facilitate that.

Dr. Noble stated that the Delaware State Board of Education has serious concerns with the negative comments made by certain OCS Board members. She stated that this violation has occurred twice, once in 2019 (three violations under this code). This resulted in a vote of no confidence by the Odyssey Education Association. The effectiveness of the Board has been problematic for quite some time. Dr. Noble stated that the Board should include the perspectives of teachers and the community for any prospective cultural awareness initiatives. In addition, she mentioned that improvements need to be made in the area of student

recruitment and hiring practices as it relates to diversity. Dr. Noble asked if all of these areas would be address by the Board.

Ms. Moen stated that this would be a priority of the Board. The Board, she added, is currently made up of five females and three males. The Board is diverse in thought and ethnicity. The Board is different than the Board that violated this code. The new Board will receive training and stay vigilant in working for inclusivity. Ms. Moen stated that the Board must recognize that service on the Board comes with great responsibility and effective leadership must be modeled for students. The Board, she added, has discussed with its partners ways to make the diversity and inclusion training meaningful.

Dr. Noble stated that the OCS Board faces many challenges similar to the what the State Board of Education recently faced. The State Board had to face those challenges head on. The OCS Board will need to work to rebuild relationships, be more visible and more transparent. She stated that it is difficult to change the reputation of the OCS Board.

Ms. Moen stated that the Board will seek to reach out to people in the community with experience with these types of transitions. Ms. Moen stated that the new Board shares the same sentiments. It is important to remember that the Board is made up of individuals, all with fiduciary duties to the school and to students. Dr. Noble reminded the Board that is important to include the faculty in the process moving forward.

Mr. Pennewell asked if there has been any outreach to Academia Antonio Alonso. Ms. Moen stated that they are seeking outside guidance on how best to approach this, given that there are still comments being made that are making their way into the media. OCS, she added, needs to be thoughtful in its process and get expertise from the outside, as necessary. Ms. Massett stated that the Delaware Charter School Network is working to get the school leaders together. Mr. Rigas stated that they understand that they need to work with and collaborate with Academia Antonio Alonso and that Odyssey has work to do in repairing the relationship.

Dr. Noble asked if the Board's communication plan focuses on building trust in the community. Mr. Rigas responded that the plan will be all-inclusive and include two-way communication processes.

Dr. Noble asked if there was any progress on meeting the second condition of the May 2019 formal review concerning the repayment of funds. (Note: The school was not required to respond since the question did not pertain to the current formal review process.) Ms. Moen stated that she would need to confer with the compliance committee before providing an update.

Mr. Taylor stated that the Board's turnaround may take some time, but the Board will need to be persistent. Ms. Moen stated that it is important for the Board to build their process and to

keep people committed to the process. She added that this will allow the Board to continue to build trust.

Follow-up questions or documentation required by the school.

- A complete list of Board members and roles;
- A copy of the NANC process submitted and posted on the website;
- A copy of the manner of communications for non-AHEPAn Board vacancies;
- A draft copy of the Diversity and Inclusion Committee's composition.

Next Steps:

- On or before March 9, 2020, the CSAC will issue an Initial Report addressing the information reviewed and discussed today.
- The first of two public hearings will be held on March 16, 2020 at 5:00 P.M. Carvel State Building, 820 N French St., Wilmington, DE 19801, 3rd Floor Conference Room
- The school will have an opportunity to respond to the CSAC's Initial Report. The school's response is due on or before March 25, 2020.
- A second and Final Meeting of the CSAC will be held on April 1, 2020 at Department of Education, 401 Federal Street, 2nd Floor Cabinet Room, Dover, DE.
- On or before, April 6, 2020, the CSAC will issue a Final Report, which will include its recommendation on the Formal Review.
- A second and Final Public Hearing will be held on April 9, 2020, Department of Education, 401 Federal Street, 2nd Floor Cabinet Room, Dover, DE.
- The public comment period ends on April 13, 2020.
- The Secretary of Education will announce her decision at the April 23, 2020, State Board of Education meeting.