

# Performance Framework

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Delaware Department of Education  
Charter School Office

September 2012



Prepared for the Delaware Department of Education by the  
National Association of Charter School Authorizers

## Acknowledgments

The Performance Framework was developed by the National Association of Charter School Authorizers in collaboration with Public Impact (with special thanks to Lyria Boast), MDS Advisors, and Paul O'Neill. This concerted effort was made possible by the invaluable contributions of the Delaware Department of Education Charter School Office, the Delaware State Board of Education, National Governor's Association Center for Best Practices, the Rodel Foundation, Delaware Charter School Stakeholder Group which included the following participants: Policy Advisor, Office of the Governor; Chairpersons of House and Senate Education Committees and other legislators; Delaware Department of Education; Delaware State Board of Education; Delaware State Education Association; Delaware Charter Schools Network; Governor's Advisory Council for Exceptional Citizens; Charter School leaders and Board members; Innovative Schools; Rodel Foundation of Delaware; Center for School Change, Macalester College; National Governor's Association, Center for Best Practices; Red Clay Consolidated School District; and Longwood Foundation.

September 2012

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# Introduction

## **About the Performance Framework**

In collaboration, the Delaware State Board of Education, Governor's Office, and Department of Education (DDOE) developed the following comprehensive Performance Framework to ensure that each and every DDOE-authorized charter school is serving students with a high-quality public education. The Performance Framework sets the academic, fiscal, and organizational standards by which these public charter schools will be evaluated, informing the authorizer and charter school about each school's performance and sustainability.

By utilizing the Performance Framework as authorized in 14 Del. Admin. C. 275, the authorizer will apply rigorous standards and metrics by which each and every public charter school is evaluated. This will enable multiple factors to be taken into account when evaluating public charter schools and making critical decisions such as renewal, modification, revocation, as well as determining necessary technical assistance.

## Section I. Academic Performance

The Academic Performance Framework includes measures that allow the authorizer to evaluate the school's academic performance or outcomes. Specifically, this section answers the evaluative question: *Is the academic program a success?* A charter school that meets the standards in this area is implementing its academic program effectively, and student learning—the central purpose of every school—is taking place.

For each measure, a school receives one of four ratings: *Exceeds Standard*, *Meets Standard*, *Does Not Meet Standard*, or *Falls Far Below Standard*. Each measure is weighted to provide an overall cumulative rating for the school on Academic Performance.

### Indicators and Measures:

1. Student Progress Over Time (Growth)
  - a. Instructional Scale Score
  - b. Lowest-Performing Students Instructional Scale Score
  - c. Growth To Proficiency
2. Student Achievement (Status)
  - a. Overall Proficiency
  - b. Demographic Subgroups Proficiency
  - c. District Comparison
  - d. Similar Schools Comparison
3. State and Federal Accountability
4. Post-Secondary Readiness
  - a. SAT Performance
  - b. High School Graduation
5. Mission-Specific Academic Goals (optional)

## 1. STUDENT PROGRESS OVER TIME (GROWTH)

### 1a. Are students meeting their fall to spring instructional scale score growth targets?

**Exceeds Standard**

The school has at least 80 percent of all students meeting their growth targets in each tested subject and grade of the State Assessment.

**Meets Standard**

The school has between 60 and 79 percent of all students meeting their growth targets in each tested subject and grade of the State Assessment.

**Does Not Meet Standard**

The school has between 40 and 59 percent of all students meeting their growth targets in each tested subject and grade of the State Assessment.

**Falls Far Below Standard**

The school has less than 40 percent of all students meeting their growth target in each tested subject and grade of the State Assessment.

### 1b. Are lowest-performing students in the school meeting their fall to spring instructional scale score growth targets?

**Exceeds Standard**

The school has at least 80 percent of students in the lowest quartile of performance meeting their growth targets in each tested subject and grade of the State Assessment.

**Meets Standard**

The school has between 60 and 79 percent of students in the lowest quartile of performance meeting their growth targets in each tested subject and grade of the State Assessment.

**Does Not Meet Standard**

The school has between 40 and 59 percent of students in the lowest quartile of performance meeting their growth targets in each tested subject and grade of the State Assessment.

**Falls Far Below Standard**

The school has less than 40 percent of students in the lowest quartile of performance meeting their growth target in each tested subject and grade of the State Assessment.

## 2. STUDENT ACHIEVEMENT (STATUS)

### 1c. Are students making enough annual growth to maintain or achieve proficiency status within 3 years or by 10th grade?

**Exceeds Standard**

The percentage of students making growth sufficient to maintain or achieve proficiency in three years or by 10th grade meets or exceeds 90 percent.

**Meets Standard**

The percentage of students making growth sufficient to maintain or achieve proficiency in three years or by 10th grade is between 70 percent and 89 percent.

**Does Not Meet Standard**

The percentage of students making growth sufficient to maintain or achieve proficiency in three years or by 10th grade is between 50 percent and 69 percent.

**Falls Far Below Standard**

The percentage of students making growth sufficient to maintain or achieve proficiency in three years or by 10th grade falls below 50 percent.

### 2a. Are students achieving proficiency on state examinations in math and reading?

**Exceeds Standard**

School's average proficiency rate on DCAS Reading and Math falls in the top 10 percent of statewide performance of schools serving the same grades.

**Meets Standard**

School's average proficiency rate on DCAS Reading and Math meets or exceeds the statewide average student performance of schools serving the same grades and meets or exceeds the statewide AMO for all students but falls below the 90th percentile of statewide performance.

**Does Not Meet Standard**

School's average proficiency rate on DCAS Reading and Math is less than the statewide average student performance of schools serving the same grades but is above the 20th percentile of statewide performance.

**Falls Far Below Standard**

School's average proficiency rate on DCAS Reading and Math falls in the bottom 20 percent of statewide performance of schools serving the same grades.

**2b. Are students in demographic subgroups achieving proficiency on state examinations in math and reading?**

**Exceeds Standard**

School's average subgroup proficiency rate on DCAS Reading and Math falls in the top 10 percent of statewide subgroup performance of schools serving the same grades.

**Meets Standard**

School's average subgroup proficiency rate on DCAS Reading and Math meets or exceeds the statewide average subgroup performance of schools serving the same grades and meets or exceeds the statewide AMO for subgroups but falls below the 90th percentile of statewide performance.

**Does Not Meet Standard**

School's average subgroup proficiency rate on DCAS Reading and Math is less than the statewide average subgroup performance of schools serving the same grades but is above the 20th percentile of statewide performance.

**Falls Far Below Standard**

School's average subgroup proficiency rate on DCAS Reading and Math falls in the bottom 20 percent of statewide subgroup performance of schools serving the same grades.

**2c. Are students performing well on state examinations in math and reading in comparison to other schools in the district?**

**Exceeds Standard**

School's average proficiency rate on DCAS Reading and Math exceeds the average student performance of students in the district in the same grades by 15 or more percentage points.

**Meets Standard**

School's average proficiency rate on DCAS Reading and Math meets or exceeds the average student performance of students in the district in the same grades by up to 14 percentage points.

**Does Not Meet Standard**

School's average proficiency rate on DCAS Reading and Math is less than the average student performance of students in the district in the same grades by 1 to 14 percentage points.

**Falls Far Below Standard**

School's average proficiency rate on DCAS Reading and Math is less than the average student performance of students in the district in the same grades by 15 or more percentage points.

### 3. STATE AND FEDERAL ACCOUNTABILITY

#### 2d. Are students performing well on state examinations in math and reading in comparison to similar schools in the state?

**Exceeds Standard**

School's average proficiency rate on DCAS Reading and Math exceeds the average student performance of students in similar schools in the same grades by 15 or more percentage points.

**Meets Standard**

School's average proficiency rate on DCAS Reading and Math meets or exceeds the average student performance of students in similar schools in the same grades by up to 14 percentage points.

**Does Not Meet Standard**

School's average proficiency rate on DCAS Reading and Math is less than the average student performance of students in similar schools in the same grades by 1 to 14 percentage points.

**Falls Far Below Standard**

School's average proficiency rate on DCAS Reading and Math is less than the average student performance of students in similar schools in the same grades by 15 or more percentage points.

#### 3. Did the school make AYP?

**Meets Standard**

School meets Delaware AYP target.

**Does Not Meet Standard**

School is below Delaware AYP target.

## 4. POST-SECONDARY READINESS

*(Note: Required only for high schools.)*

### 4a. Does students' performance on the SAT reflect college readiness?

**Exceeds Standard**

Meets or exceeds 60 percent of students or more score a combined SAT score of 1550.

**Meets Standard**

40 percent to 59 percent of students or more score a combined SAT score of 1550.

**Does Not Meet Standard**

20 percent to 39 percent of students or more score a combined SAT score of 1550.

**Falls Far Below Standard**

Fewer than 20 percent of students or more score a combined SAT score of 1550.

### 4b. Are students graduating from high school?

**Exceeds Standard**

Percent of students who graduated from high school in the current school year:

- 2011-12: At least 92 percent
- 2012-13: At least 94 percent
- 2013-14: At least 95 percent
- 2014-15: At least 97 percent
- 2015-16: At least 98 percent
- 2016-17 forward: At least 99 percent

**Meets Standard**

Percent of students who graduated from high school in the current school year:

- 2011-12: 84 percent to 91 percent
- 2012-13: 86 percent to 93 percent
- 2013-14: 87 percent to 94 percent
- 2014-15: 89 percent to 96 percent
- 2015-16: 90 percent to 97 percent
- 2016-17 forward: 92 percent to 98 percent

**Does Not Meet Standard**

Percent of students who graduated from high school in the current school year:

- 2011-12: 74 percent to 83 percent
- 2012-13: 76 percent to 85 percent
- 2013-14: 78 percent to 86 percent
- 2014-15: 80 percent to 88 percent
- 2015-16: 81 percent to 89 percent
- 2016-17 forward: 83 percent to 91 percent

**Falls Far Below Standard**

Percent of students who graduated from high school in the current school year:

- 2011-12: Fewer than 74 percent
- 2012-13: Fewer than 76 percent
- 2013-14: Fewer than 78 percent
- 2014-15: Fewer than 80 percent
- 2015-16: Fewer than 81 percent
- 2016-17 forward: Fewer than 83 percent

## 5. MISSION-SPECIFIC ACADEMIC GOALS

5. **Is the school meeting mission-specific academic goals?** *Note: schools must submit mission-specific academic goals to DDOE for review and approval.*

**Exceeds Standard**

School surpassed its mission-specific academic goals.

**Meets Standard**

School met its mission-specific academic goals.

**Does Not Meet Standard**

School met at least 50 percent of its mission-specific academic goals.

**Falls Far Below Standard**

School met fewer than 50 percent of its mission-specific academic goals.

## Section II: Financial Performance

The purpose of the Financial Performance Framework is to provide key data to assess the financial health and viability of charter schools and to determine whether deeper analysis or monitoring is required. Through a set of eight interconnected metrics, the Financial Framework analyzes the current state of charter schools while taking into account the school's financial trends over the period of three years. The measures are designed to be complementary and together, they provide a lens into a school's near term financial situation, historic trends and future viability.

For each measure, a school receives one of three ratings: *Meets Standard*, *Does Not Meet Standard*, or *Falls Far Below Standard*. If a school receives two or more ratings of *Does Not Meet Standard* or one or more rating of *Falls Far Below Standard*, the authorizer will conduct a comprehensive analysis of the identified areas. The results of the measures in the framework and additional analysis will be used to determine an overall rating for Financial Performance.

### Indicators and Measures:

1. Near Term Indicators
  - a. Current Ratio
  - b. Unrestricted Days Cash
  - c. Enrollment Variance
  - d. Default
2. Sustainability Indicators
  - a. Total Margin
  - b. Debt to Asset Ratio
  - c. Cash Flow
  - d. Debt Service Coverage Ratio

## 1. NEAR TERM INDICATORS

### 1a. Current Ratio (Working Capital Ratio):

*Current Assets divided by Current Liabilities*

**Meets Standard (in one of two ways)**

- Current Ratio is greater than 1.1, OR
- Current Ratio is between 1.0 and 1.1 and one-year trend is positive (current year ratio is higher than last year's).

*Note: For schools in their first year of operations, the current ratio must be greater than 1.1.*

**Does Not Meet Standard**

Does not meet passing options.

**Falls Far Below Standard**

Current ratio is less than 0.9.

### 1b. Unrestricted Days Cash:

*Unrestricted Cash divided by (Total Expenses / 365)*

**Meets Standard**

- 60 days cash, OR
- Between 30 and 60 days cash and one-year trend is positive

*Note: For schools open less than three years, they must have a minimum of 30 days cash.*

**Does Not Meet Standard**

Days cash and trend do not match passing options above.

**Falls Far Below Standard**

Less than 10 days cash

### 1c. Enrollment Variance:

*Actual Enrollment as of September 30 divided by Enrollment Projection in Board-Approved Budget as of the previous July 1*

**Meets Standard (in one of two ways)**

- Meets or exceeds planned enrollment in most recent year, OR
- Actual enrollment equals or exceeds 95 percent of planned enrollment in most recent year and equals or exceeds 95 percent over each of the last three years.

*Note: For schools open less than three years, actual enrollment must equal or exceed 95 percent of planned enrollment for each year of operation.*

**Does Not Meet Standard:**

Does not meet passing options.

**Falls Far Below Standard:**

Actual enrollment was less than 80 percent of planned enrollment in recent year.

### 1d. Default

**Meets Standard**

School is not in default of loan covenant(s) and/or is not delinquent with debt service payments.

**Does Not Meet Standard**

Not applicable

**Falls Far Below Standard**

School is in default of loan covenant(s) and/or is delinquent with debt service payments.

## 2. SUSTAINABILITY INDICATORS

### 2a. Total Margin:

*Net Income divided by Total Revenue*

**Meets Standard (in one of two ways)**

- Aggregated three-year total margin is positive and the most recent year total margin is positive, OR
- Aggregated three-year total margin is greater than -1.5 percent and the trend is positive for the last two years and the most recent year total margin is positive.

*Note: For schools open less than three years, the annual total margin must be positive.*

**Does Not Meet Standard**

Total margin and trend do not meet passing options.

**Falls Far Below Standard**

- Aggregated three-year total margin is less than -1.5 percent. *Note, this is calculation is: (Total 3 year net income) / (Total 3 year revenues),* OR
- Current year total margin is less than -10 percent.

### 2b. Debt to Asset Ratio:

*Total Liabilities divided by Total Assets*

**Meets Standard**

Debt to Asset Ratio is less than 0.90.

**Does Not Meet Standard**

Debt to Asset Ratio is greater than 0.90.

**Falls Far Below Standard**

Debt to Asset Ratio is greater than 1.0.

### 2c. Cash Flow

**Meets Standard (in one of two ways)**

- Three-year cumulative cash flow is positive and cash flow is positive each year, OR
- Three-year cumulative cash flow is positive, cash flow is positive in two of three years, and cash flow in the most recent year is positive.

*Note: For schools open less than three years, they must have positive cash flow.*

**Does Not Meet Standard**

Three-year cumulative cash flow is positive, but does not meet standard.

**Falls Far Below Standard**

Three year cumulative cash flow is negative.

### 2d. Debt Service Coverage Ratio:

*(Net Income + Depreciation + Interest Expense) / (Principal and Interest Payments)*

**Meets Standard**

Debt Service Coverage Ratio is equal to or exceeds 1.10.

**Does Not Meet Standard**

Debt Service Coverage Ratio is less than 1.10.

**Falls Far Below Standard**

Not applicable

## Section III: Organizational Performance

The purpose of the Organizational Performance Framework is to communicate to the charter school and public the already existing compliance-related expectations that the charter school is held to.

*The Organizational Performance Framework lists expectations the charter school is already required to meet through state and federal law and the charter Performance Agreement.*

For each measure a school receives one of two ratings: *Meets Standard* or *Does Not Meet Standard*. Material means that the authorizer deems the matter relevant to:

- The authorizer's accountability decisions including but not limited to decisions about whether to renew or non-renew or revoke a charter, or
- Information that a family would consider relevant to a decision to attend the school.

If the school receives two or more ratings of *Does Not Meet Standard*, the authorizer will conduct a comprehensive analysis of the identified areas. The results of the measures in the framework and any additional comprehensive analysis will be used to determine an overall rating for Organizational Performance.

### Indicators and Measures:

1. Education Program
  - a. Essential Terms
  - b. Students with Disabilities and English Learners
2. Financial Management and Oversight
3. Governance and Reporting
  - a. Governance Requirements
  - b. Accountability of Management
  - c. Reporting Requirements
4. Students and Employees
  - a. Rights of Students
  - b. Attendance
  - c. Credentialing
  - d. Employment Rights
5. School Environment
  - a. Facilities and Transportation
  - b. Health and Safety
6. Additional Obligations

## 1. EDUCATION PROGRAM

### 1a. Is the school implementing the essential terms of the charter's education program as defined in the current charter, and complying with applicable state and federal requirements?

#### Meets Standard

The school is implementing the essential terms of the education program in all material respects, including but not limited to Del. C., Title 14, Ch. 5, §512 (3), and the education program in operation reflects the essential terms as defined in the charter, including but not limited to:

- Instructional days or minutes requirements
- Graduation and promotion requirements
- State assessments
- Delaware content standards and state program requirements
- Implementation of mandated programming as a result of state or federal funding
- Appropriate strategies to accommodate at risk students and those needing special education services, pursuant to Del. C., Title 14, Ch. 5, §512 (7)
- The education of at risk youth, pursuant to Del. C., Title 14, Ch. 1, §153

#### Does Not Meet Standard

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school.

### 1b. Is the school compliant with legal requirements for students with disabilities and English Learners?

#### Meets Standard

Consistent with the school's status and responsibilities as a Local Education Agency (LEA), the school materially complies with applicable laws, rules, regulations, and provisions of the charter relating to the treatment of students with identified disabilities and those suspected of having a disability (including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act) and students identified as English Learners (including Title III of the Elementary and Secondary Education Act (ESEA), and US Department of Education authorities relating to English Language Learner requirements), including but not limited to:

- Identification and referral
- Operational compliance including the academic program, assessments, and all other aspects of the school's program and responsibilities
- Discipline, including due process protections, manifestation determinations, and behavioral intervention plans
- Appropriately carrying out student ELL services, Individualized Education Plans and Section 504 plans
- Access to the school's facility and program to students and parents in a lawful manner and consistent with students' abilities
- Appropriately funding special education programming
- Required policies related to the service of ELL students and proper steps for identification of students in need of ELL services
- Appropriate accommodations on assessments
- Exiting of students from ELL services and ongoing monitoring of exited students

#### Does Not Meet Standard

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school.

## 2. FINANCIAL MANAGEMENT AND OVERSIGHT

### 2. Is the school meeting financial reporting and compliance requirements?

#### Meets Standard

The school materially complies with applicable laws, rules, regulations and provisions of the charter relating to financial reporting requirements, including but not limited to:

- Complete and on-time submission of financial reports, including annual budget, revised budgets (if applicable), periodic financial reports as required by the authorizer, and any reporting requirements if the board contracts with an education service provider, pursuant to Del. C., Title 14, Ch. 5, §512 (14)
- On-time submission and completion of the annual independent audit and corrective action plans, if applicable
- If applicable, Memorandum of Understanding to operate outside the State's pension and/or benefits systems, pursuant to Del. C., Title 14, Ch. 5, §512 (9)
- All reporting requirements related to the use of public funds
- Adherence to the policies and procedures of the First State Financial Management System, pursuant to Del. C., Title 14, Ch. 5, §512 (9)
- A Citizen Budget Oversight Committee, pursuant to (14 Del. C. §1508 and 14 DE Admin. Code 736)
- A clean audit opinion without material exceptions
- An audit that does not include a going concern disclosure in the notes or an explanatory paragraph related thereto within the audit report

#### Does Not Meet Standard

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school.

## 3. GOVERNANCE AND REPORTING

### 3a. Is the school complying with governance requirements?

#### Meets Standard

The school materially complies with applicable laws, rules, regulations and provisions of the charter relating to governance by its board including but not limited to:

- Board policies, including those related to oversight of a management organization if applicable, Including but not limited to: Board bylaws, state open meetings law, Article of Incorporation, and State Code of Conduct pursuant to Del. C., Title 14, Ch. 5, §512 (2)
- Plan for evaluating student and school performance pursuant to Del. C., Title 14, Ch. 5, §512 (5).
- Conflicts of interest
- Board composition and membership requirements, pursuant to Del. C., Title 14, Ch. 5, §512 (1-2)

#### Does Not Meet Standard

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school.

## 4. STUDENTS AND EMPLOYEES

### 3b. Is the school holding management accountable?

#### Meets Standard

The school materially complies with applicable laws, rules, regulations and provisions of the charter relating to oversight of school management, including but not limited to:

- Oversight of management that includes holding it accountable for performance expectations pursuant to Del. C., Title 14, Ch. 5, §512 (9)
- (For schools contracting with Education Service Providers) maintaining authority over management, holding it accountable for performance as agreed under a written services agreement and requiring annual financial reports of the education service provider pursuant to Del. C., Title 14, Ch. 5, §512 (14)

#### Does Not Meet Standard

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school.

### 3c. Is the school complying with reporting requirements?

#### Meets Standard

The school materially complies with applicable laws, rules, regulations and provisions of the charter relating to relevant reporting requirements to the school's authorizer, state education agency, district education department, and/or federal authorities, including but not limited to:

- All state and federal reporting requirements (Del. C., Title 14, Ch. 5, §513)
- Reporting requirements related to conditions placed on the charter

#### Does Not Meet Standard

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school.

### 4a. Is the school protecting the rights of all students?

#### Meets Standard

The school materially complies with applicable laws, rules, regulations, and provisions of the charter relating to the rights of students, including but not limited to:

- Policies and practices related to admissions, lottery, waiting lists, fair and open recruitment and appropriate implementation of preferences, enrollment (including rights to enroll or maintain enrollment)
- Maintain the security of and provide access to student records under the Family Educational Rights and Privacy Act and other applicable authorities
- Access to documents maintained by the school under the state's freedom of information law and other applicable authorities
- Transfer of student records, pursuant to Del. C., Title 14, Ch. 5, §512 (13)
- Due process protections, privacy, and civil rights, including 1st Amendment protections and the Establishment Clause restrictions prohibiting public schools from engaging in religious instruction
- Conduct of discipline and attendance, pursuant to Del. C., Title 14, Ch. 5, §512 (11), including discipline hearings and suspension and expulsion policies and practices. (Note: Proper handling of discipline processes for students with disabilities is addressed more specifically in Section 1.c.)

#### Does Not Meet Standard

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school.

## 5. SCHOOL ENVIRONMENT

### 4b. Is the school meeting attendance goals?

**Meets Standard**

The school materially complies with applicable laws, rules, regulations, and provisions of the charter relating to attendance goals.

**Does Not Meet Standard**

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school.

### 4c. Is the school meeting all staff credentialing requirements?

**Meets Standard**

The school materially complies with applicable laws, rules, regulations, and provisions of the charter (including the federal Highly Qualified Teacher and Paraprofessional requirements within Title II of the ESEA) relating to state certification requirements and background checks.

**Does Not Meet Standard**

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school.

### 4d. Is the school respecting employee rights?

**Meets Standard**

The school materially complies with applicable laws, rules, regulations and provisions of the charter relating to employment.

**Does Not Meet Standard**

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school.

### 5a. Is the school complying with facilities and transportation requirements?

**Meets Standard**

The school materially complies with applicable laws, rules, regulations and provisions of the charter relating to the school facilities, grounds, and transportation, including but not limited to:

- Fire inspections and related records
- Viable certificate of occupancy or other required building use authorization
- Documentation of requisite insurance coverage (Del. C., Title 14, Ch. 5, §512 (10))
- Student transportation

**Does Not Meet Standard**

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school.

### 5b. Is the school complying with health and safety requirements?

**Meets Standard**

The school materially complies with applicable laws, rules, regulations and provisions of the charter relating to safety and the provision of health related services, pursuant to Del. C., Title 14, Ch. 5, §512 (12), including but not limited to:

- Appropriate nursing services and dispensing of pharmaceuticals
- Food services requirements, if applicable
- Emergency management plan requirement

**Does Not Meet Standard**

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school.

## 6. ADDITIONAL OBLIGATIONS

### 6. Is the school complying with all other obligations?

**Meets Standard**

The school materially complies with all other material legal, statutory, regulatory, or requirements contained in its charter that are not otherwise explicitly stated herein, including but not limited to requirements from the following sources:

- Consent decrees
- Intervention requirements by the authorizer
- Requirements by other entities to which the charter school is accountable

**Does Not Meet Standard**

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school.