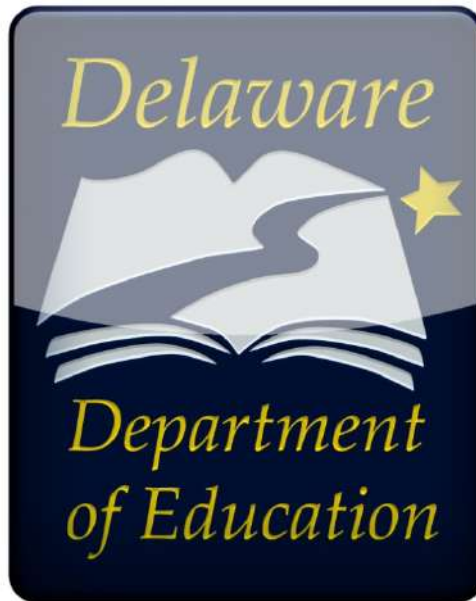


**CHARTER SCHOOL ACCOUNTABILITY COMMITTEE**  
**DELAWARE DEPARTMENT OF EDUCATION**



**DELAWARE DESIGN-LAB HIGH SCHOOL**

**FINAL REPORT AND RECOMMENDATIONS**

**APPLICATION TO OPEN A CHARTER SCHOOL**

Opening Date: August 2014

Grades: 9 - 12

Location: New Castle County

Date of Report: 6 May 2013

## Background

Name	Delaware Design-Lab High School	
Projected Enrollment	Year 0	80% of max (start-up)
	Year 1	240 (planned), 300 (max), grades 9, 10
	Year 2	380 (planned), 475 (max), grades 9, 10, 11
	Year 3	520 (planned), 650 (max), grades 9 - 12
	Year 4	560 (planned), 700 (max), grades 9 - 12
Mission	To delight students with education beyond imagination in the most innovative school on the planet.	
Vision	To produce the next generation of innovators who become the problem-solvers of the world.	

The Charter School Accountability Committee (Committee) convened on:

- 13 January 2013 for the Initial Meeting
- 6 February 2013 for the Preliminary Meeting.
- 23 April 2013 for the Final Meeting to make a final recommendation based on the school's response to the Committee's preliminary report.

At the Final Meeting, the Committee focused on the following criteria which required further clarification:

- Education Plan
- Performance Management
- Staffing
- Governance and Management
- Start-up and Operations
- Facilities
- Budget and Finance

## Education Plan

At the Preliminary Meeting, the Committee determined that the following subsections of the Education Plan did not meet the standard. The Committee discussed the applicant's response to the Preliminary Report and noted the following:

### *Curriculum and Instructional Design*

- the response met the standard

### *Student Performance Standards*

- the response met the standard

### High School Graduation Requirements

- the response met the standard

### College and Career Readiness

- the response met the standard

### School Culture

- the response met the standard

### Special Populations and At-Risk Students

- Needs Based Funding Categories – the response shows some confusion between IDEA classifications and Needs Based Funding categories. The response indicates that Design-Lab will serve all students classified as Basic, Intense and Complex. These are funding categories only, not classifications under which students are eligible to receive special education services.
- Continuum of Educational Placements – the response was not inclusive of the entire continuum of educational placements under IDEA.
- English Language Learners – the response does not demonstrate knowledge of the difference between Title I C (migrant) and Title III English language acquisition programs and federal requirements. Migrant students are not necessarily ELL students and ELL students are not necessarily migrant. They are completely different programs. The response does not include information on the Title III/ELL program.
- the response met the standard with conditions –  
**On or before June 28, 2013,**
  - **Revise Appendix E, “Definition of Disability Terms for Populations We Expect to Serve.” There are 13 classifications under IDEA in which students are eligible and receive special education services. Appendix E states 3 classifications.**
  - **Provide plan for differentiated implementation of Title I C (migrant) and Title III English Language programs.**
  - **Plan for identification of English Language Learners (e.g. initial diagnostic steps, the name of the annual assessment instrument, notices to parents, timeline for completion, and federal activities required of local education agencies)**

### Student Recruitment and Enrollment

- the response met the standard

### Student Discipline

- The Committee noted that the response did not include actual Gun Free School and Drug and Alcohol policies.
- The response met the standard with a condition –  
**On or before June 28, 2013, the school will submit for review Gun Free School and Drug and Alcohol policies (see link below for sample).**  
[http://www.christinak12.org/pdf/Code\\_Conduct/1213/GR6-12-EN.pdf#page=57](http://www.christinak12.org/pdf/Code_Conduct/1213/GR6-12-EN.pdf#page=57)

**The Accountability Committee concluded that the applicant’s response to the “Education Plan” section met the standard with conditions.**

## Performance Management

At the Preliminary Meeting, the Committee determined that the following subsections of the Performance Management Plan did not meet the standard. The Committee discussed the applicant's response to the Preliminary Report and noted the following:

### *Mission-Specific Educational Goals*

- the response met the standard

### *DCAS Expectations for At-Risk Students (If proposing to serve students at risk of academic failure)*

- Not applicable

### *Mission-Specific Organizational Goals*

- the response met the standard

### *Measuring and Evaluating Academic Progress*

- the response met the standard

### *Training and Support for Teachers in Data Use*

- the response met the standard

***The Committee determined that the applicant's to "Performance Management" section met the standard.***

## Staffing

At the Preliminary Meeting, the Committee determined that the following subsections of the Staffing Plan did not meet the standard. The Committee discussed the applicant's response to the Preliminary Report and noted the following:

### *Staff Structure*

- Compensation aligned to Christina School District is addressed in budget section, but not addressed in Staff Structures. Alignment across staff should be addressed. Compensation should be inclusive for all incentive programs – compensation packages, system and strategy that are like to attract and retain strong staff.
- The response met the standard with a condition –  
***On or before June 28, 2013, provide plan for aligning incentive programs across staff.***

### *Professional Development*

- the response met the standard

***The Accountability Committee concluded that the applicant's response to the "Staffing" section met the standard with a condition.***

## Governance and Management

At the Preliminary Meeting, the Committee determined that the by-laws required revisions. The Committee determined that the applicant's response included amended by-laws which addressed most of the concerns listed in the preliminary report. However, Section 8.1 refers to "...applicable state laws governing conflicts of interest applicable to nonprofit and charitable corporations...", which should be broadened to include laws regulating the conduct of officers, officials, and employees of the State, as it is that statutory Code of Conduct which applies to charter schools, their board members and their employees. Thus, the response met the standard with the following condition.

- ***On or before June 28, 2013, submit amended by-laws broadening Section 8.1 in accordance with the Committee's recommendation.***

***The Accountability Committee concluded that the applicant's response to the Governance and Management section met the standard with a condition.***

## Start-Up & Operations

### *Start-up plan*

At the Preliminary Meeting, the Committee determined that the start-up plan appeared to be a restatement of the information contained in the original application and lacked sufficient detail. The Committee determined that the response required the addition of concrete steps. Thus, the response met the standard with the following condition:

- ***On or before June 28, 2013, submit a revised start-up plan with concrete steps to achieve the tasks identified in the Start-Up plan (Attachment 19).***

### *Transportation*

- The response met the standard.

### *Lunch/breakfast*

- The response met the standard.

***The Accountability Committee concluded that the applicant's response to the "Start-Up" Operations section met the standard with a condition.***

## Facilities

At the Preliminary Meeting, the Committee noted that the applicant did not have a contingency plan if their plans for locating at the Community Education Building fell through. The Committee determined that that applicant's response included a viable second option.

***The Accountability Committee concluded that the applicant's response to the "Facilities" section met the standard.***

## Budget and Finance

At the Preliminary meeting, the Committee requested clarifications regarding the budget budgets. The Committee determined that the applicant's response raised additional questions requiring clarification (see notes below).

- The Preliminary Report noted that the applicant may have overestimated its projected enrollment of students with special needs which could skew projected state and local revenues. The applicant's revised budget and revenue estimates are based on a higher than average percentage of students with special needs (20% overall).
- The applicant's response includes a breakdown of their expected student need categories:
  - 12% Basic
  - 6% Intensive
  - 2% Complex

The applicant notes that these figures are based on the 2011-12 data published by Delaware Department of Education and in consultation with charter school special education providers in Delaware. The actual source of these numbers is unclear as the current state average for special needs students is 12.5% (inclusive of the three categories listed above).

- Because funding for special education students (especially intensive and complex) is higher than regular education students, the applicant may have overestimated its state revenues by as much as \$375,000 and local revenues by as much as \$250,000.
- The revised budget worksheets for Federal Funds and Other Funds did not include totals at the bottom of the respective pages. Additionally, the budget narrative did not appear to include any information with these figures to determine whether funding projections were reasonable.
- The budget does not appear to include any funds for legal services.
- The Start-Up Plan notes that an administrative Assistant and clerk will be hired during the planning year (Year 0). However, no amounts appear to be budgeted for these positions in Year 0. How will these positions be funded?

Thus, the Committee requested that:

***On or before May 31, 2013, provide clarification regarding the items listed above.***

***The Accountability Committee concluded that the applicant's response to the Budget and Finance section did not meet the standard.***

## Summary and Recommendations

Application Sections	Charter School Accountability Committee's Recommendations
(1) Founding Group and School	Met
(2) Education Plan	Met with conditions
(3) Performance Management	Met
(4) Staffing	Met with a condition
(5) Governance and Management	Met with a condition
(6) Parent and Community Involvement	Met
(7) Start-up and Operations	Met with a condition
(8) Facilities	Met
(9) Budget and Finance	Not Met

The Charter School Accountability Committee recommends to the Secretary of Education that the application for the Delaware Design-Lab High School be approved with conditions.

## **Appendix A**

### **List of Attendees**

#### **Preliminary Meeting of the Charter School Accountability Committee**

#### **Delaware Design-Lab High School**

**23 April 2013**

#### **Members of the Committee**

- Mary Kate McLaughlin, Committee Chair, Chief of Staff
- Debora Hansen, Education Associate, Visual and Performing Arts; Charter School Curriculum Review
- Paul Harrell, Director of Public and Private Partnerships
- Mary Ann Mieczkowski, Director, Exceptional Children Resources
- April McCrae, Education Associate, Education Associate, Science Assessment and STEM
- Kendall Massett, Executive Director, Delaware Charter Schools Network (Non-Voting)
- Donna R. Johnson, Executive Director, State Board of Education (Non-voting)

#### **Staff to the Committee**

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

#### **Representatives from Delaware Design-Lab High School**

- Cristina C. Alvarez, CEO
- Martin Rayala, Chief Academic Officer

#### **Additional Attendees**

- Barbara Mazza, Education Associate, Curriculum Access & Differentiation of Instruction