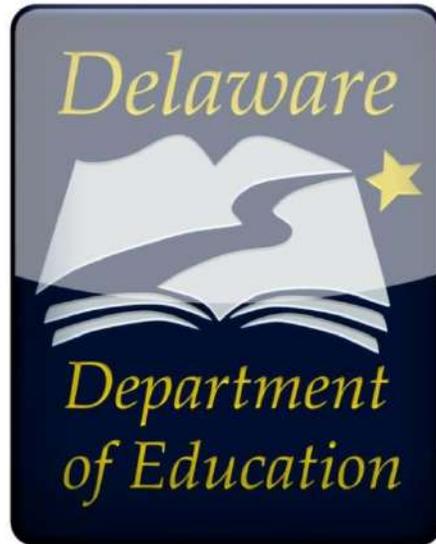


# CHARTER SCHOOL ACCOUNTABILITY COMMITTEE

DELAWARE DEPARTMENT OF EDUCATION



## The Delaware Met

**FORMAL REVIEW  
FINAL REPORT**

CSAC Final Meeting: December 1, 2015  
CSAC Final Report Published: December 4, 2015

The following were in attendance at the Final Meeting of the CSAC on December 1, 2015:

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

- David Blowman, Chairperson of the Charter School Accountability Committee and Deputy Secretary of Education, DDOE
- Karen Field Rogers, Associate Secretary for Adult Education and School Supports, DDOE
- April McCrae, Education Associate, Science Assessment and STEM, DDOE
- Barbara Mazza, Education Associate, Exceptional Children Resources, DDOE
- Atnre Alleyne, Director, Talent Management & Educator Effectiveness, Teacher and Leader Effectiveness Unit (TLEU), DDOE
- Paul Harrell, Community Member

**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
- John Carwell, Education Associate, Charter School Office, DDOE
- Michelle Whalen, Education Associate, Charter School Office, DDOE
- Brook Hughes, Education Associate, Financial Reform and Resource Management

**Representatives of the School**

- Jeffrey Bross, Board Member
- Tricia Hunter, School Leader
- Teresa Gerchman, Chief Schools Officer, Innovative Schools, Delaware Met
- Susan Ogden, Director of Student Supports
- Matt Swanson, Board President, Innovative Schools
- Karen Thorpe, Business Manager, Innovative Schools
- Charly Adler, Big Picture Learning
- A.J. English, Founder, English Lessons Mentoring Program
- Dr. William Beltran, School Psychologist

**Additional Attendees Noted**

- Alison May, Public Information Officer, DDOE
- Sheila Lawrence, Administrative Secretary, Charter School Office, DDOE
- Kamilah Laws, Contractor, Charter School Office, DDOE
- Ed Emmett, Director, Positive Outcomes Charter School

## **Discussion**

Mr. Blowman noted that purpose of the meeting was for the Charter School Accountability Committee (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. He also noted that the grounds for formal review were outlined in an October 16, 2015 letter to the Board, which included potential violations of the law and charter in the following areas:

- Educational Program
- School Culture
- Governing Board and Leadership Capacity
- Financial Viability

On November 1<sup>st</sup>, the school submitted a set of documents to the Department of Education. These documents included a narrative, budget based on the September 30<sup>th</sup> count, revenue estimates, technology policy information, Learning Through Internships (LTI) program information, curriculum information, and information about the school's code of conduct. All of those materials are part of the public record.

On November 4<sup>th</sup>, the school submitted a second budget based on the September 30<sup>th</sup> count, which included more detailed information about the funding streams associated with each expenditure. The updated budget was added to the public record, but was not available for CSAC to review in advance of the CSAC Initial Meeting later that day.

The CSAC held its Initial Meeting on November 4, 2015, and made a preliminary determination that the school was non-compliant with all four areas of concern outlined in the notification letter. At the conclusion of the meeting, the CSAC requested 20 additional pieces of information to inform its decision-making. The CSAC issued its Initial Report on November 9, 2015.

The school submitted a response on November 24<sup>th</sup>, and it is part of the public record. Mr. Blowman asked the representatives of the school if they wanted to provide any introductory information regarding their response to the CSAC Initial Report. Ms. Hunter stated that she felt that the response was thorough and that she and her team would welcome any questions from the CSAC.

### **Educational Program**

It was noted that at the CSAC Initial Meeting, the CSAC made a preliminary determination that there was non-compliance with respect to the Educational Program and requested the following information to inform its decision-making:

- Detailed evidence that special education units/funds are being utilized for special education and appropriate staffing is in place to serve students with disabilities.
- Updated school calendar with hours (including days the school was not open).

- Science and Social Studies units that outline what is currently being taught and evidence of alignment to state standards.
- Evidence of professional development teachers received in Science and Social Studies state standards and alignment of units and assessments to state standards.
- Evidence that each student with an IEP had an IEP meeting prior to the 60-day legally required deadline, and that all IEPs are in compliance with dates and are being met with a breakdown of additional instructional minutes.
- The plan for making up special education services for any students with disabilities whose needs are not being met based on the scheduling of special education staff.
- List of external internship partners, and of internal internship opportunities.
- The school's plan to provide support to students with disabilities at internal and external internships so that their disabilities do not become a barrier.
- List of teacher/staff resignations/turnover.
- Discussion about Schoology – past training, current use and any follow up training for teachers and students.

Ms. Field Rogers noted that she expected the school's calendar submission to include the days the school was closed, including September 21, 2015 and more recent closures that were not reflected on the school calendar that the CSAC received. Ms. Field Rogers also noted that, based on the school's submission, it appeared that the number of instructional hours per day were increased and asked the school if the start time or end time had been modified. Ms. Hunter stated that several adjustments were made to the calendar. She noted that her understanding was that emergency closures should not be included on the official calendar but handled similarly to emergency closures for snow. She noted that the school had emergency closures on September 21<sup>st</sup>, November 23<sup>rd</sup> and November 24<sup>th</sup>. Ms. Hunter also stated that the calendar was modified to recapture lost instructional time, as December 21<sup>st</sup> and 22<sup>nd</sup> were originally part of the holiday break but have been added as instructional days. Additionally, the daily schedule was originally 8:30 AM to 3:30 PM, but has been adjusted to end at 3:45 PM to mitigate issues regarding after school pick-up and provide for an additional 15 minutes of instruction. Ms. Field Rogers asked whether the 1,137.75 total instructional hours included the three emergency closure days and Ms. Hunter stated that it did.

Ms. McCrae noted that the school's response to the CSAC Initial Report indicated that Ms. Ogden had contacted her last August for clarification on science instruction requirements and biology, in particular. Ms. McCrae stated that she found emails from Ms. Ogden from August 20 or 21, 2015, but nothing in the emails indicated any affiliation with The Delaware Met. The emails requested information regarding the biology end-of-course exam, which is no longer required. Ms. McCrae noted that she provided current science standards and assessment requirements. A copy of these emails is attached to this report as Exhibit A.

Ms. McCrae noted that the science standards the school cited in its response were middle school standards. She added that the lessons plans are for middle school, more specifically early middle school, although The Delaware Met is a high school. The sample lesson plans were focused on

the solar system and students were required to do self-paced research over the course of 3-4 weeks, concluding the unit with PowerPoint presentations to their peers. Ms. McCrae noted that there are no Delaware standards or Next Generation Science Standards that require this content at the high school or middle school levels. The Next Generation Science Standards do not present the solar system as presented in the sample lesson plans provided by the school. Ms. McCrae reiterated her previous concern regarding the school's claims that it contacted the DDOE for science standards information and that its current science curriculum and instruction aligns to Delaware standards and Next Generation Science Standards, as the sample lessons provided did not support these claims. She also noted that the sample science lessons included assessments from the online learning platform, CK-12, but the questions were rote and not aligned to the Next Generation Science Standards or the Common Core State Standards.

Ms. McCrae noted that the digital learning resources were clearly designed for students in grades 6-8. She stated that while it is possible to adjust these materials for older students, it is also possible that The Delaware Met students may feel disrespected when presented with materials that are clearly designed for younger students, which could be a reason for student disengagement and behavioral issues in classrooms. Ms. McCrae also noted that the social studies lessons were very rote (e.g., memorization based, copying notes off of the board) as opposed to having students engage more deeply with the materials.

Ms. Hunter explained that summer professional development provided teachers with the curricular outlines from the approved charter along with additional materials that were developed with the support of Innovative Schools. Teachers also received training in the Big Picture Learning (BPL) model which focuses on personalization and project-based learning from the Buck Institute for Education. Ms. Hunter noted that she recently returned from maternity leave and could therefore answer questions related to the summer and the beginning of the school year, but Ms. Gerchman and Ms. Ogden could answer questions regarding the period she was on maternity leave. Ms. Gerchman stated that the earth science teacher is registered to attend the next Science Coalition training in December. She acknowledged that, although the teacher received the curriculum standards for earth science during the summer, those standards are not reflected in what she is teaching. Ms. Gerchman also noted that she recently observed a social studies lesson that was not rote memory-based. Rather, students were provided a scenario and had to choose which form of government would best fit the scenario and provide five supporting reasons. Ms. Gerchman acknowledged a disconnect between the classroom she observed and the lesson materials submitted. Ms. McCrae reiterated that the astronomy lesson submitted was not an example of project-based learning. She commented that the teacher who submitted the lesson may think the lesson is project-based learning, but it is not. Mr. Blowman noted that the CSAC can only review the materials that it receives from the school.

Ms. Mazza noted two major areas of concern: special education compliance and the provision of services. With respect to compliance, she noted that MaryAnn Mieczkowski and Dale Matusevich of the DDOE's Exceptional Children Resources workgroup visited the school on November 20, 2015 to assess the compliance of the school's special education records. They found that of the 59 special education student's records reviewed all were out of compliance with the

requirements of the Individuals with Disabilities Education Act (IDEA) and Delaware regulations. In addition, based on the documents the school submitted, there were 15-18 students that had expired Individualized Education Programs (IEPs) independent of the 60-day mandatory meetings. Ms. Mazza acknowledged the school's note that IEP meetings would be scheduled but underscored that the IEP meetings were required to be held prior to the 60-day mark. She asked the school to share its plan to comply with the IDEA and Delaware regulations.

Ms. Ogden stated that she was not in the building when Ms. Mieczkowski and Mr. Matusevich arrived to monitor the special education records and had arrived later that morning at 10:30 AM. She explained that the school was still in the process of receiving student records and the school has yet to receive records for some students. Ms. Ogden also noted that the school was not prepared for the unannounced monitoring visit, as there were active files on the table and a flash drive was lost in the first room the DDOE staff monitored. She also added that, during the DDOE monitoring visit, an event occurred which set off the fire alarm and resulted in evacuation from the building and no access to the special education resource room on the second floor where the active special education files were stored. Ms. Ogden stated that "the second floor was condemned." She also stated that the DDOE staff were informed that the files on the second floor contained updated IEP goals and meeting information, but the first floor files were not yet updated. She also explained that parent meetings were held for expired IEPs, but the DDOE team did not have access to these files due to the fire alarm incident. Ms. Ogden also noted that the school was not able to conduct as many IEP meetings after Ms. Hunter went on maternity leave the last week of September. She noted that copies of the invitation to meeting letters to parents were shared with the DDOE team. Ms. Mazza noted that the DDOE team remained at the school after the late-morning evacuation, until 4:00 PM. She also noted that the files Ms. Ogden provided as part of the school's response to the CSAC Initial Report showed 15-18 students with expired IEPs. In addition, Ms. Mazza added that the materials indicated that, for some of the IEP meetings, some of the required participants were not present. Ms. Ogden stated that, "there's huge issues with [IEP] meetings. There's no question about that."

Ms. Mazza noted issues with the school's provision of special education services. She referenced the staffing list that the school provided, which listed all positions when the school is fully staffed: one director, two special education teachers, three paraeducators, 10 general education teachers (20% of salaries funded by IDEA funds), mentoring service and climate team (the number of individuals and their roles in supporting students with disabilities was not clear) and \$50,000 allocated for medical services. Ms. Mazza noted that she checked with the DDOE's Unit Count office and confirmed that the school earned 9.01 special education units and 1.24 related service units, which she compared against the staff list. She noted that, based on the Delaware Educator Data System (DEEDS), Amelia Davis does not have special education teacher certification. The only certification she has listed in DEEDS is for a paraeducator. Ms. Mazza also noted that she could not find Terrance Yeagins (special education, math, grades 9, 10) in the system, but it is not clear whether he is currently on staff and actively working. Ms. Hunter noted the Ms. Davis came to Delaware Met through the Alternative Routes to Certification (ARTC) program with emergency certification in special education and English. She added that it was not clear why Ms. Davis' certification was not reflected in DEEDS, but the ARTC program confirmed

that she is highly qualified in the areas for which she was hired. Ms. Gerchman noted that Mr. Yeagins was also referred by the ARTC program, but he did not take the position. A substitute teacher is covering the special education math class Mr. Yeagins was assigned to teach.

Ms. Mazza stated that the unit count shows 12 complex students who require 1-on-1 or 1-on-2 support for the majority of the day but it is not clear how this support is being provided based on current staffing levels. She also noted that 22 students require an additional 25-75 minutes of special education instruction 2-5 times per week outside of the regular classroom. Ms. Mazza underscored that it is not clear how students' needs are being met based on current staffing levels. Ms. Ogden noted that the spreadsheet was intended to show that staff are aware of the quantity of minutes students should receive and staff assignments. She added that the spreadsheet calculates instructional minutes owed to students who did not receive compensatory instruction due to staffing shortages. Ms. Ogden explained that she, Mr. Williams and Mr. English have weekly team meetings to "prioritize" the students based on the staffing available. She also noted that some students were owed counseling and received counseling services based on their IEPs from Mr. English's team. Ms. Mazza noted that she was more concerned about the support students had received in reading, math and writing, which equated to three months of lost instructional time for complex special education students. Ms. Ogden noted that the co-teaching model mitigated some of the lost instructional time. She added that teachers were interviewed and asked if special education students could do the work in the regular education classroom with their assistance or whether they require push-in or pull-out support. Ms. Ogden stated that student supports were prioritized based on teacher feedback. Ms. Mazza stated that these decisions were problematic because they were made outside of the IEP meetings and not informed by the IEP team. She added that student supports should be based on their IEPs. Ms. Mazza also noted that it not clear what the school is doing to support the 12 complex students. She also underscored that the IEP is a legal document so prioritizing is illegal. Ms. Ogden explained that complex students receive support from paraeducators and, in some cases, it was determined through the process that a mentor from Mr. Williams' team was more successful with a student than some of the paraeducators. Ms. Mazza stated that the school received units for complex students who should receive services from qualified special education professionals. Mr. Blowman noted that the 12 complex students alone earn four teaching units. He added that the school earned the resources to educate the 12 complex students based on approved IEPs. The school has a legal responsibility to provide the required special education services when the students are enrolled. Later in the meeting, the CSAC again discussed the number of complex students and the suggestion that it might be less than 12 complex students. It was clarified that, regardless of the actual number of complex students, Delaware Met earned a total of 9.06 units for special education students.

Ms. Mazza expressed concern for the school's students with disabilities and the legal situation that the school has placed itself in. She added that compensatory education cannot make up for the instructional time that students have lost. Ms. Mazza also noted that special education services provided in general education is better than nothing, but some students have IEPs that clearly require 75 additional minutes five days per week in a special education classroom, which the students are not receiving. Ms. Ogden noted that she was not clear that a new charter school

opened with those earned complex units. Ms. Mazza explained that new and existing schools are legally required to meet the needs of its incoming students. Mr. Blowman noted that the 60-day window is provided for IEP meetings. Ms. Mazza reiterated that the IEP meetings were not held in accordance with the 60-day timeline. Mr. Blowman noted that the school received slightly over nine units to educate its students with disabilities and has not come close to meeting their needs. Ms. Ogden stated that she was not hired by Delaware Met when the budget was created. She added that students were prioritized based on the spreadsheet she referenced previously. Mr. Blowman reiterated that students have not received special education services based on approved IEPs. He added that the IEPs should drive special education services. Ms. Ogden stated that the fire alarm incident prevented the DDOE team from reviewing records stored on the second floor. Mr. Blowman expressed concern regarding the number of excuses provided in response to the CSAC's questions about services to students with disabilities. He also noted that a well-functioning school should be able to manage disruptions. Mr. Blowman commented that the School Leader should be able to go out on maternity leave without the school falling apart. He noted that these issues point to massive weaknesses in the school's organizational model.

Ms. Ogden noted that approximately 30% of students arrived with IEPs and over 50% of students reading under the 3<sup>rd</sup> grade level who had never been evaluated for special education services. She noted that "with the original staffing model, it would be difficult to respond" to a large number of students with significant deficits. Ms. Ogden also noted that the Big Picture Learning model attracted a large number of students who previously attended alternative placements and the records for these students were the most difficult to retrieve. Mr. Blowman noted that Ms. Ogden's argument would be more plausible if a significant percent of the 59 special education students' records were compliant, but none of them are compliant. Ms. Mazza added that the school could have conducted its own assessments during the 60-day window to make decisions in the best interest of the students. Ms. Mazza also noted that if the complex students do not require 1-on-1 or 1-on-2 services, then the Unit Count is inaccurate. She added that any internal assessments outside of IEP meetings are meaningless. Ms. Mazza asked Ms. Ogden to explain why IEP meetings were not held for students whose records were transferred. Ms. Ogden responded that limited staffing prevented the IEP meetings.

Dr. Alleyne noted that the school listed five teachers who had resigned since the beginning of the year and asked if the positions have been filled. Ms. Hunter noted Jonathan Guenther's position, which was vacated early in the school year, has been filled. She added that two recent resignations have been temporarily filled by long-term substitutes, but the positions have been posted. Ms. Hunter also noted that the two terminations have also been temporarily filled by long-term substitutes. Ms. McCrae asked for the number of teachers who received summer professional development are still on staff. Ms. Hunter stated that 8 out of 13 teachers received the training. She added that staff who were hired after the school year began received 1-on-1 training from Mr. Adler. Dr. Alleyne asked the school to provide staff turnover information for non-teaching staff. Ms. Hunter noted that the LTI Coordinator resigned, along with the School Nurse. The School Nurse position has not yet been filled and Keina Hodge from Innovative Schools is serving as the interim LTI Coordinator. Dr. Alleyne noted that at the CSAC Initial Meeting the school indicated a plan to hire an Executive Director, but the most recent information submitted

by the school states that the Board has moved away from that plan. He noted that his broader concern is with respect to the school's leadership strategy. Mr. Bross noted that the Board discontinued the search for an Executive Director based on the school's current financial position. Ms. Nagourney asked if the Board had considered the school's financial position when the initial decision was made to recruit an Executive Director. Mr. Bross stated that the Board initially thought the school's financial position would allow for an Executive Director, but after further review, the Board determined that it was not feasible. Ms. Nagourney asked the school to provide the date of the Board of Directors meeting during which this decision was made. Mr. Bross stated that he did not attend the last Board of Directors meeting. Mr. Swanson stated that a subcommittee of the Board discussed the matter and it was clear that the Executive Director position would come at the expense of other positions (e.g. LTI Coordinator, Operations Manager). Ms. Nagourney asked the school if the leadership decisions were made in properly noticed Board of Directors meetings with recorded minutes. Mr. Swanson stated that the discussions occurred during working sessions, not full Board of Directors meetings. Ms. Nagourney requested clarification whether the Board took action during meetings that were not publicly noticed. Mr. Swanson stated that Board action was not taken. He added that Board action would only have been required if the decision was to move away from the leadership structure outlined in the original charter.

Mr. Harrell expressed concern that the Board is reconsidering the leadership model three months into the school year as opposed to during the planning year. He added that the leadership model is central to the functioning of the school.

Ms. Johnson expressed a concern with the quality of instruction in English Language Arts (ELA) and math based on the concerns Ms. McCrae identified with the levels of instruction in science and digital citizenship. She added that the ELA and math instruction may be at the middle school level. Ms. Johnson also noted that the State provides the iSafe curriculum at no cost, so it is unclear why the school has selected a middle school digital citizenship curriculum. She also expressed concern regarding the school's training on the Schoology platform. She noted that school previously indicated that teachers have been trained on Schoology, but their response to the CSAC Initial Report indicates that teachers have not been trained and there has been no implementation. Ms. Hunter noted that the curricular outlines and skeletons from the approved charter were shared with teachers in collaboration with Innovative Schools. She added that, while she did not collect lesson plans for ELA and math, she has observed grade level appropriate instruction in these classes. Ms. Hunter also noted the professional development around Schoology is not "one and done," but professional development is scheduled twice per month on half-day Wednesdays.

Ms. Massett asked the school if there have been any staffing changes since the staffing list was submitted to the DDOE. Ms. Gerchman noted that Amelia Davis tendered her resignation on November 27. Ms. Massett asked for the plan to replace Ms. Davis. Ms. Hunter noted that the position is posted and Ms. Davis will continue to teach until her last day, after which a long-term substitute will take over. Ms. Johnson asked if the long-term substitute for math is certified. Ms. Gerchman stated that she did not know.

Ms. Nagourney asked for the status of Jackie Adam-Taylor's employment. Ms. Hunter stated that she is no longer employed at the school. She added that she came to the school through a leadership internship/residency program and she discontinued her participation in the program. Ms. Nagourney asked who is doing that work in her absence. Ms. Hunter indicated that she is covering Ms. Adam-Taylor's role. Mr. Swanson noted that Ms. Adam-Taylor was not part of the original staffing plan in the approved charter, but was added as a support role. Ms. Massett expressed concern regarding the quantity of Ms. Hunter's responsibilities. Mr. Swanson stated that Innovative Schools will provide additional support to Ms. Hunter. Ms. Gerchman added that she will be at the school two full days per week and Keina Hodge will remain in the LTI Coordinator position until it is filled. Mr. Swanson noted the culture team led by Mr. Wilson and the mentoring team are resources beyond the original staffing plan in the approved charter.

Ms. McCrae asked Mr. Adler for his opinion regarding the viability of a BPL school with large numbers of long-term substitutes working as mentor-teacher liaisons at a 16:1 ratio. Mr. Adler noted that the 16:1 ration is fine, but the long-term substitutes are not ideal because the investment is limited since they will eventually be replaced. Ms. McCrae asked the school if the current ratio is 16:1. Ms. Hunter noted that she did not have the exact ratio, but it is close.

Ms. Massett acknowledged the school's difficulties in getting student records and asked if they requested help from the DDOE and/or the charter community. Ms. Hunter stated the school's counselor contacted Debbie Stover at the DDOE. Ms. Massett said that wanted the record to reflect that the school did not reach out to the charter community for assistance.

Ms. Mazza asked if the students who are reading significantly below grade level but are not identified for special identification are receiving Response to Intervention (RtI) services. Ms. Ogden stated that RtI services are provided. Ms. Mazza asked if the required minutes for each tier are being provided in accordance with the regulations. Ms. Hunter stated that the minutes shifted after she went on maternity leave and she had not reviewed it since she returned.

## **School Culture**

It was noted that, at the CSAC Initial Meeting, the CSAC made a preliminary determination that there was non-compliance with respect to School Culture and requested the following information to inform its decision-making:

- Evidence that the school staff has received training in de-escalation and non-violent physical restraint techniques.
- A list of police visits to the school and the reasons for those visits.
- Information regarding other schools that A.J. English partners with.
- Steps the Board had taken to engage parents around school culture.

It was noted that, in its response to the CSAC Initial Report, the school listed six instances in which the Wilmington Police Department (WPD) visited the school, including two visits for severe student disruption, two visits for students who had left the school grounds and whose parents could not be reached, and two visits for outsiders on school property. However, Ms. Nagourney introduced information from the WPD Communications Division that had been provided by a Wilmington Police Department representative. She noted that the information was not necessarily complete, but at a minimum documented more than the six incidences of police contact with the school that had been reported by the school in its Response to the CSAC Initial Report.

Mr. Wilson, the School Climate Officer, stated that the information provided was very accurate based upon the notes that he had in reference to police contact. He stated that there were initial contacts with the police that had not been substantiated by the school. Ms. Nagourney noted that the CSAC very clearly requested information regarding all police visits to the school. Mr. Wilson stated that the list did not include random calls, but only calls generated by the school.

Ms. Kendall expressed surprise and concern that the school only reported calls that had been generated by the schools, noting her opinion that the children are not safe. She specifically noted that the list stated that a bullet was found in one of the classrooms and asked the school why it did not contact the police in that instance. Ms. Wilson stated that the school has contacted WPD aside from 9-1-1 calls. Specifically, the school has a direct relationship with Detective Watson, who is assigned to the school. The bullet incident was an example of an instance in which the school did not call 9-1-1, but contacted Detective Watson directly and WPD responded and dealt with the situation.

Ms. McCrae noted that she thought it was a good thing, for both students and staff, that the school has relationships with the WPD. However, when the school reports six police interactions, but there are in fact more, the impression is that the school doesn't want the CSAC to know how often the police are there. She stated that she would rather know that there were 300 visits and have an open discussion about what it means and how to keep the students and staff safe, than to have the school indicate that there were six visits to the school and the police indicate that there have been upwards of twenty four. She indicated that she was fearful about safety in the school when reading about BB guns and tasers. She noted that the school has been trusted with the students' safety.

Mr. English added that some of the students are living in an environment in which a lack of safety is the norm and school is their only safe haven. He stated that it may be unsafe sometimes in the school, but the students are better off inside the school than in their own neighborhoods. Dr. Alleyne commended Mr. English's work, but noted that the question is whether this is the best that can be done for the students in the school.

Ms. McCrae added that she was speaking more about the accuracy of the information provided than the quantity of police calls. Mr. Swanson stated that there was a miscommunication regarding what was requested of Mr. Wilson and that what he produced is not consistent with

the list of police contacts with the school. Mr. Wilson indicated that he thought that what was requested was information about the school's involvement with the police, as some calls have come from across the street and even parents. He stated that a lot of the calls were unfounded. He later stated that he wanted to make clear that not all of the calls listed necessarily involved the school. For example, he cited the November 30<sup>th</sup> call for a student believed to be intoxicated and noted that the report was determined to be unfounded. In addition, the November 4<sup>th</sup> BB gun incident involved individuals who were across the street and wanted to involve themselves with The Delaware Met students. Mr. Blowman asked the school whether eighteen of the twenty four were unfounded and Mr. Wilson replied "no." Mr. Wilson stated that they were not aware of the calls, as they were not initiated by The Delaware Met. Mr. Blowman acknowledged that any number of the listed police contacts may have been unfounded, but what was produced was not responsive to what was requested.

Ms. Johnson acknowledged Mr. English's commitment to the students and the community. However, she expressed disappointment that the school listed two calls for severe student disruption despite seven different instances leading to nine arrests being listed in the information provided by WPD. She identified several incidents, including a student's hair being set on fire, an assault, weapons being brought to the school, near riots, and threats toward staff members as severe disruptions. She expressed concern about the school's response, whether it's pushing it under the rug, being less than transparent, or being less than honest with itself about the environment at the school. She noted that this cannot be the best that we can do for our children.

Ms. McCrae noted that she had asked at the Initial CSAC Meeting whether the school's staff had been trained in safe restraints and de-escalation strategies, as there is a clear evidence of a need, including a population of 59 special education students. She asked whether the school has individuals on staff who can put their hands on students if the need arises. Mr. Wilson indicated that the school had started the first portion of that training with John Sadowski of the DDOE the week prior and is following up to do the actual physical part of the training shortly. He stated that the people on his staff are trained outside of the DDOE. Mr. Blowman asked whether the training has been scheduled and Mr. Wilson stated that the school is waiting for class availability. Ms. Nagourney noted that the school's Response to the CSAC Initial Report stated that Mr. Sadowski had provided the training. However, Ms. Mazza and Ms. Nagourney noted for the record that Mr. Sadowski had indicated that he did not provide the training. Rather, he made clear to the school that the training must be provided by an outside vendor.

Ms. Johnson asked whether all teachers have completed the required child abuse, gang, substance abuse, and bullying training. Ms. Gerchman responded that she does not know whether she has a recent list, but can produce emails demonstrating that they were supposed to participate and she can show where the school checked to see who had participated. She noted that the school experienced difficulty in accessing the course via PDMS and had to switch to Schoology. Ms. Johnson asked if Ms. Gerchman would be surprised to learn that only one had completed the required course and Ms. Gerchman stated that she would be surprised, as she sent an email out while Ms. Hunter was on maternity leave and it was not to everyone. Ms. Johnson noted that, following the CSAC Initial Meeting, it was only one.

Mr. Harrell inquired about the school's chances of hiring qualified teachers at this late juncture in light of its current climate issues and lack of a consistent management plan. Ms. Hunter stated that the school has been receiving resumes, which she requested yesterday from Innovative Schools and hopes to receive today. Ms. Gerchman has been screening the resumes and shared with Ms. Hunter that the school was receiving resumes from highly-qualified candidates and working to set up interviews. Mr. Adler participates in every interview to ensure that candidates are capable of implementing the model. Both Ms. Hunter and Mr. Adler will work with anyone hired to ensure that they receive the appropriate training.

Mr. Harrell noted that every applicant is likely aware of the problems that the school has had to address. He expressed concern that the school will not only struggle to fill the six vacancies this year, but hiring for next year will likely also be a challenge.

### **Governing Board & Leadership Capacity**

It was noted that at the CSAC Initial Meeting, the CSAC made a preliminary determination that there was non-compliance with respect to Governing Board and Leadership Capacity and requested the following information to inform its decision-making:

- Clarification regarding responsibility for overseeing the professional development process and the School Leader.
- List of expectations that the Board provided to Innovative Schools.
- List of Board members who have and have not completed governance training.
- Detail on how the Board utilized its additional planning year, which was requested and granted last year.

Ms. Massett asked whether there is a parent representative on the Board. Mr. Bross responded that the Board has been searching and had identified an individual who subsequently declined. However, the search is ongoing and remains a priority. Ms. Gerchman added that, in her role as Interim School Leader, she attended all PTA meetings and attempted to solicit interest among parents in the Board.

Ms. Nagourney stated that the formal review notification letter noted that there were no Board minutes posted to the school's website as required by law. She noted that this had not changed as of the date of the CSAC Final Meeting and asked when the required documents will be posted. Mr. Bross stated that the school will see that the minutes are posted immediately.

The members of the CSAC had no additional questions or comments in this area, as most matters in this area had already been touched upon during discussions earlier in the meeting.

### **Financial Viability**

It was noted that at the CSAC Initial Meeting, the CSAC made a preliminary determination that there was non-compliance with respect to Financial Viability and requested the following information to inform its decision-making:

- Total number of students who have withdrawn since September 30<sup>th</sup>.
- Updated budget based on the September 30<sup>th</sup> count of 215 to include new costs such as the cost for the WPD contract and any additional expenses built into the budget as a result of the needs of the school.
- Cash flow analysis.

Ms. Field Rogers asked whether the school intends to hire a full-time School Nurse. Ms. Hunter stated that the school has extended an offer for full-time employment to a candidate and plans to extend the offer to a second qualified candidate if the first candidate declines. Ms. Gerchman added that she verified with Linda Wolfe of the DDOE that all candidates met the state's requirements.

Ms. Field Rogers noted that she could not find the revenue sheets to support the unit count in the school's submission. She noted that a comment was made earlier that there were 80 special education students. Ms. Hunter stated that 80 students was based on the summer count, but enrollment has since dropped and the data that was provided is based on the September 30<sup>th</sup> count. Ms. Thorpe stated that the school is using actual data, rather than projecting out. The local revenue is directly from the finalized charter school billing, less funds for returning students that had withdrawn as of the date the responsive submission was prepared. On the state revenue side, the school is pulling the state data with an increase for additional credentialing and reduction for students that had withdrawn.

Ms. Field Rogers requested information regarding how the figure of \$13,350 per student was determined. Ms. Thorpe responded that it includes the general fund (05312, technology block grant, educational sustainment fund) and local school district funding. Ms. Field Rogers asked whether the school divided by 12 months to get that number. Ms. Thorpe responded that the school looked at the number of days and approximated the total that would go back to the districts. Ms. Field Rogers stated that it would be helpful to know how those numbers were calculated.

Ms. Field Rogers asked whether the teacher credentialing has been put into PHRST or if the school is waiting for it to go through DEEDS. Ms. Thorpe responded that there are some applications that need to be put into DEEDS for teachers who have a Masters degree. However, it has gotten muddied by staff turnover. Regardless, Ms. Thorpe noted, the school anticipates increased revenue after all teachers' credentials have been updated in PHRST.

Ms. Field Rogers referenced the four students who the school indicated had withdrawn and the \$31,148 in funding to be returned to districts with those students and asked whether this figure was an average that did not take into consideration special education status or the district. Ms. Thorpe confirmed that an average was used. Ms. Field Rogers referenced the six additional

students who will be leaving for approximately six months at an estimated \$48,060 to come out of the school's line of credit. Ms. Thorpe responded that the budget and monthly cash flow is showing the available line of credit, which the school wants to minimize as much as possible. She noted that the budget does include approximately \$121,000 worth of salaries and OEC's that will not be spent during the fiscal year but are in reserve for summer pay. She stated that, when looked at based on a purely cash basis, the school may not need to draw upon the line of credit depending on a number of factors. She stated that, based upon the assumptions in the budget today, the school generates a cash flow of approximately \$90,000.

Ms. Field Rogers asked for clarification regarding the contract with the transportation company, which provides that the school will pay the company 90% of state transportation receipts. Ms. Thorpe clarified that this is in fact an accurate representation of the negotiated contract.

Ms. Field Rogers asked whether the WPD contracted services are included, noting that it was hard to determine what is included in the contractual services. Ms. Thorpe referred the CSAC to line 31 ("Contracted Services"), which includes \$10,000 for the police of the \$245,000 on that line item.

Ms. Field Rogers noted that the school has already used approximately \$65,000 of the line of credit and anticipates another \$50,000-\$60,000 with the placing of the students that had withdrawn. She asked whether there was a cost associated with the sprinkler incident. Ms. Gerchman responded that there is a cost, which the school did not know about at the time of its submission. The cost for the repairs is a \$10,000 insurance deductible. Ms. Field Rogers asked whether this would come out of the reserve and Ms. Gerchman stated that it could. Ms. Thorpe added that the school will continue to monitor maintenance costs, but feels that it is well-budgeted in that area.

Mr. Blowman noted that the budget assumes current staffing levels. However, given the conversation about resources that were earned but were not going directly to special education students, an assumption being made is that the issue is not addressed any further than the resources already in the building. Ms. Gerchman noted that an additional paraeducator has been added to the budget since the CSAC Initial Meeting. However, Mr. Blowman noted that the school is still significantly short of nine special education units. Ms. Mazza added that, as the school considers compensatory services, it should keep in mind that this also likely includes summer services, which may involve teachers, transportation, and related services. This is in addition to students who may qualify for 12-month programming based on federal Extended School Year (ESY) or state reading-based ESY.

The CSAC discussed the number of complex special education units and ultimately clarified that the total units earned was 9.06. Mr. Blowman added that financial viability does not exist in isolation, such that if there are legally required services that aren't being provided within the budget, then it is hard to assess compliant financial viability.

## **Conclusion**

Ms. McCrae expressed concern for multiple reasons. She noted that, based on the lesson plans, it is clear that the curriculum is poorly presented and doesn't meet the promised problem-based learning strategies that came with Big Picture Learning. Based upon public comments and the police reports, the cultural and behavioral discord is such that students are consistently off task in school. In addition, special education needs are not being met. Rather than helping students meet the standards of a rigorous curriculum, the curriculum is being watered down. She indicated that she truly believes that the students deserve a very strong education. Unfortunately, the students and their families put trust in a model that was different than the regular education program and offered employment opportunities in addition to a high school education. However, at this point, the promises seem somewhat empty. She stated that she finds it unfortunate that the adults were unable to come through on their promises and the students are missing out.

Ms. Johnson stated that she believes that the MET model and the Big Picture Learning model would be beneficial to the students. However, the school was not ready to open and serve the students at a level that they deserve and need. She indicated that she would hope that if a school noted the gaps in preparedness that is now evident, they would make the decision not to put students through that experience. She acknowledged that, for several students, education is their safety net and their one shot at a better life. She stated that she felt as though the experiment is failing the students.

Mr. Blowman stated that the school's situation has nothing to do with the model, but is a matter of completely inadequate implementation.

Mr. Adler indicated that the first year of a school is always a challenge. Part of the problem is that there is no school culture, which you have by the second year in the Big Picture model. He stated that The Delaware Met was the largest school opening for a Big Picture school. While some things were controllable and could have been controlled better, some things were not. The school has to be careful about making sure students are ready for internships and that the placements are appropriate to set the students up for success. However, sometimes students who don't seem ready become different people at the internships. He acknowledged that the challenges with The Delaware Met have been very high, including the large opening enrollment.

Mr. Blowman noted that that the school applied for a large enrollment. He also noted that the school had stated throughout the formal review process that it has not been able to properly implement the Big Picture model because it received a population of students that it had not anticipated. Mr. Blowman added that some of the issues, such as special education compliance, have nothing to do with the model and are basic components of running a school. Ms. Ogden stated that the budget anticipated 12% special education students. However, Mr. Blowman clarified that he was not speaking specifically about the special education issue, but about the school's prior explanation that it experienced setbacks because it received a student population that it had not anticipated. Mr. Swanson stated that this was not what he heard and that the school's current population is exactly the population that the school sought to serve. However, multiple CSAC members noted that Mr. Swanson was not present at the CSAC Initial Meeting

when the issue was discussed. Ms. Hunter added that the current student population is the student population that she wanted to serve when she accepted the School Leader position. However, while the school had planned for that student population, it had not planned for the depth of students' needs beyond academics, including mentoring and socio-emotional support. The time and attention in the beginning was focused on expanding Mr. Wilson's team and bringing Mr. English into the school during the day. Ms. Ogden added that the current student population is what she anticipated and embraced along with every teacher other than those that left in the beginning of the year.

Mr. Blowman clarified that the CSAC was not questioning the motives of the school, the Board, or the management company. He added that he and others want the MET model in Delaware. However, he noted that he has not heard a clear, articulated plan to provide meaningful instruction to the students before the end of the school year.

Mr. Swanson stated that the issues stem from senior management and leadership capacity, including significant Board turnover at a critical time, maternity leave, and medical leave of key staff members. He indicated that the CSAC should be asking itself where the school would realistically be in terms of special education compliance, implementing the instructional model, and understanding financial viability in light of the special education issues if it had opened without those disruptions. He also stated that the CSAC should consider what the first six weeks looked like compared to the last six weeks. He stated that everyone on the school's team would agree that climate, safety, culture, and the beginnings of what is happening in the classroom is night and day compared to the first six weeks of school.

Ms. McCrae responded that the question is "what is our responsibility to the children." She acknowledged the serious health issues and other things that have happened, but stated that the children deserve a school that works, rather than a school working through its issues. She noted that, even this week, people are still leaving, there are still issues with the budget, and there are still issues with the curriculum. She stated that she is not seeing a great improvement when comparing the first six weeks to the last six weeks. She noted that the responsibility to the children is to ensure that they are in a safe place and are receiving a good education, which she is not seeing. She stated that it is not about the adults, but about the students who have not deserved what has happened to them this year.

Mr. Wilson stated that one thing that hasn't been discussed is the relationships and trust that the school now has with the students, which took time to develop and has made the climate better. The students did not want, like, or trust authority. However, the students now believe when the school tells them that it has their best interests at heart. He stated that students are in the classroom, engaged, and following instruction, which was not the case before.

Mr. English stated that he has been at the school since the third week and the students are not the same now. Most of the students have grown up with parents, guardians, and friends coming in and out of their lives. The students have trust issues and trust needs to be developed, which does not occur over two weeks or even a year. They have dealt with things such as siblings being

shot, mothers on drugs, and fathers in jail for life. He stated that he wonders what happens to them, as we will be reading about them for bad reasons even despite mentors and structure in their lives. He stated that he was one of those children and does not know where he would be without mentors such as Maurice Pritchett. He stated that what he hasn't heard discussed is what happens to the students moving forward.

Ms. Massett thanked Mr. English for caring about the students, but noted that the school cannot be kept open only to avoid disruption to the students. She noted that this has been done before and saw what happened. However, just having a safe place is not a reason to keep a school open if the students are not being taught how to read or write, as that would be akin to babysitting. If the decision is to close the school, the community must figure out where they will go and must help them. However, she emphasized that a school cannot be left open because it might not be better somewhere else. She stated that what she has heard tells her that the students are not getting what they need to get from a school and that the financial situation may get worse. She stated that she believed everybody at the table cares about the students and wants to see them safe, but it's the CSAC's job and everyone else's job to ensure that they are receiving an education while that happens.

### **Recommendation**

Mr. Blowman requested a motion that the CSAC find that the school has violated the terms of its charter and in its operation of the school failed to satisfy the applicable sections of the Charter School Law in the following specific areas:

- Educational Program
- School Culture
- Governing Board and Leadership Capacity
- Financial Viability

Ms. Field Rogers made the motion, which was seconded by Ms. Mazza and carried unanimously.

Mr. Blowman stated that opening and operating a charter school is incredibly difficult work, but is also possible. He noted that there are examples of charter schools in Delaware that have been successful since day one and were ready to educate students. He acknowledged that challenges in the areas of curriculum, instruction, hiring, facilities and finance exist. However, they are all manageable problems that charter schools sign up for. Nevertheless, a high bar needs to be set for students and schools need to ensure that students who may be desperately looking for educational alternatives can walk in on day one and start receiving high-quality instruction. It is both possible and doable.

Mr. Blowman stated that when a charter school fails to meet those standards, the state has a responsibility to those students to take appropriate and necessary action. And when a school fails to meet multiple standards and fails to create a safe and appropriate environment in which students can thrive, it warrants serious action.

Mr. Blowman requested a motion to recommend the revocation of the charter of the Delaware Met, effective the end of the second marking period (January 22, 2016), based upon all of the information that the CSAC had received and reviewed about the school, including the following:

- Failure to protect the rights of students with disabilities.
- Failure to implement the curriculum outlined its application.
- Failure to maintain a safe learning environment.
- Failure to maintain financial viability.
- Failure to exercise sound governance and leadership.

Mr. Harrell made the motion, which was seconded by Ms. Field Rogers. Before a final vote was taken, the CSAC discussed the motion.

Ms. Johnson asked whether an inquiry had been made into when the marking period ends for other area high schools. Mr. Blowman indicated that the date is consistent with most other area high schools, with the exception of Red Clay.

Mr. Alleyne asked about the logistics of closing mid-year, which may be a significant disruption. Mr. Blowman responded that the DDOE would work with district schools, charter schools, and vo-tech schools to ensure that all of the students are placed by the beginning of the next marking period and that the resources follow those students. He acknowledged that it would not be easy. Ms. Massett noted that a school stayed open last year following revocation and the students did not receive instruction. Mr. Blowman clarified that there were two schools that closed at the end of last year. Ms. Massett stated that it would be unfair to place teachers in a position where they know students would not be there and it would be unfair to the students. Ms. Johnson added that the school would run the risk of losing more staff before the end of the school year. Ms. Mazza noted that the school would still be responsible for rectifying special education non-compliance.

The motion carried unanimously. Mr. Blowman noted that the recommendation was only a recommendation and not a final decision.

### **Next Steps**

- A second and final public hearing will be held on December 7, 2015 at 5:00 PM in the 2<sup>nd</sup> Floor Auditorium at the Carvel State Office Building, which is located at 820 N. French Street, Wilmington, DE 19801.
- The public comment period will close on December 11, 2015.
- The Secretary of Education will announce his decision, which would require the assent of the State Board of Education, at the December 17, 2015 State Board of Education meeting at 1:00 PM in the 2<sup>nd</sup> Floor Cabinet Room of the Townsend Building, which is located at 401 Federal Street, Dover, DE 19901.