

CHARTER SCHOOL ACCOUNTABILITY COMMITTEE

DELAWARE DEPARTMENT OF EDUCATION



Delaware Institute of Technology

FINAL REPORT AND RECOMMENDATIONS

APPLICATION TO OPEN A CHARTER

OPENING DATE: August 2012

GRADES: 9-12

LOCATION: New Castle County

DATE OF REPORT: April 8, 2011

Background

The Delaware Institute of Technology (DIT) Charter School aims to provide New Castle County, Delaware with a challenging technology centered college preparatory education. Their mission is to provide a challenging college preparatory curriculum coupled with a career focus to meet the educational needs of students with an interest in Science, Technology, Engineering, and Math (STEM) & Leadership in a safe, highly productive learning environment. The proposed school will start with 180 ninth and tenth grade students in year one and grow to serve a total of 600 students in grades 9-12 by year four. A senior exhibition will be required for graduation.

DIT will target any high school student in New Castle County interested in a rigorous college preparatory curriculum that fulfills their ambition to obtain a career in science, math, and technology. DIT will offer career pathways in Architecture and Design, Biomedical Technology, Engineering, and Leadership to enhance students' skills and knowledge of how to apply their STEM education to real-life challenges and careers.

The Charter School Accountability Committee met on February 22, 2011 to draft a Preliminary Report on the new charter application and on March 30, 2011 to draft a Final Report. The applicant did not submit a response to the Preliminary Report that addressed the issues raised.

The committee makes the following recommendations regarding the approval criteria listed in 14 Del. C. §512.

Evaluation on Each Criterion Specified in 14 Delaware Code, Section 512:

1) The individuals and entities submitting the application are experienced and qualified to start and operate a charter school, and to implement the School's proposed educational program. Certified teachers, parents and members of the community in which the School is to be located must be involved in the development of the proposed charter school. At the time at which the School commences its instructional program and at all times thereafter, the board of directors must include a teacher at the School and a parent of a student enrolled at the School as members.

Mr. Hindman noted for the record that the only correspondence received from the applicant was a letter that was dated March 24, 2011, to the Committee. He had no further comments with regard to the applicant's comments about Criterion 1.

Mr. Carwell added that the Preliminary Report also requested clarifying information regarding the school's governance, but the applicant's response did not include any clarifying information. Mr. Cruce recommended that criterion 1 remain not met

The Committee determined criterion 1 is not met.

The committee recommends to the Secretary criterion 1 is not met.

2) The chosen form of organization, identified in the articles of incorporation and by-laws, or membership agreement, conforms to the Delaware General Corporation Law.

Mr. Hindman stated for the record that the Preliminary Report cited violations of the open meeting law that requires boards to act as a public body and conduct its business as required by the Freedom of Information Act. The applicant's response in its letter was similar to the report from their 2010 application when they last applied. Mr. Hindman commented there were not any similarities to address these discrepancies. Mr. Hindman recommends that the criterion remains not met.

The Committee determined criterion 2 is not met.

The committee recommends to the Secretary criterion 2 is not met.

3) The mission statement, goals and educational objectives are consistent with the description of legislative intent set forth in § 501 of this title and the restrictions on charter school operations set forth in § 506 in this title.

Mr. Carwell stated for the record that the Preliminary Report requested clarifying information regarding the proposed STEM program. The applicant's response did not include any clarifying information to address this concern. Mr. Carwell recommended that criterion 3 remain not met.

The Committee determined criterion 3 is not met.

The committee recommends to the Secretary criterion 3 is not met.

4) The school has set goals for student performance and will utilize satisfactory indicators to determine whether its students meet or exceed such goals and the academic standards set by the State. The indicators shall include the assessments required for students in other public schools, although the charter school may adopt additional performance standards or assessment requirements, and shall include timelines for the achievement of student performance goals and the assessment of such performance.

Dr. Hertzog noted that Criterion 4 was met with a condition requiring the applicant to develop an assessment plan. The applicant's response did not include any clarifying information to address this concern. Dr. Hertzog recommended that Criterion 4 move from met with a condition to not met.

The Committee determined criterion 4 is not met.

The committee recommends to the Secretary criterion 4 is not met.

5) The school proposes a satisfactory plan for evaluating student performance and procedures for taking corrective action in the event that student performance at the charter school falls below such standards which are reasonably likely to succeed.

The applicant's response did not include any clarifying information to address the concerns highlighted in the Preliminary Report. Dr. Hertzog recommended that Criterion 5 remain not met.

The Committee determined criterion 5 is not met.

The committee recommends to the Secretary criterion 5 is not met.

6) The school's educational program, including curriculum and instructional strategies, has the potential to improve student performance; and must be aligned to meet the Delaware Content Standards and state program requirements, and in the case of a charter high school, state graduation requirements. High school programs must provide driver education. The educational program at all charter schools must include the provision by the school of extra instructional time for at-risk students, summer school and other services required to be provided by school districts pursuant to the provisions of § 153 of this title. A previously approved charter school may continue to operate in compliance with the terms of its current approval, but its charter shall not be renewed unless the school shall submit an application for renewal in full compliance with the requirements of this subsection.

Ms. Hansen noted for the record that math, science, social studies, physical education, health education, visual & performing arts curricula were all met. English Language Arts and World Languages were not met. Ms. Hansen commented that this criterion was very close to being met. However, the applicant's response did not include any clarifying information to address the curricula not met. Ms. Hansen recommended that criterion 6 remain not met.

The Committee determined criterion 6 is not met.

The committee recommends to the Secretary criterion 6 is not met.

7) The school's educational program sets forth appropriate strategies to be employed to accommodate the needs of at-risk students and those needing special education services.

Ms. Jones noted that there were discrepancies highlighted in the Preliminary Report for criterion 7 that needed to be addressed. However, the applicant's response did not include any clarifying information to address the concerns. Ms. Jones recommended that this criterion remain not met.

The Committee determined criterion 7 is not met.

The committee recommends to the Secretary criterion 7 is not met.

8) The plan for the school is economically viable, based on a review of the school's proposed budget of projected revenues and expenditures for the first 3 years, the plan for starting the school, and the major contracts planned for equipment and services, leases, improvements, purchases of real property and insurance.

Mr. Kessel noted that the concerns highlighted in the Preliminary Report for criterion 8 were not addressed. He recommended that criterion 8 remain not met.

Mr. Kessel recommended that criterion 8 is not met.

The committee recommends to the Secretary criterion 8 is not met.

9) The school's financial and administrative operations meet or exceed the same standards, procedures and requirements as a school district. If a charter school proposes to operate outside the State's pension and/or benefits systems, a specific memorandum of understanding shall be developed and executed by the charter school, the approving authority, the Budget Director, the Controller General and the Secretary of Finance to assure that the State's fiduciary duties and interests in the proper use of appropriated funds and as a benefits and pension trustee are fulfilled and protected, the State's financial reporting requirements are satisfied, and the interests of charter school employees are protected. All charter schools shall operate within the Delaware Financial Management System (DFMS) and be subject to all of the same policies and procedures which govern other agencies operating within such system, except that any charter school previously approved to operate outside of the DFMS may continue to so operate subject to the terms of its memorandum of understanding until such time as the school's charter is renewed pursuant to this chapter.

Mr. Kessel noted that the concerns highlighted in the Preliminary Report for criterion 8 were not addressed. He recommended that criterion 9 remain not met.

Mr. Kessel recommended that criterion 9 is not met.

The committee recommends to the Secretary criterion 9 is not met.

10) The assessment of the school's potential legal liability, and the types and limits of insurance coverage the school plans to obtain is adequate.

Mr. Kessel noted that this criterion was previously met.

The committee recommends to the Secretary criterion 10 is met.

11) The procedures the school plans to follow to discipline students and ensure its students' adherence to school attendance requirements comply with state and federal law.

Mr. Carwell noted that this criterion was previously met.

The committee recommends to the Secretary criterion 11 is met.

12) The procedures the school plans to follow to assure the health and safety of students, employees and guests of the school while they are on school property are adequate and that the charter school will comply with applicable provisions of local, state and federal law, including the provisions of Chapter 85 of Title 11.

Mr. Carwell noted that this criterion was previously met.

The committee recommends to the Secretary criterion 12 is met.

13) The school shall have a satisfactory plan for timely transferring student data and records to the Department of Education.

Mr. Cruce noted that this criterion was previously met.

The committee recommends to the Secretary criterion 13 is met.

14) The school's board of directors shall annually certify to the Department, on a form to be provided by the Department, that prior to the payment of any fees or other sums to any management company employed by the board, the board will insure that sufficient revenues of the school are devoted to adequately support the school's proposed educational program. Such form of certification may require documentation of all actual or proposed expenditures by the school. Failure to provide sufficient funds to adequately support the school's proposed education program shall be grounds for revocation of the school's charter.

This criterion is not applicable. This applicant does not have an agreement with a management company.

Recommendations:

- The following criteria remain *not met*: 1, 2, 3, 4, 5, 6, 7, 8, and 9.
- The following criteria remain *met*: 10, 11, 12, and 13.
- Criterion 14 is not applicable.
- **The Committee recommends to the Secretary that the application is denied.**