

**CHARTER SCHOOL ACCOUNTABILITY COMMITTEE**

**DELAWARE DEPARTMENT OF EDUCATION**



**First State Math and Science Academy  
FINAL REPORT AND RECOMMENDATIONS  
APPLICATION TO OPEN A CHARTER**

OPENING DATE: September 1, 2012

GRADES: 6-12

LOCATION: New Castle County

DATE OF REPORT: April 1, 2011

## Background

First State Math and Science (FSMS) Academy will be a math-, science- and technology focused college preparatory charter school serving students from 6<sup>th</sup> through 12<sup>th</sup> grades in Christina, Colonial and surrounding school districts. FSMS Academy will have an open enrollment policy which will not have any restrictions, such as academic performance, skills, interests or residency. FSMS will offer a unique and hands-on curriculum approach combined with diverse after-school activities that provide an incredible public education choice for parents and students. FSMS intends to enroll 100 students per grade level with a total student population of 700. Class size will be limited to 25 students per classroom.

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 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.**

The Committee discussed that the Applicant's by-laws do provide for representation on the Board of Directors by a teacher at the school and a parent of a student enrolled at the school. The Committee also determined that the applicants are experienced and qualified to start and operate a charter school.

The Committee determined criterion 1 is met.

**The committee recommends to the Secretary criterion 1 is 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.**

The Applicant submitted a Certificate of Incorporation that complies with the requirements of the Delaware General Corporation Law. The corporation is established as a membership corporation with the requisite provisions relating to the restriction of the school's businesses and the open meeting law requirements. The applicant has amended its by-laws to be consistent with the requirements of the Freedom of Information Act.

The Committee determined criterion 2 is met.

**The committee recommends to the Secretary criterion 2 is 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.**

The mission, goals, and educational objectives are consistent with legislative intent and are aligned throughout the application.

The Committee determined criterion 3 is met.

**The committee recommends to the Secretary criterion 3 is 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.**

The Applicant's response to the preliminary report was that they would agree and certify that the average student performance would meet or exceed in each content area.

The Committee determined criterion 4 is met.

**The committee recommends to the Secretary criterion 4 is 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.**

This criterion was not met in the Preliminary Report. The Applicant was required to provide clarification regarding proposed corrective actions for struggling students. The committee determined that the Applicant's response to the Preliminary Report provided sufficient clarification.

The Committee determined criterion 5 is met.

**The committee recommends to the Secretary criterion 5 is 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.**

Curricular reviews of the original and newly submitted curriculum were conducted by Department of Education content specialists:

English/Language- Curricular documents were submitted and approved.

Visual and Performing Arts- Curricular documents were submitted and approved.

Health Education-Curricular documents were submitted and approved.

Technology Plan-A plan for technology was submitted and approved, but the content specialists noted minimal use of computers in academic subject areas for a school that proposes to focus on math and science. In addition, there does not seem to be a clear or innovative plan to use technology in the classroom.

Math- Math coalition membership is not a free pass to meet the Department's curriculum requirements. Curricular documents were submitted but the content specialists noted a concern regarding grade level expectations in the Common Core Standards and Delaware Recommended Curriculum.

Science- Science coalition membership is not a free pass to meet the Department's curriculum requirements. The Applicant's proposed specialty is math, science, and technology, but during the 15-day response period for the Preliminary Report they notified the Department of their intent to join the coalitions for Math, Science and Social Studies.

Social Studies-Ms. Hansen added that the applicant did not submit any Social Studies scope & sequence documents for grades 9 to12.

World Languages- Curricular documents were submitted, but further clarification is needed.

Physical Education- Curricular documents were submitted, but further clarification is needed.

Professional Development Plan-does not sufficiently address the needs of new teachers.

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.**

The criterion was met with conditions in the Preliminary Report. The Applicant submitted an educational program that identifies appropriate strategies to be employed to accommodate the needs of at-risk students and those needing special education services. The Applicant's subsequent submission specifically described how they plan to comply with Section 504, IDEA, Titles 6 and 7 of the Civil Rights Act, and Title 9 of the Education Act.

The Committee determined criterion 7 is met.

**The committee recommends to the Secretary criterion 7 is 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.**

This criterion was not met for the Preliminary Report. The Applicant did not include a budget narrative with their original application. The Charter School Office reviewed the Applicant's re-submission of their budget and accompanying narrative and discovered some significant problems.

Based on the narrative, the applicant proposes a student-teacher ratio of 16.67 students per teacher (in year 2 the ratio remains the same). It is not possible to fund a public school in Delaware based on this class size without outside assistance. The applicant has too many teachers in their budget according to unit count standards.

The Preliminary Report highlighted that the applicant's projected average salary per teacher was too low. In response, the applicant increased the average salary from \$37,000 to \$41,000 which is still low to attract experienced teachers. The applicant shifted operating expenditures to Federal Start Up funds to make up the cost differentia that resulted from increasing teacher salaries. Some of these expenditures can be considered start up costs, but certainly not all of them. The applicant noted in their response that they would pay for student services out of start up funds. This would be considered an ongoing expense, not a start up expense. In addition, there are very few operating expenses in their state and local funds budget.

In addition, the first year costs for administrative are very high for a school with an enrollment of 200 students. The applicant lists three administrators whose salaries account for 41% of total teacher salaries (12 teachers). The first year would be very difficult financially because first year projected enrollment is only 200 students. Unless the applicant has access to other funding (which is not indicated in their budget) this model will not work from a financial perspective.

Lastly, the applicant emphasizes "recruitment of younger teachers as well as some teachers with strong math/science skills from industry that are provisionally certified at the time of

opening.” A significant number of new/inexperienced teachers are an added strain on the administration. Mr. Kessel recommended that this criterion remain not met.

The Committee determined 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.**

This criterion was previously met for the Preliminary Report.

The Committee determined criterion 9 is met.

**The committee recommends to the Secretary criterion 9 is 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.**

The applicant adequately quoted adequate insurance coverage amounts.

The Committee determined criterion 10 is 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.**

This criterion was previously met for the Preliminary Report.

The Committee determined criterion 11 is 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.**

This criterion was previously met for the Preliminary Report.

**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.**

The Applicant has an adequate process and procedure in order to comply with FERPA regulations. They also stated they will use eSchool for transferring student data.

The Committee determined criterion 13 is 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 a current agreement with a management company.

**Recommendations:**

The following criteria were met not met: 6 and 8. These are significant criteria

All other criteria were met.

**The committee recommends to the Secretary that the application is not approved.**