

# CHARTER SCHOOL ACCOUNTABILITY COMMITTEE

DELAWARE DEPARTMENT OF EDUCATION



## **I AM Academy Leadership & Technical Institute**

**FINAL REPORT AND RECOMMENDATIONS**

**APPLICATION TO OPEN A CHARTER**

OPENING DATE: August 2012

GRADES: 6-12

LOCATION: New Castle County

DATE OF REPORT: April 8, 2011

## Background

The applicant group for I AM Academy and Leadership Institute ("I AM Academy") proposed a combined Jr. High School and Sr. High Academy serving grades 6-12, starting with 400 students in the first year and growing to 1,060 students by year four. The main focus of the school will be on Leadership, Entrepreneurship and Technology Education. I AM is an acronym for Impact, Action & Mastery. The applicant's foundational philosophy is that purpose, vision and passion are the fuels that empower success. Students will be shown the principles of personal development and be taught how to make an impact, take action and master their gifts and talents.

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.**

Mr. Hindman noted that the applicant's response to the Preliminary Report was they would amend their bylaws to reflect the changes recommended in the Preliminary Report. He explained that had the applicant actually amended their bylaws, he would have recommended that they had met the conditions for the bylaws section.

Mr. Carwell commended the applicant for the amount of work that went into the response to the Preliminary Report. However, he noted that the Preliminary Report highlighted several concerns in regard to board governance. Mr. Carwell also stated that during the 15 day response period following the issuance of the Preliminary Report, he received four separate notifications from I AM Academy board members who indicated that they had resigned from the board. The current instability at the board level only confirmed the committee's concerns regarding the applicant's leadership and governance capacity to effectively operate a charter school. Mr. Carwell recommended that the criterion 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 noted for the record that the Preliminary Report identified several issues with the corporate bylaws - violations of the open meetings law which require the board to act as a public body and conduct its business as required by the Freedom of Information Act. The applicant's response indicated a willingness to make the necessary amendment however, they have not done so in response to the Preliminary Report. Since they have not made the suggested changes he recommended that the criterion remain 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 noted that the applicant's response provided some additional clarity regarding their mission statement, goals and educational objectives. However, the applicant did not address the committee's concerns regarding the successful operation of the school. The applicant failed to explain how the board would measure their progress toward mission.

Mr. Carwell commented that with the advent of the Common Core Standards, Delaware Comprehensive Assessment System (DCAS) and Race to the Top the bar has been raised for all schools and drives the rigor in the charter review process. Mr. Carwell recommended criterion 3 remains 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 in response to the Preliminary Report the applicant indicated that they would utilize the Delaware Comprehensive Assessment System (DCAS) for grades 6-8 and that they would increase student performance to meet or exceed state average performance. However, they did not mention their plan for administering the assessment, only that their intention is to do so. Mr. Cruce noted that since there are concerns around leadership and capacity he recommended that criterion 4 remain 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.**

Dr. Hertzog noted for the record that the Preliminary Report highlighted that the applicant did not explain what happens with students during the FOCUS period and what follow-up corrective interventions would occur. The applicant's response included an explanation of what students would do during the FOCUS period, but did not mention any interim assessment data that would drive instruction during the FOCUS period.

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.**

The only curriculum submission that met this criterion was science. Please note that the summary under criterion 6 in the Preliminary Report incorrectly listed Health Education and Professional Development as approved (see the Curriculum Review included with the Preliminary Report for detailed information about the curricular review). Math, social studies, physical education, health education, English language arts, world languages, and visual & performing arts remain not met for this criterion.

Ms. Hansen noted that based on the applicant's response to the Preliminary Report there seemed to be a misunderstanding around the Department's Phase I and Phase II requirements for submission of curricula. The intent of the two phases was to lessen the burden on the applicant by breaking the total submission into two parts. The Phase I submission should include the scope and sequence and Phase II should include the units of instruction developed by the teachers. The applicant asked for leniency regarding the scope and sequence for visual and performing arts, physical education and health education. Ms. Hansen indicated that the application clearly asks the applicant to comply with regulation 503, which is the instructional plan outlined by the State Board of Education.

The applicant group indicated in their response that the sample scope and sequence document which the Department provided as a guide "was a blank scope and sequence document without any samples of the level of detail expected." The applicant had 12 months to consult the

Department if they had any questions regarding this section. 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 some confusion in the applicant's responses to the Preliminary Report for sections under criterion 7 that were not met. For example, there was a misunderstanding regarding the Americans with Disabilities Act (ADA) regulations. In addition, the applicant did not understand that section 504 is not special education, but a part of ADA. Overall, the response was inadequate and did not demonstrate a thorough knowledge of federal and state statutes to accommodate the needs of at-risk students and those needing special education services. Ms. Jones recommended that criterion 7 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 applicant's response to the Preliminary Report did not include a revised budget to address the issues highlighted in the applicant's original budget. Overall, the applicant's response lacked sufficient detail and did not assure the committee that the plan for the school is economically viable. Mr. Kessel recommended that criterion 8 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.**

Dr. Bigelow noted that the Preliminary Report highlighted concerns regarding the applicant's plans for teacher recruitment. She commented that the response showed an improvement over the original application. However, the response did not demonstrate a comprehensive understanding of what constitutes an effective human capital plan or an understanding of the teacher certification process. For example, the response included a statement they would adhere to the 35% waiver for certified teachers, but the waiver only applies to elementary teachers.

Mr. Carwell commented that overall, the applicant did not proffer any approaches to its proposed administrative and financial operations that were particularly innovative or mission driven. The response included a reference to Mastery Charter School, but did not demonstrate an understanding of the best practices that contribute to the success of high performing charter schools. Dr. Bigelow recommended that criterion 9 move from met with conditions to not met.

The Committee determined 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 the applicant provided evidence of appropriate insurance coverage.

The Committee determined criterion 10 remains 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.**

Criterion 11 was previously not met because the Student Handbook appeared to be cut and pasted from a school district and showed a lack of expertise in this area. Dr. Bigelow noted that the applicant's response to the Preliminary Report included a new cut and paste from an existing charter school's plan, but the applicant neglected to replace the charter school's name with its own. Dr. Bigelow recommended that criterion 11 remain not met.

The Committee determined criterion 11 is not met.

**The committee recommends to the Secretary criterion 11 is not 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 not met in the Preliminary Report. The applicant's response included a cut and paste of a large excerpt from the Delaware School Nursing Technical Assistance Manual. Mr. Carwell commented that the response provided some additional clarity, but insufficient to move the preliminary recommendation from not met to met.

The Committee determined criterion 12 is not met.

**The committee recommends to the Secretary criterion 12 is not met.**

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

This criterion was previously not met in the Preliminary Report. The applicant indicated in their response that they will comply with FERPA regulations and use eSchool to transfer data. Based on the response Mr. Kessel recommended that criterion 13 move from not met to met.

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 an agreement with a management company.

**Recommendations:**

The following criteria remain not met: 1, 2, 3, 4, 5, 6, 7, 8, 9, 11 and 12.

The following criteria remain met: 10 and 13.

Criterion 14 is not applicable.

**The committee recommends to the Secretary that the application is denied.**