

Valtena G. Brown, Chief Operating Officer
School Operations

SUBJECT: REQUEST SCHOOL BOARD APPROVAL OF FOUR CHARTER SCHOOL APPLICATIONS AND DENIAL OF ONE CHARTER SCHOOL APPLICATION

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COMMITTEE: INSTRUCTIONAL EXCELLENCE AND COMMUNITY ENGAGEMENT

LINK TO STRATEGIC FRAMEWORK: STUDENT, PARENT, AND COMMUNITY ENGAGEMENT

AUTHORIZATION

Section 1002.33, F.S., authorizes the establishment of charter schools in Florida. As provided in Section 1002.33(6), F.S., and School Board Policy 9800, *Charter Schools*, Miami-Dade County Public Schools (M-DCPS) receives and reviews charter school applications from individuals and/or organizations in the community. On August 1, 2012 the School Board received 57 applications to operate a charter school in Miami-Dade County. Pursuant to Section 1002.33(6)(b)(3), F.S., a sponsor must approve or deny an application no later than 60 calendar days after the application is received unless the applicants have agreed in writing to extend the statutory timeline.

EVALUATION

Pursuant to School Board Policy 9800, *Charter Schools*, the District reviews all applications using an evaluation instrument developed by the Florida Department of Education (FLDOE) and may include additional information or documents requested by the District. The Standard Model Application includes 19 standards of evaluation, certification and assurance declarations. The Sponsor shall deny any application that does not comply with the statutory requirements and/or Sponsor's instructions for charter school applications.

The Superintendent has appointed two committees with the responsibility to review and evaluate charter school applications: Technical Review Committee (TRC) and Application Review Committee (ARC). These committees are comprised of representatives from various District departments and are charged with identifying deficiencies in the written application and/or areas that require clarification to fully evaluate the quality of the application or the capacity of the applicant to properly implement the proposed plan.

Pursuant to Section 1002.33(6)(3)(a), F.S., if an application is denied, the District shall, within ten (10) calendar days after the denial, articulate in writing the specific reasons for the denial, based upon good cause, and provide the letter of denial and supporting documentation to the applicant and the FLDOE. An applicant may appeal the Board's denial by submitting a request in writing to the State Board of Education and the Sponsor no later than thirty (30) calendar days after receiving a notice of denial. However, if an application to replicate a high-performing charter school application is denied, the applicant may appeal the denial directly to the State Board of Education, bypassing the normal appeal process.

APPLICATIONS

Pursuant to School Board Policy 9800, *Charter Schools*, five charter school applications are being presented for final consideration by the School Board. Detailed in the chart below is a summary of each charter school application and the corresponding committee recommendation. The specific reasons for each recommendation can be found in the identified Attachment and the evaluation forms which are included and incorporated by reference in this Board item. Copies of the applications and evaluations, which are also incorporated by reference in this Board item, will be transmitted to the School Board Members under separate cover and will be available for inspection by the public in the Office of Board Recording Secretary, Room 924, and in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

	Type of Application	Proposed Name of School	Legal Entity	Committee Recommendation	Supporting Documentation
1.	High Performing Replication	iMater Academy High School	Mater Academy, Inc.	Approval	Attachment A
2.	High Performing Replication	iMater Academy Middle School			
3.	Virtual	International Studies Virtual Academy	International Studies Charter High School, Inc.	Approval	
4.	Virtual	Mater Virtual Academy Charter Middle High School	Mater Academy, Inc.	Approval	

	Type of Application	Proposed Name of School	Legal Entity	Committee Recommendation	Supporting Documentation
1.	Traditional	HIVE Preparatory Middle School	Advanced Learning Charter School, Inc.	Denial	Attachment B

DUE PROCESS

To ensure proper notice and due process, each applicant was noticed of the Superintendent's intent to recommend approval or denial to the School Board and provided a copy of the final evaluation prior to this School Board Meeting. The applicants were also informed of the School Board's Instructional Excellence and Community Engagement Committee Meeting and procedures for requesting to appear before the School Board at meetings and public hearings. Additionally, a courtesy orientation for charter school applicants was noticed on the Charter School Support department's website and facilitated by multiple district departments on May 4, 2012. Individual appointments regarding application preparation were also held throughout the year by Charter School Support staff, upon request.

NET FINANCIAL IMPACT TO THE DISTRICT

Pursuant to School Board Policy 9800, *Charter Schools*, "an application shall be automatically rescinded, without further action by the Sponsor, if the applicant does not enter into contract negotiations or open the school within: (1) the timeframe specified by law, or (2) the date of extension which has been mutually agreed upon in writing by both parties." Currently there are 16 charter school applications from previous cohorts that have deferred opening until the 2013-14 SY and one previously approved in April 2012 from the 2012 Cohort (schools in the pipeline). Moreover, in relation to the application from the 2012 Cohort, included in this Board Item, there are four applications recommended for approval.

In the event that all the proposed schools open as anticipated, it is estimated that the net impact to the District next school year will be as follows:

	Initial Year Loss (\$ Revenue)	Initial Year Loss (No. of Positions)
Schools in the Pipeline (17)	\$41,741,445	335
2012 Application Cohort (4) (Attachment A)	\$6,537,302	46
Total	\$48,278,747	381

RECOMMENDED: That The School Board of Miami-Dade County, Florida:

1. Approve the charter school application and authorize the Superintendent to negotiate a contract reflecting the contents of the application as approved by the School Board for:
 - a. Mater Academy, Inc., on behalf of iMater Academy High School;
 - b. Mater Academy, Inc., on behalf of iMater Academy Middle School;
 - c. International Studies Charter High School, Inc., on behalf of International Studies Virtual Academy; and
 - d. Mater Academy, Inc., on behalf of Mater Virtual Academy Charter Middle High School.

2. Deny the charter school application for:
 - a. Advanced Learning Charter School, Inc., on behalf of HIVE Preparatory Middle School.

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VGB:elg
Attachments

**School Board Agenda Item C-30
ATTACHMENT A**

- APPLICANTS:**
- iMater Academy High School
 - iMater Academy Middle School
 - International Studies Virtual Academy
 - Mater Virtual Academy Charter Middle High School

The M-DCPS' Charter School Application Review Committee (ARC) met to review the four charter school applications below and recommended approval to the Superintendent.

(1)/(2)	(3)	(4)	(5)		(6)	(7)	(8)	(9)
Name of School	Legal Entity	Initial Year	Grade Levels	Enrollment	Focus/ Theme	Founding/ Gov. Board Members	Special Provisions or Requested Action(s)	Initial Year Loss Revenue (\$) & Teacher Positions
	Educational Service Provider (ESP)		Initial/Current Year					
			Maximum					
(1) iMater Academy High School <i>ARC meeting date: November 26, 2012. By a unanimous vote, the ARC recommended approval.</i>	Mater Academy, Inc.	2013/2014	9-10	400	None	Governing Board Members: Roberto C. Blanch, Attorney, Siegfried, Rivera, Lerner, et. al., P.A.; Shannine Sadesky, Principal, Somerset Acad., Broward County Public Schools; Juan A. Garcia, Customer Serv. Manager, Hotwire Comm.; and Cesar C. Crousillat, Asset Manager, Rialto Capital Management.	High Performing Replication	\$1,503,943 (12 Positions)
			9-12	800				
(2) iMater Academy Middle School <i>ARC meeting date: November 26, 2012. By a unanimous vote, the ARC recommended approval.</i>	Academica Dade, LLC	2013/2014	6-8	330	None	Governing Board Members: Jean-Michel G. Caffin, Managing Partner, Axis Amgricas; Leonela F. Rohaidy, Vice-President Sales, S.E. Wholesale Foods; Claire Francoulon, Parent Representative, French Consulate; Patrizia Coco, Teacher, Cypress Bay HS; Giampiero de Persia, President and CEO, Poltrona Frau; and Miriam Rodriguez, Parent.	High Performing Replication	\$1,835,245 (12 Positions)
			6-8	550				
(3) International Studies Virtual Academy <i>ARC meeting date: December 12, 2012. By a majority vote, the ARC recommended approval.</i>	International Studies Charter High School, Inc.	2013/2014	6-12	350	Virtual	Governing Board Members: Jean-Michel G. Caffin, Managing Partner, Axis Amgricas; Leonela F. Rohaidy, Vice-President Sales, S.E. Wholesale Foods; Claire Francoulon, Parent Representative, French Consulate; Patrizia Coco, Teacher, Cypress Bay HS; Giampiero de Persia, President and CEO, Poltrona Frau; and Miriam Rodriguez, Parent.	None	\$1,599,057 (11 Positions)
	Academica, LLC		6-12	648				

(1)(2)	(3)	(4)	(5)		(6)	(7)	(8)	(8)
Name of School	Legal Entity Educational Service Provider (ESP)	Initial Year	Grade Levels	Enrollment	Focus/ Theme	Founding/ Gov. Board Members	Special Provisions or Requested Action(s)	Initial Year Loss Revenue (\$) & Teacher Positions
			Initial/Current Year					
			Maximum					
(4) Mater Virtual Academy Charter Middle High School <i>ARC meeting date: December 12, 2012. By a majority vote, the ARC recommended approval.</i>	Mater Academy, Inc.	2013/ 2014	6-12	350	Virtual	Governing Board Members: Roberto C. Blanch, Attorney, Siegfried, Rivera, Lerner, et. al., P.A.; Shannine Sadesky, Principal, Somerset Acad., Broward County Public Schools; Elizabeth Nuevo, Agent, U.S. Home Sec.; Juan A. Garcia, Cust. Serv. Manager, Hotwire Comm.; and Cesar C. Crousillat, Asset Manager, Rialto Capital Management.	None	\$1,599,057 (11 Positions)
	Academica, LLC		6-12	648				
TOTAL REVENUE (\$):								\$6,537,302
								46

Initial Year Loss: The revenue and teaching positions indicated as "Initial Year Loss" provide an estimate of the potential impact to the District's General Fund (\$6,537,302) and instructional staffing (46 positions). The loss of revenue describes 95% of FEFP funds per student, based on 75% of the initial year's enrollment projection that will not be realized by the District for the current fiscal year. The loss in teaching positions, based on average class size requirements, reflects the possible reduction in basic teaching positions resulting from the anticipated decrease in students.

Copies of the applications and evaluations will be transmitted to the School Board Members under separate cover and will be available for inspection by the public in the Office of Board Recording Secretary, Room 924, and in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

School Board Agenda Item C-30 ATTACHMENT B

As provided in Board Policy 9800, *Charter Schools*, Miami-Dade County Public Schools (M-DCPS) has received charter school applications from individuals and/or organizations in the community.

Proposal

Advanced Learning Charter School, Inc. proposes to establish HIVE Preparatory Middle School to serve grades six through eight with a maximum enrollment of 452 students, beginning with 350 students in the 2013-2014 school year. Currently, Advanced Learning Charter School, Inc. operates Advanced Learning Charter School that opened in 2009 and serves approximately 450 students in kindergarten through fifth grade.

Applicant

The members of the Governing Board are: Albert Perez, Chairperson of the Governing Board and Operations Manager of Facility, CVS/Caremark; Anna C. Garcia Becerra, Financial Director, St. Thomas the Apostle; Pedro L. Dedesma, President, Century/AAA, LTD; Renato Victor Giorgini, President & CEO, Equiflor Corp.; and Joaquin A. Novoa, DDS, Dentist.

The applicant did not attend the District's charter school application orientation conducted on May 4, 2012. The meeting is not mandatory but attendance is strongly recommended by the Florida Department of Education and the District's Charter School Support Office to inform applicants of new statutory requirements and District policies and procedures.

Evaluation

A review of this charter school application was conducted pursuant to § 1002.33 (6), F. S., and Board Policy 9800, using the required Standard Model Charter School Application Evaluation Instrument (IEPC-M2). The Standard Model Application includes 19 evaluation and certification standards and assurances declarations. As allowed by § 1002.33(6)(a)(6), F.S. and pursuant to Board Policy 9800, the District also includes evaluation of the applicant's experience and historical performance operating charter schools.

The initial review conducted by members of the Technical Review Committee (TRC) members resulted in significant concerns and findings that were provided to the applicant and forwarded to the Applicant Review Committee (ARC). The ARC is responsible for a second review of the application as well as conducting an interview to assess the overall capacity of the applicant's ability to establish and implement the charter school plan, clarify any components of the written application for which reviewers have questions or require additional information, and corroborate information provided in the written application. The ARC reviewed this application on December 3, 2012.

The ARC found that the application failed to meet the minimum statutory requirements and identified substantial concerns/deficiencies regarding the applicant's understanding of various conceptual issues and/or its ability to meet the statutory requirements related to 13 of the 18 applicable categories in the Model Evaluation Instrument. As summarized below, these deficiencies and serious concerns regarding the applicant's historical performance constitute good cause for denial of the application.

1. Failure to demonstrate how the school will use the guiding principles and meet the statutorily defined purpose of a charter school. The application did not:
 - include the required cash flow plan based on projected revenues and expenses, a description of controls that insures that finances will be safeguarded, or mechanisms to safeguard the financial processes; (Standards 17, 18)

- provide educational goals and objectives setting high standards for student achievement, or student performance targets or mechanisms to indicate whether students have achieved a year's worth of learning; (Standard 5)
 - provide a detailed curriculum plan that clearly illustrates how student will be provided services to attain state standards; (Standards 3, 4) or
 - use the most recent Model Application required by law.
2. Failure to provide a detailed curriculum plan that illustrates how students will be provided services to attain state standards. (Standards 3, 4)
 - Applicant proposes to use the outdated Competency Based Curriculum that is not aligned with the Next Generation State Standards (NGSSS) or the Common Core State Standards (CCSS). (Standards 3, 4)
 - The application lists mathematic topics that are not aligned with the NGSSS or the CCSS. (Standard 4)
 - The applicant presents a mathematics spiral curriculum that is not aligned with current standards and cannot be implemented with the CCSS; (Standard 4)
 - There is no program of study for the middle school grades. (Standard 4)
 - Although the NGSSS and the CCSS are completely different, the applicant uses them interchangeably. (Standards 3, 4)
 - The application includes Major Areas of Interest which is no longer available. (Standard 4)
 - The application fails to provide a curriculum that meets the needs of all students and at all academic proficiency levels. The course offerings for Mathematics list M/J I and there is no course with their title. The applicant does not clearly state what advance courses it will offer. Applicant does not delineate the specific courses with specific benchmarks that will be addressed at each grade level. (Standard 4)
 - The application proposes "interdisciplinary themes", but does not identify the themes or show how they would be incorporated in the curriculum plan. (Standards 3, 4)
 3. Failure to provide measureable goals and objectives that set high standards for student performance. (Standard 5)
 - Educational goals and objectives do not set high standards for student achievement, are not measurable and lack specificity. (Standard 5)
 - The application lacks meaningful details on promotion requirements for middle school credits that will ensure students progressing to high school will graduate on time. (Standard 5)
 4. Failure to provide a comprehensive plan for educating special education students (SPED). (Standard 6) The application:
 - fails to describe how students entering below grade level will engage in the curriculum; (Standards 4, 6)
 - does not appropriately describe the level of SPED services the school will provide; (Standard 6)
 - fails to describe how gifted and talented students will be served;
 - inappropriately states that consultative, collaborative, and pull-out services will be provided to SPED students. The staffing plan provided in the application does not align with the services described or the projected SPED enrollment; (Standard 6)
 - provides an unrealistic staffing plan that remains the same over five years even though the projected enrollment increases; and (Standards 6,10)
 - impermissibly states that the student's Individual Education Plan (IEP) will be maintained outside of the students' cumulative folders. (Standards 6, 18)
 5. Failure to demonstrate an understanding of state and federal requirements regarding the education of English Language Learners (ELL). (Standard 7) The application does not:

- describe the level of required parental involvement or a plan for ensuring that parents of ELL students are aware of their child's academic progress; (Standard 7)
 - demonstrate an ability to meet the curriculum needs of ELL students and there is no mention of the CELLA assessment, no progress monitoring plan for ELL students, and no plan to document student progress; (Standards 4, 7) or
 - provide a concrete plan for meeting the broad spectrum of educational needs of ELL students. No information was provided to indicate how ELL students who enter the school below grade level will be engaged in and benefit from the curriculum. (Standard 7)
6. Failure to provide a budget that is consistent with all parts of the application including budgetary projections that are realistic and ensure the financial viability of the school, and failure to provide a detailed plan to ensure adequate financial oversight, and controls that will safeguard finances. (Standards 17, 18)
- Both 100% and 50% enrollment budgets reflect negative balances. (Standard 17)
 - The budget relies on funding generated from competitive grants that the school is not guaranteed to receive. (Standard 17)
 - The monthly cash flow projection for the school's start-up period through the first year of operation does not align with the budget provided. (Standard 17)
 - Despite the fact that the applicant is an established board, the application did not clearly state the processes or policies in place to manage and safeguard the school's finances. (Standard 18)
7. Failure to provide evidence of an organizational plan which provides a clear understanding of how the school will be governed and managed. (Standards 9,10,12)
- The application does not include the state required parent representative whose task is to facilitate parental involvement and to assist in resolving disputes. (Standard 9)
 - The by-laws impermissibly state that the principal will act as an ex-officio member of the board. (Standard 9)
 - The application fails to clearly identify the titles, roles and responsibilities for each member of the established governing board. (Standard 9)
 - The application does not mention or address how the school will implement the performance pay provisions in accordance with F.S. 1012.22. The 90 day probationary period identified by the applicant violates the teacher contracting provisions of F.S. 1012.33. (Standards 10, 12)
 - There is not a clear plan to ensure that the school will retain highly qualified teachers. Salaries for teachers are not competitive. (Standards 10, 12)
 - The staffing plan is not aligned with the course offerings found in Section 4 of the model application. (Standards 4,10)
8. Failure to establish policies that will ensure that there is an admissions and enrollment process that is open, fair and in accordance with applicable law. (Standard 13)
- The application does not provide a clear plan to ensure that families throughout Miami-Dade County will be informed about the option to apply for enrollment in this school.
 - The application states that the school will follow the District's Code of Student Conduct, yet the application indicates that the school will dismiss a student for specific infractions not consistent with the Code, demonstrating that the school (1) does not have a clear understanding of this document, (2) is not prepared to properly implement the Code, and (3) will disfranchise students and their families by dismissing them without appropriate due process.
 - The application does not explain or provide any basis for its stated policy of "withholding" or denying reenrollment to students. The application failed to provide a parent contract.
9. Failure to provide (a) transportation services and (b) a complete action plan. (Standards 15, 19)
- The application projects a 10% SPED population, but does not include the projected cost to transport students whose IEP may require it. (Standard 15)

- The application does not provide a clear plan to ensure transportation services are provided to all eligible students. (Standard 15)
 - The action plan does not include necessary actions and strategies to ensure that the school will be ready to serve students on the first day of school. For example, the application does not provide (1) a clear timeline for student recruitment and enrollment; (2) a plan to purchase instructional materials and provide for technological needs; or (3) a time frame to meet employee screening requirements prior to employment and the first day of school. (Standard 19)
10. Failure to demonstrate that the applicant, who currently has an existing school, has the capacity to establish and operate the proposed school.
- The existing charter school, Advanced Learning Charter School (1014) reported a deficit of \$83,804 in its most recent audited financial statements. This, in conjunction with a negative budget balance proposed for the new school, raises serious concerns about the financial stability of the existing school and the governing board's capacity to successfully expand.
 - The existing school has significant difficulty providing adequate professional development for its teachers which affects the proposed school's ability to impose the high professional standards crucial in the upper grades and in the transitioning to new accountability standards.

The applicant was notified of the Superintendent's intent to recommend denial to the School Board and provided a copy of the final evaluation. Pursuant to section 1002.33(6)(c), F.S., should the School Board approve this recommendation, the applicant may appeal to the State Board of Education no later than 30 days after receipt of the School Board's decision.

Copies of the application and evaluation, which are incorporated by reference in this Board item, will be transmitted to the School Board Members under separate cover and will be available for inspection by the public in the Office of Board Recording Secretary, Room 924, and in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.