

Freddie Woodson, Deputy Superintendent
District/School Operations

SUBJECT: REQUEST SCHOOL BOARD APPROVAL OF 19 CHARTER SCHOOL APPLICATIONS AND DENIAL OF 7 CHARTER SCHOOL APPLICATIONS

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, 2011 the School Board received 93 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 assurances 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. Applications that exhibit significant deficiencies are not reviewed by ARC but forwarded directly to the Superintendent with a recommendation for denial.

Pursuant to Section 1002.33(6) (3a.), 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 DOE. 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.

APPLICATIONS

Pursuant to School Board Policy 9800, *Charter Schools*, 26 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.	Traditional	AcadeMir Charter School Middle (6-8) A	Academir Charter School, Inc	Approval	Attachment A
2.	Traditional	Alpha Charter of Excellence	Alpha Charter of Excellence, Inc.		
3.	High Performing Replication	Ben Gamla Charter School of Miami (K-8)	The National Ben Gamla Charter School Foundation, Inc.		
4.	Traditional	Bridgepoint Academy East	Bridgepoint Academy, Inc.		
5.	Traditional	Bridgepoint Academy South			
6.	Traditional	Doral Academy West	Doral Academy, Inc.		
7.	Traditional	Just Arts and Management (JAM) Charter Middle School			
8.	Traditional	Just Arts and Management (JAM) Charter High School			
9.	Traditional	Charter High School of the Americas	Lincoln-Marti Charter Schools, Inc.		
10.	Traditional	Mater Academy South Campus	Mater Academy, Inc.		
11.	Traditional	Mater Academy North Campus			
12.	Traditional	Mater Academy Middle North Campus			
13.	Traditional	Mater Academy High School North Campus			
14.	Traditional	Pinecrest Palms Academy	Pinecrest Academy, Inc.		
15.	Traditional	RAMZ Academy North Elementary School	RAMZ Academy, Inc.		
16.	Traditional	Somerset Academy Bay	Somerset Academy, Inc.		
17.	Traditional	Somerset Academy Bay Middle School			
18.	Traditional	Somerset Academy Bay High School			
19.	Traditional	Somerset Academy North			

	<i>Type of Application</i>	<i>Proposed Name of School</i>	<i>Legal Entity</i>	<i>Committee Recommendation</i>	<i>Supporting Documentation</i>
20.	Traditional	Aeiresstoddle Elementary Charter School of Miami	Aeiresstoddle Community Charter School, Inc.	Denial	Attachment B
21.	Traditional	West Kendall Academy Charter School	Learning Academy School, Inc.	Denial	Attachment C
22.	Virtual	Florida Virtual Academy at Miami-Dade County	South Florida Virtual Charter School Board, Inc.	Denial	Attachment D
23.	Virtual	Mater Virtual Academy	Mater Academy, Inc.	Denial	Attachment E
24.	Virtual	Mater Virtual Academy Charter Middle High School		Denial	
25.	Virtual	Somerset Virtual Academy Charter Middle High School	Somerset Academy, Inc.	Denial	
26.	Virtual	Renaissance Virtual Charter School of Dade	Renaissance Charter School, Inc.	Denial	Attachment F

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.

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. Academir Charter Schools, Inc., on behalf of AcadeMir Charter School Middle (6-8) A;
 - b. Alpha Charter of Excellence, Inc., on behalf of Alpha Charter of Excellence;
 - c. The National Ben Gamla Charter School Foundation, Inc., on behalf of Ben Gamla Charter School of Miami (K-8);
 - d. Bridgepoint Academy, Inc., on behalf of Bridgepoint Academy East;
 - e. Bridgepoint Academy, Inc., on behalf of Bridgepoint Academy South;
 - f. Doral Academy, Inc., on behalf of Doral Academy West;
 - g. Doral Academy, Inc., on behalf of Just Arts and Management (JAM) Charter Middle School;

- h. Doral Academy, Inc., on behalf of Just Arts and Management (JAM) Charter High School;
- i. Lincoln-Marti Charter Schools, Inc., on behalf of Charter High School of the Americas;
- j. Mater Academy, Inc., on behalf of Mater Academy South Campus;
- k. Mater Academy, Inc., on behalf of Mater Academy North Campus;
- l. Mater Academy, Inc., on behalf of Mater Academy Middle North Campus;
- m. Mater Academy, Inc., on behalf of Mater Academy High School North Campus;
- n. Pinecrest Academy, Inc., on behalf of Pinecrest Palms Academy;
- o. RAMZ Academy, Inc., on behalf of RAMZ Academy North Elementary School;
- p. Somerset Academy, Inc., on behalf of Somerset Academy Bay;
- q. Somerset Academy, Inc., on behalf of Somerset Academy Bay Middle School;
- r. Somerset Academy, Inc., on behalf of Somerset Academy Bay High School; and
- s. Somerset Academy, Inc., on behalf of Somerset Academy North.

2. Deny the charter school application for:

- a. Aeirosstoddle Elementary Charter School, Inc., on behalf of Aeirosstoddle Elementary Charter School of Miami;
- b. Learning Academy School, Inc., on behalf of West Kendall Academy Charter School;
- c. Mater Academy, Inc., on behalf of Mater Virtual Academy;
- d. Mater Academy, Inc., on behalf of Mater Virtual Academy Charter Middle High School;

- e. Renaissance Charter School, Inc., on behalf of Renaissance Virtual Charter School of Dade;
- f. Somerset Academy, Inc., on behalf of Somerset Virtual Academy Charter Middle High School; and,
- g. South Florida Virtual Charter School Board, Inc., on behalf of Florida Virtual Academy at Miami-Dade County.

Attachments
FW:elg

Freddie Woodson, Deputy Superintendent
District/School Operations

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

- APPLICANTS:**
- AcadeMir Charter School Middle (6-8) A
 - Alpha Charter of Excellence
 - Ben Gamla Charter School of Miami (K-8)
 - Bridgepoint Academy East
 - Bridgepoint Academy South
 - Doral Academy West
 - Just Arts and Management (JAM) Charter Middle School
 - Just Arts and Management (JAM) Charter High School
 - Charter High School of the Americas
 - Mater Academy South Campus
 - Mater Academy North Campus
 - Mater Academy Middle North Campus
 - Mater Academy High School North Campus
 - Pinecrest Palms Academy
 - RAMZ Academy North Elementary School
 - Somerset Academy Bay
 - Somerset Academy Bay Middle School
 - Somerset Academy Bay High School
 - Somerset Academy North

The M-DCPS' Charter School Application Review Committee (ARC) met to review the 19 charter school applications below and recommended approval to the Superintendent.

(1)/(2) Name of School	(3) Legal Entity Educational Service Provider (ESP)	(4) Initial Year	(5) Grade Levels Initial/Current Year Maximum	(5) Enrollment	(6) Focus/ Theme	(7) Founding/ Gov. Board Members	(8) Special Provisions or Requested Action(s)	(8) Initial Year Loss Revenue (\$) & Teacher Positions
(1) AcadeMir Charter School Middle (6-8) A <i>ARC meeting date: November 2, 2011. By a majority vote, the ARC recommended approval.</i>	Academir Charter Schools, Inc.	2012/2013	6-8	550	Math & Science	Governing Board Members: Lisette C. Gell, Owner, Prime Management Services, Inc.; Tirso L. Alonso, Director Medical Affairs, Bausch & Lomb; and, Alexander D. Casas, Major, Miami-Dade Police. This is the same governing board for the following charter school in existence: Academir Charter School West.	1	\$2,508,019 (20 Positions)
	N/A		6-8	550				

¹ Pursuant to State Statute "A private school, parochial school, or home education program shall not be eligible for charter school status." As such, charter school applications for schools that are operating as private schools in the year the application is submitted will be deemed as a private school to charter school conversion and as such will not be considered. If an application that has been approved is subsequently deemed a conversion, as stipulated in law, it will be automatically rescinded.

(1)/(2) Name of School	(3) Legal Entity Educational Service Provider (ESP)	(4) Initial Year	(5) Grade Levels Initial/Current Year Maximum	(6) Enrollment	(7) Focus/ Theme Founding/ Gov. Board Members	(8) Special Provisions or Requested Action(s)	(8) Initial Year Loss Revenue (\$) & Teacher Positions
2) Alpha Charter of Excellence <i>ARC meeting date: October 11, 2011. By a majority vote, the ARC recommended approval.</i>	Alpha Charter of Excellence, Inc.	2012/2013	K-4	296	None	None	\$1,320,702 (12 Positions)
	N/A		K-5	608			
(3) Ben Gamla Charter School of Miami (K-8) <i>ARC meeting date: October 11, 2011. By a majority vote, the ARC recommended approval.</i>	The National Ben Gamla Charter School Foundation, Inc.	2012/2013	K-8	650	Bilingual/ Hebrew	None	\$2,977,686 (25 Positions)
	Academica Dade, LLC		K-8	900			

(1)/(2) Name of School	(3) Legal Entity Educational Service Provider (ESP)	(4) Initial Year	(5) Grade Levels Initial/Current Year Enrollment Maximum	(6) Focus/ Theme	(7) Founding/ Gov. Board Members	(8) Special Provisions or Requested Action(s)	(8) Initial Year Loss Revenue (\$) & Teacher Positions
(4) Bridgepoint Acad. East <i>ARC meeting date: November 2, 2011. By a majority vote, the ARC recommended approval.</i>	Bridgepoint Academy, Inc.	2012/ 2013	K-8	348	Spanish & Tech.	None	\$1,556,162 (14 Positions)
	S.M.A.R.T. Management, LLC		K-8	550			
(5) Bridgepoint Acad. South <i>ARC meeting date: November 2, 2011. By a majority vote, the ARC recommended approval.</i>	Bridgepoint Academy, Inc.	2012/ 2013	K-8	348	Spanish & Tech.	None	\$1,556,162 (14 Positions)
	S.M.A.R.T. Management, LLC		K-8	550			

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(6) Doral Academy West <i>ARC meeting dates: December 5, 2011. By a majority vote, the ARC recommended approval.</i>	Doral Academy, Inc.		K-8	650	None		\$2,977,686 (25 Positions)
			K-8	900			
(7) Just Arts and Management (JAM) Charter Middle School <i>ARC meeting date: December 5, 2011. By a majority vote, the ARC recommended approval.</i>		2012/ 2013	6-8	374	None	None	\$1,681,406 (14 Positions)
			6-8	600			
(8) Just Arts and Management (JAM) Charter High School <i>ARC meeting date: December 5, 2011. By a majority vote, the ARC recommended approval.</i>	Academica Dade, LLC		9-12	500			\$2,270,055 (15 Positions)
			9-12	800			

(1)/(2) Name of School	(3) Legal Entity Educational Service Provider (ESP)	(4) Initial Year	(5) Grade Levels Enrollment Initial/Current Year Maximum	(6) Focus/ Theme	(7) Founding/ Gov. Board Members	(8) Special Provisions or Requested Action(s)	(8) Initial Year Loss Revenue (\$) & Teacher Positions
(9) Charter High School of the Americas <i>ARC meeting date: December 16, 2011. By a majority vote, the ARC recommended approval.</i>	Lincoln-Marti Charter Schools, Inc.	2012/2013	9-10	250	None		\$534,176 (8 Positions)
			9-12	750			
(10) Mater Acad. South Campus <i>ARC meeting date: November 18, 2011. By a majority vote, the ARC recommended approval.</i>	Mater Academy, Inc.		K-8	650			\$2,977,686 (25 Positions)
			K-8	900			
(11) Mater Acad. North Campus <i>ARC meeting date: November 18, 2011. By a majority vote, the ARC recommended approval.</i>			K-7	650			\$2,977,686 (25 Positions)
			K-8	900			
(12) Mater Acad. Middle North Campus <i>ARC meeting date: November 18, 2011. By a majority vote, the ARC recommended approval.</i>	Academica Dade, LLC	2012/2013	6-8	374	None		\$1,681,406 (15 Positions)
			6-8	525			
(13) Mater Acad. High School North Campus <i>ARC meeting date: November 18, 2011. By a majority vote, the ARC recommended approval.</i>			9-10	500			\$2,270,055 (15 Positions)
			9-12	800			

(1)/(2) Name of School	(3) Legal Entity Educational Service Provider (ESP)	(4) Initial Year	(5) Grade Levels Initial/Current Year Enrollment Maximum	(6) Focus/ Theme	(7) Founding/ Gov. Board Members	(8) Special Provisions or Requested Action(s)	(8) Initial Year Loss Revenue (\$) & Teacher Positions
(14) Pinecrest Palms Academy <i>ARC meeting date: December 5, 2011. By a majority vote, the ARC recommended approval.</i>	Pinecrest Academy, Inc.	2012/2013	K-8 374	None	Governing Board Members: Judith C. Marty, Principal, Mater Acad. High School ; Shannine Sadesky, Principal, Somerset Acad., Broward County Public Schools; Juan A. Molina, Director, Care Cloud; Jenny Esquijarosa, Event Specialist, Eventus Marketing; and Erin Demirjian, Therapist, Citrus Health Network. This is the same governing board for the following charter schools in existence: Pinecrest Acad. MS; Pinecrest Acad. (Nth Camp.); Pinecrest Acad. MS (North Campus); Pinecrest Acad. (Sth Camp.); Pinecrest Preparatory Acad.; Pinecrest Prep. Acad. Charter HS; and, Pinecrest Cove Acad.	None	\$2,977,686 (25 Positions)
	Academica Dade, LLC		K-8 525				
(15) RAMZ Acad. North Elementary School <i>ARC meeting date: October 4, 2011. By a majority vote, the ARC recommended approval.</i>	RAMZ Academy, Inc.	2012/2013	K-4 200	Spanish/ French	Governing Board Members: Olga E. Miyar; Alicia Estrada, Personal Liaison Manager, Squire, Sanders & Dempsey, LLP; Consuelo Irimia, Supervisor, U.S. Probation Officer; Alex Rizo, Partner, FELC Tutors; Noria Alloza-Sanchez, V.P. Investments, Banco Santander; and Ariel A. Fernandez, Deputy District Director, U.S. House of Representatives. This is the same governing board for the following charter schools in existence: RAMZ Acad. K-5 Miami Campus and RAMZ Acad. 6-8 Middle, Miami Campus	None	\$892,366 (8 Positions)
	N/A		K-5 400				

(1)/(2) Name of School	(3) Legal Entity Educational Service Provider (ESP)	(4) Initial Year	(5) Grade Levels Initial/Current Year Maximum	(5) Enrollment	(6) Focus/ Theme	(7) Founding/ Gov. Board Members	(8) Special Provisions or Requested Action(s)	(8) Initial Year Loss Revenue (\$) & Teacher Positions
(16) Somerset Acad. Bay <i>ARC meeting date: November 18, 2011. By a majority vote, the ARC recommended approval.</i>	Somerset Academy, Inc.	2012/ 2013	K-5	550	None	Governing Board Members: Andreina Figueroa, President, ADF Consulting LLC; Lourdes C. Isla-Marrero, Principal, Mater Acad., Inc.; Daniel Diaz, Senior Vice-President, Total Bank; Angie Hui Fang, Prog. Prof., Fischler Grad. Sch. of Educ. and Human Serv., Nova Southeastern Univ.; and, David Concepcion, City Clerk/Chief of Staff, City of Hialeah.	None	\$2,508,019 (22 Positions)
			K-5	750				
(17) Somerset Acad. Bay Middle School <i>ARC meeting date: November 18, 2011. By a majority vote, the ARC recommended approval.</i>	Academica Dade, LLC	2012/ 2013	6-8	374	None	Governing Board Members: Andreina Figueroa, President, ADF Consulting LLC; Lourdes C. Isla-Marrero, Principal, Mater Acad., Inc.; Daniel Diaz, Senior Vice-President, Total Bank; Angie Hui Fang, Prog. Prof., Fischler Grad. Sch. of Educ. and Human Serv., Nova Southeastern Univ.; and, David Concepcion, City Clerk/Chief of Staff, City of Hialeah.	None	\$1,681,406 (14 Positions)
			6-8	525				
(18) Somerset Acad. Bay High School <i>ARC meeting date: November 18, 2011. By a majority vote, the ARC recommended approval.</i>	Somerset Academy, Inc.	2012/ 2013	9-10	500	College Prep.	Governing Board Members: Andreina Figueroa, President, ADF Consulting LLC; Lourdes C. Isla-Marrero, Principal, Mater Acad., Inc.; Daniel Diaz, Senior Vice-President, Total Bank; Angie Hui Fang, Prog. Prof., Fischler Grad. Sch. of Educ. and Human Serv., Nova Southeastern Univ.; and, David Concepcion, City Clerk/Chief of Staff, City of Hialeah.	None	\$2,270,055 (15 Positions)
			9-12	800				
(19) Somerset Academy North <i>ARC meeting date: November 18, 2011. By a majority vote, the ARC recommended approval.</i>	Academica Dade, LLC	2012/ 2013	K-5	550	None	Governing Board Members: Andreina Figueroa, President, ADF Consulting LLC; Lourdes C. Isla-Marrero, Principal, Mater Acad., Inc.; Daniel Diaz, Senior Vice-President, Total Bank; Angie Hui Fang, Prog. Prof., Fischler Grad. Sch. of Educ. and Human Serv., Nova Southeastern Univ.; and, David Concepcion, City Clerk/Chief of Staff, City of Hialeah.	None	\$2,508,019 (22 Positions)
			K-5	750				
TOTAL REVENUE (\$):								\$40,126,438
								333

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 (\$40,126,438) and instructional staffing (333 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.

Freddie Woodson, Deputy Superintendent
District/School Operations

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

As provided in School 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

Aeiresstoddle Community Charter School, Inc. proposes to establish Aeiresstoddle Elementary Charter School of Miami to serve a maximum of 348 students in grades kindergarten through five, with a maximum of 348 students in kindergarten through grade five in its first year of operation. The school proposes to open during the 2012-2013 school year.

Applicant

The members of the Founding Board are: Belinda Hope, Principal, Pine Ridge Education Center; Natasha S. Bell, Math Coach, School Board of Broward County; and Kirstie L. Daise, English I Instructor, Florida Virtual School; Kiwana S. Alexander-Prof, Assistant Principal, Carver Middle School; and Santreia Tanksley, Office Manager, Eagles' Nest Charter School.

The applicant did not attend the District's charter school application orientation conducted on May 5, 2011. The meeting is not mandatory but is supplementary to the Florida Department of Education's mandatory applicant training to make applicants aware of the District's policies and procedures.

Evaluation

As advised by the Florida Department of Education, a review of this charter application was conducted pursuant to sections 1002.33 (6) and 1002.45(7), F. S., and School Board Policy 9800, *Charter Schools*, using the required model Florida Charter School Application Evaluation Instrument. The Standard Model Application includes 19 standards of evaluation and certification and assurances declarations. As allowed by Section 1002.33(6)(a)6., F.S., District specific standards and requirements are also included in the evaluation.

The first review was conducted by members of the Technical Review Committee (TRC), which resulted in a number of 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 had questions or required additional information, and corroborate information provided in the written application. The ARC meeting was held on October 4, 2011. Although an invitation was sent to the applicant and receipt of the invitation was confirmed, no one attended so there was no applicant representative to clarify the questions and concerns on the evaluation tool.

Both the TRC and the ARC found that the application failed to meet the minimum statutory requirements and identified substantial concerns/deficiencies regarding the applicants' understanding of various conceptual issues and/or the ability to meet the statutory requirements related to Standards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 15, 16, 17, 18, and 19 in the Model Evaluation Instrument. In other words, the applicant failed to meet the requirement standard in 17 of the 19 categories of the Model Evaluation Instrument.

The application failed to satisfactorily meet, including but not limited to, the following statutory and District requirements:

1. Failure to demonstrate how the school will use the guiding principles and meet the statutorily defined purpose of a charter school. [Sections 1002.33(2)(a), 1002.33(2)(b), 1002.33(2)(c), 1002.33(6)(a)(1), 1002.33(7)(a)(1), F.S.]
 - The application did not provide a clear alignment between the mission and the school's educational plan. The application proposes a "single sex", science and technologically enriched environment but does not provide a clear implementation plan. (Standard 1)
2. Failure to demonstrate an understanding of the students the charter school intends to serve or provide a manageable plan tied to enrollment projections that will allow the school to meet its class size obligations. [Sections 1002.33(10)(e), 1002.33(6)(b)(2), 1002.33(7)(a)(1), 1003.03, F.S.]
 - The application proposes a "same sex" environment but there is no indication of how the school will accomplish this since it is proposing to provide two sections per grade in year 1 for grades K-3 and only one section for grades 4 and 5. (Standard 2)
3. Failure to provide a detailed curriculum plan that illustrates how students will be provided services to attain state standards. [Sections 1002.33(6)(a)(2), 1002.33(6)(a)(4), 1002.33(7)(a)(2), 1002.33(7)(a)(4), F.S.]
 - The application does not provide adequate information regarding how the school intends to ensure students attain mastery of the Next Generation Sunshine State Standards. The application does not provide any specifics other than that they anticipate that the "same-sex" environment will lead to students attaining NGSSS. No research was provided to support this assumption. (Standard 3)
 - The application does not provide a curriculum that meets the needs of all students and at all academic proficiency levels. (Standards 4, 6, 7)
 - The application does not include an adequate student progression plan and failed to demonstrate knowledge or understanding of the District's plan or any details pertaining to its implementation. (Standards 4, 5)
 - The application does not provide a clear and coherent framework for teaching and learning. Specifically, the application proposes to implement the Core Knowledge Curriculum only in Social Science. This curriculum encompasses more than just Social Science, yet the application does not clearly provide evidence on how the school will effectively meet the standards and principles of this curriculum. (Standard 4)
4. Failure to demonstrate that reading will be a primary focus of the school's curriculum. [Sections 1002.33(6)(a)(2), 1002.33(6)(a)(4), 1002.33(7)(a)(2), 1002.33(7)(a)(4), F.S.] (Standard 4)
 - The application does not propose a reading curriculum that is consistent with effective teaching strategies that are grounded in scientifically based reading research. Section 1002.33(6)(a)(4), F.S., requires the District deny an application on this basis.
 - The application does not provide adequate information on the Reading Plan, or if the school intends to follow the District's Comprehensive Research-based Reading Plan. Furthermore, the application contains inconsistent evidence of the 90 minute reading block lacks specifics on how the 90 minute block would be implemented and does not explain how the school would implement intensive interventions to struggling readers.
 - The application provides inconsistent information on the statutorily required Response to Intervention (RtI) process, how the school would provide the required dedicated uninterrupted block of time for struggling readers, or what interventions would be used to ensure the achievement of the required one year of growth.
 - The application lacks information on what a reading block would entail (e.g., number of minutes, specific breakdown of the instructional time, and the specific interventions to be used.)

5. Failure to provide measureable goals and objectives that set high standards for student performance. [Sections 1002.33(6)(a)(3), 1002.33(7)(a)(3), 1002.33(7)(a)(4), 1002.33(7)(a)(5), F.S.]
 - The application does not provide goals that are aligned, at a minimum, to AYP targets. The percentages provided for some of the accountability groups do not set high standards.
 - The application does not provide an assessment plan that is included all state required assessments. (Standard 5)
 - The application does not provide a comprehensive school wide assessment plan that is standards based and does not demonstrate how the school will utilize the ongoing data collected to make decisions that impact the school's instructional program. There was no description of the required comprehensive continuous improvement model. (Standard 5)
 - The application does not include an adequate student progression plan and failed to demonstrate knowledge or understanding of the District's plan. (Standards 4,5)
 - The application fails to demonstrate how data will be collected and how it will be used to drive instruction. (Standard 5)

6. Failure to provide a comprehensive plan on educating exceptional students (ESE). [Section 1002.33(16)(a)(3), F.S.] (Standard 6)
 - The application fails to provide plans for educating exceptional students that reflect the full range of programs and services required to provide all students with a high quality education. In particular, it fails to reflect that a full range of services will be available to students with disabilities or even that the School will provide sufficient staffing for exceptional students.
 - The application does not provide a clear description as to what services the school intends to offer exceptional students.
 - The application does not clearly indicate how the school will ensure that exceptional students are provided with the least restrictive environment as required. Also, it does not clearly identify procedures for determining appropriate placement for each student with disabilities.

7. Failure to demonstrate an understanding of state and federal requirements regarding the education of English Language Learners (ELL). [Section 1002.33(16)(a)(3), F.S.] (Standard 7)
 - The application does not provide a clear and coherent framework for identification and placement of ELL students. More specifically it does not align with the requirements set forth by the Multicultural Education Training and Advocacy (META) Consent Decree.
 - The application did not provide or describe the policies and procedures for exiting, grading, monitoring, curriculum standards, assessments of ELL students. Furthermore, the application uses ambiguous language when addressing programmatic participation of these students.

8. Failure to provide a budget that is consistent with all parts of the application or provide a detailed plan to ensure adequate financial oversight, and controls that will safeguard finances. [Sections 1002.33(6)(a)(5), 1002.33(6)(b)(2), 1002.33(7)(a)(9), 1002.33(7)(a)(11), F.S.]
 - Because there is no narrative for the start-up budget, the review committees were unable to determine the reasonableness of the projected revenues and expenses to ensure there is adequate financial support for the school. Furthermore, the application lacks support for the start up grant and the organization's ability to secure a loan. The proceeds of the loan constitute 91% of the start-up budget. (Standard 17)
 - The statement of cash flow does not include revenue required prior to the school's opening, the start-up period. The cost of textbooks, furniture and equipment, instructional software was spread out throughout the fiscal year, but these are items that will need to be purchased prior to the school opening. (Standard 17)
 - Revenues from fundraising and loans are inconsistent within the budget documents presented. Furthermore, the application does not provide a comprehensive plan for fundraising that includes timelines and financial objectives. (Standard 17)

- There is no plan to ensure that the school will have strong internal controls and policies to safeguard the school's finances. Utilization of fiscal services vendors is mentioned but these entities are not indentified. (Standard 18)
 - The policy for submitting financial statements to the Sponsor does not clearly indicate that the applicant understands state requirements and deadlines. (Standard 18)
9. Failure to provide evidence that a safe learning environment will be provided that will be conducive to learning. [Sections 1002.33(7)(a)(7), 1002.33(7)(a)(11), 1002.33(9)(n), F. S.] (Standard 8)
- The application does not provide the school's plan for classroom management and student discipline.
 - The application does not provide policies for discipline, suspension, dismissal and how it will make a recommendation for expulsion. The application states that the school will adopt the District's Code of Student Conduct but does not demonstrate any knowledge or understanding of the District's Code or how it would be implemented.
10. Failure to provide evidence of an organizational plan which provides a clear understanding of how the school will be governed and managed and plans for meaningful involvement of parents and community. [Sections 1002.33(7)(a)(15), 1002.33(16)(5)(b), 1002.33(7)(a)(9), 1002.33(7)(a)(14), 1002.33(12), 1002.33(10), 1002.33(7)(a)(7), 1002.33(7)(a)(8), F. S.]
- The application fails to clearly delineate the roles and responsibilities of the governing board. The role of governing board members is not identified nor how those individuals will contribute to the overall success of the school. (Standard 9)
 - The application does not include all of the required Governing Board Disclosure forms, as required by the Sponsor and contained in the application's instructions. There is conflicting information regarding the role of the "Contact" for the nonprofit, Ardonnis Lumpkin. Mr. Lumpkin appears as a "Director" and "registered agent" of the non-profit in the filing with the Florida Division of Corporations, yet he is not mentioned as a Director in the application and did not provide a disclosure form and background information with the application. (Standard 9)
 - The application does not provide a clear delineation of the roles and responsibilities for the daily administration of the school. (Standard 10)
 - The application fails to provide a termination policy that complies with Chapter 1012, F.S. (formerly SB736). (Standards 10, 12)
 - The application does not provide a plan that will assure that the school will attract and retain highly qualified teachers. (Standards 10, 12)
 - The application does not provide an Equal Employment Opportunity policy. (Standards 10, 12)
 - The application does not provide a comprehensive description of the school's enrollment policy and procedures. (Standard 13)
 - The application includes a sample Parent Contract that contains an illegal procedure for involuntary dismissal of students. (Standard 13)
 - The effectiveness of the conflict resolution process cannot be determined. The procedures that the governing board will follow to settle disputes between parents and the school is lengthy and convoluted. Additionally, the application states that the school will use an Advisory Grievance Committee but does not describe the committee membership or authority. (Standard 9)
 - The application did not provide any information regarding how parents would be involved in the governance of the school or how the school would comply with the statutory requirement to appoint a parent representative. (Standards 9, 13)
11. Failure to provide a (a) coherent plan for facilities, (b) food services, and (c) completed action plan.
- The application does not provide a realistic plan for securing a facility, including county requirements, process and timeline to occupy. The start-up budget does not account for costs associated with the construction or the opening of a planned facility. The application also does not identify the capacity of the facility to accommodate the long range requirements of the school.

(Standard 14)

- The cost estimates fail to demonstrate that the planned facility would be feasible or account for class size restrictions. (Standard 14)
The applicant makes assumptions about the area in which the school will be located but states it does not yet have a facility identified. So there is no basis to determine whether assumptions made regarding facility costs are reasonable. (Standard 14)
- The application does not provide a plan to ensure food service delivery to students, a viable plan to secure a food service provider, or information regarding how the school will ensure students who are eligible for free or reduced lunch will be provided these services or how they would be properly accounted for and monitored. (Standard 16)
- There is no clear roadmap of the needed steps and strategies that will ensure that the school will be ready to serve students on the first day of school. (Standard 19)

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.

Freddie Woodson, Deputy Superintendent
District/School Operations

School Board Agenda Item C-30 ATTACHMENT C

As provided in School 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

Learning Academy School, Inc. proposes to establish West Kendall Academy Charter School to serve a maximum of 786 students in grades Kindergarten through five, with a maximum of 286 students in Kindergarten through grade five in its first year of operation. The school proposes to open during the 2012-2013 school year.

Applicant

The members of the Founding Board are: Augusto Gil, President, Gil and Associates; Alexis Gonzalez, President, Law Office of Alexis Gonzalez, P.A.; Carlos Delgado, Senior Vice President, U.S. Century Bank; Annie Marie Moreno, Owner, Circle Time Learning Center; and Antonio Delgado, President, Delgado Property Corporation.

The applicant did not attend the District's charter school application orientation conducted on May 5, 2011. The meeting is not mandatory but is supplementary to the Florida Department of Education's mandatory applicant training to make applicants aware of the District's policies and procedures.

Evaluation

As advised by the Florida Department of Education, a review of this charter application was conducted pursuant to sections 1002.33 (6) and 1002.45(7), F. S., and School Board Policy 9800, *Charter Schools*, using the required model Florida Charter School Application Evaluation Instrument. The Standard Model Application includes 19 standards of evaluation and certification and assurances declarations. As allowed by Section 1002.33(6)(a)6., F.S., District specific standards and requirements are also included in the evaluation.

The first review was conducted by members of the Technical Review Committee (TRC), which resulted in a number of 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 had questions or required additional information, and corroborate information provided in the written application. The ARC meeting was held on November 28, 2011.

Both the TRC and the ARC found that the application failed to meet the minimum statutory requirements and identified substantial concerns/deficiencies regarding the applicants' understanding of various conceptual issues and/or the ability to meet the statutory requirements related to Standards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 18, and 19 in the Model Evaluation Instrument. In other words, the applicant failed to meet the requirement standard in 17 of the 19 categories of the Model Evaluation Instrument.

The application failed to satisfactorily meet, including but not limited to, the following statutory and District requirements:

1. Failure to submit an application that follows the standards delineated in the required state's model application. Pursuant to state statute, a person or entity wishing to open a charter school must prepare and submit an application on the form prepared by the Department of Education. [Section 1002.33(6)(a), F.S.]
 - The applicant did not use the most current and required state approved model application form for the 2011 Application Cycle. As a result, crucial information was omitted or difficult to locate.
 - Throughout a significant portion of the application, the responses are incomplete or lack sufficient detail to fully evaluate the applicant's intent, particularly Section 3, in which the responses reference an item in the appendix which provides only a general overview of the Paideia concept, but did not satisfactorily respond to the required standard.
 - The application fails to describe how Paideia would be implemented and how it would impact teaching and learning.

2. Failure to demonstrate how the school will use the guiding principles and meet the statutorily defined purpose of a charter school. [Sections 1002.33(2)(a), 1002.33(2)(b), 1002.33(2)(c), 1002.33(6)(a)(1), 1002.33(7)(a)(1), F. S.]
 - The mission statement was not compelling and did not clearly define the purpose and values of the school. The application cover sheet indicates that West Kendall Academy will be "a Paideia School", but it was not part of the school's mission, vision, or guiding principles. The mission fails to define the purpose of the school. (Standard 1)
 - The application does not provide specifics regarding how the school intends to focus on improving student outcomes and academic achievement. Missing from the application are key elements and details regarding what innovative measurements tools would be implemented, how the school would measure learning outcomes, and how it would encourage the use of innovative learning methods. (Standard 1)
 - The application does not propose a target population that includes all students. It failed to mention that it will serve exceptional students and English language learners.

3. Failure to demonstrate an understanding of the students the charter school intends to serve or provide a manageable plan tied to enrollment projections that will allow the school to meet its class size obligations. [Sections 1002.33(10)(e), 1002.33(6)(b)(2), 1002.33(7)(a)(1), 1003.03, F. S.] (Standard 2)
 - The Application does not provide a projection for student enrollment by grade level and how many sections are proposed for each grade level.
 - Contradictory information is provided as to the anticipated target population to be served and the school's willingness to serve all students. The application states that the school will be "open to all students that reside" in the county and that the school will "accommodate all students independent of their native language" but, it also states that only "Spanish and English language programs" will be offered to "accommodate Spanish speaking and non-Spanish speaking students." The top three languages spoken by students in Miami-Dade County are English, Spanish and Haitian Creole.

4. Failure to clearly demonstrate a clear and coherent educational program design to ensure the appropriate teaching and learning strategies will be employed. [Section 1002.33(7)(a)(2), F.S.] (Standard 3)
 - The application does not provide a daily schedule that complies with required instructional minutes for subject areas being offered.
 - The applicant does not demonstrate an understanding of the statutory requirements for minimum instructional minutes and instructional days. The application states that the school will follow the District's schedule "in terms of length of school day, and number of days in the school year" but it does not demonstrate knowledge of the District's policy.

- The application does not provide comprehensive information regarding the educational plan the school will implement. Evidence of how the Paideia methodology would be implemented was not provided. All of the information on Paideia was provided only in an Appendix.
 - The application does not provide a clear alignment between the mission and the educational plan. Information on Paideia was provided in the Appendix of the application but, the applicant fails to demonstrate how this program would be implemented and/or incorporated in the school.
 - The application does not provide professional development to teachers specifically related to the Paideia program.
 - The application does not provide information on materials that may be needed in the implementation of the Paideia program and how it would directly impact the instructional program at the school.
5. Failure to provide a detailed curriculum plan that illustrates how student will be provided services to attain state standards. This includes a plan that includes provisions for exceptional students and English language learners. [Sections 1002.33(6)(a)2, 1002.33(6)(a)4, 1002.33(7)(a)(2), 1002.33(7)(a)4, F.S.] (Standard 4)
- The application does not provide adequate information regarding how the school intends to ensure students attain mastery of the Next Generation Sunshine States Standards and the Common Core Standards. It does not provide a clear and coherent framework for teaching and learning. Also, the application does not provide a description of the research base and foundation materials that were used to develop the curriculum.
 - The application does not demonstrate that the curriculum framework as described is aligned to the Next Generation Sunshine States Standards and the Common Core Standards. A comprehensive curriculum is not provided. Missing are key elements and curriculum for subjects the school intends to implement. For instance, there is no curriculum for Art, Music, Physical Education, and Foreign Languages.
 - The application does not demonstrate that the curriculum will meet the needs of all students and at all levels. There is no evidence that student data would drive instructional decisions. Specific strategies for teaching students at all levels are not provided.
6. Failure to demonstrate that reading will be a primary focus of the school's curriculum. [Sections 1002.33(6)(a)2, 1002.33(6)(a)4, 1002.33(7)(a)(2), 1002.33(7)(a)4, F.S.] (Standard 4)
- The application fails to demonstrate that reading would be a primary focus of the school and did not propose a reading curriculum that is consistent with effective teaching strategies that are grounded in scientifically based reading research. Pursuant to Section 1002.33(6)(a)4., F. S., the District shall deny an application on this basis. The application does not provide information on what Reading Plan the school would implement.
 - The application does not provide a curriculum for teaching Writing.
 - The application does not describe the Reading block in terms of number of minutes, specific breakdown of the instructional time, and materials.
 - The application does not specify how the intervention programs would be implemented, how students will be identified and monitored and how much time on task will be provided.
7. Failure to provide measureable goals and objectives that set high standards for student performance. [Sections 1002.33(6)(a)(3), 1002.33(7)(a)(3), 1002.33(7)(a)(4), 1002.33(7)(a)(5), F.S.] (Standard 5)
- The application does not provide goals and objectives that set high standards or meet the state's accountability requirements.
 - The application does not identify all of the state required assessments and fails to provide a comprehensive school wide assessment plan that ensures students will be prepared to attain state standards. Additionally, no information is provided regarding the frequency of assessments the school would use to measure growth, how and if these assessments will be aligned to state

standards, what role these assessments will play in monitoring student progress and how they will impact learning and teaching.

8. Failure to provide a comprehensive plan on educating exceptional students (ESE). [Section 1002.33(16)(a)(3), F.S.] (Standard 6)
 - The application fails to demonstrate sound plans for educating exceptional students that reflect the full range of programs and services required to provide all students with a high quality education. In particular, it fails to reflect that a full range of services will be available to students with disabilities.
 - The application fails to demonstrate sufficient staffing for exceptional students.

9. Failure to provide a detailed plan that provides financial projections for the school over the term of the charter. [Sections 1002.33(6)(a)(5), 1002.33(6)(b)(2) F. S.]
 - The application does not support the grants and donations projected in the budget. (Standard 17)
 - The budget provided does not align with the student enrollment or the staffing plan provided within the application. (Standards 12, 17)
 - The budget includes transportation revenue, but there are no associated expenditures. (Standards 14, 17)
 - Expenditures associated with the enrollment timeline provided are not accurately reported in the start-up projected cash flows. (Standard 17)
 - The budget does not include the costs of all of the programs the school intends to implement. For instance, the school indicates that it will use Successmaker to assist struggling students, but there is no provision for this program in the budget. (Standards 3, 4, 17)

10. Failure to provide evidence that a safe learning environment would be provided and would be conducive to learning. [Section 1002.33(7)(a)(7), 1002.33(7)(a)(11), 1002.33(9)(n), F. S.]
 - The application indicates that the school will simply dismiss students from the school for behavioral problems, which statutorily it cannot do. (Standards 8, 13)
 - The application does not indicate how the school would work with families to ensure that the appropriate level of support is provided to students with behavioral problems. (Standard 8)
 - The application does not provide a clear policy regarding expulsion. There are many inconsistencies regarding this policy. (Standard 8)

11. Failure to provide evidence of an organizational plan which provides a clear understanding of how the school will be governed and managed and plans for meaningful involvement of parents and community. [Sections 1002.33(7)(a)(15), 1002.33(16)(5)(b), 1002.33(7)(a)(9), 1002.33(7)(a)(14), 1002.33(12), F. S.]
 - The application does not provide a clear, sensible delineation of roles and responsibilities in relation to governance and school management. No education service provider (ESP) is identified and no details are provided as to how services will be provided to operate the school. Additionally, the Budget indicates the school will use an ESP, but this indication contradicts the response in Section 11, Education Service Providers. (Standards 9, 11)
 - The application does not provide a comprehensive staffing plan and does not provide job descriptions and minimum requirements for all key staff members the school intends to hire. (Standards 10, 12)
 - The application does not provide information on how the school will meet the requirements of Chapter 1012, F.S, (formerly SB736) regarding evaluation tools, termination policy, contracts and performance pay. (Standards 10, 12)
 - The staffing plan provided is not aligned with the personnel expenditures in the budget. (Standards 10, 12, 17)
 - The application does not provide a comprehensive description of the school's conflict resolution policy and procedures. (Standard 9)

- The application does not provide any information regarding how parents would be involved in the governance of the school or how the school would comply with the statutory requirement to appoint a parent representative. (Standard 9)
12. Failure to provide a (a) coherent plan for facilities, (b) transportation plan, and (c) completed action plan.
- Although the application identifies a location for the facility, it does not provide information to ensure the facility meets the needs of the proposed academic program including facility size, number and type of rooms, floor plan or layout. The application also fails to identify a backup facility. (Standard 14)
 - Application does not ensure that the selected facility will meet the requirements related to class size restrictions. (Standard 14)
 - The application does not provide a comprehensive plan for providing transportation to all eligible students. The transportation plan lacks crucial information regarding how the school would contract with approved vendors to provide this service. (Standard 15)
 - The application does not provide a clear roadmap of the needed steps and strategies to ensure that the school will be ready to serve students on the first day of school. (Standard 19)

The applicant was noticed 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.

Freddie Woodson, Deputy Superintendent
District/School Operations

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

As provided in School 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

South Florida Virtual Charter School Board, Inc. proposes to establish the Florida Virtual Academy at Miami-Dade County to serve a maximum of 3,602 students in grades Kindergarten through twelve, with a maximum of 1,737 students in kindergarten through ninth grade in its first year. The school proposes to open during the 2012-2013 school year.

Applicant

The members of the Founding Board are: Toni Rae Page, Unemployed; Susan K. Goldstein, President, Susan Goldstein Consulting, Inc.; and Ronald Joseph Beesley, Deputy Chief, Palm Beach County Fire Rescue.

The applicant did not attend the District's charter school application orientation conducted on May 5, 2011. The meeting is not mandatory but is supplementary and is an opportunity for applicants to become aware of the District's policies and procedures governing the charter school application review process.

Evaluation

As advised by the Florida Department of Education, a review of this charter application was conducted pursuant to sections 1002.33 (6) and 1002.45(7), F. S., and School Board Policy 9800, *Charter Schools*, using the required model Florida Charter School Application Evaluation Instrument.

The first review was conducted by members of the Technical Review Committee (TRC), which found numerous significant concerns and findings that were provided to the applicant and forwarded to the Applicant Review Committee (ARC). The ARC meeting was held on November 30, 2011.

Both committees found that the application fails to meet the minimum statutory requirements and identified substantial concerns/deficiencies regarding the applicants understanding of various conceptual issues and/or the ability to meet the statutory requirements related to Standards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, and 19 in the Model Evaluation Instrument. In fact, the applicant failed to meet the requirement standard in 18 of the 18 applicable categories.

The evaluation form is incorporated by reference in this item and is included in the basis for this recommendation for denial. The application failed to satisfactorily meet, including but not limited to, the following statutory and District requirements:

1. Failure to anticipate a target population which sets realistic enrollment targets for a virtual school program. [Sections 1002.33(10)(e), 1002.33(6)(b)(2), 1002.33(7)(a)(1), F. S.] (Standard 2)
 - The applicant proposes to serve 3,602 students by year 5. Current total enrollment in the full time virtual program provided by Miami-Dade County Public Schools is 260 students. Given the current enrollment trends in virtual programs in the District and state-wide, the enrollment target proposed in the application is not based on existing, reasonable, or reliable data. The application did not include any evidence of how this projection was determined or demonstrate whether the applicant had conducted market research to support the anticipated enrollment.

- Grade level projections provided report significant enrollment decreases each year but there is no explanation. For example, enrollment is projected to drop from 288 in 8th grade to 90 in 9th grade.
2. Failure to provide an educational program that is aligned with the school's mission and a viable curriculum plan. [Sections 1002.33(2)(a), 1002.33(2)(b), 1002.33(2)(c), 1002.33(6)(a)(1), 1002.33(6)(a)(2), 1002.33(6)(a)(4), 1002.33(7)(a)(1), 1002.33(7)(a)(2), 1002.33(7)(a)(4), F.S.]
 - The application states that the school will implement the K12 online curriculum and that this is "innovative." However, this is the same curriculum currently being implemented in the Miami-Dade County Public Schools (MDCPS) full time virtual school. (Standards 1, 3, 4)
 - The application fails to demonstrate that the school will emphasize low-performing students. It fails to clearly define how the school will ensure that all students make a minimum of one year's growth in learning. (Standard 1)
 - The application does not provide evidence that the proposed program will result in increased student performance. (Standard 1)
 - The application requires the parent to report the students' attendance but there is no provision for verification. The application also fails to address how students will be monitored for on task participation since the students can be online but not progressing. (Standard 1)
 - The application does not provide a comprehensive intervention plan for struggling students or when, where and how often interventions will be provided. (Standards 3, 4)
 3. Failure to provide measureable goals and objectives that set high standards for student performance. [Sections 1002.33(6)(a)(3), 1002.33(7)(a)(4), 1002.33(7)(a)(5), F.S.] (Standard 5)
 - The application fails to provide a method to securely administer identified assessments. The application fails to establish measureable goals for students mastering state standards based on FCAT 2.0, a state mandated assessment. Additionally, End of Course Exams (EOC) is mentioned but no goals provided regarding expected levels of performance.
 - The application does not address all of the components of the Florida Accountability requirements. There are no specific school goals based on learning gains, the lowest quartile in math or reading, participation, goals for the subgroups.
 - There is no writing goal or the required middle and high school goal based on student participation and performance in advanced coursework.
 - The application does not include evidence that the curriculum assessments are aligned with NGSSS. Furthermore, the application states that the school will use Scantron tests to gauge student progress in meeting state standards but does not demonstrate how performance on this assessment is a reliable predictor of FCAT 2.0 or if it is aligned with state standards.
 - The application fails to provide effective placement procedures, including how "placement teams" will be formed and who will participate. Additionally, the application states that "other relevant information provided by the parent" will be used to determine student placement but no information is provided regarding how this will impact student placement and progression.
 - The application does not demonstrate that student data will be used to drive instructional decisions or how it will be used to improve teaching and learning.
 4. Failure to demonstrate an understanding of state and federal requirements regarding the education and services for exceptional students (ESE) and English Language Learners (ELL). [Section 1002.33(16)(a)(3), F.S.]
 - The application does not provide the full range of programs and services required for ESE, particularly no provisions are provided for ESE students who require speech, language, occupational, and physical therapy. (Standard 6)
 - The application states that the school "will serve students with disabilities whose needs can be met in a regular classroom and resource room combination (between 40%-80% of instruction occurring in a course with non-disabled peers)." However, the application fails to address how this would be accomplished in a virtual setting. (Standard 6)

- The application does not address the assessments to be given to students who meet the FCAT exemption criteria. (Standard 6)
 - The applicant does not demonstrate an understanding of state and federal requirements or how the school will comply with the META consent decree. (Standard 7)
 - The application does not provide procedures for identification of ELL students or the assessments the school will use. (Standard 7)
 - The application does not clearly identify staffing needs in order to adequately serve ELL students. (Standard 7)
5. Failure to provide an organizational plan which provides a clear understanding of how the school will be governed and managed and plans for meaningful involvement of parents and community. [Sections 1002.33(7)(a)(9), 1002.33(7)(a)(14), 1002.33(7)(a)(15), 1002.33(16)(5)(b), 1002.33(12) F. S.]
- The founding governing members will only serve for one year but does not provide for staggered terms or continuity in the following years. (Standard 9)
 - The application does not indicate that the governing board will meet the required two times per year in Miami-Dade County as required by Section 1002.33 (7)(d)(2), F. S. The applicant has submitted applications to various districts in the state but there is no indication as to how the governing board will meet the provision for the required local meetings. (Standard 9)
 - The application does not provide a process and/or mechanism for the governing board to evaluate the ESP.(Standard 9)
 - The application shows that the board will relinquish its governance responsibilities to the ESP. There is very little oversight by the governing board. Specifically, the board's responsibility for oversight of the operation and finances of the school. (Standards 9, 11)
 - The ESP will hire and supervise the school employees, including the school leader. If the board and the ESP cease working together, the school would collapse since it would not have any employees. (Standards 10,12)
 - The application fails to provide a parent liaison as required by Section 1002.33(7)(d)(1), F. S. (Standards 9, 13)
 - The effectiveness of the conflict resolution process cannot be determined. The procedures that the governing board will follow to settle disputes between parents and the school are burdensome and difficult to understand. (Standard 9)
 - The ESP agreement can be terminated by the ESP if the governing board fails to approve the school's budget which is unacceptable and inappropriate. (Standards 9, 11)
 - The ESP agreement provides that the ESP will essentially pay itself, further indication that the ESP, not the school's governing board, fully controls the revenues received by the school. (Standards 9, 11)
 - The application does not address the Chapter 1012, F.S. (formerly SB 736) requirements for evaluating the principal and performance based compensation. (Standards 10, 12)
 - It could not be determined whether the compensation is competitive or whether the school would attract highly qualified teachers since no salary schedules or differentiated pay scale was provided. (Standard 12)
 - The application did not include personnel policies, so it could not be determined if these policies comply with federal and state law. (Standard 12)
6. Failure to provide a detailed plan that provides financial projections for the school over the term of the charter. [Sections 1002.33(6)(a)(5), 1002.33(6)(b)(2), F. S.] (Standard 17)
- The application proposes enrollment in each year at a far higher rate than historical trends experienced by both the District and State. The financial projections are not realistic.
 - Administrative service fees are understated by \$336,974, \$412,295, \$502,906, \$611,882 and \$742,907 in years 1 through 5 respectively.

- The application provides conflicting information regarding the fee to be paid the Educational Service Provider. The amounts in the application and in the ESP agreement provided are significantly different.
 - The application fails to include technology fees (7%) that appear in the ESP Agreement.
 - The ESP agreement includes a clause stating that if the agreement is terminated all equipment (computers, monitors, software and other hardware) will be returned to K12. The application does not indicate whether the ESP will loan, lease or sell this equipment to the school or include these items in the proposed budget. This is important because section 1002.33 (8) (e) F.S. states that any equipment purchased with public funds shall revert to the district school board and not the ESP as stipulated in the ESP agreement. The application does not clarify the property arrangement in case of termination or closure and required by law.
 - The budgeted salaries are inconsistent with the administrative staffing plan.
 - The application provides estimated revenues for Title 1 (\$63,992) and IDEA (\$69,991) but should not be included because they are based on student eligibility and needed services determined after the school has opened.
 - The budget does not include transportation or facilities costs for testing or transporting ESE students.
 - The budgeted facility cost is inconsistent with the cost provided in Section 14- Facilities.
 - The application does not appropriately budget for required ESE services.
 - The budget provides for a zero fund balance. Per section 1011.051(1) F.S. a minimum unrestricted fund balance of 3% of projected revenues is necessary.
7. Failure to provide a detailed plan to ensure adequate financial oversight, and controls that will safeguard finances. [Sections 1002.33(6)(a)(5), 1002.33(7)(a)(9), 1002.33(7)(a)(11), F. S.] (Standard 18)
- The application did not provide a plan to ensure that the school will have strong internal controls and policies to safeguard the school's finances.
 - The application only states that the school will develop a controls and procedures manual. Not included is a comprehensive description of how the school will ensure that school assets are protected and that funds are used properly. The section only makes certain assertions, but lacks details on how they will be carried out and implemented.
 - The application fails to identify who will maintain student records.
8. Failure to provide a (a) coherent plan for facilities, (b) transportation plan, and (c) completed action plan. [Sections 1002.33(7)(a)(16), 1002.33(7)(a)(13), 1002.33(18), 1002.33(20)(a)(1), F. S.]
- The application is unclear, inconsistent, and lacking sufficient detail as to what facilities would be necessary for providing student services. The application fails to state how the school will conduct state required assessments. (Standard 14)
 - The application does not include a comprehensive transportation plan for ESE students. (Standard 15)
 - The application does not include an action plan or strategies to ensure that the school will be ready to serve students on the first day of school or a realistic implementation plan for major operational items and milestones. (Standard 19)

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

Freddie Woodson, Deputy Superintendent
District/School Operations

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

As provided in School 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.

Proposals

Mater Academy, Inc. proposes to establish Mater Virtual Academy to serve a maximum of 600 students in grades Kindergarten through five, with a maximum of 300 students in its first year of operation; and Mater Virtual Academy Charter Middle High School to serve a maximum of 1,050 students in grades six through twelve, with a maximum of 600 students in its first year of operation. Both schools propose to open during the 2012-2013 school year.

Somerset Academy, Inc. proposes to establish Somerset Virtual Academy Charter Middle High School to serve a maximum of 1,050 students in grades six through twelve, with grades six through nine in its first year of operation. The school proposes to open during the 2012-2013 school year.

Because the applicants are served by the same Education Service Provider (ESP) and the bases for denial in all of these applications are identical, these application recommendations are presented together.

Applicant

The members of the Governing Board Members of Mater Academy, Inc., are: Juan A. Garcia, Customer Service Manager, Hotwire Communications; Shannine Sadesky, Principal, Somerset Academy, Broward County Public Schools; Elizabeth Nuevo, Agent, U.S. Homeland Security; Cesar C. Crousillat, Asset Manager, Rialto Capital Management; and Roberto C. Blanch, Attorney/Shareholder, Siegfried, Rivera, Lerner, et.al., P.A. This is the same governing board for the following charter schools in existence: Mater Academy, Mater Academy Charter High School, Mater Academy Charter Middle School, Mater Academy (Miami Beach), Mater Academy East Charter High School; Mater Academy East Charter School; Mater Academy East Middle School; Mater Academy High School of International Studies; Mater Academy Lakes High School; Mater Academy Lakes Middle School; Mater Academy Middle School of International Studies; Mater Academy of International Studies; Mater Gardens Academy; Mater Gardens Academy Middle School; Mater Performing Arts & Entertainment Academy; Mater Brickell Preparatory Academy; Mater Grove Academy; and Mater Brickell Preparatory Academy High School.

The members of the Governing Board of Somerset Academy, Inc., are: Andreina D. Figueroa, President, ADF Consulting, LLC; Lourdes C. Isla-Marrero, Principal, Mater Gardens Academy; Daniel D. Diaz, Senior Vice-President, Total Bank; Hui Fang "Angie" Huang Su, Professor of Math Education, Nova Southeastern University; and David Concepcion, City Clerk/Chief of Staff, City of Hialeah. This is the same board for the following charter schools in existence: Somerset Academy; Somerset Academy Charter Elementary School (South Homestead); Somerset Academy Charter High School (South Campus); Somerset Academy Middle Charter School; Somerset Academy Middle School (Country Palms); Somerset Academy Charter Middle School (South Homestead); Somerset Academy Charter High School (South Homestead); Somerset Academy Silver Palms; Somerset Academy at Silver Palms; Somerset Arts Academy; Somerset High School; Somerset Grace Academy; Somerset Academy Elementary School (South Miami Campus); Somerset Academy Middle School (South Miami Campus); and Somerset Oaks Academy.

Evaluation

As advised by the Florida Department of Education, a review of this charter application was conducted pursuant to sections 1002.33 (6) and 1002.45(7), F.S., and School Board Policy 9800, *Charter Schools*, using the required model Florida Charter School Application Evaluation Instrument.

The initial review of these applications was conducted by members of the Technical Review Committee (TRC), which found numerous substantive omissions and significant deficiencies. The TRC found that he applicant failed to meet the minimum statutory requirement to provide an executed contract with and approved virtual provider and identified substantial concerns/deficiencies regarding the applicants' understanding of various conceptual issues and/or the ability to meet the statutory requirements related to Standards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 14, 15, 17, 18 and 19 in the Model Evaluation Instrument and related to virtual charter schools. In other words, the applicants failed to meet the requirement standard in 16 of the 18 applicable required categories for virtual schools. Pursuant to Board Policy 9800, *Charter Schools*, because the applications failed to meet the minimum statutory requirements and exhibited numerous other serious deficiencies, staff forwarded a recommendation for denial directly to the Superintendent without review by the Application Review Committee (ARC). However, on December 5, 2011, the office of Charter School Operations did meet with the applicants to share the results of the review and receive their input.

The evaluation form is incorporated by reference in this item and is included in the basis for this recommendation for denial. These applications failed to satisfactorily meet, including but not limited to, the following statutory and District requirements:

1. Failure to submit completed applications.
 - The applications fail to meet the minimum statutory requirement to include an executed contract with an approved virtual instruction provider with the application as required by Sections 1002.33(6)(a)(7) and 1002.45 (1) (d), F.S. Sample agreements, copies of a tentative provider's curriculum, and unexecuted agreements do not meet the requirement.
2. Failure to comply with statutory requirements for a virtual charter school as well as failure to appropriately plan for a virtual charter school. [Sections 1002.33(1), 1002.33(6)(a)(1), 1002.33(6)(a)(7), 1002.33(7)(a)(1), 1002.45(1)(d), 1002.455(2), F.S.]
 - The applications fail to meet the minimum statutory requirement to include an executed contract with an approved virtual instruction provider with the application as required by Sections 1002.33(6)(a)(7) and 1002.45 (1) (d), F.S.
 - Since the applicants did not include the required executed contracts with an approved virtual provider, the District could not properly evaluate the applications. (Standards 1-13, 17-19)
3. Failure to anticipate a target population which sets realistic enrollment targets for a virtual school program. [Sections 1002.33(10)(e), 1002.33(7)(a)(1), F. S.] (Standard 2)
 - The applicants collectively propose to serve a minimum of 5,250 students and a maximum of 8,850 students, each school proposing to serve a minimum of 300 to 1,050 students and a maximum of 600 to 1,050 students. However, the full time K-12 virtual program provided by Miami-Dade County Public Schools, the sole full time virtual program in Miami-Dade County, is currently only 260 students. Given the enrollment trends in virtual programs in the District and the state, the proposed enrollment for these applications does not appear to be based on existing, reasonable, or reliable data.
 - These applications do not indicate how students' daily attendance would be conducted or the hours and times of availability of instructional staff.
 - The proposed teacher to student of 50 to 1 is not reasonable and is not in the best interest of the students or parents.

- The applications also propose a highly unreasonable ratio of 150 to 1 for the vital position of Personal Academic Trainer who serves as the liaison between the parents, students, and teachers.
4. Failure to provide an educational program that is aligned with the school's mission and a viable curriculum plan. [Sections 1002.33(6)(a)(1), 1002.33(6)(a)(2), 1002.33(6)(a)(4), 1002.33(7)(a)(2), 1002.33(7)(a)(4), F. S.]
 - The applications do not consistently describe or identify the proposed educational model. Responses are confusing, designed for a brick and mortar school, and inappropriate for virtual schools. (Standards 3, 4)
 - The applicants provide information on the success of existing traditional charter schools but do not address how this success will be replicated in the proposed virtual schools. (Standards 1, 3)
 - The applications do not identify support materials the students would be provided through online instruction. (Standard 4)
 - The applications fail to address the services the schools would provide to students identified through the Response to Intervention (RtI) process. Instead, the applications propose intervention programs provided "face to face," with no information regarding how, when or where these interventions would be implemented. (Standard 4)
 - The applicants propose to provide a facility and access to resources for students to receive Physical Education but fail to address how this will be accomplished, including transporting students to the facility. (Standard 4)
 5. Failure to provide measureable goals and objectives that set high standards for student performance. [Sections 1002.33(6)(a)(3), 1002.33(7)(a)(3), 1002.33(7)(a)(4), 1002.33(7)(a)(5), Fla. Stat.] (Standard 5)
 - The applications identify several assessment instruments (paper and online) but fail to address how the assessments will be administered and proctored.
 - The goals cite inappropriate FCAT benchmarks for a school proposed to open the 2012-2013 school year.
 - The applications state that the schools will use Scantron tests to gauge student progress in meeting state standards but do not demonstrate that performance on this assessment is a reliable predictor of FCAT 2.0 or if this assessment is aligned with state standards.
 6. Failure to demonstrate an understanding of state and federal requirements regarding the education and services for exceptional students (ESE) and English Language Learners (ELL). [Section 1002.33(6)(a)(3), F. S.]
 - The applications fail to describe how proposed "offline" support will be provided. (Standards 6, 7)
 - The applications do not provide a plan for providing the full range of programs and services required by students' Individual Educational Plans (IEP). There are no specifics regarding how IEP meetings, staffing, required contracted services and face to face support would occur. (Standard 6)
 - The applications fail to address how the school will provide assistive technology to students with disabilities. (Standard 6)
 - The applications fail to include the required plan to address the needs of ELL students. (Standard 7)
 - The applications do not identify the virtual English language acquisition program or the instructional program that will be used to deliver instruction in the student's native language when required. The applications do not address how printed materials will be adapted to the language needs of ELL students. (Standard 7)
 - The applications do not address how the school will provide required accommodations to ensure compliance with required ELL assessments. (Standard 7)

7. Failure to provide evidence of an organizational plan which provides a clear understanding of how the schools will be governed and managed and plans for meaningful involvement of parents and community. [Sections 1002.33(7)(a)(9), 1002.33(7)(a)(12), 1002.33(7)(a)(14), 1002.33(7)(a)(15), 1002.33(16)(5)(b), F. S.]
 - The unexecuted Online Educational Products and Services Order contract with the virtual provider that is included with the applications are for the term of August 2011 until July 2012. There is no provision for services to be provided during the term of this proposed charter commencing August 2012. (Standard 10)
 - The description of services in the unexecuted Online Educational Products and Services Order contract indicates that the teachers providing instruction would not be employees of the virtual service provider in direct contradiction to state law which requires that instruction must be provided by a teacher that is contracted and trained through the virtual service provider. (Standard 12)
 - The applications fail to indicate that the governing board will meet the required two times per year in Miami Dade County as required by Section 1002.33 (7)(d)(2), F. S., and the applicants do not demonstrate the ability to comply with this requirement since the governing board members do not all reside in the District and/or state, many of the governing boards currently have direct oversight of charter schools in other districts/counties and have applied for new charters in additional school districts during this application cycle. (Standard 9)
 - The applications fail to provide a parent liaison as required by Section 1002.33(7)(d)(1), F. S. (Standards 9, 13)
 - No evaluation instruments for administrators or teachers were provided in the applications and reviewers were unable to determine how the schools would comply with Chapter 1012, F.S. (formerly SB 736). (Standards 10, 12)
 - The applications fail to include a termination policy for instructional staff that complies with Chapter 1012, F.S. The teacher probation policy that is included violates Chapter 1012, F.S. (Standard 12)
 - The applications indicate that communication with parents will occur online but no plan is provided to communicate with parents who cannot use or do not have access to the required technology. No other type of communication is provided. (Standard 13)
 - The applications propose a "Virtual PTSA" but do not provide any plan for how this would be implemented. (Standard 13)
8. Failure to present a viable budget with viable financial projections. [Sections 1002.33(6)(a)(5), 1002.33(6)(b)(2), F. S.] (Standard 17)
 - The applications propose enrollment in each of the five years that far exceeds historical virtual enrollment trends experienced by both the District and the State. The financial projections are not realistic.
 - The proposed five year budgets provide no adjustment for rate of failure. This is crucial since funding for virtual schools is based on "successful completions" rather than enrollment and attendance (seat time).
 - The proposed budgets fail to include required transportation services for eligible students and students with disabilities.
 - Neither the applications nor the sample virtual provider contracts provide either the total cost or the per student cost the school will be charged for virtual services. Since there are no executed contracts, there is no basis for evaluating whether the budget is viable.
9. Failure to provide a coherent plan for facilities, transportation and completed action plan. [Sections 1002.33(7)(a)(16), 1002.33(20)(a)(1), 1002.33(7)(a)(13), 1002.33(18), F. S.]
 - The applications fail to identify the facility needs for the proposed schools and no information is provided on the proposed size of potential facilities or floor plans. (Standard 14)

- The applications do not include any plan for transporting students to Physical Education, testing sites, or services and therapies. (Standard 15)
- The applications do not include an action plan to ensure that the school will be ready to serve students on the first day of school. Major operational items and milestones are not included. (Standard 19)

The applicants were noticed 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., if the School Board approves these recommendations, the applicants may appeal to the State Board of Education no later than 30 days after receipt of the School Board's decision.

Copies of the applications and evaluations, which are incorporated by reference into 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.

Freddie Woodson, Deputy Superintendent
District/School Operations

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

As in School 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

Renaissance Charter School, Inc. proposes to establish the Renaissance Virtual Charter School of Dade to serve a maximum of 1,300 students in grades kindergarten through twelve, with a maximum of 150 students in grades six through eleven in its first year of operation. The school proposes to open during the 2012-2013 school year.

Applicant

The members of the Founding Board are: Kenneth J. Haiko, Account Manager, Packaging Corporation of America; Dennis P. Clark, President, Risk Assessment Solutions; Colonel Thomas P. Wheeler, Executive Director, Department of Professional Standards; Lisa S. Peddy, Co-founder and Partner, Close Reach Partners; and Margaret I. Wells, Data Analyst Performance Improvement, Homestead Hospital.

Evaluation

As advised by the Florida Department of Education, a review of this charter application was conducted pursuant to sections 1002.33 (6) and 1002.45(7), F. S., and School Board Policy 9800, *Charter Schools*, using the required model Florida Charter School Application Evaluation Instrument.

The initial review was conducted by members of the Technical Review Committee (TRC), which found numerous substantive omissions and significant deficiencies. The TRC found that the applicant failed to meet the minimum statutory requirement to provide an executed contract with an approved virtual program provider and identified substantial concerns/deficiencies regarding the applicants' understanding of various conceptual issues and/or the ability to meet the statutory requirements related to Standards 1, 2, 3, 4, 5, 6, 7, 9, 10, 12, 14, 15, 17 and 19 in the Model Evaluation Instrument and minimum statutory requirements for a virtual charter school. In other words, the application failed to meet the requirement standard in 14 of the 18 applicable required categories for virtual schools. Pursuant to Board Policy 9800, *Charter Schools*, because the applications failed to meet the minimum statutory requirements and exhibited numerous other serious deficiencies, staff forwarded a recommendation for denial directly to the Superintendent without review by the Application Review Committee (ARC). Though a formal meeting was not conducted by the ARC, staff from the office of Charter School Operations did meet with the applicants on December 8, 2011, to share the results of the review.

The evaluation form is incorporated by reference in this item and includes the basis for denial. The application failed to satisfactorily meet, including but not limited to, the following statutory and District requirements:

1. Failure to submit completed application. [Section 1002.33(6)(a), F. S.]
 - The application fails to meet the minimum statutory requirement to include an executed contract with an approved virtual instruction provider with the application as required by Sections 1002.33(6)(a)(7) and 1002.45 (1) (d), F.S. Sample agreements, copies of a tentative provider's curriculum, and unexecuted agreements do not meet the requirement.

2. Failure to comply with statutory requirements for a virtual charter school as well as failure to appropriately plan for a virtual charter school. [Sections 1002.33(1), 1002.33(6)(a)(1), 1002.33(6)(a)(7), 1002.33(7)(a)(1), 1002.45(1)(d), 1002.455(2), F. S.]
 - The application fails to include an executed contract between the applicant and an approved virtual instruction provider as required by Section 1002.33(6)(a)(7), F.S.
 - The virtual provider the applicant apparently intended to engage at the time of application is currently not approved by the state as a virtual education provider for all grades proposed in this application. The application states that the proposed school will serve grades kindergarten through 12, but the proposed virtual provider is only approved to provide a program in grades 6-12. (Standards 1, 2, 3, 4, 5, 6, 7)
 - The application states students can elect to take courses part-time or full-time. However, a charter virtual school does not have the legal option to operate a part-time K-12 program. Section 1002.455, F. S. (Standards 1, 2, 3, 4)
 - Since the applicant did not meet the minimum statutory requirement to provide an executed contract with an approved virtual provider or the provider's curriculum, the District could not properly evaluate the application. (Standards 1-13, 17- 19)

3. Failure to anticipate a target population which sets realistic enrollment targets for a virtual school program. [Section 1002.33(10)(e), 1002.33(6)(b)(2), 1002.33(7)(a)(1), 1003.03, F. S.] (Standard 2)
 - The applicant proposes to serve 1,500 students by year 5. Current total enrollment in the full time virtual program provided by Miami-Dade County Public Schools is 260 students. Given the current enrollment trends in virtual programs, the enrollment target proposed in the application does not appear to be based on existing, reasonable, or reliable data.
 - The application fails to limit enrollment to statutory criteria as required by Section 1002.445(2), F.S.
 - The application states it will serve grades K through 12 but the proposed virtual provider is only approved for grades 6-12.
 - The application states students can elect to take courses part-time or full-time. However, a charter virtual school does not have the legal option to operate a part-time K-12 program. Section 1002.455, F. S. (Standards 1, 2)
 - The application states it will serve students aged 5 to 18 but pursuant to the IDEA, the school must serve students with disabilities up to age 22.

4. Failure to provide an educational program that is aligned with the school's mission and a viable curriculum plan. [Sections 1002.33(6)(a)(2), 1002.33(6)(a)(4), 1002.33(7)(a)(2), and 1002.33(7)(a)(4), F. S.]
 - The application is inconsistent regarding when it will open and what grades it will serve. For example, Appendix F proposed an opening year of 2013, yet the Application Cover Sheet indicates that the school will open in 2012. These two sections also report different enrollment numbers for Years 1-5. In addition, the application states it will offer Little Lincoln for grades K-4 for the 2011-12 school year which is the current school year. (Standards 2, 3)
 - The application is inconsistent regarding what grade levels the school plans to serve in Year 1. (Standards 2, 3)
 - The curriculum that National Network of Digital School would provide was not provided with the application and is only approved for grades 6-12. A review could not be conducted to ensure that the proposed curriculum is aligned with the Next Generation Sunshine Standards or the Common Core State Standards. (Standard 4)
 - Because of the lack of a proposed curriculum, no determination could be made regarding the reading curriculum to be used for students reading at grade level and the proposed reading curriculum for students who are reading above grade level. [See 1002.33(6)(a)(4), F. S., (Standard 4)]

- The applicant did not provide the proposed curriculum for areas to be included other than core academic areas for grades K-4 or 9-12. (Standard 4)
5. Failure to provide measureable goals and objectives that set high standards for student performance. [Sections 1002.33(6)(a)(3), 1002.33(7)(a)(3), 1002.33(7)(a)(4), 1002.33(7)(a)(5), F. S.] (Standard 5)
- The application does not correctly identify federal, and state required assessments and fails to provide correctly the types and frequency of assessments the school would use to measure and monitor student progress.
 - Graduation rate goals provided for "at risk" students are below those recommended by the state.
 - School wide goals do not include an objective for kindergarten students.
6. Failure to demonstrate an understanding of state and federal requirements regarding the education and services for exceptional students (ESE) and English Language Learners (ELL). [Section 1002.33(16)(a)(3), F. S.]
- The application does not provide the full range of programs, services or staffing required for ESE students. (Standard 6)
 - The application states that the "School will utilize a service delivery model of inclusion for students with disabilities" and that it will provide speech and language services, occupational and physical therapy as required by the students' IEP. The application does not address how or where these services would be provided. (Standard 6)
 - The application does not provide a transportation plan that addresses the needs of exceptional students who may, as required by the IEP, need specific services in order to access a free and appropriate education. Nor did it address whether, when or how the school would offer these services at the student's home. (Standard 6)
 - The application fails to state how the "school will serve students with disabilities whose needs can be met in a regular classroom environment (at least 80% of instruction occurring in a course with non-disabled peers)" in a virtual setting. (Standard 6)
 - The application outlines a plan for providing services to ELL students that is designed specifically for a traditional school-based learning environment and not a virtual program. (Standard 7)
 - The application does not provide procedures, necessary timelines or required assessments for identification and placement of ELL students. (Standard 7)
 - The application fails to include the required ESOL courses. (Standard 7)
 - The proposed ESOL and ESE staff is not included in the budget. (Standard 7)
 - The application does not address how the school would comply with the META consent decree requirement of one ESOL paraprofessional for 10 or more students of the same language. (Standard 7)
7. Failure to provide an organizational plan which provides a clear understanding of how the school will be governed and managed and plans for meaningful involvement of parents and community. [Sections 1002.33(7)(a)(9), 1002.33(7)(a)(12), 1002.33(7)(a)(14), 1002.33(7)(a)(15), and 1002.33(16)(5)(b), F. S.]
- The application fails to provide a parent liaison as required by Section 1002.33(7)(d)(1), F. S. (Standards 9, 13)
 - The application does not indicate that the governing board will meet the required two times per year in Miami Dade County as required by Section 1002.33 (7)(d)(2), F. S. Currently, the majority of the governing board members do not reside in the District, the governing board oversees twelve charter schools in four districts and has applied for new charters in eight additional school districts statewide. And the documentation received by Miami-Dade County Public Schools indicates that none of the governing board meetings were held in Miami-Dade County during the 2010-11 school year for those charter schools the governing board oversees in this District. (Standard 9)

- The unexecuted Consultant Service Agreement with a virtual provider that was included with the application was between the provider and the proposed ESP and not with the applicant as required by law. Because the ESP is a vendor and the school's governing board is ultimately accountable for the school's academic and financial performance, it is inappropriate for the ESP to contract with the virtual program provider through a subcontracting relationship. Additionally, this arrangement may affect the tax-exempt status of all schools operated by the not for profit. (Standard 9)
 - The application states that the virtual instruction teachers will be employees of the virtual program provider but the explanation for the recruitment, selection, development and evaluation of staff appeared to be the process the ESP normally uses for its staff. It is not clear whether or how the ESP's employee handbook and Teacher Evaluation Plan would apply to the instructional staff employed by the virtual program. This issue was also not addressed in the sample contract between the ESP and the virtual program provider. (Standards 9, 12)
 - The application does not address the Chapter 1012, F.S. (formerly SB 736), requirements for evaluating the principal and performance based compensation. (Standards 10, 12)
 - The sample employee handbook provided includes a policy stating that employment with the ESP is "at will" which violates chapter 1012, F.S., as it pertains to teachers. (Standards 10, 12)
 - The application does not explain how the Principal (who is an employee of the ESP) would hold teachers of the virtual provider accountable for the instruction. (Standards 10, 12)
8. Failure to present a budget with viable financial projections for the school. [Sections 1002.33(6)(a)(5) and 1002.33(6)(b)(2), F. S.] (Standard 17)
- The application proposes enrollment in each year at a higher rate than historical trends experienced by both the District and State. The financial projections are not realistic.
 - The proposed five year budget does not provide any adjustment for student rate of failure. This is crucial since funding for virtual schools is based on "successful completions" rather than enrollment and attendance (seat time).
 - The proposed budget does not include anticipated transportation services for students with disabilities.
 - Neither the application nor the sample virtual provider contract provides the per student cost for the virtual program so there is no basis for determining the reasonableness of the budgeted expenditures.
 - The proposed ESOL and ESE staff are not included in the budget.
9. Failure to provide a coherent plan for facilities, and completed action plan. [Sections 1002.33(7)(a)(16), 1002.33(20)(a)(1), 1002.33(7)(a)(13), 1002.33(18), F. S.]
- The application is unclear and inconsistent as to what facilities would be necessary or used for administrative offices or any other purpose. The application does not detail what the school's facility needs would be or how the school would accommodate students who would be taking state required online assessments and what type of space would be needed to accommodate and provide therapy to exceptional students. There was no information on the proposed size of the facility or the layout of the space. (Standard 14)
 - The application does not have a comprehensive plan for providing required transportation for exceptional students in order for these students to receive IEP required services. The application does not include an action plan or strategies to ensure that the school will be ready to serve students on the first day of school. A realistic implementation plan for major operational items and milestones is not included with the application. (Standard 19)

The applicant was noticed 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., if the School Board approves 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 into 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.

The applicant was noticed 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