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School Operations

SUBJECT: REQUEST SCHOOL BOARD DENIAL OF CHARTER SCHOOL APPLICATIONS

COMMITTEE: INSTRUCTIONAL EXCELLENCE AND COMMUNITY ENGAGEMENT

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

APPLICATIONS

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, 2013, the School Board received 43 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*, (School Board Policy) 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 standards of evaluation, certification and assurance declarations. The Sponsor shall deny any application that does not comply with the statutory requirements and/or Sponsor's instructions for charter school applications.

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

Pursuant to School Board Policy, three (3) charter school applications are being presented for final consideration by the School Board. Detailed in the chart below is a summary of the charter school applications. The specific reasons for each recommendation can be found in Attachment A and the evaluation form which are included and incorporated by reference in this Board item.

Charter Applications						
<i>Type of Application</i>	<i>Proposed Name of School</i>	<i>Legal Entity</i>	<i>Desired Location</i>	<i>Demand Justification</i>	<i>Committee Recommendation</i>	<i>Supporting Documentation</i>
Denials						
1.	Traditional	Florida High School Accelerated Learning Miami-Dade Campus, School II		Boundaries are: North by Tamiami Trail (US41); East by Florida's Turnpike; South by S.W. 120 th Street; and West by Krome Avenue.		
2.	Traditional	Florida High School Accelerated Learning Miami-Dade Campus, School III	Florida High School for Accelerated Learning – Miami Campus, Inc.	Boundaries are: North by a diagonal line running from the Tamiami Trail/Florida's Turnpike interchange to the S. Douglas Road/ Main Highway intersection; East by Old Cutler Road; South by Deering Bay/ Howard Drive; and West by Florida's Turnpike.	Unsubstantiated	Denial
3.	Traditional	Florida High School Accelerated Learning Miami-Dade Campus, School IV		Boundaries are: North by S.W. 128 th Street; East by Biscayne Bay; South by S.W. 360 th Street (Florida City); and West by a diagonal line running from the Kendall-Tamiami Executive Airport to the S.W. 217 th Avenue) S.W. 360 th Street intersection (Florida City.)		

DUE PROCESS

To ensure proper notice and due process, each applicant was noticed of the Superintendent's intent to recommend denial to the School Board and provided a copy of the final evaluation prior to this School Board Meeting. The applicants were also informed of the School Board's Instructional Excellence and Community Engagement Committee Meeting and procedures for requesting to appear before the School Board at meetings and public hearings. Additionally, prior to submission, a courtesy orientation for charter school applicants was noticed on the Charter School Support department's website and facilitated by multiple district departments on May 3, 2013. Individual appointments regarding application preparation were also held throughout the year by Charter School Support staff, upon request.

Copies of the applications and evaluation have been 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.

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

1. Deny three charter school applications for Florida High School for Accelerated Learning – Miami Campus, Inc., on behalf of:
 - a. Florida High School Accelerated Learning Miami-Dade Campus, School II;
 - b. Florida High School Accelerated Learning Miami-Dade Campus, School III; and
 - c. Florida High School Accelerated Learning Miami-Dade Campus, School IV.

VGB:elg
Attachments

School Board Agenda Item C-30 ATTACHMENT A

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

Florida High School for Accelerated Learning – Miami Campus, Inc. proposes to establish three at-risk alternative charter schools that will offer up to three four-hour sessions: Florida High School Accelerated Learning Miami-Dade Campus, School II; Florida High School Accelerated Learning Miami-Dade Campus, School III; and Florida High School Accelerated Learning Miami-Dade Campus, School IV. Each school is requesting to serve a maximum of 500 students, for a total of 1500 students, and to open in the 2014-2015 school year.

Applicant

The members of the Governing Board are: Paul Haralson, Owner, The Haralson Law Firm; Maria C. Regueiro, President/CEO, Florida National University; and Elisa Robles, Vice-President/Manager, First Bank Florida. This legal entity operates the existing charter Green Springs High School. The members of this governing board also serve on the governing boards of two other existing charter schools: (1) Florida High School for Accelerated Learning-Greater Miami Campus, Inc., operating North Park High School and (2) Florida High School for Accelerated Learning-Miami-Dade Campus, Inc. operating North Gardens High School. All three schools opened in 2011 and are based on the same at-risk alternative charter school model offering two five-hour sessions. They are all managed by the same for-profit management company, Accelerated Learning Solutions.

The applicant did not attend the District's charter school application orientation conducted on May 3, 2013. This orientation meeting is not mandatory but attendance is strongly recommended by the Florida Department of Education and the District's Charter School Support Office to inform applicants of new statutory requirements and District policies and procedures.

Evaluation

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

The initial review conducted by members of the Technical Review Committee (TRC) resulted in significant concerns and findings that were provided to the applicant and forwarded to the ARC. After being provided with the results of the initial review, the applicant requested an extension of time for the ARC meeting. On December 5, 2013, the ARC conducted a review of the applications and applicant 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 found that the applications failed to meet the minimum statutory requirements and identified substantial concerns/deficiencies in the applications. Specifically, the applications did not meet the required standards in 14 of the 18 applicable categories in the Model Evaluation Instrument. As summarized below, these deficiencies constitute good cause for denial of the applications.

1. Failure to provide a detailed educational and curriculum plan that clearly describes and illustrates how students will be provided services to attain state standards and that is aligned with the mission and vision established in Section 1. (Standards 1, 3, 4)
 - The applications do not provide for adequate instructional minutes/hours. The applications propose to implement three four-hour sessions and an extended year. (Standard 3)
 - Pursuant to Florida statutes and guidance from the State of Florida Auditor General's Office, the educational program as proposed does not meet the minimum required hourly and daily instruction to receive full time FTE funding.
 - The sample calendar provided proposed that students attend classes until July 11, beyond the academic year. However, to meet the minimum instructional minutes/hours requirement and to receive full funding, the enrolled student would have to be present for the entire 205 of days which is contrary to a credit based, credit recovery program and the program proposed by the applicant.
 - The daily schedule includes 15 minutes at the end of the day that may not be eligible instructional minutes depending on the activities provided.
 - The applications fail to provide a detailed curriculum that will ensure that all students at all levels benefit from the instructional program. (Standards 3, 4, 5)
 - The applications do not include how dual enrollment courses will be provided. (Standards 3, 4)
 - The applications list the 18 credit track for graduation as an option but do not include an implementation plan. (Standards 3, 5)
 - The proposed ELL coursework is not specific. The list of courses does not include the required English through ESOL courses. (Standard 4)
 - Math course descriptions, although dated 2013-14, are not current. (Standard 4)
 - The applications did not provide any elective courses. (Standard 4)
 - The applications do not provide an educational program that meets the needs of the targeted student population. (Standards 1, 3, 4, 5)
 - The applications purport to provide "innovation in teaching and learning in a blended instructional environment," yet most of the instruction provided is through Apex, an online platform. Based on the schedule provided, only approximately 30 minutes of the proposed four-hour sessions are allocated for face to face instruction. However, clarification provided at the interview was that this limited face-to-face instruction would be provided on an as-needed basis and the instructor is more of a facilitator than a teacher. This is the model at the currently operating schools. (Standards 3, 4)
 - The applications propose a "non-traditional learning environment that will prepare students for postsecondary success." However, the existing schools using the proposed model are graduating, on average, less than 20% of their student population (average 19.6% in 2012 and 16.7% in 2013). In fact, the graduation rate at each of the three existing schools has declined. (Standards 3, 5)
 - The applications state that the schools expect more than 80% of students to be reading below grade level but the applications do not clearly specify how the school will address the specific needs of this student population given that the majority of the instruction is provided online with very little teacher directed instruction. As a matter of fact, the applicant stated several times during the interview, when asked to clarify, that the teacher directed instruction would be provided on an as-need basis. (Standards 1, 3, 4)
 - The applicant does not clearly state what student services the schools will provide even though such services are touted as paramount to the success of each student. The applications budgeted for one Family Support Specialist to start mid-year, year 1, and lack a plan commencing the start of the school year or adequate resources to support such an initiative. (Standards 1, 3)
 - The applications do not provide a clear picture of the learning activities that will be provided related to obtaining career related skills and experience. The applications state that the student will be involved in work experience, apprenticeships, and internships, yet no evidence was found

of how these programs will be conducted and how they would impact the instructional program. The existing schools do not currently provide these programs. (Standard 4)

- There is no detailed research-based reading plan, the description of how reading will be taught is vague, and the plan is missing essential elements. (Standards 4, 6, 7)
 - The applications failed to provide a reading plan that will ensure that all students at “all levels” will benefit from the curriculum. The applications state that the schools will adhere to the specifications from the Just Read, Florida! Initiative but the reading program described is not aligned with this Initiative. The applicant does not explain how each component of the reading plan will be implemented. In fact almost all of the proposed reading programs are computer-based programs. There is no evidence that the students who are below grade level will receive targeted instruction from a qualified teacher. (Standard 4)
 - The staffing plan does not adequately provide for staff to deliver services to students who are reading below grade level. The applications indicate that the school will have more than 80% of the students reading below grade level, with some students as much as 4 years below grade level, yet only one reading teacher will be hired. (Standard 4)
 - The applications stated that the school would follow the District’s Student Progression Plan (SPP), but courses were cited in the application that are no longer offered and/or are not aligned to the SPP. (Standard 4)
 - The graduation requirements cited in the application were not aligned with the state’s graduation requirements. (Standards 4, 5)
2. Failure to clearly describe the anticipated population. (Standard 2)
- The applications list three vastly different locations for the schools: Unincorporated Miami Dade, Kendall, and Florida City. In the interview, the applicant focused on Kendall, Homestead and Florida City for all three proposed schools. The applicant did not appear to consider the existing alternative programs that are available to this population of students through existing public at-risk traditional schools and/or charter schools. It is not apparent that the applicant considered the direct competition between two of the proposed schools which will be in very close proximity to each other.
 - The applications did not clearly establish how each of the schools will achieve its enrollment projections. Additionally, the applicant provided in Attachment D information regarding the need to expand programs to serve dropout and at-risk students, but based their information on Hillsborough County and not Miami Dade. These two counties not only serve different demographics, but also have very different needs.
3. Failure to provide measureable goals and objectives that set high standards for student performance. (Standard 5)
- The applications did not provide measurable educational goals and objectives that address all students in all grades at all levels or set high standards for student performance.
 - The applications do not address the community service requirement allowing students to be eligible for post-secondary scholarships which is contrary to the school’s mission.
 - The applications state that they will adhere to changes in graduation requirements such as opportunities for students to earn college credit, yet there was no evidence of how these opportunities would be made available.
 - The applications provide no details as to how they will offer an 18 credit career preparatory program.
 - The applications do not provide for a school counselor to ensure students are on track to graduate and are college ready.
4. Failure to demonstrate an understanding of state and federal requirements regarding the education of Exceptional Students (ESE) and English Language Learners (ELL). (Standards 6, 7)
- The applications do not appropriately describe the level of ESE services the schools will provide. (Standard 6)
 - The applicant did not clearly provide how gifted and talented students will be served. (Standard 6)

- The applications failed to describe how supplementary aids and services would be provided. (Standard 6)
 - The staffing plan provided to serve the anticipated ESE and ELL population is inadequate. (Standards 6, 7)
 - The applications did not adequately describe how the school's effectiveness in serving exceptional students and ELL students will be measured. (Standards 6, 7)
 - The applications do not clearly state the level of services the schools intend to provide to their ELL population. The proposed education plan does not support all of the models. (Standard 7)
 - The applications do not clearly describe how ELL students will benefit from the proposed curriculum. (Standard 7)
 - The applicant did not properly anticipate the ELL population it intends to serve. On the Revenue Estimate Worksheet provided with the applications, no ELL students were listed. This is of concern given the population in the desired areas the schools intend to serve. (Standard 7)
 - The applicant did not provide evidence of how they anticipate reaching the percentage of ESE students it plans to serve. The applications anticipate in the Revenue Estimate Worksheet a 17% ESE population, yet the existing schools serve a much lower population. Last year Green Springs served 10.6%, North Gardens served 7.8% and North Park served 10.1%. (Standard 6)
5. Failure to provide a realistic assessment of the projected sources of revenue that ensure the financial viability of the school or a detailed plan to ensure adequate financial oversight, and control that will safeguard finances. (Standards 17, 18)
- The applicant did not provide a budget that is viable or realistic. FEFP revenues are based on the premise that the schools will offer three four-hour sessions daily which is not adequate to receive full FTE. There is no evidence to support the schools' proposed enrollment projections. (Standard 17)
 - Despite the fact that the applicant is an established board, the application did not clearly state or provide the processes or policies in place to manage and safeguard the school's finances. (Standard 18)
 - The applications state that the accounts payable and payroll functions are performed by the management company, but there is no information about the Board's role in ensuring that the schools' financial resources are properly managed. Of major concern is a statement in the Educational Provider section that indicates checks can "only" be signed by one of the three management company senior executives. (Standard 18)
6. Failure to provide evidence that a safe learning environment will be provided that will be conducive to learning. (Standard 8)
- The applications do not describe the schools' policies for discipline, suspension and dismissal.
7. Failure to provide evidence of an organizational plan which provides a clear understanding of how the school will be governed and managed. (Standards 9, 10, 11, 12)
- The organizational chart provided does not align with the organizational description provided in the Governance or Management sections. The relationship between the principal and the governing board is depicted differently in each section. (Standards 9, 10)
 - The applicant provided two sample agreements for one ESP, Accelerated Learning Solutions, each with two separate fee schedules: one agreement for management and one agreement for educational services. Many of the services provided by this third party vendor overlap and are not clear. (Standard 11)
 - The agreements with the ESP lack an arm's length relationship and governing board independence and oversight. The Management and Educational Services agreements indicate that ALS will calculate the monthly fees and notice the School of its intent to make an electronic funds transfer. The agreement further states that the proposed schools will cooperate with ALS to set up and establish necessary accounts and procedures. (Standards 9, 11)
 - The ESP will provide significant start-up and operational loans and will provide all of the staff, including the principal. There is no separation between the management company and the schools. If the agreement were terminated, the school would cease to exist. (Standards 9, 11)

- The ESP's Management and Educational Services agreements are not performance-based and do not allow for termination of the contract unless there is a material breach or no Contract with the Sponsor. (Standards 9, 11)
- The applicant did not provide a complete grievance policy and did not identify how a grievance logged against the administration will be handled. (Standard 9)
- The applications do not clearly state who will be responsible for daily operating decisions. The Governance section states that Principal will perform this function but the Management agreement indicates that it will be the responsibility of the ESP. Additionally, the Principal will be recruited, selected and employed by the ESP which appears to indicate that the management company will conduct the daily operation of the schools including hiring and management of all personnel, implementation and administration of the academic program including selecting instructional materials, managing all financial operations, and will periodically report to the governing board. (Standards 9, 11)
- The applications did not include the required student performance data of each of the schools currently operated by the ESP. (Standard 11)
- The compensation plan is not sufficient to attract and retain qualified staff. Compensation fluctuates based on the financial viability of the school. (Standards 10, 12)
- The applicant did not interview or solicit any other ESP and did not provide a persuasive explanation of the reasons for contracting with the proposed ESP. (Standard 11)

8. Historical Performance

- Current graduation rates for the three existing schools in Miami-Dade County show a decline in federal graduation rate over the last two years:

	2012	2013	Y-O-Y Change Increase/(Decrease)
Green Springs (7067)	15.2	14.7	(0.5)
North Gardens (7068)	30.7	23.3	(7.4)
North Park (7069)	12.8	11.7	(1.1)

- Although the schools had significant enrollment over the term of the charter, none of the schools have tested enough students to generate a School Rating under the State's Accountability Plan.
- For the 2012-13 school year, the three schools run by ALS in Miami-Dade County reported a high percentage of students having 21 or more absences as detailed below:
 - Greens Springs: 172 students (48% of their population)
 - North Gardens: 240 students (67% of their population)
 - North Park: 157 students (43% of their population)

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 to deny the applications, 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 applications 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.