

Valtena G. Brown, Deputy Superintendent/Chief Operating Officer
School Operations

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

COMMITTEE: PERSONNEL SERVICES AND STUDENT AND SCHOOL SUPPORT

LINK TO STRATEGIC

BLUEPRINT: RELEVANT, RIGOROUS AND INNOVATIVE ACADEMICS

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. 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. Twenty-four (24) charter applications were received for the 2015 cycle. To date, four applicants have withdrawn their applications from consideration by the Sponsor.

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 and an Applicant History Addendum. The Sponsor shall deny any application that does not comply with the State's statutory requirements and rules and/or Sponsor's instructions for charter school applications.

The Superintendent has appointed the Application Review Committee (ARC) with the responsibility to review and evaluate charter school applications after an initial technical review is conducted by staff. The ARC is comprised of representatives from various District departments and is charged with identifying strengths and deficiencies in the written application and/or areas that require clarification to fully evaluate the quality of the application or the capacity of the applicant to properly implement the proposed plan.

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

Pursuant to School Board Policy, two (2) charter school applications are being presented for final consideration by the School Board. Detailed in the charts below is a summary of the charter school applications. Additional details on the denial application can be found in Attachment A, which is provided under separate cover but is included and incorporated by reference in this Board item.

Table 1: Applications Recommended for Approval							
<i>Type of Application</i>	<i>Name of School</i>	<i>Legal Entity</i>	<i>Term Initial/Exp.</i>	<i>Gr. Level</i>	<i>Enrollment</i>	<i>Focus/Theme</i>	<i>Committee Recommendation</i>
				<i>Initial Year</i>	<i>Maximum Capacity</i>		
Standard	The Arts Academy of Excellence ESP: N/A	Arts Academy of Excellence, Inc.	5 years	6-8	198	Performing Arts and Architecture	Approval
	ARC recommended approval on September 28, 2015.		2016/2021	6-12	498		

Table 2: Applications Recommended for Denial							
<i>Type of Application</i>	<i>Name of School</i>	<i>Legal Entity</i>	<i>Term Initial/Exp.</i>	<i>Gr. Level</i>	<i>Enrollment</i>	<i>Focus/Theme</i>	<i>Committee Recommendation</i>
				<i>Initial Year</i>	<i>Maximum Capacity</i>		
Standard	Phoenix Academy of Excellence ESP: N/A	Phoenix Academies of Excellence, Inc.	5 years	6-9	182	At-Risk/Alternative Education	DENIAL (See Attachment A)
	ARC recommended approval on September 28, 2015.		2016/2021	6-9	364		

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 Personnel Services and Student and School Support 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 7, 2015. Individual appointments regarding application preparation were also held throughout the year by Charter School Support staff, upon request.

Copies of the applications and evaluations 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. Approve the charter school application for Arts Academy of Excellence, Inc., on behalf of The Arts Academy of Excellence, and authorize the Superintendent to negotiate a contract reflecting the contents of the applications as approved by the School Board; and
2. Deny the charter school application for Phoenix Academies of Excellence, Inc., on behalf of Phoenix Academy of Excellence.

VGB:elg
Attachments

School Board Agenda Item D-66 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

Phoenix Academies of Excellence, Inc., on behalf of Phoenix Academy of Excellence, proposes to establish an alternative charter school that will serve grades 6-9 with a maximum enrollment of 364 "at-risk" students. The charter school proposes to open in the 2016-2017 school year with 183 students.

Applicant

The members of the founding Governing Board include: Ms. Dorothy Davis, retired public administrator, and Ms. Teresa Pickett, retired Miami-Dade County employee. The applicant submitted a very similar application for "at-risk students" to the School Board of Miami-Dade County last year under a different name, SVG Leadership Academies, Inc., (SVG). The School Board denied that application because it did not meet the minimum statutory criteria for a charter school application. SVG challenged the School Board's decision on that application but withdrew its appeal before it was considered by the State Board of Education (SBE). Similarly, the applicant submitted an almost identical application this year for the same type of charter school to the Broward County School District (Broward) which the School Board of Broward County, FL, denied on September 16, 2015. SVG also submitted a similar application to Broward last year. SVG challenged that decision, but the SBE affirmed the District's denial. The applicant did submit the new state-required addendum this year stating that it had no applicable experience currently or previously operating a charter school.

The applicant did not take advantage of the statutory opportunity to submit a draft application on May 1, 2015, under Section 1002.33(6)(a)(6), F.S., and receive feedback on material deficiencies prior to submitting the final application on August 1, 2015. There is no recorded indication that a member of the proposed governing board attended the District's charter school application orientation conducted on May 7, 2015, for charter school applicants to receive the most current information regarding the submittal of a charter application.

Evaluation

A review of this charter school application was conducted pursuant to § 1002.33 (6), F. S., and School Board Policy 9800, using the required Standard Model Charter School Application Evaluation Instrument (IEPC-M2). The Standard Model Application includes 18 applicable evaluation and certification standards, an assurance declaration, and an addendum detailing prior charter school experience. As allowed by § 1002.33(6)(a)(6), F.S. and pursuant to Board Policy 9800, the District does evaluate the applicant's experience, capacity and historical performance operating charter schools.

The initial technical review resulted in significant concerns and findings that were reviewed during the Applicant Review Committee (ARC). The ARC conducts a second review of the application with the applicant in a public meeting to assess the overall capacity of the applicant's ability to establish and implement the charter school plan, clarify any components of the written application for which reviewers have questions or require additional information, and corroborate information provided in the written application. The ARC conducted an interview with the applicant on September 28, 2015.

The ARC concluded that the application failed to meet minimum statutory requirements and identified substantial concerns/deficiencies regarding the applicant's understanding of various conceptual issues and/or its ability to meet statutory requirements. In fact, the application failed to meet 14 of the 18 applicable standards.

The most significant deficiency demonstrated throughout the application is that “at-risk” students are never defined in the application. The proposed educational and behavioral program lacked the elements that describe an alternative school and how the program would be implemented to address this very vulnerable population of students. It is not at all clear how students would be identified and how their needs would be met. Instead, the application proposes a generic charter school open to all students that relies to a great extent on learning methods and programs that are not innovative. The learning methods and programs identified have been in use for many years and are not specifically designed for at-risk students or alternative education. Additionally, during the interview the governing board members present were not able to sufficiently address the concerns raised or assure the Committee that they possess the capacity to implement a program that would meet the needs of these students. As summarized below, the following numerous deficiencies constitute good cause for denial of the application.

1. Failure to provide a detailed educational and curriculum plan that illustrates how students will be provided services to attain state standards and that is aligned to the mission and vision established in Section 1 of the application. (Standards 1, 2, 3, and 4)
 - The application provides very little information or evidence of how the school will identify the at-risk student population it intends to serve and only provides vague statements about outcomes without providing a focused plan. (Standards 1, 3 and 4)
 - The educational design is missing critical details of an innovative curriculum design, program, or learning methods. In fact, there is no difference in the curriculum, educational or behavioral program that differs from the existing traditional schools in the targeted area or distinguishes the school as an alternative school that is prepared to address the needs of “at-risk” students. This proposal does not even include a comprehensive plan for credit recovery or any social services which would be expected in this type of school. The application proposes only one counselor who will be serving up to 364 students. (Standards 3, 4, and 10)
 - The application states that the school will include in its programs a “low ratio of student to teachers,” yet the plan provides that it will only meet the class size mandate applicable to charter schools, which allows a much higher number of students per class than District schools. (Standards 2, 3, and 10)
 - Mentorship is purported to be an important element of the proposed program but there are no community partnerships or agreements provided that describe or establish a mentorship program. (Standards 1, 3, and 13)
 - The application does not include any comprehensive plan that will address the social, behavioral and emotional challenges that “at risk” students typically face and that could prevent them from being successful. (Standards 1, 3, and 4)
 - The application does not provide a clear and coherent educational program that is aligned with the school’s mission and the educational needs of the students it states it intends to serve. There is little evidence that supports the schools ability to provide students with the ability to master state standards and/or receive one year’s worth of learning for each year the student is enrolled at the school. The application speaks to eleven (11) components of the educational program that are purportedly researched-based practices and cites that these are “innovative learning methods” that will result in positive academic performance for these at-risk students. The majority of these practices, however, have been utilized in traditional schools for many years to address the needs of underperforming students. The success of those schools was highly dependent, however, upon higher than usual financial and human capital resources, neither of which is evidenced in this application. (Standard 3)
 - The application states that a key component of its program is a “literacy block” and a “Success/Life Development Block,” which are described as yearlong courses for all students at every grade level. The application provides no plan to actually implement these courses. The applicant fails to provide a description of either block or how students will receive credits for these courses. There is no evidence of what materials will be used to support these programs, or who

- will be responsible for teaching these courses to better assess the staffing needs and any associated professional development. (Standards 3 and 4)
- The application lists all possible course offerings for students which is far more than the school could possibly offer with the school's proposed maximum enrollment of only 364 students. The application does not provide any plan or description of what courses the schools will actually offer nor does it discuss how the selection could be narrowed to ensure that with the anticipated enrollment the curriculum plan is feasible and viable. There are serious concerns that the programs and offerings, as described, may be promised to the public but will never materialize because of limited resources. (Standard 4)
 - The curriculum section does not adequately provide for any student who may need credit recovery to graduate on time. The application only states that 9th graders will be afforded credit recovery opportunities through a blended learning approach but the application never provides a plan for delivery of this instruction. In fact, this is mentioned only in Section 3 and never described in Section 4 the Curriculum section. (Standards 3 and 4)
 - The application merely states that its curriculum will be "rigorous" and "innovative" but there is nothing in the application to support these claims. (Standards 1, 3, and 4)
 - The application does not provide a viable curriculum plan that will clearly provide students with a full range of academic courses. Although the application states that student who wish to pursue an advanced academic program will be provided the opportunity to enroll in honors, gifted, and advanced placement, the instructional staff and resources needed to successfully implement an advanced academics program was not provided. (Standards 1, 3, and 4)
 - The application fails to describe how the school will ensure alignment of the instructional materials they will utilize with those that are outlined in the District documents the applicant states it intends to utilize. The application indicates that the school will implement the District's CRRP, scope and sequence, pacing guides and assessments but the applicant proposes materials that are not part of this alignment. (Standard 4)
 - The application states that the school will be using the Career and Technical Education (CTE) program curriculum framework, but this program is not included in the instructional framework. (Standard 4)
 - The application does not identify the Comprehensive Intervention Reading Program (CIRP) and the Supplemental Intervention Reading Program (SIRP) the school intends to implement for students who need these interventions. This is particularly significant since an "at-risk" student population is more likely to include a much greater number of students who are reading below grade level. There was no detailed plan for these students who are already identified as students who may be in danger of dropping out. (Standard 4)
 - The application fails to identify what instructional materials will be used for Intensive Mathematics. (Standard 4)
 - The application fails to describe when, and what instructional materials will be used for the implementation of the "in school tutoring program." There is no description of this program, when it would be offered or how it would impact the instructional program. (Standards 1, 3, and 4)
 - The application indicates that it will utilize the District's Student Progression Plan (SPP) but then provides for course offerings that are not aligned with the SPP. This raises a serious concern that the applicant does not have the capacity to implement the SPP with fidelity. (Standard 4)
 - The application briefly refers to the use of Khan Academy and Carnegie Learning Cognitive Tutors for ninth grade students but does not describe how these resources will impact the instructional framework. (Standard 4)
 - The course codes provided often do not align with the narrative provided. For example, although the narrative states that the school will provide two foreign languages it only provides course codes for Spanish. (Standard 4)
2. Failure to provide a clear description of the targeted population the school will serve. (Standard 2)
- The application does not provide an understanding of the student population it intends to serve. In one section it states that the school will be open to all students are "eligible to participate" and

- in another it targets an "at risk" population. The application does not indicate what criteria will be used for being admitted to the school or who would determine placement. The lack of clarity in describing the target population and the criteria for determining who is "at-risk" or "eligible" to enroll makes it impossible to appropriately assess the adequacy and appropriateness of the proposed educational program design, curriculum, staffing and all other aspects of the application.
- The grade level configuration for this proposed school is grades 6 through 9. Students advancing to 10th grade would therefore be required to transition to another school. It is not clear how this transition would take place or whether the students would be transitioning to another alternative setting or to a regular, traditional high school. There is no process proposed to analyze which transitional option is most appropriate for each transitioning 9th grader or any counseling support provided. Moreover, there is no research or explanation provided as to how or why these grade levels were chosen or how this configuration would specifically benefit at-risk students.
 - The application states that it intends to "mirror demographics for Miami Dade County" but provides incorrect demographic percentages for the County. For example, the applicant states the county is comprised of 77.6% of Whites and 64.3% of Hispanics. In addition, the application states that the school intends to be located in a particular community with unique demographics that do not "mirror" those of the County.
3. Failure to provide measureable goals and objectives that set high standards for student performance. (Standard 5)
- The application fails to consistently set high standards for student performance. For example, one of the goals provided states that only 50% of the students are expected to earn 5 credits for the entire year they are enrolled. There is no explanation or justification provided for such a low percentage.
 - The application provides metrics for improvement that do not raise the bar for student improvement. For example, only 50% of students are expected to demonstrate proficiency or make learning gains on all of the state required assessments. [FSA, NGSSS and EOC]
 - The application does not provide any plan for articulation of students in grade 9. This proposed school proposes an "alternative education charter school for at-risk students," yet there is no evidence as to how these students will be transitioned when they leave this school.
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, and 7)
- The applicant fails to provide a clear description of how the school will serve ESE students in the least restricted environment.
 - The application does not provide a realistic staffing plan to serve the projected 15% ESE student population which is the percentage in the applicant's identified feeder patterns. The school only intends to hire a half time teacher for Year 1 and 2. The application never provides a description of how ESE students will be served.
 - The application lacks an appropriate plan on how the school will ensure compliance with applicable federal and state guidelines regarding ESE services. Additionally, it is unclear how the school will deliver any related services found in the students' IEP.
 - The application fails to demonstrate an understanding of state and federal requirements regarding the education of ELL students
 - The application fails to demonstrate a sound plan to engage ELL students who enter the school below grade level.
 - The application fails to address META training requirements for Basic ESL teachers. (Standard 7)
5. Failure to provide a realistic assessment of the projected sources of revenue and expenses that ensure the financial viability of the school. (Standard 17)
- The budget does not include sufficient funding to maintain its proposed technology.
 - The budget does not set aside funding for the proposed contracted finance manager, or for the necessary back office services (human resources, payroll, accounting, etc.) to provide key

- operational and financial support. The budget narrative provides no information to support proper accounting for these functions.
- The budget does not include sufficient funds for transportation in Years 3 to 5. The applicant states it will transport 45% of the student population, but in years 3 to 5, the number of buses budgeted for is insufficient.
 - The budget provided does not align with the anticipated staffing costs to implement the identified educational program. The budget only reflects enough teachers to meet class size and none beyond that.
6. Failure to provide clear and sound policies for student discipline and to describe sound practices. (Standard 8)
- The application does not provide a sound approach to classroom management and student discipline. Although the applicant states that they will follow the District's Code of Student Conduct, Section 8 does not provide for a comprehensive school wide discipline plan that addresses the specific needs of the students the school intends to serve. The application, throughout, indicates that it will provide a highly structured and disciplined educational program but never provides a comprehensive plan on how it intends to accomplish this. (Standard 8)
 - The application fails to provide a comprehensive plan for how the school will reduce suspensions. This is crucial given that the application states that suspension data will be collected and will be one of the indicators used to determine the viability of the school. In fact, one of the school wide goals provided in Section 5 is related to decreasing the school's suspension rate. (Standards 5 and 8)
 - The application fails to provide a consistent approach to student classroom management. In fact, the application contradicts itself. In one paragraph it states that the approach to classroom management will be a consistent behavior management system and in another it states that it is expected that every teacher will have their own classroom management plan. The application provides a very generic response to managing discipline in a school that will need to meet the specific needs of "at risk" students. (Standard 8)
 - The application fails to provide a description of how the school intends to manage specific needs related to student disengagement in school such as concerns related to poor interpersonal skills, and self-esteem, substance abuse, gang activities, emotional and home related issues.
 - The staffing plan only provides for one counselor for the five years of the contract when the maximum enrollment is expected to be 364 students. By contrast, at the Jan Mann Opportunity School, one of the District's alternative schools, the student to counselor ratio is one counselor for every 75 students.
7. Failure to establish policies that will ensure that there is an admissions and enrollment process that is open, fair and in accordance with applicable law. (Standard 13)
- The application does not describe an enrollment and admissions process that will attract its targeted population. There is no mention of how the school will be marketed in order to attract the "at risk" population it intends to serve or define any criteria to limit enrollment to an at-risk population as described in s. 1002.33 (10)(e), F.S. Furthermore, the marketing strategy is not aligned to the vision and mission nor does it explain how consumers will be able to differentiate this school from any other school.
 - The application lacks a transparent selection process for the "at risk" students it purportedly intends to attract. (Standard 13)
 - The application does not provide a detailed lottery process. (Standard 13)
 - The application fails to provide any community involvement plan that identifies the community partnerships and support the school needs in order to accomplish its purported vision. (Standard 13)
 - The application fails to address parental involvement, a crucial component of the educational program for every school, but even more important in a school for "at-risk" students. The application merely states that parents will be informed of their children's progress and will be required to attend Student Success team meetings. The application does not address how the

- school will succeed in increasing parental participation nor does it propose any community involvement that might mitigate the lack of parental involvement.
8. Failure to provide evidence of an organizational plan that provides a clear understanding of how the school will be managed. (Standards 10, and 12)
 - The application provided a staffing plan that is not aligned to the curriculum plan provided nor is it adequate for the targeted student population it intends to serve and to support its projections.(Standard 10)
 - Although the applicant refers to low teacher ratio, it only provides enough staff to meet class size. Additionally, there is no mention of specialty teachers who would have the proper certification to provide the extensive list of electives mentioned within the application. (Standard 10)
 - The application does not address how the school will ensure that students “overcome social adjustment issues.” Other than a counselor, no other staff or community partners were identified to provide any wrap around or social services to these students or their families, even though this need was highlighted in the application (Standard 10)
 - Qualifications listed in the application for administrators and teachers do not include experience with “at-risk” students. The staff the school seeks to hire need only have “familiarity” with the “needs” of the targeted population.
 - The staffing plan does not provide for staff who will have the capacity to ensure that appropriate financial management and oversight will be maintained. The application refers to a Finance Manager but it was not funded in the budget and the job description for the office staff only addresses record keeping and maintenance with no requirement for any specialized skills. (Standard 10)
 - The applicant indicated that it would not be utilizing the services of an education service provider. However, neither the staffing plan, job descriptions nor the organizational design provide an explanation of internal capacity to manage responsibilities related not only to financial matters, but general operational matters and general back office tasks. Furthermore, there was no indication that the school would contract with multiple vendors to meet all the non-educational and back office needs and there was no proposed budget to support these needs.
 - The application did not provide a compensation plan that will ensure the school can attract and retain quality and experienced staff. The salaries proposed are well below the District average. (Standard 12)
 9. Failure to provide a thoughtful and realistic implementation plan that covers major operational items and ensures the school will be ready to serve its student on the first day of school. (Standard 19)
 - The enrollment timeline provided within Section 19 is not aligned with Section 13.
 - The operational plan does not include any technology procurement timeline or a plan to ensure that the infrastructure is in place to support the school’s extensive technological needs.
 - The timeline does not address the open houses that the school states will be scheduled in order to have parents and students become familiar with their offerings.
 - The purchase of furniture and fixtures is not included or addressed in the plan.
 - The plan does not include any steps to develop the community partnerships that the school mentions throughout the application.

The applicant was notified of the Superintendent’s intent to recommend denial to the School Board and provided a copy of the final evaluation. Under § 1002.33(6) (c), F.S., if the School Board approves this recommendation to deny the application, the applicant may appeal to the State Board of Education no later than 30 days after receipt of the School Board’s decision. The applicant may also withdraw the application and resubmit a new application in a subsequent application cycle.

Copies of the application and evaluations, 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.

