

THE FLORIDA DEPARTMENT OF EDUCATION
CHARTER SCHOOL APPEALS COMMISSION

Technical Assistance Paper

APPEAL OF FOUR TOWNS MIDDLE SCHOOL CHARTER
APPLICATION DENIAL

APPLICANT: FOUR TOWNS MIDDLE SCHOOL CHARTER.

SCHOOL BOARD: VOLUSIA COUNTY SCHOOL BOARD

INTRODUCTION

On October 28, 2003, the School Board of Volusia County (hereinafter “School Board”) voted to 5-0 deny the application for Four Towns Middle School Charter (hereinafter “Applicant”). The Applicant filed an appeal of the School Board’s denial of the application to the State Board of Education pursuant to F.S. §1002.33(6)(c).

Four issues are in dispute. Based upon the available evidence presented by the parties, the following is a summary of the research findings in relation to the issues raised.

ISSUE ONE:

WHETHER THE APPLICANT’S CHARTER APPLICATION SATISFACTORILY MET THE SCHOOL BOARD’S STANDARD IN THE AREA OF “ACADEMIC DESIGN”

- In its review of Applicant’s charter application, the School Board relied on a rubric for charter schools covering 19 areas based on a four point scale. The areas included in the rubric included education plan, business plan and governance plan. Areas scoring a four or three represented a recommendation for “preliminary charter approval,” areas scoring a two represented a recommendation for “provisional approval,” and areas with a score of one failed to “meet the standards for minimal acceptance.”
- Any area with a score of 1 served as the basis for the School Board’s denial.
- Florida Statute §1002.33(6)(a) provides, in pertinent part:
 - “A person or entity wishing to open a charter school shall prepare an application that:
 - (2) Provides a detailed curriculum plan that illustrates how students will be provided services to attain the Sunshine State Standards.”
- The area of “Academic Design” scored one point.
- The School Board argues that the Applicant failed to outline a curriculum consistent with Sunshine State Standards. The Applicant failed to provide a detailed curriculum plan that illustrated how students would be provided services to attain the standards.
- The School Board argues that the Applicant provided no content description for its language arts curriculum for grades 6, 7 and 8. In addition, The School Board asserts that the Applicant failed to include an advanced math and science curriculum and provides no curriculum objectives and content for advanced math.
- The School Board argues that the Applicant provided no explanation of how it would meet the needs of exceptional education students.

- In its appeal, the Applicant restates content from the application, which provides that assessment to measure individual student mastery of the Sunshine State Standards and individual course code objectives will be used to determine the extent to which educational goals and performance standards are met. The application also provides that the educational program of the school will follow the curriculum incorporated in the Sunshine State Standards. The progress of students toward mastery of the curriculum will be monitored using data derived from a variety of formative assessments that are current and ongoing.
- The application describes the use of technology in teaching language arts, and states that intensive reading and math will be offered as electives.
- The Applicant’s appeal states that an Individualized Education Plan will be developed for each student, rather than having an ESE curriculum that will be written into every ESE student’s IEP.

ISSUE TWO:

WHETHER THE APPLICANT’S CHARTER APPLICATION SATISFACTORILY MET THE SCHOOL BOARD’S STANDARD IN THE AREA OF “STUDENT PERFORMANCE”

- Florida Statute §1002.33(6)(a) provides, in pertinent part:
 - “A person or entity wishing to open a charter school shall prepare an application that:
 - (3) Contains goals and objectives for improving student learning and measuring that improvement. These goals and objectives must indicate how much academic improvement students are expected to show each year, how success will be evaluated, and the specific results to be attained through instruction.”
- The area of “Student Performance” scored one point.
- The School Board asserts that the application demonstrated confusion between the use of assessments for student grading purposes and assessments used for end of year accountability purposes. In addition, the lack of specificity with regards to the intended uses of the listed assessment caused difficulty in understanding the Applicant’s plan for reporting students.
- The School Board argues that the application is non-responsive as to how children falling below expectations will be instructed.
- The application provides that the Applicant will keep parents informed of their child’s reading level and learning gains as reflected by the results from the Stanford 10, FCAT, the student’s portfolio, narrative assessments, and traditional grading. Parents will be

given mid-term progress reports, end of semester reports, and parent conferences will be scheduled in conjunction with each grading period. All three methods of communication will include information on the child's reading level, strengths, weaknesses, and learning gains.

- The applications speaks to the use of Individual Academic Plans for each student which will be the driving force behind the identification of appropriate interventions and strategies to use with each student.

ISSUE THREE:

WHETHER THE APPLICANT'S CHARTER APPLICATION SATISFACTORILY MET THE SCHOOL BOARD'S STANDARD IN THE AREA OF "ACCOUNTABILITY DESIGN"

- Florida Statute §1002.33(2)(a) provides, in pertinent part:
 - “Charter schools in Florida shall be guided by the following principles:
 - (2) Promote enhanced academic success and financial efficiency by aligning responsibility with accountability.
 - (3) Provide parents with sufficient information on whether their child is reading at grade level and whether the child gains at least a year's worth of learning for every year spent in the charter school.”
- The area of “Accountability Design” scored one point.
- The School Board argues that the application fails to fully implement and utilize goals based on the A+ Accountability Plan.
- The School Board argues that the application fails to include any reference to student writing skills as part of its student assessment plan, and the application fails to include parent satisfaction as one of its goals for which it is accountable.
- The application provides that the school will be accountable for achieving adequate progress as defined by the State of Florida. Students scoring in the bottom quartile of a standardized test, receiving a 1 or 2 on either the FCAT Mathematics or FCAT Reading or FCAT Science, or who otherwise show evidence of inadequate progress will be identified and teachers will meet with parents and students to develop individual academic plans to accelerate progress.
- With regard to student writing skills, the Applicant asserts that promotion will be based on satisfactory performance as measured by passing grades/skills in reading, writing and math in accordance with district and state regulations.

- With regard to parent satisfaction, the Applicant asserts that parent satisfaction will be a key element of the school. Parent/guardian satisfaction will be measured by a survey given during the school academic year. The majority of parents/guardians will express satisfaction with the school. The majority of parents will participate in the school program as evidenced by sign-in logs, volunteer hours, and various other forms of participation in the school functions.

ISSUE FOUR:

WHETHER THE APPLICANT’S CHARTER APPLICATION SATISFACTORILY MET THE SCHOOL BOARD’S STANDARD IN THE AREA OF “ESE EDUCATION PLAN”

- The area of “ESE Education Plan” scored one point.
- The School Board asserts that the application does not include an explanation of services and courses for ESE plans.
- The Applicant states that exceptional students shall be provided with programs implemented in accordance with federal, state and local policies and procedures.

ISSUE FIVE:

WHETHER THE APPLICANT’S CHARTER APPLICATION SATISFACTORILY MET THE SCHOOL BOARD’S STANDARD IN THE AREA OF “AUDIT AND ACCOUNTABILITY”

- F.S. §1002.33(6)(a)(5) provides that a person or entity wishing to open a charter school shall prepare an application that contains an annual financial plan for each year requested by the charter for operation of the school for up to 5 years. This plan must contain anticipated fund balances based on revenue projections, a spending plan based on projected revenues and expenses, and a description of controls that will safeguard finances and projected enrollment trends.
- The area of “Audit and Accountability” scored one point.
- The School Board takes issue with the Applicant’s indication that they would hire a private company for financial oversight since the School Board was not provided detailed information about the company.
- The School Board also takes issue with the Applicant’s submission of multiple applications in other districts. According to the School Board’s response, “Such a mammoth undertaking demands a detailed explanation as to the division of labor and experience of its governing structure. The School Board would be remiss if it did not express that the applicant is overextending itself.”

- The Applicant included the resume and qualifications about the company to be retained for financial oversight in the application. The Applicant also asserts that the company’s principal met personally with School Board staff.
- The Applicant asserts that it will ensure the director/principal is fully trained in the State of Florida’ financial management system and working knowledge of Redbook procedures. It also asserts that the job description for the director/principal states that he/she will “Prepare annual budget recommendations for the school program and implement the approved budget. Maintain adequate records for the school, including a system of financial accounts; business records; and personnel, school population and scholastic records. Be the custodian of such records and of all contract, documents, books or records, and other papers.”

ISSUE SIX:

WHETHER THE APPLICANT’S CHARTER APPLICATION SATISFACTORILY MET THE SCHOOL BOARD’S STANDARD IN THE AREA OF “GOVERNANCE AND MANAGEMENT”

- The area of “Governance and Management” scored a one.
- The School Board asserts that the prospective director of the Applicant’s school lacks private or public sector administrative experience.
- The School Board asserts that the application misrepresents the qualifications of its management team and provides conflicting information.
- The Applicant has identified individuals who would be responsible for the management of the school, and asserts that they are qualified.

ISSUE SEVEN:

WHETHER THE APPLICANT’S CHARTER APPLICATION SATISFACTORILY MET THE SCHOOL BOARD’S STANDARD IN THE AREA OF “COMMUNITY RESPONSIVENESS”

- The area of “Community Responsiveness” scored a one.
- The School Board’s response did not address the reasons for the score in this area.
- The Applicant asserts that the district review team has acknowledged that the application does, in fact, address community responsiveness. The Applicant directs the reviewer to read transcripts of the School Board meeting.