

PROGRESSIVE
LEARNING CENTER
CHARTER SCHOOL
APPEAL COMMISSION
ANALYSIS &
RECOMMENDATION

APPEAL OF “PROGRESSIVE LEARNING
CENTER CHARTER SCHOOL” APPLICATION

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APPLICATION

SUMMARY OF PROCEDURAL TIME LINE

August 28, 2002	Progressive Learning Center Charter (PCLC) submits letter of intent to submit a charter school application
October 1, 2002	PCLC submits charter school application
Oct. 1 – Oct. 7, 2002	School Board of Broward County (SBBC) Charter School Review Committee evaluates charter applications
Oct. 8 – Oct. 9, 2002	SBBC charter school liaison meets with applicants to advise them of the Review Committee's recommendations
Oct 15, 2002	SBBC considered and denied the PCLC application
October 16, 2002	Letter of denial was sent via Federal Express to Ms. Jenkins, representing PCLC. An incorrect address caused the letter not to be received by Ms. Jenkins.
October 25, 2002	Letter of denial was resent to Ms. Jenkins, but could not be confirmed received
October 28, 2002	Additional correspondence was sent via certified mail to two different addresses listed on the application and one was received by Ms. Jenkins.
Jan. 31, 2003	Administrative Notice of Appeal filed with Agency Clerk
Feb. 28, 2003	SBBC Response to Appeal is filed wit Agency Clerk

**SUMMARY OF THE REASONS FOR DENIAL BY
THE SCHOOL BOARD OF BROWARD COUNTY**

- (1) Academic Design
 - a. Failure to address separately the needs of ESE and ESOL students
 - b. Failure to demonstrate how the least restrictive environment (LRE) will be provided for students with disabilities
 - c. Failure to address curricular, instructional and staff development issues for ESOL students
- (2) Governance and Management – Failure to identify management structure of the school
- (3) Finance - Budget
 - a. Overstated revenue
 - b. No breakdown of grants and fundraising
 - c. Low fringe benefits
 - d. Failure to budget for administrative fee
 - e. Inadequate budget for technology, supplies and insurance.
- (4) Operation
 - a. Failure to address plans for managing students' disruptive/dangerous behavior
 - b. Failure to address emergency plans

**EVIDENCE TO SUPPORT AND/OR REFUTE OBJECTIONS RAISED BY THE SCHOOL
BOARD OF BROWARD COUNTY**

(1) ACADEMIC DESIGN

It is the districts concern that the applicant failed to address separately the needs of ESE and ESOL students; to demonstrate how the least restrictive environment (LRE) will be provided for students with disabilities; and failure to address curricular, instructional and staff development issues for ESOL students. Imbedded in this concern are really three issues; 1) the applicant's treatment of ESOL as being "special need;" 2) the applicant's lack of detail regarding curricular and instructional treatment of ESOL students, and

3) the applicant's failure to address LRE for ESE students. In fact the application goes into great detail regarding the ways in which all "special needs" will be addressed through individual education plans for students. Description includes methodologies. Practices and procedures for providing an educational plan which will meet students where they are and determine what it is they will need to be successful academically – whatever the "special need."

(2) GOVERNANCE and MANAGEMENT

District school board is concerned that the applicant has not identified a management structure of the school. In the Government and Management section of its proposal, the Applicant clearly defines the roles and responsibilities (at a high level – not day-to day) of administration/management and boards (leadership). In addition an organizational chart was included.

(3) FINANCE - BUDGET

- a. The apparent **overstated revenue** cited by the district school board may be primarily attributed to approximately \$80,000 in inflated ESE allocation and another \$25,000 overestimation in transportation allotment.
- b. In terms of **grants and fundraising**, it is unclear by reading the budget from where the applicant will be receiving \$360,500 over and above the FTPE and categoricals.
- c. Applicant in its budget has estimated 15% in **fringe benefits**; wherein district fringe would be more in the area of 30%, it is feasible that the charter school fringe benefits could be between 20% or 25%.
- d. The district school board points out that the applicant failed to budget for the 5% **administrative fee**. While this seems to be the case, applicant may have removed the fee before estimating revenue (this is not clear).
- e. In terms of the applicant's budget allocations for technology and supplies – budget seems to uphold the objectives of the proposal. While insurance allocations by the applicant seem adequate, if the district school board is concerned they can resolve the issue contractually.

(4) OPERATION

- a. District school board alleges that applicant failed to address plans for managing students' disruptive/dangerous behavior. However, the proposal includes a comprehensive Student Code of Conduct which details, among other things, unacceptable behaviors and their consequences.
- b. There is an expressed concern by the district school board that the applicant failed to address emergency plans; yet, there is an exhaustive description of emergency procedures described in section (3) (e) of Operations in which the applicant delineates plans for emergencies due to "weather systems, acts of terrorism, child health and safety issues, and communicable diseases.

SUMMARY OF FINDINGS

Based on the available evidence to support and/or refute the objections outlined in the School Board's "Written Reasons for Denial" and its "Arguments in Response to Notice of Appeal," the following is a summary of findings:

- (1) ACADEMIC DESIGN - The application goes into great detail regarding the ways in which all "special needs" will be addressed through individual education plans for students. Description includes methodologies, Practices and procedures for providing an educational plan which will meet students where they are and determine what it is they will need to be successful academically – whatever the "special need."
- (2) GOVERNANCE - Applicant clearly defines the roles and responsibilities (at a high level – not day-to day) of administration/management and boards (leadership). In addition an organizational chart was included.
- (3) FINANCE /BUDGET – Applicant has overestimated budget by approximately \$105,000 and has underestimated fringe benefit expenses by approximately \$15,000. In addition, grant and fundraising revenues were not delineated, and it is unclear as to whether or not administrative fees were addressed in the budget. As it appears, applicant may face operational deficits.
- (4) OPERATION
 - a. Proposal includes a comprehensive Student Code of Conduct which details, among other things, unacceptable behaviors and their consequences.
 - b. There exists in the proposal an exhaustive description of emergency procedures described in section (3) (e) of Operations in which the applicant delineates plans for emergencies due to "weather systems, acts of terrorism, child health and safety issues, and communicable diseases."

It should be noted that the district school board in its Response to the Appeal cited additional deficiencies which were not included in its original Letter of Denial. The Applicant, therefore, was not offered an opportunity to respond to these newest allegations and for this reason will not be addressed in this analysis. They are as follows:

- Mission statement fails to distinguish school from traditional schools and does not include an assessment process for student achievement
- Lack of detail regarding implementation and integration of Florida Sunshine State Standards
- Lack of specificity with regards to student achievement outcomes
- Use of SAT-9 as a pre-test
- Alternative assessments for ESE students
- Recruitment and other specificities regarding HR practices

CONCLUSIONS

The application shows significant weakness in the following areas:

- Overestimation of revenue, i.e. ESE and transportation allocation
- Underestimation of fringe benefits and administrative fees
- Vague references to grants and fundraising
- Applicant may face operational deficits

RECOMMENDATIONS OF THE APPEALS COMMISSION

Rendered this 7th day of March, 2003

It is recommended that the decision of the School Board of Broward County to deny the Progressive Learning Charter School Application be upheld because the proposed budget of said proposal would cause the applicant to face operational deficits based on the following evidence:

- Overestimation of revenue by approximately \$105,000 in the areas of ESE and transportation allocation
- Underestimation of expenses in the areas of fringe benefits by approximately \$15,000
- No apparent accounting for administrative expenses
- Vague references to grants and fundraising