

Red Clay Consolidated School District
The Charter School of Wilmington
2009 Accountability Committee
Report and Recommendations

Criterion 1.

The individuals and entities submitting the application are experienced and qualified to start and operate a charter school, and to implement the school's proposed educational program. Certified teachers, parents, and members of the community in which the school is to be located must be involved in the development of the proposed charter school. At the time at which the school commences its instructional program and at all times thereafter, the board of directors must include a teacher at the school and a parent of a student enrolled at the school as members.

Committee Summary:

As stated in the 1995 Charter School of Wilmington (CSW) charter application, the “application was prepared and is supported by a diverse group of local and multinational businesses and parents, teachers, and community members.”

The board of directors includes a teacher at the school and a parent of a student enrolled at the school as members.

According to the CSW website, the board of directors “is currently comprised of one representative from each of the founding companies (DuPont has two representatives), one New Castle County community representative, one City of Wilmington community representative, one parent representative, and one faculty representative.”

Committee Recommendation:

The Committee recommends that the CSW publish board members’ terms in CSW publications and on the CSW website.

The CSW has met the standards of Criterion 1.

Criterion 2.

The chosen form of organization, identified in the articles of incorporation and bylaws, or the membership agreement, conforms to the Delaware General Corporation Law.

Committee Summary:

The chosen form of organization, as identified in the CSW’s Certificate of Incorporation and bylaws, conforms to the Delaware General Corporation Law. As stated in the CSW’s 1995 charter application, the CSW was incorporated on September 29, 1995 as a non-profit corporation pursuant to the provisions of the general corporation law of the State of Delaware. One purpose of the corporation is “to organize and run a charter school under the Charter School Act of 1995 (14 Del.C. §§501 et seq).”

The CSW provided to the Committee a copy of the amended and restated Certificate of Incorporation (amended November 25, 2008). The Committee obtained a copy of the CSW’s amended and restated bylaws (amended November 25, 2008) from the school’s website.

The CSW has met the standards of Criterion 2.

Criterion 3.

The mission statement, goals, and educational objectives are consistent with the description of legislative intent set forth in 14 Del.C. §501 and the restrictions on charter school operations set forth in 14 Del.C. §506.

Committee Summary:

According to the CSW website, the mission of the CSW is “to prepare a diverse student population for success in an ever-changing and highly demanding technological world by setting high expectations for academic achievement, maintaining an environment conducive to learning and character development, and emphasizing the development of analytical and quantitative skills through a concentration on math and science.”

As described in the CSW’s 1995 charter application, the goal of the CSW is “to enhance the quality of public education in Delaware by developing a unique, model school that utilizes the most effective educational techniques and ensures equal educational opportunity, thus meeting the needs of students, the business community, and society.”

The educational objectives identified on the CSW website are “to prepare students who are thoroughly educated in mathematics and science; to prepare students who are broadly educated in the humanities; to prepare students who are technologically literate and understand the operation and use of computers and laboratory instruments; to prepare students who are able to communicate effectively, both verbally and in writing; and to prepare students who are firmly grounded in character development.”

The CSW’s mission statement, goals, and educational objectives are consistent with the description of legislative intent set forth in 14 Del.C. §501, which is “to improve student learning; encourage the use of different and innovative or proven school environments and teaching and learning methods; provide parents and students with measures of improved school and student performance and greater opportunities in choosing public schools within and outside their school districts; and to provide for a well-educated community.” The CSW’s mission statement, goals, and educational objectives are consistent with the restrictions on charter school operations set forth in 14 Del.C. §506.

The CSW has met the standards of Criterion 3.

Criterion 4.

The school has set goals for student performance and will utilize satisfactory indicators to determine whether its students meet or exceed such goals and the academic standards set by the state. The indicators shall include the assessments required for all students in other public schools, although the charter school may adopt additional performance standards or assessment requirements, and shall include timelines for the achievement of student performance goals and the assessment of such performance.

Committee Summary:

The CSW satisfactorily utilizes multiple indicators for student performance, including the Delaware Student Testing Program (DSTP), to indicate whether its students meet or exceed academic standards. The CSW's annual reports from 2003-2004 to 2007-2008 were reviewed. These reports state that the CSW has the highest scores among high schools in the state on DSTP in every subject area.

These scores have earned the CSW a "Superior" rating by the Delaware Department of Education every year. In addition to the DSTP, the CSW also uses SAT scores and the percentage of students reaching a "qualified" score of 3 or higher on Advanced Placement (AP) exams as indicators for reaching academic goals. Another indicator of academic success used by the school is the percentage of graduates that pursue college or post-secondary education. In its annual reports, the CSW acknowledges exceptional group and individual performance in academic competitions. The 2007-2008 Annual Report also states that the CSW earned ratings by *Newsweek* (May 2008) as a "Top High School in the United States" and by *U.S. News & World Report* (December 2007) as a "Gold Medal School."

The CSW has met the standards of Criterion 4.

Criterion 5.

The school proposes a satisfactory plan for evaluating student performance and procedures for taking corrective action in the event that student performance at the charter school falls below such standards which are reasonably likely to succeed.

Committee Summary:

The CSW employs a variety of assessment strategies to determine students' performance upon entry and throughout the school year. Assessments are used to provide supportive instruction when needed in various programs (e.g., afterschool programs) with the assistance of peer tutors or mentors. The assessment format utilizes oral presentation, written, and demonstration formats. Informal and formal assessment strategies are utilized to assess student growth and to determine progress in meeting goals. Standardized tests such as the IBST, CAT, and SAT are also utilized to validate student growth and ensure that students are performing significantly above the state average. Assessment scores are used to foster correct course placement and to identify areas of student needs.

For students who do not perform at expected levels on the entrance exam, a corrective action plan is developed and implemented to ensure that extra support is provided. Students entering the CSW and performing below expected standards may be assigned to a pre-fall tutorial program of study to address academic deficiencies. During the school year, students can receive academic support through the use of student peers, business mentors, or teaching staff in an extended school day program.

A summer intensive program is provided to students who perform below acceptable standards as deemed by the school.

The CSW has met the standards of Criterion 5.

Criterion 6.

The school's educational program, including curriculum and instructional strategies, has the potential to improve student performance; and must be aligned to meet the Delaware Content Standards and state program requirements, and in the case of a charter high school, state graduation requirements. High school programs must provide driver education. The educational program at all charter schools must include the provision by the school of extra instructional time for at-risk students, summer school, and other services required to be provided by school districts pursuant to the provisions of 14 Del.C. §153. A previously approved charter school may continue to operate in compliance with the terms of its current approval, but its charter shall not be renewed unless the school shall submit an application for renewal in full compliance with the requirements of this subsection.

Committee Summary:

The special focus of the CSW is math, science, and computer education. At least 10 of the required 24.5 credits must be earned in these areas. A minimum of 24.5 credits is required for graduation, compared to the state requirement of 22.5 credits or the Red Clay Consolidated School District requirement of 24 credits. Primary differences are in math (4 credits) and science (4.5 credits) as well as a senior research project (0.5 credits). Driver education is integrated into the curriculum for all 10th-grade students. The school offers a challenging, college preparatory curriculum which includes a wide range of AP courses.

Course offerings across the curriculum are aligned to state and national standards. The number and variety of math/science elective offerings exceed those typically found in the comprehensive high school. All courses within the core curriculum are offered at three different levels/phases: Phase 3 – College prep, average to above average ability, 75th to 84th percentile nationally; Phase 4 – College prep, above average ability, 85th to 92nd percentile nationally; and Phase 5 – College prep, highest ability, Honors, 93rd to 99th percentile nationally.

The latter allows a student's program to be custom tailored, thereby encouraging maximum growth and academic achievement.

The CSW has met the standards of Criterion 6.

Criterion 7.

The school's educational program sets forth appropriate strategies to be employed to accommodate the needs of at-risk students and those needing special education services.

Committee Summary:

No special education students are currently enrolled; however, 35 students do have 504 accommodation plans. The accommodations include extended time for assignments and tests as well as sitting in the front of the room, teachers wearing an FM transmitter, and/or signing assignment books.

Committee Recommendation:

The Committee was concerned that the school has never had a special education student enrolled. Although the focus of the school is a rigorous academic environment, students with disabilities are often capable of satisfactory performance in such settings with appropriate accommodations. The Committee recommends that the CSW expand its effort to inform prospective applicants that the school is open to students with disabilities and that their disability will not be a factor in determining their admission to the school. It is also recommended that the CSW actively attempt to attract students from an economically disadvantaged background to mirror the percentage of such students enrolled in the Red Clay Consolidated School District.

Finally, the Committee recommends that the CSW document intervention strategies and associated results used to assist students defined as at-risk on page 20 of the original charter.

The CSW has met the standards of Criterion 7.

Criterion 8.

The plan for the school is economically viable, based on a review of the school's proposed budget of projected revenues and expenditures for the first three years, the plan for starting the school, and the major contracts planned for equipment and services, leases, improvements, purchases of real property, and insurance.

Committee Summary:

In 2004 and 2005, the CSW's budget was break even. Over the last two years, they have established a surplus growing from \$2.9 million in FY06 to \$3.3 million at the end of FY07. Although the FY08 audited statement is not yet complete, the FY08 balance increased to \$4.2 million. For the first time, the current year's budget estimates spending \$248,271 in excess of revenues, thus reducing the available surplus. Given the size of the current deficit budget versus the surplus (\$248,271 to \$4,201,388), this is economically viable over the next five years assuming current state and local revenue streams remain constant. As the audit report points out, "the school needs to keep total costs at a moderate rate of increase each year in order to continue to sustain itself over the long-term."

It is the Committee's recommendation that expenditures in excess of revenues year after year be closely monitored. Additionally, as the state budget situation unfolds, the CSW, like any other school or district in the state, may be forced to make significant staff reductions or adjustments which in turn would affect factors and services within the school. These factors are unknown at this time but will potentially affect all charter schools' and school districts' budgets as budgets are reliant upon state funding sources. This could also potentially affect the overall size of the surplus.

Finally, as the five-year term expires, it will be required that the Red Clay Consolidated School District and CSW review the terms of the lease agreement for building use. Prior to negotiations, this is an as yet undetermined change in financial conditions for the school but could also potentially impact the overall operating balance.

The CSW has met the standards of Criterion 8.

Criterion 9.

The school's financial and administrative operations meet or exceed the same standards, procedures and requirements as a school district. If a charter school proposes to operate outside the state's pension and/or benefits system, a specific memorandum of understanding shall be developed and executed by the charter school, the approving authority, the Director of the Office of Management and Budget, the Controller General and the secretary of Finance to assure that the state's fiduciary duties and interests in the proper use of the appropriated funds and as a benefits and pension trustee are fulfilled and protected, the state's financial reporting requirements are satisfied, and the interests of charter school employees are protected. All charter schools shall operate within the Delaware Financial Management System (DFMS) and be subject to all of the same policies and procedures which govern other agencies operating with such system, except that any charter school previously approved to operate outside of the DFMS may continue to so operate subject to the terms of its memorandum of understanding until such time as the school's charter is renewed pursuant to this chapter.

Committee Summary:

The Committee reviewed the last three years of the CSW's annual audited financial statements as well as current financial documentation provided through the DFMS. The auditors have concluded "no material reportable conditions" in their review and preparation of the CSW's Basic Financial Statements. The Committee was also not able to identify deficiencies based on its review. The Committee determined that financial and administration operations meet the same standards, procedures, and requirements as a school district.

The CSW has met the standards of Criterion 9.

Criterion 10.

The assessment of the school's potential legal liability and the types and limits of insurance coverage the school plans to obtain are adequate.

Committee Summary:

The Committee reviewed the insurance policy of the CSW and determined it has adequate types and limits of coverage. The CSW purchases the best industry-standard coverage available that is identical in type of coverage as that purchased by the Red Clay Consolidated School District and nearly every school and district in the state. Employment-related practices are provided under the insurance coverage.

At the time of the Committee's review, there was no filing of a claim against the policy. Without specific information related to a lawsuit, no other determination can be made as to the potential legal liability of a case.

The CSW has met the standards of Criterion 10.

Criterion 11.

The procedures the school plans to follow to discipline students and ensure its students' adherence to school attendance requirements comply with state and federal law.

Committee Summary:

The Committee reviewed documents submitted by the CSW outlining the school's procedure for ensuring the timely and accurate reporting of discipline incidents to the Department of Education. A written report was submitted within the timeframe as recommended by the 2004 Accountability Committee's report. Although these discipline incidents are few (there were no HB 85 incidents reported in 2007-2008), the CSW has a process and procedure for reporting.

The Committee also requested documentation to show that all school employees were trained in "Identification and Reporting of Criminal Youth Gang Activity and Bullying Prevention" as per state law. The CSW showed documentation and provided a copy of its Bullying Prevention Policy.

The CSW has met the standards of Criterion 11.

Criterion 12.

The procedures the school plans to follow to assure the health and safety of the students, employees, and guests of the school while they are on school property are adequate and that the charter school will comply with the applicable provisions of local, state, and federal law, including the provisions of 11 Del.C. Ch. 85.

Committee Summary:

Although there were no recommendations from the 2004 Accountability Committee's report, the Committee did request an updated Emergency Response and Crisis Plan from the CSW as well as other pertinent emergency procedures (e.g., evacuation plans and intruder situations).

Pending implementation of the recommendations mentioned above, the CSW will meet the standards of Criterion 12.

Criterion 13.

The school shall have a satisfactory plan for timely transferring student data and records to the Department of Education.

Committee Summary:

The Committee reviewed several documents (e.g., operating procedures) concerning this issue and recommendations from the 2004 Accountability Committee's report.

The CSW has accurate written policies and procedures for the preparation of the September 30th Unit Count, which were implemented as early as the 2003-2004 school year.

The CSW has policies and procedures related to preference and admissions. Documentation of this issue includes (1) February 22, 2007, Alfred J. D'Angelo, Jr. to First Assistant Attorney General; (2) April 17, 2006, Attorney General's Opinion; and (3) April 10, 2006, Attorney General to Representative Wagner.

The CSW has met the standards of Criterion 13.

Criterion 14.

The school's board of directors shall annually certify to the Delaware Department of Education, on a form to be provided by the Delaware Department of Education, that prior to the payment of any fees or other sums to any management company employed by the board, the board will insure that sufficient revenues of the school are devoted to adequately support the school's proposed educational program. Such form of certification may require documentation of all actual or proposed expenditures by the school. Failure to provide sufficient funds to adequately support the school's proposed education program shall be grounds for revocation of the school's charter.

This criterion is not applicable since no management company is involved.