Maine Charter School Commission

DRAFT – MINUTES PENDING COMMISSION APPROVAL JANUARY 5, 2016.

I. Call to Order

Chair, Shelley Reed, called the meeting to order at 9:30 a.m.

II. Roll Call

The following members were present: Shelley Reed, Chair, Nichi Farnham, Laurie Pendleton, Jana Lapoint, Ande Smith, Mike Wilhelm and John Bird. Also in attendance were Bob Kautz, Executive Director; Gina Post, Director of Program Management. Several members of the public were in the audience.

III. Adjustments to the Agenda

IV. Acceptance of Minutes

A. Moved by John Bird; seconded by Jana Lapoint and voted unanimously by those present to accept the October 13, 2015, Minutes as written.

V. Officers' Reports

A. Chair

Highlights from the NACSA conference will be discussed as we move forward in the meeting. Additionally, we had done a workshop session with the Maine School Management Association and that will also be discussed. Bob will be talking about some of the things that we have been doing regarding the renewal process and we will be digging into flushing out all the components, exactly when those things need to be accomplished. We met with the MERPRI group that is studying the virtual schools. We did attend an initial session with them. We have been working in terms of our two schools that are coming up for review and evaluation.

B. Vice Chair

Continued work on Acadia Academy. Looking at summarizing the Budget approach, Mike and I are going to meet to talk about this. I was pleased to work with Nichi, Bob, and Sarah Forster to go through the new and improved version of our Charter contract. Once circulated to all of you, the thought is that you will find it improved over the structure of the old one. State board is working on Strategic plan and a number of those things are of collateral interest to the Commission. We are looking at changing how teachers are certified and what the requirements are. This will have an impact on the Charter schools as they are governed by that generally speaking. Additional initiatives are also being reviewed,

however no motion yet in terms of all sorts of stuff regarding policy and the role of the Board and policies. We are also looking for strategic initiatives to come out of our construction committee, to the extent of it is not that the State Board has the authority to change funding. There are a number of things moving, nothing confirmed to report, just that work is going on and the frame is up. When that is done, we will bring that back for everyone to see here and reflect upon it.

VI. Staff Reports

A. Executive Director

Maine Connections Academy is drafting a developing growth plan for this year going forward. Carl has been working with his board on the growth plan. Gina and I have a meeting with them on Wednesday November 18, 2015; to review what they have developed so far. The growth plan is looking at growth in population as well as expansion of the number of grade levels. We will be ready to have something to the Commission for December. Ande; that is part of the review teams function. Bob; after staff has had an initial meeting to review their proposal the review team will meet with MCA to consider their proposal. Shelley raised the question of the relationship of staff and review team in carrying out the work of the Commission and stressed the need to be sure that the review committee is meaningfully involved as items from the schools are presented to the Commission.

MEPRI School funding study- the education committee had instructed them to do this as part of their work during this year, taking a look at the funding model framework for virtual schools. The education committee has questioned it a number of times. The question is, is the cost of a virtual program the same as a traditional school program? They have started a study to look at this and MEPRI is charged to do it. The meeting was basically a discussion about how we have framed the RFP, framed the contract, and talked about the reality of a Virtual Charter School operating in Maine. Ande; I think they were trying to get orientated; they had a number of people they were going to build- on to the team that really dealt with the academic grounding in Charter Schools much less virtual schools. Bob; they also said there would have to be another study after this one, to make definitive recommendations about funding. The Commission discussed the study, the difference between virtual schools across the country and here in Maine, our efforts to have our virtual schools as independent of ESPs as possible, and the Commission's oversight of virtual schools.

The Commission was reminded that in the last session of the Legislator when the funding of Charter schools bill was passed, this included an expansion of notification requirements from the Commission. This used to be just the Commissioner, now it reads to the Commissioner and the Legislator. Any actions to renew, not renew or revoke a Charter, the authorizer shall report to the Commissioner and the Legislator, this is all reports, now we share with the Education committee. So the Commissioners report for example, we also gave the Education committee a number of them. The other part of that law was reports to the Legislator, beginning on the effective date of this section, and one year after the effective date. A virtual public Charter school shall also submit to the Legislator, each report that the virtual public Charter school required to submit to the Commissioner of Education or to the Department of Education.

An update on the renewal process, Shelley, Gina, and I met, Gina has been leading. The NACSA trip was especially helpful because it had sessions on renewal with a lot of

information that will be worthwhile as we are developing it, particularly some things out of Central Michigan, University. It will be available to you by the February meeting.

B. Director of Program Management

Report to the Commissioner was delivered to the Commissioner as well as Education Committee. You also have a spiral bound copy, which has all the attachments and the additional documents. All the reports that have been submitted for the schools are in there as well. This is also on the website. Also the previous annual reports have been posted on the website.
On October 27, 2015, Dianne Doiron, DOE, did a workshop for the Charter schools on Proficiency based diplomas. We had six out of the seven Charter schools represented there, which included all of the high schools, with Cornville being there as well. She gave them a link, that is a survey monkey link to the Charter school proficiency based learning and proficiency based diploma implementation progress report. Imbedded within that survey, is a question that allows them to request an extension if they need that up to 2021. Once she gets that, she sends them back a PDF, and then if there are questions, she is in touch with them.
School visits- last month I had started visiting the schools. I have been to all except for one school, just visiting for an hour and hour and half, getting a tour, popping in on classrooms, hearing things that are going on that are exciting, and if they have concerns. I will be visiting MeANS this week. I plan to do the visits again the latter part of the winter/ beginning of spring. These visits are to become more familiar with the schools and keep in touch and not just be on the other end of an email or phone or showing up when there is a problem.
Collections of required documents- I made a calendar that I submitted to the schools back in September and it is month by month of things that are supposed to be submitted to us and also the DOE. They are going through that. A few schools have just about everything in; some others are still working on getting things to us. I think I will send another letter out to schools that haven't sent us much. I know they have a lot of these things, it is just a matter of zipping it in a file and getting us the current handbook and that stuff. This comes out of their contract and the monitoring plan. Ande; which schools are behind? Gina; answered Baxter, Cornville, Fiddlehead, and MVA. Ande; are they all equally far behind in executing? Gina; yes, but Harpswell, MeANS, and MCA are doing excellent, they have just about everything in except for maybe their budget review because they are waiting for their board to meet and look at that. I am not collecting things for DOE, they are just on this sheet to make it easier for them.
Monitoring plan document- the monitoring sub-committee is working on monitoring stuff. I went through the monitoring plans from all the schools and compared them. Some of the dates in the older ones have changed and are not quite aligned with the DOE dates. MVA is the most recent one and that is up to date. There are a couple of things that Peg Armstrong had suggested removing and there were some dates that are not necessary any more for funding because the funding has changed. I have drafted a new monitoring plan and that would probably help the monitoring committee. I would also make the suggestion that perhaps it become a material amendment to some of the other schools so that everyone is submitting things when they are supposed to be with the DOE calendar. Also when I send out calendars like the one we looked at, I don't have to change the dates for every school and send reminders. Ande; is there an ask for this or is this just something for us to review? Gina; at this point I think it is something to review and something for the monitoring committee to take in to consideration. There are all the same requirements, but the dates and stuff are off. There was one requirement that Peg Armstrong suggested we

remove which was the child find paperwork, they don't require or request from non-charter public schools. She thought it should come off. Laurie and Nichi expressed similar concern; are these two documents in alignment? Gina; yes. Nichi; you don't want it staggered, for work load. Gina; I would like it to be standardized to do material amendment for MeANS and Cornville, which is really different. Some of them the differences are even just instead of being 3A, it is 3B and then another one went to 4. If I referenced 3A on one but it is 4 on another. Something like that would be nice if I think for everyone eventually to be able to reference romanette and be talking about the same thing. Ande; what is the road forward on this? Monitoring committee which is developing some output that is not a standing committee.

VII. Unfinished Business

A. Strategic Plan Activity- five committees that were established as part of Strategic plan and we have; Monitoring, Contract, Public Documents, Budget and Application. Shelley; an update was given on each one of them. Some of the work is going to be done after we finish our business meeting today.

- Monitoring- there were some documents that were sent out just to look at. One is a matrix that says it adheres the visit, here is what the scorer's responsibilities are, the Commission responsibilities are and then the output of it, the purpose. That we will talk about today. Laurie put a document together that is a two in one. It contains visit guidance and then the report. Here is what we should be doing on the visit to get that required information from the report. We need to be sure they are meshing, or we can adjust ours, we can work on that.

- Contract- Nichi; sent Sarah some comments and she has gotten back to us. We have a few outstanding questions, and we will meet today and maybe wrap things up. We have to build a system of penalties. Shelley; some of that was worked through in the sessions that we went through at the National conference. How different States worked through the different things that could happen and it was a series of notifications and then things that would enter the ramifications or then part of the working it out, you would put what you want them to do in the contract. If it is multiple times that it goes, now you've breeched contract. It was different kinds of steps that they were taking along the way. The new contract will be used with any schools approved today.

- Public Documents- John; we had agreed this past summer, that this would be the last material we put together in terms of what Gina was doing, working with all the groups because she gets the brunt of producing everything. We would do this in December, after we finish with the monitoring, our committee will sit with Gina, we have all the material for Public Documents and we feel confident that we will have something put together that will be an overall document that will include a summary of what we are all about. Shelley; we took the spiral bound piece and knowing we were doing presentations we went through and made it an updated version because this is something that we pass out to the education committee or anyone that wants to know basic information about the Charter schools. John; this is one document that we have. We are confident that having

looked it all over, that we have a lot of good stuff. We need to have an executive summary, something that really puts the essential points down. We will have something for you at the January meeting.

- Budget Committee- Mike; we have put together a time line for the Charter School Commission and it is based in part of Strategic plan that we developed. At this meeting, we should be talking about the implications of the strategic plan and the reasons that they are different than what we are doing now. There is a short list of things that the sub-committee put together. Improved orientation for new Charter Commission members, additional staff or additional contact services for the Commission might be looking at. Salary and benefits for employees. Public Documents that we may create. There are things that have come up since as a result of conference in Denver**.** There is a real concern with the closing cost needed to support any needs that are created by a school closing mid-year, meeting its contract obligation. That might be something that we might want to think about. At the January meeting, Bob has to present a draft budget for the Commission to look at and it goes back to the finance committee. We need to be thinking about implications for next year relative to what the Commission will be doing and the needs that it has now. It was agreed that the budget would be a topic at the December meeting. Ande; suggested it is time to create an SOP, or By-laws to provide some structure so that this process that Mike and I will work with Bob and then the Commission as a whole is sustainable. Be thinking about this for a January or February meeting. Bob; asked Mike to explain the need to budget some money for closure costs. Mike; a Charter school that is on the brink of financial trouble, and realizes that it is not sustainable. It owns property for example, does the Commission know what property it owns, or does the school only know? Is there an inventory of the property? Is it an inventory that states what the property is worth? Has there been some kind of assessment of the value of the property. That is one issue, how do you dispose of property and obligations for property once the school is closed? What happens to other assets that the school may have? What obligations financially are there that someone has to pick up if it becomes insolvent? You might want to hire third party individuals, contracted services to do some of this work. You wouldn't have Commission members going in and doing the inventory for example, it needs to be updated. We need to have someone who is objective going in a making sure that all that information is secure. Other issues have to do with student records. What kind of communication relative to talking to parents, talking to larger community about what is going to happen with the students, and their education. Those are issues which are critical for kids that are enrolled. There are a lot of things that we don't think about when we are rolling along. Authorizing Charter schools in the event that a Charter school might close, we are struck with some new realities. Ande; is our statutory mandate that it is to be the one in charge of liquidation of Charter schools? Bob; I wouldn't want to answer no without looking it up. Ande; it is basically a receiver and then we would insinuate ourselves and own the problem- of winding it down. Jana; I think Mike is right, even in their contracts when they start at pre-opening- they have to list all of the equipment and everything that they have, and how did they purchase that? I am sure if you ask most of them, they would know their desks and chairs, and whatever. Was that

money purchased from what they raised, their own personnel money, or was that money that came from the state? They are supposed to be keeping track of that now. We have not asked them since they started. Bob; the issue here in regard to budget, is that there may be some need to be setting aside some money to keep in reserve in case there is going to be a closure. The second question is; how does our law compare to what other States had provided? Have you thought about this? How does our law affect all that? What are the actual responsibilities that will fall on to the Commission where school closure and certain kinds of situations come up? Jana; I think it is important for us that when we go before Education Committee or on to the budget committee that if they see a fund that we have put aside for those types of things, that we can justify why we had put those funds in. That is one of the questions that this raises, can the Commission have a contingency line, or will they have to look at another way to have contingency outside of the budget? John; it is great that we have flagged this item; we have to do some research and get to the bottom.

- Application- Jana; we have not met as we put this aside not knowing how many schools we would be looking at to approve whether we would have a reason. Our committee would meet after to make a decision, with whatever the results from today as to how many schools we might have whether it merited us looking at changing the application. With the approval of our chair, we determined that we would not meet until after today.

B. Consideration and approval of Performance Measures

- Baxter- Gina; Laurie had some recommendations we went through. Bob and I met with Michele. She had a couple changes that reflected Laurie's suggestions. We had agreed that they were in good shape to move forward. Laurie; they had captured what we talked about nicely. They give a good picture of the school's academic health.

Moved by John Bird; seconded by Laurie Pendleton to approve the revised Baxter performance measures and voted unanimously by those present.

- Harpswell- Laurie; one of the challenges with HCA is they have few numbers of students taking the assessment because of the small numbers of students in grade levels, as well as the number of students who opted out. They did capture their baseline, based on State assessment; their baseline based on NWEA, and then created reasonable goals, showing growths. Ande; question is there anything in here that is a lower of the standard that was in place from the school was contracted? Laurie; I don't recall what their performance measures were in the contract. Most of the schools are at eighty-five percent, which is not realistic, when you compare it to what the State averages were especially with the changing of the assessment. It is much more realistic based on their baseline and moving forward from their baseline. Gina; we had them write them based on the percent of the State average as opposed to just an average. If the test continues to change, they don't have a goal that has to move to adjust to a different test, they are relating it to the overall performance of the State, and where they fall against that to account for the test changing. Laurie; Smarter Balance, the State was sixty-five percent proficient, and they

were sixty percent proficient, instead of saying their goal was to be sixty-six percent proficient, it's to within x percent of the State. The State can change the test and suddenly the State average next year is ninety percent and they said, well we are going to be sixty-five percent. Shelley; that should save us from having to read everybody's performance measures every time. Laurie; so it is in relationship to the State. Ande; the baseline on the front page is proficiency in reading, the sixth grade were sixteen percent below? Laurie; correct. Ande; high school twenty-two percent below. Laurie; they only had a few students take this test. Ande; so they had few students and those scored twenty something percent below the State average? Laurie; they were twenty-two percent below the average. Ande; next year, their goal is these numbers are zero. Laurie; yes, that they are even with the State. Gina; it took a few tries, but they came out with a nice version. Laurie; it is complicated because the State assessment keeps changing, so it is a moving target. They have fewer numbers of students. They have to report on their State assessment and then NWEA and then School assessment that was not standardized, and that is the school designed assessment measuring the Maine Learning results. Document is much easier to track and much more realistic for them. Ande; on page 3 NWEA goals, they're saying that their goal as a school for sixth graders in 2015-2016 school year would be the forty-five percent score average or above, their goal of fifty-five percent of their kids is below the State average? Laurie; it's not the State average, it is NWEA. So what the NWEA says, once you hit this red band at this point of the year in this grade level you are considered at or above the norm. So based on their baseline that is moving forward from their baseline. Mike; this takes into consideration the population, the nature of the population of the school? Laurie; it is looking at again the moving forward from the baseline. How successfully are they moving their students forward? Ande; how does this generally compare to what I would expect out of Greely High School or Middle School? If I had these scores from NWEA and I laid them down, would I see at grade six a goal of having only forty-five percent? Is this normative or are we setting the bar low. Laurie; a couple of schools that I worked with this was pretty norm. Mike; one of the sad truths of academic results is the economic climate and the community that the kids live. It is tough to make comparison with a community like Cumberland or where. Nichi; Bangor sets the bar pretty high. We have a pretty good mix in all of our schools; five elementary and the two middle schools. Ande; it seems low because what is going to happen is that if they don't meet it, if we set the bar super low and meet it, yet they're not really setting the kids up for success, but we just set the bar low for them, it will rob us potentially to do something to their contract. They will say that well you approved these performance standards as low as they might be. John; this conversation brings up the issue of the character of communities. My community, because of the nature of the population they have a high poverty level. When the test scores come out, they always look bad in comparison to the rest of Knox County. Laurie has professional background on this and basically we have a special population, this is a school that has a lot of kids that just don't fit in. We have had trouble coming up with baseline, then you add the State's issues with baselines, we are still struggling with some of this. Those of us that visit the schools and see the interactions with the teachers etc., we think this is a quality outfit doing good work and trying to address their issues. Below or above, statistics can tell you anything you want them to tell you, I think we just have to look through

what we are seeing in these schools and the kind of work going on there. If we don't see improvement, then I think that is another issue, but if we see progress being made, that is the key. Laurie; I think we need to make them realistic, the smart goal, does it mean it is attainable? Once we put a goal down that is not attainable, well it is not attainable so why even strive towards it? Taking into consideration the baseline, those are attainable goals. Laurie; there is a lot of ground to make up. The goal or target is to make sure they are paying attention to moving students forward and this is one measure of that. The State assessment is another measure, and their proficiency learning result is the other measure. Mike; we are talking about cohort kids, every cohort kid is different, so you have a sixth grade cohort, a seventh grade cohort and eighth grade cohort, and they are starting in a different place because of how they test out at that grade level. If you are looking at what is going to happen at grade eleven or twelve, you are talking about only those cohorts of kids that start out in grade seven, at fifty-five percent they're going to have a different goal as eighth graders, as ninth graders as they do better. It is going to look different for them in the twelfth grade than the current twelfth graders. Laurie; they don't have their growth goals listed. John; what Mike said is critical; it isn't the same group of kids. If that group of kids went from seventh to twelfth grade we tracked them all along and they declined, that is one thing, but that is not what this data says. Laurie; when you look at a large district, there are enough students that it will even out. In small schools, with small cohorts, you will have a group that is on and you'll have seventy percent proficient, and then the next year seventh grades will be a forty percent proficient because two and three students moved down or out. Jana; concerned about the forty percent for Special Ed kids. What validation have you received that indicates that that figure is correct? Does that mean that all have IEP's? Gina; I haven't seen official documentation. Laurie; are they coming in as classified with IEP's? Bob; there are children there with significant physical handicaps that are associated with their ability to learn. Jana; fifteen to eighteen percent when they first opened, and now forty percent, that is huge. That affects their budget dramatically, where it wouldn't have before. Gina; that is how the conversation started. John; keep in mind in Peg Armstrong. She is regularly in touch and looked to her to point out issues and problems. She knew what was going on. Jana; when they put their budgets together, they weren't looking at a budget that would need forty percent of the students body being figured in, they were looking at fifteen to eighteen. I am not sure we have looked at their budget since that time to see how they have made the adjustments to have that number. John; we do look at their budget. Bob; all of our Charter schools have experienced high end numbers of children identified, or who get identified as being in need of special services and what they anticipated when they put the application together, when they opened up the school. They have been talking about how we pay for, if we have to do out of district placement, which they are responsible for. Jana; when we first started with our schools, fifteen to eighteen percent seemed to be a figure that was coming across. When we hear the public saying you are cherry picking your children, and you are finding ways to get rid of the ones, at forty percent we are not getting rid of anybody, they are staying right there and we are working right with them. In one way this helps us to defend our school. Shelley; I think that figure has been rising for all the schools; it is closer now to twenty and above. Gina; they have increased their enrollment. Shelley; Charter schools are attracting families that the kids

haven't been successful in other places. The average is rising because this is an attraction, Charter schools, when we try and do something different and you open up to choice, people are saying we need something that is going to meet the needs of our kids.

Moved by Laurie Pendleton; seconded by Jana Lapoint to approve the revised Harpswell performance measures and voted unanimously by those present.

- MeANS- John; the struggle has been to get a baseline together for the academic portion. Laurie has been in conversation with them over the course of this past year, Bob has been as well. In 2016 we will have some data to look at. Laurie had said to MeANS early on, don't hold yourself to unrealistic goals, look at your population and don't try to put something down that you are just not going to get to. That is what is behind all of this; additionally the back of the document reflects a change to process goals. Those of us that visit the school, the review team, and the staff, there were issues with MeANS and Goodwill Hinckley and trying to sort that all out. In terms of the school moving along, I think we have been impressed with the staff, with the interaction between the students and staff, the backgrounds of the kids coming in to the school, how they feel about their experience and how their parents feel about it. I think we come away every time we go there with a good feeling about the school. I certainly think this is what alternative education is all about. To have a school that has an agricultural theme and where kids can be there in the summer and they don't seem too unhappy about it and they are producing. It is important to have accountability built in; I think we have got to look at it from a standpoint of performance indicators beyond what can just be quantified on paper. This is a pretty good document and is ready for approval after a lot of interaction between Emanuel Pariser and the office and our review team. Jana; what is the process goal? John; graduation rate seventy percent. We have changed them to that, we look at the data. Eighteen out of their twenty students graduated last year. Laurie; the reason is that they don't have any historical data to compare it to and nothing to compare it to in the State. There isn't a school similar to MeANS that we could say fifty percent is excellent, we don't know. So instead it is a reporting so the process will go under reporting of their data and then once they have their first Charter contract completed, then they can start turning to improvement goals over time. John; we can also from year to year when we go in at the end of the year, we can go in and ask them questions about circumstances. When it comes to Commendations and Recommendations, which is the heart of our process going forward, what we say based on their experience over a year that they need to improve upon. We can look at this data and still come up with those things without hinging a bunch of numbers. Over time we will be able to extrapolate the experience and say the second five year contract we can begin to plug in some numbers. Jana; they did plug in numbers with their first contract. It would seem that on the student attendance without looking those figures are lower than what we put in the contract and that they met the contract. John; in the 2 years I have been involved there, I think they are doing pretty good work. Jana; they are. Why are these looking lower in percentages that they must reach what they have done before. Laurie; on the process goals, we are not putting their percentage in that they have to meet. We are saying report on them. John; it is the current goal versus the proposed goal; the proposed goal is the rewrite of

the target. Jana; referring to attendance, their year-end report, they were reaching that. John; I think they are still doing a good job in that area. Shelley; what we are going to be able to see with both MeANS and Cornville, is that this is their fourth year and the group that was looking at renewal is going to have to compile all reports to date so that review team will have an opportunity to see them in sequence, to sort that stuff out. Ande; this document, the proposed rewrite, all their performance indicators, there is basically no standard in anything. For this school-you don't have any targets, you just need to report. You are just asking them to give you data, but you are not saying something that they need to work on or not? John; first academic goals, it is the same thing with HCA and others because the State has gone back and forth we have had trouble establishing a baseline. We certainly want to have a baseline, and we are going to have one which will be applied in 2016. Laurie; they will have an academic goal once they establish a baseline, they haven't been able to establish a baseline yet due to the number of students taking the test, their school developed assessment is the NWEA. Jana; they are going to establish a goal, when at the end of this coming year? Or the one we just went through? Laurie; at the end of each year, they will report their graduation rate. They will report the percentage of students who classes at PVCC. Through the school self-assessment, they will say we are really happy with that goal and then we will be happy with those results. It makes sense so what is your goal for next year? These small cohort groups, this year they have eighteen to twenty students graduate. Next year they may because of the makeup of the cohort, they may only have thirteen of twenty. Are we going penalize them because they graduated those thirteen students and they moved the other seven forward. It is really hard to say, graduation rate is sixty percent this year next year it better be sixty-five. Jana; I would have agreed with that, the original way that MeANS set up to take their students, which was basically juniors and seniors, and now they're not doing that. They are going back to trying to get more students trying to come in as freshman. That says to me, you can build that and you can know more about that. Why would we be making it easier for them? We want them to keep with standards. John; what you just said, you are talking like this school is decades old, this is the fourth year. The first year, they took juniors and seniors, so they got a couple of years' experience with younger students. In some ways, they have finished their first year, their second year, their third, depending on how long the kids have been there, and how long they have had those grade levels. Then the numbers and the population makeup. You have to factor in a lot of stuff, and sort through and try and see what kind of experience they are having. What are some things that we can look at that say, you know there is some good work going on here. Jana; we know there is good work. John; we are trying to look at data to do that. We are not trying to let them off easy, we are not trying to say there should be no standards, no accountability. Jana; at the end of this year, they have the same as last year with KVCC, what does that mean it is going to look like in the following year, or are we just playing this out until the end of their contract and then we will establish something after we have had this baseline plus another year or two? John; one of the things we are saying is any institution, the longer it is around, the longer it has a history of people in and out, the more data that you have especially if it is a small school. It is going to take longer; eventually you will have enough longitudinal experience, that you will be able to gradual stiffen some of these things up to actual goals

that look a little different. Jana; the next contract do you think? John; I don't know when that will be. Two years ago the State had a new plan in place for testing, everybody was going do it and that was going to be that. Laurie; there are academic targets; they have the academic targets on their school developed assessment. Once the State assessment is more solidified than that is there. They also have their NWEA. Both measure growth and reducing gaps in growth. All of these process goals is how they reach that. If they are doing all these process goals and they are succeeding with bringing their kids into school, have a high attendance rate, have low unexcused absences, and a nice climate, than the academic should show up. We are saying here is these process goals, they will report on their ADA, the review committee will review with them and say what is the story, your average daily attendance went down from last. Here is the plan that we are putting in place to make a difference. Next year, yes we agree with that, we will make it an internal target. The school does not have enough history, they don't have the data and we don't have a comparable school. Bob; the initial contract was a projection, not knowing who their student population was or what their grade levels were going to be for all of the schools. They have had about two years of stagnant growth. This year they are going to have about a forty percent increase in student population, which now you are venturing into those student cohorts. The introduction of a number of students at the different grade levels. They need to be able to serve those numbers of people that applied and are eligible. Jana; they set their contract goals, we didn't, we looked at them and we will accept these if you feel this is an okay one to have. They felt they could do it from history. John; this is a very different school. Bob; that is what they had said in the law, in the procedures, there was intended to be by the end of the first year. Taking a look at what was the projected goals and seeing if they need to be changed. We did not have that happen, that is one of the reasons why we are initiating the review of the performance frame works; to make them more relevant, to make them easy to calculate, make them more understandable. I am addressing the change, the morphing that all of the schools have gone through. It is developing a culture. The process goals give the review team even more to talk with the school about, than looking at a number of, you made that okay let's move on. What entered into it being this that or the other? Ande; the intention of this is that when they come up for contract renewal, we will transform these back to formal numbers rather than say reporting, is that the intention? Nichi; we will eventually get this column format so that we will eventually see the yearly? John; there will come a time, I don't know when, but I think over time there will be enough history. There will be a settled population. They are moving to full enrollment, they are moving to 210. They are also talking about even rejiggering the way that populations reflect. They have talked about at teen parent program. I don't know what this will look like in two year. Ande; what I am thinking is somewhat precedence. I understand the logic, that you want to move it along and that this influx, they have been running for three years, they should be able to say today what they think their attendance rate are. If we walked in and said tell us how many kids showed up for your classes whenever, you figure out what the new norm is going to be and we will set that as a standard? People have been apoplectic on the floor that we wouldn't set targets that they have to meet and then at least tell us they didn't get there and why. It isn't like you missed the target and we are dropping the hammer and you are gone. There is a dialogue to

understand it and even adjust it. John; there are different ways to hold people accountable and to help improve the lot of kids going through these schools. We sit down with them; we go over things that are going well, not going well. The recommendations every year of the things they need to do better. They have growing pains, and we are trying to work with them through those. I think this is a realistic way to do this particular school under these circumstances. Jana; we could have the greater community, maybe not necessarily with MeANS but with other schools saying well then our regular public schools can do just as a good job, as that Charter school is doing, send those children back to us. We have to be able to justify what makes these schools different. John; I am not willing to say that we would deal with schools the same way. This is where we are with this particular school. Laurie; thinking about the review of Alternative schools. Alternative schools do need to be looked at differently. This is an alternative school that is doing great things and the ultimate accountability is their achievement. Are students achieving? The other part of the process is making sure they understand what goes into that which is attendance, climate culture and those kinds of things. Given the lack of comparable schools for this particular school and the lack of historical data for this configuration for this school, this makes sense. With the ultimate goal of the academic goals. Ande; I respect the work given the population it's designed to serve its mission, I can support it. I understand why this school is different and I will put the marker down, it has to be different for this school because of the nature of its programming and its population. Laurie; at some point, once we have historical data, we should. The school should want to set some goals for improving those particular outcomes. Jana; I can support it but would want to absolutely see that contract begin look a little tighter than what it is showing right now. You can after another year or two have statistical information. We are never going to have a school to compare it, if we can see they have made progress and it makes sense and we can put a contract together for them that is reasonable, then I am okay. I would want to see the next contract, if they are approved having very specific things that they have agreed to that that is what they want to do. Laurie; reporting is accountability. Shelley; I don't think that they have been without targets all these years. Every year they have had targets, it is just how do we express them in a meaningful way that gives the school data to know how to improve? How do we know that they are actually moving kids forward? This has gotten me back to thinking about renewals. We are going to be looking at the end of this year some very specific things that we have to do and they have to get ready to share with us in that fifth year. It is just for us to keep in mind, that when we are preparing a performance report, we have to let them know how we think they are doing in certain area. Academic performance is the very first areas. Then we go on to Fiscal performance, Governance, Effective leadership, Instructional quality, Compliance with terms of Charter contract/Laws and Regulations, Mission fulfillment, Parent and Community support, and their operations. There are lots and lots of factors about how you are performing across the board, but it is all leading to, are your kids academically prepared when they leave the school? It has to get them somewhere; we have to be moving these kids forward. Do we feel that is expressed enough in the current work that we have. The team that is working with them feels like this is the best way. John; this conversation is great in terms of setting up that fifth year and all that will go what they have to do in order to be renewed for another five years. Nichi; should they use Maine

State Assessment instead of the Smarter Balance terminology?

Moved by John Bird; seconded by Jana Lapoint to approve the revised MeANS performance measure and voted unanimously by those present.

C. Review and Vote on the Public Charter School Applications for School Year 2016:

Chair Reed described the procedure that the Review Team Chairs will use to give the reports which outline the State's Statues that must be followed; Sections 2401 and 2402, and did those schools in the estimation of the review team, show they would be able to carry out the requirements that they must do as Charter schools in the State of Maine. There will be a recommendation put forward and there will be discussion upon the elements that Commission members feel and then we will take a vote.

1. <u>Acadia Academy</u>

Grades; Pre-K through 2nd Grade, adding Grades 3-6
Lewiston-Auburn area

School Program Design: A comprehensive education curriculum in academics in social/emotional development with a safe community, addressing the individual learning needs of each child.
Education Service Provider: John F. Murphy Homes and Margaret Murphy Center for Children.
Laurie Pendleton presented an overview of the Findings of Fact; (Please see Findings of Fact)

<u>Review Team:</u>
Chair, Laurie Pendleton
Ande Smith
Nichi Farnham

Chair Reed explained that there are different sections of the application that needed to be discussed. One is adopting the Findings of Fact, talking about and having discussion about that. Another is looking at adopting the requirements that have been established under proposed Charter School requirements, then taking action. The final vote would be moving Acadia Academy to a Charter vote, moving forward to contract negotiations.

Moved by Ande Smith; seconded by Laurie Pendleton to adopt the Findings of Fact as presented. Vote is six yes and one no

Shelley Reed presented her concerns in regards to the Acadia Academy Findings of Fact representing the needs of the Lewiston/Auburn area. (Please see Letter from Shelley Reed). The Commission discussed the concerns presented by Chair Reed.

Discussion of findings of fact:

Mike; Findings of Fact, noted the application did not find meaningful detail regarding how metrics and assessments managed to learning especially with expect to higher proposed grade level. Is that something that you would want to put in a contract? Does this belong in a contract? If we have not seen it in the application and feel it is important? Ande; the review team is saying that they are comfortable enough for the school to go forward at the lower grade levels, but didn't feel

like they did a good enough job articulating at the higher levels. They can come back to us at a later date and prove they have a good solid educational program. Laurie; their performance measures will force them to solidify those individualized learning plans at the lower grade levels. The Commission discussed the lack of a lunch/food program assurance of diversity in enrollment, the location of the school, and a performance measure for parental involvement.

The Commission discussed the adoption of the requirements that are attached to the recommendation of the Review team. There are nine proposed Charter requirements.

> **Motion by John Bird; seconded by Mike Wilhelm to adopt the Charter requirements, as amended. See amendments below. Voted unanimously to accept.**

Laurie Pendleton presented an overview of the Proposed Charter Contract Requirements; please see attached.

Discussion of contract requirements:

The Commission discussed the proposed contract requirement for professional development. Cultural competence, poverty implications, the training/experience of staff working in these schools, and the appropriate amount of days for this training were topics of this discussion. Also discussed was the need for a board that reflected the diversity of the community, meeting physical education requirements, and the timing of any proposed expansion of the number of grades. Members expressed confidence that the concerns that were discussed were adequately addressed in the application which will become a portion of their contract, in their performance metrics, in their oral representations, and in the requirement that changes to the contract need to have Commission approval.

> **Motion by Shelley Reed; seconded by John Bird and voted to add a requirement that they have some amount of professional development training in Cultural Competence and the Implications of poverty on the learning environment. Vote is one yes, six no.**

Discussion of contract requirements (continued):

The Commission discussed the need for a proposed requirement that the Commission be provided with an estimate for the provision of transportation. The reasons for it, the time for submission of the estimate, the number of estimates, were discussed.

> **Motion by Jana Lapoint; seconded by Laurie Pendleton to take out number eight on the transportation. Vote is five yes and two no.**

(Please see Charter Contract Requirements – Acadia Academy)

Recommendation from the committee

Motion by Ande Smith; seconded by Mike Wilhelm that the Charter Commission move Acadia Academy's application forward to Charter contract. Vote is six yes and one no.

2. **Snow Pond Arts Academy**

Grades; 9 through 12
Sidney area

School Program Design: Snow Pond Arts Academy aims to transform students' lives and contribute to the cultural capital of Central Maine by providing high quality, comprehensive, college preparatory Academic and Arts education in an inclusive, nurturing, and culturally rich environment for high school age students. Snow Pond looks at education as both the accumulation of knowledge along with the cultivation of engagement, imagination, leadership and collaboration. Through the initial introduction of Music, Theatre, and Dance, and ultimately the inclusion of all the Creative and Visual Arts, Snow Pond will be a witness to the magical power of the Arts to bring people together. Snow Pond Arts Academy would be the first Maine charter school to offer a blended (hybrid) model of education.

Education Service Provider: K12 Classroom LLC.

Review Team:
Chair, John Bird
Jana Lapoint
Shelley Reed

John Bird presented an overview of the Review Teams Proposed Findings of Fact and contract requirements. (Please see Findings of Fact)

Moved by John Bird; seconded by Shelley Reed to adopt the Findings of Fact as presented. Vote seven to zero

Discussion of the findings of fact:

The Commission discussed the following topics: relationship with K12, the time allotted for professional development, student days, staff development days during the year, performance days, pre-opening days, K12 staff training and training for the integration of the K12 curriculum and the arts, the blended program, and community outreach.

John Bird presented an overview of the Proposed Charter Contract Stipulations;

Motion Shelley Reed; seconded by Mike Wilhelm to move forward the proposed charter contract stipulations.

Discussion:

The Commission discussed the proposed requirements. The due dates related to facilities and instruction, the need for the dates, the evidence of the integration of the K12 curriculum with the arts, the different methodologies for delivery of instruction; whether it is a steam, a stem or liberal arts program, blended learning, and student time on-line, in-school, out of school.

Motion Shelley Reed; Mike Wilhelm seconded; to vote on stipulations as amended

Motion to amend: Ande Smith moved to amend the proposed Charter contracts stipulations by adding the date of February 1 to items 4, 5 and 7 that item five read not later than 1 February, the school shall provide evidence of how arts focused upon premise instruction will be blended and be reconciled with K12 source curriculum materials. Seconded by Mike Wilhelm. The motion to amend was approved 7-0.

Motion to amend by Nichi Farnham; seconded by Laurie Pendleton; to add 1 February to items one, two and three as the deadline. Motion to amend was approved, 7-0.

Recommendation from the committee

Motion Mike Wilhelm; seconded by Jana Lapoint that the Charter Commission move Snow Pond's application forward to Charter contract. The motion was approved, 7-0.

(Please see Charter Contract Stipulations – Snow Pond Arts Academy)

D. Report on NACSA conference- moved to December 1, 2015 meeting
E. MSMA Conference October 23, 2015 presentation- moved to December 1, 2015 meeting

VIII. New Business

A. Michele Laforge from Baxter Academy for Science and Technology presented the details as to how this works. They piloted this concept last year. Michele proposed that based on that work that this year's snow days would count as school days. How this worked last year, they went through a process where standards were identified that we were going to try and meet on snow days. These standards are around problem solving, persistence, ethics-innovation lifelong learning. The students identified their standards through the advisory process, they came up with two plans an A plan and a B plan. One that included internet use and one that didn't. The way we managed this last year, there was a required check in and almost all the kids made it one way or another. Most kids were able to check in at the beginning and end of the day. They needed to provide evidence of the work that they did and give a presentation to their advisory of the work they did or didn't do. Many of them have taken what they have learned and engaged their communities. They are learning goals for themselves; they understand tackling problems and up bringing them into their home communities. This year we will add some sort of documentation for the work. We do have folders of links of movies they made and documents of chapters they wrote.

I would like to request based on this evidence and that we had seven snow days last year, up to three be considered this year as an alternative. If it is granted, and all goes well, in the spring I would ask that we be allowed to go forward without coming before you every year. Ande; if I don't do anything on the three snow days, you count me as absent? Michele; average attendance on snow days goes down. Laurie; good that you are going differently on snow day packets, where students are just completing a certain number of worksheets. This is the model that I would say is exciting and interesting. Is it within the law for us to say yes? Shelly; what constitutes a day is the first question. If you are using 21 century learning skills, guiding principles, lifelong learning that has satisfied the plan that the student and the advisor have created, has been approved by the school and that you have a check back after the snow day and have a way that that student demonstrates that learning, may then equal a school day. What are the standards that are being addressed and what assurances do you have that that student actually participated in that work? Mike; secondary schools have days that are non-academic days already. Bob; when I suggested the absenteeism was to say if we are treating it as a school day, if a child doesn't come to school and school is in session they are counted as absent. If the child doesn't participate in this which is an alternative to a come to school day, then they are counted absent. What is the sense of responsibility on it and similarity to a regular school day? Mike; are they expected to make up the work? Michele; that is the beauty of standards based education. If they haven't hit that citizenship standard by graduation, they have to make it up somehow. Ande; if you have ten snow days, they can do any three or they have to do the three. Michele; they have to do the three, clearer expectations. I will pick three days.

A. The Commission asked Michele Laforge to develop a specific proposal with the Commission's discussion considered, for future Commission action 1.

B. Letter from Cornville for consideration for teacher retirement and how that is handled.- moved to December 1, 2015

IX. Other

A. Harpswell Coastal Academy Lawsuit and its results. –information has been sent to members.

X. Announcements

A. Turn in Expense Account Vouchers at the end of the meeting

B. Reminder of important dates for your calendar:

- MCSC Business meeting- December 1, 2015
- MVA 90 Day Pre-opening visit 10am-2pm

XI. Public Comment

XII. Adjourn

Motion by Laurie Pendleton seconded by John Bird and voted unanimously by those present to adjourn at 1:43 p.m.

Findings of Fact – Acadia Academy

Based upon review of the written proposal of **ACADIA Academy** (the "Applicant"), and other oral and written matter provided to the Commission, including but not limited to, interviews with and testimony of the Applicant, a public hearing and written submissions of the Applicant and the public, the Maine Charter School Commission (the "Commission") finds the following:

1. Based upon the review provided by Commission staff and the Commission's review team, the Applicant provided a complete application that included material responsive to all the elements identified in the Request for Proposal and Charter School Application issued June 10, 2015;
2. The Applicant meets the definition of a Public Charter School, as defined 20-A MRSA §2401(9), as indicated by:
    a. The Applicant will have the ability to execute autonomy over key decisions, including, but not limited to, decisions concerning finance, personnel, scheduling, curriculum and instruction as evidenced in part by:
        i. The Applicant's board of directors is composed of such individuals with the quality, experience and motivation to effectively meet this requirement, and while many are relatively new, they instilled sufficient confidence in the Commission that they will energetically oversee the school.
        ii. Notwithstanding the outsourcing of certain administrative functions , such as accounting and human resources to John F. Murphy (the "ESP") or other providers, the staffing model of the school involving the direct hiring of instructors and a Chief Executive Officer, enables the board of directors to exercise direct control over critical areas of the school and thus effectively govern the school; and
        iii. Draft contract provisions, together with such other contract requirements as may be required as a condition of the charter adopted by the Commission, will provide sufficient opportunity for independent control over the ESP, such that the school will be able to effectively maintain the autonomy over the matters set forth in this element of the definition.
    b. The Applicant is governed by a board that is independent of a school administrative unit as evidenced by the organizational documents provided in the Applicant's application submission and supporting materials.
    c. The Applicant will be established and operated under the terms of a charter contract between the governing board and the Commission upon acceptance of contract requirements adopted by the Commission.
    d. The Applicant will operate a school to which parents choose to send their children for grades pre-K to 6th grade (or such grades approved by the Commission) as evidenced by its meeting minimum enrollment levels for students of those grades adopted by the Commission as a condition of its charter contract.
    e. The Applicant will operate in pursuit of a specific set of educational objectives as defined in its charter contract adopted by the Commission.

    f. The Applicant will operate under the oversight of the Commission and in accordance with its charter contract.
3. The Applicant has provided evidence that it will create a high-quality school with high standards for pupil performance as evidenced in part by:
    a. The Board's composition includes a number of experienced school teachers and other providers of educational services, whose resume and presentation to the review team and at the applicant's public hearing instilled confidence.
    b. Each student will be managed through an individual learning plan, but the application did not provide meaningful detail regarding how metrics and assessments to manage student learning, especially with respect to the higher proposed grade levels.
    c. The school will use a number of established, quality curriculums, including Saxon Math, Reading Mastery, FOSS, and units of writing instruction developed by the Teachers College Reading and Writing Project.
    d. The school is modeling the proposed approach with a private kindergarten in conjunction with an affiliate of the ESP, which builds experience in the delivery of the education program.
4. The Applicant has provided evidence that it will close achievement gaps between high-performing and low-performing groups of public school students as evidenced in part by:
    a. A rigorous Response to Intervention system that provides ongoing assessment through the use of quality screening instruments such as Aimsweb and alternative instructional programs for Tier II and Tier III instruction.
    b. Although offered to all students, the program will be supportive of students with social and emotional impediments to learning, which coupled with its small class size will have a positive impact on low-achieving student segments;
    c. The program will offer independent learning plans to every student, which will be useful in customizing learning to students that are below grade level or otherwise lagging peers in traditional settings.
    d. The program's emphasis on project-based, student directed learning will appeal to a certain segment of students who are otherwise disengaged from their learning.
5. The Applicant has provided evidence that it will increase high-quality educational opportunities within the public education system as evidenced in part by:
    a. The Applicant has proposed to use rigorous math and ELA curriculums.
    b. The program includes a significant emphasis on field trips and incorporation of other experiential learning projects to enhance students' educational experience.
6. The Applicant has provided evidence that it will provide alternative learning environments for students who are not thriving in traditional school settings as evidenced in part by:
    a. The program will provide a consistent emphasis on social and emotional skills and development, which will be coupled with small class sizes.
    b. The program is customizable through the individual learning plan, providing opportunities for enhanced learning and performance for high-achieving students.
7. The Applicant has provided evidence that it will create new professional opportunities for teachers and other school personnel as evidenced in part by:

    a. The design of the education program will require extensive training of teachers to effectively integrate the disparate elements in to a coherent, effective educational program.
    b. The need for teacher involvement in developing and integrating the elements of the education program will provide professional development opportunities for participating teachers.
8. The Applicant has provided evidence that it will encourage the use of different, high-quality models of teaching and other aspects of schooling as evidenced in part by:
    a. The Applicant's program of instruction will combine a response-to-intervention model, coupled with individualized learning plans, experiential-based learning, and direct instruction, and further mixed with an emphasis on social and emotional development, yielding a unique education program.
    b. The program will seek to incorporate summer learning programs to avoid backsliding in student achievement.
    c. As supported by finding three set forth above, the program will be of high quality.
9. The Applicant has provided evidence that it will provide students, parents, community members and local entities with expanded opportunities for involvement in public education system as evidenced in part by:
    a. The Applicant's program will provide for parent skill development to support student learning.
    b. The Applicant's program will actively engage parents to participate in field trips and other experiential learning opportunities.
    c. The Applicant proposes to engage with a local farming organization to expand student access to community resources.
    d. The Board's relationship with Gendron & Gendron, as well as other community members represented on its board, provides a meaningful connection to the community.

Review Team Recommendation

The Review Team recommends that the Acadia Academy application be approved to move to charter contract negotiations.

Charter Contract Requirements – Acadia Academy

1. The school shall not be entitled to enroll students in grades four - six until submission of curriculum materials and any other evidence satisfactory to the Commission of the ability of the school to meet the Maine Learning Results in grades 4-6, including but not limited to social studies and science.
2. Not later than February 1, 2016, the school shall enter into a commercially ordinary, arms-length contract with its ESP satisfactory to the Commission, including but not limited to such provisions as (a) the ability of the school to terminate the agreement without cause, and (b) an unbundled, individually costed statement of services and other provisions allowing for the school to select alternative sources or bring in house services, such as payroll.
3. Contracts for insurance coverage shall name the school as the insured party.
4. At the end of its third year, the school shall owe no debt to the ESP other than ordinary trade credit.
5. Not later than February 1, 2016, the school shall provide copies of commercially ordinary, arms-length contracts representing its proposed lease, mortgage agreement, mortgage note, line-of-credit finance agreement, and line-of credit note.
6. Not later than February 1, 2016, the school shall provide plans, schedules, and evidence of permits or approvals satisfactory to the Commission regarding development of a school facility that will meet the needs and objectives of the school's education plan.
7. Not later than February 1, 2016, the school shall provide evidence satisfactory to the Commission that it has conducted outreach and meetings with the community, including those reasonably calculated to raise awareness of the school with all social and economic demographic groups in its catchment area.
8. No owner, director, board member, or employee of the ESP, including its affiliates, may serve as a member of the school's Board of Directors, its advisory groups, or be employed, directly or indirectly, by the school, except as provided in the ESP agreement.

Letter from Shelley Reed

Concerns regarding Acadia's application for Charter School acceptance

By Shelley Reed, MCSC

In section A1 the applicant is asked to give geographic and demographic information for the student population. Two of those elements cited are:

1. "Unfortunately, L-A is noted to have the highest number of children living in poverty, within the state. Nearly 71% of students in Lewiston qualify for free and reduced lunch. In Auburn nearly 54% of students qualify.

2. "The cites of Lewiston and Auburn (L-A) account for one of the most diverse areas in the State, with 20% of the population being identified as English Language Learners (ELL)."

In their stated mission to support the development of the whole child academically, socially and emotionally I failed to find in the application the implications of the impact of the geographic and demographic location on the student population that will have access to this public charter school. I say this based on my personal and professional experience being raised in Lewiston, then coming back to teach first and second grade in Auburn, working as an elementary school counselor at four Lewiston schools as well as my work in the Department of Education supporting students at risk across the state.

1. Understanding the implications of poverty

While it is the applicant's right under the application to decide whether or not to provide food service a clear statement of the school's rationale for not providing such services was not articulated. It did provide for lunch options (sandwiches) for those without lunch and to avail themselves of help in regards to special circumstances.

The school recognizes the LA area having a high number of children living in poverty but does not plan on feeding these children, who may face food insecurity, breakfast to begin their day. The application notes 71% of Lewiston students and 54% of Auburn students are on free and/or reduced lunch. The *Maine Community Action Association Website* (Nov.4, 2015) defines food insecurity as lacking access to enough food to ensure adequate nutrition. Maine ranks 18th in the nation in child food insecurity, 12th in the nation. On *Poverty Facts website* (Nov 4, 2015) Food insecurity in Maine is 43% higher than any other New England state. Maine has 13.6% of its people in poverty, Androscoggin County ranks at 15.6% and Lewiston is at 22.9%. On the *No Kid Hungry* website," Ending Childhood Hunger in Maine April 30, 2014" Justin Alfond president of the Maine Senate states," I know that hunger is one of the most severe roadblocks to learning. A child who doesn't have enough to eat won't do as well in school." In 2402 Public Charter School Authorized charter schools are established to "close achievement gaps between high-performing and low-performing groups of public school students. How can students access education when their most basic need (nutrition) is not being met? The first rung of Maslow's Hierarchy of Needs recognized is food. While working in Lewiston-Auburn schools one notes that first thing when school doors open children rush in to partake of the breakfast program filling cafeteria seats.

While recognizing poverty in the area Acadia does not access the work of Ruby Paine or others whose training of staff in the implications of poverty would be beneficial to understanding how to work most effectively with these students. Low economic status does not mean an incapacity to express the full range of intelligence. It does mean that understanding is needed to know how to best engage with

students and their families. Children in low-income families demonstrate developmental jeopardy due to conditions associated with poverty such as low parent education, family disorganization, limited opportunities, rundown housing, and hazardous neighborhood conditions. Being poor is not one aspect of someone, it is their life. And it comes with its own rules and culture. While Acadia wishes to bring a balance of rigorous academics and behavioral and social development, professional development to help teachers and all staff understand behaviors related to poverty and intervention strategies would offer something sorely lacking in education today. "A framework for understanding poverty" by Ruby Payne, Ph.D. provides such assistance.

In Lewiston-Auburn as well as many cities the street one lives on, the neighborhood you grow up in provides social and economic data towards life success and opportunities. Where Acadia locates a charter school will be a great determiner of who will attend the school and how active the family participation will be which is needed to support the student in their endeavors. How will parents without cars get to a student conference, a school performance, get to school so that they also can help out on those field trips? Will this charter school be an uptown school or a downtown school?

2. Cultural Competence

Although Acadia speaks to a high number of ELL there are more than language implications that will enter an LA public charter school. There is yet to be a governing board or founding group member representing the diverse cultural makeup of LA even over the two year period that applications have been submitted. Teacher training in cultural competence is not included in the application. In the public interview the Board mentioned recruiting a Somalian for the board but that does not recognize the varied groups of newcomers now living in Lewiston or the issues played out between the various groups. One example is of an African young girl traveling through Kennedy Park being harassed by other youth not of her particular group due to her not wearing a head scarf. Another example of the need for greater cultural recognition was during the public hearing when asked about physical education an answer given was there would be structured playground time where games could be learned and students directed in how to play appropriately. The answer did not speak to cultural mixes and what are the implications for interaction between students. Cultural competence is a set of congruent behaviors, attitudes and policies that enable the school to work effectively in cross-cultural situations. Staffs need to be educated in the skills, knowledge and attitudes to value the diversity. Staff must be aware of their own cultural identity and ability to learn and build on the varying cultures and community norms of students and families.

There needs to be sufficient evidence that Acadia has reached out to various members of the LA community in ways that are meaningful to those groups and in places that are part of their daily experience reflecting cultural and economic sensitivity.

Additional concerns:

The autonomy of Acadia with its ESP John F. Murphy Homes. The contract must provide for stipulations of an arms- length giving the charter school the capacity to direct its own affairs in running the school and to be able to terminate its arrangements with JFM should the need arise.

The assurance needed from Acadia that all 8 content areas of the Maine Learning Results are represented and recognized as having their own standards i.e. music, art, health, physical education, social studies.

To address the concerns:

Professional development provide: cultural competence training and the implications of poverty on the learning environment beyond instructional practices.

Rethink budgetary priorities to address food insecurity.

Provide evidence of outreach with cultural and economic sensitivities.

Contract provisions for appropriate relationship of charter school and the ESP.

Findings of Fact - Snow Pond Arts Academy

Based upon review of the written proposal of **Snow Pond Arts Academy** (the "Applicant"), and other oral and written matter provided to the Commission, including but not limited to, interviews with and testimony of the Applicant, a public hearing and written submissions of the Applicant and the public, the Maine Charter School Commission (the "Commission") finds the following:

1. Based upon the review provided by Commission staff and the Commission's review team, the Applicant provided a complete application that included material responsive to all the elements identified in the Request for Proposal and Charter School Application issued June 10, 2015.
2. The Applicant meets the definition of a Public Charter School, as defined 20-A MRSA §2401(9), as indicated by:
    a. The Applicant will have the ability to execute autonomy over key decisions, including, but not limited to, decisions concerning finance, personnel, scheduling, curriculum and instruction as evidenced in part by:
        i. The Applicant's board of directors is composed of such individuals with the quality, experience and motivation to effectively meet this requirement;
        ii. Notwithstanding the outsourcing of certain administrative functions , such as accounting and human resources to New England Music Camp (the "ESP") and academic content provided by K12 or other providers, the staffing model of the school involving the direct hiring of instructors and a Chief Executive Officer, enables the board of directors to exercise direct control over critical areas of the school and thus effectively govern the school; and
        iii. Draft contract provisions, together with such other contract requirements as may be required as a condition of the charter adopted by the Commission, will provide sufficient opportunity for independent control over the ESPs, such that the school will be able to effectively maintain the autonomy over the matters set forth in this element of the definition.
    b. The Applicant will be established and operated under the terms of a charter contract between the governing board and the Commission upon acceptance of contract requirements adopted by the Commission.
    c. The Applicant will operate under the oversight of the Commission and in accordance with its charter contract.
    d. The Applicant is a school to which parents choose to send their children;
    e. The Applicant serves as a comprehensive college-preparatory school of academic and arts education for grades 9-12;
    f. The Applicant operates in pursuit of a specific set of educational objectives as defined in its charter contract;
    g. The Applicant operates under the oversight of the authorizer from which its charter contract is granted and in accordance with its charter contract.

3. The Applicant has provided evidence that it will create a high-quality school with high standards for pupil performance as defined in 20-A MRSA §2402.
    a. Governing Board is composed of members with the kind of varied professional backgrounds essential to good oversight and exercising all other elements of fiduciary responsibility;
    b. The Applicant is solidly grounded philosophically (i.e., Paideia approach), based on Maine Learning Results and Common Core, and provides evidence of a framework for curricula in core subjects;
    c. The Applicant uses a blended model to deliver an integrated curriculum, and a rich array of curricular and extracurricular offerings;
    d. The applicant has developed relationships with school and community leaders, prospective families, and education partners such as The University of Maine and the Maine Council of Arts;
    e. The heritage and longstanding reputation of Snow Pond Center for the Arts gives the applicant additional credibility;
    f. The financial and physical infrastructure of Snow Pond Arts Academy and its fundraising potential, demonstrates that the Applicant will begin operating with a solid foundation and have the capacity for future development as needed
4. The Applicant has provided evidence that it will close achievement gaps between high-performing and low-performing groups of public school students as evidenced in part by
    a. NESSC Global Best Practice, anchored by Paideia philosophy, seeing neuro diverse students and what these students can add to the learning environment;
    b. Blended learning meets the need of multiple learning styles;
    c. Time built in to schedule to bolster, enrich, remediate and accelerate learning;
    d. A plan that addresses a cycle of assessment and adjustments necessary for success.
5. The Applicant has provided evidence that it will increase high-quality educational opportunities within the public education system as evidenced in part by:
    a. An educational program grounded in an educational philosophy and supportive research that seeks to promote the growth of the arts and music in Maine youth;
    b. Extending a high- quality program of Snow Pond Center for the Arts to the charter school environment;
    c. Integrated, intra-disciplinary infusion of the arts throughout the curriculum.
6. The Applicant has provided evidence that it will provide alternative learning environments for students who are not thriving in traditional school settings as evidenced in part by:
    a. Research demonstrating positive effect of performing arts on math and reading achievement;
    b. Time built into the schedule to bolster, enrich, remediate and accelerate student learning;
    c. Engaging and motivating curriculum ;
    d. A blended learning model.

7. The Applicant has provided evidence that it will create new professional opportunities for teachers and other school personnel as evidenced in part by:
    a. Professional development throughout the year creating integration with the arts;
    b. Breadth of professional development opportunities in meeting the requirements of the Maine Learning Results and Common Core (eg. direct instruction, cooperative learning, inquiry-based learning, experiential learning, Socratic dialogue, independent learning, virtual learning, and intra-disciplinary learning);
    c. School improvement and staff development decisions are driven by student learning needs.
8. The Applicant has provided evidence that it will encourage the use of different, high-quality models of teaching and other aspects of schooling as evidenced in part by:
    a. Snow Pond first blended model in Maine with core content and an integration with the arts/music;
    b. Scheduling allows for remediating, accelerating, enriching;
    c. Blended model using online instruction, individualized instruction, differentiation, small group, integration, inquiry-based learning, and cultural competence.
9. The Applicant has provided evidence that it will offer students, parents, community members and local entities expanded opportunities for involvement in public education system as evidenced in part by:
    a. Multiple points of interaction and engagement for all parties via the academic program, performance and governance;
    b. Breadth and variety of community partnerships stemming from NEMCA's longstanding presence in the region;
    c. Broadened horizons and arts opportunities for community members and people throughout catchment area.

Review Team Recommendation

The Review Team recommends that the Snow Pond Arts Academy application be approved to move to charter contract negotiations.

Charter Contract Stipulations – Snow Pond Arts Academy

1. Not later than February 1, 2016, The school shall consent to organizational and fiscal controls reasonably satisfactory to the Commission to assure the independence of the school from the [snow pond umbrella org; comparable to MeANS and Goodwill-Hinckley].
2. Not later than February 1, 2016, Entering into a commercially ordinary, arms-length contract with its [Snow Pond Umbrella Organization] satisfactory to the Commission.
3. Not later than February 1, 2016, The school shall provide copies of commercially ordinary, arms-length contracts representing its proposed lease.
4. Not later than February 1, 2016, the school shall provide plans, schedules, and evidence of applications or approvals satisfactory to the Commission regarding development of a school facility that will meet the needs and objectives of the school's education plan.
5. Not later than February 1, 2016, the school shall provide evidence of how virtual and on-premise instruction will be blended and reconciled with K12-sourced curriculum materials.
6. The school shall not enter into any formal or informal arrangements with any other Commission-authorized schools or their affiliates, without the prior authorization of the Commission.
7. Not later than February 1, 2016, the school shall provide evidence satisfactory to the Commission that it has conducted outreach and meetings with the community, including those reasonably calculated to raise awareness of the school with all social and economic demographic groups in its catchment area.