

Virginia Board of Education Agenda Item



Agenda Item: C

Date: March 22, 2012

Title	First Review of the Consensus Report from the Board of Education Charter School Committee on the Proposed Fairfax Leadership Academy Charter School Application		
Presenters	Mrs. Diane Jay, Associate Director, Office of Program Administration and Accountability on behalf of Mr. Rob Krupicka, Charter School Committee Chair		
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Purpose of Presentation:

Action required by state or federal law or regulation.

Previous Review or Action:

No previous review or action.

Action Requested:

Action will be requested at a future meeting. Specify anticipated date below:

April 26, 2012

Alignment with Board of Education Goals: Please indicate (X) all that apply:

X	Goal 1: Expanded Opportunities to Learn
	Goal 2: Accountability of Student Learning
	Goal 3: Nurturing Young Learners
	Goal 4: Strong Literacy and Mathematics Skills
	Goal 5: Highly Qualified and Effective Teachers and Administrators
X	Goal 6: Sound Policies for Student Success
	Goal 7: Safe and Secure Schools
	Other Priority or Initiative. Specify:

Background Information and Statutory Authority:

Goal 1: In 2011, the Board of Education approved procedures for receiving and reviewing charter school applications and criteria used in reviewing applications.

Goal 6: The Board of Education has adopted expanded choices for student success. Charter schools are one avenue for parents and for children seeking new education options in the public education system.

As a result of legislation approved by the 2010 General Assembly, the *Code of Virginia*, [Section 22.1-212.9](#), requires that all charter school applications be submitted to the Board prior to being submitted to the local school board. Applications must adhere to the format prescribed by the Board and address the application elements stated in the *Code of Virginia*, [Section 22.1-212.8](#). The Board is required to render a decision on whether the application meets its approval criteria. A decision by the Board that an

application meets its approval criteria does not guarantee that the local school board will approve a request for a charter. The process required by charter school applicants can be found at http://www.doe.virginia.gov/instruction/charter_schools/application/application_process.pdf.

To meet the intent of the legislation, the Board of Education has appointed a charter school committee to examine charter school applications submitted to the Board of Education and ensure they are consistent with existing state law. The Board of Education Charter School Committee met on February 22, 2012, to discuss the charter school application submitted by the Fairfax Leadership Academy in Fairfax County and to meet with the applicant. A copy of the application can be found at http://www.doe.virginia.gov/boe/committees_standing/meetings/charter_schools_meeting_materials.shtml#feb222012. Minutes in Attachment A reflect the Charter School Committee’s discussion regarding the criteria developed by the Board. Attachment B contains the Charter School Committee’s consensus report and the complete checklist used by the committee to evaluate the Fairfax Leadership Academy charter application. The table below displays the committee’s recommendation as to whether the components of the application meet the Board’s approval criteria.

Required Application Components		Met the Criterion
II.	Mission Statement	Yes
III.	Goals and Educational Objectives	Yes
IV.	Evidence of Support	Yes
V.	Statement of Need	Yes
VI.	Educational Program	Yes
VII.	Enrollment Process	Yes
VIII.	Economic Soundness	Yes
IX.	Displacement	Yes
X.	Management and Operation	Yes
XI.	Employment Terms and Conditions	Yes
XII.	Liability and Insurance	Yes
XIII.	Transportation	Yes
XIV.	Residential Charter School	N/A
XV.	Disclosures	Yes

Impact on Fiscal and Human Resources:

There is a minimum impact on resources. The agency’s existing resources can absorb costs at this time.

Timetable for Further Review/Action:

Final review on April 26, 2012.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education accept for first review the Charter School Committee’s recommendation that the application for Fairfax Leadership Academy in Fairfax County meets all applicable Board of Education charter school application criteria.

**Meeting Minutes
Virginia Board of Education
Charter School Committee**

Richmond, Virginia

February 22, 2012

Mr. Rob Krupicka called the meeting to order at 1 p.m. Committee members attending were: Mrs. Betsy Beamer, Mr. Walter Cross, Mrs. Linda Hyslop, Mr. Rob Krupicka, Mr. Dave Cline, and Dr. Rick Richardson. Also present were Superintendent of Public Instruction Dr. Patricia Wright, and Board members, Mr. Chris Braunlich and Dr. Billy Cannaday.

After opening remarks, Mr. Krupicka described the steps of the review process and reviewed the committee's task of examining the Fairfax Leadership Academy public charter school application as stipulated in the *Code of Virginia*. The purpose of the meeting was for the committee to discuss the application, meet with the applicant, and decide if the application met the Board's approval criteria.

Before the examination of the application, Mr. Krupicka introduced the applicant, Mr. Eric Welch, who in turn recognized the following members of the Fairfax Leadership Academy team: Shawn DeRose, Anthony Terrell, Catherine Buffaloe, Sharyn Franck, Kurt Mills, Vince O'Neill, and Julie Strategos. Also attending from the Fairfax County Public Schools (FCPS) were Dr. Richard Moniuszko, Jim Johnson, Phyllis Pajado, Debra Reeder, and Paula Jett.

Mr. Krupicka made note of the supplemental materials that Mr. Welch presented and the letter that Dr. Moniuszko, Deputy Superintendent, sent to the Board of Education informing them that the charter school has been working with FCPS staff to determine various elements of the charter school.

Mr. Krupicka confirmed that the applicant information (Part A) was complete; an executive summary provided an overview of the proposed charter school; and the assurances (Part C) were signed.

The applicant then provided an overview of the main points of the application's components grouped into three areas: Education, Logistical, and Business. After the applicant addressed each area, the committee had the opportunity to ask questions. Committee members were asked to reach a consensus as to whether the application addressed each of the following required application components:

Required Application Components		Met the Criterion
II.	Mission Statement	Yes
III.	Goals and Educational Objectives	Yes
IV.	Evidence of Support	Yes
V.	Statement of Need	Yes
VI.	Educational Program	Yes
VII.	Enrollment Process	Yes
VIII.	Economic Soundness	Yes
IX.	Displacement	Yes
X.	Management and Operation	Yes
XI.	Employment Terms and Conditions	Yes
XII.	Liability and Insurance	Yes
XIII.	Transportation	Yes
XIV.	Residential Charter School	N/A
XV.	Disclosures	Yes

While consensus was reached that each of the criteria had been met, there were comments on Section IV: Evidence of Support, and Section VIII: Economic Soundness. Regarding Evidence of Support, the applicant was encouraged to seek additional parent and student input among the targeted population that would demonstrate in a more significant way that a need exists for the school. Regarding economic soundness, it was noted that the financial plan was adequate, but the applicant should work closely with FCPS to secure fixed figures on costs.

Dr. Wright commended the applicant on the proposal and also recognized the support of the FCPS.

Mr. Krupicka explained that the committee's consensus report will be prepared and provided to the applicant within ten business days. The report will be presented to the Board for first review at the March 22, 2012, meeting. The Board will review, comment, and make a determination as to whether the Fairfax Leadership Academy charter school application meets the approval criteria and take final action at the April 26 meeting.

The meeting was adjourned by Mr. Krupicka at 3 p.m.

**Virginia Board of Education
Charter School Committee**

**Consensus Report for the Application Submitted by
Fairfax Leadership Academy Charter School
Fairfax County, Virginia
February 22, 2012**

The *Code of Virginia*, [Section 22.1-212.9](#), requires that all public charter school applications be submitted to the Board prior to being submitted to the local school board. Applications must adhere to the format prescribed by the Board and address the application elements stated in the *Code of Virginia*, [Section 22.1-212.8](#). The Board is required to render a decision on whether the application meets its approval criteria. A decision by the Board that an application meets its approval criteria does not guarantee that the local school board will approve a request for a charter.

To meet the intent of the legislation, the Board of Education established a Charter School Committee. The committee met at the Virginia Department of Education on February 22, 2012, to discuss the charter school application submitted by the Fairfax Leadership Academy in Fairfax County and to meet with the applicant.

It was confirmed by the committee that the applicant information was complete; an executive summary provided an overview of the proposed charter school; and the assurances were signed. The applicant provided an overview of the main points of the application's components grouped into three areas: Education, Logistical, and Business. After the applicant addressed each area, the committee had the opportunity to ask questions. After the three areas were addressed, committee members reached a consensus as to whether the application addressed each of the required components. The consensus was based on the criteria checklist. The components are outlined below and in the criteria checklist appended to the consensus report.

Required Application Components		Met the Criterion
II.	Mission Statement	Yes
III.	Goals and Educational Objectives	Yes
IV.	Evidence of Support	Yes
V.	Statement of Need	Yes
VI.	Educational Program	Yes
VII.	Enrollment Process	Yes
VIII.	Economic Soundness	Yes
IX.	Displacement	Yes
X.	Management and Operation	Yes
XI.	Employment Terms and Conditions	Yes
XII.	Liability and Insurance	Yes
XIII.	Transportation	Yes
XIV.	Residential Charter School	N/A
XV.	Disclosures	Yes

While consensus was reached that each of the criterion had been met, there were comments on Section IV: Evidence of Support and Section VIII: Economic Soundness. Regarding Evidence of Support, the applicant was encouraged to seek additional parent and student input among the targeted population that would demonstrate in a more significant way that a need exists for the school. Regarding Economic Soundness, it was noted that the financial plan was adequate, but the applicant should work closely with Fairfax County Public Schools to secure fixed figures on costs.

The consensus report will be presented to the Board of Education for first review at the March 22, 2012, meeting. The Board will review, comment, and make an initial determination as to whether the Fairfax Leadership Academy application meets the approval criteria and will take final action at its meeting on April 26, 2012.



Charter School Committee

Criteria Checklist
for
Fairfax Leadership Academy

February 22, 2012

**Virginia Board of Education
P.O. Box 2120
Richmond, Virginia 23218-2120**

Fairfax Leadership Academy Criteria Checklist

Required Application Components	Does the Response Meet the Board's Approval Criterion?
Cover Page Requested information has been provided and the authorized official has signed and dated the cover page.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Applicant Information Applicant information has been provided.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I. Executive Summary: The executive summary provides an overview of the proposed charter school and includes the need for the public charter school and its goals and objectives.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
II. Mission Statement: The mission statement of the public charter school is consistent with the principles of the Standards of Quality (SOQ). The following components are addressed:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1. A description of the public charter school's mission and how it is consistent with the principles of the Virginia SOQ. (Section 22.1-253.13:1, Code of Virginia)	
2. A description of any specialized area of academic concentration.	
3. Information about the public charter school's anticipated student population consistent with Section 22.1-212.6 , of the <i>Code of Virginia</i> .	
III. Goals and Educational Objectives: The goals and educational objectives to be achieved by the public charter school are stated, and meet or exceed the Standards of Learning. The following components are addressed:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1. A description of the performance-based goals.	
2. A description of the related measurable educational objectives to be achieved by the public charter school. (Section 22.1-253.13:1.B, Code of Virginia)	
IV. Evidence of Support: Evidence that an adequate number of parents, teachers, pupils, or any combination thereof, supports the formation of a public charter school is provided. The following components are addressed:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1. Information and materials indicating how parents, the community, and other stakeholders were involved in supporting the application for the public charter school.	
2. Tangible evidence of support for the public charter school from parents, teachers, students, and residents, or any combination thereof, including, but not limited to, information regarding the number of persons and organizations involved in the process and petitions related to the establishment of the charter school.	
3. A description of how parental involvement will be used to support the educational needs of the students, the school's mission and philosophy, and its educational focus.	
V. Statement of Need: A statement describing the need for a public charter school in a school division or relevant school divisions in the case of a regional public charter school, or in a geographic area within a school division or relevant school divisions, is provided. The following components are addressed:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1. An explanation of why the public charter school is being formed. (Is the school being formed at the request of parents or community organizations? How was the need determined? What data were examined as part of the needs assessment? Briefly describe the need and include a summary of the quantitative data.)	

Required Application Components	Does the Response Meet the Board's Approval Criterion?
2. An explanation of why a public charter school is the appropriate vehicle to address the identified need.	
VI. Educational Program: A description of the public charter school's educational program is provided. The following components are addressed:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1. A synopsis of the public charter school's educational program.	
2. A description of the pupil performance standards and curriculum, which must meet or exceed any applicable Virginia SOQ. (Sections 22.1-253.13:1 through 22.1-253.13:9 , <i>Code of Virginia</i>)	
3. A description of how the Virginia SOL and the corresponding SOL Curriculum Framework will be used as the foundation for curricula to be implemented for each grade or course in the public charter school. Include within the description how the goals and objectives of the curricula will meet or exceed the Virginia Standards of Learning (SOL), address student performance standards, relate to state and federal assessment standards, and include measurable student outcomes. (See http://www.doe.virginia.gov/testing/index.shtml on the Department's Web site for more information about the SOL.)	
4. A description of any assessments to be used to measure pupil progress towards achievement of the school's pupil performance standards, in addition to the SOL assessments prescribed by Section 22.1-253.13:3 , in the <i>Code of Virginia</i> .	
5. A description of the public charter school assessment plan to obtain student performance data, which includes how the data will be used to monitor and improve achievement and how program effectiveness, will be measured over a specified period of time. Also, provide benchmark data on how student achievement will be measured and how these data will be established and documented in the first year of operation and how the data will be measured over each year of the term of the charter as approved by the local school board. The benchmark data should address targets for student improvement to be met in each year.	
6. The timeline for achievement of pupil performance standards, in accordance with the Virginia SOL.	
7. An explanation of the procedures for corrective actions needed in the event that pupil performance at the public charter school falls below the standards outlined in the Virginia Board of Education's Regulations Establishing Standards for Accrediting Public Schools in Virginia , (8 VAC 20-131-310).	
8. Information regarding the minimum and maximum enrollment per grade as well as class size and structure for each grade served by the public charter school.	
9. Information regarding the proposed calendar and daily schedule, including any plans to open prior to Labor Day and how and when a waiver to open early will be submitted by the local school board to the Virginia Board of Education. (Section 22.1-79.1 , <i>Code of Virginia</i>)	
10. A description of plans for identifying and serving: a) students with disabilities; b) English Language Learners (ELLs); c) academically at-risk students; and d) gifted and talented students. Such plans must indicate the extent of the involvement of the local school board in providing such services and must comply with state and federal laws and regulations.	
11. A description of the learning environment and scientifically research-based instructional strategies to be used at the public charter school to ensure student achievement.	

Required Application Components	Does the Response Meet the Board's Approval Criterion?
If applicable, the following components are addressed by the proposed public charter school:	<input checked="" type="checkbox"/> Not Applicable
12. If the public charter school plans to utilize virtual learning in its educational program, identify the virtual learning source, describe how virtual learning will be used, and estimate how many students may participate.	
13. A general description of any alternative accreditation plans, in accordance with the Virginia Board of Education's Regulations Establishing Standards for Accrediting Public Schools in Virginia (8 VAC 20-131-280), that the public charter school would request the local school board to submit to the Virginia Board of Education for approval.	
14. A general description of any alternative accreditation plan for serving students with disabilities, in accordance with the Virginia Board of Education's Regulations Governing Special Education Programs For Children With Disabilities in Virginia (8 VAC 20-80-40) that the public charter school would request the local school board to submit to the Virginia Board of Education for approval.	
VII. Enrollment Process: A description of the lottery process consistent with all federal and state laws and regulations and constitutional provisions prohibiting discrimination that are applicable to public schools and with any court-ordered desegregation plan in effect for the school division or, in the case of a regional public charter school, in effect for any of the relevant school divisions is provided. (Section 22.1-212.6, Code of Virginia). The following components are addressed:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1. A description of the lottery process to be used to determine the public charter school enrollment.	
2. A description of the lottery process for the establishment of a waiting list for such students for whom space is unavailable.	
3. A description of a tailored admission policy that meets the specific mission or focus of the public charter school, if applicable.	
4. A timeline for when the lottery process will begin for the first academic year of enrollment and when parents will be notified of the outcome of the lottery process.	
5. A description of any enrollment-related policies and procedures that address special situations, such as the enrollment of siblings and children of faculty and founders and the enrollment of nonresident students, if applicable.	
6. An explanation of how the applicant will ensure that, consistent with the public charter school's mission and purpose, community outreach has been undertaken so that special populations are aware of the formation of the public charter school and that enrollment is open to all students residing in the school division where the public charter school is located or in school divisions participating in a regional charter school.	
7. A description of how the transfer of students to and from the public charter school will be accomplished.	
8. A description of how students seeking enrollment after the school year begins will be accommodated.	
VIII. Economic Soundness: Evidence that the plan for the public charter school is economically sound for both the public charter school and the school division is provided. The following components are addressed:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1. A description of the public charter school's financial plan, including financial controls and audit requirements in accordance with generally accepted accounting principles.	

Required Application Components	Does the Response Meet the Board's Approval Criterion?
2. A start-up and three-year budgets with clearly stated assumptions and information regarding projected revenues and expenditures.	
3. A start-up and three-year cash flow projections with clearly stated assumptions and indications of short- and long-term sources of revenue.	
4. A description of anticipated fundraising contributions, if applicable.	
5. A description of the funding agreement that the public charter school intends to have with the local education agency, including information regarding anticipated local, state, and federal per-pupil-amounts to be received and any information pertaining to the maintenance of facilities.	
<p>IX. Displacement: A description of the plan for the displacement of pupils, teachers, and other employees who will not attend or be employed in the public charter school, in instances of the conversion of an existing public school to a public charter school, and for the placement of public charter school pupils, teachers, and employees upon termination or revocation of the charter is provided. The following components are addressed:</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1. Identification of a member of the school's leadership team who will serve as a single point of contact for all activities that may need to take place in order for the school to close, including, but not limited to, the transfer of students to another school, the management of student records, and the settlement of financial obligations.	
2. A notification process to parents/guardians of students attending the school and teachers and administrators of the closure date.	
3. A notification process to parents/guardians of students attending the public charter school of alternative public school placements within a set time period from the date that the closure is announced.	
4. Provisions for ensuring that student records are provided to the parent/guardian or another school identified by the parent or guardian within a set time period. If the student transfers to another school division, provisions for the transfer of the student's record to the school division to which the student transfers shall be made upon the request of that school division. (Section 22.1-289 , <i>Code of Virginia</i>).	
5. Notification to the local school board of a list of all students in the school and the names of the schools to which these students will transfer.	
6. A placement plan for school employees that details the level of assistance to be provided within a set period of time from the date of closure. For teachers and administrators, the level of assistance should address finding employment within the school division where the public charter school is located or other public school divisions.	
7. A close-out plan related to financial obligations and audits, the termination of contracts and leases, and the sale and disposition of assets within a set period of time from the date of closure. The plan shall include the disposition of the schools' records and financial accounts upon closure.	

Required Application Components	Does the Response Meet the Board's Approval Criterion?
<p>X. Management and Operation: A description of the management and operation of the public charter school, including the nature and extent of parental, professional educator, and community involvement in the management and operation of the public charter school is provided. (Section 22.1-212.7, Code of Virginia) The following components are addressed:</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>1. A description of the functions, roles, and duties of the management committee as defined in Section 22.1-212.6 of the <i>Code of Virginia</i> in the operation and oversight of the public charter school and its proposed constitution and bylaws.</p>	
<p>2. An explanation of how support services will be provided. These services include, but are not limited to: 1) food services; 2) school health services; 3) custodial services; 4) extracurricular activities; and 5) security services.</p>	
<p>3. An explanation of any partnerships or contractual relationships (education management organization, food services, school health services, custodial services, security services, etc.) central to the school's operations or mission, including information regarding the relationship of all contractors to the governing board of the public charter school, and information regarding how contractors and the employees of the contractors having direct contact with students will comply with the provisions of Section 22.1-296.1, of the <i>Code of Virginia</i>.</p>	
<p>4. A detailed start-up plan, identifying tasks, timelines, and responsible individuals.</p>	
<p>5. A proposed organization chart.</p>	
<p>6. Plans for recruiting school leadership and staff.</p>	
<p>XI. Employment Terms and Conditions: An explanation of the relationship that will exist between the proposed public charter school and its employees, including evidence that the terms and conditions of employment have been addressed with affected employees is provided. (Sections 22.1-212.13, 22.1-296.1 and 22.1-296.2, Code of Virginia) The following components are addressed:</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>1. A plan that addresses the qualifications of teachers and administrators at the public charter school, including compliance with state law and regulation regarding Virginia Board of Education licensing endorsements.</p>	
<p>2. A plan to provide high-quality professional development programs (Section 22.1-253.13:5, Code of Virginia).</p>	
<p>3. Provisions for the evaluation of staff at regular intervals and in accordance with state law and regulation.</p>	
<p>4. Provisions for a human resource policy for the public charter school that is consistent with state and federal law.</p>	
<p>5. Notification to all school employees of the terms and conditions of employment</p>	
<p>6. A staffing chart for the school's first year and a staffing plan for the term of the contract.</p>	
<p>XII. Liability and Insurance: A description of the agreement between the parties regarding their respective legal liability and applicable insurance coverage is provided. (Section 22.1-212.16, Code of Virginia) The following components are addressed:</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>1. The types of insurance for the public charter school, its property, its employees, the charter school management committee, and the board and the levels of coverage sought. Types of insurance include, but are not limited to: a) general liability; b) health; and c) property.</p>	

Required Application Components	Does the Response Meet the Board's Approval Criterion?
2. A justification for each type of insurance coverage sought.	
3. A description of any plans of the public charter school to provide indemnity for the local school division.	
XIII. Transportation: A description of how the public charter school plans to meet the transportation needs of its pupils is provided. The following components are addressed:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1. A description of how the transportation of students will be provided: a) by the local school division; b) by the public charter school; c) by the parent(s); or d) through a combination of these options.	
2. If transportation services will be provided by the public charter school, explain whether the school will contract for transportation with the local education agency or with another entity or have its own means of transportation and indicate whether transportation will be provided to all students attending the school.	
3. A description of transportation services for students with disabilities in compliance with Section 22.1-221 of the <i>Code of Virginia</i> and the Board's Regulations Governing Special Education Programs For Children With Disabilities in Virginia .	
XIV. Residential Charter Schools: If the application is for a residential charter school for at risk students, the following components must be addressed:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable
1. A description of the residential program to include: a) the educational program; b) a facilities description to include grounds, dormitories, and staffing; c) a program for parental education and involvement; d) a description of after-care initiatives; e) the funding the residential facility and other services provided; f) any counseling and other social services to be provided and their coordination with current state and local initiatives; and g) a description of enrichment activities available to students.	
2. A description of how the facility will be maintained including, but not limited to: a) janitorial and regular maintenance services and b) security services to ensure the safety of students and staff.	
XV. Disclosures: Disclose ownership or financial interest in the public charter school by the charter applicant and the governing body, administrators, and other personnel of the proposed public charter school, and require that the applicant and the governing body, administrators, and other personnel of the public charter school shall have a continuing duty to disclose such interest during the term of any charter. The following components must be addressed:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1. A description of how the applicant and members of the management committee will disclose any ownership or financial interest.	
2. Information regarding the frequency by which such disclosures will be made (Section 22.2-3114 , <i>Code of Virginia</i>).	
3. A description of ownership or financial interest of the applicant and/or members of the management committee in the proposed charter school. This includes any relationships that parties may have with vendors performing services at the school.	
Assurances The certification statement has been signed.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No