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**AGENDA ITEM:** Consideration of Revocation or Restoration of a Failing School

**Arizona LEARNS**

In November of 2001, Arizona voters approved Proposition 301 which, among other things, provided funds to the Arizona Department of Education (ADE) to develop “a system to measure school performance based on student achievement, including student performance on the AIMS test.” The legislative requirements for the accountability system are stated in section 15-241 (ARS § 15-241) of the Arizona Revised Statutes. The accountability system created to satisfy the statute is referred to as Arizona LEARNS. The school evaluation given by ADE to each school is referred to as the school’s achievement profile. Arizona law (ARS § 15-241) mandates that the Arizona Department of Education shall compile an annual achievement profile for each public school.

The achievement profile for a school serving grades 3-8 consists of the following performance measures:

1. A status measure based on the performance of students on all three sections of the AIMS (reading, writing, and mathematics) in the current year.
2. A measure of improvement in aggregate student performance on the AIMS compared to the baseline year.
3. A measure of growth in individual student performance. This is the Measure of Academic Progress (MAP).
4. A measure of student performance on the state’s English language proficiency assessment: AZELLA.
5. A measure of whether the school made Adequate Yearly Progress (AYP) as defined by the No Child Left Behind Act of 2001. In order to comply with the federal requirement that the state have an integrated accountability system, a school’s AYP determination is factored into the calculation of its achievement profile.

Schools are awarded scale score points based on their performance on measures one through five. Scale score points are then summed up for each school and compared to a scale that relates scale score points to the five profile labels: excelling, highly performing, performing plus, performing, and underperforming.

In accordance with A.R.S. § 15-241(O), if a school remains classified as an underperforming school for a third consecutive year, the department of education shall visit the school site to confirm the classification data and to review the implementations of the school’s improvement plan. The school shall be classified as failing to meet academic standards unless an alternate classification is made after an appeal. Pursuant to A.R.S. § 15-241(U), if a charter school is designated as a school failing to meet academic standards, the department of education shall immediately notify the charter school’s sponsor. The charter school’s sponsor shall either take action to restore the charter school to acceptable performance or revoke the charter school’s charter. A Failing Schools Flow Chart has been included for your reference.

**Background Information (Ha:san Educational Services, Inc.)**

Ha:san Educational Services, Inc., an Arizona non-profit corporation, operates Ha:san Middle School (School). Ha:san Educational Services, Inc. was granted a charter and began operation in the fall of 2006, serving approximately 55 students in grades six through eight. Ha:san Educational Services, Inc. also holds a separate charter to operate a High School (-12). The high school is currently designated as Performing. At the time of the failing school site visit on November 4, 2009, the Corporation Commission listed Jasper Kinsley, Jr. (Vice President), Delbert Ortiz (Vice President), and Alison Reeves (Secretary) as officers. Directors are Donna Braun, Jasper Kinsley, Sr., and Alison Reeves. The Charter Representative is Shawn Listo, who is also the onsite Technology Coordinator for the school. The Governing Body is comprised of Adam Andrews, Jessica Estrada, Jennifer Garcia, Sylvia Hendricks, Elvira Hubbell, Jasper Kinsley, Jr., and Connie Sanzo. Other charter/school leadership includes Jerry Olivias, Director of Ha:san Middle School, who has held this position for the past two years.

A recent change in officers and directors, as of January 21, 2010, is listed on the Corporation Commission website. Officers are Shawn Listo (Vice President), Jessica Estrada (Vice President), Alison Reeves (Vice President and Treasurer), and Donna Braun (Vice President and Secretary). Directors are Shawn Listo, Jessica Estrada, Alison Reeves, Donna Braun, and Frank Prezelski. These changes have not been provided by Ha: san Educational Services, Inc. to the Board via the amendment and notification process required per the charter contract. Therefore, appropriate background checks and consideration by the Board have not occurred.

Ha:san Middle School is located in Tucson, Arizona and primarily serves Tohono O’odham youth and Native American students. At the time of the failing school site visit on November 4, 2009, the School reported an enrollment of 60 students. The following chart lists some examples of State and Federal approximate revenues received by Ha:san Educational Services, Inc. from FY 2007 – FY 2010.

Revenue Category	FY 2010	FY 2009	FY 2008	FY 2007
100 <sup>th</sup> Day Actual Student Count	58 estimated	50.435	56.891	54.987
State Equalization Assistance	\$359,387	\$306,592	\$340,533	\$318,130
Classroom Site Fund	\$19,799	\$29,626	\$32,325	\$26,382
Federal Impact Aide	\$204,546	\$208,487	\$228,762	0
Federal Title I LEA	0	\$24,158	0	0
Federal Title II Improving Teacher Quality	0	\$1,328	0	0
Federal IDEA Monies	\$1,000	\$8,608	\$8,474	\$10,253
Total	\$584,732	\$578,799	\$610,094	\$354,765
Per Pupil Revenue	\$10,082	\$11,476	\$10,724	\$6,452

In the fall of 2007 Ha:san Middle School was designated as a first year underperforming school in accordance with A.R.S. §15-241. The School was required to notify the parents of the students attending Ha:san Middle School of the underperforming classification and create an Arizona School Improvement Plan (ASIP). Following the submission of the ASIP, which was due on January 15, 2008, the Arizona Department of Education (ADE) scheduled a Solutions Team to visit the School and meet with stakeholders. This visit took place on April 2 - 3, 2008. Using the *Standards and Rubrics for School Improvement*, the team answered three questions:

1. Does the school's Arizona School Improvement Plan appear to be a sound plan for improving student performance?
2. Do the structures and conditions appear to be in place for successful implementation of the school's Arizona School Improvement Plan?
3. What recommendations can be provided that will assist the school with the implementation of its Arizona School Improvement Plan?

Ha:san Middle School received a copy of the Solution Team's Statement of Findings to use as technical assistance to validate or to re-direct the School's improvement efforts as well as offer specific recommendations for moving forward. An underperforming school may revise its ASIP at any time, using new data to evaluate and revise its goals and benchmarks as appropriate. In addition, an ASSIST Coach is assigned to offer support for school improvement efforts. The School did not provide evidence of a revised ASIP since the original submission due on January 15, 2008.

The school was designated as a second year underperforming school in the fall of 2008 and subsequently Failing to Meet Academic Standards in 2009. This failing designation led to a joint evaluation of the School by staff from ADE's School Effectiveness Division and the Arizona State Board for Charter Schools (ASBCS). The remainder of this report includes findings from the failing school site visit conducted on November 4, 2009, in which interviews with school personnel and the leadership team members were conducted, the School was provided the opportunity to produce evidence of progress made toward school improvement. The findings include the review of all areas required in A.R.S. 15-241.U. A summary and staff recommendation follows.

### **Summary of Findings**

- In the fall of 2007, the School was designated as a first year underperforming school in accordance with A.R.S. § 15-241.
- The School was designated as a second year underperforming school in the fall of 2008.
- The School was designated as Failing to Meet Academic Standards in the fall of 2009.
- In FY 2009 the School did not make adequate yearly progress (AYP).
- The joint failing school site visit on November 4, 2009 by ADE, and ASBCS reveals minimal or no evidence on all seven (7) outcomes that include twenty (20) indicators in this report.
  - 60% of the outcomes failed to meet the criteria
- 80% of the instructional staff is non-highly qualified in the core content area they are assigned to teach.
- The School has not developed an explicit, written curriculum for Reading, Writing, and Math that is aligned with Arizona Academic Standards.

## Findings

### Outcome 1: Has the school properly implemented its school improvement plan?

- The school is not actively and with consistency, reliability, and commitment implementing the Arizona School Improvement Plan (ASIP) as outlined by the specific steps, actions and prescribed timeline.
- The priorities of the Solutions Team Statement of Findings have not been addressed.
- The ASIP has not been revised and adjusted to address ongoing needs based on data.

### Outcome 2: Is the school curriculum aligned with Arizona Academic Standards?

- To a minimal extent the school has developed an explicit, written curriculum for at least Reading, Writing, and Math that is aligned with Arizona Academic Standards down to the performance objective level.
- There is not a process for monitoring, evaluating, and reviewing the curriculum in place.
- To a minimal extent there is a comprehensive curriculum that fully integrates the fine arts, social studies, and science *for elementary grades served*.

### Outcome 3: Does the school provide teacher training/professional development?

- Teacher training activities are not linked to the ASIP goals. Professional development activities are not evaluated to determine effectiveness and relativity to the ASIP.
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- To a minimal extent follow-up occurs after training sessions to provide feedback and to ensure that training is applied in the classroom.
- There is no plan to evaluate on-going, job-embedded professional development. (teacher training programs)

### Outcome 4: Has the school prioritized its budget?

- To a minimal extent resources are allocated to match the identified student needs outlined in the ASIP.
- To a minimal extent procurement of instructional materials and resources is consistently compliant with school calendar and instructional timelines.
- School-wide comprehensive professional learning is not funded to support continuous improvement of school staff learning.

### Outcome 5: Does the school provide other proven strategies to improve academic performance?

- To a minimal extent systems and procedures are in place to create and maintain a safe school environment, a positive climate and productive culture that sustains the instructional and school improvement process.
- The school does not have a comprehensive assessment plan that utilizes data in a variety of ways to measure student performance and plan for teaching and learning.
- To a minimal extent the school provides scientific research-based, intensive intervention strategies for those students who are identified as *Falls Far Below* or *Approaches the Standard* in Reading, Mathematics, or Writing.

**Outcome 6: Has the school demonstrated improvement in its ability to meet grade level academic standards in Mathematics and/or Reading and increase student academic achievement based on a review of the measures used to calculate AZ LEARNS achievement profiles?**

- AIMS reading scores in 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> grades decreased from 2008 to 2009.
- AIMS math scores decreased in 6<sup>th</sup> grade from 2008 to 2009.
- AIMS math scores increased in 7<sup>th</sup> and 8<sup>th</sup> grade from 2008 to 2009.
- 2009 AIMS reading and mathematics student scores were less (anywhere from 18% to 68%) than the State average as displayed in the table below:

	Reading (State Avg.) 2009	Reading Ha:san 2009	Math (State Avg.) 2009	Math Ha:san 2009
8 <sup>th</sup> grade	69%	45%	63%	20%
7 <sup>th</sup> grade	73%	55%	73%	40%
6 <sup>th</sup> grade	70%	17%	68%	0%
% students scoring at the meets or exceeds levels on AIMS in 2009.				

- 2007, 2008, and 2009 AIMS reading and mathematics student scores:

	Reading 2007	Reading 2008	Reading 2009	Math 2007	Math 2008	Math 2009
8 <sup>th</sup> grade	33%	56%	45%	11%	19%	20%
7 <sup>th</sup> grade	44%	60%	55%	38%	25%	40%
6 <sup>th</sup> grade	21%	29%	17%	16%	18%	0%
% students scoring at the meets or exceeds levels on AIMS.						

**Outcome 7: Does the charter and school have the capacity/sustainability for continued improvement?**

- To a minimal extent the roles and responsibilities of corporate entity, governing body and school leadership are consistently and appropriately implemented.
- There is no evidence that the leadership is capable of supporting the school site in the allocation of resources (fiscal, human, physical and time); and in the ongoing monitoring and technical assistance necessary for the school to progress on their ASIP goals.
- There is no evidence that school leadership demonstrates the skills necessary to lead a continuous school improvement process focused on increasing student achievement.
- There is no evidence that the instructional staff is capable of supporting the school; utilizing sufficient knowledge of subject matter, instructional techniques and assessments.

## **Board Options**

- Make a determination to refer the matter to hearing for consideration of revocation of the charter.  
OR
- Provide an opportunity for the charter operator to enter into a Consent Agreement to restore the charter to acceptable performance by Fall 2010 for the Board's consideration at its next meeting.

## **Staff Recommendation**

Refer the matter to hearing for consideration of revocation of the charter.

I move that, pursuant to A.R.S. § 15-241(U), the Board refer this matter to hearing for consideration of revocation of the charter of Ha:san Educational Services, Inc.. The hearing will be held by this Board in accordance with the uniform administrative hearing procedures contained at A.R.S. §§ 41-1092 through -1092.12. The Board will consider the evidence and testimony and then make Findings of Fact, Conclusions of Law, and issue a Final Order.

I further move that:

- Within 48 hours of receipt of the Notice the charter operator shall notify staff and parents/guardians of registered students of Ha:san Middle School the Notice of Intent to Revoke and the Notice of Hearing and provide a school location where the copy may be reviewed;
- Within 20 days of receipt of the Notice the charter operator shall provide copies of all correspondence and communications used to comply with the preceding provision; and
- Within 20 days of receipt of the Notice the charter operator shall provide the Board with the names and mailing addresses of parents/guardians of all students registered with the school.

**Ha:san Educational Services, Inc.**

Site: Ha:san Middle School

**Background Information**

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### **Findings**

#### **OUTCOME 1: Has the school properly implemented its school improvement plan?**

**Background:** ADE provides training and a template for completing the prescribed format for the ASIP. Additional support may be requested for completing the plan. As stated previously, a Solutions Team does provide a Statement of Findings, which includes priority recommendations to assist the school in successfully implementing and sustaining its ASIP.

Based on a review of the information available it has been determined that:

- The school is actively and with consistency, reliability, and commitment implementing the Arizona School Improvement Plan (ASIP) as outlined by the specific steps, actions and prescribed timeline.
- To some extent the school is actively and with consistency, reliability, and commitment implementing the Arizona School Improvement Plan (ASIP) as outlined by the specific steps, actions and prescribed timeline.
- To a minimal extent the school is actively and with consistency, reliability, and commitment implementing the Arizona School Improvement Plan (ASIP) as outlined by the specific steps, actions and prescribed timeline.
- The school is not actively and with consistency, reliability, and commitment implementing the Arizona School Improvement Plan (ASIP) as outlined by the specific steps, actions and prescribed timeline.

The determination is supported by the following facts:

- According to the Director's comments in the leadership team interview, last year he was acclimating to the School and identifying what was working and what was not.
- Review of expenditure reports for FY 2009 show paid registration fees for the current Director, Jerry Olivias, to attend the September 2008 Fall Process Forum which provides guidance to administrators on the school improvement process, to include completing and submitting the ASIP.

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- At the time of the failing school visit, the original ASIP, created in January 2008 had not been revised. On the day of the site visit, November 4, 2009, the Director said he located the website for accessing and updating the plan the day before.
- A staff meeting agenda item for October 30, 2009 “Go over most recent ASIP submitted to State”.
- According to interview responses on November 4, 2009, teachers shared that the School has not worked with the ASIP since the original submission for the 2007-08 school year, which was due on January 15, 2008.
- The School did not provide documentation to demonstrate implementation of the ASIP or progress on meeting goals.
  - Benchmark assessments were written in the original ASIP in 2007-08 as a way to monitor progress on the goals; however, the Director stated during the leadership interview that the School is in the beginning stages of creating benchmark assessments this quarter (Fall 2009).
  - The ASIP action plan identified 25 professional development days for the purpose of supporting staff in implementing research-based math and reading strategies, reading comprehension, and bi-cultural curriculum development. However, staff meeting and professional development agendas provided do not include specific details on research-based math and reading strategies, reading comprehension, and bi-cultural curriculum development.

- The priorities of the Solutions Team Statement of Findings have been addressed.
- To some extent the priorities of the Solutions Team Statement of Findings have been addressed.
- To a minimal extent the priorities of the Solutions Team Statement of Findings have been addressed.
- The priorities of the Solutions Team Statement of Findings have not been addressed.

The determination is supported by the following facts:

- Priority recommendations made by the Solutions Team in April of 2008 included increasing student growth by 10%, attaching the monitoring of student progress to the tutoring plan, tracking of student progress should include who, what, when, and why, and aligning the professional development plan with student achievement goals. The Director report these recommendations have not been addressed.
  - There is no documented evidence of the School completing or submitting a revised ASIP since January 15, 2008.

- The ASIP has been revised and adjusted to address ongoing needs based on data.
- To some extent the ASIP has been revised and adjusted to address ongoing needs based on data.
- To a minimal extent the ASIP has been revised and adjusted to address ongoing needs based on data.
- The ASIP has not been revised and adjusted to address ongoing needs based on data.

The determination is supported by the following facts:

- The Director stated in the leadership team interview he inherited the 2007-08 ASIP when he arrived approximately two years ago and had not worked on revising the plan in written form.
- The School did not provide evidence that the ASIP has been revised since the original 2007-08 ASIP submission which was January 15, 2008.

**OUTCOME 2: Is the school curriculum aligned with Arizona Academic Standards?**

**Background:** Beginning with the 2004-2005 school year, charter schools were required to submit Declarations of Curricular and Instructional Alignment to the ADE. The three parts of the Declaration ensured that the Governing Board of the charter had adopted a curriculum aligned to the Arizona Academic Standards (“Standards”), and that the charter administration 1) provided instructional materials aligned to the Standards, as well as 2) provided opportunities for teachers to receive training related to the Standards, and 3) utilized an evaluation tool to assess whether teachers integrated the Standards into their instructional practices. *The School did not submit the appropriate Declarations to ADE in a timely manner for any of the past three years. This was confirmed by ADE on November 30, 2009.*

Based on a review of the information available it has been determined that:

- The school has developed an explicit, written curriculum for at least Reading, Writing, and Math that is aligned with Arizona Academic Standards down to the performance objective level.
- To some extent the school has developed an explicit, written curriculum for at least Reading, Writing, and Math that is aligned with Arizona Academic Standards down to the performance objective level.
- To a minimal extent the school has developed an explicit, written curriculum for at least Reading, Writing, and Math that is aligned with Arizona Academic Standards down to the performance objective level.
- The school has not developed a written curriculum for at least Reading, Writing, and Math that is aligned with Arizona Academic Standards down to the performance objective level.

The determination is supported by the following facts:

- Notes from the School Improvement and Intervention meeting on August 13, 2008 between Brian Miller, ASSIST Coach, and Jerry Olivas, Director, captured curriculum mapping as one of three priorities. As of the failing school site visit on November 4, 2009, curriculum maps for 6<sup>th</sup> – 8<sup>th</sup> grade in all core content areas were not completed.
  - During the interviews with the teachers, responses indicated the curriculum was not a completed formal written document. The Arizona Academic Standards are the guide for teaching and lesson planning. Teachers also

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disclosed they are responsible for locating teaching materials and ensuring alignment with the standards.

- Discussion from the leadership team interview revealed teachers are beginning to work on curriculum maps this year for reading, math, writing, and science. The anticipated schedule to complete the maps is this upcoming summer.
- Dan Bojorquez, the school's teacher mentor, shared he has looked at Sunnyside and Tucson Unified School District pacing guides and has used these since there is no such document in place for the School. However, not all teachers are using these guides.
- During an ASBCS site visit on February 21, 2008 for the purpose of second-year observation, the School could not provide documentation of a comprehensive program of instruction aligned to the Arizona Academic Standards. ASBCS staff followed up with requests for teacher lesson plans, assessments, and student work as well as a proposal to monitor during first quarter in the new school year.
- Language Arts and Mathematics unit plan templates collected from the November 4, 2009 failing school visit do not demonstrate alignment with the Arizona Academic Standards.

- A systematic process for annually monitoring, evaluating, and reviewing the curriculum is in place.
- To some extent there is a systematic process for annually monitoring, evaluating, and reviewing the curriculum in place.
- To a minimal extent there is a process for monitoring, evaluating, and reviewing the curriculum in place.
- There is not a process for monitoring, evaluating, and reviewing the curriculum in place.

The determination is supported by the following facts:

- No documentation was provided that describes a systematic process for monitoring, evaluating, and reviewing the curriculum.
  - During the interviews with the teachers it was mentioned that there was a systematic process. However, when asked to explain the process used, no one could offer an explanation. The discussion focused on individual binders that held the Arizona Academic Standards and how individual teachers were evaluated on using the Standards.
  - The Director stated in the leadership team interview he plans to use the current contracted psychologist to assist with an internal review and assist leadership in curriculum and lesson planning.
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- There is a comprehensive curriculum that fully integrates the fine arts, social studies, and science *for elementary grades served*.
  - To some extent there is a comprehensive curriculum that fully integrates the fine arts, social studies, and science *for elementary grades served*.
  - To a minimal extent there is a comprehensive curriculum that fully integrates the fine arts, social studies, and science *for elementary grades served*.