# AGENDA ITEM: NEW CHARTER APPLICATION – INNOVATIVE HUMANITIES EDUCATION CORPORATION

Innovative Humanities Education Corporation submitted a complete new charter application package to serve grades 6-12 for the Board's consideration. The revised application package meets the requirements set by the Board for the 2014-2015 application cycle.

## REPORT SUMMARY

**Applicant Name:** Innovative Humanities Education Corporation

**Authorized Representative Names:** Ryan Townsend, Joseph McKnight, and Jocelyn Quintanar

**Proposed School Name:** Copper Point High School

**Proposed School Location:** In the Grant and Alvernon area in Tucson

**Mission Statement**

Copper Point Schools use project based learning to prepare students for full engagement in their community during and after primary education using rigorous curriculum, character development, leadership skills and a compassion for helping others. Expert teachers act as guides to drive student's achievement and learning through community and project based academics.

**Target Population**

The Applicant proposes to target students in the city of Tucson, Arizona. The location of the school will be placed in the Grant and Alvernon area to target students in a high free and reduced lunch population. The narrative states, "it is estimated that up to 75% of our students will be "Free and Reduced Lunch" eligible."

**Student Count**

| Year | Grades Served | # of Students |
|---|---|---|
| 1 | 6-9 | 375 |
| 2 | 6-10 | 535 |
| 3 | 6-11 | 690 |

**School Calendar**
Standard, 174 instructional days for junior high grades and 161 for high school grades

**Target Start Date**
August 4, 2014

## *Application Package Scoring*

| | Preliminary TRP Scores | | Revised TRP Scores | |
|---|---|---|---|---|
| Any **Falls Below the Expectations** ratings? | Yes | | No | |
| Any section in which more than one evaluation area scored **Approaches**? | Yes | | No | |
| | | Percent Meets | | Percent Meets |
| Educational Plan Score ≥ 95% Meet standard? | No | 77% | Yes | 98% |
| Operational Plan Score ≥ 95% Meet standard? | No | 71% | Yes | 100% |
| Business Plan Score ≥ 95% Meet standard? | No | 93% | Yes | 97% |

The TRP provided the Applicant with written technical assistance based on its review of the preliminary written application package and, the revised written application package prior to the in-person interview.

## *In-Person Interview Summary*

*During the in-person interview the Applicant responded to the questions regarding the submitted (Educational, Operational, Business) Plan.*

Two board members of the Innovative Humanities Education Corporation (IHEC) participated in the interview. The Applicant effectively addressed TRP questions about all areas of the application package.

Regarding the Educational Plan, the TRP requested clarification on the "promotional panel presentations" described in the application package, which states that students in Grade 10 and 12 are required to participate in promotional panel presentations as part of their final grades and cannot be promoted without completing these presentations satisfactorily. Students must receive a C or higher in each core subject area to be eligible to come before the panel. If a student scores below a C in any core subject, (s)he will be given an opportunity to meet that standard by participating in remediation programs. Students who still do not achieve at least a C following remediation will not be allowed to participate in presentations. Further, it was explained in the interview that a student will not be allowed to participate in the presentations if there is "no chance that the presentation would bring up the course grade by 20 percent." Teachers will use comments and rubric scores from the presentations, in addition to a student's course work, to determine final grades. Based on school policy, all students must receive credit in all courses with a final grade of C or better in order to be promoted to the next grade level.

The TRP also asked the Applicant to clarify how required standards will be identified in the rubrics for the writing portion of the curriculum. The Applicant explained that "standards identification" is part of the cross-curricular instructional design process, which requires teachers to embed grade level writing standards into every assessment in every core subject area.

The interview also included a discussion of the Applicant's planned enrollment process. The Applicant clarified how the orientation process will be involved in making enrollment decisions. At the orientation meetings, the school will "disclose" academic expectations, so that students/families may then decide whether to enroll given the knowledge that "[c]ollege is the goal of the school and students will take classes that will qualify them to attend college." If the student's immediate and long-term academic goals align with the school's goals, it is anticipated that the student/family will enroll in the school. Conversely, if they do not align with the school's stated goals, it is anticipated that the student would not enroll at Copper Point High School (CPHS). These enrollment decisions are those made by the student/family, not by the school.

## *Qualitative Analysis Summary*

The TRP recommends that the application for IHEC be approved because the written application package and responses presented during the in-person interview reflect cohesive Educational, Operational, and Business Plans. Implemented with fidelity, these plans are the foundation for a viable, high performing charter school. Moreover, the TRP found the Applicant to be knowledgeable of each plan, passionate about Expeditionary Learning (EL), and forward thinking in how to "grow the school" based on data, demand, and capacity.

The Applicant presented compelling research supporting Copper Point High School's (CPHS) instructional philosophy, which is based on the EL model. The application package included data correlating EL with improved standardized test scores, high college-acceptance rates, and participation in community service after graduation. The school intends to incorporate EL across grade levels and in every class. Each grade level will focus on a specific project that will provide the theme of study for "one semester." Outside of the classroom, students will be required to complete 20 hours of community service annually to embrace the concept of community involvement through active participation.

The Applicant has experience with the EL model in classroom teaching and at the administrative level. During the 2012-2013 school year, the Applicant participated in piloting the model at the school in which they worked. Ms. Quintanar and Mr. Townsend completed an expedition on Hunger, while Mr. McKnight worked in the administration to assist with coaching, collaborating, and making community contacts. Results from the pilot revealed that students demonstrated a 30 - 40 percent growth in pre- to post-test scores for the duration of the pilot. In order to ensure similar results at CPHS, the school has budgeted $80,000 in year one for an EL school designer to provide onsite support to staff. Commitment to the implementation of the instructional model is evidenced by the plan to send teachers to the EL national conference.

The Operational Plan, which was substantively incomplete in the preliminary review, received a perfect score on the revised submission and was well presented in the interview. Supporting documentation such as clear descriptions of oversight responsibilities, the contractual relationship with a consultant to manage the day-to-day business operations of the school, the Applicant's experience with evaluating instructional design and implementation, and solid interview responses affirm the Applicant's qualifications and collective capacity to effectively manage the operations of a charter school.

The Business Plan supports CPHS' academic design and school-wide operations. There are adequate advertising strategies including "Cottage Meetings" presented in both English and Spanish to spread the word about the school. Additionally, CPHS has budgeted $2,000 for flyers, banners, yard signs, and any other printed materials that may be needed to advertise the school. There are sound arrangements to secure a suitable facility, as IHEC will contract with Schoolhouse Development to locate a site on which to build a facility that would support the needs of its educational program. The budgets are consistent and ensure revenues will cover expenditures.

Interview responses confirmed the TRP's quantitative assessment that the application package as a whole meets the criteria for approval and that the Applicant has the capacity to implement the plan as proposed.

## A. EDUCATIONAL PLAN

*The following summary was created from excerpts and summaries of the documents submitted for the Applicant's Educational Plan.*

### *Plan Summary*

CPHS' educational philosophy is a project-based, community-centered learning model, which is supported by EL's core values. EL's three core values (Character, Community, and Leadership) are embedded in the school's instructional programs. For example, students will earn a letter grade in core subject areas, and an equally powerful character education grade.

CPHS will use recommendations by EL and the College and Career Readiness Standards to drive decisions about curriculum. The application package states that "EL is a national leader in the development of curriculum for the Common Core, being recognized *as [the] top choice nationally for Common Core-aligned instruction and professional development."*

Each grade level will focus on a specific project that will provide the theme of study for one semester. Informational text and literature will be chosen specifically to complement the theme of study.
Teachers will differentiate instruction, using strategies such as "think-pair-shares," cooperative grouping, direct instruction, "jigsaws," and technology to facilitate learning.

Based on the EL model, CPHS will utilize authentic assessment in both formative and summative exams to ensure students meet the standards. All projects will be graded according to rubrics that have been developed collaboratively by grade-level teachers, content-area teachers, and, as appropriate, students.

**PMP**

The Performance Management Plan (PMP) for new applicants is a continuous school improvement plan that demonstrates the Applicant is ready to implement systems for meeting the Board's academic performance expectations. The Applicant submitted a PMP that met the criteria in all areas for both Reading and Math. Details can be found in the attached Scoring Rubric (presented in the application portfolio B: Scoring Results).

**Curriculum Samples**

Curriculum samples were provided for grades 6-12. The table below indicates which curriculum samples in the revised application package met all Board requirements (+), and which had deficiencies (-). Details can be found in the attached Scoring Rubric (presented in the application portfolio B: Scoring Results).

| Grade | Math | Reading | Writing | Science |
|---|---|---|---|---|
| 6 | + | + | - | |
| 7 | + | + | + | |
| 8 | + | + | + | + |
| 9 | + | + | + | |
| 10 | + | + | + | + |
| 11 | + | + | + | |
| 12 | + | + | + | |

## *Educational Plan Findings*

| | Preliminary TRP Scores | | Revised TRP Scores | |
|---|---|---|---|---|
| Educational Plan Score ≥ 95% Meet standard? | No | 61 of 79 | Yes | 77 of 79 |
| Number of "Falls Below" ratings | 0 | | 0 | |
| Number of "Approaches" ratings | 18 | | 2 | |

## *Analysis of Educational Plan*

The Educational Plan meets the criteria for approval because CPHS' educational philosophy, curricular framework, and instructional and assessment methodologies are well designed to serve the target population.

The Applicant presented compelling research supporting CPHS' instructional philosophy, chiefly data that correlated the EL model with improved standardized test scores, high college-acceptance rates, and participation in community service after graduation. Also included was evidence that schools implementing EL often exceed district averages for both high-needs subgroups and gifted students in standard classroom settings. Though the Applicant did not provide specific quantitative data to support these findings for its target population, the TRP determined that students who may attend CPHS would have similar ability levels as discussed in the narrative. The corporate board conducted a school study and found elementary, middle, and high schools with failing and passing ratings in the target area. These schools have high-needs subgroups such as students receiving free or reduced-price lunch and at least 20 percent of students in zip codes in the target area are Hispanic. Sixty-five percent of students in the target area are White. African American, Asian/Pacific, and Indian students make up the remaining 15 percent. Given this demographic composition and the range of ratings (letter grades as based on state accountability system) of area schools, the Applicant supported its position that both high-needs and gifted students may attend CPHS, and therefore would benefit academically from the EL experience.

The Applicant demonstrated passion for and understanding of the EL model as evinced through the application package and interview responses. Specifically notable is the Applicant's commitment to perfect the model and

train teachers to implement EL with fidelity. The budget narrative states that $80,000 is allocated in year one for an EL school designer to provide onsite support to staff, with additional funds earmarked to send teachers to the EL national conference.

Using EL as a foundation to advance its curricular framework, the Applicant has in place sound instructional methods and structures for middle and high school students. For example, students will attend five classes a day in addition to an advisory period called "Crew." In Crew, students will receive character education and participate in community service activities. To further the school's college preparatory mission, students will use portions of this time to participate in the Arizona Career Information System as well as the development of the Education & Career Action Plan for the College and Career Readiness program.

CPHS' assessment system is based on EL's project-based, thematic approach to learning. Authentic formative and summative assessments such as criteria lists and rubrics, quizzes, conceptual models, essays, performances, and response journals will be used to determine content mastery. Because EL is largely student centered, students will be taught how to assess their own and other students' performance and will help develop rubrics with assistance from staff. In addition, Promotion Panel Presentations will serve as a vehicle for students to demonstrate and celebrate learning across the curriculum. At Grades 10 and 12, students will make presentations to panels, assessing themselves and providing evidence from their high school career supporting their grades. They will have to prove to a panel that they have given their best effort, produced the highest quality projects, collaborated, and developed critical-thinking skills and positive character traits. The Promotion Panel results will be a part of their overall grade and will factor into their promotion to the next grade level.

## B. OPERATIONAL PLAN

*The following summary was created from excerpts and summaries of the documents submitted for the Applicant's Operational Plan.*

### *Plan Summary*

Innovative Humanities Education Corporation is a non-profit corporation, located in Tucson, Arizona, that was created in December 2012 for "the purpose of providing students with community-based, project centered learning, where students will focus on problems in the community and use higher level critical thinking skills to solve those problems." The founding directors of IHEC (Ryan Townsend, Jocelyn Quintanar, and Joseph McKnight) are all educators who worked together in a charter school.

IHEC will create a school governing body for CPHS separate from the IHEC corporate board. The members of this body will be drawn from the community. The body will have no less than 3 and no more than 5 members, who will be appointed by IHEC. The initial Board appointed in the articles of incorporation will serve as the corporation's directors until their successors are appointed. The responsibilities of the school governing body include: supporting the vision and mission, developing and approving school policies and procedures, reviewing curriculum materials, fundraising, and ensuring compliance with the charter contract. The following tasks will be exceptions that must receive approval from the IHEC corporate board: debt or bond financing for capital development, final approval of the annual budget and compensation plan, sale, lease, purchase, or disposition of real property, and hiring, evaluation and dismissal of the School Principal and Teachers of CPHS.

CPHS' principal and curriculum coach will be responsible for preparing academic performance reports for the Governing Board. This team will also be responsible for organizing professional development to support the EL model. Red Apple Financial will be contracted to provide day-to-day business operations and Schoolhouse Development Corporation (SHD) will assist the Applicant to secure or build a facility.

The table below delineates the composition of the school governing body as described in the narrative:

| School Governing Body Member Type | Number | Name |
|---|---|---|
| Community | 3 | TBD |
| Other | 2 | TBD |

**Principal Background Information**

**Authorized Representative and Principal**: *Ryan Townsend*
**Confirmed Education History**: Master of Education, University of Arizona, 2010; Bachelor of Arts, University of Arizona, 2009
**Confirmed Employment History**: Teacher, Leona Group LLC, July 2010-present; Speech and Debate Coach, Catalina Foothills High School, June 2007-June 2010
**Arizona FCC Expires**: 6/22/2016
**Current or Past Charter Affiliations**[1]: None

**Authorized Representative and Principal**: *Jocelyn Quintanar*
**Confirmed Education History**: Bachelor of Arts in Education, University of Arizona, 2011
**Confirmed Employment History**: Teacher, Institute for Transformative Education, July 2013-present;Teacher, Skyview High School, August 2011-July 2013; Jewelry Consultant, Marshall's Jewelers, May 2011-July 2011; Jewelry Consultant, Zale's The Diamond Store Outlet, March 2009-May 2011; Store Manager, Rocky Mountain Chocolate Factory, April 2006-February 2009
**Arizona FCC Expires**: 12/10/2014
**Current or Past Charter Affiliations**[1]: None

**Authorized Representative and Principal**: *Joseph McKnight*
**Confirmed Education History**: Master of Education in Education Administration in School Leadership, Grand Canyon University, 2009
**Confirmed Employment History**: Teacher, Marana Unified School District, July 2013-present; Assistant Principal, Skyview High School, December 2010-June 2013; Teacher, Ira H. Hayes High School, July 2010-December 2010; Financial Advisor III, USAA, June 2008-July 2010
**Arizona FCC Expires**: 9/6/2017
**Current or Past Charter Affiliations**[1]: None

## *Operational Plan Findings*

| | Preliminary TRP Scores | | Revised TRP Scores | |
|---|---|---|---|---|
| Operational Plan Score ≥ 95% Meet standard? | No | 17 of 24 | Yes | 24 of 24 |
| Number of "Falls Below" ratings | 1 | | 0 | |
| Number of "Approaches" ratings | 6 | | 0 | |

## *Analysis of Operational Plan*

The Operational Plan meets the criteria for approval because it supports full implementation of the Educational Plan through its governance, management, and operational designs.

[1] *In this section, "Current or Past Charter Affiliations" refers to a leadership or decision-making role in an existing charter school operation, such as charter representative, charter principal, or school site leader.*

Supporting evidence such as clear descriptions of oversight responsibilities, contractual relations with a financial consultant to manage the day-to-day business operations of the school, the Applicant's experience with evaluating instructional design and implementation, and interview responses that adequately addressed all TRP questions affirm the Applicant's qualifications and collective capacity to effectively manage the operations of a charter school.

Applicant members have, as stated during the interview and as cited in the application package: “corporate [and] public education backgrounds with 17 years of experience in curriculum development and administrative evaluations," and experience "creating standardized assessments to curriculum coaching."

Not only does the Applicant demonstrate capacity, the application package and interview responses highlight the group's attention to organizational functions. For example, the Applicant has teamed with SHD to secure or build a facility. SHD, with offices in Utah and Arizona, has financed charter schools since 2004. The Applicant will also take advantage of the resources offered by EL to provide extensive professional support to all staff.

The management structure addresses the needs of the school as it grows. For example, in year two, CPHS will hire a vice principal to assume some of the responsibilities that the curriculum coach held in year one. Beginning in year two, the curriculum coach will focus on curriculum alignment and staff development, while the vice principal will oversee discipline, public relations, and other administrative assignments. The principal will become more focused on organizational leadership of the school, serving as an advocate and working with all stakeholders to create a common vision for the school to best position CPHS for success.

Mr. McKnight is the proposed school principal and will continue on the IHEC Board. The Governing Board will evaluate the principal, who may be on the Governing Board and/or on the IHEC Board. When queried about possible conflicts related to evaluations, Mr. McKnight explained that he, as a member of either Board, would recuse himself as provided for in the by-laws. If it is determined that the principal should be released, his position on the Board will remain intact. This attention to detail speaks to the Applicant's understanding that the school's mission is greater than that of an individual, even a founder.

## C. BUSINESS PLAN

*The following summary was created from excerpts and summaries of the documents submitted for the Applicant’s Business Plan.*

### *Plan Summary*

SHD will secure and/or construct a facility for CPHS. The budget includes $1 million for cost of land and development. CPHS will lease the facility from SHD with option to purchase in approximately three to four years.

The Applicant will host "cottage meetings” to advertise the school in Tucson (Grant and Alvernon areas), at no cost to IHEC. Additional advertising is budgeted for $2,000 for the start-up period, $17,000 in year one, and $25,000 in years two and three.

CPHS will have 12 full-time teachers in year one, 16 in year two, and 21 in year three. A leadership team consisting of a principal, vice-principal, and a curriculum coach will support teachers. Teaching assistants and administrative assistants are also included in the plan.

**Facility Information**

| | |
|---|---|
| Proposed School Name: | Copper Point High School |

| | |
|---|---|
| Proposed Location: | Unconfirmed locations: Grant and Alvernon area, Tucson, AZ |
| Facility necessary to implement the program: | CPHS requires a facility of 40,550 square feet. 17,000 square feet will be used for 20 classrooms; 850 square feet for an art studio; a multi-purpose auditorium/gym of 4000 square feet; another multi-purpose space (library/computer lab) of 3000 square feet; three teacher prep rooms will use 750 square feet; 2000 square feet will be allocated for the cafeteria; and a number of small offices averaging between 100-120 square feet for school leaders, special education staff, a counselor, and a nurse. |

**Budget Summary**

The Applicant has secured a loan from SHD for start-up purposes. SHD will allow the Applicant to capitalize the start-up loan into the cost of the new building, by including the loan repayment into the annual lease cost on the facility. The secured funds, in the amount of $125,000 as stated by the Applicant, are available as confirmed by the financial institution. Funds will be used for items including, but not limited to furniture, technology, EL membership, and curriculum resources and materials.

The operational budgets are based on 80 percent of full enrollment in the first year, 79 percent the second year, and 80 percent the third year. Carryover funds account for at least a five percent balance surplus for each of the three years. During the interview, the Applicant stated that 20 percent of the budget would be set aside as emergency funds.
The table below presents a summary of the budgets by year:

| | Startup Period | Year 1 | Year 2 | Year 3 |
|---|---|---|---|---|
| **Projected Enrollment:** | N/A | 375 | 535 | 690 |
| **# Students Budget Based On:** | N/A | 300 (80%) | 425 (79%) | 550 (80%) |
| **Total Revenue:** | $125,000 | $1,900,093 | $2,825,514 | $3,761,547 |
| **Total Expenditures:** | $124,500 | $1,804,710 | $2,595,880 | $3,169,500 |
| **Ending Balance:** | $500 | $95,383 | $229,634 | $592,047 |

## *Business Plan Findings*

| | Preliminary TRP Scores | | Revised TRP Scores | |
|---|---|---|---|---|
| Business Plan Score ≥ 95% Meet standard? | No | 28 of 30 | Yes | 29 of 30 |
| Number of "Falls Below" ratings | 1 | | 0 | |
| Number of "Approaches" ratings | 1 | | 1 | |

## *Analysis of Business Plan*

The Business Plan meets the criteria for approval because budgeted items support CPHS' educational and operational needs.

The Business Plan supports CPHS' academic design and school-wide operations. There are adequate advertising strategies, sound arrangements to secure a suitable facility, and budgets that consistently ensure revenues will cover expenditures. Furthermore, the TRP's concern regarding a fair and equitable enrollment process was allayed as the Applicant strongly and clearly supported its position to offer college preparatory courses to all

students during the in-person interview. The Applicant made clear that CPHS' mission is to provide course offerings that would prepare them to enter a college.

The largest single item in the budget is the development and construction of a suitable facility. SHD will build a facility to be leased back to the Applicant with an option to purchase within three to four years. In the application package, the Applicant indicates that by that point, they would have," enough financial history to purchase the building through a tax-exempt bond." To ensure that they will have enough money to purchase the building, the Applicant has budgeted conservatively, using a lease rate that is actually 10 percent over the estimated cost to build. The Applicant will apply these funds, in addition to a 20 percent emergency fund referenced below, for facilities acquisition.

The operational budgets and accompanying narratives demonstrate a calculated and conservative approach to financial management. Projected revenues are based on an average of 80 percent full enrollment, and the Applicant intends to set aside all funds for students enrolled starting at 81 percent. In doing so, the school will have the 20 percent emergency funds mentioned during the interview. The anticipated positive year-end cash balances ranging from nearly $100,000 in year one to nearly $600,000 in year three, even on a conservative plan. All of these elements further support the TRP's assessment that the Business Plan, as presented in the application package and clarified during the interview, meets the criteria for approval.

## EVIDENCE OF CAPACITY

### *Applicant Summary*

The table below describes the participation of the Applicant in the In-Person Interview:

| Name | Role | Attended Interview? |
|---|---|---|
| Joseph McKnight | Corporate Principal, Proposed Head of School, Chief Executive Officer | Yes |
| Jocelyn Quintanar | Corporate Principal, Secretary, Chief Instructional Officer/Teacher | No |
| Ryan Townsend | Corporate Principal, Acting Treasurer, Chief Financial Officer | Yes |

### *Analysis of Applicant Capacity*

The TRP finds that the Applicant has the range of skills and experience needed to open and operate a high-quality charter school. Applicant members have corporate and public education backgrounds with 17 years of experience in curriculum development and administrative evaluations, as well as experience with creating standardized assessments to curriculum coaching. Mr. Townsend has experience creating curriculum maps and pacing guides as well as assisting with creating district-wide, scientifically-based standardized assessment pre- and post-tests as a teacher at Skyview High School in Tucson. He is currently the acting treasurer, and as such keeps records of all financial transactions and accounts for IHEC and contributed to the research and data collection for the charter. He also maintains the Applicant's website and email accounts. Ms. Quintanar's teaching experience is brief; with two years of classroom experience at Skyview High School. Mr. McKnight has corporate experience with Edward Jones Financial Advisors and USAA. He also has a principal certificate and has recently served as an assistant principal at Skyview High School in Tucson. During the interview, the TRP found the proposed head of school, Mr. McKnight, to be knowledgeable of each plan, passionate about the instructional foundation, and forward thinking in how to "grow the school" based on data, demand, and capacity.

The Applicant's experience with piloting and implementing EL at Skyview High School, and their understanding of the model extends beyond the research cited in the Educational Plan. Other sections of the application package, specifically the Operational Plan, reflect the group's capacity to see the school as a whole and to anticipate management and oversight needs to ensure successful implementation of the EL.

In summary, the Applicant presented a well-written application package and articulated its contents with accuracy and ownership, addressing all of the TRP's questions adequately. As such, the TRP determined that the Applicant has sufficient capacity to open and successfully operate a charter school in Arizona.

## BOARD OPTIONS

Option 1: The Board may approve the application package. Staff recommends the following language for consideration: Based upon review of the contents of the portfolio provided for this applicant and the information provided by the representatives of the applicant during consideration, and given it is within the sole discretion of the Board to approve or deny a charter, I move to approve the application package and grant a charter to Innovative Humanities Education Corporation to establish Copper Point High School charter school to serve grades 6-12.

Option 2: The Board may deny the application package. The following language is provided for consideration: Based upon a review of the contents of the portfolio provided for this applicant and the information provided by the representatives of the applicant during consideration, and given it is within the sole discretion of the Board to approve or deny a charter, I move to reject the application package and deny the request for a charter of Innovative Humanities Education Corporation to establish a charter school for the reason(s) that its application failed to meet the requirements of Title 15, Chapter 1, Article 8 due to: (specific statement made by the Applicant during Board consideration).