
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 (Legacy Schools)

Legacy Schools, an Arizona non-profit corporation, operates Legacy Elementary School (School) in Mesa. Legacy Schools was granted a charter and began operation in the fall of 2001, serving approximately 145 students in grades Kindergarten through eight. At the May 11, 2009 board meeting, the Arizona School Board for Charter Schools (ASBCS) approved the Legacy Schools request to transfer sponsorship from the School Board of Education (SBE) to ASBCS. At the time of the failing school site visit on December 1 - 2, 2009, the Corporation Commission listed Kathy Tolman (President) and Julie Clement (Secretary) as officers. Michael Clement is listed as the sole Director. The Charter Representative

is Kathy Tolman and the Governing Body is comprised of Julie Clement, Michael Clement, Jerry Eakin, Julie Hatch, Tracy Leonard (Principal), Kathy Tolman (Charter Representative), and Rodney Tolman.

The same officers and director listed for Legacy Schools hold a separate charter under Legacy Education Group to operate East Valley High School (9-12) in Mesa. The Charter Representative is Kathy Tolman and the Governing Body is comprised of Julie Clement, Michael Clement, Kurt Huzar, Holly Lata, and Kathy Tolman. The high school opened in the fall of 2005 and is currently designated as Underperforming Year One and did not make Adequate Yearly Progress (AYP) in 2007, 2008, and 2009.

Legacy Elementary School is currently reporting an estimated student count of 283 students. Kindergarten through sixth grade students attend the elementary campus on University Drive and seventh and eighth grade students are housed at the East Valley High School location on Main Street. The following chart lists some examples of State and Federal approximate revenues received by Legacy Schools from FY 2007 – FY 2010.

Revenue Category	FY 10	FY 09	FY 08	FY 07
100 th Day Actual Student Count	283 estimated	227,355	251.26	312.175
State Equalization Assistance	\$1,854,748	\$1,424,63	\$1,557,594	\$1,831,852
Classroom Site Fund	\$92,744	\$81,013	\$135,405	\$138,736
Federal Title I LEA	\$56,622	\$94,603	\$140,635	0
Title I LEA School Improvement	\$50,000	\$35,000	0	0
Misc. Federal and State Grants	\$89,319	\$79,580	\$70,328	\$60,704
Total	\$2,143,908	\$1,714,82	\$1,903,962	\$2,031,292
Per Pupil Revenue	\$7,576	\$7,543	\$7,578	\$6,507

In the fall of 2007 Legacy Elementary 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 Legacy Elementary 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?

Legacy Elementary 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. An ASSIST Coach was also assigned to offer support for school improvement efforts. The School did provide evidence of a revised ASIP for 2009–10.

Following the unsuccessful statistical and substantive appeal of the School’s preliminary AZ LEARNS Achievement Profile for 2009, the School was designated as Failing to Meet Academic Standards. 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 December 1 - 2, 2009, in which interviews with school personnel and the leadership team members were conducted, and 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.
- Following the unsuccessful statistical and substantive appeal of the School’s preliminary AZ LEARNS Achievement Profile for 2009, the School was designated as Failing to Meet Academic Standards.
- In FY 2007 and 2008 the School did not make adequate yearly progress (AYP).
- The joint failing school site visit on December 1 - 2, 2009 by ADE and ASBCS reveals the following percentage of outcomes met the criteria on all seven (7) outcomes in this report.
 - 15% of the outcomes failed to meet criteria
 - 45% of the outcomes met the minimal criteria
 - 40% of the outcomes scored above the minimal criteria
- To a minimal extent the School has developed an explicit, written curriculum for Reading, Writing, and Math that is aligned with Arizona Academic Standards down to the performance objective level.

Findings

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

- 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 priorities of the Solutions Team Statement of Findings have 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 some 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
- Professional development activities are not evaluated to determine effectiveness and relativity to the ASIP.
- To a minimal extent follow-up occurs after training sessions to provide feedback and to ensure that training is applied in the classroom.
- To a minimal extent there is a 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.
- To some extent school-wide comprehensive professional learning is funded to support continuous improvement of school staff learning.

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

- To some 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.
- To a minimal extent the school has 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 3rd and 6th grade decreased from 2008 to 2009.
- AIMS math scores decreased in 5th, 6th, 7th, and 8th grade from 2008 to 2009.
- AIMS reading scores increased in 4th, 5th, 7th, and 8th grade from 2008 to 2009.
- AIMS math scores increased in 3rd and 4th grade from 2008 to 2009.
- 2009 AIMS reading and mathematics student scores were less than the State average (anywhere from 15% to 40%), with the exception of 4th and 5th grade reading and 3rd grade math, as displayed in the table below:

	Reading (State Avg.) 2009	Reading Legacy 2009	Math (State Avg.) 2009	Math Legacy 2009
8 th grade	69%	62%	63%	23%
7 th grade	73%	57%	73%	39%
6 th grade	70%	45%	68%	27%
5 th grade	73%	74%	72%	47%
4 th grade	72%	73%	74%	67%
3 rd grade	72%	71%	73%	74%
% 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 th grade	58%	43%	62%	52%	36%	23%
7 th grade	68%	50%	57%	75%	57%	39%
6 th grade	71%	57%	45%	76%	52%	27%
5 th grade	69%	63%	74%	54%	63%	47%
4 th grade	60%	73%	73%	50%	54%	67%
3 rd grade	53%	79%	71%	43%	64%	74%
% 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 some extent the roles and responsibilities of corporate entity, governing body and school leadership are consistently and appropriately implemented.
- To some extent 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.
- To some extent school leadership demonstrates the skills necessary to lead a continuous school improvement process focused on increasing student achievement.
- To a minimal extent the instructional staff is capable of supporting the school; utilizing sufficient knowledge of subject matter, instructional techniques and assessments.

Board Options

Option 1: Make a determination to refer the matter to hearing for consideration of revocation of the charter.

Option 2: Provide an opportunity for the charter operator to enter into a consent agreement by the May 2010 board meeting to restore the charter to acceptable performance. If the terms of a consent agreement cannot be reached by that time, at the May 2010 Board meeting, the Board will consider referring the matter to hearing for revocation of the charter.

Staff Recommendation

Option 2.

Suggested Motion:

I move that we direct the staff to work with Legacy Schools to create a Consent Agreement for the purpose of restoring the charter to acceptable performance in accordance with A.R.S. § 15-241(U) that would minimally include:

- A. Performance Management Plan
- B. Evidence of Highly Qualified Staff throughout the year
- C. Site Leadership Plan
- D. Budget that supports PMP and all consent agreement terms
- E. Quarterly progress reports

If the terms of a consent agreement that cannot be reached prior to May 3, 2010, the Board will consider referring the matter to hearing for revocation of the charter at the May 2010 Board meeting.