The Rising School
5405 North Oracle Road
Suite 101
Tucson, Arizona 85704

April 3, 2013

State Board of Education
1535 West Jefferson, Bin 11
Phoenix, AZ 85007

Dear State Board of Education,

As the Board of Directors of The Rising School (TRS), we are writing to call your attention to irregularities in the awarding of grants by the Arizona Charter School Program (AZ CSP) for Round II. We're also writing to request action to remedy any inequities to TRS caused by these irregularities.

Having completed the AZ CSP grant process this year, we found many troubling irregularities in it:

1. The process lacks transparency, with the AZ CSP webpage lacking basic information.
2. Dr. Francis of AZ CSP withheld information and was nonresponsive to requests from TRS for transparency.
3. The excessively heavy weighting for the interview portion (35 of 100 points), a very subjective section, is troubling.
4. The written scoring contained irregularities.
5. The content of the interview questions had almost nothing to do with the written application and little to do with the process of effectively running a charter school. Moreover, the Interview portion was subjective, ill-conceived, unclearly explained, and poorly graded.

We therefore conclude that the AZ CSP application process was badly flawed and that these flaws injured The Rising School, costing it $230,000 in AZ CSP grant funding for this year. Consequently, we ask the State Board of Education to reconsider TRS's AZ CSP application this year.

The following narrative supplies supporting evidence to the assertions above:

1. The AZ CSP grant application process is not transparent.
For example:

- The AZ CSP webpage—www.azed.gov/charter-school-program—does not explain how and where to upload the completed AZ CSP application.
- The AZ CSP webpage does not inform potential applicants that a separate Budget Page is required for application.
- AZ CSP staff was not helpful regarding the Budget Page. On January 2, Dr. Rising contacted Dr. Mark Francis of AZ CSP by email and asked, "Is there any other important

information that we should be aware of?" Dr. Francis never mentioned the Budget Page. Instead, Dr. Francis replied, in part: "AZ CSP application training is closed. You may apply but we are unable to provide further training assistance except for technical details." Consequently, when given an opportunity, Dr. Francis did not inform TRS that a Budget Page was required for the application. Only when Dr. Rising in a later email asked directly for the required Budget page (which was unavailable and unmentioned on the AZ CSP webpage), did Dr. Francis send it to him.

- AZ CSP offers only one orientation meeting for the grant process. However, nowhere does it state that the meeting is mandatory and that no further information or cooperation will be offered should you be unable to attend that meeting.

2. Dr. Mark Francis of AZ CSP was unresponsive to questions.
In an effort to increase transparency, Dr. Rising sent an email to Dr. Francis on March 29 with the following questions. Later, Dr. Francis sent the scored application but ignored the other nine (9) questions.

Dr. Rising's March 29 email read in its entirety:

Dr. Francis,

On behalf of The Rising School's Board of Directors, I'm writing to ask for reconsideration of the denial of a AZ CSP grant to The Rising School. Please inform us of how to begin the process of contesting the denial of AZ CSP funds.

As one of only two new charter schools in the Metro Tucson area -- a population of roughly a million people -- it is troubling not only that we did not receive a grant intended to assist new charters in their establishment, but also that we were given no explanation as to why we did not qualify. I'm confident you understand our confusion as well as our concern.

In your letter dated March 25th, you invited me to contact your office with any questions regarding your decision to deny The Rising School AZ CSP funds. As you instructed, I emailed Ms. Sheri Partridge of your office on March 26 asking for information on why The Rising School was not awarded a grant. I have yet to hear back from Ms. Partridge—she never even acknowledged receipt of my email. Also on March 26, I emailed you directly, asking you to send me the scored application for The Rising School's AZ CSP application. I have yet to receive that document.

I appreciate your invitation in your March 25 letter to ask questions about the AZ CSP grant process and determination of awards. Answers to the following questions would shed light and add transparency to the process:

- *Which schools received AZ CSP grants this year?*
- *Why were only 5 Round II grants awarded when 6 schools earned charters (following a very rigorous selection process) at the January 2013 ASBCS meeting?*
- *What was the score of The Rising School's AZ CSP application, both with and without the interview section?*

- *What were the scores of each of the schools that received grants, both with and without the interview section?*
- *Why was the interview section—a highly subjective process—so heavily weighted in the AZ CSP scoring (35 of 100 points), particularly when this was the first year such a process was implemented?*
- *Why was the budget template—a required element of the AZ CSP application—not accessible on the AZ CSP webpage?*
- *Why was there no information on the AZ CSP webpage about how to submit the AZ CSP application?*
- *How many schools that were unable to attend the November 5th, 2012, AZ CSP training receive AZ CSP grants?*
- *If attending the November 2012 training was, in effect, mandatory, why didn't you disclose this fact publicly?*
- *Why are the answers to questions that could potentially affect successfully completing the grant application process not accessible via your webpage, when this is a public process involving public money?*

We would appreciate both the answers to these questions as well as the reconsideration of our application. Frankly, answers to these questions should be easily available to applicants and to the public on your webpage on the ADE website.

If we could please receive a response to these basic questions by the end of next week, April 5, it would be greatly appreciated.

Sincerely,
George Rising, PhD
The Rising School

3. The AZ CSP scoring is far too heavily weighted on the subjective, interview portion of the application (35 of 100 points).
At 35 points, the interview portion of the application is more than half the total of the written portion, which is 65 points. It is perplexing that the interview portion, which lasted less than three hours total and was graded subjectively, should be worth more than half as much as the written application, which was 85 single-spaced pages for TRS and which took months to research and write.

The unusualness of this heavy weighting can be seen in comparison to the Arizona State Board for Charter Schools (ASBCS) charter-application process. Like the AZ CSP, the ASBCS instituted an interview portion of the application this year. Unlike the AZ CSP, however, ASBCS's charter-application interview process asked specific, germane questions to clarify aspects of the written application. Moreover, there are no points attached to the ASBCS's interview portion.

By contrast, the AZ CSP "interview questions" have little or nothing to do with the written application. Instead, the so-called "interview" was, in fact, an ill-conceived, unclearly explained, and poorly executed "capacity" interview that has little real-world application. Hence, it gives

the State Board of Education little or no insight into a school leader's ability to effectively run a school. In sum, the fact that the Capacity Interview portion of the application is so heavily weighted in determining the allocation of hundreds of thousands of taxpayers' dollars is more than troubling.

Additionally, the heavy weighting of the interview portion of the application (35 of 100 points) leads to odd results. For example, four questions on the interview portion--b. 1) Ability to provide strengths and weaknesses"; "b.2) Ability to identify the level of demonstrated learning"; "c. 1) Ability to analyze root causes – 6 points" and "c. 2) Ability to design a next level learning task"-- are worth a total of 20 points. Thus, these four questions combined are worth twice as much as the entire Section B of the written application (which was 37 single-spaced pages in TRS's application), equally as much as the entire Section C in the written application (18 pages in TRS's application), and equally as much as the entire Section D in the written application (13 pages). Why would the AZ CSP grant rely relatively little on an objective, written portion of the application and so much on the subjective, interview portion?

4. There are irregularities on the scoring criteria of the written portion of the AZ CSP grant.

The AZ CSP score sheet for TRS (attached) describes the AZ CSP scoring, in part, as the following: "3 – Meets expectations – the application provides all of the requested elements." Based on this criteria, one would expect that an average of 3.00 in every category would result in a successful grant application. In fact, however, an average of 3.00 in every category would lead to a score of only 75.00, far from a "perfect" 100. For example, TRS scored 3.00 or higher 19 of 22 subcategories on the written portion of the application, including 9 scores of 4.00. Because of the unusual scoring system, however, TRS scored 80.3% (52.17 out of a possible 65.00).

5. The scoring of the interview portion of TRS's application is marred by irregularities.

As noted above, TRS scored 80.3% on the written portion of the application; by contrast, it scored far lower, 45.7% (16.00/35), on the interview portion. Such a large divergence between different portions of the same application leads to troubling questions about the internal statistical validity of the process.

The interview portion (worth 35 points) contained two sections: "A. Informational Interview – 5 points" and "B. Capacity Interview – 30 points." The Informational Interview provided only the following directions:

1. Your background.
2. The vision for your school.
3. Questions from your application that will help us determine your capacity to open a high-quality school.

These are open-ended questions, which allow the interviewee broad latitude. TRS's representative for the interview was Dr. Rising, who gave detailed answers that thoroughly addressed those questions. The answers were so thorough, in fact, that Dr. Francis cut Dr. Rising short and moved on to the Capacity Interview.

Yet, the AZ CSP graders scored the answer 2.00/5. It's simply impossible to believe that Dr. Rising--who spent a year researching and writing a 300-page charter application about TRS and an 85-page AZ CSP application about TRS--would be unable to give a satisfactory summary of his background, his vision of the school that he is founding, and answers to questions about the AZ CSP grant application *that he wrote*. Furthermore, with each point being so precious, a 2.00/5 score seems punitive. **This score and result is so troubling that TRS requests that this portion of the interview be re-graded based on recordings of the interview (if such recordings exist).**

The second and last part of the Interview portion was the "Capacity Interview – 30 points." This section requires the interviewee to observe two videos of teaching, and then evaluate the lessons. Considering all of the tasks that go into running a school—finance, accounting, educational law, human resources, facilities management, reporting to the Department of Education, educational philosophy, curriculum development, assessment development, community relations, etc.—it is shocking that 30 of 100 points of the AZ CSP application would be based on observing and commenting on two short teaching videos.

TRS was represented in the Capacity Interview by George Rising, an expert in curriculum, instruction, coaching, and professionally developing teachers. Dr. Rising is an experienced educator. He holds a BA, MA, and PhD in history, and he was an award-winning teacher for 15 years at the University of Arizona; St. Gregory College Prep, the best private school in Tucson; and BASIS Tucson, ranked as the #1 public school in America. Moreover, Dr. Rising has served in several administrative positions as Academic Director, Upper School Director, and the principal or Head of School at three schools, including BASIS Tucson, the best charter school in Arizona. As an administrator, Dr. Rising has performed countless teacher observations, evaluations, and coaching. Dr. Rising also is completing his M.Ed. in Educational Leadership. Two of his classes, Instruction Leadership and the Principalship, were devoted to observing, evaluating, coaching, and professionally developing teachers. Dr. Rising earned an "A" grade in each of these courses, which he took recently, in 2012. Clearly, Dr. Rising was well-prepared to observe and analyze lessons—these are tasks that he has researched and performed effectively for years. Indeed, Dr. Rising's level of expertise in teaching, observing, coaching, and providing professional development for teachers exceeded those interviewing him, Dr. Francis and his associate, Jane Smoudi.

The Capacity Interview was presumably designed to evaluate the interviewee's ability to observe, analyze, and give suggestions for teaching lessons. Evaluating lessons is a well-researched field, with leading scholars including Charlotte Danielson, Sally J. Zepeda, Grant Wiggins and Jay McTighe, and Robert Marzano. In addition, professionals typically use Bloom's Taxonomy and Hunter's Essential Elements of Instruction to judge the effectiveness of lesson instruction. However, the AZ CSP's Capacity Interview did not seem to be informed much, if at all, by these leading scholars in the field of teacher observation.

The Capacity Interview required eight tasks to be completed for two lessons, for a total of sixteen tasks:

- Question a. 1) asked: "What tasks are students asked to perform in class?
- Question a. 2) asked: "How do students respond to the tasks given to them?"

Combined, these questions were worth 2 points.

Instructional coaches would agree on this focus on the activities of the student. Hence, this was a good, relevant question because it is one that an experienced instructional coach would focus on. Considering the importance of these questions, it is perplexing that these two questions were worth only 2 points total.

As he has done many times as a school leader, Dr. Rising "scripted" each of the lessons, taking three single-spaced pages of notes for video 1 and four single-spaced pages of notes for video 2. Consequently, Dr. Rising gave thorough, accurate, detailed answers for a. 1) and a. 2). TRS earned a total 2.00/2 for these two questions.

- Question b. 1) asked "Identify strengths and weaknesses supported by descriptive evidences observed in instructional videos."

This is an excellent, relevant question because analyzing a lesson's strengths and weaknesses is the core task of what instructional coaches do. Dr. Rising has performed these tasks innumerable times as an instructional leader. Therefore, it is not surprising that, for video 1, Dr. Rising observed, recorded, and expressed 7 separate strengths and 4 significant weaknesses of the lesson (see Dr. Rising's attached notes for details). For video 2, Dr. Rising observed, recorded, and expressed 15 strengths for the lesson and 3 significant weaknesses (see Dr. Rising's attached notes for details). TRS earned 6.00/6 for this answer.

- Question b. 2) asked "Identify the level of demonstrated learning (Ref: Six ways of demonstrated learning)."

According to Dr. Rising's notes, he concluded that the level of demonstrated learning in the English-teaching video was "Level 1: Find a fact in a text in response to a question." However, Dr. Rising also told the interviewers that he observed the teacher acted in the video as if she assumed that the students were, as they discussed the text, performing "Level 3: Remember a procedure that someone else has taught you and apply it accurately and fluently." Yet, Dr. Rising noted, that despite this implicit understanding, he judged that this was not a "demonstrated level of learning," so he viewed the lesson as at Level 1. For the math-teaching video, Dr. Rising's notes show that he told the interviewers that he observed students as performing at "Level 3: Remember a procedure that someone else has taught you and apply it accurately and fluently"; for example, Dr. Rising observed the students multiplying binomials, and later in the video, the teacher said that she was happy that she observed students correctly multiplying binomials, a skill that she had previously taught them. Since Dr. Rising supplied several specific examples of evidence from his observation to support his conclusion, it seems strange that his answers were scored only 2.00/4.

Observation of teachers is more of an art than a science. Experts in the field (a group that includes Dr. Rising) can—and often do--disagree about where to place "levels of learning" in a given lesson. **This commonplace ambiguity of interpretation of teacher observations reinforces the point that the Capacity Interview portion of the AZ CSP application was much too heavily weighted.** (As an aside, it's curious that AZ CSP used "levels of learning"

rather than the far more common classification used by instructional experts, Bloom's Taxonomy.)

- Question c. 1) asked: "Identify root causes related to identified areas of improvement (Problem of Practice)."

The term "root causes" is highly ambiguous, indeed nonsensical, without context. Without context, for example, we can't say if the "root cause" of the problem of practice was the teacher's lack of education, her lack of professional training, or her personal aversion to certain pedagogical methods. **Unfortunately, Dr. Francis and AZ CSP refused to supply any context or explanation for the ambiguous phrase "root causes." This is all the more troubling because this question was so heavily weighted: 6 points.**

Thus, Dr. Rising had to answer a highly ambiguous question with no context. According to Dr. Rising's notes for his observation of the English-teaching video, he identified the root cause as the teacher not planning cognitively demanding tasks for her students. As evidence, Dr. Rising reviewed his analysis of the lesson, pointing out that students were asked to perform tasks at Level 1; there was no clear student learning objective aligned to a state standard identified by the teacher; and the teacher presented no standard of what was the level of expectation for mastery required for students. During the lesson, Dr. Rising observed, the teacher did not rigorously assess whether the students had mastered what the teacher had asked the students to accomplish. Consequently, a lack of proper assessment of appropriate learning objectives at a high level was the "problem of practice." According to Dr. Rising's notes for his observation of the math-teaching video, he again identified the root cause as the lack of cognitively demanding tasks for her students. As evidence, Dr. Rising pointed out that the teacher expressed no clear student learning objective aligned to a state standard, and no standard of what was the level of expectation of mastery required for students. The teacher did not rigorously assess whether the students had mastered the learning objective. The teacher did not give individual assessments, only a group assessment, and it was not graded by the teacher. Consequently, a lack of proper assessment of appropriate learning objectives was the problem of practice.

Somehow, Dr. Rising's detailed, supportable answer to a highly ambiguous question was scored 0.00/6. An objective observer would think that any supportable answer of a vague "root cause" question would score higher than 0. Again, the commonplace ambiguity of interpretation of teacher observations reinforces the point that the so-called Capacity Interview portion of the AZ CSP application was much too heavily weighted.

- Question c. 2) asked: "Design a task of next level learning (Ref: Six ways of demonstrating learning)"

According to Dr. Rising's notes, he reviewed his answers to b. 2) "Identify the level of demonstrated learning" in order to answer this question "design a task of next level of learning." He concluded that the level of demonstrated learning in the English-teaching video was "Level 1: Find a fact in a text in response to a question." However, Dr. Rising also told the interviewers that he observed the teacher acted in the video as if she assumed that the students were, as they discussed the text, performing "Level 3: Remember a procedure that someone else has taught

you and apply it accurately and fluently." Yet, Dr. Rising noted, that despite this implicit understanding, he judged that this was not a "demonstrated level of learning," so he viewed the lesson as at Level 1. Dr. Rising proposed the following next level of learning ("Level 2: Remember something someone has told you and repeat it"): In discussion, listen to a teammate's description of an episode in the book—and then repeat it. The teacher will take notes, listening to both students in turn, and then grade the second student's mastery based on a listening/speaking rubric. Noting that it was possible for some observers to view the lesson as Level 3, Dr. Rising designed a task of next level learning ("Level 4: Choose a procedure from among a number you have learned, apply it accurately and fluently, explain why chose it [*sic*], and why it might be better than another"). Dr. Rising stated: Student will write own questions (with answers) for other students to answer. Student will explain why the student chose those questions and why they are important. Teacher grades students' work with a rubric that is given beforehand to students.

For the math-teaching video, Dr. Rising's notes show that he told the interviewers that observed students were performing at "Level 3: Remember a procedure that someone else has taught you and apply it accurately and fluently"; for example, Dr. Rising observed the students multiplying binomials, and later in the video, the teacher said that she was happy that she observed students correctly multiplying binomials, a skill that she had previously taught them. Dr. Rising designed a task of next level learning ("Level 4: Choose a procedure from among a number you have learned, apply it accurately and fluently, explain why chose it [*sic*], and why it might be better than another"). Dr. Rising stated: Student will be given several categories of algebraic equations (binomial, polynomial, quadratic, etc.). Student will be given several equations. Student will have to label the equation properly and complete the equation correctly. Student will have to explain why he/she chose the equation label. Teacher will grade student's explanation and his/her math.

Despite these thorough, well-argued answers, TRS was scored 0.00/4 for c. 2). **Again, the commonplace ambiguity of interpretation of teacher observations reinforces the point that the so-called Capacity Interview portion of the AZ CSP application was much too heavily weighted.**

- Question c. 3) asked "Offer opportunities to the teacher for further improvement (please note: this wording differs from the scoring sheet, which states: "c. 3) "Ability to engage the teacher for further improvement").

This was a good question because school leaders and instructional coaches work with teachers in this manner every day. Dr. Rising has met with teachers countless times over the years. However, the presentation of this part of the interview was ill-conceived and awkward: Jane Smoudi of AZ CSP playacted as a teacher as Dr. Rising worked with her. First, Ms. Smoudi acted as the English teacher in video 1. Dr. Rising began by reviewing each of the strengths and weaknesses in video 1. He detailed 7 separate strengths and 4 significant weaknesses of the lesson (see Dr. Rising's attached notes for details). He asked her questions about why she chose certain instructional tactics. Finally, he gave several specific suggestions: have students explain the lesson to her to demonstrate understanding; use cold calling of students to enable them to demonstrate understanding; give clear learning objectives aligned to state standards; give

assessments of those learning objectives that are specific, rigorous, and measurable; and avoid asking students personal questions in front of other students. He also suggested several sources for professional development on these issues, which he detailed later in answering c. 4).

For video 2, Dr. Rising observed, recorded, and expressed 15 strengths for the lesson and 3 significant weaknesses (see Dr. Rising's attached notes for details). He also gave suggestions for improving weaknesses that focused on more rigorous, individual, and standards-aligned assessments of the lesson's learning objective. He also suggested several sources for professional development on these issues, which he detailed later in answering c. 4). **At this point, Dr. Francis cut short the interview, so Dr. Rising was not able to simulate a principal-teacher conference with Ms. Smoudi for video 2. Despite these thorough, evidence-supported answers by Dr. Rising, TRS was given 0.00/2 for c. 3).**

- Question c. 4) asked: "Develop an action plan (Theory of action [*sic*]) for school-wide further improvement.

Although time was running short, Dr. Rising presented a detailed action for plan for improving instructional practice. The key gaps Dr. Rising noted in the two instructional videos were lack of clear learning objectives aligned with state standards, a focus on lower-level student learning, and a lack of assessments that accurately judged mastery of learning objectives. Dr. Rising's action plan called for school-wide professional development for all teachers. In it, teachers would be trained in explaining lessons, putting forth clear learning objectives aligned to state standards; developing assessments that accurately evaluate learning objectives; developing methods for checking student understanding; improving how to connect class material to students' lives without offending students; and effectively teaching and assessing group work. Teachers will observe instructional videos and other exemplary teachers. Teachers will work with one another on these issues in Professional Learning Communities that meet regularly. Teachers will have training on these issues from research-based sources, including Wiggins and McTighe's *Understanding By Design*, Marzona's Essential 9, Hunter's Essential Elements of Instruction, Uncommon School's *Teach Like a Champion*, an Marzano's work on assessment. The principal and other instructional leaders would oversee this cycle of evaluation, coaching, professional development, and evaluation using Danielson's *Framework for Teaching* and Zepeda's *Instructional Supervision*.

Despite this thorough, research-based answer, TRS was scored 2.00/6 on c. 4).

In sum, for section c (c.1-c.4), TRS was scored 2.00/18. It seems incredible that a professional educator and administrator with Dr. Rising's experience could receive such a low score on a fair evaluation.

Also troubling were Dr. Francis's remarks at the end of the interview. When Dr. Rising mentioned in passing that he thought the Capacity Interview was strange, **Dr. Francis replied that the main reason for the interview was for AZ CSP to ascertain if the person who wrote the AZ grant application was the same person who'd be running the school. Dr. Francis mentioned that AZ CSP had been "burned" in the past by schools that had employed a grant writer.** Based on Dr. Francis's statement, it is curious that Dr. Rising, who wrote both

TRS's charter application and AZ CSP application, who performed the interview, and who will be our founding principal, should be scored so low by Dr. Francis on the interview portion of the application.

In closing, we are deeply troubled by the AZ CSP application process, especially the weighting, construction, and scoring of the interview portion of the application. We therefore request a review of the interview portion of our application and a reconsideration of awarding TRS an AZ CSP grant for the 2013-2014 school year.

Sincerely,

The Rising School's Board of Directors

Gregory J. Berger, J.D. Rosie Garcia, M.Ed. George G. Rising, Ph.D.