

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
OFFICE OF THE SUPERINTENDENT

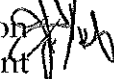
ROBERT W. RUNCIE
SUPERINTENDENT OF SCHOOLS


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March 15, 2012

TO: School Board Members

FROM: Dr. Joanne W. Harrison 
Deputy Superintendent
Educational Programs & Student Support Services

VIA: Robert W. Runcie 
Superintendent of Schools

SUBJECT: **Revision to F-18, Approval to Notify Automotive Technical Charter High School of South Florida, Inc. (Parkway Academy -5181) of the Proposed Non-renewal of their Charter School Agreement, for the March 20, 2012 Regular School Board Meeting**

Attached is a revision for F-18, Approval to Notify Automotive Technical Charter High School of South Florida, Inc. (Parkway Academy -5181) of the Proposed Non-renewal of their Charter School Agreement, for the March 20, 2012 Regular School Board Meeting.

The Deputy General Counsel has requested that the Agenda Request Form be revised to include the referral of any request from the charter school for a hearing, to the Florida Division of Administrative Hearings.

If you have any questions or need further information, please call Jody Perry, Director, Charter Schools Support, at 754-321-2135.

RWR/JWH/LB/JP/MR: jc
Attachments

c: Senior Leadership Team

AGENDA REQUEST FORM
THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

REVISION

Meeting Date 3/20/12	<div style="display: flex; justify-content: space-between;"><div>Open Agenda Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></div><div>Special Order Request Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></div></div>	Agenda Item Number F-18
TITLE: Approval to Notify Automotive Technical Charter High School of South Florida, Inc., (Parkway Academy - 5181) of the Proposed Non-Renewal of their Charter School Agreement		
REQUESTED ACTION: Authorize the Superintendent to notify Automotive Technical Charter High School of South Florida, Inc., (Parkway Academy - 5181) of the proposed non-renewal of the Charter School Agreement and Renewal Application based upon the grounds stated in the Executive Summary and to refer any request for a hearing, upon the proposed non-renewal, to the Florida Division of Administrative Hearings.		
SUMMARY EXPLANATION AND BACKGROUND: <p>The terms and conditions for the operation of a charter school are set forth by the governing board of the charter school and The School Board of Broward County, Florida (SBBC) in a written contractual agreement that constitutes a school's charter. Pursuant to Section 1002.33(8)(b), Florida Statutes, a school's charter school agreement may be renewed subject to a program review and provided that none of the statutory grounds for non-renewal have been documented. The Superintendent's Charter School Review Committee reviewed and analyzed the renewal application from Automotive Technical Charter High School of South Florida, Inc., (Parkway Academy - 5181) and has recommended the non-renewal of the charter agreement.</p> <p>It is requested that SBBC authorize the Superintendent to send the letter (Exhibit D) notifying Automotive Technical Charter High School of South Florida, Inc., (Parkway Academy - 5181) of the proposed non-renewal of the charter agreement. Automotive Technical Charter High School of South Florida, Inc., (Parkway Academy - 5181) agreed in Section 2.D.1.b. of the current Charter School Agreement that good cause would exist for its non-renewal, if the school did not meet contractual or statutory requirements. <u>In the event that Automotive Technical Charter High School of South Florida, Inc. (Parkway Academy - 5181) requests a hearing, the SBBC is requested to authorize the referral of such request to the Florida Division of Administrative Hearings.</u> An Executive Summary is attached which specifies the grounds for the non-renewal.</p> <p>A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at: http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda</p> <p>This item has been approved as to form and legal content by the Office of the General Counsel.</p>		
SCHOOL BOARD GOALS: <div style="display: flex; flex-direction: column; gap: 5px;"><div><input checked="" type="checkbox"/> • Goal One: Raise achievement of all students to ensure graduation from high school and readiness for post-secondary education.</div><div><input type="checkbox"/> • Goal Two: Improve the health and wellness of students and personnel.</div><div><input type="checkbox"/> • Goal Three: Provide a safe and secure physical and technological environment for all students and employees.</div><div><input checked="" type="checkbox"/> • Goal Four: Promote innovation, which focuses on best practices and quality efforts that improve our best-in-class position.</div><div><input type="checkbox"/> • Goal Five: Recruit, develop, retain, and recognize high performing and diverse faculty and personnel.</div><div><input type="checkbox"/> • Goal Six: Build strong partnerships with family, business, community and government at the classroom, school, area, and district level.</div><div><input type="checkbox"/> • Goal Seven: Ensure district's leadership as an environmental steward through innovative ecology and energy conservation programs.</div></div>		
FINANCIAL IMPACT: There is no financial impact to the district if this item is approved.		
EXHIBITS: (List) <div style="display: flex; flex-direction: column; gap: 5px;"><div>1. Executive Summary</div><div>2. Exhibit A – Charter Renewal Application</div><div>3. Exhibit B – Current Charter School Agreement</div><div>4. Exhibit C – Section 1002.33, Florida Statutes</div><div>5. Exhibit D – Proposed Letter of Non-Renewal</div><div>6. Exhibit E – FL School Grades Report</div><div>7. Exhibit F – FLDOE School Accountability Report</div></div>		
BOARD ACTION: <div style="font-size: small;">(For Official School Board Records' Office Only)</div>		SOURCE OF ADDITIONAL INFORMATION: <div style="display: flex; justify-content: space-between;"><div>Leslie Brown</div><div>754-321-2130</div></div> <div style="display: flex; justify-content: space-between;"><div>Jody Perry</div><div>754-321-2135</div></div> <div style="display: flex; justify-content: space-between; font-size: x-small;"><div>Name</div><div>Phone</div></div>

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
JOANNE W. HARRISON, Ed. D., DEPUTY SUPERINTENDENT
EDUCATIONAL PROGRAMS & STUDENT SUPPORT

Approved in Open Board Meeting on:

MAR 20 2012

By: _____

School Board Chair

Form #4189

Revised 10/11

RWR/JWH/LB/JP/MR

Executive Summary

**Automotive Technical Charter High School of South Florida, Inc.
Parkway Academy - 5181
Non-Renewal of Charter Agreement**

School Name	Parkway Academy - 5181
Implementation Year	2001-2002
Termination Date of Current Charter Agreement	June 30, 2012
Address	7451 Riviera Blvd. Miramar, FL 33028
Grades	9-12
Enrollment	517
Target population	Neighborhoods surrounding the school
Curriculum Focus	Traditional
School Grade 2010-2011	F (387 FCAT points/777 total points) AYP - No
School Grade 2009-2010	D (413 FCAT points) AYP - No
School Grade 2008-2009	D (420 FCAT points) AYP - No
School Grade 2007-2008	C (436 FCAT points) AYP - No
School Grade 2006-2007	F (392 FCAT points) AYP - No
School Grade 2005-2006	C (326 FCAT points) AYP - No
School Grade 2004-2005	D (287 FCAT points) AYP - No
School Grade 2003-2004	D (295 FCAT points) AYP - No

On June 19, 2001, The School Board of Broward County, Florida (SBBC) approved a Charter School Agreement authorizing Automotive Technical Charter High School of South Florida, Inc. to open Parkway Academy – 5181. The original contract was effective for a ten-year period, which concluded on June 30, 2011. During the last year, pursuant to Section 1002.33, Florida Statutes, the charter school received program reviews as required for charter contract renewal. The first program review, conducted in school year 2010-2011, demonstrated academic and programmatic deficiencies. This resulted in the school receiving a one-year charter contract, effective from July 1, 2011, to June 30, 2012. The district provided Automotive Technical Charter High School of South Florida, Inc., (Parkway Academy – 5181) with support and recommendations for improvement.

The current one-year contract clearly outlined remedial measures for curing such deficiencies by June 30, 2012. Automotive Technical Charter High School of South Florida, Inc., (Parkway Academy – 5181), Inc. agreed to put in place district recommended remedial measures. Despite continued district support and assistance to remedy the identified deficiencies, the charter school has failed to satisfy the contractual remedial measures and consequently, Automotive Technical Charter High School of South Florida, Inc., (Parkway Academy – 5181) continues to exhibit serious academic and programmatic deficiencies.

Section 1002.33(7)(b)(1), Florida Statutes, states that, “a charter school may be renewed provided that a program review demonstrates that student achievement levels and prior rates of academic progress have been accomplished and that none of the grounds for non-renewal has been documented.”

Section 1002.33(8)(a), Florida Statutes specifies the causes for non-renewal or termination of a charter. These are:

1. Failure to participate in the state’s education accountability system created in s. 1008.31, F.S. or failure to meet the requirements for student performance stated in the charter.
2. Failure to meet generally accepted standards of fiscal management.
3. Violation of law.
4. Other good cause shown.

The Superintendent's Charter School Review Committee has reviewed the Charter Renewal Application (Exhibit A) submitted by Automotive Technical Charter High School of South Florida, Inc., (Parkway Academy – 5181) and has determined that it does not meet the renewal criteria. Following are the documented grounds for non-renewal.

FAILURE TO MEET STATUTORY REQUIREMENTS FOR RENEWAL

In accordance with s. 1002.33 (8)(a)(1), F.S., "The sponsor may choose not to renew or may terminate the charter for any of the following grounds:

1. Failure to participate in the state's education accountability system created in s. 1008.31, F. S. as required in this section, or failure to meet the requirements for student performance stated in the charter."

Findings:

- Parkway Academy – 5181 has failed to meet the requirements for student performance stated in the charter.
Section 2.D.1 – Nonrenewal Provisions - At the end of the charter, the Sponsor may choose not to renew the School's Charter for any of the following reasons:

(a) Failure to participate in the state's education accountability system created in s.1008.31, F. S. as required in this section, or failure to meet the requirements for student performance stated in the charter.

* * *

(f) Receipt by the School of a designated grade of "F" in any Two (2) of Four (4) years or the School is designated as "a school in need of improvement" for more than Two (2) years [more than 5 years of failure to make Adequate Yearly Progress (AYP)], in accordance with the provisions of the No Child Left Behind Act of 2001 as provided in the State's Differentiated Accountability standards as set forth in s. 1008.33, F. S. and Rule 6A-1.099811, Florida Administrative Code as any of these laws or regulations may be amended from time to time. A "school in need of improvement" is one that has failed to Make Adequate Yearly Progress (AYP) for more than Five (5) years in accordance with the provisions of the No Child Left Behind Act of 2001. The equivalent of an "F" grade is defined as the School receiving less than 395 points for elementary and middle schools and less than 790 for high schools on the Florida Grades issued by the Florida Department of Education. Schools that receive a school improvement designation of "Declining" will also be considered the equivalent to an "F" grade. The foregoing point designations or school improvement ratings shall be amended during the term of this Charter to conform with current state law or rules;

- Parkway Academy – 5181 has failed to make AYP in accordance with the provisions of NCLB for Eight (8) consecutive years, as evidenced by the Florida School Grades Report (Exhibit E)
- During the 2010-2011 academic year, Parkway Academy – 5181 obtained 387 points and received an "F" grade on the School's FLDOE School Accountability Report (Exhibit F)
- During the 2009-2010 academic year, Parkway Academy – 5181 obtained 413 points and received a "D" grade on the School's FLDOE School Accountability Report (Exhibit F)
- During the 2008-2009 academic year, Parkway Academy – 5181 obtained 420 points and received an "D" grade on the School's FLDOE School Accountability Report (Exhibit F)
- During the 2007-2008 academic year, Parkway Academy – 5181 obtained 436 points and received an "C" grade on the School's FLDOE School Accountability Report (Exhibit F)
- During the 2006-2007 academic year, Parkway Academy – 5181 obtained 392 points and received an "F" grade on the School's FLDOE School Accountability Report (Exhibit F)
- Prior years' data included on page 1 of the Executive Summary

FAILURE TO MEET CURRENT CHARTER AGREEMENT

ARTICLE 2 – GENERAL PROVISIONS

Section 2.D – Nonrenewal/Cancellation/Termination: Any non-renewal, cancellation or termination of the Charter shall be subject to Section 1002-33(8), Florida Statutes and the terms of this Charter.

Section 2.D.1 – Nonrenewal Provisions - At the end of the charter, the Sponsor may choose not to renew the School's Charter for any of the following reasons:

(a) Failure to participate in the state's education accountability system created in s.1008.31, F. S. as required in this section, or failure to meet the requirements for student performance stated in the charter.

* * *

(f) Receipt by the School of a designated grade of "F" in any Two (2) of Four (4) years or the School is designated as "a school in need of improvement" for more than Two (2) years [more than 5 years of failure to make Adequate Yearly Progress (AYP)], in accordance with the provisions of the No Child Left Behind Act of 2001 as provided in the State's Differentiated Accountability standards as set forth in s. 1008.33, F. S. and Rule 6A-1.099811, F.A.C. as any of these laws or regulations may be amended from time to time. A "school in need of improvement" is one that has failed to Make Adequate Yearly Progress (AYP) for more than Five (5) years in accordance with the provisions of the No Child Left Behind Act of 2001. The equivalent of an "F" grade is defined as the School receiving less than 395 points for elementary and middle schools and less than 790 for high schools on the Florida Grades issued by the Florida Department of Education. Schools that receive a school improvement designation of "Declining" will also be considered the equivalent to an "F" grade. The foregoing point designations or school improvement ratings shall be amended during the term of this Charter to conform with current state law or rules;

Section 2.D.1.a - Grounds for Good Cause: "Good Cause" for termination or nonrenewal shall include, but not be limited to, the following:

* * *

(2) Receipt by the School of a designated grade of "F" in any Two (2) of Four (4) years or the School is designated as "a school in need of improvement" for more than Two (2) years [more than 5 years of failure to make Adequate Yearly Progress (AYP)], in accordance with the provisions of the No Child Left Behind Act of 2001 as provided in the State's Differentiated Accountability standards as set forth in s. 1008.33, F. S. and Rule 6A-1.099811, F.A.C. as any of these laws or regulations may be amended from time to time. A "school in need of improvement" is one that has failed to Make Adequate Yearly Progress (AYP) for more than Five (5) years in accordance with the provisions of the No Child Left Behind Act of 2001. The equivalent of an "F" grade is defined as the School

receiving less than 395 points for elementary and middle schools and less than 790 for high schools on the Florida Grades issued by the Florida Department of Education. Schools that receive a school improvement designation of “Declining” will also be considered the equivalent to an “F” grade. The foregoing point designations or school improvement ratings shall be amended during the term of this Charter to conform with current state law or rules;

* * *

(22) Any other good cause shown, which shall include, without limitation, any material breach or violation by the School of the standards, requirements, or procedures of this Charter such as:

* * *

(t) a failure by the School to fulfill all of the requirements for highly qualified instructional personnel as defined by NCLB.

- Parkway Academy has failed to hire teachers who are appropriately certified – There are Five (5) teachers on staff who are not eligible for an educator’s certificate/have an expired certificate/or have an invalid certificate. Despite meeting with the charter school’s administration on November 7, 2011, the school has not taken measures to ensure proper teacher certification; these teachers remain in the classroom. They are assigned to teach Auto Mechanics, Marketing, Music, Physical Education, Semantics, and Social Sciences.
- Parkway Academy has failed to notify parents that teachers who are out of field are teaching at the school - Nine (9) teachers are teaching out-of-field; The school has indicated that they have not created out-of-field waivers; teachers have not signed a form agreeing to become infield, and parents have not been notified that teachers who are out-of-field are teaching their children.
- Parkway Academy employs 32 teachers, of which 14 (44%) are ineligible for an educator’s certificate, are out of field, or are not Highly Qualified. Just over half (56%) of their teachers are properly certified and qualified to teach Parkway Charter’s students.

DEFICIENCIES FOUND IN THE CHARTER RENEWAL APPLICATION

The Superintendent’s Charter School Review Committee has reviewed the Charter Renewal Application (Exhibit A) submitted by Automotive Technical Charter High School of South Florida, Inc. (Parkway Academy – 5181) and has determined that it does not meet the renewal criteria. Following are additional documented grounds for non-renewal:

EDUCATIONAL PERFORMANCE

Deficiency 1– Federal Accountability

Findings:

- Failure to make Adequate Yearly Progress for the past Eight (8) years.

Deficiency 2 – State Accountability

Findings:

- The percent of students meeting high standards in reading, math, writing, and science is lower than both the state and district percentages.

	Parkway	District	State
Reading	18	67	62
Math	55	76	68
Writing	78	88	79*
Science	21	48	46*

*Aggregate Writing and Science are not reported for the state, these numbers represent the average of tested grade levels.

- The percent of students making learning gains in reading and math is lower than the district percentage. Learning gains are not reported for the state.

	Parkway	District
Reading	40	61
Math	65	69

- The number of school grade points earned has decreased from 2008-2009 to 2009-2010 and from 2009-2010 to 2010-2011.

	Parkway
2011	387 (F)*
2010	413 (D)
2009	420 (D)

* School received FCAT points equivalent to an F and based on the full High School Grade also received an F.

- The 387 points obtained by Parkway Academy in 2010-2011 are equivalent to an “F” grade. The school received 777 points when the additional High School components were added, also equivalent to an “F” grade.

ORGANIZATIONAL PERFORMANCE

Deficiency 4 – Instructional Staffing

- Failure to hire staff that holds the appropriate certification or licensure to provide services to students.
- Failure to accurately identify teachers who are not Highly Qualified.
- Failure to accurately identify teachers who are teaching out-of-field.

Findings:

- Parkway Academy has failed to hire teachers who are appropriately certified – There are Five (5) teachers on staff who are not eligible for an educator’s certificate/have an expired certificate/or have an invalid certificate. Despite meeting with the charter school’s administration on November 7, 2011, the school has not taken measures to ensure proper teacher certification; these teachers remain in the classroom. They are assigned to teach Auto Mechanics, Marketing, Music, Physical Education, Semantics, and Social Sciences.
- Parkway Academy has failed to notify parents that teachers who are out of field are teaching at the school - Nine (9) teachers are teaching out-of-field; The school has indicated that they have not created out-of-field waivers; teachers have not signed a form agreeing to become infield, and parents have not been notified that teachers who are out-of-field are teaching their children.

- Parkway Academy employs 32 teachers, of which 14 (44%) are ineligible for an educator's certificate, are out of field, or are not Highly Qualified. Just over half (56%) of their teachers are properly certified and qualified to teach Parkway Charter's students.

It is therefore requested, that SBBC authorize the Superintendent of Schools to send a letter (Exhibit D) notifying Automotive Technical Charter High School of South Florida, Inc., (Parkway Academy – 5181) of the proposed non-renewal of their Charter School Agreement, based on the foregoing grounds. In the event that Automotive Technical Charter High School of South Florida, Inc. (Parkway Academy - 5181) requests a hearing, the SBBC is requested to authorize the referral of such request to the Florida Division of Administrative Hearings. District staff is prepared to assist students with proper placement in other district schools for the 2012-2013 academic year.