

Office of the Superintendent of Schools  
MONTGOMERY COUNTY PUBLIC SCHOOLS  
Rockville, Maryland

June 27, 2011

MEMORANDUM

To: Members of the Board of Education  
From: Jerry D. Weast, Superintendent of Schools  
Subject: Consideration of Charter Schools Applications

**Executive Summary**

In accordance with Montgomery County Board of Education Policy CFB, *Public Charter Schools*, and accompanying Montgomery County Public Schools (MCPS) Regulation CFB-RA, *Public Charter Schools*, two applications to establish public charter schools in Montgomery County are presented for your consideration. The application process provides for an in-depth review by a wide range of stakeholders (Attachment A). On April 1, 2011, MCPS received two applications requesting approval to open charter schools in Montgomery County (Attachments B and C). Both applications were reviewed in compliance with Board of Education (Board) Policy CFB, *Public Charter Schools*, and MCPS Regulation CFB-RA, *Public Charter Schools*. The Community Montessori Public Charter School applicant proposes an early primary (Pre-K–3) Montessori charter, and the Seneca Creek Public Charter School applicant proposes an inquiry-based curriculum focused on the environment as an integrating concept. After careful and thorough consideration, the review panel recommends that the Community Montessori Public Charter School application be approved and that the Seneca Creek Public Charter School application be denied. This recommendation was forwarded to Dr. Frieda K. Lacey, deputy superintendent of schools, who considered the review panel’s findings and concurred with its recommendation. Dr. Lacey in turn forwarded her recommendation to me. Based upon a review of the findings, considerations, and recommendations, I concur with the evaluation of the applications and recommend that the Board approves the Community Montessori Public Charter School application and denies the application for the Seneca Creek Public Charter School.

**Background**

In 2010, MCPS received and reviewed charter school applications under Policy CFB, *Public Charter Schools*, and Regulation CFB-RA, *Public Charter Schools*. Subsequent to the completion of the 2010 review timeframe, process improvements were made to streamline the process and provide additional supports to applicants. In an effort to provide significant

technical assistance to charter school applicants prior to the application submission date, three technical assistance meetings were offered to all community members considering applying to open a charter school in Montgomery County. Both Community Montessori and Seneca Creek participated in the technical assistance sessions. The following sessions were held:

- February 14, 2011—General overview session of application process for applicants
- March 4, 2011—Academic and governance session for applicants
- March 11, 2011—Facility, finance, and operations session for applicants

In addition to these technical assistance meetings, staff members met with Global Garden Public Charter School at the direction of the Board. At the March 28, 2011, Montgomery County Board of Education meeting, a discussion ensued regarding the Board's June 8, 2010, decision to deny both of the 2010 charter school applications (Community Montessori Public Charter School and Global Garden Public Charter School) and the Board directed MCPS staff members to meet with the two 2010 applicants to review the concerns raised, and allow the applicants to submit a revised application no later than May 1, 2011 (one month after the deadline for the current round). Given Community Montessori Charter School's participation in the technical assistance sessions, they believed that they were in a position to reapply and declined the extension. Global Garden Public Charter School chose not to participate in the three technical assistance sessions offered to 2011 applicants. After the Board's resolution, Global Garden Public Charter School applicants met with MCPS staff members for additional technical assistance on April 7, 2011, and participated in an additional telephone conference regarding food service requirements on April 13, 2011.

MCPS received two charter school applications on Friday, April 1, 2011, the deadline for receipt of completed charter school applications. The applicants are Community Montessori Charter School, a proposed Grades Pre-K–3 Montessori school with wraparound services and Seneca Creek Public Charter School, a proposed Grades K–8 school with an emphasis on using the environment as an integrating context for learning. In accordance with Board Policy CFB, *Public Charter Schools*, the first step conducted in the application review process was the technical review, a nonsubstantive review that ensures that the applications are complete prior to the substantive review. Both applications were deemed complete and moved to the next phase of the process.

In the second phase of the process, an extensive review and examination of the applications was completed. The applications were reviewed by a panel consisting of internal and external representatives. The internal representatives included staff members from a broad spectrum of offices including, among others, the offices of School Performance, Special Education and Student Services, Curriculum and Instructional Programs, and the Chief Operating Officer as well as the three MCPS employee associations. The external representatives included persons representing the Montgomery County Council of Parent Teacher Associations, the community, higher education institutions, and business enterprises. Both internal and external representatives reviewed the applications and participated in developing the full panel's recommendations.

As a component of the review process, panelists were asked to generate any questions or areas of concern they had during their evaluation of the applications. Questions and concerns were captured, categorized and synthesized for the applicants. They were forwarded to the applicants on May 16, 2011, with a cover memorandum that informed the applicant that although they were provided with all of the questions that reviewers posed during the initial review of the application, they were not expected to respond to each question, rather that the time should be used to address the general themes provided to them in the summary (Attachments D and E). On Monday, May 23, 2011, each applicant met with the panel and had the opportunity to respond to panelists' questions. The applicants were provided two hours to present clarifying information, based on the questions from the initial review of the application (Attachment F).

Both applicants participated in the meeting with panelists. Each applicant was given the discretion to decide the most effective method of presentation, as well as whether and when to entertain direct questions from the panelists. Time remained at the end of each applicant's presentation for questions from the panelists. Panelists sought clarification on a range of issues and the applicants responded by referring the panelist to the text, speaking to the issue extemporaneously, or suggesting possible room for compromise. During the course of the meeting, panelists requested additional documentation of representations made during the course of the Community Montessori Public Charter School presentation (Attachments G, H, and I). These documents included financial and audit reports. Consequently, these reports were provided subsequent to the May 23, 2010, meeting.

The review panel reconvened on Thursday, June 2, 2011, to discuss the reviews and reached a consensus on recommendations regarding the applications (Attachment J). Using a consensus-based process, the panelists deliberated using all information gathered over the course of the review process. After carefully considering all of the information supplied by the applicants, as well as the quality and substance of the participants' presentations regarding the questions generated by the initial review, the panel recommended that the Board deny the application by Seneca Creek Public Charter School and approve the application by Community Montessori Charter School, contingent on successful negotiation of a contract between MCPS and Crossway Community, Inc. (Attachments K and L).

I have reviewed the applications and the findings of the review panel. After thorough consideration, I concur with the panel's evaluations and recommend that the Board approve the application by Community Montessori Charter School, contingent on successful negotiation of a contract between MCPS and Crossway Community, Inc. and deny the application for Seneca Creek Public Charter School.

### **Seneca Creek Public Charter School**

The application for the Seneca Creek Public Charter School describes a K–8 public charter school with an emphasis on environmental science, community-based studies, and outdoor education. The applicant proposes to use the Environment as an Integrating Context (EIC) as the

foundation of their curriculum and instructional approach. The school is envisioned as a hands-on, interactive inquiry-based model that emphasizes extensive daily time out-of-doors. The applicant has identified a possible facility, indicating that they have entered into a nonbinding agreement to lease the Wellspring Conference Center in Germantown, Maryland, which is owned by Dayspring Ministry. The applicant proposes opening the school with Grades K–5.

#### Seneca Creek Proposed Enrollment Plan

School Year	Grade Levels	Total Student Enrollment
First Year (2012–2013)	K–5	102 <sup>1</sup>
Second Year (2013–2014)	K–8	150
Third Year (2014–2015)	K–8	150
Fourth Year (2015–2016)	K–8	150

The review panel found the outdoor education concept and the “green” focus to be significant strengths of the application. The panel also noted a number of conceptually intriguing ideas, such as the existence of partnerships, specifically the partnerships with the Audubon Naturalist Society and the State Environmental Education Roundtable. However, overall, the consensus of the review panel was that numerous questions and concerns about the efficacy of the curriculum and the applicant’s capacity to operationalize the concepts of the application into a workable action plan remained unanswered.

A myriad of concerns were raised in the areas of governance and finance, but the most significant concerns were in the areas of academic design, facilities, and operations. Of particular concern to the panel was the applicant’s poor understanding of how to meet the needs of special education students and English Language Learners (ELL). The lack of a depth of understanding was demonstrated during the dialogue with the panel, during which the applicant stated her belief that parents of ELLs would be unwilling to send their children to such a charter school because they would not be willing to try something so new. In addition to the applicant’s lack of understanding of two large, and (in the case of ELLs) growing populations, the application was deficient in demonstrating how, when, and where direct instruction would be provided and in what subjects. The delivery of special education services also was not clear, as the applicants noted that related services would be provided during “electives” with no acknowledgment of the many logistical or equal access to curriculum issues that would result from this model. Further, there was an assumption that ELLs who were not making progress would, as a matter of course, be referred for special education services.

The applicants did not provide an adequate plan for assessments and demonstrated a lack of understanding of the various purposes of assessments, such as formative, summative, and accountability measures to inform instructional planning, to monitor progress, to communicate achievement to students and parents, and to evaluate program effectiveness. Seneca Creek Public Charter School’s plan also would prove daunting for the teaching staff. The teachers would be

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<sup>1</sup> During their presentation to the panel, the applicant indicated that this number would be increased to 150 students for budgetary reasons.

expected to develop curriculum, instructional resources and plans, and assessments without any clear guidance. The proposal appears to present a series of loosely constructed activities without coherence or connection to content. There were state mandated subject areas, with full state curriculum frameworks, such as physical education and health education that were not addressed at all. The application and later dialogue also included proposals to have parents or paraeducators provide electives to students, which is problematic as it is unclear what training or credentialing would be required. The review panel also was not convinced that the applicants presented an educationally sound concept that could be applied across the curriculum in a way that ensured mastery of required clearly delineated objectives. They noted that it was clear how the environmental approach would work in all areas of the science curriculum. However, there was a heavy emphasis on life science. Social studies appeared to be limited to the study of community without historical thinking, political, or economic concepts addressed. It appeared that there was no realistic plan to integrate the many curricular concepts and objectives required by the state of Maryland into a coherent curriculum.

The concerns raised by the review panel about the operational capacity of the applicant to create and maintain a safe, functional educational environment were extensive. Throughout the application and presentation, the review panel was concerned about an overall lack of specificity, leadership experience, and organizational capacity. For example, given the location of the site, the transportation plan along with the budget for transportation were inadequate. The lack of understanding of what is required of a food service plan (i.e., adequate refrigeration), or a maintenance plan was disconcerting. Having 35 to 50 students housed in residential cabins that are approximately 30 to 40 years old would require a level of upkeep and maintenance that the applicant had not planned for appropriately. Putting aside the question of whether deploying parent volunteers in such a manner is appropriate, reliance on parents for functions such as crossing guard and teaching is a tenuous proposition without a backup plan if parental volunteerism does not reach anticipated levels.

The Wellspring facility itself raised a variety of challenging issues. The primary facilities proposed to house the students' classrooms are three cabins. A conference center building also is part of the proposed facility, apparently to function as a multipurpose room. The review panel was concerned because the cabins themselves comprise a number of small rooms, the largest of which is a common room of 240 square feet. This common room is about a quarter of the size of a standard MCPS classroom and would not be able to accommodate a class larger than 12 students at desks. The remaining rooms are identified as "sleeping rooms" in the floor plan submitted with the application. These rooms are 120 square feet and 108 square feet and could accommodate only four or five students each. It would be assumed that these small sleeping rooms would be used for small group instruction with certified staff, and if that is the case, the budget would not support the number of teachers required to adequately staff each of these rooms. The facility simply does not provide a sufficient number of classroom-sized rooms for the anticipated enrollment. In addition, there was no evidence of planning for facility upgrades converting the cabins from a temporary residential use to full time instructional use.

The secluded nature of the site raised concerns about the safety of students during the extensive outdoor instruction time. The review panel was not comforted by the planned assignment of the groundskeeper as security staff. In addition, the road leading to the site is a gravel road and access and egress for student transportation purposes is questionable.

The panel expressed a general lack of confidence in the applicant's financial and executive management experience or skills and capacity to implement the concept. For example, the applicant indicated that the administrative secretary would be accountable for maintaining and developing the financial records and reports as well as providing nursing services. The critical function of financial management should not be designated to an administrative secretary. Additionally, having the administrative secretary maintain and develop the financial records does not provide adequate separation of duties, as this person will likely handle cash collected by teachers (for field trips, lost materials, etc.). Under the applicants' proposal, the administrative secretary would be expected to maintain the account books and act as school nurse. This demonstrated a poor understanding of the many functions the administrative secretary is responsible for, and creates an unrealistic expectation as to the capacity of this one role. The applicant also proposed using a groundskeeper employed by Dayspring Ministry for security and maintenance. This individual, who would not be employed by the charter school, would be expected to provide security on a huge secluded campus, where by design, much of the instructional time would be spent outdoors. The simplicity of the applicant's solutions often belied the complexity of the issues presented. Given that much of the instructional time is intended to be spent outdoors, the applicant's plan for ensuring access for students with physical limitations and complying with the *Americans with Disabilities Act of 1990* requirements was the use of a golf cart. Finally, under the proposal, rent on the site would begin one month prior to the opening of school. This would not be sufficient time to convert a site designed as a residential camp setting into a fully functioning school.

In addition to the deficiencies and unanswered questions noted above, there were concerns about a wide array of issues including but not limited to: contradictions between employment practices of MCPS and the applicant, capacity to provide professional development, evaluation and supervision in accordance with the professional growth system, adequately funding transportation for homeless and special education students, and food handling and sanitation.

For the above stated reasons, as well as those contained in the attached documents, the review panel was resolute in its recommendation that the Seneca Creek Public Charter School application be denied. It is clear that despite the earnestness of their effort and the potential appeal of the concept, the applicant is simply not equipped to operate a school.

### **Community Montessori Public Charter School**

The application for the Community Montessori Public Charter School describes the inception of the idea for the charter school as an outgrowth of the work Crossway Community, Inc., the parent corporation, has done through education to break the cycle of poverty for young women

and their children. The Community Montessori Public Charter School is proposed to serve Grades Pre-K–3 using Dr. Maria Montessori’s educational approach. The applicant states a specific desire to work with economically disadvantaged students. The application states it is Community Montessori’s mission “to provide a comprehensive, highly individualized education for children pre-K to grade 3 in a nurturing, family-like environment using the Montessori approach to education.” The applicant proposes to privately fund the education of three-year-old and non-income eligible four-year-old children.

Crossway Community, Inc. is a nonprofit organization that has been operating in Montgomery County for 20 years. It is located on 14 acres in Kensington. The organization currently operates the following: The Family Leadership School, a residential life skills program for women and their children who have experienced trauma, family violence, and financial insecurity; The Lifelong Learning Center, a facility that houses work on academics, youth development, family support, health and social services, and community development; and The Crossway Montessori Children’s Program, an early intervention center for children ages three months to six years. Before and after-school care, summer programs, garden literacy, and evening child care twice a week are among the services offered.

The applicant proposes the following enrollment roll out plan:

<b>School Year</b>	<b>Grade Levels</b>	<b>Total Student Enrollment</b>
First Year (2012–2013)	Pre-K–3	122
Second Year (2013–2014)	Pre-K–3	150
Third Year (2014–2015)	Pre-K–3	172
Fourth Year (2015–2016)	Pre-K–3	188

Community Montessori made significant upgrades from its 2010 application. Using the feedback the applicant received during the 2010 review process, the Community Montessori significantly strengthened the application, providing well thought through plans in the majority of areas. Although there were some concerns of significant weight, the review panel believed that if those issues could be resolved, the Community Montessori application was worthy of approval.

In particular, the review panel found that the applicant had a particularly strong academic design. In addition to the documents provided in the application, during the presentation, the applicant brought to the presentation the principal of a Montessori charter school in Hartford, Connecticut, who has agreed to partner with them. In addition, an educational consultant, with significant experience in the Montessori approach, also was present (Attachment M). The panel noted that the applicant presented a strong emphasis on professional development, an excellent system for authentic assessments and documentation processes to monitor student progress, a substantive understanding of and plan for involving and reporting progress, and staff members with strong backgrounds in teaching and learning. Although the applicant made a strong case during the presentation about the national organization’s work aligning Montessori with the Common Core State Standards, the panel did not have any additional information about these efforts.

Additionally, the applicants understanding of state mandated assessment requirements and timelines would have to be improved.

The audit report provided by the applicant raised no concerns and the records show a stable organization with established partners making financial donations (Attachment N). The applicant also was able to demonstrate a consistent track record in fundraising. During the presentation, Community Montessori shared that they had received a private grant to complete capital improvements on the facility. The budget appears to be adequate and the financial planning strong. The parent organization has been operating in Montgomery County for a number of years and has a demonstrated capacity to provide financial oversight and management. Although training would need to be provided for the Montessori staff members on MCPS' financial software and other practical considerations worked out, as a whole, the financial capacity of the parent organization, the financial planning for the school and the realistic understanding of the costs associated with operating a school were considered strengths of the application.

An area of significant concern was the applicant's request for a waiver from provisions of the collective bargaining agreement regarding the hiring of principals. The applicant has formally withdrawn this request, and instead has asked to be a part of the selection process. Another waiver request from the state law requirements for charter school lotteries is more problematic. The applicant has a strong desire to serve economically disadvantaged children and, in particular, the children residing in the Crossway residential program; however, Title 9 of the Education Article does not authorize the requested waiver of the open admission requirement. Although Crossway's desire for the requested waiver is understandable and the objective laudable, it does not appear to be statutorily permissible. However, subject to confirmation from the Maryland State Board of Education (State Board), it is our understanding that while a charter school should seek to reach all segments of the parent community when recruiting students, Community Montessori can target additional recruitment efforts toward this group of students. Community Montessori has indicated that upon confirmation from the State Board, this is how they would proceed, focusing their efforts on targeted recruitment (Attachment O).

There are remaining issues surrounding the preschool component of the application. In particular, there is a question about how the preschool component will be funded. MCPS must be reimbursed for the costs of any students not normally eligible for MCPS programs. Another issue is that operationally, the preschool component may be challenging; for example, the student selection process will have to be collaboratively determined. The applicant also needs to work with MCPS to develop a more feasible food service plan. The applicant has received a sizable donation to build an adequate kitchen facility to support the school. The facility that would house Community Montessori is a former MCPS school that is in good condition and would adequately meet indoor and outdoor capacity needs; however, some factors would need to be addressed. It would be imperative that all the necessary permits and approvals are obtained as well as assurance that the facility complies with all applicable codes and regulations. In particular, there may be some deficiencies in the current facility configuration related to

applicable codes and alignment with current practices. One of the requirements that can be included in a subsequent contract is that the applicant be required to demonstrate code compliance, and correct any code deficiencies including compliance with the *Americans with Disabilities Act of 1990* accessibility; Montgomery County, Maryland, fire code; and the Asbestos Hazard Emergency Response Act.

With the understanding that certain facility requirements must be addressed, as noted above, the facility appears to be generally in good condition, clean, and well maintained. In addition to modifications for code compliance, there will need to be some interior modifications for space reconfiguration and kitchen upgrades. Community Montessori will have one year in which to make these modifications and space reconfigurations, which is a reasonable amount of time to perform this type of work. Although there are areas of the Community Montessori application that require further collaboration, none of the issues pose serious obstacles to a successful opening of a public charter school. Community Montessori presents a concept that would be unique for Montgomery County Public Schools and it is clear the applicant has the knowledge, skills, and plan to be successful.

### **Conclusion**

After an extensive multi-faceted process, containing four levels of review, input from numerous content experts, and hundreds of hours of thoughtful deliberation, I recommend that the Board of Education deny the application of Seneca Creek Public Charter School and approve the application for Community Montessori Public Charter School.

Present at the table for tonight's discussion are Dr. Marshall C. Spatz, director, Department of Management, Budget, and Planning; Ms. Betsy Brown, director, Department of Curriculum and Instruction; Ms. Lori-Christina Webb, executive director to the deputy superintendent of schools, Office of the Deputy Superintendent of Schools; and Mr. Douglas G. Prouty, president, Montgomery County Education Association. Other members of the review panel are in the audience.

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(Attachments are available for review in the Board of Education office and in the Public Information and Web Services office.)