

# Memo

**To:** BVSD Board of Education  
**From:** District Accountability Committee  
**Date:** December 9, 2019  
**Re:** Recommendations on the Sanitas Academy Charter Application

To fulfill the DAC responsibility: *C.R.S. 22-11-302(1)(c) – If the local board receives a charter school application, to review the charter application prior to consideration by the local school board as provided in section 22- 30.5-107(1).*

The BVSD Board of Education requested the charter school subcommittee of the District Accountability Committee (DAC) provide a recommendation on whether there were substantive changes to the initial application in the revised materials submitted by Sanitas Academy (previously Summit Academy). The BVSD board approved the original application in the 2017-18 school year, and has subsequently granted extensions at the school's request.

**Process:** The subcommittee included seven current DAC members (see list at end of memo), who reviewed the Nov 15 memo from Sanitas Academy (SA) and the Summit Academy board, which outlined changes between the original 2018 Summit Academy application and the current school plan. This committee also reviewed several supporting documents (e.g., Oct 21 presentation to the BVSD board, the Sanitas CCSP grant application, BVSD board resolutions 18-15, 19-12, 19-34; DAC Recommendations on the Summit Academy Charter Application 3/27/18). The committee met twice to discuss the materials. Assistance was also provided by an external expert on charter school authorizing.

**Summary of Findings:** In our review of the materials provided by SA, we found that the *design* is -- in theory -- relatively similar to the original charter application. The changes have often been positive, especially building a more inclusive model. Yet, SA's revised *implementation* plan is substantially different, and remains unclear -- this is especially true in the areas of enrollment, facility, and budget.

**Areas for Consideration by the BVSD Board:** Our committee identified several positive elements of the proposed plan, as well as some continuing concerns in (1) equity and access, (2) facility, (3) enrollment, (4) budget, and (5) pre-opening requirements.

## 1. Equity and Access

The committee commended the Sanitas team for responding to the concerns raised in the initial charter review about access and inclusion for under-represented students. SA proposes to match the district's average enrollment of the following disaggregated groups: students qualifying for free and reduced price lunch (FRL; ~ 20%), English Language Learners (ELL; ~ 8%), and students receiving special education services (SPED; ~10%). Some of the changes detailed in the memo and CCSP grant application are quite positive, including a weighted lottery for students that qualify for FRL, more detailed recruitment plans, and budget items to support bus passes and extra-curricular activities for lower-income families. In this same sense, the new focus on Sanitas Academy as a "diverse by design" charter school offers a way to express and organize the school's commitment to inclusion and diversity. This commitment was also recognized by the school's new CCSP grant, which noted that the proposal addressed two of the state's "Focused Programming" elements: high school grades and educationally disadvantaged students. The committee recognized the efforts the Sanitas team has made to build a plan for inclusion, as well as the ongoing efforts to build a more diverse enrollment at Summit Middle School (which increased its percentage of FRL students from 3% to 10% last year).

At the same time, the committee expressed some remaining concerns about the viability of the school's plan for diversity and inclusion.

- a. While SA proposes to use a weighted lottery to meet its goal of enrolling 20% low-income students (qualifying for FRL), it has no specific plan to meet the ELL or SPED targets. In the absence of specific strategies, it is hard to see how the school will meet those enrollment targets (especially without transportation).
- b. The plan does not specify how current Summit Middle School students would be weighted in any lottery or enrollment plan. While the Sanitas team reports that 10% of its current 6th grade class qualifies for FRL, Summit MS has historically had one of the least diverse student populations in BVSD, with declining enrollment from disadvantaged children, and disproportionate numbers of GT-identified students. In 2018-2019, the school's demographics were: 1.4% FRL; 4.7% ELL, 2.2% SPED, 38% GT.
- c. If current Summit students are expected to receive preference in enrollment, more detail should be shared on how these preferences might intersect with the weighted lottery and SA's goal to match BVSD averages for SPED and ELL enrollment. There is a risk the Summit Middle School students matriculating to SA could overwhelm the enrollment numbers and make it difficult for the school to meet those special population enrollment targets. The proportions of special populations the school would have to recruit from outside Summit Middle School would have to include disproportionately higher numbers of ELL and students with

disabilities.

- d. The revised staffing plan specifies that there will be a dedicated special education teacher, but does not detail specific instructional plans for ELL students. While the CCSP application notes that students will be supported by a MTSS model, and some curricular resources, ELL students would need qualified staff (and time and space) to receive dedicated language instruction.
- e. Lack of transportation remains an issue for inclusion as location and/or proximity to bus routes is a key element of recruiting diverse families. Without a clear facilities plan, it may be difficult to recruit families that would not be able to transport students to the temporary site, or who would have to adjust transportation plans when a permanent building or site is established.

## **2. Facility**

- a. The DAC is aware that BVSD is currently conducting a review of its facilities. Once this report is released, it will be relevant to the BVSD board's discussion.
- b. While Sanitas Academy has asked the district for incubation space for the first two years, the DAC subcommittee is concerned that adequate space will not be available in the future.
- c. In addition, it is unclear whether the minimum necessary space identified by the Sanitas team (e.g., 2 classrooms, with 25 students in each, 2 offices; some access to lab space) would provide sufficient space for the school's stated educational model (which relies on personal learning), nor for intervention/learning spaces for students.
- d. It is our understanding that moving locations for a fledgling charter school can have a negative impact on enrollment numbers -- which the DAC also has concerns about (see next section).

## **3. Enrollment**

- a. Sanitas Academy has revised its proposed enrollment in Year 1 to as low as 50 students. The DAC subcommittee has concerns that this is an exceptionally small number and notably smaller than the original application which was closer to 150 students.
- b. We strongly encourage the board to ask Sanitas Academy to provide enrollment commitments, rather than relying on expressions of interest, as these projections can vary greatly. To determine family commitment to enrolling, it may be helpful to ask questions such as, "Will you give up your seat at your neighborhood school to attend SA?" This will align better with recent best practices for predicting enrollment.
- c. It may be helpful for the district and SA to develop clear benchmarks for enrollment targets (e.g., 80% of targeted enrollment by x date) in any eventual contract.

#### 4. Budget

- a. The district should receive an updated budget that reflects the most recently projected enrollment numbers and makes necessary adjustments for staffing, including plans to support the academy's educational plan.
- b. It would be helpful to see an updated staffing plan (e.g., number of teachers, targeted expertise and subject matter background) to ensure the school's educational model can be sustained. For example, it is not clear whether the 0.25 enrichment teachers can still be supported with just 50 students.
- c. Include details how more intensive interventions will be offered. These will be necessary to help some students catch up, and meet the school's rigorous standards.
- d. The plan should also address how the administrative structure/costs will be supported with only 50 students. It is reasonable to assume that some staff can be shared between the two campuses, however, a clear plan is warranted.

#### 5. Pre-Opening Requirements

- a. The DAC recommends utilizing the [National Association of Charter School Authorizers \(NACSA\) Pre-Opening Requirements](#), or similar, to determine whether this (and any future) charter school is ready to open.

#### BVSD DAC Charter Subcommittee Members

Name	School
Jennifer Biegen, DAC Member	Lafayette Elementary School
Amanda Brown, DAC Vice-Chair	Community Montessori
Lisa Medler, DAC Member	Fairview High School
Nicole Rajpal, DAC Chair	Foothill Elementary School
Karla Scornavacco, DAC Member	Horizons K-8 School
Terri S. Wilson, DAC Member	University Hill Elementary School

#### Special thanks to:

- Alex Medler (external charter authorizing expert) who volunteered his time and expertise during this process.
- Kathleen Sullivan (BVSD Legal Counsel), our liaison to the district during the review process.

**Exhibit A: DAC Recommendations on the Summit Academy Charter Application (dated March 27, 2018)**

**To:** BVSD Board of Education  
**From:** District Accountability Committee  
**Date:** March 27, 2018  
**Re:** Recommendations on the Summit Academy Charter Application

To fulfill the DAC responsibility:

C.R.S. 22-11-302(1)(c) – If the local board receives a charter school application, to review the charter application prior to consideration by the local school board as provided in section 22-30.5-107(1).

**Process**

The District Accountability Committee selected a representative subcommittee of volunteers to review the application and make a recommendation. This included DAC representation from different school levels (i.e., elementary, middle and high schools); charter schools, focus schools and traditional public schools; and across the entire district (e.g., mountains, Boulder city, East County). A list of the subcommittee members is included in Appendix A. Assistance was also provided by an external expert on charter school authorizing.

**Recommendation**

The subcommittee voted 9-2 to support the following statement:

*We, as a DAC committee, conducted a very thorough review of the Summit Academy (SA) application, and engaged in a rigorous discussion of the merits and gaps in the proposed application. The committee agreed to recommend that the district approve the application if the following conditions are met:*

- 1. Facility: A viable facility plan is agreed upon by the district and the school.*
- 2. Equity: The school plan is strengthened to have a realistic likelihood of recruiting, retaining, and succeeding with a more diverse student population (e.g., FRL, special education, ELL).*
- 3. Budget: The budget is revised to demonstrate adequate funding for the proposed curriculum and equity plan.*

The subcommittee tried to get consensus. The two members who voted “no” agreed with the conditions, but did not feel that the conditions could be met and wanted an outright denial. The next section lays out the strengths and weaknesses of the application.

## Detailed Analysis of the Application

Pros	Cons
<b>Finance and Facilities</b>	
<ul style="list-style-type: none"><li>• BVSD shares resources with charter schools.</li><li>• Summit MS is a financially-viable program.</li><li>• Most SA students would be children of district residents (who contribute to bonds).</li><li>• Facility option #1 (Summit campus expansion): SA shares space, resources and programming with Summit MS.</li><li>• Facility option #2 (New Vista [NV] co-location or swap). BVSD has a history with shared facilities, and there's space at NV. NV may benefit from pooling resources and sharing programming with SA.</li><li>• Facility option #3 (Sombrero Marsh campus). The current Summit MS building could be repurposed by BVSD.</li></ul>	<ul style="list-style-type: none"><li>• The budget is for the 6-12 grade combination, so it is difficult to evaluate the feasibility of the high school portion.</li><li>• It is not clear that the Beginning Balance properly accounts for the prior year Restricted Reserves.</li><li>• The budget does not include the necessary supports to attract and serve a diverse population (e.g., transportation, community liaison, AP exam fees).</li><li>• The resources do not appear to adequately cover the proposed innovations (e.g., extensive internships and service learning required for every student are coordinated by only one person).</li><li>• Significant programming (e.g., PE, art, theatre, outdoor/travel learning, community internships) relies on donated community services, but there is no evidence of commitments from the proposed partners.</li><li>• All facility options would require bond funding that BVSD says is not available. A future bond is several years away, and little rationale is provided for why SA should be prioritized relative to other facilities or needs of the district.</li><li>• Facility option #1 (Summit campus expansion): A land swap with the city seems complicated and time intensive.</li><li>• Facility option #2 (NV co-location or swap): NV community's support for co-location is unknown, and it's not clear that the proposal would meet the needs of both schools.</li><li>• Facility option #3 (Sombrero-Marsh campus): Requires extensive new construction. This could be expensive, and may require a special permitting review. It is not known whether there will be enough acreage to build a combined MS/HS campus, and neighborhood support has not yet been demonstrated.</li></ul>

**Pros****Cons****Enrollment and Equity**

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|--|---|
| <ul style="list-style-type: none"><li>● SA would provide another choice for students who seek a smaller high school.</li><li>● Fairview and Boulder HS are now over-capacity, which may point to a demand for more rigorous programs in this area.</li><li>● With 150+ letters of intent, there's reason to believe SA would attract families.</li><li>● Enrollment goals are set to significantly increase student diversity (20% FRL, ELL, and SPED within five years).</li><li>● The program goal of 100% college attendance may address the achievement gaps with some students.</li></ul> | <ul style="list-style-type: none"><li>● Under the current contract,<sup>1</sup> Summit MS and the district are expected to work together to review enrollment outcomes for the school. Currently, Summit MS has one of the least diverse student population in BVSD, with declining enrollment from disadvantaged children, and disproportionate numbers of TAG-identified students (2.0% ELL, 2.8% SPED, 3.0% FRL, 41.5% TAG).<sup>2</sup> The school and the district should follow-through on this contract language and study this issue further.</li><li>● The budget offers two different scenarios for enrollment (planned and minimum), but the financials are the same.</li><li>● The budget narrative does not include explanations of the enrollment assumptions, which are inconsistently stated (pp. 6, 8, 89, 96).</li><li>● It's not clear where the letters of intent come from (e.g., Summit MS vs. other parents, rising 7th graders vs. other grades).</li><li>● Serving special populations is listed as a SA priority, but the budget and programming do not demonstrate the supports needed to serve a diverse population.</li><li>● Family income is low on the list of open enrollment preferences (#6), and it's likely that SA will fill up before getting to that preference.</li><li>● Without transportation, the proposed locations (i.e., South and Central Boulder) are not likely to draw a diverse student body.</li><li>● Because Summit is not allowed to directly recruit from neighborhood schools, it is not clear how the outreach program will achieve its ambitious targets.</li><li>● Intensive interventions needed by disadvantaged students to catch up (available at other BVSD high schools) are not identified, nor funded.</li><li>● SPED staffing needs to be revisited (e.g., 0.5 FTE to teach approx. 100 students is unrealistic).</li><li>● SA has not budgeted for the additional funding needed to cover the outdoor and travel learning expenses of FRL students.</li></ul> |
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<sup>1</sup> [Summit Charter School Contract](#), p. 20, § 8.12.2

<sup>2</sup> [2017-2018 Special Programs Summary](#)

**Pros**

**Cons**

**Academic Programming**

- SA expands BVSD’s high school choice for students with different learning styles, particularly experiential education, combined with rigor. Summit MS has a successful program.
- Many aspects of small schools have been linked to success (e.g., strong community and culture, mentoring relationships and student advisories).
- Graduation requirements are more extensive than BVSD, and align closely with four-year college expectations.
- The curriculum extends into the summer months, and credit is given for experiential education.
- SA sets ambitious goals (e.g., 85% passing AP exams compared to 70% for BVSD overall).
- SA has high expectations for all students, requiring mastery (meets/exceeds) to receive course credit. Courses may be retaken until students meet the mastery expectations.
- SA provides many avenues for students to feel supported and known.

- Summit MS does not currently serve a diverse population; not clear if proposed approach will be successful with more disadvantaged students in high school setting.
- The application notes theories of educational practice, but lacks concrete examples and a selection process for evidence-based curricula.
- Full mastery is a laudable goal, but an intensive program, which requires classes in the summer -- with little “wobble room” to retake courses -- may lead some students to take longer than four years to graduate.
- Staffing projections do not account for the advising responsibilities of Summit teachers (e.g., 5 FTEs for Social Studies may be adequate to teach, but not to teach and advise).

**Pros**

**Cons**

**Governance and Expansion**

- Summit has a history of successful self-governance.
- Summit’s expansion ideas qualified as a Top 50 finalist in the Project XQ competition.
- SA’s goals suggest that “achievement gaps” would be closed within a few years.

- It is not clear how the 95% participation on state assessments is defined (adjusted or unadjusted for parent excusals). Currently, the middle school has less than 95% without including parent excusals, and high schools tend to get higher rates of parent excusal.



## Appendix A: DAC Charter Application Review Committee

Ruben Anguiano	Casey Middle, Pioneer Elementary
Amanda Brown	Community Montessori
Mary Faltynski	Boulder High
FP Fournier	Heatherwood Elementary
Chris Gosnell	Southern Hills Middle
Larsen Lemarbre	Peak to Peak K-12
Lisa Medler	Fairview High
Jilene Norman	Nederland Middle/Senior High
Nicole Rajpal	Foothill Elementary
Anna Siepmann	Fireside Elementary
Terri Wilson	University Hill Elementary

### Special thanks to:

- Alex Medler (external charter authorizing expert) who volunteered several evenings to guide the subcommittee through the ins and outs of the chartering process.
- Cindy Stevenson (BVSD superintendent) who was our liaison to the district during the application review process.
- Michelle Hernandez (Summit Middle School DAC member) who was our liaison to the Summit Academy application committee.