

Metropolitan Nashville Public Schools
Special Meeting
Board of Education
Minutes
December 19, 2011

TOPIC	DISCUSSION/MOTION	FOLLOW-UP/OUTCOME
<ul style="list-style-type: none"> Roll Call 	<p>Members Present: Gracie Porter, Chair; Mark North, Vice-Chair; Dr. Jo Ann Brannon; Michael Hayes; Ed Kindall; Cheryl D. Mayes; Anna Shepherd; Kay Simmons</p> <p>Members Absent: Dr. Sharon Gentry</p> <p>Ms. Porter called the meeting to order at 4:31 p.m.</p>	
<ul style="list-style-type: none"> Pledge of Allegiance 	<p>Led by Dr. Lora Hall, Assistant Superintendent of Middle Schools.</p>	
<ul style="list-style-type: none"> Recommended Approval of Revocation of Charter for Drexel Preparatory Academy <ul style="list-style-type: none"> Office of Innovations Comments 	<p>Mr. Coverstone made the following comments: We do not take lightly the decision to revoke a charter. Yet, the central understanding of the charter school arrangement is that school boards are charged to invest in school organizations that can deliver higher quality educational opportunities for students than those the school district could provide on its own. With the autonomy that charter schools enjoy comes the responsibility to deliver on the promises that the school's founders write into the charter that is the contract with the citizens of Davidson County. Decisions about renewal offer the opportunity to scrutinize academic and operational performance to determine whether the investment of public funds has indeed produced positive returns. Tonight, however, we are considering revocation of a charter, not merely because Drexel Prep failed to deliver the excellence it promised, but because Drexel has failed to deliver even the most minimally required services: services that are required by law to ensure that public education serves the public and protects those vulnerable students who are too easily overlooked and ignored. You will hear school leaders ask for mercy and claim they have tried hard, but it would be the height of irresponsibility to take hundreds of thousands of dollars that the citizens of Davidson County have invested in Drexel Prep and continue to spend it on an organization that failed to deliver even the most basic required services for students with special needs and English Learners. Drexel's founders signed a list of legal assurances included in the charter application and contract to underscore the responsibility that Drexel willingly assumed for making sure that the basic legal requirements on providers of public education were met. Drexel Prep assumed responsibility for meeting the basic obligations, not simply trying hard. They signed the assurances as a legal guarantee that these things will be taken care of without need for oversight, and when these basics are violated, it is our responsibility to terminate the contract. Failure to revoke the charter in the face of clear</p>	

Metropolitan Nashville Public Schools
Special Meeting
Board of Education
Minutes
December 19, 2011

TOPIC	DISCUSSION/MOTION	FOLLOW-UP/OUTCOME
<ul style="list-style-type: none"> Office of Innovations Comments - continued 	<p>evidence that Drexel Prep has failed to provide the basics, despite repeated efforts to assist, would trivialize the negative impact that failure to provide promised services has already had on children and abdicate our responsibility to the children in the school and to the citizens of this County.</p> <p><u>1. Drexel Prep has committed material violations of the conditions, standards, and procedures set forth in the charter</u></p> <p>The charter school law at TCA 49-13-122 provides that “A public charter school agreement may be revoked or denied renewal by the final chartering authority if the chartering authority determines that the school did any of the following:</p> <p style="padding-left: 40px;">(1) Committed a material violation of any of the conditions, standards, or procedures set forth in the charter</p> <p><u>A. Failure to provide special education services as promised in the charter and required by federal law regarding provision of services for students with existing Individual Education Programs (IEPs)</u></p> <p style="padding-left: 40px;">(1) The charter that Drexel Prep wrote states:</p> <p>“Any student under an existing IEP or 504 Plan...developed by a Tennessee County School will receive those services and an IEP meeting will be scheduled within 10 days of enrollment to review the plan. Drexel Preparatory Academy will follow the specific measures under IEP or 504 Plan, but will immediately conduct any of the following deemed necessary: records review, classroom teacher observations, parent input, special education teacher observations, school psychologist evaluations and observations, guidance counselor input, speech therapist input, physical therapist/occupational therapist input, hearing/vision screenings, State and District assessments, pretest/posttest assessments and IEP meetings.” In addition to the legal assurances #3 stating that Drexel Prep “will provide special education services for students as provided in Title 49, Chapter 10,” a detailed section of the charter outlining the promised special education plans (p.35-37) includes the</p>	

Metropolitan Nashville Public Schools
Special Meeting
Board of Education
Minutes
December 19, 2011

TOPIC	DISCUSSION/MOTION	FOLLOW-UP/OUTCOME
<ul style="list-style-type: none"> Office of Innovations Comments - continued 	<p>promise that “All state and federal rules and regulations per the Individuals with Disabilities Education Act (IDEA) regulations...shall be followed in the strictest manner. Students will be provided the required materials, equipment, and services needed to support their learning....Parents will be made aware of the applicable accommodations.” ...”Additional applicable support services, (e.g., Speech and Language Therapy, Occupational Therapy, etc.), will be arranged through Metropolitan Nashville Public Schools and according to each students’ IEP and IDEA.”</p> <p>These requirements are also embedded in federal laws and guidelines</p> <p>(2) Drexel did not provide promised or required services for students with special needs.</p> <p>The documented record clearly shows:</p> <ol style="list-style-type: none"> Drexel’s response to the October 3 Notice of Deficiency, detailing the failure to begin services, was inadequate. An unsigned contract for Speech Therapy with a term beginning 10-24-2011 was included in the response, but no plan for delivery of services and compensatory services was delivered. In fact, no such plan was received until following the first hearing with the school leadership held November 29th. Drexel’s response to the October 17 Notice of Probation, detailing the continued failure to provide services required under existing IEPs, was unacceptable. The school simply resent the same inadequate response they had submitted to the October 3 letter, despite the fact that the October 17th letter clearly re-explained the required actions and documents. The financial report included in response to this request was similarly inadequate to demonstrate the financial wherewithal to deliver required services. There was no evidence of any plan to serve students until our office made another 	

Metropolitan Nashville Public Schools
Special Meeting
Board of Education
Minutes
December 19, 2011

TOPIC	DISCUSSION/MOTION	FOLLOW-UP/OUTCOME
<ul style="list-style-type: none"> Office of Innovations Comments - continued 	<p>request, even providing a table for use in detailing services. That letter was sent November 1.</p> <p>c. At the November 29th hearing, Drexel was provided every opportunity to clear up the many deficiencies that had accumulated over the semester, school officials were unable to confirm service delivery, despite numerous efforts by MNPS officials to help understand and clarify through questioning. Drexel made no effort to ensure provision of compensatory services or communicate with parents regarding the required services not delivered until after this hearing.</p> <p>In particular, speech language services were not provided, despite efforts by MNPS to assist Drexel Prep early in the semester. The District's contractor for speech services, Helen Duhon visited Drexel on Friday, September 23, 2011 and was turned away. Contracted service providers are commonly used to provide services in this way. Services could have begun either through Helen Duhon or another lower-cost service that she also recommended to school officials as early as the last week of September. Until our office became aware of the failure to begin services in October, the school took no action to establish a contract for services required for students with existing IEP's. Documents received since the investigatory hearing lack credibility, but whether or not services are now being provided, the charter was violated , and the damage to the children has been done.</p> <p>(3) Drexel Preparatory allowed days and weeks to pass without providing services required under existing IEPs. Despite signing legal assurances that they would provide special education and writing a charter that promised "All state and federal rules and regulations per the Individuals with Disabilities Education Act (IDEA) regulations...shall be followed in the strictest manner. Students will be provided the required materials, equipment, and services needed to support their learning....Parents will be made</p>	

Metropolitan Nashville Public Schools
Special Meeting
Board of Education
Minutes
December 19, 2011

TOPIC	DISCUSSION/MOTION	FOLLOW-UP/OUTCOME
<ul style="list-style-type: none"> Office of Innovations Comments - continued 	<p>aware of the applicable accommodations,” Drexel Preparatory Academy committed material violations of these charter provisions.</p> <p><u>B. Failure to provide English Language Learner services as promised in the charter</u></p> <p>(1) The charter that Drexel Prep wrote states:</p> <p>“English Language Learners (ELL) services will be provided per state and federal rules and regulations.” “A certified teacher with an ELL endorsement will monitor the appropriate levels of interventions as needed per Title III guidelines. Appropriate lesson design and monitoring will be utilized. Students will receive interventions commensurate with their needs to support the general education curriculum and their language acquisition. Extended learning time and modified assignments, technology (English in a Flash software), and tutoring will be utilized as appropriate. English Language Learners will participate fully in all programs offered by Drexel Preparatory Academy with support.” In addition to the legal assurances #23, stating that Drexel “will adhere to all provisions of federal law relating to students who are limited English proficient (LEP), including Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunity Act of 1974, that are applicable to it” a detailed section of the charter outlining the promised English Language Learner education plans (p.37-38) includes the promise that “All Federal and state rules and regulations per Title III will be followed in the strictest manner. Required materials, equipment, and services needed to support and reinforce learning will be provided. Drexel Preparatory Academy will employ all allowable accommodations to assist students in gaining full access to a viable and relevant curriculum and meet with success on the Tennessee Comprehensive Assessment Program (TCAP). The required process for identification and certification of students with a demonstrated need will be employed. The Drexel Preparatory Academy will cover all</p>	

Metropolitan Nashville Public Schools
Special Meeting
Board of Education
Minutes
December 19, 2011

TOPIC	DISCUSSION/MOTION	FOLLOW-UP/OUTCOME
<ul style="list-style-type: none"> Office of Innovations Comments-continued 	<p>standards required by the State of Tennessee for students in all subgroups in a comprehensive manner by Highly Qualified Teachers.” The charter also states, “During year 1, the proposed staff will be comprised of 25 full-time personnel and 4 part-time staff members. This number includes classroom teachers, a counselor, and special education resource teacher, ELL Endorsed teacher, a principal, the executive director, a full and part-time accountant, a secretary, a grant writer and custodian. Without exception, the student to teacher ratio will remain constant at 17:1 in core subjects and homerooms each year grades K-8.”</p> <p>(2) Drexel did not provide promised or required services for English Language Learners.</p> <p>The documented record clearly shows:</p> <ul style="list-style-type: none"> a. All parties agree that no ELL teacher was hired at all until the day of the November 29th hearing. b. At the hearing on November 29th, Dr. Ridley reluctantly agreed to supply letters sent informing parents of the delayed services and acknowledged that they often rely on the children to interpret for the parents. c. Following the November 29th hearing, the MNPS Director of English Language Learners reported that, “The new EL teacher that Drexel Prep hired last week called one of my EL Coordinators on Friday (Dec. 2) and asked how to “test out” the EL kids. She said that the school was telling her that they are ”fine” and they wanted her to figure out how to “test them out.” Our ELD Coordinator responded and let them know that the only way EL’s exit EL services is by scoring proficient on the ELDS, which is administered annually in February.” 	

Metropolitan Nashville Public Schools
Special Meeting
Board of Education
Minutes
December 19, 2011

TOPIC	DISCUSSION/MOTION	FOLLOW-UP/OUTCOME
<ul style="list-style-type: none"> Office of Innovations Comments-continued 	<ul style="list-style-type: none"> d. Drexel was notified of active EL students on August 31, 2011 e. Drexel's response to the October 3 Notice of Deficiency, detailing the failure to begin services, was inadequate. No plan for delivery of direct services or compensatory services was delivered. In fact, no such plan was received and no action taken at all until following the first hearing with the school leadership held November 29th. f. Drexel's response to the October 17 Notice of Probation, detailing the continued failure to provide services required, was inadequate. Drexel made no effort to communicate plans for serving students or any explanation to parents or students entitled by Federal law and Drexel's own charter until our office made another request, even providing a table for use in detailing services. That letter was sent November 1. When that planning table was finally completed in December for students with existing IEPs, Drexel continued to leave the EL section blank. g. At the November 29th hearing, provided to offer the school every opportunity to clear up the many deficiencies that had accumulated over the semester, school officials confirmed that Drexel had provided no services, despite numerous efforts by MNPS officials to help understand and clarify through questioning. Any efforts to ensure provision of compensatory services or communicate with parents regarding the required services not delivered did not occur until after this hearing. h. Communication regarding required services was not 	

Metropolitan Nashville Public Schools
Special Meeting
Board of Education
Minutes
December 19, 2011

TOPIC	DISCUSSION/MOTION	FOLLOW-UP/OUTCOME
<ul style="list-style-type: none"> Office of Innovations Comments-continued 	<p>completed, although unsigned and undated letters were finally provided following the November 29th hearing.</p> <p>Whether or not services are now being provided, the charter was violated , and the damage to the children has been done.</p> <p>(3) It was Drexel who promised a “certified teacher with ELL endorsement” in its charter application. Challenges in securing the personnel to meet the promises they made in their charter are their responsibility. In this case, even the basic legal responsibility to provide for services was not met. With or without ELL Endorsement, EL services required by law were not provided this semester.</p> <p>2. <u>Due Process has been satisfied</u></p> <p>The charter relationship is a contract relationship wherein a service provider, in this case a school, promises to deliver services funded by the citizens of Davidson County. Failure to honor that contract by committing the material violations detailed in this report constitutes grounds for revocation of the charter as provided in TCA 49-13-122. The record shows no fewer than 7 official letters, in addition to numerous direct contacts, all of which detailed the condition of the charter in accordance with the published status chart of the Division of Charter Schools. On October 3, the office delivered explicit notice that continued failure to provide required services could result in charter revocation. An opportunity for school officials to provide evidence and explanation for the documented failures was provided at the November 29th hearing, during which little or no evidence of compliance with charter provisions was provided. That hearing was rescheduled at the request of Drexel to ensure that school officials could prepare and attend. A second opportunity to address concerns was afforded to the school by the Board of Education at the study session held, December 14, 2011. A third opportunity is being provided tonight. Through it all, the deficiencies continued to mount. This report focuses on two material violations of the charter, and those provide sufficient grounds to act to revoke the charter. Yet, should the discussion this evening depart from the core issues in this finding, I will ask you to remember</p>	

Metropolitan Nashville Public Schools
Special Meeting
Board of Education
Minutes
December 19, 2011

TOPIC	DISCUSSION/MOTION	FOLLOW-UP/OUTCOME
<ul style="list-style-type: none"> Office of Innovations Comments-continued 	<p>that there is no basis to argue that this school is providing the services it promised, and the burden of proof lies with Drexel Preparatory whose Board authored the agreement under which the school operates. For every laptop or Spanish lesson they may describe, there are bus drivers without background checks, food services delayed a month, and falsification of reimbursement records. Full documentation regarding these other significant issues is included in the binder that has been provided to the members of this Board and Drexel school officials. The state's investigations continue, but we have demonstrated clear material violations that justify revocation of this charter. According to state law (TCA 49-13-122 (d)), the school may choose to continue to operate until the conclusion of this school year, provided it adheres to the strict reporting requirements noted above, and we certainly hope and expect that the charter will be honored during the remainder of this time, but clear evidence justifies revocation now.</p> <p>3. <u>Recommendation for Revocation</u></p> <p>We are asking you to find that Drexel Preparatory Academy has committed material violations of its charter as detailed above. As the final chartering authority, the MNPS Board of Public Education has the authority under TCA 49-13-122(a) to revoke a public charter school agreement if the chartering authority determines that the school “(1) Committed a material violation of any of the conditions, standards or procedures set forth in the charter.” Failure to provide services for students with special needs and English Language Learners are not mere “paperwork” issue. The autonomy that charter schools enjoy carries the responsibility to deliver on the promises they make. Especially when failure to deliver falls directly on our most vulnerable students, we have an obligation to those students to terminate the contract. Everything that Drexel has failed to provide was promised in a legally binding charter written by Drexel itself. TCA 49-13-122 specifies the following regarding the effects of a decision to revoke:</p> <p style="padding-left: 40px;">(c) A decision...to revoke a charter agreement may be appealed to the State Board of Education within ten (10) days of the decision. If the effective date of revocation is December 19, 2011, then the likely deadline for that appeal, accounting for holidays and realizing that the official deadline will be up to the SBOE, will be January 9, 2012.</p>	

Metropolitan Nashville Public Schools
Special Meeting
Board of Education
Minutes
December 19, 2011

TOPIC	DISCUSSION/MOTION	FOLLOW-UP/OUTCOME
<ul style="list-style-type: none"> Office of Innovations Comments-continued 	<p>(d) Except in cases of fraud, misappropriation of funds, flagrant disregard of the charter agreement or the provisions of this chapter or similar misconduct, or failure to make adequate yearly progress for two (2) consecutive years, a decision to revoke a charter shall become effective at the close of the academic year.</p> <p>If the effective date of revocation is December 19, 2011, then the school will be expected to close on or before the final day of the 2011-12 school year.</p> <p>Parents will be notified of this decision and the appeal process, and informed that they will need to choose a new school for the 2012-13 school year.</p> <p>The school will be required to submit monthly reports including financial statements of cash flow and budget to actual reports as well as documentation of full provision of services for students with special needs and English Language Learners for the remainder of the year.</p> <p>4. <u>Proposed Motion</u></p> <p>Drexel Preparatory Academy has committed material violations of its charter by failing to provide special education and English Language services as promised in the charter and required by state and federal laws. Drexel Preparatory Academy's charter with Metropolitan Nashville Public Schools is hereby revoked, according to the authority of TCA 49-13-122. In accordance with TCA 49-13-122, this decision to revoke shall become effective at the close of the 2011-12 academic year.</p>	
<ul style="list-style-type: none"> Drexel Prep Comments 	<p>Dr. Ridley made the following comments: Thank you for the opportunity to respond to the charges and allegations that have been lodged against Drexel Preparatory Academy. Please know that we recognize the seriousness of your concerns. We have addressed every concern and are now in full compliance. Opening a new school has its challenges both seen and unseen. The administration and board for Drexel Preparatory Academy freely acknowledge that we are new in this business, and that there were several reports and /or events that we could have completed in a more efficient and experienced manner. We understand the necessary contractual relationship and we apologize if we have not been the most cooperative team player. We certainly</p>	

Metropolitan Nashville Public Schools
Special Meeting
Board of Education
Minutes
December 19, 2011

TOPIC	DISCUSSION/MOTION	FOLLOW-UP/OUTCOME
<ul style="list-style-type: none"> Drexel Prep Comments – continued 	<p>believe that we can, and will, do a better job in the future. Towards that end, we have pledged to appoint a Compliance Coordinator to ensure that our reports are submitted in a timely manner. We are also open to any recommendations to ensure that we are in compliance with all federal, state and MNPS guidelines. Finally, we want to emphasize that we have always had the best interests of students in the forefront of our mind and actions, and believe that we have established a foundation to serve them well. With your help and continued support, we believe that we can achieve, that we can establish and achieve a history of developing competent and productive citizens for generations to come.</p> <p>Ms. Robinson presented the following Operational Plan for Drexel Preparatory Academy: (1.) A Principal has been hired to begin work on May 1, 2012; documentation is provided in your binder. (2.) A Compliance Officer will be hired immediately to ensure that Drexel Preparatory Academy is in compliance with all reports, requirements and due dates with the Office of Innovations, and the State of Tennessee Department of Education. The Compliance Officer will be responsible for the submission of reports in a timely and accurate manner. The Compliance Officer will report to Drexel Preparatory Academy Executive Director who will report to the Drexel Preparatory Board bi-weekly, providing compliance reporting status. More importantly, the reports will be in the Office of Innovation on time and when needed. (3.) The period of January 2, 2012 until the end of the school year will be a period for Drexel to continue to show the Office of Invocation that we can, and will, be a model school and an asset to the community.</p> <p>Dr. Ridley stated the following concerning the current status of allegations made against Drexel Preparatory Academy. Allegation One: Failure to provide related services as required by state and federal law to Exceptional Education students (TCA 49-13-11 (4). Current Status of Allegation One: Drexel is in full compliance. As of 12/15/2011 (close of business), the deadline established by the Office of Innovation, all regular and compensatory services had been completed. Allegation Two: Failure to provide appropriate services to active English language learners (Title VI of the Civil Rights Act of 1965, TCA 4-21-90, Equal Opportunities Act of 1974, and Tennessee State Board of Education Policy 3.207. Current Status of Allegation Two: Drexel</p>	

Metropolitan Nashville Public Schools
Special Meeting
Board of Education
Minutes
December 19, 2011

TOPIC	DISCUSSION/MOTION	FOLLOW-UP/OUTCOME
<ul style="list-style-type: none"> Drexel Prep Comments – continued 	<p>is in full compliance. As of 12/15/2011 (close of business), the deadline established by the Office of Innovation, all regular and compensatory services had been completed. Allegation Three: Hiring unlicensed teachers (TCA 49-5-101 (a) makes it illegal to employ a person as a teacher until a valid license is presented. Current Status of Allegation Three: Drexel is in full compliance. All paperwork was submitted prior to 12/1/2011 following MNPS procedures to secure licenses for all Drexel teachers. Allegation Four: An on-going investigation into financial irregularities by the State of Tennessee for food service practices. Current Status of Allegation Four: There never was an investigation. There was a routine site visit. There was not adequate documentation to support the number of students served during the first two weeks of school. As a result, Drexel had to repay approximately \$3,600 which was promptly done.</p> <p>State Representative Brenda Gilmore addressed the Board concerning Drexel Prep. She asked the Board to reconsider the recommendation to close the school.</p> <p>Ms. Ballard, Drexel PTO President, addressed the Board concerning Drexel Prep. Ms. Ballard stated that she was very pleased with Drexel Prep and believes that the recommendation to close Drexel is premature. She asked the Board to reconsider the recommendation and give Drexel another chance.</p> <p>Dawn, a Drexel student, addressed the Board concerning Drexel Prep. She stated she loved Drexel Prep and has received a good education from the school. She asked the Board to reconsider the recommendation to close the school.</p>	
<ul style="list-style-type: none"> Board Member Questions 	<p>Mr. North asked Ms. Johnston is there authority for the Board to act under revocation? What happens if the Board finds that there are material violations, or if the Board finds flagrant disregard of the charter? Ms. Johnston said the Board can revoke the charter for material violations (if only material violations are found, the school would not close until the end of the year); if flagrant disregard is found the school could be closed immediately. The notices to Drexel only refer to material violations. Mr. North asked Mr. Coverstone why does the Board need to consider the closing of Drexel now? Mr. Coverstone said we believe the way the law is written, we should not wait until the last</p>	


Metropolitan Nashville Public Schools
Special Meeting
Board of Education
Minutes
December 19, 2011

TOPIC	DISCUSSION/MOTION	FOLLOW-UP/OUTCOME
<ul style="list-style-type: none"> Board Member Questions – continued 	<p>minute to take action, thereby, giving parents time to adjust. Mr. Kindall asked does the Board have the right to suggest remedies? Ms. Johnston said yes. Mr. Kindall said I am very concerned about how the recommendation will affect the students of Drexel. Mr. Coverstone said we have to consider what standard of quality we expect MNPS charter schools to meet. We have concerns that the allegations against Drexel have not been met and at this time we have not received evidence that the allegations have been met. Mr. North said he does have concerns about the credibility of the documentation and services provided to students. Dr. Ridley stated that, concerning services provided to Special Needs students, staff has been hired to work with those students. She presented notarized documentation to the Board as proof those services are now being provided. She noted that they had problems with Chancery that also caused a delay in services required for Special Needs students. Concerning issues with credibility of dates of letters issued to the Office of Innovation, they were submitted with the June date to show proof that the hiring of teachers and staff started well before the initial allegation letter from the Office of Innovation. Mr. Coverstone said IEP information is not drawn from Chancery and schools are provided Cumulative Records one by one. There were some issues with Chancery, but that should not affect IEP's.</p> <p>Ms. Mayes asked Dr. Ridley if she was aware of the requirements of the charter agreement? Dr. Ridley said yes. Ms. Mayes asked if Drexel was not equipped to meet the requirements of the agreement, why was the school opened without having the proper services in place, specifically for Exceptional Education students? Dr. Ridley said, "when we checked with Human Resources they did not have any ELL instructors to refer to us. We were trying to fulfill the obligation, but could not find anyone to fill the position. We initially thought that the Special Education teacher we hired would take care of all of the needs of the students. We did not realize that some of the students would need special teachers to provide services." Ms. Mayes said she was reluctant to move children from Drexel, but if the students are not receiving a quality education, it would be irresponsible to disregard the allegations against Drexel. Dr. Ridley admitted that things fell through the cracks, but the delay in hiring was caused by wanting to ensure that quality staff was hired. Mr. Hayes asked is the letter stating that compensatory</p>	

Metropolitan Nashville Public Schools
Special Meeting
Board of Education
Minutes
December 19, 2011

TOPIC	DISCUSSION/MOTION	FOLLOW-UP/OUTCOME
<ul style="list-style-type: none"> Board Member Questions - continued 	<p>requirements have been completed sufficient proof? Mr. Coverstone said he was unable to say for sure that the services have been provided or whether the letter is sufficient proof. Mr. Hayes asked how do other charter schools report compensatory hours? Mr. Coverstone said typically the charter school presents the information to their charter's Board. Mr. Hayes asked what are the implications if a charter school fails to meet federal law? Mr. Coverstone said these are federally funded programs and the district is responsible for the delivery of these services. Mr. Hayes asked if we failed to close a school that is not meeting federal guidelines, could MNPS be reprimanded? Mr. Coverstone said that is a possibility. Dr. DePriest said the state wants to ensure that the IEP's are being implemented. A delay in offering services to Exceptional Education students cannot be accepted. Ms. Simmons said there seems to be a lack of confidence, and that MNPS can't count on Drexel to supply services to students. When the charter agreement was signed Drexel agreed to the terms of the charter. Excuses are not acceptable for not upholding the terms of the agreement.</p> <p>Ms. Simmons made a motion to revoke the Drexel Preparatory Academy charter effective at the end of 2011-2012 school year. Mr. Hayes seconded.</p> <p>Mr. Kindall made an amended motion that the Board find Drexel in material violation and that they be placed on probation until the remainder of this school year. And as a condition of probation, Drexel will report monthly on all issues discussed tonight, to the Office of Innovation to ensure that they are complying. And that any decision based upon revocation or non-renewal of the charter is deferred until April or May. Ms. Mayes second.</p> <p>Ms. Simmons called the question.</p> <p>Ms. Mayes said she believes that the students of Drexel deserve a fighting chance. It also gives Dr. Ridley a chance to redeem the school from the mistakes made. Dr. Brannon asked would students have a chance to attend their zoned school if Drexel is closed or if they choose to leave Drexel? Dr. Register said, yes. If the Board decides to revoke Drexel's charter at the time</p>	<p>VOTE (roll call): Brannon – yes, Shepherd – no, Mayes-yes, North-yes, Kindall-yes, Hayes-no, Simmons-no, Porter-yes</p> <p>For – 5</p> <p>Against - 3</p>

Metropolitan Nashville Public Schools
Special Meeting
Board of Education
Minutes
December 19, 2011

TOPIC	DISCUSSION/MOTION	FOLLOW-UP/OUTCOME
<ul style="list-style-type: none"> Board Member Questions - continued 	<p>of their probation review, Drexel students would not be able to attend Magnet School. Mr. North said the strained relationship between Charter Schools and the Administration has to end. Now the question is whether now is better to revoke the charter or to wait until later. If Drexel is allowed to stay open it is imperative that they work closely with MNPS to meet all of the terms of the charter, so that students can receive the best education. Mr. Hayes asked if there is guidance around what the definition of “probation” of Drexel would mean? If Drexel failed their probation, would the execution of consequences be required of the Administration or the Board? Mr. Coverstone said Drexel is currently on probation. The Board would have to determine what type of additional probationary measures should be taken. Ms. Johnston said the state law does not have any terminology around probation of Charter schools. The Board can communicate with Drexel the terms of probation. If Drexel does not meet those terms of probation that would be considered flagrant disregard and be basis for termination of the charter. Ms. Shepherd asked Mr. Kindall how should Drexel report to the Board during this probation period? Mr. Kindall said Drexel can submit reports to the Office of Innovation and, if Drexel does not comply, they will report to the Board. Ms. Porter said she is appalled that Drexel was not prepared to open a school properly. She stated that Drexel’s probation will be taken very seriously and monitored very carefully to ensure that students at Drexel are receiving the required services and education.</p>	
<ul style="list-style-type: none"> Adjournment 	Ms. Simmons adjourned the meeting at 6:42 p.m.	
<ul style="list-style-type: none"> Signatures 	<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">  <hr style="width: 150px; margin: 0 auto;"/> <p>Chris M. Henson Board Secretary</p> </div> <div style="text-align: center;"> <p>Gracie Porter Date</p> <hr style="width: 150px; margin: 0 auto;"/> <p>Board Chair</p> </div> </div>	