



December 2, 2011

TO: Board of Education

FROM: Daniel A. Nerad, Superintendent

RE: Madison Preparatory Academies for Young Men and Women – Non-Instrumentality Administrative Analysis

I. Introduction

- A. Title or Topic: Madison Preparatory Academies for Young Men and Women – Non-Instrumentality Administrative Analysis
- B. Presenters: Daniel Nerad, Sue Abplanalp, Erik Kass, Joe Gothard, Dylan Pauly, and Heidi Tepp.
- C. Background Information: MMSD received Madison Prep's business plan and budget on November 18, 2011. The District is charged with providing the Board an administrative analysis of that proposal 15 days before the Board's scheduled action.
- D. Action Requested: The Board is scheduled to take action on Madison Prep's proposal at its regular meeting on December 19, 2011.

II. Summary of Current Information

- A. Synthesis of Topic: Throughout the ongoing conversation about Madison Prep over the past several months, there has been an important discussion in our community about the achievement gaps we face in this District. We all agree these gaps must be eliminated, and we continue to identify and implement multiple strategies to do that. This analysis provides context and recommendations specific to Madison Prep's business plan and budget.
- B. Recommendations: Please see the complete recommendations, starting on page 42.

III. Implications

- A. Budget: The total cost to the district is approximately \$17.5 million or \$2.7 million over the transfer amount for the next five years.
- B. Strategic Plan: The Strategic Plan calls for the development of innovative and alternative programs. This report is an analysis of an innovative proposal.

C. Equity Plan: The Administration has concerns about equity from the perspective of employee working conditions.

D. Implications for the Organization: Throughout the District's discussions with the Urban League, three prominent issues have emerged:

- i. Gender
- ii. Budget
- iii. Instrumentality / Non-Instrumentality

I. Supporting Documentation

A. Administrative Analysis – Non-Instrumentality (December 2, 2011)

- i. Appendix A: Letter from DPI dated September 20, 2011.
- ii. Appendix B: Madison Prep Budget Proposal
- iii. Appendix C: Administrative Analysis – Instrumentality (November 11, 2011)

INTRODUCTION

The following administrative analysis of the Urban League of Greater Madison's (ULGM) proposal for the authorization of Madison Preparatory Academy for Boys and the Madison Preparatory Academy for Girls (Madison Prep or MPA) is submitted pursuant to MMSD BOE Policy 10000, which requires the following;

No later than 15 days prior to the Board making a decision to enter into a contract to establish a charter school, the Superintendent shall provide information to the Board regarding the proposal. Such information may include, but is not limited to, an analysis of how a decision to establish or not establish the proposed charter school will impact families to be served and the overall programs and operation of the District.

An administrative analysis was completed earlier when Madison Prep was proposed as an instrumentality (Appendix C).

REPORT FORMAT

This report is intended to provide consistency for the reader. The report follows the original plan submitted by Madison Prep and is divided into nine sections (Critique of the District, Outcomes, The Program, Facilities, Governance, Admissions, Staffing, Budget, and Recommendations). Responses in key areas within each section are referenced with the page number where the item of the analysis is found within the Madison Prep Business or Education Plans. Changes made within this document due to the non-instrumentality plan submitted November 18, 2011, are highlighted.

Each section uses the following format:

Example:

Page # 29: Madison Prep Academies (MPA) - Student Performance Measures

The topic of analysis will be followed by a response from MMSD:

Page # 29: Student Performance Measures - MMSD Response

Finally, a recommendation will be made by MMSD:

Recommendation:

Madison Prep responded to several of MMSD's Questions regarding their first proposal and therefore, some sections within this document have a response from Madison Prep:

Response to Recommendation on P14 of Admin Analysis (MENTORING) [Page 40 of BP]

This response is followed by MMSD's final response:

MMSD Final Response:

BACKGROUND

The Urban League of Greater Madison is seeking approval by Madison Metropolitan School District Board of Education (Board or BOE) to establish two charter schools: **Madison Preparatory Academy for Young Men** and **Madison Preparatory Academy for Young Women**. Both schools will draw students from across the school District, with 70 percent coming from Cherokee, Jefferson, Sennett, Toki, and Wright Middle School attendance areas. Only students who reside in the boundaries of MMSD at the time they apply can enroll in the schools. They must maintain their MMSD residency in order to remain a student at the school. MMSD Board of Education policy 10000 provides general guidance to individuals and organizations seeking to establish charter schools in the District. The Urban League of Greater Madison has worked closely with MMSD's Administration on the budget and legal issues pertaining to Madison Prep.

Non-Instrumentality Status

The following analysis is being done based on the understanding that the MPA have fundamentally changed the proposal from an instrumentality to a non-instrumentality proposal. This change has a significant impact on many parts of the analysis including budget, staffing, and governance. The change also requires a discussion regarding an identifiable conflict between the current Collective Bargaining Agreement by and between the District and the Madison Teachers Inc. (MTI) professional unit. The legal considerations previously identified regarding the implementation of gender-segregated schools are not impacted by the shift from an instrumentality to a non-instrumentality proposal, thus that analysis remains the same.

The following analysis is based on the revised Business and Education Plans provided to the District on November 18, 2011 (dated November 17, 2011).

Application Timeline

Madison Prep submitted its "initial proposal" to MMSD's Board of Education in December 2010. During the ensuing months, ULGM attended several public meetings with the Board to discuss the proposal. In February 2011, the ULGM submitted the Planning Grant application and detailed proposal to the Board for its consideration. Two Board member sponsors were also identified at that meeting. On March 28, 2011, the Board voted 6 to 1 in favor of approving ULGM's charter school planning grant application for MPA. The proposal was then submitted to the Wisconsin Department of Public Instruction (DPI) in April 2011 and approved in September 2011. In September 2011, DPI approved the Planning Grant and released the first half of the grant monies (\$125,000) to the ULGM. (See communication from DPI attached as Appendix A.)

Additional Information on Planning Grant

On November 18, 2011, MMSD received MPA's Business Plan and Five Year Forecast. The BOE is currently scheduled to vote on MPA's proposal on December 19, 2011.

BUSINESS PLAN ANALYSIS

The administrative analysis for Madison Prep as a non-instrumentality of the District consists of the following sections:

1. Critique of the District
2. Outcomes
3. The Program
4. Facilities
5. Governance
6. Admissions
7. Staffing
8. Budget

Critique of the District (MMSD)

Page # 23: MPA - No College Going Culture among Madison's New Student Population

The data on student performance and course-taking patterns among students in MMSD paint a clear picture. There is not a prevalent college going culture among Black, Hispanic and some Asian student populations enrolled in MMSD. In fact, the opposite appears to be true. The majority of these students are failing to complete a rigorous curriculum that would adequately prepare them for college and 21st century jobs. Far too many are also failing to complete college requirements, such as the ACT, or failing to graduate from high school.

Page # 23: No College Going Culture among Madison's New Student Population - MMSD Response

MMSD has taken many steps towards ensuring college attendance eligibility and readiness for our students of color. Efforts include:

AVID/TOPS

East High School became the first MMSD school to implement AVID in the 2007-2008 school year. Teens of Promise or *TOPS* became synonymous with AVID as the Boys and Girls Club committed to an active partnership to support our program. AVID/TOPS students are defined as:

“AVID targets students in the academic middle - B, C, and even D students - who have the desire to go to college and the willingness to work hard. These are students who are capable of completing rigorous curriculum but are falling short of their potential. Typically, they will be the first in their families to attend college, and many are from low-income or minority families. AVID pulls these students out of their unchallenging courses and puts them on the college track: acceleration instead of remediation.”

Source: http://www.avid.org/abo_whatisavid.html

The MMSD has 491 students currently enrolled in AVID/TOPS. Of that total, 380 or 77% of students are minority students (27% African-American, 30% Latino, 10% Asian, 10% Multiracial). 67% of MMSD AVID/TOPS students qualify for free and reduced lunch. The 2010-2011 school year marked an important step in the District's implementation of AVID/TOPS. East High School celebrated its first cohort of AVID/TOPS graduates. East Highs AVID/TOPS

class of 2011 had a 100% graduation rate and all of the students are enrolled in a 2-year or 4-year college. East High is also in the beginning stages of planning to become a national demonstration site based on the success of their program. This distinction, determined by the AVID regional site team, would allow high schools from around the country to visit East High School and learn how to plan and implement AVID programs in their schools.

MMSD has a partnership with the Wisconsin Center for the Advancement of Postsecondary Education (WISCAPE) and they are conducting a controlled study of the effects of AVID/TOPS students when compared to a comparison groups of students. Early analysis of the study reveals positive gains in nearly every category studied.

AVID pilot studies are underway at two MMSD middle schools and support staff has been allocated in all eleven middle schools to begin building capacity towards a 2012-2013 AVID Middle School experience. The program design is still underway and will take form this summer when school based site teams participate in the AVID Summer Institute training.

Educational Planning and Assessment System (EPAS)

“ACT's EPAS Educational Planning and Assessment System was developed in response to the need for all students to be prepared for high school and the transitions they make after graduation.

The EPAS system provides a longitudinal, systematic approach to educational and career planning, assessment, instructional support, and evaluation. The system focuses on the integrated, higher-order thinking skills students develop in grades K-12 that are important for success both during and after high school.

EPAS focuses on a number of key transition points that young people face:

- 8th/9th grade—Preparing for high school studies
- 10th grade—Planning and preparing for college and the workplace
- 11th/12th grade—Being ready for life after high school”

Source: <http://www.act.org/epas/>

The MMSD has administered the EPAS as follows:

Year	Test(s) administered
2009-2010	EXPLORE pilot for select 9 th grade students
2010-2011	EXPLORE all 8 th and 9 th grade students
2011-2012	EXPLORE all 8 th , 9 th / PLAN all 10 th grade students
*2012-2013	EXPLORE all 8 th , 9 th / PLAN all 10 th / ACT all 11 th grade students

All components of EPAS are based on ACT’s College and Career Readiness skills. Identified skills will be reinforced alongside a curriculum scope and sequence aligned to the Common Core State Standards. The MMSD has set our ACT composite benchmark at 24. Students will receive test profiles that identify both academic and career guidance. Students will have the opportunities to work with their school counselors and staff to utilize their data to guide their progress towards post-secondary opportunities.

The MMSD ACT effort will be a community wide effort. Already, The Urban League of Greater Madison and the Dane County United Way have spent grant resources to provide ACT preparation courses in the evenings and weekends. This model of community engagement around preparing our students for the ACT has shown great promise. The MMSD will continue to explore the possibility of ensuring that all students have access to an ACT preparation course either as part of their school schedules or in partnership with the community.

The MMSD implementation of AVID-TOPS and EPAS has shown promising results on the mindsets of students determined to attend college following high school. In 2011 the percentage of African-American students participating in the ACT test jumped 11% from the previous year. In 2010, 20.1% of African-American students took the ACT test compared to 31.1% in 2011. Hispanic students began an increase in test participation two years ago in 2009, 27.5% of Hispanic students took the ACT and in 2010 that number increased to 37.2%. The 2011 data also includes, for the first time, multi-race as a demographic category. 71.9% of multi-race students participated in the ACT.

Advanced Placement

The MMSD will continue to explore the expansion of Advanced Placement (AP) offerings. There will also be a greater effort to increase access to AP courses for all students. In all, there are 34 AP courses in the District that are approved by the College Board. Students participating in AP will learn skills and habits that will be required as future college students. Students who opt to participate in the AP examinations, held each spring, will have the opportunity to earn college credit based on their exam scores.

Relationships, Engagement and Learning (REaL) Grant

In 2008, MMSD received a 5.3 million dollar Department of Education *Smaller Learning Communities Grant*. The REaL grant has three District goals:

- Increase student achievement for all students
- Increase student-student and student-adult relationships
- Increase post-secondary outcomes for all students

The REaL grant school based and cross-District leadership teams have been engaged in supporting all District work that is aligned to the three goals. Both AVID-TOPS and EPAS are beneficiaries of the REaL grant. The REaL grant has also developed a new model of instructional leadership in our high schools. Professional development is job embedded and led by administrators and teacher leaders in their respective buildings.

MMSD will continue to build capacity in support of all students in addressing both college eligibility and readiness. Strategic efforts will focus on building an increased college attending culture for groups who are underrepresented. MMSD will continue to develop innovative partnerships with the community, including the Urban League of Greater Madison, to achieve a greater college and workforce ready student body.

Recommendation

No recommendations.

Outcomes

Page # 29: MPA - Student Performance Measures

- 85% of Madison Prep's Scholars will score at proficient or advanced levels in reading, math, and science on criterion referenced achievement tests after three years of enrollment.
- 90% of Scholars will graduate on time.
- 100% of students will complete the SAT and ACT assessments before graduation with 75% achieving a composite score of 22 or higher on the ACT and 1100 on the SAT (composite verbal and math).
- 100% of students will complete a *Destination Plan* before graduation.
- 100% of graduates will qualify for admissions to a four-year college after graduation.
- 100% of graduates will enroll in postsecondary education after graduation.

Page # 29: Student Performance Measures - MMSD Response

WKCE scores of proficient are not adequate to predict success for college and career readiness. Cut scores equated with advanced are needed due to the low benchmark of Wisconsin's current state assessment system. What specific steps or actions will be provided for students that are far below proficiency and/or require specialized support services to meet the rigorous requirements of IB?

Recommendation:

No Child Left Behind requires 100% proficiency by 2014. Madison Prep must be held to the same accountability standards as MMSD.

Response to Recommendation on P7 of Admin Analysis (STUDENT PERFORMANCE MEASURES) [Page 29 of BP]

[Response] Madison Prep will adjust its goals in its charter school contract to be commensurate with existing state and district accountability standards. However, to move a school whose student body will likely have a sizeable number of young people who are significantly behind academically to 100% proficiency in one academic year will require a miracle sent from heaven.

MMSD Final Response: Madison Prep should be held to the same accountability measures under No Child Left Behind as the Madison Metropolitan School District.

The Program

Page # 23: MPA - Mission Statement

The Madison Preparatory Academy for Young Men and Women will be public charter schools located within the boundaries of the Madison Metropolitan School District that prepares young men and women in grades 6-12 for success at a four year college by instilling excellence, pride, leadership and service.

Through a rigorous, inquiry-based liberal studies curriculum that places a special emphasis on science, technology, communications, social innovation, and international understanding, coupled with a discussion-based, team oriented instructional methodology, MPA will ensure young men and women develop mastery of the knowledge, concepts, and skills required to succeed in competitive colleges and universities after high school and prepare for 21st century

careers. Its faculty, staff, partners, and volunteers will work together to instill in MPA students a strong sense of purpose, self-pride, cultural competence, service to others, and respect for themselves, their families, their community, and other cultures and traditions.

Madison Prep's competitive advantage will be defined by five key performance drivers:

1. Academically successful, engaged, and happy all-male and all-female student body
2. A rigorous college preparatory and culture-building curriculum delivered by a significant number of highly qualified teachers of color that prepare young men and women for leadership, college success, and 21st century careers
3. High quality instruction tailored to the learning styles and educational interests of young men and women
4. Mentoring, with a strong connection to men and women of color and diverse men and women of influence
5. Beneficial partnerships with community resources, colleges, parents, and extended learning providers

Page # 23: Mission Statement - MMSD Response

Under key performance drivers the following statement is made: *A rigorous college preparatory and culture-building curriculum **delivered by a significant number of highly qualified teachers of color** that prepares young men and young women for leadership, college success...*

With this statement, MMSD is concerned that race could be used as a factor in hiring. Federal law expressly prohibits employers from using race as a bona fide occupational qualification. See 42 U.S.C. § 2000e-2(e)(1) (Title VII's "bona fide occupational qualification" (BFOQ) exception applies to all Title VII bases except race and color); 42 U.S.C. § 2000e-2(k)(2) ("business necessity" defense available in disparate impact cases is not available in intentional discrimination cases). "Title VII also does not permit racially motivated decisions driven by business concerns – for example, concerns about the effect on employee relations,(40) or the negative reaction of clients or customers.(41) Nor may race or color ever be a bona fide occupational qualification under Title VII.(42)" *EEOC Compliance Manual*, Chapter 15, Office of Legal Counsel, Title VII/ADEA/EPA Division (2006).

Recommendation:

If Madison Prep is approved, there is a need to define the hiring process as it relates to review of applications and the interview questions to avoid legal problems and the associated liability.

Page #29: MPA - Educational Strategies

MPA's education program is defined by the following eight core strategies, and will be supported by an affordable array of auxiliary strategies, programs, and services:

1. **Page # 29: Single Gender Public Secondary Schools** - If approved, Madison Prep will be the only two gender-separate, tuition-free public secondary schools in Wisconsin especially designed to address the educational, social and developmental needs of adolescent males and females.

Page # 29: Single Gender Public Secondary Schools - MMSD Response

The single gender issue has been on the periphery of the MPA discussion since the initial proposal was presented in December 2010. The issue took front stage over the summer of 2011 when DPI delayed the release of the first half of the planning grant

monies because of concerns regarding the single-gender issue and its own obligations to comply with Title IX of the Education Act Amendments of 1972, as amended, and the Fourteenth Amendment of the United States Constitution. In order to satisfy DPI's initial concerns regarding the gender issue, the parties, MMSD and Madison Prep, agreed to continue to explicitly work through concerns regarding single-gender education. At that point, Madison Prep made a substantial concession and agreed to provide single-gender education for both young men and young women. Based upon these assurances, DPI letted the first half of the planning grant money. The release of the money, however, came with many caveats and expectations. (See paragraphs 2 and 3 in Appendix A.)

The issue now before the Board is whether the proposal sufficiently satisfies the Board's legal obligations pursuant to state law, Title IX of the Education Amendments of 1972, as amended, and the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution.

Both Title IX and state charter school law explicitly permit single-gender education. They both set forth comparability standards to ensure that neither gender is favored over the other or denied opportunities that are not available to the other gender. We believe that the Madison Prep. Academies will provide substantially equal opportunity for both genders, thus satisfying the comparability analysis under both state and federal law.

Title IX permits both single-gender schools and single-gender classes and extracurriculars within a co-educational environment. The legal standards for establishing a single-gender school are different than those applicable to single-gender classrooms and extracurriculars. A "school within a school" model is also explicitly permitted as long as the two schools are sufficiently "administratively separate." "Administratively separate" is not a defined term.

The Fourteenth Amendment is also applicable to the single-gender analysis. The Supreme Court has ruled that gender segregation cases must be analyzed using "intermediate scrutiny" to determine whether governmental action that classifies individuals on the basis of gender serves an important governmental objective and that the means employed, namely gender segregation, is sufficiently related to achieving that objective. This standard is similar to the analysis required under Title IX for schools using a single-gender classroom model.

Substantial legal analysis is necessary to ensure that all the legal requirements set forth in state and federal law are satisfied. Even the most detailed legal analysis, however, cannot fully mitigate the risk of legal challenge. Litigation for both parties can be an expensive proposition. Consequently, there is a financial risk associated with engaging in litigation, especially in the highly specialized field of constitutional law, even if the District ultimately prevails.

Recommendation:

The Board should review these legal implications before making a judgment regarding how to proceed on this issue.

2. Page # 33: MPA - The International Baccalaureate (IB) Curriculum

The IB curriculum is divided into three "Programmes": Primary (ages 3 to 12), Middle Years (ages 11 to 16), and Diploma (ages 16 to 19). The Middle Years Programme provides a framework of academic challenge and life skills, achieved through embracing

and transcending traditional school subjects. The Diploma Programme is a demanding two-year curriculum leading to final examinations and a qualification that is welcomed by leading universities around the world. Each Programme includes a curriculum and pedagogy, student assessment appropriate to the age range, professional development for teachers and a process of school authorization and evaluation.

Page # 33: The International Baccalaureate (IB) Curriculum - MMSD Response

As stated in the proposal, not all students in each of Wisconsin's IB schools are served by the IB Programme. At Madison Prep, all middle school students will receive the IB curricula via the Middle Years Programme (MYP) as it will be the only curricula offered. However, there will be options during the two-year Diploma Programme (DP). Some students may participate while others may not. Similar to Advanced Placement, some students would opt for the Diploma Programme (e.g. certification), while others may not. With respect to the curricula, the Diploma Programme will be the only curricula offered at Madison Prep. This leaves a number of outstanding questions for Administration. Will students not opting for the DP be held to the IB assessment criteria and expectations? Will courses be separate or different for those students opting for different graduation outcomes? What percentage of students is expected to successfully graduate through the Diploma Programme? Will Madison Prep student be able to graduate successfully via earning sufficient credits and grades in required courses?

Recommendation:

If Madison Prep is approved, it is recommended that more information be provided detailing the specific requirements for graduation.

3. **Page # 35: MPA - College Preparatory Educational Program**

Madison Prep will use the following definitions of "College Readiness" and "Succeed", proposed by the Eugene, Oregon-based Educational Policy Improvement Center (EPIC), as the framework for ensuring that its teachers, courses and curricula are preparing its students for college:

College readiness can be defined operationally as the level of preparation a student needs to enroll and succeed – without remediation – in a credit-bearing general education course at a post-secondary institution that offers a baccalaureate degree or transfer to a baccalaureate program.

Succeed is defined as completing entry-level courses with a level of understanding and proficiency that makes it possible for the student to be eligible to take the next course in sequence or the next level course in the subject area.

Page # 35: MPA - College Preparatory Educational Program - MMSD Response

The IB curriculum is aligned with the goal of college and career readiness without remediation.

Recommendation:

No recommendation.

4. **Page # 36: MPA - Harkness Teaching**

Virtually all of Madison Prep's classes will take place around the *Harkness Table*, a large oval table that sits just close enough to the chalkboard for the board to be a resource for

discussion, rather than a scribble pad for massively boring lectures about something only the committed few find valuable or enlightening. Harkness Teaching is a discussion-based, seminar style instructional method that takes place around oval tables in every classroom. Harkness Teaching engages all learners in disciplined inquiry, investigation, exploration, practice, and assessment of key concepts, ideas, knowledge and skills being taught. In a Harkness classroom, the teacher is a facilitator who teaches, guides, and participates in the learning process while seated at the table with students. Students are challenged daily to be intellectually open and inquisitive. They are challenged to combine reason with evidence to support their thoughts and opinions and to deeply and thoroughly analyze problems, context, and situations to broaden their understanding. Students are also required to interpret, problem solve, and be precise and accurate with their decisions and assessments.

Page # 36: Harkness Teaching - MMSD Response

The Harkness Teaching model provides for extensive student-to-student and teacher-student interaction. It has similarities with a Socratic teaching style in that the focus of learning rests in the construction of meaning through dialogue around the learning goal(s). Methods of this nature require deep understanding of the content, the nature of the discipline, the learning process, the learning process within the specific content area, individual student strengths and personalities as well as the specific pedagogical skills. For staff that may be learning this method in addition to curricular content in IC, master level skill may not be reached for several years.

A specific teaching model (e.g. Harkness Teaching) has strengths for a range of learning and social areas (e.g. inquiry-based learning), but used exclusively, may not address the full range of learning situations required. Will other teaching methods/models will be included in Madison Prep? If so, what are examples of other acceptable models and specifically when would other teaching models be appropriate?

Recommendation:

If Madison Prep is approved, it is recommended that further detail be provided regarding the appropriateness of Harkness Teaching as an exclusive teaching model or provide descriptions of the range of other acceptable teaching models and when they would be appropriate. Clarify if this method will be used daily, in all subjects, or for specific types of learning on a less frequent basis. Further information is requested regarding the potential impact on student learning and achievement during the several year period of teacher efficacy in situations where teachers may be novice in both methodology and curriculum.

5. Page # 37: MPA - Data-Driven Instruction

Effective schools use data to guide teaching, learning and school-based support services. Madison Prep educators will use a combination of summative, interim and formative assessments to analyze student learning and results, inform students (and parents) of their needs and progress, differentiate the curriculum and create interventions/accelerated learning opportunities, acknowledge and reward student progress, and self-evaluate the effectiveness of the curriculum, their lesson plans and their instructional practices and strategies. Administrators will use student data to review student progress and teacher effectiveness and provide coaching and feedback; to define school-wide educational strategies, policies and best practices; to ensure teachers are appropriately tailoring instruction meet the needs of diverse learners; to understand the non-academic needs, interests and performance of the school

community; to communicate school results to the community; and to acknowledge and reward success.

At Madison Prep, all assessments will be aligned with the school's curriculum, as well as the IB and Wisconsin/Common Core state academic standards to ensure students are receiving appropriate instruction and being evaluated accordingly. Teachers will work together to ensure daily lessons and classroom assessments are tied to the academic standards and performance objectives and that students are aware of the knowledge and skills they are learning and developing each day.

Page # 37: MPA Data-Driven Instruction - MMSD Response

MPA will be incorporating the MMSD assessment system.

Recommendation:

It is recommended to clarify how Madison Prep will use the IB curriculum in responding to the Response to Intervention (RtI).

6. Page # 38: MPA - Extended School Day and Year

Madison Prep Scholars will attend school for both an extended school day and extended school year. The school day will run from 8:00am to 5:00pm and students will attend school for three semesters. The school year will be divided into an orientation period and three school semesters.

New Student Orientation will begin on Monday, August 20, 2012 and the first official day of school will begin Tuesday, September 4, 2012. New students will attend 210 days of school during their first year, due to the two-week orientation, and 200 days every year thereafter. The first semester will last from September 4, 2012 through Friday, January 18, 2013. The second semester will last from January 12, 2013 through June 14, 2013. The third semester will begin on Monday, July 1, 2013 and conclude Tuesday, July 30, 2013.

All Madison Prep students will be required to attend a two-week orientation prior to starting their first regular school year at Madison Prep (2012-13). Orientation will include testing and placement (though most students will have completed this in May of the previous school year), introduction to the IB curriculum or Prep Year, Destination Planning, team building with their peers, relationship building Madison Prep faculty and staff, field trips and fun activities. The ultimate objective is to help students (and faculty/staff) adopt a set of habits, relationships, mindset and a personalized achievement plan that are consistent with the culture, goals and objectives of Madison Prep.

Students will be able to arrive at school as early as 7:30am each day for breakfast. The official school day will start at 8am each day. On Mondays, students will be dismissed early at 2:55pm to allow time for teachers to plan, collaborate with each other and participate in professional development. From Tuesday through Friday, school will end at 5:00pm. For 35 minutes on early release Mondays and 60 minutes from Monday through Friday, all students will participate in academic tutoring or enrichment. Each day, the first 20 minutes will be dedicated to taking attendance, uniform inspection, school announcements, student and staff recognition, recital of the school pledge and Pledge of Allegiance and getting students into the mindset of being ready for learning. The last 10

minutes will be used to help ensure students are organized for homework and school the next day.

On Early Release Mondays, students will receive 275 minutes of instruction and instructional support. During the normal Tuesday through Friday schedule, students will receive 420 minutes of instruction and instructional support. Instructional support in the chart above is referred to as tutoring. Tutoring at Madison Prep will involve skilled and trained volunteers, but will be guided by classroom/subject area teachers in collaboration with the Skills Mastery Center Coordinator and Director of Teaching and Learning. On Early Release Mondays, students will receive an additional 35 minutes of instructional support or enrichment, depending on their learning needs. The rest of the week, students will receive 60 hours of support.

Page # 38: Extended School Day and Year- MMSD Response:

Clarify the overlap of dates listed in the narrative: The first semester will last from September 4, 2012 through Friday, January 18, 2013. The second semester will last from January 12, 2013 through June 14, 2013. (These dates do not match, they overlap) The third semester will begin on Monday, July 1, 2013 and conclude Tuesday, July 30, 2013.

Response to questions from P13 of Admin Analysis (EXTENDED SCHOOL DAY/YEAR) [Page 38 of BP]

[Addressed] First semester will last from September 4, 2012 to January 18, 2013. Second semester will run from February 2, 2013 to June 13, 2013. Intersession will run for two weeks between first and second semester. See Education Plan (p. 24) for explanation of Intersession.

MMSD’s Final Response: January 18, 2013, is a Friday and February 2, 2013, is a Saturday. Would the second semester begin February 4, 2013?

		Non-Instructional Time	Instructional Time	
			Tues – Fri	Mon
8:00 – 8:20	Assembly		20	
8:20 – 8:25	Passing Time		5	
8:25 – 9:50	Block 1		85	60
9:50 – 10:05	Break		15	
10:05 – 11:30	Block 2		85	60
11:30 – 12:00	Silent Sustained Reading		30	
12:05 – 12:35	Lunch	30		
12:40 – 2:05	Block 3		85	60
2:05 – 2:20	Break		15	
2:20 – 3:45	Block 4		85	60
3:45 – 3:50	Passing Time		5	
3:50 – 4:50	Tutorial		60	
			490	

Recommendation:

Clarify if the following amount of time is in error – “The rest of the week, students will receive 60 hours of support.” Is daily homework in every subject an expectation to accelerate learning and master the IB curricular demands? How much homework time is expected of students beyond the instructional support and enrichment provided during the school day? With activity periods until 6:30PM, followed by an evening meal and homework, how long is the student day?

7. **Page # 40: MPA - Mentoring**

Madison Prep will invest in three forms of school-based mentoring in support of its students’ academic and personal growth and development: group mentoring, one-on-one mentoring and peer mentoring. Each is essential to the success of young men and women, particularly young people without positive, supportive or engaging parents at home or in their community. It is very likely that Madison Prep will serve students with varying degrees of parental and/or positive adult supporters in their lives.

Page # 40: Mentoring - MMSD Response

We need clarification of training, supervision and support that will be provided to mentors, including teachers. In addition, we need to understand the process of peer mentoring work in the early, start-up years.

Recommendation:

It is recommended that Madison Prep follow the same standards as outlined in the Schools of Hope project.

8. **Page # 42: MPA - Prep Year**

Madison Prep is 100% committed to ensuring none of its students are passed from grade to grade without having the appropriate skills to succeed academically. As a result, students who enter Madison Prep significantly behind in reading and math will participate in a “Prep Year.” This will be shared with their parents prior to the beginning of the school year.

During Prep Year, Madison Prep faculty will hone in on areas where scholars are struggling academically, develop an individualized learning plan for these students that combines appropriate classroom instruction with one-on-one and small group instruction. Faculty will provide consistent challenge, encouragement and support to ensure students are brought up-to-grade level as quickly as possible.

An example of how Prep Year will work at Madison Prep. A student completes Madison Prep’s pre-assessment in reading and is found to be reading two grade levels behind. Instead of placing this student in a heterogeneous classroom with other students who are reading on grade level or higher, and potentially placing the student at risk of losing confidence and falling further behind, Madison Prep will provide one year of intensive reading instruction to raise the student’s skills to grade level. They will receive a combination of large and small group instruction, and one-on-one tutoring. The same will apply to students who are significantly behind in math.

Students who complete Prep Year during their first year at Madison Prep will either repeat that same grade level or move forward with their classmates to the next grade

level depending on how quickly their skills develop. No student will complete Prep Year more than once.

Prep Year students will continue to be exposed to the regular curriculum during the year, ensuring that while they are building basic and critical thinking skills, they are also engaging in learning with their peers who are not in Prep Year. Within Madison Prep's culture of teamwork and peer support, students completing Prep Year will have the full support of their peers who are not.

Prep Year students will be designated by grade level for local and state compliance purposes only. For example, if they have completed 5th grade and are enrolling in Madison Prep for 6th grade, they will be listed as 6th graders but will repeat 6th grade. The same applies to other grade levels where students enter Madison Prep.

Page # 42: Prep Year- MMSD Response

The IB curriculum requires that all students participate in the Middle Years Programme curriculum, including the Prep Year through the Deep Dive classes.

Recommendation:

It is recommended to provide clarification regarding students who may not be successful after completing Prep Year in the repeat grade level. Students enrolled in the Prep Year will take Deep Dive classes taught by regular education teachers with support from the Skills Master Coordinator and Special Education and/or ESL teachers. Clarification is requested regarding how the IB curriculum will be used by teachers in these Deep Dive classes. Describe the staffing model in which several students are receiving individualized support concurrently with a full teaching load.

Page # 44: MPA - Co-Curricular Activities

Madison Prep will offer co-curricular instead of extracurricular activities to ensure that the programs it offers complement what or how students are learning during the school day, and to ensure that student's participation and performance in these programs are measured and tracked. The type and number of co-curricular options that will be offered will be determined by each school's principal, teachers and staff once they are hired, and further informed by students' interests and needs after both schools open.

Page # 44: Co-Curricular Activities - MMSD Response

By definition, extracurricular activities are voluntary activities. See Wis. Stat. §118.51(16)(a). Consequently, there would be concerns regarding MPA's authority to require participation in extracurricular activities. In this case Madison Prep uses the term "co-curricular" and distinguishes "co-curricular activities" for "extracurricular activities." The only reference in the statutes to co-curriculars is in a section entitled State Aid Adjustment. It does not provide a definition of "co-curricular," so this is of little assistance. Thus, it is unclear whether requiring participation in co-curricular activities is permissible. Perhaps one could reason that, since attendance at the school is purely voluntary, any student attending has voluntarily submitted him or herself to all of the conditions of attendance including co-curricular participation. Also, students will have the ability and responsibility to self-select into the co-curriculars of their choice, which introduces another element of voluntariness.

Recommendation:

No recommendation.

Page # 45: MPA - Parent Report Card

Madison Prep's Parent Report Card will include two parts: a self-assessment that parents will complete with the support of the school's Parent Association and a grade parents will receive at the same time their children receive their report card. The point grade parents receive will be informed by their child's readiness for school each day, their participation in the Parent Association and a self-assessment of their involvement in and responsiveness to the needs of their child, the school and their child's teacher. The report card is not meant to be punitive but to help parents draw clear connections between their support and engagement, and their child's progress in school. Madison Prep will offer a nurturing and supportive environment for parents, and will utilize other parents, members of the school community and community partners to help parents achieve their goals.

Page # 45: Parent Report Card - MMSD Response

Parent report cards are becoming more widely known and implemented. Primarily as a tool to support student achievement, different types of parent report cards include a variety of categories and request responses to personal information. For example, some report cards include parental supervision (e.g. number of hours students watch television, approval of friends), parent character (e.g. allows smoking in the home, exposure to profane language in the home), health/well-being (e.g. hours of sleep a student gets each night, student takes a daily bath/shower). Other report cards include more general areas such as: communication with school staff; student completion of homework; student's absentee and tardy rate; and physical preparedness for school. The state of Florida proposed a bill that would require parents to complete a report card with the grade appearing on the student's report card. Opposition to this approach stems from the difference between encouraging and supporting parents to be proactive and subjecting all parents to a common grading system.

Will a parent's report card be connected in any direct way to the respective student's grade? How might a parent's responsiveness to the report card self-assessment or timeliness of completing such assessment impact a student's grade? Will parents be involved in the creation of the report card, its goals, categories or marking criteria? Who will have access to the parent report card? What type of a system will house the parent report card, grading information, and archives? Is it possible for a parent to "fail"? If so, what steps will be taken and by whom? Would any other report card systems be included with the parent report card, such as honor roll and progress reports? What will be provided for parents to gain deeper knowledge of the specific curricular expectations to better support their student? Will the parent report card grading expectations be modified in any way for families who are less able to provide consistent and direct support for their student?

Recommendation:

If Madison Prep is approved, it is recommended the accountability relationship between a student's grade and the parent report card process be clarified. Provide information describing how the parent report card system will be designed, housed, maintained, and archived, and who will have access to these reports.

Response to questions from P16 of Admin Analysis (PARENT REPORT CARD) [Page 42 of BP]

[Responses] MMSD had several questions for Madison Prep. We've listed their questions and have provided answers:

1. Will a parent's report card be connected in any direct way to the respective student's grade? Answer: No, parents will have their own grade.

2. How might a parent's responsiveness to the report card self-assessment or timeliness of completing such an assessment impact a student's grade? Answer: Not at all. Students will not be penalized or evaluated based on the responsiveness or engagement levels of their parents.
3. Will parents be involved in the creation of the report card, its goals, categories or marking criteria? Answer: Yes, after the principals are hired for both schools, parents and other community members will be invited to help create Madison Prep's Parent Report Card. The initial Report Card will be created before the first school year starts. However, it will be reviewed annually by the school's administration; faculty and members of the Parent Association to ensure the contents of the report card are consistent with the objectives of its use and are helpful to parents and the school community.
4. Who will have access to the Parent Report Card? Answer: The Parent, Director of Family & Community Engagement, School Counselor and Principal. It may also be shared with Psychological and Social Work providers as part of efforts to counsel and aid a parent/family. The Principal and his/her staff will ultimately define the policy and it will be approved by Madison Prep's Board of Directors before it will be used.
5. What type of system will house the parent report card, grading information and archives? Answer: Secured electronic and print records will be used to maintain all information relative to the report card.
6. Is it possible for a parent to "fail"? Would any other report card systems be included with the parent report card, such as honor roll and progress reports? Answer: Potentially, Yes. The Report Card will be constructed by parents and community members, so this will be determined by them at a later date.
7. What will be provided for parents to gain deeper knowledge of the specific curricular expectations to better support their student? Answer: Not sure yet. Madison Prep will provide options for the group that develops the Report Card to consider. If a representative from MMSD would like to be involved with the creation of the Report Card, we would welcome their participation.
8. Will the parent report card grading expectations be modified in any way for families who are less able to provide consistent and direct support to their students? Answer: No, all parents will be held to the same standards; however, the standards and rubric will have to consider the different circumstances of parents during the design of the Report Card so it is not unbalanced or unfair to any parent.

MMSD Final Response: MMSD does not endorse the use of a parent report card. The District must accept all students and their parent/guardian. It is our opinion that parent report cards do not foster parent/guardian and school relationships.

Page # 46: MPA - Open Enrollment

Madison Prep will not participate in Wisconsin's Public School Open Enrollment Program for at least the first five years of its existence.

Page # 46: Open Enrollment – MMSD Response

MMSD does not believe this poses any legal issues. Pursuant to Wis. Stat. §118.51, the receiving District has the authority to make the school assignment for open enrollment students. In this case, MMSD would not be obligated to assign students to MPA, even if the student requests it. The only recourse for the open enrollment student is to accept the District school assignment or attend his/her school District or residence.

Recommendation:

No recommendation.

Page # 46: MPA - Transportation

Most Madison Prep students will get to school by bus. Madison Prep will provide Madison Metro EZ Rider Semester Youth Bus Passes and Summer Youth Passes to students who qualify for free and reduced price lunch to catch the bus to and from school. The former Mount Olive Church Facility is on a major city bus line (#6 bus) and the bus stops almost right at the front door of the building on Mineral Point Road.

Page # 46: Transportation – MMSD Response

Since EZ Rider is the main transportation noted in the narrative, MMSD is concerned about the travel time for students, especially those students who reside on the far east and north sides of the District. In November, 2007, MMSD adopted six considerations when implementing boundary changes. One of the considerations is that bus transportation should be no more than 45 minutes.

More closely looking at the Madison Prep budget proposal for transportation will show that Madison Prep is fully budgeting for the cost of a bus pass on an annual basis (\$300 per pass). Madison Prep is prorating the cost prior to multiplying that lower amount by the total enrollment, in fact accounting for less than 100% of students qualifying for bus passes. This is no different than what the District assumes on an annual basis as we budget for indigent bus passes.

Recommendation:

The proposal presented by Madison Prep for providing transportation is equitable to what we are currently providing to all of our middle and high schools. If Madison Prep is approved, MMSD Administration will work with Madison Prep staff to identify proper routes for students to arrive at the tentative location. This may include advocacy for route changes or additions through Madison Metro Transit.

Page # 52: MPA - Accreditation

Madison Prep desires to establish itself as a school that values and sets an example for operational, leadership, governance, financial and performance excellence. As a step towards achieving this goal, Madison Prep will seek accreditation through the region's note accrediting body for secondary schools.

Within the first five years of its contract with the Board of Education of MMSD, Madison Preparatory Academy will seek accreditation for both of its schools through the North Central Association, Commission on Accreditation and Improvement and their parent organization, AdvancED. AdvancED is the world's largest education community, serving more than 27,000 public and private schools and Districts across the United States and in 69 countries that educate over 15 million students. Consistent with Madison Prep's mission, AdvancED believes that students must be prepared to succeed in a constantly-

evolving and diverse world and that educational institutions have a deep responsibility to deliver quality education to students from all walks of life.

Page # 52: Accreditation - MMSD Response

MMSD high schools will participate in site visits from AdvancED review teams in the spring of 2012. In November, a meeting will be held between the Assistant Superintendent for Secondary Education and the high school principals with the AdvancED statewide director. This planning meeting will help to establish the timeline for site visits this spring. The annual cost of each visit is approximately \$600 per school. MMSD Administration will generate a summary status report following the accreditation visits.

Recommendation:

If Madison Prep is approved, Madison Prep should follow the accreditation process with AdvancED. As the school introduces new cohorts each year, we recommend aligning the Madison Prep accreditation cycle with the MMSD high school timelines, including scheduled site visits. Madison Prep may apply to become accredited and in order to become a candidate for accreditation, they must be in existence for two years. In order for Madison Prep to become an accreditation candidate, they must host a readiness visit. AdvancED will determine, based on the readiness visit, if Madison Prep is prepared to be a candidate for accreditation. Once Madison Prep is moved to candidate status, they will have up to two years to host their onsite review for accreditation.

Recommended accreditation timeline for Madison Prep:

Year	Accreditation timeline
2012-2013	Year 1: Preparation for readiness visit
2013-2014	Year 2: Preparation for readiness visit
2014-2015	Year 3: Host readiness visit
2015-2016	Year 4: Based on the results of the readiness visit. Schedule and host the onsite review to award accreditation. Madison Prep will have two years following their established candidate status to conduct the accreditation onsite review.

If Madison Prep is approved, MMSD will attempt to align the accreditation timeline between Madison Prep and the high schools following Madison Prep’s readiness visit. Once accredited, the school is approved for five years.

Page # 61: MPA - Admissions Process

Madison Prep launched the website for its school in August 2011. It will begin its outreach campaign in October 2011 to build support for authorization of the school, and will further ramp up its outreach efforts in January 2012 to secure an appropriate number of admissions applications for the school’s inaugural year.

The school’s official enrollment period will begin February 6, 2012 and end April 20, 2012. Beginning February 6, parents will be able to submit enrollment forms on-line at local enrollment sites or at the Urban League of Greater Madison. Parents may also send their enrollment forms through U.S. mail.

Prior to February 6, Madison Prep will have parents complete “Enrollment Interest Forms”. For those parents who complete these forms, Madison Prep will stay in consistent contact with them, reminding them of when the official enrollment period begins and ends.

Madison Prep’s enrollment period for both schools prior to its first year will be conducted in four phases:

- Phase 1, Pre-Registration, August 1, 2011 – February 5, 2012: Parents will submit their enrollment forms to Madison Prep and complete a pre-enrollment interview with Madison Prep’s leadership to learn more about the school. Madison Prep will also host School Information Seminars in different locations across Madison, with an emphasis on the Cherokee, Toki and Wright Middle School attendance areas.
- Phase 2, Enrollment Period, February 6, 2012 – April 20, 2012. If necessary, a public lottery will be held to select students on Saturday, April 21, 2012.
- Phase 3, Admissions & Registration, April 30 through May 19. Parents must submit completed registration information, valid proof of residency, records transfer requests from their child’s current school, and complete a one-on-one enrollment interview with a Madison Prep representative and their admitted child.
- Phase 4, New Student and Parent Orientation. These dates will be set by each school’s principal after they are hired. Parents will be required to submit their child’s final report card and their 2011 (or 2012, if available) annual standardized test scores results by the orientation date or risk their child losing their seat to another student on the waiting list.

Effect on Current MMSD Schools: MPA has proposed a “seven-year roll out” of their program beginning with 6th grade and increasing enrollment each year through grade 12 and based upon the following schedule:

The table below reflects an annual new cohort of 60 young men and 60 young women. The numbers are shown at capacity. Madison Prep has provided a 10% attrition rate for grades 6-9 and a 5% rate for grades 10-12. Madison Prep based the attrition rate using the MMSD mobility rate.

Chart 1: Projected Student Enrollment for Young Men and Young Women at Each School (Goal)

	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
6 th Grade	60/60	60/60	60/60	60/60	60/60	60/60	60/60
7 th Grade		60/60	60/60	60/60	60/60	60/60	60/60
8 th Grade			60/60	60/60	60/60	60/60	60/60
9 th Grade				60/60	60/60	60/60	60/60
10 th Grade					60/60	60/60	60/60
11 th Grade						60/60	60/60
12 th Grade							60/60

Page # 61: Admissions Process - MMSD Response

Charter schools should be, by definition, non-selective. Students who want to attend should be permitted to attend without consideration of the student's race, religion, national origin, ancestry, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability. See Wis. Stat. §118.40(4)(b)(2). The pre-enrollment interview process runs the risk of providing a forum in which MPA can add a certain level of selectivity to process.

Recommendation:

MMSD believes a more appropriate timeline would include one-to-one pre-attendance conferences that would take place following a student's enrollment (or selection through the lottery) and prior to his/her actual attendance at school.

If Madison Prep is approved, we also recommend, at least after the first year, running the official enrollment period concurrent with Wright and Badger Rock Middle Schools. The enrollment period generally runs for approximately seven weeks beginning shortly after students return from Winter Recess.

Response to recommendation on P20 of Admin Analysis (ADMISSIONS PROCESS) [Page 61 of BP]

[Response] MMSD states that the pre-enrollment interview may be an avenue for Madison Prep to screen out students. This will not be the case. As our timeline clearly states, the interviews will take place after the lottery. To ensure clarification on this point, Madison Prep will refer to this as the Enrollment Interview moving forward. Additionally, Madison Prep is willing to operate the same enrollment period as Wright and Badger Rock Middle Schools, although some modifications might be necessary to select the school's students in the first year given the timing of the authorization of the school, hiring of the principals and when its charter school contract is completed.

MMSD Final Response: MMSD does not take issue with the interview process as long as students are officially enrolled in the school before the interview takes place.

Page # 62: MPA - New Student & Parent Orientation

The orientation will last no longer than 3 hours. At orientation, parents and students will learn more about the academic program and activities planned for the school year; will get to know their peers, other parents, and faculty and staff; and will tour the school facility, order school uniforms, sign up for the Parent Association, ask questions, and share ideas. The orientation is where parents and students will be asked to sign the Madison Prep Parent-Student Compact, which outlines each stakeholder's commitment to work together to ensure the school's students are successful and achieve their goals.

Page # 62: New Student & Parent Orientation – MMSD Response

New student orientation is a welcoming way to get to know students and families as well as outlining values and expectations. MMSD is concerned that the conversation could lead to a screening process.

Recommendation:

If Madison Prep is approved, the Pre-Enrollment Interview should take place after the lottery process or during the New Student and Parent Orientation as described previously. Acceptance into the program should be based on the lottery itself.

Facilities

Page # 53: MPA – Facilities Plan

MPA is in the process of seeking a lease agreement of a 32,000 square foot former Mount Olive Church facility at 4018 Mineral Point Road in Madison to temporarily house the school during the first three years, 2012 – 2015.

Tri-North Builders and Engberg Anderson, an architectural firm with offices in Madison, conducted the site inspection. Madison Prep's Facilities Team led by Dennis Haefer, Vice President of Commercial Banking with Johnson Bank, Darren Noak, President of Commercial Building with Tri-North Builders, Terrance Wall, Chairman and CEO of T. Wall Properties and Mike Herl, Vice President of Brokerage Services with Inland Companies are working on the terms of the lease and leasehold improvements needs.

The Mount Olive site achieves Madison Prep's goal of being located in or near the downtown area – enabling the school's leadership to maximize enrollment, recruit young men and women from its targeted attendance areas, and take full advantage of Madison's rich professional environment and diverse learning opportunities. The facility is also located on Madison Metro's #6 bus route, and the bus stops almost directly in front of what will be the entrance to the school.

The Urban League and the Board of Directors of Madison Prep will be reaching out to residents of the Mount Olive Neighborhood over the next several weeks to share information about the school, answer questions and determine how the school can partner with the neighborhood and make its facility available to those who reside in the area.

Page # 53: Facilities Plan - MMSD Response

On November 29, 2011, the District Administration was able to tour the proposed facility along with representatives from Madison Preparatory Academies. Overall, staff believes the space to be adequate to support up to 360 pupils with proper renovations being completed. At this time, it is still unclear as to the actual costs for the necessary renovations. The location of the physical facility makes it feasible for students from all over the District to attend this school. This site literally has a Madison Metro bus stop right out the front door, allowing students to arrive at this facility on a daily basis.

The following is a listing of the pros and cons of this facility that came directly from the site visit of November 29, 2011:

Pros:

- With some minor wall relocation/demolition, 18-20 classrooms can be created.
- The sanctuary area is fairly large with tall ceilings that will convert easily into a multi-purpose/gymnasium (not full court sized for basketball).
- There is a large cafeteria area with full service commercial grade kitchen (some kitchen equipment will likely require replacement due to age).
- There is an existing elevator.
- Numerous offices exist for administration and teacher lounge use.
- An adequate parking lot exists.
- There is a bus stop area along Mineral Point at what is proposed to be the main school entrance doors.

- The basement has walk-out doors and tall ceilings with windows to most of the lower level rooms.
- There is an existing courtyard area (walk out from basement) that could be used for an outdoor classroom.
- Additional landscape area can be converted to a school garden.

Cons:

- Due to the use change of the building from church (assembly) to school (education), numerous reviews, plan approvals, permits and inspections will be required by the City.
- If (20) children were in each room, the building is likely large enough now for (360) (fire, building and other codes dependent).
- A full fire sprinkler system will be required.
- A complete fire alarm system is needed.
- Due to fresh air requirements, a new HVAC system is planned.
- Electric upgrades will be required due to wall construction and technology upgrades.

The District recently received a communication from the Freedom from Religion Foundation (FFRF) expressing a belief that MPA's use of a facility owned by the Lutheran Church violates the Wisconsin State Constitution by providing public monies to subsidize a religious organization. These assertions are based on the FFRF's general understandings regarding the proposed rental amounts and costs associated with planned improvements to the facilities. At this time, the District cannot fully analyze the FFRF's assertions as more information is needed regarding the expenditure of funds for improving the facility, the source of the funds, and the potential benefits to be realized by MPA and the Church.

Recommendation:

Overall, MMSD staff believes that this facility, with proper renovations will serve as an adequate space for the MPA programming. We will want to continue to monitor the proposed renovations as they come through to make sure they are appropriate for a 6-12 educational setting.

If this school is approved, Administration would recommend requiring MPA to complete a full building assessment as it relates to potential hazardous materials. This assessment should include, but not be limited to, asbestos, mold, lead paint, and radon to ensure a safe environment for students.

Page # 53: MPA - Facilities Financing Options

The State of Wisconsin does not have a specific facilities financing fund for charter schools and does not participate in the federally funded Credit Enhancement for Charter School Facilities or State Charter School Facilities Incentive Grant Programs. These programs provide facilities grants to public charter schools to improve their credit in order to obtain private sector capital to buy, construct, renovate or lease academic facilities. Instead, Wisconsin charter schools use a combination of private fundraising, bank financing and the per pupil local and state aid they receive to secure, develop and maintain educational facilities.

In the absence of specific local, state and federal facilities funding for charter schools, Madison Prep will secure, renovate and lease a temporary facility using a combination of private fundraising and the per pupil investment it will receive from its authorizer, the Madison

Metropolitan School District Board of Education. Madison Prep projects to spend the following amounts per pupil on its facility in years 1 – 5:

Year 1: \$3,312 Year 2: \$1,439 Year 3: \$969 Year 4: \$2,301 Year 5: \$1,860

To address its long-term facility needs, Madison Prep will seek additional financial assistance through traditional bank financing, a significant private fundraising campaign, tax-exempt bonds and excess general operating revenue. It will use its bank savings, low-risk investment strategies and on-time bill payments to establish a solid credit rating, and will seek credit enhancement assistance through offering entities listed later in this section. Besides traditional banks, there are several organizations that provide facilities financing and related technical assistance for charter schools in Wisconsin. They assist charters with securing tax exempt bonds, New Market Tax Credits, Qualified School Construction Bonds (QSCBs), Qualified Zone Academy Bonds (QZABs), and loans and guarantees from lenders. They also invest in charter schools in different stages of their development and provide varying levels of auxiliary services and technical assistance.

Page # 53: Facilities Financing Options – MMSD Response

Many of the avenues outlined within this proposal for financing facilities are areas utilized by MMSD within the past 3 years. MMSD as the authorizer can qualify for many of these programs listed, if and when they do become available. There isn't a specific proposal brought forward at this time, but MMSD is more than willing to work with Madison Prep to secure low or no interest financing at the appropriate time.

As a small administrative point, the investment per pupil listed within the proposal isn't entirely accurate, although it is extremely close. Within the proposal, there is a contingency provision line item specific for facilities that wasn't included within the analysis provided. The correct facility investment per pupil is as follows:

	2012-13	2013-14	2014-15	2015-16	2016-17
Madison Prep Proposal	\$3,312	\$1,439	\$969	\$2,301	\$1,860
Updated	\$3,345	\$1,454	\$979	\$2,324	\$1,878
Difference	\$33	\$15	\$10	\$23	\$18

MMSD believes the difference to be inconsequential in the overall budget, as we assume that the proposed contingency amount is captured in the total cost of the program being proposed.

Recommendation:

None at this time.

Governance

Page # 73: MPA - Governance

The Urban League of Greater Madison will serve as the charter developer seeking authorization from the Madison Metropolitan School District's (MMSD) Board of Education to establish Madison Prep. ULGM is using federal charter school planning funds granted by the Department of Public Instruction to establish an independent 501(c) (3) organization for Madison Preparatory Academy, Inc., under which Madison Prep's schools will operate. As of October 1, 2010, Madison Prep's articles of incorporation have been filed with the State of Wisconsin and its bylaws and 501(c)(3) application are being prepared.

Madison Prep has proposed to operate as an instrumentality charter school of the Madison Metropolitan School District provided the Board of Education agrees to provide the school's Board of Directors with autonomy of governance, management and budgetary control of the school. Provided this agreement cannot be reached, the Urban League of Greater Madison and the Board of Directors of Madison Prep will request that the MMSD Board of Education authorize the school as a non-instrumentality charter school. As a non-instrumentality charter school, the MMSD Board of Education may not employ any of the staff of Madison Prep, as stated in Wis. Stat. § 118.41 (7).

Page # 73: Governance - MMSD Response

Madison Prep did not revise any of the language in this section of the most recently submitted Business Plan; however, it is understood that they no longer wish to be approved as an instrumentality charter but, rather, wish to be a more autonomous non-instrumentality charter.

Essentially, under a non-instrumentality model MPA would be accountable to but autonomous from the District as a whole. The Board will have little, if any, oversight of the day-to-day operations of the MPA. This reduced oversight starts with staffing. Pursuant to Wisconsin charter school law, the District is prohibited from employing any personnel of the charter school. Additionally, because the charter school staff are not District employees, they are not subject to the terms and conditions set forth in the District's collective bargaining agreements. In this model, the District would have no authority to direct, supervise or evaluate any of the charter school personnel. The MPA Board will have complete authority to hire and fire staff, direct their work, evaluate their performance and determine appropriate compensation. Additionally, staff will not be permitted to join the state public employee retirement system.

MPA has indicated a desire to be exempted from the requirements of all District policies, except those related to health and safety. If the Board were to accept this proposal, it would further limit the Board's ability to provide any direct oversight over the MPA. Currently, Board policies cover a broad array of operating procedures within the District including (but by no means limited to) how student information and records are handled, military and post-secondary recruitment of students, bullying, harassment and discrimination, nepotism, fee waivers, the Student Code of Conduct, and graduation and promotion requirements.

Financial and academic benchmarks would be set forth in the contract and MPA would be solely responsible for achieving those expectations. It would also, in turn, be solely responsible for determining how it would meet expectations. This would mean significant financial autonomy as well. Essentially, under the District's current practices as they relate to instrumentality charter schools, all allocated funds are handled in the same form and fashion as all other District monies. They are maintained and accounted for centrally. In the case of MPA, the District would write a check (or several checks if the parties agree to scheduled disbursements rather than one large lump sum) to the MPA Board. The MPA Board would then be responsible for the determining when and how the funds are spent. Subject to an annual audit and general accountability terms to be negotiated through the charter contract, the MPA Board would have significant autonomy over these funds.

Recommendation:

We do not recommend a non-instrumentality charter school.

Page # 73: Non-Instrumentality/CBA Issues – MMSD Response

Section I-B-3-a of the Teacher Collective Bargaining Agreement states:

The parties recognizing the value of a qualified teaching staff as it relates to the instructional process, hereby agree that instructional duties where the Wisconsin Department of Public Instruction requires that such be performed by a certificated teacher, shall be performed only by "teachers."

"Teachers" are any one covered by the MTI/MMSD Teacher Collective Bargaining Agreement (CBA). This is in effect a work preservation clause. If the District were to approve a charter for Madison Prep as a non-instrumentality, MTI would, in our estimation, file a grievance or a motion for a declaratory ruling claiming a violation of Section I-B-3-a. MTI would be asserting that the work to be performed by the instructors at Madison Prep would be required to be performed by certificated teachers. Based upon our understanding of the instructional positions covered by the Madison Prep proposal, this assertion is correct. Therefore, it would be MTI's contention that the District was subcontracting bargaining unit work to the Madison Prep in violation of the CBA.

Historically, MTI has filed several grievances under Section I-B-3-a. For example, MTI claimed a violation of Section I-B-3-a with regards to Madison Virtual Academy and the District granting students' credit for courses taught by non-MMSD teachers. These matters were resolved by entering into Memorandums of Understanding (MOU). Likewise, this was a major issue with regard to the District implementing 4-K because the instructional design included services being provided to students by third-party providers. Again, this was resolved via a MOU.

Recommendation:

We cannot recommend entering into a charter contract with Madison Prep that in all likelihood violates the current teacher CBA. Assuming there is no change in the current law, in order to avoid this legal issue, we could approve a charter contract for Madison Prep as an instrumentality subject to all of the provisions of the CBA (which has associated with it the cost issues previously identified).

Admissions

Page # 62: MPA - Pre-Enrollment Interview

The Interview will last 30 minutes and will be a time for Madison Prep to share information with prospective parents and students about the school. They will learn about the school's core values and expectations; what a typical day will be like for students; and about opportunities that will be available to Madison Prep students to learn and grow outside the classroom. Parents and students will share more about themselves, why they are interested in Madison Prep and what their expectations are of the school. Parents/Guardians will learn about what Madison Prep's expectations of them and their child. For example, parents will be expected to dedicate 20 hours per school year to the school (2 hours per month). This can include such things as volunteering in the classroom, supporting administrative processes, participating in Madison Prep's Parent Association, leading or supporting school activities, leading one of the school's Neighborhood Family Teams or helping with school events.

Page # 62: Pre-Enrollment Interview – MMSD Response

MMSD is concerned about equal access of all students as it is outlined in the narrative. Why pre-enrollment? As it is defined there are concerns about screening.

Recommendation:

MMSD recommends that acceptance into the program be based on the lottery; and, if an interview is desired, it take place after the lottery and students are selected.

Staffing

Page # 20: MPA - Insufficient Faculty and Staff Diversity in Madison's Public Schools

While MMSD's student body is increasingly of color, the staff does not nearly reflect this diversity. The educators and staff that are primarily charged with educating, supporting, leading and influencing the identity formation of children attending MMSD schools are mostly White and female. There are very few teachers of color and even fewer male teachers of color.

MMSD has attempted to address these issues in the past, but have credited their low employment rates of teachers and administrators of color to the off-time of year in which the District is able to offer contracts, lack of an sizeable candidate pool from which to draw educators of color, and geography. It has been long posited by District and community leaders that many teachers of color will not move to Madison because of their likeliness to experience cultural dissonance once they relocate to the area. In other words, it is suspected that teachers of color recruited from outside of Madison may experience an "uncomfortable sense of discord, disharmony, confusion or conflict in the midst of their change in cultural environment."

Over the last 20 years, according to MMSD's recently retired diversity recruiter, the District has heavily focused its diversity recruitment efforts on Historically Black Colleges and Universities (HBCUs) in the South, colleges and universities in Wisconsin, Minnesota and Illinois, and advertisements in magazines catering to higher education institutions and communities of color in the Madison area.

While MMSD should be recruiting in these locations, its strategies have not yielded the number of applicants or hires needed in the schools. Recruiting at HBCUs could be positive if efforts are concentrated on universities that enroll a significant number of students from the upper Midwest. It would also help if MMSD promoted teaching as an option to young people graduating from its high schools, provided college scholarships to students who enroll in a teacher preparation program in exchange for at least three years of teaching service in the city's public schools, and involved community members of color and their respective organizations in the recruitment and retention process. To facilitate the execution of one of these strategies, in spring 2011, the Urban League began meeting with MMSD's leadership to assist them with establishing a diversity hiring plan and offered to assist with recruitment.

Page # 20: Insufficient Faculty and Staff Diversity in Madison's Public Schools - MMSD Response

For the past 16 years, MMSD has in fact focused recruitment in Wisconsin, Michigan, Illinois, and Minnesota, with additional targeted efforts throughout the nation based on higher demographics of teachers of color and those certified in our shortage areas. MMSD has outpaced our surrounding Districts with the percentage of new staff of color hired each year. During the 2010-11 hiring season, MMSD was able to hire 19.5% while the market availability for professional educators of color is at 12%. MMSD strives to improve in this area and will continue to do so. A specific recruiting plan is being developed. We welcome collaboration with community partners.

Recommendation:

No recommendation regarding Madison Prep proposal.

Page # 69: MPA - Staffing Allocation

The following positions reflect Madison Prep's staffing during its first year of operation (2012-13).

Executive

- President 1.0 FTE (paid with private funds; services donated by Urban League in years 1-2)
- Director of Family & Community Partnerships, 1.0 FTE

Instructional

- Principals, 2.0 FTE
- Director of Teaching & Learning, 1.0 FTE
- Department Chairs/Teachers, 2.0 FTE
- General Education Teachers, 6.0 FTE
- ESL Teacher, 1.0 FTE
- Counselor, 1.0 FTE
- Skills Mastery Coordinator, 1.0 FTE
- Special Education Coordinator, 1.0 FTE
- Special Education Teacher, 1.0 FTE
- Social Worker, 1.0 FTE
- Director of Athletics & Activities, 1.0 FTE
- Fitness Coaches, 2.0 Auxiliary LTE, \$3,000/each
- Nurse, 0.5 FTE
- School Psychologist, 0.25 Auxiliary LTE

Business

- Business Manager, 1.0 FTE
- Office Manager, 1.0 FTE
- Security, 1.0 FTE
- Administrative Assistant, 1.0 FTE
- IT & Communications Manager, 1.0 FTE
- Custodial Staff, 1.0 FTE

Page # 69: Staffing Allocation – MMSD Response

Madison Prep did not revise any of the language in this section of the most recently submitted Business Plan; however, it is understood that they no longer wish to be approved as an instrumentality charter but, rather, wish to be a more autonomous non-instrumentality charter. Consequently, pursuant to Wisconsin charter school law, the District is prohibited from employing any personnel of the charter school. Additionally, because the charter school staff are not District employees, they are not subject to the terms and conditions set forth in the District's collective bargaining agreements. In this model, the District would have no authority to direct, supervise, or evaluate any of charter school personnel. Madison Prep Board will have complete authority to hire and fire staff, direct their work, evaluate their performance, and determine appropriate compensation. Staff will not be permitted to join the state public employee retirement system.

Budget

Page # 82: MPA – Budget

Madison Prep’s budget is located in the appendix of this business plan. The primary writers of the budget were Kaleem Caire, President & CEO of the Urban League of Greater Madison; Tami Holmquist, Business Manager at Edgewood High School; Jim Horn, Chief Financial Officer and Laura DeRoche Perez, Director of School Development at the Urban League of Greater Madison; and David Cagigal, Interim Chair of Madison Prep’s Board of Directors and former Chief Information Technology Officer with Alliant Energy Corporation. This group made up the “Urban League Team” referenced below. Additional assistance and information was provided by Erik Kass, Assistant Superintendent for Business Services and Donna Williams, Director of Budget, Planning & Accounting with the Madison Metropolitan School District (MMSD).

Anticipated Revenue Sources

The Urban League of Greater Madison and the Board of Directors of Madison Prep expect revenue to come from six primary sources listed below, particularly during the school’s first five years of operation:

- Madison Metropolitan School District Per Pupil Charter Payments
- Wisconsin Dept. of Public Instruction Charter School Planning and Implementation Grants (Title VB)
- Federal Entitlements (Title IIA, Title III)
- Other Government Funding/Grants (National School Lunch and Breakfast Programs)
- Private Grants and Donations (Individuals, Corporations, Foundations, Special Events)
- Activity Fees (Uniforms, Field Trips, Meals, Parent Association Fundraising)

Note: MMSD only spends its Title I funding in the elementary grades, which is why it is not reflected above.

The Urban League and Madison Prep’s Board of Directors have launched an aggressive fundraising campaign to secure appropriate resources to support start-up costs of Madison Prep. In the school’s inaugural year, when start-up costs are the highest, Madison Prep expects to spend \$20,939 per pupil, of which the Urban League and Madison Prep’s Board are requesting MMSD invest \$9,395 per pupil. The rest will be raised through state and federal grants and entitlements, fees, and private fundraising.

During the five-year period of the contract Madison Prep is seeking to sign with MMSD’s Board of Education to operate the school, MMSD is being asked to spend the following amounts per pupil each year:

Source	SY2012-13	SY2013-14	SY2014-15	SY2015-16	SY2016-17
MMSD	\$9,395	\$9,785	\$9,763	\$9,753	\$9,779
Fundraising	\$8,750	\$3,542	\$2,778	\$2,917	\$2,458

Page #82: Budget - MMSD Response

This analysis will provide information about the amount requested by Madison Prep on a per pupil basis, suggested requirements for proper fiscal accountability, and other items to consider relating to the budget as presented in Appendix B.

Per Pupil Analysis:

The projected budget for Madison Prep outlines a specific amount requested from MMSD in order to make this school operational. There are also projections for the number of pupils to be enrolled each year for the first five years of the program. The chart below outlines these projections and also presents the total requested investment from MMSD each year:

	2012-13	2013-14	2014-15	2015-16	2016-17	Total
Per Pupil Request	\$9,395	\$9,785	\$9,763	\$9,753	\$9,779	
Projected Enrollment	120	240	360	480	600	
Total Investment	\$1,127,400	\$2,348,400	\$3,514,680	\$4,681,440	\$5,867,400	\$17,539,320

When Administration identified the transfer amount, it did so with the understanding that 70% of pupils would come from the attendance areas of Sennett, Wright, Jefferson, Toki, and Cherokee Middle Schools each year. The following table presents the amount per pupil and the total amount that can be transferred from existing schools:

	2012-13	2013-14	2014-15	2015-16	2016-17	Total
Per Pupil Transfer	\$8,796.25	\$7,776.75	\$7,460.73	\$8,713.77	\$8,334.40	
Projected Enrollment	120	240	360	480	600	
Total Investment	\$1,055,550	\$1,886,420	\$2,685,863	\$4,182,610	\$5,000,640	\$14,811,083

The following table is meant to show the difference between what is being requested of MMSD and what MMSD has calculated can be transferred to support Madison Prep Academies. This can also be considered the amount of funding required above cost neutral:

	2012-13	2013-14	2014-15	2015-16	2016-17	Total
Total Investment	\$71,780	\$461,980	\$828,817	\$498,830	\$866,760	\$2,728,167

The proper amount of funding per pupil and how to account for the funding request will be addressed under the recommendation portion of this section.

Fiscal Accountability:

Under a non-instrumentality proposal, most functions are independent of the school district and quite a bit of autonomy is granted to the charter school. Under this proposal, MMSD is asked to provide a per pupil amount, that would be provided through some type of payment schedule to Madison Preparatory Academy each year. These funds would then be used for the explicit purposes and goals outlined within this proposal. If the Board of Education moves forward with approval, Administration believes that some fiscal accountability measures would need to be in place in order to monitor the fiscal integrity of the program.

The District would recommend requiring Madison Preparatory Academies to provide monthly financial statements and/or updates for the first year of operation. After the first year of operation, assuming everything proceeds as planned, we would recommend moving this requirement to quarterly. This oversight is necessary to verify and account for the funds being provided to the Madison Preparatory Charter School. This will also allow the District to monitor the data that we will be required to provide to the Department of Public Instruction (DPI) each year.

The District would recommend requiring Madison Preparatory Academies to contract their auditing services through the District's approved auditing firm. This is intended to provide

congruence for the Board of Education and community when final audited information is provided. This will also provide appropriate audit oversight to a firm that understands the flow of funding and proper accounting procedures for schools.

Annual Surplus:

According to the Madison Prep budget proposal, each year a surplus will be created to service three purposes: (1) as collateral for loans and investments in permanent facilities and unforeseen capital costs for both schools, (2) to support the Group Performance Bonus System, new programs and parent and community engagement, and (3) as a cash reserve, which will be set aside in a rainy day fund for future strategic and emergency uses. In addition, an annual 1% contingency is built into the total expense line of the budget to support unforeseen costs not projected in the budget.

Administration believes that an annual surplus is necessary to support unforeseen expenditures on an annual basis. The proposed surplus by year is as follows:

	2012-13	2013-14	2014-15	2015-16	2016-17
Addition	\$10,070	\$517,780	\$202,968	\$233,736	\$718,204
Total	\$232,720	\$750,570	\$953,538	\$1,187,274	\$1,905,478

Current Board of Education policy calls for a minimum of 10% and a maximum of 15% of the prior year expenditures within the general fund. Utilizing this policy to calculate the appropriate “surplus” or what we call Fund Balance, the following is appropriate surplus amounts:

	2012-13	2013-14	2014-15	2015-16	2016-17
Expenditures	\$2,512,655	\$3,148,465	\$4,679,128	\$6,338,729	\$7,238,286
10% minimum	\$251,266	\$314,847	\$467,913	\$633,873	\$723,829
15% maximum	\$376,898	\$472,270	\$701,869	\$950,809	\$1,085,743

The following is intended to show the difference between the request for surplus by Madison Preparatory Academy and what the maximum amount allowable under Board of Education policy would be:

	2012-13	2013-14	2014-15	2015-16	2016-17
Request	\$232,720	\$750,570	\$953,538	\$1,187,274	\$1,905,478
15% maximum	\$376,898	\$472,270	\$701,869	\$950,809	\$1,085,743
Difference	-\$144,178	\$278,300	\$251,669	\$236,465	\$819,735

As you can see from this analysis, the fund balance or surplus isn’t adequate in the first year, but each year after that it is above the current policy for MMSD.

Administrative Fee:

The current Budget proposal provides for an administrative fee to be paid to the Urban League of Greater Madison (ULGM) annually. According to the Business Plan submitted on November 17, 2011, only private donations will be utilized to fund the management fee to be paid to ULGM annually. The breakdown of the management fee is as follows:

	2012-13	2013-14	2014-15	2015-16	2016-17	Total
Mgmt Fee	\$60,000	\$120,000	\$180,000	\$240,000	\$300,000	\$900,000

The obvious trade off with the proposal is that the administrative fee to be paid to the ULGM could be used to either offset current costs of the school or to decrease the amount requested from MMSD annually.

Recommendation:

Administration isn't recommending MPA as a non-instrumentality charter school. The following is the analysis completed for an appropriate funding level based upon the amount requested and the transfer allocation calculated. In order to calculate what this appropriate amount would be, Administration began with the amount requested from ULGM annually, and decreased that amount to account for the administrative fee and the surplus above our current board policy:

	2012-13	2013-14	2014-15	2015-16	2016-17
Request	\$9,395	\$9,785	\$9,763	\$9,753	\$9,779
Surplus Reduction	\$0	\$1,160	\$0	\$0	\$902
Admin Fee Reduction	\$500	\$500	\$500	\$500	\$500
Adj. Per Pupil	\$8,895	\$8,125	\$9,263	\$9,253	\$8,377

The adjusted per pupil amount reflects the reductions referenced above, and would create a budget that provides a surplus equal to what Board Policy #6071 allows. This amount will also eliminate the administrative fee proposed in the plan, re-appropriating the donations that would be used toward this fee, back to the general operations of the program.

EDUCATION PLAN ANALYSIS

Page # 12: MPA - Special Education in Madison Prep’s IB Curriculum

Madison Prep is committed to meeting the needs of all learners. This includes serving students who qualify for special education in accordance with the law. Many of Madison Prep features will create a learning environment that is beneficial to students with special needs: small classes, more time at school, frequent assessment, and so on. While the IB curriculum is often mischaracterized as a “gifted and talented” program that is not appropriate for students with special needs. Implicit in this misstatement is the assumption that students with disabilities cannot excel in a curriculum that stresses rigor. This could not be further from the truth. In fact, the IB framework is ideal for students with special needs because it ensures rigor while allowing flexibility for modifications.

It is the belief of both the IBO and MPA that the school day be entirely inclusive. MYP schools are expected to have *all* students participate in the program, to the fullest capacity of the student. In fact, the IBO has described MYP as a program for all or for none. Therefore, all MPA students will be in the Middle Years Program. Madison Prep students in the IB Diploma Programme may receive modifications to the external assessments according to a student’s IEP and/or 504 plan. Of course, teachers in both Madison Prep’s MYP and DP will continually work to ensure that students’ IEPs and 504 plans are being fully implemented.

Because Madison Prep will not be its own local educational agency, the Madison Metropolitan School District is the agency responsible for FAPE (free appropriate public education) as it relates to the school. Madison Prep anticipates that 20% of its student body will require special education services. To accommodate this need, Madison Prep has allocated for an appropriate amount of special education staff (chart reflects staffing and student enrollment for both schools combined as their enrollment grows).

Special Education Caseloads at Madison Preparatory Academy (Boys & Girls Combined)					
	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017
Total Enrollment	120	240	360	480	600
Students Identified for Special Education Services	20% = 24	20% = 48	20% = 72	20%=96	20%=120
Special Education Teachers	2.0	2.50	3.75	4.0	4.0
Skills Mastery Coordinator	1.0	1.0	1.0	1.0	1.0
Director of Learning Support	0.0	0.0	2.0	2.0	2.0
CASELOAD	8	14	11	14	17

Madison Prep will hire special education teachers, including the Skills Mastery Coordinator, who have cross-categorical licensure. Any Madison Prep student who requires services beyond what

a cross categorical special education teacher can provide will be served by specialized staff provided by MMSD at no additional cost to Madison Prep. For example, if a student with a hearing impairment enrolls in Madison Prep with an IEP that requires an educational (deaf and hard of hearing) interpreter, MMSD will provide that licensed educational interpreter so that the student may take full advantage of Madison Prep's educational program.

Special education staff, principals, the Director of Teaching and Learning, and the Director of Family and Community Partnerships will review IEPs of students upon their enrollment at Madison Prep. The Principals will ensure proper implementation of the IEPs in implementation years one and two, with the Director of Learning Support taking on that duty in years three and beyond.

Madison Prep's special education teachers will work with students in the least restrictive environment. Madison Prep does not intend to establish self-contained special education classrooms. Special education teachers will deliver services in a variety of ways, including co-teaching with the regular education teacher, one-on-one time within the regular class period, and small group instruction within the regular class period. Special education teachers and regular education teachers together will have flexibility in determining how students' needs are met.

Page #12: Special Education in Madison Prep's IB Curriculum - MMSD Response **MMSD Current Practice:**

Regarding allocation, MMSD uses a formula which begins by dividing the number of students with disabilities by 12.5 at the middle school level (15.5 at high school). Then, for every 1.0 teacher, 30 hours of Special Education Assistant time is added (28 hours at the high school). Further, a student severity index is applied to determine additional supplemental SEA hours. In a typical MMSD middle school, given the same numbers (24 students), we would provide a base allocation of (2) special education teachers and (2 to 2.25) special education assistants depending on student need. Related service providers such as speech and language, occupational therapists, physical therapists, and student services personnel are allocated separately, based on student Individualized Education Programs (IEP). It is expected that a typical MMSD middle school would have a much wider continuum of student needs relative to students with disabilities (which includes students with more significant disabilities). While it is MMSD's preference to utilize certified teachers to provide instruction, there are circumstances where special education assistants (SEA) are needed to provide personal care and other supports. The allocation procedures allow principals the flexibility to convert SEA allocation to teacher and vice versa. Since students with disabilities with Section 504 plans generally receive reasonable accommodations, provided by the general education staff and or student services, no additional allocation is provided.

Analysis:

Given the academic and character-based focus of Madison Prep, it is highly unlikely there will be any students with severe disabilities. With fewer high needs students with disabilities, the initial (and subsequent) staffing pattern of three special education teachers (two regular and one skills mastery) makes great sense and is similar to what MMSD would recommend. In terms of projected caseloads for special education teachers, beginning with 8 students and increasing to 17 seems reasonable.

It is significant to note that even as a non-instrumentality, MMSD remains the local educational agency (LEA) and retains the obligation to provide a free, appropriate public education (FAPE) to all students with identified disabilities. Should a parent file a special education complaint or

request a special education due process hearing, the ultimate liability falls upon MMSD, not Madison Prep. Due to that fact, it would be essential that any charter agreement designate case management (i.e. oversight) services to MMSD for students with disabilities.

With regards to staffing, additional special education staff, such as school psychologists, occupational therapists, speech and language clinicians, etc., will most likely be required to serve the Madison Prep population. All special education staff conducting school-based evaluations or providing services pursuant to an IEP must hold appropriate licensure through the Department of Public Instruction and Department of Licensing and Regulation (if necessary). It is recommended that for any student who requires services beyond Madison Prep's budgeted capacity, Madison Prep utilize MMSD special education providers through a contractual relationship with the District. It is certainly possible that Madison Prep may retain professionals to provide additional (i.e. non-IEP) services to students. For example, a private psychologist may be retained by Madison Prep to conduct divorce groups or substance abuse counseling. However, in order to ensure the District is meeting its FAPE obligation, IEP programming services and evaluative services must be provided by appropriately certified and qualified staff

In order to ensure that the District is fulfilling its role as LEA and that related services staff are appropriately licensed, it is recommended that Madison Prep contract with MMSD for case management services, all evaluations, and all services that exceed the capabilities of the Madison Prep special education staff.

Factors to Consider:

There could be the assertion that Madison Prep is potentially not willing to serve a certain population of students with more significant disabilities (level 4 of their level system). Work will need to be done to more fully explain the level system, focus of Madison Prep, and the appropriateness of certain students with disabilities as it relates to their Least Restrictive Environment (LRE).

While MMSD is supportive of the proposed staffing model which utilizes high quality teachers to deliver instruction, there could be situations where student needs exceed the ability of three special education teachers in the initial year or four teachers in years three and four. It will be important to consider contingencies with respect to providing situational and or longer-term support to high needs students. If/when there are situations where a single student or several students are the primary focus of one of the special education teachers due to their high needs, this could have a deleterious impact on the instructional design.

All staff involved in the provision of special education and related services would need to be considered "highly qualified" per state and federal law (Chapter 115, IDEA, NCLB). For example, staff would need to be fully licensed through the Wisconsin Department of Public Instruction (DPI) and providing services/instruction in areas for which they are certified. As the Local Education Agency (LEA) ultimately responsible for a free appropriate public education (FAPE), it is critical this basic standard is met. Unlicensed staff would also preclude the MMSD from claiming categorical reimbursement, which adds to our financial hardship.

There are several cost related points that are important to consider. MMSD does not wish to present them as "concerns"; rather, they are merely factors to consider. First, because Madison Prep will be drawing students with disabilities from multiple schools (majority coming from 5 middle schools, potentially all), the impact is that no school is predicted to drop so much that the allocation can simply be reassigned to Madison Prep. In other words, if a school only

decreases by 1 – 4 students, this has almost no impact on reducing their allocation. As a consequence, all of Madison Prep’s special education teacher allocation will be new or additional cost. MMSD does not see this changing once students are in the high school years. The three most straight forward solutions to solve this include: (1) the allocation could come from our unassigned pool, but that significantly limits our ability to meet beginning of the year/mid-year allocation adjustments due to changes in enrollment or emergency student needs; (2) the allocation could come from current middle/high schools, which in turn means raising the teacher : student ratios (e.g., from 12.5 :1 to 13.5 : 1 and 15.5 :1 to 16.5 : 1 respectively); and (3) the Board of Education could authorize additional locally funded positions. If, however, the vast majority of students with disabilities came from one or two middle schools, it would most likely result in a more cost neutral situation as the staff could be surplused from one location and added to Madison Prep.

Second, because Madison Prep has a different school schedule, in all likelihood there will be additional costs relative to the provision of related services. Specifically, during the typical MMSD school year, the related services staff would be supporting students in Madison Prep as well as other school sites. However, when schools are not in session, these related services would still need to be employed to meet specific IEP service requirements of students at Madison Prep (e.g., summer). During times when MMSD schools are in session and Madison Prep is not, costs don’t decrease (unless a creative scheduling arrangement could be reached between related services staff and the District).

Regarding the statement: “if a student with a hearing impairment enrolls in Madison Prep with an IEP that requires an educational (deaf and hard of hearing) interpreter, MMSD will provide that licensed educational interpreter so that the student may take full advantage of Madison Prep’s educational program.” The MMSD has a lengthy and impressive history of having students with disabilities attend their neighborhood school. At present, there are very few circumstances where this goal cannot be met, for example, students using wheelchairs unable to enter several of our inaccessible schools. Another scenario potentially impacts students with hearing impairments. Specifically, students needing sign language interpretation attend schools in the LaFollette attendance area (Glendale, Sennett, and LaFollette). There are two basic reasons for this decision (1) it is cost prohibitive to staff interpreters at all of the home schools and (2) there are unique social and pedagogical reasons for having all students with hearing impairments in certain schools. The statement above indicates that MMSD would affirmatively provide a hearing interpreter at Madison Prep. This may not always be the case. As the Local Education Agency responsible for ensuring a free appropriate public education, the Administration can and does determine the physical location where this obligation is met. Further, the LEA can determine whether or not related services are available at particular locations. In other words, Madison Prep may not be a location we offer sign language interpretation as a related service (similar to 43 other schools in the District where it’s not available).

Follow-up Questions:

1. Relative to students with disabilities, how will decisions be made relative appropriateness or continued attendance at Madison Prep. If the student’s needs elevate to high levels, is there a decision making process to evaluate the need for additional resources or the student returning to the student’s home school? Will Madison Prep utilize the IEP process to reevaluate the student’s Least Restrictive Environment in these situations?
2. Will Madison Prep utilize the MMSD Conduct and Discipline Code?

3. How will the appropriateness of students with disabilities attending Madison Prep be determined? Is this done through an IEP team, a screening/interview, or both?
4. It is noted earlier (p. 12) that the IB curriculum is conducive to modifications. Do you mean accommodations or true modifications which represent substantial differences in curriculum and expectations?

Recommendation:

Completed in previous section.

Page #13: MPA - English Language Learners (ELL)

Madison Prep expects that approximately 20% of its student body will be students who speak English as a Second Language. Madison Prep’s philosophy is that students who speak a language other than English are an asset, not a deficiency or obstacle. Madison Prep will seek to continue to foster students’ native languages (an important tenant of IB) while also ensuring that students become fully literate in English, which will be Madison Prep’s primary language of instruction.

Incoming students whose parent(s)/guardian(s) report that the home language is one other than English will be referred to the ESL teacher for baseline assessments. If the student is determined to need ESL support, the ESL teacher will work with the student’s regular education teachers to formulate an individualized learning plan that outlines specific goals, strategies, and assessments to ensure that the student makes adequate progress in his/her English language development at Madison Prep. This individualized learning plan will include how Enrichment, Intersession, and Prep Year may be utilized to help English Language Learners meet their language acquisition goals while still meeting the standards of their subject area classes. The ESL teacher will implement this process for years one and two, with the Director of Learning Support taking over oversight responsibility in years three and beyond.

A proper allocation of teachers licensed in English as a Second Language in addition to oversight from the Director of Learning Support starting in year three will ensure that English Language Learners progressing in their acquisition of English. English as a Second Language Allocation at Madison Preparatory Academies					
	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017
Students Identified as ELL	15% = 18	15% = 36	15% = 54	15% = 72	15% = 90
ESL Teachers	1.0	1.0	2.0	2.0	4.0
Regular Teacher with ESL Certification	1.0	1.0	1.0	1.0	1.0
Director of Learning Support	0.0	0.0	2.0	2.0	2.0
Number of ELL students per Licensed ESL Teacher	9	18	11	15	13

English proficiency level (ELP)

- 1 = 4 points
- 2 = 3.5 points
- 3 = 3 points
- 4 = 2 points
- 5 = 1 point

Allocations for both ESL/BRT teacher and BRS are given out +/- .50 FTE (rounding up or down). The MMSD educates English language learners through inclusive practices that support their English language development and acquisition of academic content knowledge simultaneously. English as a Second Language (ESL), Developmental Bilingual Education (DBE), and Dual Language Immersion (DLI) programming is offered to students throughout the District. Additional information about the District's ESL, Bilingual Education, and Dual Language Immersion programs can be found at: <https://eslweb.madison.k12.wi.us/> .

Analysis:

Madison Prep's Education Plan includes estimates that approximately 20% of the student population will be English language learners (pg. 13). Page 14 of the plan includes a table that highlights 15% of the student population as English language learners, with the teacher to student ratio varying from 1 teacher: 9 students, to 1 teacher: 18 students. In addition, the Education Plan indicates the school will continue to foster students' native languages through leveled Language B (Spanish) sections for native Spanish speakers. The proposal further states that native language development plans will be created on a case-by-case basis for students whose native language is not Spanish or English.

Factors to Consider:

Students will be recruited from various MMSD middle schools to enroll in Madison Prep. It is anticipated that the distribution of students will require allocating additional FTE to Madison Prep due to the fact that ELL students will be enrolling from various MMSD middle schools, causing only a slight reduction in the number of students from any given middle school. (Allocation will need to continue to be distributed to the existing middle schools, with new allocation given to Madison Prep Academy.) This same situation was described previously (students with disabilities).

In addition, there is no mention of Bilingual Resource Specialist (BRS) allocation in the Madison Prep's Education or Business Plans. BRS play a critical role in school-home communication and serve as cultural liaison in the school building. It is unclear if the ESL teacher will be serving this role (in addition to the stated duties in the Education Plan.)

The Wisconsin Bilingual-Bicultural State Statutes (115.95 and PI 13.03) mandate that English language learners are taught by a certified bilingual teacher (required for Spanish-speaking students). (More information can found at: <http://www.dpi.state.wi.us/ell/doc/legalrsp.doc>.) Madison Prep would need to adhere to these state statutes in order for the MMSD to receive categorical state aid for the positions working with ELL students. This would require that Madison Prep employ a Bilingual Resource Teacher (BRT) rather than an English as a Second Language (ESL) teacher to be able to serve Spanish-speaking students.

The Madison Prep Education Plan states that native language development plans will be created on a case-by-case basis for students whose native language is not Spanish or English.

More information is needed on how these plans will be carried out to support native language and what resources would be necessary to implement these plans.

Follow-up Questions:

Will the Madison Prep participate in ESL/Bilingual Programming by adhering to Wisconsin Bilingual-Bicultural State Statutes (& Title III)? This requires hiring a bilingual-certified teacher. Will a Bilingual Resource Specialist (BRS) be included as part of the school staffing plan to assist with school-home communications? If not, how will this support to students and families be provided? How will native language development (for languages other than Spanish and English) be conducted?

Recommendation:

Completed in previous section.

Page # 15: MPA - Graduation Requirements

Madison Preparatory Academy will be a college-preparatory school whose graduation requirements will mirror the typical course-taking patterns for students who are admitted to the University of Wisconsin-Madison. The following information from UW-Madison’s website will guide counselors and teachers in ensuring that all students take the appropriate classes in grades 9 through 12 that will prepare them for college application and admission. Note that because the typical high school grades (9 through 12) span both the MYP and DP, coordination will have to take place across these two programs within the school.

High School Course Patterns for Students Typically Admitted to UW-Madison

Subject Area	Number of Years
English	4+
Math*	4+
Social Studies	4+
Science	4
Single Foreign Language**	4
Additional Academic/Fine Arts	2+
Total Units	22+

Page # 15: Graduation Requirements - MMSD Response

MMSD graduation requirements:

In order to graduate at East, Memorial, or West High Schools, you must earn 22 credits and meet the following course and credit requirements:

- earn 4 credits of English.
- earn 3 credits of social studies.
- earn 2 credits of mathematics (Algebra 1 and Geometry).
- earn 2 credits in science (life **and** physical).
- earn 1.5 credits of physical education.
- earn .5 credit of health.

***La Follette High School has a graduation requirement of 26 credits as a result of their 4-Block Schedule.

Recommendation:

Madison Prep must minimally meet the graduation requirements set forth above. It is further recommended that Madison Prep students earn 22 credits if they utilize a 7-period day schedule and 26 credits if they utilize a 4-block day schedule.

CONCLUSION AND RECOMMENDATIONS

Conclusion

We would like to start by again commending the Urban League of Greater Madison and the Madison Prep Board for their persistent advocacy for our young people and for raising the dialogue about our achievement gaps to a new level in our community. As we said in our previous analysis, the conversation we have had in this community over the past year has been incredibly valuable, and we are thankful for the level of urgency and engagement in closing our gaps. While this conversation has not been without strain, it needed to take place, and it needs to continue.

Throughout conversations about Madison Prep over the past year, the Administration has consistently articulated three major issues of concern with respect to the proposal: gender, budget, and instrumentality/non-instrumentality status.

Gender

The administrative analysis has pointed out that there are concerns for the District should Madison Prep's schools be implemented using a gender segregated model. Since gender segregation is expressly permitted under Title IX and state law, the issues related to single-gender education, while important, are not so substantial as to end any further discussion.

Budget

As a non-instrumentality, Madison Prep is asking the District to fund the school at a level of \$9,395 – \$9,785 per pupil over the next five years. The total cost to the District is approximately \$17.5 million over five years or \$2.7 million over the amount we can transfer from other schools for the next five years.

Non-instrumentality Status

As a non-instrumentality, Madison Prep would be accountable to, but autonomous from the District as a whole. The Board would have no oversight of the day-to-day operations. The MPA Board would have complete authority to hire and fire staff, direct their work, evaluate their performance and determine appropriate compensation. Additionally, staff will not be permitted to join the state public employee retirement system.

In addition, entering into a charter contract with Madison Prep in all likelihood violates the current teacher Collective Bargaining Agreement (CBA). Assuming there is no change in current law, the only way to avoid this existing risk is to approve the charter contract for Madison Prep as an instrumentality subject to all provisions of the CBA.

Recommendations

We are in agreement that the achievement gaps for low-income students, students of color, students with disabilities, and English Language Learners must be eliminated. The Administration agrees that bolder steps must be taken to address these gaps. We also know that closing these gaps is not a simple task and change will not come overnight, but, the District's commitment to doing so will not waiver. We also know that to be successful in the long run, we must employ multiple strategies both within our schools and within our community. This is why the District has held interest in many of the educational strategies included in the Madison Prep's proposal like longer school days and a longer school year at an appropriately compensated level for staff, mentoring support, the proposed culture of the school and the International Baccalaureate Program.

While enthusiastic about these educational strategies, the Administration has also been clear throughout this conversation about its concern with a non-instrumentality model.

Autonomy is a notion inherent in all charter school proposals. Freedom and flexibility to do things differently are the very reasons charter schools exist. However, the non-instrumentality charter school model goes beyond freedom and flexibility to a level of separateness that the Administration cannot support.

In essence, Madison Prep's current proposal calls for the exclusion of the elected Board of Education and the District's Administration from the day-to-day operations of the school. It prevents the Board, and therefore the public, from having direct oversight of student learning conditions and teacher working conditions in a publicly-funded charter school. From our perspective, the use of public funds calls for a higher level of oversight than found in the Madison Prep proposal and for that matter in any non-instrumentality proposal.

In addition, based on the District's analysis, there is significant legal risk in entering into a non-instrumentality charter contract under our collective bargaining agreement with our teachers.

In our analysis of Madison Prep's initial instrumentality proposal, the Administration expressed concerns over the cost of the program to the District and ultimately could not recommend funding at the level proposed. Rather, the Administration proposed a funding formula tied to the District's per pupil revenues. We also offered to continue to work with Madison Prep to find ways to lower these costs. Without having those conversations, the current proposal reduces Madison Prep's costs by changing from an instrumentality to a non-instrumentality model. This means that the savings are realized directly through reductions in staff compensation and benefits to levels lower than MMSD employees. The Administration has been willing to have conversations to determine how to make an instrumentality proposal work.

In summary, this administrative analysis finds concerns with Madison Prep's non-instrumentality proposal due to the level of governance autonomy called for in the plan and due to our collective bargaining agreement with our teachers. Based on these issues, we cannot recommend to the Board that Madison Prep be approved as a non-instrumentality charter school.

We know more needs to be done as a district and a community to eliminate our achievement gaps. We must continue to identify strategies both within our schools and our larger community to eliminate achievement gaps. These discussions, with the Urban League and with our entire community, need to continue on behalf of all of our students.