

Maine Virtual Academy

Findings of Fact

Based on a review of the written proposal of Maine Learning Innovations (the “Applicant”), and the oral and written matter provided to the Commission, including, but not limited to, interviews with and testimony of the Applicant, a public hearing and written submissions from the Applicant requested by the Commission and from the public, the Maine Virtual Academy review team of the Commission finds the following:

1. Based upon a review provided by Commission staff and the Commission’s review team, the Applicant provided a complete application that included material responsive to all the elements identified in the Request for Proposal and the Charter School Application issued on June 11, 2014;
2. The Applicant meets the definition of a Public Charter School, as defined by 20-A MRSA 2401(9), as indicated by:
 - a. The Applicant will have autonomy over key decisions, including, but not limited to, decisions concerning finance, personnel, scheduling, curriculum and instruction as evidenced in part by:
 - i. The Applicant’s Board of Directors is composed of individuals with the quality, experience and motivation to effectively meet this requirement;
 - ii. Notwithstanding the outsourcing of certain administrative functions, such as assistance with specific functions of program management, the staffing model providing for the direct hiring of teachers, the Chief Executive Officer and Chief Financial Officer, enables the Board of Directors to exercise direct control over critical areas of the school and to effectively govern the school;
 - iii. Draft contract provisions and other contract requirements that may be required as a condition of charter adoption by the Commission will provide sufficient opportunity for independent control of the Educational Service Provider (ESP), such that the school will be able to effectively maintain autonomy over the matters set forth in this element of the definition; and
 - iv. The Board will have access to an independent evaluation of the ESP’s performance to guide its decision-making.
 - b. The Applicant is governed by a board that is independent of a school administrative unit as evidenced by the organizational documents provided in its application and supporting materials.
 - c. The Applicant will be established and operated under the terms of a charter contract between the Board and the Commission upon acceptance of contract requirements adopted by the Commission.
 - d. The Applicant will operate a school to which parents choose to send their children for grades 7-12 as evidenced by its meeting

- minimum enrollment levels for students of those grades adopted by the Commission as a condition of its charter contract.
- e. The Applicant will operate in pursuit of a specific set of educational objectives as defined in its charter contract adopted by the Commission.
 - f. The Applicant will operate under the oversight of the Commission and in accordance with its charter contract.
3. The Applicant has provided evidence that it will create a high-quality school with high standards for student performance as evidenced in part by:
- a. The Applicant notes that the Maine Department of Education has approved K12, the Educational Service Provider (ESP), as a Maine Online Learning Provider, citing that it has met the requirements of 20-A MRSA Section 19153(20(A)).
 - b. The Applicant notes that the ESP is the largest and most experienced virtual school provider in the nation with a wide array of program offerings.
 - c. The applicant has responded to the concerns of the Commission regarding negative reports of some of the ESP's schools with clarifying information that places those concerns in a less concerning context.
 - d. The Applicant has provided for comparison purposes the academic performance of the New Mexico Virtual Academy (similar in size, student demographics and education program to the proposed school), which has exceeded state benchmarks for student performance.
 - e. The Applicant has proposed a diverse set of course offerings to provide a wide range of educational opportunities.
 - f. The school's curriculum will be aligned to the Maine Learning Results, the Common Core State Standards and the Next Generation Science Standards and will offer a Career Pathways program.
 - g. The Board's composition includes an experienced school administrator, whose resume and presentation to the review team and at the public hearing instilled confidence.
 - h. Each student's academic progress will be managed through an individual learning plan and will be monitored regularly in a Response-to Intervention approach.
4. The Applicant has provided evidence that it will close the achievement gaps between high-performing and low-performing groups of public school students as evidenced in part by:
- a. The program will provide opportunities for instruction to students who experience significant barriers to learning attendant with brick and mortar schools such as bullying, or to special needs students who have difficulty with learning in the proximity of other students.

- b. The program intends to offer face-to-face learning opportunities and consultation for at-risk students, their learning coaches, and their parents when needed. The program will have a physical presence in central Maine.
 - c. The program will leverage extensive metrics and assessments to provide for real-time intervention and remediation of students, promising to improve the performance of students, including those below benchmarks.
- 5. The Applicant has provided evidence that it will increase high-quality educational opportunities within the public education system as evidenced by:
 - a. The Applicant proposes a robust curriculum with 6 foreign languages, 20 advanced placement courses, and honors courses in the major subject areas. It also proposes significant opportunities for remediation.
 - b. The Applicant proposes to offer a variety of extra-curricular activities to enhance the academic curriculum.
- 6. The Applicant has provided evidence that it will provide alternative learning environments for students who are not thriving in traditional school settings as evidenced in part by:
 - a. The program will provide opportunities for virtual instruction to students who experience significant barriers to learning attendant with brick and mortar schools such as bullying, or to special needs students who have difficulty with learning in the proximity of other students.
 - b. The program provides for individual learning plans to accommodate needs specific to individual students, credit recovery and remediation courses.
- 7. The Applicant has provided evidence that it will create new professional opportunities for teachers and other school personnel as evidenced by:
 - a. The on-line delivery model creates new professional experiences for teachers and staff, including 21 days of training for experienced virtual school teachers, intake training and on-going support for new teachers, weekly professional development for all teachers, and monthly (personal) training as needed.
 - b. Teachers and staff will receive professional training in virtual and computer technology as a platform for instruction.
 - c. The Applicant's use of individual learning plans, data and response-to-intervention in a proposed collaborative teacher environment will create a professional learning community.
- 8. The Applicant has provided evidence that it will encourage the use of different, high quality models of teaching and other aspects of schooling as evidenced by:
 - a. The Applicant's program of instruction based on virtual learning is different from the traditional model.

- b. As described in finding 3, above, the program promises to be of high quality.
- 9. The Applicant has provided evidence that it will provide students, parents, community members and local entities with expanded opportunities for involvement in the public educational system as evidenced by:
 - a. The Applicant intends to share space with non-profit organizations such as the Boys and Girls Clubs and the YMCA to provide for student learning centers.
 - b. The Applicant will offer students opportunities to engage in an array of clubs both run by staff and of an international type as described in section A.5 of the application, some of which will involve interface with the community.
 - c. The school's reliance on parents and other community members as learning coaches will require a greater degree of interaction than in the traditional school model.

Proposed Charter Contract Requirements

1. The Applicant will be required to conduct any lottery for enrollment as follows: enroll first all grade 7-9 students and then grade 10, then 11, then 12, subject to the exceptions provide at law for siblings and other students.
2. Beginning in year two, the Board will hire an independent third-party to evaluate the ESP and the school's execution of the education program described in the RFP, which report shall be provided to the Commission, together with access to raw data. In addition, the Applicant shall provide evidence of board review and commitment to continuous improvement based on such interview.
3. The Applicant shall conduct exit interviews with its employees and those of the ESP assigned to the school, together with students. Such interviews shall be summarized annually and provided to the Commission, together with access to raw data. In addition, the Applicant shall provide evidence of Board review and commitment to continuous improvement based on such interviews.
4. The Applicant shall maintain an annual budget reserve, line of credit or similar credit facility to hire additional staff or necessary resources at the Commission's reasonable discretion.
5. The Applicant shall report back on the effectiveness of the CEO to supervise the CFO, the Program Manager and staff, manage the ESP and serve as head-of-school with respect to the students and parents.
6. The ESP's recruiters cannot be economically incented to recruit students, through such means as a capitation fee or bonus.
7. The Applicant shall liquidate the startup loan of the ESP such that there is no debt owed to the ESP after the end of year three, other than ordinary trade credit.
8. Before enrolling greater than 400 students, the Commission must be satisfied as to the execution of the education program performance.
9. Opening enrollment of the school shall be 270 +/- 10% with minimum enrollment thereafter being no less than 270 students at any time.
10. The Applicant shall hire an independent third-party to annually survey parents and students for satisfaction with the educational program, ESP performance and such other matters determined by the Board or required by the Commission. Such surveys shall be summarized annually and provided to the Commission, together with access to raw data. In addition, the Applicant shall provide evidence of Board review and commitment to continuous improvement based such interview.
11. The Applicant shall maintain an anonymous reporting line or similar system for use by ESP staff for providing feedback to the Applicant regarding any matter, including but not limited to, HR practices of the ESP, effectiveness of professional development programs, and student teaching loads.
12. During recruitment, the Applicant must disclose and offer contract information for other virtual or blended schools at the outset of the intake.

13. The Applicant will maintain a single cohort class, subject to attrition and subsequent un-recruited individual enrollments.
14. The Applicant will comply with 20-A 201 section 4002 (2) ensuring that students will be provided with schoolbooks and the necessary apparatus and appliances at the expense of the Applicant. *
15. The Applicant's contract with its ESP must contain:
 - a. no exclusivity provision
 - b. a provision that the contract may be terminated at the sole discretion of the Applicant for any reason with reasonable notice to the ESP;
 - c. a provision for a pro-rata refund to the school from the ESP if a student withdraws prior to the end of the semester;
 - d. a provision for access by ESP employees to the Applicant's Board and staff un an "open door" policy;
 - e. a provision that the Program Manager will work full-time in Maine and must dedicate substantially all of his/he work to the Applicant-ESP contract
 - f. a provision that the ESP employees shall be removed from servicing the Applicant-ESP contract at the request of the Applicant for any or no reason within sixty (60) days of the request.