

# Appendix B

**CONTRACT MONITORING TOOL - ▲ indicates compliance ▲ indicates non compliance** (current ratings on far left)

**1. Enrollment: Section 7 (pg. 3)**

▲ A. Enrollment and Enrollment Projections ensure compliance with facility capacity as stated on valid permit or certificate of occupancy.

Comment:

▲ B. Current school enrollment Academy: 106, High: 108

Projected school enrollment Academy: 159, High: 115 Is current enrollment 70% or less of projection? No

Comment:

▲ C. Compliance with Class Size Reduction contained in Section 1 of Article IX of State Constitution.

Comment:

**2. Student Services: Sections 9 and 11 (pg. 4), Section 12 (pgs. 4-5), Section 15 (pgs. 6-8), Section 16 (pg. 8)**

▲ A. Maintain accurate enrollment data and daily attendance using the District's FOCUS system.

Comment:

▲ B. Maintain accurate grades and all academic records for current and former students in accordance with the requirements of state and federal law.

Comment: Student grades are not maintained in the District's FOCUS system. Absences vs. Grades

▲ C. Maintain Cumulative folders for all students, requesting and transferring Cumulatives per District policy.

Comment: Cumulative folders are not maintained for all students. There is no evidence that the procedure in the Response

Document is being implemented.

<p>8. D. Follow District policies for student conduct, recommendations for expulsion, student dismissal, and enter discipline data into the District FOCUS system.</p> <p>Comment: Discipline data is not accurately processed in the District FOCUS system.</p> <p>9. E. Procedures are in place for identification, placement and provision of Special Education Services to exceptional students.</p> <p>Comment:</p> <p>10. F. IEP's and Three Year Re-Evals are current.</p> <p>Comment:</p> <p>11. G. Services and accommodations are provided for all students with disabilities in accordance with IDEA, all Federal court orders applicable to children in the District where the school is located and all state or local laws and regulations applicable to students with disabilities.</p> <p>Comment:</p> <p>12. H. Proper notice is given to parent/guardian and District LEA (Beth Bailey) for IEP Meetings, Child Study Meetings, and Review of Placements.</p> <p>Comment:</p> <p>13. I. Procedures for discipline of ESE students are in compliance with IDEA and District policies.</p> <p>Comment:</p>
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▲▲ J. Services are provided to students with limited English proficiency in compliance with all state and federal laws governing the provision of services to ESOL students.

Comment:

▲▲ K. Secure the health, safety, and welfare of students.

Comment: Students' health, safety, and welfare has been compromised on several occasions.

**3. Academic Accountability: Section 14 (pgs. 5-6)**

▲▲ A. The District Student Progression Plan is followed.

Comment: Student graduation plans are not monitored effectively.

▲▲ B. The District School Calendar is followed, providing for a minimum of 180 instructional days per state law.

Comment:

▲▲ C. School grade of "C" or better is maintained.

Comment:

▲▲ D. Annual Accountability Report is completed and filed with the Florida Department of Education.

Comment:

▲▲ E. Standardized State assessments are administered as required by state law.

Comment:

**4. Facilities: Section 18 (pgs. 11-12)**

▲▲ A. The following documents are current and available for inspection upon request: certificate of occupancy, building inspection, life/safety inspection, and health and fire inspection.

Comment:

▲▲ B. Fire drills and emergency evacuation drills are conducted per state requirements and documentation is maintained.

Comment:

**5. Employment: Section 21 (pgs. 13-14)**

▲▲ A. Employees undergo a Level 2 background screening and are fingerprinted in a manner consistent with the District's policy for criminal background checks, fingerprinting and ethics in education.

Comment:

▲▲ B. All criminal background checks required by state or local law are performed before employing any person. No person is employed whose criminal background check returns information that disqualifies that person from employment in a Charter School under any applicable federal, state, or local law, ordinance or regulation.

Comment:

▲▲ C. All instructional personnel meet all applicable state requirements for instructional personnel.

Comment:

▲▲ D. Out of Field Teachers have been approved by the Charter Board and a copy of approval has been sent to the District Office for inclusion at the DOE FTE Survey periods

Comment:

**6. Financial Accountability: Section 17 (pgs. 8-11)**

▲▲ A. The School provides an annual financial audit to the District within forty-five (45) days after the conclusion of the fiscal year.

Comment:

▲▲ B. The school provides monthly financial statements to the District on or before the fifteenth (15) day following the close of

each month. The statement includes; a balance sheet, and a statement of revenues and expenditures listed by function and object codes which include data for the month being reported and the year-to-date.

Comment:

**Governance: Section 19 (pgs. 12-13)**

▲▲ A. A list of governing board members and their contact information has been provided to the District office.

Comment:

▲▲ B. All members of the governing board have been fingerprinted and undergone a Level 2 background check within forty-five (45) days of appointment.

Comment:

▲▲ C. The District has been notified of any resignation, removal, or addition to board members within fourteen (14) days of the event.

Comment:

▲▲ D. Evidence is provided of announcements of board meetings on the school's website and records of minutes taken.

Comment:

▲▲ E. Evidence is provided of the school's governing board receiving Governance Training by an approved DOE trainer.

Comment:

**8. Insurance: Section 22 (pgs. 14-15)**

▲▲ A. The School maintains all applicable certificates of liability insurance: Commercial General, Automobile, Worker's Compensation, and Umbrella, as noted in the contract with the School Board.

Comment:

NEWPOINT ACADEMY AND HIGH SCHOOL

Contract Monitoring Tool  
Non-Compliance Documentation  
March 4, 2015

2B:

- Grades are not consistently maintained in the District's FOCUS system. This matter was originally addressed in an email on October 10, 2014, and most recently on February 10. This continues to be a non-compliance issue.
- There is concern regarding the correlation of excessive absenteeism and grades.

2C:

- Newpoint Contract Compliance Response Document received on January 29, 2015 (Response Document), detailed the procedures in place for requesting student records from previous schools. The procedures referenced a Cumulative Folders Log and the specific actions required by the Records Manager.
- A student records verification was conducted on February 20, 2015. Fifty student records were examined. Twenty eight students did not have a cumulative folder. The Records Manager stated she did not have a Cumulative Folder Log or a procedure in place to monitor when records were requested, received, or needed follow up. No sign out procedure is in place to verify if the cumulative folder is on site and in another secure location. The Records Manager did not have a groupwise account set up to communicate with other schools in the District.

2D:

- District policy was not followed in entering the burglary incident at Newpoint in FOCUS. The burglary occurred on May 23, 2014, and involved five Newpoint students. Mr. Graham stated in an email dated February 19, 2015, that he was entering the information in FOCUS at that time. On February 25, 2015, the Alternative Education Department notified Mr. Graham that the information entered in FOCUS was incomplete and there were some discrepancies in the information reported. It was also noted the data must be corrected no later than the afternoon of February 27, 2015, in order to meet the Survey 5 deadline.
- District policy was not followed in reporting indecent exposure in class by a student on February 5, 2015. In an email dated February 23, 2015, Mr. Graham stated he and the teacher involved were made aware of the incident by DCF that day (2/23). Investigation and documentation of the incident need to be completed and discipline entries need to be made in FOCUS.
- The Response Document detailed procedures for entering and maintaining all discipline records in the District's FOCUS system. This process is not being followed.

2K:

- Senior Trip – No documentation, investigation, reporting, or parent contacts.
- Students leaving campus – students signing themselves out, excessive late sign-ins, no parent contacts for excessive absences.
  - Originally addressed with January 9 incident of seniors allegedly told by teacher to “skip” first period since a substitute would be in class.
  - Student sign in records from January 9, 2015, verify that ten seniors from Mr. Fowler’s first period class signed in at the beginning of second period. Two written statements from students verify the class was informed not to come until second period that morning.
  - Newpoint has not completed the investigation, documented information, contacted parents, or addressed the incident since the last email request on February 3, 2015.
  - Students continue to leave campus without permission, no parent contacts are made.
- Inappropriate Video – new information (picture) was received from a parent indicating that Mr. Orozco was standing in front of the class in an instructional mode, referencing the inappropriate festival video. This nullifies the claims that the video was shown by accident and validates that it was a planned activity. District staff continues to receive calls from parents who are outraged by the response received from the school regarding the handling of this incident.
- After School Childcare – A single school employee was providing after school care for students, being paid personally, directly from the parents. This service was not licensed or registered with DCF. As of February 27, after school child care is no longer offered.
- Burglary – Failure to properly enter information in the District’s FOCUS system places all schools and students at risk.

3A:

- Students’ progression plans are not monitored with due diligence resulting in three 2014 graduates not meeting graduation requirements.
- Mrs. Rigby met with Ms. Wilson on February 26, 2015, to review the graduation status of the following seniors:
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]

SENIOR ATTENDANCE-GRADES

August 18, 2014 – February 27, 2015

Pre-Calculus Honors: (1<sup>st</sup> Period) 7:45 – 8:42

<u>Student:</u>	<u>Absences</u>	<u>Grade</u>
A	21	83
B	11	90
C	35	80
D	27	88
E	7	80
F	10	94
G	24	82
H	12	80
I	26	77
J	13	90
K	42	81
Average:	20	85

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ABSENCES BY PERIOD – August 18, 2014 – February 27, 2015

<u>Student:</u>	<u>4th (10:45-11:42)</u>	<u>5th (12:10-1:07)</u>	<u>6th(1:10-2:07)</u>	<u>7th(2:10-3:07)</u>
A	18	14	15	24
C	16	38	16	38
D	7	31	22	31
E	2	22	9	22
F	11	14	13	14
G	11	26	4	26
I	18	12	6	12
J	5	23	22	33
K	29	33	24	33
L	21	28	16	17
M	29	33	33	48

Lunch: 11:42 – 12:07

## Student Records Verification

Newpoint Academy/Pensacola

Five Flags Academy

Monitoring Item: 2C

February 20, 2015

Kerri Coots and Susan Rigby

A student records verification at Newpoint Academy/Pensacola and Five Flags Academy was conducted on Friday, February 20, 2015. The purpose was to verify that current students have cumulative and ESE records on file, and, if a student record is missing, verify the process for requesting records and follow up procedures.

The following data was collected:

### Newpoint Academy/Pensacola

Fifty student records were examined:

- Twenty-two (22) student records were found to be in good order, with current cumulative records and ESE files.
- Twenty-eight (28) students did not have a cumulative folder.
- There was no "checkout" procedure. Some of the missing cumulative folders might be on site, but there was no way to verify the secure location of the folder.

After discussion with the records clerk it was discovered:

- No log or record is maintained for requesting CUME's from previous schools.
- No procedure is in place to follow up on CUME folders not received in a timely manner.

It was determined that the records clerk, Ms. Debbi Marti, will compile a list of students needing cumulative records from previous schools. Mrs. Rigby sent Ms. Marti a list of all the school district's data clerks and offered to assist Ms. Marti in establishing a process for requesting and follow up for student records. Ms. Marti will contact Mrs. Rigby if she would like assistance.

### Five Flags Academy

Fifteen student records were examined:

- Fourteen student records were in good order, with current cumulative records and ESE files.
- One student record had been requested and response was pending.

It was determined that student records are maintained in an exemplary manner. The records clerk, Mrs. Letha Morris, has an efficient procedure in place for requesting student records and for follow up if records are not received in a timely manner.

**Contract Monitoring Meeting**  
**Wednesday**  
**March 4, 2015**

**Present:**

District – Steve Marcanio, Susan Rigby, Vickie Mathis

Newpoint – Carla Lovett, Linda Brown, Alisa Wilson

The meeting began at 8:05 a.m. in the Superintendent's Conference Room.

Mr. Marcanio opened the meeting by thanking Mrs. Lovett for attending. He stated that this is the second meeting using the monitoring tool for documenting contract compliance and concerns the District has regarding educational services provided to students at Newpoint.

Mrs. Rigby began the monitoring update by explaining that the 2 triangles next to each item indicated the previous meeting's status (located closest to the item number) and the current status (located closest to the edge of the page). Green triangles indicate the item is in compliance and red indicates non-compliance. She will provide handouts for documentation of the items not in compliance.

**Section 1 – Enrollment**

1.A. Enrollment is in compliance

1.B. Enrollment – Actual and Projected enrollment listed

1.C. Class Size Reduction – Taken care of during October FTE

**Section 2 – Student Services**

2.A. Accurate enrollment using FOCUS is in compliance

2.B. Grades/Records are not in compliance. Apex isn't where district grades are housed. One teacher hasn't set up a gradebook for 2 classes – Ms. Dumond. The School's administration has been trained to use the Gradebook Usage Report in FOCUS to monitor teachers' entering grades and the date the grades are entered.

Mrs. Lovett stated that the School was in compliance at the first monitoring meeting because of teachers entering grades in FOCUS. Newpoint wants to partner with the district to make everyone compliant.

Mrs. Rigby provided a handout with 1<sup>st</sup> period seniors' absences and grades. Concerns were expressed regarding extremely high absences for this upper level honors class. The grades do not appear to be affected.

Mrs. Lovett stated that using the Apex system allows students to complete work at home and these students are very smart and can recover grades even when absent from class. She stated that last month, the School has begun to monitor students and contact parents.

2.C. Cume Folders continue to be out of compliance. The Newpoint Response document from the January 8 meeting has a detailed process for requesting student records that seems to be workable. After Mrs. Rigby and Ms. Coots visited Newpoint on February 20, 2015, it was discovered that the process was not being followed. A handout of the site visit was provided. Twenty-eight (28) out of fifty (50) records of enrolled Newpoint students were not on campus. The Records Manager stated that she wasn't aware of the process in the Response document. Mrs. Rigby worked with Mrs. Marti to set up her Groupwise account, provided her a list of District Data Specialists, and offered to return to campus to assist her with any additional problems with requesting student records. Mrs. Marti is very responsive to sending out student records to other schools upon request.

Mrs. Wilson stated that student records from private and out of state schools are difficult to receive.

2.D. Student Discipline continues to be out of compliance. The process for entering data into FOCUS is not being followed. The incident on May 23 involving the burglary and vandalism was reported to Alternative Education, but not completely entered into FOCUS until February 27. This delay in entering discipline data resulted in an inaccurate report to the state, which creates edit errors sent back to the District and affects Safe Schools funding. The Newpoint Response document from the January 8 meeting has a detailed process for entering discipline data into FOCUS, but it isn't being followed. The indecent exposure incident on February 5 had not been entered into FOCUS although it is currently being investigated by DCF.

Ms. Mathis stated that the incident happened on the Newpoint campus which requires it to be entered into FOCUS regardless of the investigation by DCF.

Mrs. Rigby stated that Ms. Coots is the discipline contact for the District. Her job is to assist schools in correcting edits in the discipline data and with coding incidents correctly. She is willing to provide assistance to Mr. Graham and/or Ms. Wilson. The best way to learn the program is to sit together and use it. It is too cumbersome to work out over the phone or by email.

2.E.-2.J. ESE services to students is in compliance. Ms. Ford at Newpoint is working on her ESE certification to be able to assist Mrs. Smirniotis. Beth Bailey, ESE LEA, states that Newpoint has improved greatly in student services and related paperwork.

2.K. Student Health, Safety, and Welfare continues to be out of compliance. Documentation of an investigation into the incidents on the Senior Trip in June 2014 has not been provided. Issue of students leaving campus without parent knowledge or signature and students consistently missing 1<sup>st</sup> period are of great concern. The Late Sign In form from Newpoint dated January 9 with a group of Seniors signing in at the same time and listing 'bus' as the reason for arriving late was the District's first indication that there were issues with adequate student supervision.

Mrs. Rigby referred to the bottom portion of the Senior/Attendance handout which noted the absences by period from August 18-February 27. These students have excessive absences between 4<sup>th</sup> and 7<sup>th</sup> period without a record that a parent signed them out or a phone call to the parent to verify the student was permitted to leave campus for a designated period of time. Does Newpoint have a written policy for students to leave campus without parent signature or approval?

Mrs. Lovett stated that this practice was not acceptable. It will be addressed specifically with School administration and office staff.

Mrs. Rigby stated that she contacted (5) parents. None were aware their child was leaving campus. One parent stated that her son was not of driving age.

Regarding the inappropriate video shown by Mr. Orozco, a new picture has been provided by a parent which shows the teacher standing in front of the screen with the video behind him pointing at the screen. This is evidence that the teacher did know what he was showing.

Mr. Marcanio stated that the teacher was not district personnel, but if he were, he would have been placed on leave until the district's investigator had completed his investigation. He understands that the teacher has resigned from the School. Are his whereabouts know by the School?

Ms. Mathis stated that an incident like this would be reported to FLDOE's Professional Practices office for investigation.

Mrs. Lovett stated that she would contact Professional Practices about the teacher.

Mrs. Rigby reported that the After School program operated at Newpoint was no longer being offered as of February 27.

Mrs. Lovett was first made aware of the After School program by Mr. Thomas, Superintendent, during a discussion with him after the first monitoring meeting. She then began receiving email communications between the School and Mrs. Rigby about the District's concerns with the operation of the program. Mrs. Lovett will investigate the process for operating an after school program with the District's Workforce Education Department. The program is suspended and may be offered during the 2015-2016 school year once more information is gathered. Mrs. Lovett stated the Newpoint staff member operating the After School program is claiming the payments on his income tax.

Mrs. Rigby stated that the student discipline issue (2.D.) as well as the health, safety, and welfare section (2.K.) have implications which put all School and District students and staff at risk.

**Section 3 – Academic Accountability**

3.A. Student Progression Plan continues to be out of compliance. After a thorough review of the 2014 graduating seniors' transcripts, it was determined that three (3) students should not have received a diploma. All three (3) had not met the graduation requirements for Math. This was verified by Lisa Joyner, Coordinator of Student Services (Guidance Counselors), Sheila Montgomery (Secondary Math Specialist), and Lesa Morgan (Director, High Schools). Mrs. Rigby met with Ms. Wilson on February 26 to review the current seniors and their progress toward meeting graduation requirements for 2015. Below are the findings:

1. [REDACTED] and [REDACTED] will not be graduating.
2. [REDACTED] does not have a geometry credit. He is enrolling in FLVS geometry at this time and with the help of two teachers at Newpoint will try to earn the credit. He will also have to pass the Geometry EOC.
3. [REDACTED] - must pass FCAT Reading on the retake or score a 19 on the ACT to graduate.
4. All other seniors – waiting on test data (such as PERT, US History EOC, etc.) to verify their status.

3.B. – 3.E. are in compliance.

**Section 4 – Facilities is in compliance.**

**Section 5 – Employment is in compliance.**

**Section 6 – Financial Accountability is in compliance.**

**Section 7 – Governance is in compliance.**

**Section 8 – Insurance is in compliance.**

The review and discussion of the monitoring tool ended at 9:15 a.m.

Mr. Marcanio stated that a meeting would be scheduled for the week of June 8 so that all high school graduation ceremonies would be completed. The meeting will be scheduled by Mr. Marcanio's secretary, Mrs. Bell. It will be held at 9:00 a.m. so that Mrs. Lovett has more time to drive over from Panama City.

Attached to these notes are the handouts provided by Mrs. Rigby at the meeting.