

Memo

To: Claire Fiddian-Green, Special Assistant to the Governor for Education Innovation

From: Brandon Brown, Director of Charter Schools, City of Indianapolis

Date: September 2, 2014

Re: Summary of Flanner House Elementary Testing Irregularities, Ongoing Concerns, and Next Steps

Purpose

On August 18, 2014, the Indiana Department of Education (IDOE) presented its findings related to two investigations of Flanner House Elementary School's administration of ISTEP+ for the 2013 and 2014 testing sessions. This memo provides an overview of IDOE's findings, details the Office of Education Innovation's (OEI) ongoing concerns with Flanner House Elementary's performance, and outlines ramifications and next steps.

Background

Flanner House Elementary (FHE) was awarded a charter by the Mayor of Indianapolis in 2002, and the school's charter was renewed in 2009. There have been a variety of significant concerns with FHE's performance subsequent to the charter renewal. These concerns are delineated in the following sections.

After ongoing review by OEI staff, including nearly 50 meetings or conversations during the past two years alone, it has become clear that FHE has demonstrated serious and significant deficiencies related to its Charter Agreement. Each year, OEI staff and/or teams of outside experts complete a comprehensive charter assessment, conduct monthly meetings with school administration, attend board meetings, analyze financial and academic data, and conduct and review periodic site visits by external evaluators. Based on evidence from these activities, FHE has consistently failed to meet performance standards established in Section 16.4 of the charter agreement.

Specifically, FHE has failed to meet performance standards in the areas of academics, finance, governance, and operations.

Overview of IDOE Findings

After a 10 month investigation, the IDOE invalidated all of FHE's ISTEP+ results from the 2012-2013 and 2013-2014 school years. A summary of some of the findings is below.

- The school failed to follow numerous secure testing procedures in 2012-2013 and 2013-2014.
- Students practiced "live" questions from the actual 2013-2014 ISTEP+ prior to test administration.
 - Students were exposed to live essay questions where they were able to write their essays and have them revised by staff prior to the actual testing sessions.
- An erasure analysis found that a large number of FHE testing cohorts exhibited "wrong-to-right" answer changes at four standard deviations from what one would typically expect. Bubbles of answers that had been changed were frequently filled in perfectly when compared to other answers given by the student, indicating adult manipulation.
- Adult handwriting was found in a significant number of testing booklets. Oftentimes, the adult handwriting was found on top of student writing that had been erased.
- When asked to submit 2012-2013 Testing Integrity Agreements to OEI, the school submitted agreements that they said were from 2012-2013, but the agreements were submitted on the 2013-2014 form and backdated to the previous year. This form did not exist in 2013. Every teacher in grades 3 – 6, as well as the testing coordinator, principal, and other administrative staff submitted backdated forms.



Ongoing Academic Concerns

- FHE has failed to meet standard on indicators 1.1 (Is the school's academic performance meeting state expectations, as measured by Indiana's accountability system?) and 1.2 (Are students making substantial and adequate gains over time, as measured using the Indiana Growth Model?) for the entire term of the current charter.
- The most recent performance data from the 2011-2012 school year demonstrates low overall proficiency, as just 53.2% of students across all grades were proficient on ISTEP+.
- This triggered a required "School Improvement Plan" from OEI for the 2012-2013 school year, in which FHE outlined three academic goals for which it would be held accountable.
- Due to the testing security concerns detailed later in this memo, FHE has been unable to demonstrate that it met the goals and improvements required by its October 2012 School Improvement Plan.
- Results on the ISTEP+ for the 2012-2013 school year showed an abnormal increase in proficiency rates, which triggered OEI to submit a Testing Irregularity Report to IDOE and perform a subsequent review.
- During the 2013-2014 ISTEP+ test administration, an FHE teacher reported a potential testing security breach, resulting in another review of testing procedures by OEI.
- These reports culminated in IDOE investigations of FHE's 2013 and 2014 ISTEP+ test administrations, both of which found clear violations of testing procedures established by the Indiana Department of Education.

Ongoing Financial Concerns

- FHE has failed to receive a financial audit for the 2012-2013 school year, meaning the school has been out of compliance with both state statute and OEI regulations for several months.
- For the 2012-2013 school year, FHE failed to meet its charter enrollment target of 220 for both the September and February counts.
- As most recently reported, enrollment was at 176 students for Fall 2014 for a target of 220.
- In August 2014, FHE failed to meet staff payroll without the use of a credit line.

Ongoing Governance Concerns

- On OEI's Performance Framework, FHE received a "Does Not Meet Standard" or "Approaching Standard" for school leader and board leadership for the past two years.
- The school leader has not developed the skill set necessary to execute school improvement strategies or demonstrate sufficient oversight of academic and instructional programs.
- OEI has not received a board-issued school leader evaluation for the past two school years, which is especially concerning due to the failure of the school leader to "Meet Standard" on the performance framework for the past two years.
- The board has achieved quorum in just over 50% of scheduled board meetings in the last three years.
- A number of board members have been found to be disengaged, most clearly evidenced by sporadic and/or lack of attendance at meetings.
- The board also has had significant turnover and difficulty recruiting new members to fill vacancies.
- Per page 47 of the charter renewal, "The board will request that staff and parents evaluate their performance at least once a year through surveys distributed to families as part of the overall assessment process, and separate confidential surveys distributed to all staff members(both teaching and non-instructional)". Through meeting minutes and OEI meeting attendance, there is no evidence that this has occurred during the past two years.

Ongoing Operational Concerns

- Over the past two years, FHE's landlord, Flanner House, Inc. (FHI), has made several complaints about FHE and has threatened to evict the school from the building.
- The situation required OEI to intervene in July 2013 by mediating a resolution between the organizations, just weeks before a new school year began.
- OEI has expressed concerns on multiple occasions over the safety of the FHE facility.

- A consistent lack of staff members present at the front desk has allowed entrance to the building without check-in procedures.
- The administrative team lacks the experience to effectively support the school leader in other school areas (management, human resources, discipline, operations, etc.), as evidenced by late and inaccurate submission of reports (to both OEI and the IDOE), parent and staff complaints, and through conversations with OEI staff.
- Over the past two years, FHE has been late in submitting over 75% of required compliance documentation, often submitting documents over a month after the deadline.
- Most recently, FHE failed to submit an important special education report to the IDOE and was unresponsive for several weeks when asked to submit the report after the deadline.

Overview of Specific OEI Communications with FHE

- October 8, 2012: Issued a formal *Notice of Deficiency* requiring a School Improvement Plan and an external site visit evaluation to address significant academic concerns.
 - November 20, 2012: Issued a follow up letter requiring revisions to the submitted School Improvement Plan.
- December 2012 - June 2013: Followed regular compliance meeting schedules, meeting 6 times to discuss academics, finance, and governance performance.
- May – June 2013: Conversed with Pat Roe and David Sexauer, individually through in-person meetings, phone calls, and emails to discuss concerns with the relationship between FHI and FHE.
 - July 8, 2013: Met with the board chairs of FHE and FHI to discuss the relationship between FHI and FHE and to come to a lease agreement for the current school year.
- June 7, 2013: Met with FHE board chair to discuss specific concerns about board governance. Sent a follow up email documenting next steps.
- June 10 – June 14, 2013: Presented *Charter School Workshops* to review authorizer expectations and updates to meeting calendar and processes for the 2013-2014 school year.
- October 1, 2013: Issued a *Testing Concerns and Security Violations Report* regarding what was perceived as implausible increases in proficiency rates for the Spring 2013 ISTEP+.
 - October – November 2013: Per DOE, OEI conducted an investigation, collecting documentation and performing interviews of staff and students in regards to the report.
 - November 8, 2013: Submitted an *Investigation Details Memo* to the DOE.
- December 10, 2013: Deputy Mayor of Education and Director of Charter Schools performed a school visit and, following the visit, met with board representatives to debrief.
- February 20, 2014: Met with FHE board chair to discuss board progress and areas for improvement.
- March 10, 2014: Presented to FHE board on an overview of governance structures in Mayor-sponsored charter schools (MSCS), including authorizer, board, CMO/EMO, ESP, and school-level governance.
- March 19, 2014: Issued a *Documentation Request* in response to a *Testing Concerns and Security Violations Report* submitted by FHE to the DOE on March 11.
 - March 19 – April 7: Per DOE, OEI conducted an investigation, collecting documentation and performing interviews of staff and students in regards to the report.
 - April 11, 2014: Submitted an *Investigation Details Memo* to the DOE, copying the FHE school leader and board chair.
- May 6, 2014: Organized a *Board Collaboration Event* for MSCS boards in which a charter school board expert presented on “Characteristics of High Performing Charter School Boards.” FHE’s board chair and another director attended.
- June 9, 2014: Presented to FHE board on importance of meeting enrollment targets for 2014-2015 year; shared concerns with funding if enrollment continued to be below charter targets.
- June 16 - 20, 2014: Presented *Charter School Workshops* to review authorizer expectations and updates to meeting calendar and processes for the 2014-2015 school year.
- August 11, 2014: Director of Charter Schools and analyst attended FHE board meeting to discuss the gravity of the two consecutive years of testing security breaches and to discuss potential school sanctions in response to the DOE determinations (not yet released).
- August 18, 2014: The Indiana Department of Education presented the results of its investigation into the 2013 and 2014 ISTEP+ test administrations to both OEI and Flanner House Elementary.



Ongoing OEI Communication with FHE

- Issued two performance evaluations (for the 11-12 and 12-13 school year), noting academic, finance, and governance indicators the school failed to meet.
- Conducted 17 compliance meetings with the school administrative team. These occurred monthly to every other month and were focused around academics, finance, and governance. OEI staff reviewed formative performance on the performance framework, discussed school progress and areas for improvement, and noted the administrative team's ability to analyze and reflect on the information.
- Attended a minimum of 10 board meetings (out of the 14 with documented minutes).
- Met with the board chair a minimum of 4 times to discuss board development, progress, and areas for growth.
- Sent several emails, following up on next steps from meetings as well as notices and reminders for late or missed documentation.

Implications & Immediate Next Steps

Pursuant to Flanner House Elementary's Board of Directors vote and the Charter Agreement, OEI sent a Notice of Charter Revocation to the school on August 21, 2014 to inform the board that the school's charter will be revoked effective September 11, 2014.

After the board's decision, OEI hosted over 25 district, charter, and private schools at two enrollment fairs where families of the 113 out of 176 Flanner House Elementary students were represented. As of Friday, August 29, 117 students had already enrolled in another school. Our office will continue to work with families until every student has enrolled in a new school. We are also covering the costs of uniforms so families do not incur any financial hardships during the transition.