

**SUBJECT**

The Academy, Inc. Proposed Performance Certificate and Charter Amendments

**APPLICABLE STATUTE, RULE, OR POLICY**

I.C. §33-5206(8)  
IDAPA 08.02.04.302

**BACKGROUND**

The Academy, Inc., commonly referred to as The Academy at Roosevelt Center (The Academy) is a public charter school authorized by the Public Charter School Commission (PCSC). The Academy began operation in 2006 in Pocatello and serves approximately 275 students in grades K-8.

**DISCUSSION**

The Academy has submitted proposed amendments to the school's performance certificate and charter.

The proposed performance certificate amendments would increase The Academy's grade-based and overall enrollment caps. If approved, the total capacity of the school would increase from 400 to 554 students.

The Academy's current facility does not allow adequate space for growth. However, the school's recent offer to purchase a larger facility for use beginning in the 2014-2015 school year has been accepted. The school has communicated that approval of increased enrollment is necessary in order to fund the new facility.

Though The Academy was previously approved for expansion into high school at the board's discretion, the current growth plan proposed by the board would expand the number of students in kindergarten through eighth grade. The Academy's board has not proposed the addition of enrollment in high school grades at this time.

If approved, the proposed performance certificate amendments would allow The Academy to serve up to two classes per grade in kindergarten through eighth grade. Class sizes would be slightly flexible within the overall grade-based limit but could not exceed 30 students per classroom for kindergarten or first grade or 35 students for second through eighth grade.

An amendment to the charter, made concurrently with the proposed performance certificate amendment, would align the two documents.

**June 17, 2014**

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In accordance with statute, the Pocatello Chubbuck School District #25 was notified of The Academy's proposal and invited to provide comment. A letter from the district is included with these materials.

**IMPACT**

If the PCSC approves the proposed amendments, The Academy will immediately begin operating under the amended performance certificate. If the PCSC denies the amendments, The Academy could appeal this decision to the State Board of Education, or could decide not to proceed any further.

**STAFF COMMENTS AND RECOMMENDATIONS**

As part of the performance certificate development process, the PCSC approved a general standard that schools whose accountability designation falls below "good standing" will not be eligible for expansion.

The Academy does not yet have a performance certificate or formal accountability designation. However, if the school were to be evaluated with the Performance Framework using 2012-2013 school year data, it is likely that The Academy would earn "good standing" status. The Academy received a 4 Star Rating for both the 2011-2012 and 2012-2013 school years.

In light of The Academy's strong academic results, stable fiscal situation, and success in acquiring a new facility, staff recommends approval of the proposed performance certificate and charter amendments as submitted.

**COMMISSION ACTION**

A motion to approve the proposed performance certificate and charter amendments as submitted by The Academy, Inc.

OR

A motion to deny the proposed performance certificate and charter amendments as submitted by The Academy, Inc. on the following grounds: \_\_\_\_\_.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

**June 17, 2014**

**Idaho Public Charter School Commission**

PO Box 83720  
Boise, ID 83720-0037

Dear IPCS Commission Members:

Since its inception 8 years ago, The Academy Charter School has built a strong, successful academic program. We maintain a healthy waiting list and over the past four years, have used conservative and responsible budgeting practices which have enabled us to fulfill all of our financial obligations.

We are housed in an 80 year old elementary school building. Although we are grateful for being able to start in a building instead of portables, this location was never intended to be a permanent solution. The 650 ft<sup>2</sup> classrooms are bursting with students, and there is no room to grow.

Originally the vision of our school board was for the Academy to become a k-12 school. Over time, that vision has changed. We have seen the success of our 8<sup>th</sup> grade graduates as they transition into regular public high school. Anecdotal evidence shows they have learned important work and study habits necessary for high academic achievement in secondary and post-secondary education.

Because of this, the board has determined that more good could be accomplished by increasing the number of 8<sup>th</sup> grade graduates, well-prepared for high school, than continuing with the same smaller group through 12<sup>th</sup> grade. Adding a parallel k-8 track to the school is seen as both more viable and a less risky growth option for the Academy. It is also easier to obtain financing for a school of 550 students than a school of 400 students.

We recently learned of a 45,000 ft<sup>2</sup>. warehouse facility for sale in Pocatello and have made an offer which was accepted. Among the contingencies was that we would be able to acquire sufficient funding for the entire project.

To answer the funding question, investors need to know that the Idaho Charter School Commission is aware of our situation and has approved a change to the Academy Charter to allow an increase in enrollment. There are other changes that need to be made to the Academy Charter (specifically removing those items regarding a 9-12 program) that I can work on over the summer, but I need this particular change to be approved quickly in order to satisfy the funding contingency of the purchase agreement.

In my opinion, this is the best growth opportunity that has ever presented itself for the Academy. With your approval, the children of Pocatello will have greater access and opportunity to learn in a consistently high-performing charter school by August of 2015.

Sincerely,

Joel Lovstedt II  
*Administrator*  
Academy Charter School  
Pocatello, Idaho

## CHARTER SCHOOL PERFORMANCE CERTIFICATE

### SECTION 5: SCHOOL OPERATIONS

**A. In General.** The School and the Charter Board shall operate at all times in accordance with all federal and state laws, local ordinances, regulations and Authorizer policies applicable to charter schools. Authorizer policies in effect for the duration of this Certificate are attached as Appendix G.

**B. Maximum Enrollment.** The maximum number of students who may be enrolled in the school shall be 400 554 students. For kindergarten through 8<sup>th</sup> grade, each grade may contain up to two classes per grade level. There shall be no more than 30 students per class in kindergarten and 1<sup>st</sup> grade and no more than 35 students per class in 2<sup>nd</sup> through 8<sup>th</sup> grade. The maximum number of students who may be enrolled per class/grade level shall be as follows:

Grade	Cap
K	24 48
1	28 56
2	30 60
3	32 60
4	32 66
5	33 66
6	34 66
7	34 66
8	34 66

Per-grade enrollment caps for high school will be determined mutually between the school and the authorizer prior to the first enrollment lottery that includes high school grades.

**C. Enrollment Policy.** The School shall make student recruitment, admissions, enrollment and retention decisions in a nondiscriminatory manner and without regard to race, color, creed, national origin, sex, marital status, religion, ancestry, disability or need for special education services. In no event may the School limit admission based on race, ethnicity, national origin, disability, gender, income level, athletic ability, or proficiency in the English language. If there are more applications to enroll in the charter school than there are spaces available, the charter school shall select students to attend using a random selection process that shall be publicly noticed and open to the public. The School shall follow the enrollment policy approved by the Authorizer and incorporated into this agreement as Appendix H.

## ***The Academy Charter page 6***

### **Academic Programs & Partnerships**

#### **Student Body**

The target capacity enrollment for the Academy will be **400 554 Kindergarten -12<sup>th</sup>** grade students. Approximately 50% of the students (200) will be in K-8 for an average class size of 22. The remaining 200 will be in grades 9-12, for 50 students/grade level. At the high school level, not all students will be in the same class at the same time (e.g. Algebra, Biology, Language Arts, etc.), so the actual average class size will be approximately 25. For Kindergarten through 8<sup>th</sup> grade, each grade may contain up to two classes per grade level. There shall be no more than 30 students per class in kindergarten and 1<sup>st</sup> grade and no more than 35 students per class in 2<sup>nd</sup> through 8<sup>th</sup> grade. The maximum number of students who may be enrolled per class/grade level shall be as follows:

<b>Grade</b>	<b>Cap</b>
K	48
1	56
2	60
3	60
4	66
5	66
6	66
7	66
8	66

June 17, 2014



# Pocatello Chubbuck School District 25

**Maximizing Learning For All Students  
Through Rigor, Relevancy and Relationships**

# Whatever It Takes!

May 14, 2014

Idaho Public Charter School Commission  
P.O. Box 83720  
Boise, Idaho 83720-0037

RECEIVED  
MAY 16 2014  
OFFICE OF THE  
STATE BOARD OF EDUCATION

Dear Commissioners:

The Pocatello/Chubbuck School District Board of Trustees opposes allowing The Academy, Inc. to increase its maximum enrollment by up to one hundred fifty-five (155) students more than the previously approved cap. The following supports our opposition to this request.

First of all, there are twelve (12) small classrooms at The Academy, Inc. Fitting thirty (30) children into each of these classrooms would be tight. Further, if there were thirty (30) students in each classroom, the school would hold three hundred and sixty (360) students, not five hundred and fifty-five (555). Secondly, the Pocatello/Chubbuck School District has to plan the infrastructure for the one hundred fifty-five (155) students who might enroll in The Academy, Inc. Staffing for this number of students is already underway in the school district and the rest of the infrastructure is in place to serve these students.

Our District requests that the Idaho Public Charter School Commission deny the request from The Academy, Inc. to increase its enrollment for 2014-15 by one hundred fifty-five (155) students.

Sincerely,

Mary M. Vagner  
Superintendent

- c. Board of Trustees  
Mark Stenberg, Board Chair, The Academy, Inc.

Education Service Center (Administrative Offices)

3115 Pole Line Road • Pocatello, ID 83201-6119 • (208) 232-3563