

**Delaware Design-Lab High School  
Minutes of the Board of Directors**

April 16, 2014  
6:00 p.m.

Mobius New Media  
818 N. Market St., Suite 2R  
Wilmington, DE 19801

**Members Present:**

Matt Urban, Chair; Paul Miller; Vice Chair; Iris Leon, Secretary; Sherry Coleman; Rebecca Girten

**Others Present:**

Dr. Cristina Alvarez; CEO, Delaware Design-Lab High School  
Dr. Martin Rayala; CAO, Delaware Design-Lab High School

The meeting was called to order at 6:05 p.m.

**Minute Approval**

The Board approved draft minutes from the March 19, 2014 meeting that were circulated for review in advance of the meeting. Mr. Miller moved to approve the minutes from the March 19<sup>th</sup> meeting. Ms. Girten seconded the motion and the motion was unanimously carried.

**RESOLVED**, that the minutes from the March 19, 2014 meeting of the Board of Directors of Delaware Design-Lab High School are approved as presented in the meeting.

Dr. Coleman entered the meeting at 6:15 p.m. and was not present to vote to approve the March 19<sup>th</sup> minutes.

**Delaware State Board of Education (DOE) Formal Review**

Dr. Alvarez stated that Jennifer Nagourney, the Executive Director of the Delaware Charter School Office, would be joining the meeting to discuss the possibility of the School being put on formal review. She stated that Ms. Nagourney contacted her approximately one week prior to inform her that the Charter Office intended to recommend that the State Board of Education vote to put the School on formal review at their monthly meeting on April 17<sup>th</sup>. Dr. Alvarez stated that the reason was because the Charter Office was concerned about the recruitment numbers and did not believe that the School would be fiscally viable if it opened in 2014 with current enrollment. She stated that 192 students would make 80% enrollment and that there was approximately 80 students currently enrolled.

Dr. Alvarez stated that after speaking with Ms. Nagourney, she worked with David Wagstaff from Capaldi Reynolds to submit a revised financial model to the Charter Office that

demonstrated financial stability with current enrollment figures. She stated that the Charter Office was not satisfied with the proposal.

Dr. Alvarez stated that Delaware MET is also in danger of undergoing formal review in part because they do not have a building. She stated that she approached Delaware MET's leadership and proposed colocation options that would reduce expenses for both schools, thereby making them more financially viable with reduced enrollment numbers. She stated that Delaware MET reject the proposal.

Dr. Alvarez stated that the outcomes of being on formal review could be that: the School is allowed to open as scheduled provided the Charter Office is confident that the program would be produced with fidelity; the School would be forced to take a planning year; or the School's charter would be revoked.

Dr. Alvarez stated that according to the Charter Office and other school leaders with whom she has spoken, the most likely outcome would be that the School would be forced to take a planning year, which would delay the school opening until 2015 and would provide an additional year for recruitment and fundraising.

Dr. Alvarez stated that the Board had the option of voting to voluntarily take a planning year and defer opening the School by one year. She stated that this was the recommendation made by the Charter Office. She stated that if the Board voted as such at this meeting, the Charter Office would take the School off the agenda for the DOE meeting the next day.

#### **Discussion with Charter School Office about Formal Review**

Jennifer Nagourney, Executive Director of the Delaware Charter School Office entered the meeting at 6:25 p.m.

Ms. Nagourney presented the Charter Office's position with respect to recommending that the School be placed on formal review and was available for questions from the Board.

Discussion ensued.

Major points made during the discussion were:

- The Charter Office is concerned that the School cannot meet the provisions of its charter with current enrollment figures
- The recommendation to put the School on formal review is about the financial viability of the School due to under enrollment and is not a comment on the educational model
- If the Board voted to voluntarily defer, the Charter Office would need notice by noon the next day to remove the School from the April 17<sup>th</sup> DOE meeting
- If the School remained on the April 17<sup>th</sup> DOE meeting agenda and the DOE approved the Charter Office's recommendation that the School be placed on formal review, the most likely outcome of a formal review would be that that School would be forced to take a

planning year. Other outcomes could be that the School is allowed to open as scheduled but the certain conditions, or the School's charter could be revoked.

- If the School remained on the April 17<sup>th</sup> DOE meeting agenda and the DOE approved the Charter Office's recommendation that the School be placed on formal review, the School would still have the option to submit a voluntary deferment before the conclusion of the review process
- The conclusion of the formal review process would be by June 20, 2014
- There are two other schools that the Charter Office will also recommend undergo a formal review: Delaware MET and Academia Antonio Alonso

Ms. Nagourney left the meeting at 7:05 p.m.

### **Board Discussion and Vote on Formal Review/Deferment**

The Board discussed the conversation with Ms. Nagourney and the School's options to take a voluntary deferment or move forward with a formal review.

Mr. Miller stated that if the most likely outcome would be a deferment, that the School should defer immediately and be taken off the April 17<sup>th</sup> DOE meeting agenda. He stated that his chief concern was about the students and parents and that a decision should be reached sooner than later so that parents could find other placements for their children.

Mr. Urban stated that his preference would be to open the School as scheduled but with a colocation plan in place. Mr. Urban stated that Delaware MET might be waiting out the DOE vote to see how other schools, including DDLHS, reacted to the prospect of undergoing formal review. He stated that they may be open to colocation after the DOE vote tomorrow, if it is clear that they have no other options. He stated that the Delaware College of Art and Design (DCAD) might also need additional space and could be a viable option for colocation. He stated that he would be comfortable with a voluntary deferment if there were no other options, but would prefer to first attempt to make a colocation arrangement.

Ms. Leon stated that it would be prudent to verify with the Charter Office in the morning that the School indeed had the option to wait past April 17<sup>th</sup> to submit a voluntary deferment. She stated that if that was not the case, and that the School in fact needed to submit a deferment by noon on April 17<sup>th</sup> or be forced to complete the formal review process, that the School should then submit a deferment immediately.

Dr. Alvarez agreed to contact the Charter Office to ensure that the School was indeed permitted to submit a deferment request after the DOE vote the next day. Dr. Alvarez stated that she would be willing to revisit the colocation discussion with Delaware MET and could approach DCAD, but did not want to wait long to make a final decision about deferment because she was concerned about informing parents in a timely fashion. She stated that news of the April 17<sup>th</sup> DOE vote and the Charter Office recommendation for formal review has been publicized and she was already receiving calls and emails from concerned parents. She stated that the School owed the parents and students a definitive answer quickly. Mr. Miller agreed.

After discussion, Mr. Urban, Ms. Girten, Ms. Leon, and Dr. Coleman were in agreement that the School should defer voluntarily, but only if colocation options were not identified within the next week. Mr. Miller stated that he was not in agreement that the School should wait to explore other options and that the School should submit a deferment by noon on April 17<sup>th</sup>, as requested by Jennifer Nagourney. The Board agreed that there should be a formal vote with the Board's decision.

Mr. Urban made the motion. Ms. Girten seconded the motion. Ms. Leon and Dr. Coleman voted in favor and Mr. Miller was opposed. Ms. Sykes was not present at the meeting for the vote. There being a majority vote in favor, the motion passed.

**RESOLVED**, that the Board of Directors of Delaware Design-Lab High School approves the deferment of School opening by one year, provided that the Charter School Office of the Delaware Department of Education confirms that the option to defer is available following the approval to place the School under formal review and if so, provided that a colocation plan is not identified by end of day April 25, 2014.

Dr. Coleman left the meeting at 9:00 p.m.

#### **Security Deposit**

Dr. Alvarez stated that the School had an approved parking variance as of April 9<sup>th</sup>, which per the terms of the lease with Kuumba Academy for 519 N. Market Street means that the security deposit in the amount of \$28,275 is due. She stated that the School was obligated to the lease regardless of the School opening in 2014 or 2015. She stated that Sally Maldonado, the Principal of Kuumba, contacted her to inquire when they could expect payment. Dr. Alvarez stated that she informed her that she would respond after today's Board meeting.

Mr. Urban recommended informing Ray Avery and Kelly Maldonado about the Board's decision to defer, but that it may be a week before that formally happens and that the School would know more following the DOE meeting tomorrow.

Mr. Urban stated that the School might want to consider hiring someone to do donor cultivation and this could be discussed at the next meeting.

There being no further business, Ms. Leon motioned to adjourn the meeting. Ms. Girten seconded the motion and the motion was unanimously carried.

The meeting adjourned at 9:10 p.m.



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Iris Leon  
Secretary