



October 19, 2010

**RED CLAY CONSOLIDATED  
SCHOOL DISTRICT**

**Mervin Daugherty, Ed.D.**  
*Superintendent*

**Hugh Broomall, Ed.D.**  
*Assistant Superintendent*

**Administrative Offices**  
4550 New Linden Hill Road  
Wilmington, DE 19808

Phone (302) 552 - 3706  
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Lt. Colonel Wintermantel, President  
Delaware Military Academy  
112 Middleboro Rd.  
Wilmington, Delaware 19804

Dear Lt. Colonel Wintermantel,

As per State of Delaware Code, the Red Clay Consolidated School District will conduct a five-year review of the Delaware Military Academy's performance to determine compliance with its charter, Department of Education regulations, and Delaware law. An accountability committee will conduct a review of DMA's operations and procedures to prepare a comprehensive report. The report will be shared with representatives of DMA for your review and comment at least 15 days prior to the presentation of the report to the Red Clay Board at a public hearing.

The Chairperson of the accountability committee will meet with your representatives to discuss the documents and data that Dr. Hugh Broomall and the committee will need in order to conduct its review. During this process, the committee may request additional information or clarification of the materials submitted. In addition, the accountability committee will keep you informed of its progress and timeline for submission of the report to the Board.

To begin the process, please provide Dr. Broomall with the names and telephone numbers of those individuals you identify as your representatives for this review. Dr. Broomall will contact your representatives to schedule an initial meeting in the very near future.

If you have any questions or need clarification, please contact me at your convenience. I look forward to working with you on this important matter.

Sincerely,

A handwritten signature in black ink that reads "Merv Daugherty".

Merv Daugherty, Ed.D.

C: Red Clay Board of Education



RED CLAY CONSOLIDATED  
SCHOOL DISTRICT

Mervin Daugherty, Ed.D.  
*Superintendent*

Hugh Broomall, Ed.D.  
*Deputy Superintendent*

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Phone (302) 552 - 3706  
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Lt. Colonel Wintermantel  
112 Middleboro Rd.  
Wilmington, DE 19804  
March 17, 2011

Dear Lt. Colonel Wintermantel:

On March 16, 2011 the Red Clay Consolidated School District Board of Education held a public hearing for the five year performance review The Delaware Military Academy. The board of education voted to approve the accountability committee recommendation to renew the charter of The Delaware Military Academy for five years.

The district is appreciative of the efforts to The Delaware Military Academy to educate students in Red Clay Consolidated School District and the State of Delaware and look forward to a continued positive relationship.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Broomall", written over a horizontal line.

Hugh Broomall, Ed.D.  
Deputy Superintendent

**2011 Accountability Committee  
Report and Recommendations**

**Delaware Military Academy**

**Red Clay Consolidated School District**

### **Criterion 1.**

**The individuals and entities submitting the application are experienced and qualified to start and operate a charter school, and to implement the school's proposed educational program. Certified teachers, parents, and members of the community in which the school is to be located must be involved in the development of the proposed charter school. At the time at which the school commences its instructional program and at all times thereafter, the board of directors must include a teacher at the school and a parent of a student enrolled at the school as members.**

#### ***Committee Summary:***

Delaware Military Academy's board of directors consists of 15 members and includes a teacher at the school, a parent of a student enrolled at the school, and a member of the JROTC staff. Board members serve three-year staggered terms. The board holds an annual meeting, monthly meetings, and special meetings as necessary. The school's website does not list the board of directors.

The individuals and entities of Delaware Military Academy are qualified to operate a charter school and implement the educational program.

#### ***Committee Recommendation:***

Delaware Military Academy has met the standards of Criterion 1.

### **Criterion 2.**

**The chosen form of organization, identified in the articles of incorporation and bylaws, or the membership agreement, conforms to the Delaware General Corporation Law.**

#### ***Committee Summary:***

The chosen form of organization, as identified in the school's Certificate of Incorporation and bylaws, conforms to the Delaware General Corporation Law. Delaware Military Academy was incorporated on May 15, 2002, as a non-profit corporation pursuant to the provisions of the general corporation law of the State of Delaware. One purpose of the corporation is "to organize and run a charter school under the Charter School Act of 1995 (14 Del.C. §§501 et seq.)."

#### ***Committee Recommendation:***

Delaware Military Academy has met the standards of Criterion 2.

### **Criterion 3.**

**The mission statement, goals, and educational objectives are consistent with the description of legislative intent set forth in 14 Del.C. §501 and the restrictions on charter school operations set forth in 14 Del.C. §506.**

#### ***Committee Summary:***

According to an executive summary of Delaware Military Academy, the school's mission is "to prepare young men and women for their next level of education and to provide them with a foundation that leads to good citizenship" and the goal of the school is "to impact future generations by providing an exceptional college-preparatory education program to promote and develop integrity, citizenship, service, fitness, patriotism, leadership, and self-esteem."

The school's educational objectives as identified in the executive summary include meeting the standards as measured by DCAS, graduating within four years, achieving 95% or better daily school

attendance, and qualifying for ROTC scholarships by achieving at least 1100 on the SAT. The school's mission statement, goals, and educational objectives are consistent with both the description of legislative intent set forth in 14 Del.C. §501 and the restrictions on charter school operations set forth in 14 Del.C. §506.

***Committee Recommendation:***

Delaware Military Academy has met the standards of Criterion 3.

**Criterion 4.**

**The school has set goals for student performance and will utilize satisfactory indicators to determine whether its students meet or exceed such goals and the academic standards set by the state. The indicators shall include the assessments required for all students in other public schools, although the charter school may adopt additional performance standards or assessment requirements, and shall include timelines for the achievement of student performance goals and the assessment of such performance.**

***Committee Summary:***

The committee reviewed Delaware Military Academy's annual profiles, success plan, and consolidated application. The school sets goals for student performance as directed by the Delaware Department of Education using present level of performance of its students on state testing. Delaware Military Academy has shown steady improvement in student proficiency in DSTP math and reading among all students and a majority of its sub-groups. The school is currently rated Superior and has maintained this rating since 2005-06 with the exception of one year (when it was rated Commendable). In addition to DSTP scores, Delaware Military Academy uses SAT scores, AP scores, and Career and Technical Education Pathway targets as performance objectives. Highlighting its commitment to the community, Delaware Military Academy also has performance objectives related to community service participation by staff, students, and parents.

***Committee Recommendation:***

The committee recommends that Delaware Military Academy also identify and monitor interim targets aligned to their summative goals. In particular the progress of its special education students should be monitored regularly throughout the year towards formative targets with research-based interventions delivered and adjusted as applicable.

Delaware Military Academy has met the standards of Criterion 4.

**Criterion 5.**

**The school proposes a satisfactory plan for evaluating student performance and procedures for taking corrective action in the event that student performance at the charter school falls below such standards which are reasonably likely to succeed.**

***Committee Summary:***

The committee reviewed Delaware Military Academy's success plan and consolidated application. The school's success plan includes direct objectives to address corrective actions, such as Objectives 5.1 (CTE pathway completion), 5.2 (DSTP), and 5.4 (final course grades).

Strategies employed by the school include remedial or tutoring services for identified students; professional development towards highly qualified teachers; identified strengths and weaknesses in curriculum and instruction; and integration of technology into business, finance, and marketing curriculum. In the abstract of its consolidated application, Delaware Military Academy designated Title I students (identified through income, attendance, and test results) and special education students as targeted groups.

***Committee Recommendation:***

The committee recommends that Delaware Military Academy utilize interim targets aligned to the school's summative goals, such as marking period grades and DCAS scores. These interim targets should be closely monitored and corrective action plans adjusted as indicated. Further, the committee recommends that Delaware Military Academy strongly consider identifying corrective actions/interventions specific to the targeted groups and their identified needs. School-wide Title I program resources are required to provide research-based interventions focused on students who are not meeting state standards.

Delaware Military Academy has met the standards of Criterion 5.

**Criterion 6.**

**The school's educational program, including curriculum and instructional strategies, has the potential to improve student performance; and must be aligned to meet the Delaware Content Standards and state program requirements, and in the case of a charter high school, state graduation requirements. High school programs must provide driver education. The educational program at all charter schools must include the provision by the school of extra instructional time for at-risk students, summer school, and other services required to be provided by school districts pursuant to the provisions of 14 Del.C. §153. A previously approved charter school may continue to operate in compliance with the terms of its current approval, but its charter shall not be renewed unless the school shall submit an application for renewal in full compliance with the requirements of this subsection.**

***Committee Summary:***

The educational program at Delaware Military Academy is currently being aligned with the National Common Core. All teachers are trained in Component One, and Component Two is currently being addressed through department meetings. Delaware Military Academy is a member of the Delaware State Science Coalition. The school worked with Dr. Ellsworth of the University of Delaware to align the math curriculum. The school has received a rating of Superior based on DSTP scores.

The school provides driver education. Currently, there is no summer school at Delaware Military Academy. During the academic year, Delaware Military Academy offers a voluntary after-school tutoring program. The school also offers a study skills course, and math and language labs are provided five days a week for students who require assistance.

It is reported by the school's Dean of Instruction (via a telephone conversation on November 29, 2010) that approximately 30% of the cadets qualify as Title I students. The total school population is 548, with 108 students qualifying for free/reduced lunch. (Note: It is a requirement that cadets remain on grade level regarding core subjects to remain at Delaware Military Academy.)

***Committee Recommendation:***

The committee recommends that Delaware Military Academy adhere to Section 504 by using a Section 504/ADA Student Eligibility Form (see attached for an example from Red Clay) to determine if a student meets the eligibility criteria. The committee also recommends that Delaware Military Academy distribute a Section 504 resource pamphlet and a copy of Public Law 110-325 (see attached for examples from Red Clay) to parents when a student has met the criteria under Section 504.

Delaware Military Academy has met the standards of Criterion 6.

**Criterion 7.**

**The school's educational program sets forth appropriate strategies to be employed to accommodate the needs of at-risk students and those needing special education services.**

***Committee Summary:***

There are currently seven special education students enrolled at Delaware Military Academy, and one cadet receives speech language therapy. Services are offered in inclusive settings with remediation sessions provided during lunch blocks and after school. Consultation services are delivered by a special education teacher. Evaluations are conducted through Back to Basics, and speech therapy is delivered through Back to Basics as well. IEP Plus is used. Accommodations are available for state tests and the SAT. Transition plans are written with the assistance of the Dean of Instruction. The Dean of Instruction also serves as the Student Support Plan Advisor. Benchmark updates are sent to parents on a quarterly basis. Annual meetings are held in compliance with state regulations.

***Committee Recommendation:***

Delaware Military Academy has met the standards of Criterion 7.

**Criterion 8.**

**The plan for the school is economically viable, based on a review of the school's proposed budget of projected revenues and expenditures for the first three years, the plan for starting the school, and the major contracts planned for equipment and services, leases, improvements, purchases of real property, and insurance.**

***Committee Summary:***

Funding for Delaware Military Academy, based on the current student population and local and state funding sources, is sufficient to meet current expenditures. Current year enrollment is 540 students, an increase of 14 students from the previous year. As the state budget situation unfolds, Delaware Military Academy, just as any other school or district in the state, may be forced to make expenditure reductions or adjustments which in turn would affect factors and services within the school. Delaware Military Academy has a considerable on-going debt service commitment, having issued \$12.2 million in 2008 in variable rate demand bonds in order to purchase the school facility. The principal and interest payments on the debt service are payable over 20 years and are approximately \$600,000 annually, or approximately 12% of annual operating revenues. Due to the ongoing debt service commitment, any operating cuts from local or state sources must be managed to continue to meet obligations without deficit spending. For the FY11 budget, Delaware Military Academy expenditures are anticipated to equal revenues, leaving an estimated cash balance of \$1,064,032 to start FY12.

***Committee Recommendation:***

Delaware Military Academy has met the standards of Criterion 8.

**Criterion 9.**

**The school's financial and administrative operations meet or exceed the same standards, procedures and requirements as a school district. If a charter school proposes to operate outside the state's pension and/or benefits system, a specific memorandum of understanding shall be developed and executed by the charter school, the approving authority, the Director of the Office of Management and Budget, the Controller General and the secretary of Finance to assure that the state's fiduciary duties and interests in the proper use of the appropriated funds and as a benefits and pension trustee are fulfilled and protected, the state's financial reporting requirements are satisfied, and the interests of charter school employees are protected. All charter schools shall operate within the Delaware Financial Management System (DFMS) and be subject to all of the same policies and procedures which govern other agencies operating with such system, except that any charter school previously approved to operate outside of the DFMS may continue to so operate subject to the terms of its memorandum of understanding until such time as the school's charter is renewed pursuant to this chapter.**

***Committee Summary:***

The committee reviewed the last two years (FY08 and FY09) of Delaware Military Academy's annual audited financial statements as well as current financial documentation provided by the school (FY10 audited statements were not yet available). The auditors have concluded "no material reportable conditions" in their review and preparation of the Basic Financial Statements. The committee was also not able to identify deficiencies based on its review. The committee has determined that financial and administration operations meet the same standards, procedures, and requirements as a school district and the school is operating within the state's First State Financials system. Delaware Military Academy employees participate in the state pension and benefits system.

***Committee Recommendation:***

Delaware Military Academy has met the standards of Criterion 9.

**Criterion 10.**

**The assessment of the school's potential legal liability and the types and limits of insurance coverage the school plans to obtain are adequate.**

***Committee Summary:***

The committee reviewed the insurance policy of Delaware Military Academy and determined it has adequate types and limits of coverage. Employment-related practices are provided under the insurance coverage.

***Committee Recommendation:***

Delaware Military Academy has met the standards of Criterion 10.



**Criterion 11.**

**The procedures the school plans to follow to discipline students and ensure its students' adherence to school attendance requirements comply with state and federal law.**

***Committee Summary:***

The committee reviewed the material submitted by Delaware Military Academy as well as the school's published policies on attendance and the "Demerit System." The committee reviewed the current Delaware School Climate Survey provided by the Positive Behavior Support Project of the University of Delaware and the Delaware Department of Education. The Delaware Military Academy website features current revised copies of the school's Demerit System policy, Cell Phone Use Policy, and Attendance Policy for Cadets.

Delaware Military Academy has provided each cadet with a copy of the Red Clay Consolidated School District Student Code of Conduct. Delaware Military Academy has adopted the Student Code of Conduct and is using it in conjunction with the existing Demerit System and materials on Cadet Conduct found in the Delaware Military Academy Cadet Handbook. In addition, the school is aware of the requirements for notification as set forth in House Bill 85 Delaware Code for Mandatory Reporting.

***Committee Recommendation:***

The committee recommends that the Delaware Military Academy Anti-Bullying Policy, as required by Delaware Code, be posted on the school's website.

Delaware Military Academy has met the standards of Criterion 11.

**Criterion 12.**

**The procedures the school plans to follow to assure the health and safety of the students, employees, and guests of the school while they are on school property are adequate and that the charter school will comply with the applicable provisions of local, state, and federal law, including the provisions of 11 Del.C. Ch. 85.**

***Committee Summary:***

The committee reviewed the materials submitted by Delaware Military Academy as well as copies of the materials used by the school for emergency preparedness training. Delaware Military Academy has completed the required National Incident Management System training for the Incident Response Team and has adopted the State of Delaware Model Incident Management Procedures.

***Committee Recommendation:***

Delaware Military Academy has met the standards of Criterion 12.

**Criterion 13.**

**The school shall have a satisfactory plan for timely transferring student data and records to the Department of Education.**

***Committee Summary:***

The committee reviewed Delaware Military Academy procedures (unit count procedures, internal recordkeeping policies and procedures, and admissions procedures) and an independent audit report (conducted by Belfint, Lyons & Shuman, dated January 6, 2010) provided by the school. Delaware Military Academy had accurate written policies and procedures for the preparation of the September 30 Unit Count. Delaware Military Academy had operating procedures to ensure that affected school districts were notified by April 1 with the names and residency information of students from their district enrolling in the school the following September. Delaware Military Academy had a procedure for admissions including a procedure for a lottery in the case of oversubscription.

***Committee Recommendation:***

Delaware Military Academy has met the standards of Criterion 13.

**Criterion 14.**

**The school's board of directors shall annually certify to the Delaware Department of Education, on a form to be provided by the Delaware Department of Education, that prior to the payment of any fees or other sums to any management company employed by the board, the board will insure that sufficient revenues of the school are devoted to adequately support the school's proposed educational program. Such form of certification may require documentation of all actual or proposed expenditures by the school. Failure to provide sufficient funds to adequately support the school's proposed education program shall be grounds for revocation of the school's charter.**

***Committee Summary:***

This criterion is not applicable to Delaware Military Academy since no management company is involved.

***Committee Recommendation:***

Criterion 14 is not applicable to Delaware Military Academy.