

PEAK Academy Application Review

Application Summary Sheet

Information

Name of Proposed Charter School: PEAK Academy

Name of Applicant: Ashley McCleary

Authorized Agent: Nathan Durbano

Location: Mountain Green, in Morgan County

This school **is** seeking a waiver to R277-121 and R277-419.

This school **is not** seeking priority consideration.

Enrollment Plan

Year	K	1	2	3	4	5	6	7	8	9	10	11	12	Max
SY25							60	60	60	60	60			300
SY26							60	60	60	60	60	60		360
SY27							60	60	60	60	60	60	60	420

District Feedback

From the District Superintendent, “We do not stand in any opposition to the application.”

Report on Application

The application was read by three different groups. One group was SCSB staff members; one was USBE staff members; and one group was individuals from Utah’s charter community with an additional reader providing a national view. The three groups were generally consistent in how they rated each section of the application. The Market Review section had the most discrepancies between the different groups of reviewers.

Some readers felt comfortable with the groups attempts at identifying potential issues and barriers to enrollment and coming up with solutions. However, there were consistent questions about the enrollment plan and the community being served. All three review groups had concerns about PEAK Academy’s ability to enroll the necessary students to be financially viable. There also seems to be a lack of understanding about what programs are available—not just from other schools, but also in what the local district offers. The application speaks of the nearest charter HS as Mana Academy, but there are, in fact, others. Also, the application is for a 6-12 program, but the local district divides grades by k-4, 5-8, 9-12. It may be difficult to recruit students when there isn’t a natural transition.

The following sections outline the comments and notes from the three reader groups. The overall section rating is included but should not be construed to be a recommendation of “pass” or “fail.”

Met, Partially Met, and Not Met indicate the closest that the readers got to a consensus on each individual metric within a section.

Executive Summary

SCSB Rating	External Reader Rating	USB E Rating
Partially Met	Partially Met	Met
Observations		
<ul style="list-style-type: none"> • It seems like they made a good case for the location, but not necessarily for the school program. • Applicant is an individual and not a non-profit • Does not seem to address the intended population. • SCSB mission and vision were not connected to this application. • There are multiple High Performing HSs that are closer than Mana. • It would be helpful to know where they are getting their projected growth information for Morgan County. It seems to contradict information from the state. 	<ul style="list-style-type: none"> • Does this model really fit the proposed area? • Are the demographics projections accurate for the area? • It isn't a compelling case for why the school should exist. 	<ul style="list-style-type: none"> • The 4-day week could be a creative idea. • The small class sizes would be great! • There are concerns that the school is lacks a coherent focus. With PCBL, Financial Literacy, entrepreneurialism, and Project-based learning. • There is not a strong understanding of formative assessment as a process. • There are in fact other charters closer than Mana Academy, and even ones that have similar offerings. • There is a concern that they are not seeking a waiver from the 180 day rule, but still have 4-day weeks.

Exhibit A

SCSB Rating	External Reader Rating	USBE Rating
Partially Met	Partially Met	Met
Observations		
<ul style="list-style-type: none"> • Does not adequately address how CTE fits into the school. • There is a question if the enrollment preferences meet the law. • The mission specific goals do not appear to align with the purpose. • The academic goals are not rigorous enough 	<ul style="list-style-type: none"> • This section does not demonstrate that the group understands what it is allowed to do. • The description of project-based learning was too vague to be meaningful. • The professional development could apply to anyone. • The alternative and accelerated was not specific enough on how it will be implemented. • There doesn't seem to be a clear description of how the capstone project will be evaluated. • Why isn't there a goal for ELA? 	<ul style="list-style-type: none"> • The PEPs are a part of PCBL-personalization. • The academic goals could be stronger. • The mission-specific goals feel too general

Program of Instruction

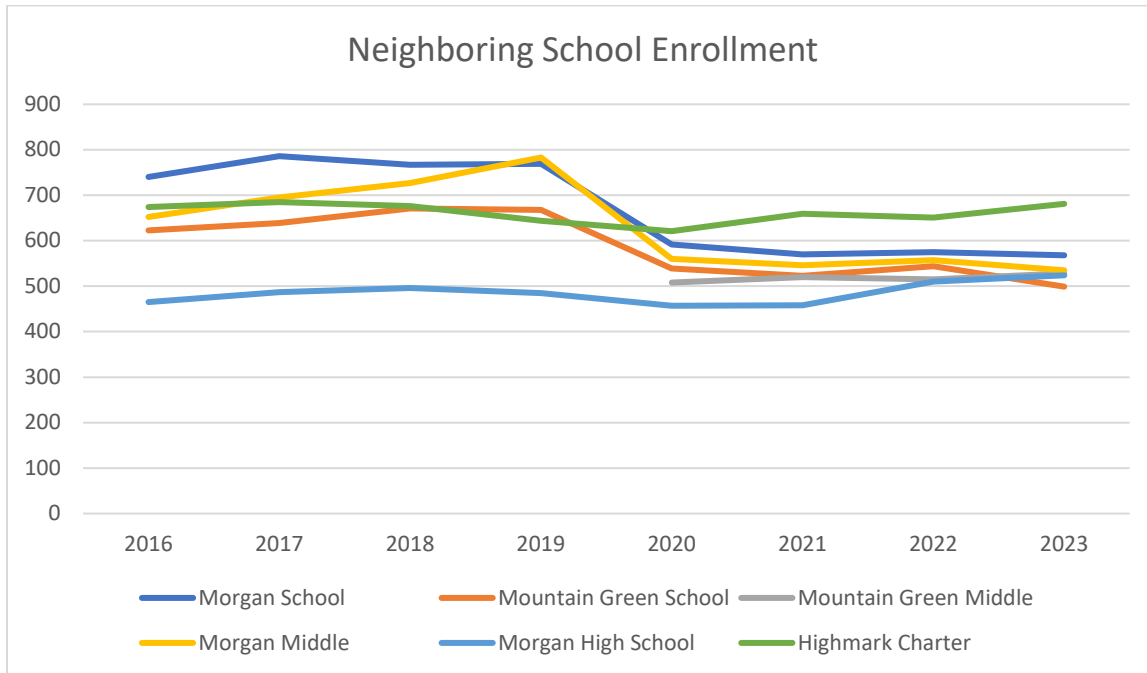
SCSB Rating	External Reader Rating	USBE Rating
Partially Met	Partially Met	Partially Met
Observations		
<ul style="list-style-type: none"> • A vision statement is present and intriguing about fiscal knowledge and responsibility. It is unclear what the mission statement of the school is. • There is no standardized definition for what “successful” or “contributing” means for students’ future. • 	<ul style="list-style-type: none"> • The curriculum description doesn’t feel complete. • It is hard to tell how the proposed courses connect to the curriculum and the vision of the school. • It would be great to see a real project-based school, but this description doesn’t meet that. • If the group is really going to build their own curriculum there should be a clearer plan for how that is going to be done. • It would be terrifying to work at this school as a new teacher because there doesn’t appear to be a clear supports. • The special education plan was not sufficient to meet the legal requirements. 	<ul style="list-style-type: none"> • It is admirable that the school wants to help students develop soft skills for professional success. • Readers appreciated the focus on internships and job shadowing. • Have the professional and community partners already been contacted, or are these listed as potentials for the future? • There is not a clear description for promotion between grades, and little explanation for graduation. • There are concerns that the financial and entrepreneurial foci are too broad to meet all the standards, especially with the CTE addition. • Preparing students for jobs that don’t require bachelor’s degrees is great, but how does that align with the CTE coursework clusters which do require a BA to complete? • There is no mention of how students will complete statewide assessments. • It is concerning that “learning styles” is discussed since the research has debunked this.

Market Analysis

SCSB Rating	External Reader Rating	USBE Rating
Not Met	Partially Met	met
Observations		
<ul style="list-style-type: none"> • What about Career Path high School? • Morgan decreased in enrollment • There is only partial evidence justifying the enrollment projections. 	<ul style="list-style-type: none"> • The proposed school does not align to the grade structures of the neighboring schools. They are split K-4, 5-8 • There is a question about how likely the school will be able to recruit students from the neighboring schools. • The group identifies problems but the solutions do not seem to match. • The charter needs to have a more specific idea about how they are going to be different. Especially in regards to CTE That is lacking at the moment. • A lot of the CTE program seems to hinge on J. Welk. • There isn't a strong case that the district is lacking in CTE offerings. • The application admits that the community loves the local school. Is this school really going to be viable? • They talk about how many advanced degrees are in the community, but that isn't the population they appear to want to recruit. • How will students be transported to the DATC? • Transportation is always an issue, especially when you need to get through the passes/mountains. • Are students just being let go on Fridays? 	<ul style="list-style-type: none"> • This seems like a remote location that the school will have issues attracting students. • Readers generally appreciated the school's attempts to think of potential problems and identify solutions. • There are discrepancies with what the actual max authorized will be. One place mentioned 675.

Enrollment of Neighboring Schools

The table below shows the student enrollment at the closest schools to the proposed location for the last 8 school years. There was a significant drop in 2020 which coincided with the opening of a new middle school. Highmark charter is represented as the closest charter school. It's enrollment has remained fairly consistent over the past 8 years with growth happening since 2020. The only other school to see enrollment growth is Morgan High School.



Governance

SCSB Rating	External Reader Rating	USBE Rating
Met	Partially Met	Met
Observations		
<ul style="list-style-type: none"> • The name of the corporation is different from the school name. • There is some confusion on the size of the board. • The application confuses USBE, SCSB, and UAPCS throughout. • The board partially has capacity to found and sustain a quality school. • There is a question if the board has the capacity to represent the community well. • There are questions about how well the group will be able to attract students and staff. 	<ul style="list-style-type: none"> • It would be beneficial to get some clarification about who was involved in the name change. • It is concerning that the board doesn't know if they are going to have an ESP. particularly when it isn't clear who reports to whom. • The board does have good professional experience. • There needs to be clarification about the self-evaluation process. • There were questions about the boards capacity to manage public funds. . 	<ul style="list-style-type: none"> • No additional comments.

Staffing

SCSB Rating	External Reader Rating	USBE Rating
Partially met	Partially Met	Met
Observations		
<ul style="list-style-type: none"> • The group needs to do a better job of describing how they are going to recruit diverse students and staff. • The application has clearly defined responsibilities for each person. • It is concerning that there isn't a breakdown of which subjects/teachers will be hired. • There is a problem because the budget is for 16 but the staffing plan is for 22 faculty. • Is it really necessary to have an athletic director at a school this size? • The salaries for teachers will make it difficult to recruit staff. 	<ul style="list-style-type: none"> • It will be difficult to recruit teachers with how expensive it is to live in Morgan. • There appears to be differences between the staffing plan and the Org Chart. • The organization seems very top heavy for such a small school. • The school's staffing plan really prompts the question of whether it would be viable at all. • There are aspects of the director and assistant director roles which should be covered by the board. • Having a performance bonus that is based on student performance is going to force teachers to not serve students with disabilities. The group needs to be clear about what percentage of students won't be meeting the expectations and how that impacts teacher salaries. • Why is there even a proposed business manager when most of the duties are duplicated by the director? Is this person an employee, or will that be outsourced? The budget doesn't make it clear. 	<ul style="list-style-type: none"> • The responsibilities of Director are well laid out, but are overwhelming in terms of workload. • There is an athletic director listed, but not mention of which sports. • It is suggested to remove the coach from performance monitoring so they can be viewed as support and not a boss. • Focusing growth on value-added model of student test scores violates state policy about using assessment scores to measure teacher performance. • Is it really wise to have a separate athletic director at a school this size? • The requirement for SpEd Director currently doesn't include licenses. That is required by Board rule. • The strategies presented for hiring and recruiting teachers are not convincing. • Policies for background checks and employee evaluations would benefit from additional information to make them clear and ensure they comply with statute.

Business and Operations Plan

SCSB Rating	External Reader Rating	USBE Rating
Partially Met	Partially Met	Partially Met
Observations		
<ul style="list-style-type: none"> • There are concerns about the building and the school being able to pay for the facilities. • There was a plan to pay for construction, but there is discussion about a lease. • The facility costs change each year in the budget. • There is mention of a loan, but no plan for how that will be repaid. • There are mistakes in the calculations for the implementation grant monies. • 	<ul style="list-style-type: none"> • The plan for finances doesn't seem practical. • The quoted cost per square foot is less than half what the current market • The costs also don't factor in insurance. • Anytime a school is understaffed in SpEd personnel we should be asking what is happening to the money. • It is unclear how the private lunch is going to work. • It is doubtful that the registrar is going to be able to also do the responsibilities of accounting. • There are concerns about the capacity of the group to manage federal or state funds for special programs. • Opening a school building seems to be putting this school at risk of closure. • What is the plan for when the building isn't done on time? What are the consequences to the builder for not meeting a deadline? • Is the funding for the building done through donations? Will the school be expected to pay it back? • How do you know that building THIS building "is your only option?" It seems like there are other ways that have not been explored. • They say that High Mark is a feeder school, and yet there isn't a commitment from High Mark. This also 	<ul style="list-style-type: none"> • The amounts provided for the technology and instructional supplies seems low considering the mission of the school. • It is going to take significantly more resources to run this school than proposed. • The listed salaries for teachers will impact the school's ability to hire and retain teachers. Only providing retirement OR healthcare will not bring in teachers. • There are concerns about procurement since the dates for request, receipt, review, and award all fall within 30 days. • There are concerns that the building plan is not feasible because of supply chain issues. • The budget seems to reflect fairly reasonable assumptions about funding, and the school would need to heavily fundraise in order to meet their revenue goals.

	<p>wouldn't make a lot of sense since high Mark is K-9, and PEAK would be 6-12.</p> <ul style="list-style-type: none"> • In the Pre-operational plan, marketing begins in January, but the creation of the marketing plan doesn't start until June. 	
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Contracts

SCSB Rating	External Reader Rating	USB E Rating
Not met	NA	TBD
Observations		
<ul style="list-style-type: none"> • There seems to be pre-existing relationships with the building developer that are not clearly laid out. • They say there are no contracts and yet there seems to already have been a lot of work done. 	<ul style="list-style-type: none"> • With all of the talk of the DATC, the Land, and the building, etc., there should have been something included in this section. 	<ul style="list-style-type: none"> • No additional comments

Board Member Verification

For each of the proposed governing board members SCSB staff conducted internet searches to verify that the information shared in the background sheets was accurate. In certain cases these searches yielded additional information which could impact the school.

Ashley McCleary

- Does not appear to have any lawsuits or legal action against her. Has a non-active LinkedIn, and a FB account with family photos and positive quotes. Was featured in a KSL article about the growth in Morgan County.
 - <https://www.ksl.com/article/46285526/utahs-ring-counties-among-nations-fastest-growing>

Crystal Nielsen

- Does not appear to have any lawsuits or legal action against her. Does not have a LinkedIn. Her FB does not appear active. Her IG is for her business, Crystal Nielsen Photography, however the last post was from November 2021.
- Her educator license appears to have expired but does not have any flags for concerns.

Julie Dee

- Staff found an Order to Show Cause from February 2020 by the Drug Enforcement Administration about Julie Dee.
 - <https://www.federalregister.gov/documents/2020/11/19/2020-25534/julie-i-dee-md-decision-and-order>
- Was unable to locate any social media or LinkedIn presence for Julie Dee.

Nathan Durbano

- Does not appear to have any lawsuits or legal actions against him. Has social media presence, however, nothing is concerning.

Mark Hadley

- Does not appear to have any lawsuits or legal actions against him. Has small Facebook and LinkedIn account. He is working for the Davis Technical College.

Marina Hallsten

- Does not appear to have any lawsuits or legal actions against her. Has social media presence, however, nothing is concerning.
- Had an interview with the middle school about her job:
 - https://mgms.morgansd.org/392753_4

Doug Durbano

- Appears to be a successful lawyer, and is very active on many cases. Has political social media accounts.
- Ran for Senate District 5.
 - <https://www.dougforutah.com/>

Kellie Lockwood

- Wants to apply to be a school administrator in June of 2023. Has current licensure, and relevant experience.
- Does not appear to have any lawsuits or legal actions against her. Has social media presence, however, nothing is concerning.

Jay Welk

- Does not appear to have any lawsuits or legal actions against him. Has social media presence, however, nothing is concerning.
- He has been instrumental in starting the Davis School District Catalyst Center for their CTE Program.
 - <https://www.davisjournal.com/2022/06/02/402135/jay-welk-retires-after-40-years-in-education>
- In 2021 he was running for Kaysville Mayor.
 - <https://www.sltrib.com/news/politics/2021/11/02/breaking-election-news/>

Additional Appendices

There are no major findings in Appendix B.

In Appendix C the bylaws include addresses for the organization that are not used elsewhere. There are not clearly defined meeting frequencies.

Appendix D still includes the old name.

Appendix E is included because the school is seeking a waiver to the board rule to allow them to operate a 4-day school week. There are elements within this application that will need to be addressed along with previous sections. That will depend upon the results of the January Board meeting. For the purposes of the application all the materials seem to be here. It is noteworthy that the other waivers granted by the USBE are all for 4-day work weeks. However, these are primarily for rural schools, or for schools where the 5th day becomes a day for targeted instruction. The appendix E does include meeting minutes for Prosper Us Academy for September 14th. But the Bylaws for PEAK academy were adopted on June 29th. There appears to be some inconsistencies with how the organization was set up.

Appendix F: See the notes in the Business and Operations Plan for a additional questions and comments about the budget.

Appendix G: See the notes in the Business and Operations Plan for additional questions and comments about the startup grant.