



UTAH STATE CHARTER SCHOOL BOARD

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March 11, 2019

Athenian eAcademy
c/o Brett Nielson, Board Chair
765 East 340 South
Suite 203
American Fork, Utah 84003

Re: Notice of Non-compliance Pursuant to U.C.A. § 53G-5-501 and the establishment of Probation Status.

Dear Athenian eAcademy Governing Board:

As you are aware, Athenian eAcademy was placed on Probation status on March 7, 2019, for the following deficiencies:

1. Low academic performance.
2. Board governance issues.

This letter is written notification, consistent with U.C.A. § 53G-5-501, of Probation status. This letter also identifies the terms and conditions of Probation. To show sufficient progress in addressing the above deficiencies, Athenian eAcademy must provide sufficient documentation and evidence of implementing all of the following terms, by their stated due dates, to State Charter School Board (SCSB) staff:

1. By April 15, 2019, Athenian eAcademy must develop a written plan to provide state required testing opportunities to all Athenian eAcademy students, especially those not living near a physical campus.
2. For the 2018-19 school year, Athenian eAcademy must have a four-year cohort graduation rate of at least 70%.
3. Athenian eAcademy must improve its 2018-19 State Accountability overall score for both its elementary and high school reports (as compared to the 2017-18 State Accountability scores) and demonstrate sufficient academic results to avoid the bottom 2% for the high school report.
4. Athenian eAcademy must have at least 25% of high school students earn an ACT composite score of 18 or higher on the 2018-19 school accountability results.
5. Athenian eAcademy must obtain at least a median student growth percentile (MGP) of 45 for all three tested subjects (ELA, Math and Science) for school year 2018-19.
6. If Athenian eAcademy continues to use Northwest Evaluation Association (NWEA), they must have a minimum of 11% growth in high school grades (9th-12th) from the NWEA winter administration to end-of-year administration. Due to the limited time left in the current school year, if this term is not met, the SCSB may also consider NWEA mid-year performance for SY2019-20, if such data can be provided with enough time to review prior to the SCSB's December 2019 meeting.
7. If Athenian eAcademy continues to use NWEA, they must have at least 50% of high school students (9th-12th) at or above grade level on all NWEA end-of-year tests. Due to the limited time left in the current school year, if this term is not met, the SCSB may also consider NWEA mid-year performance for SY2019-20, if such data can be provided with enough time to review prior to the SCSB's December 2019 meeting.
8. Athenian eAcademy must have a student transfer rate of 18% or less for the 2018-19 school year.

9. Athenian eAcademy must have at least a 70% retention rate from the end of the 2018-19 school year to October 1, 2019.
10. Beginning April 2019, Athenian eAcademy must hold monthly governing board meetings. These meetings must have a quorum of voting members and be conducted and led by the governing board chair.
11. Beginning April 2019, the Athenian eAcademy governing board must receive and discuss a monthly report on student academic progress.
12. Beginning April 2019, the Athenian eAcademy governing board must receive a monthly directors report.
13. Beginning April 2019, the Athenian eAcademy governing board must receive a monthly financial report.
14. By December 1, 2019, the Athenian eAcademy governing board must have at least four board trainings applicable to functioning as an effective governing board.
15. Beginning April 2019, Athenian eAcademy must follow all applicable components of Utah's Open and Public Meetings Act (OPMA) including uploading recordings as required.
16. By September 1, 2019, Athenian eAcademy must develop evaluation criteria and a plan for the review of its executive director.
17. By November 1, 2019, Athenian eAcademy must conduct an annual review of its executive director.
18. While it is hoped that Athenian eAcademy will be able to successfully exit Probation, part of Probation necessitates a closure plan. Referring to the closure plan submitted in their application, and the closure checklist created by SCSB staff, Athenian eAcademy must develop a new closure plan by September 1, 2019.

As you address each of the above terms, Athenian eAcademy must also be in compliance with its approved Charter Agreement and all applicable state and federal laws, rules, and regulations. The SCSB also recently became aware of Special Education concerns that Athenian eAcademy will need to work with the State Special Education section to resolve. If Athenian eAcademy fails to meet any of the terms of this Probation letter, the SCSB may take one or more of the actions outlined in U.C.A. § 53G-5-501, including revoking the schools charter. We also encourage you to consider the Voluntary School Improvement Process as outlined in U.C.A. § 53G-5-502.

Oversight Coordinator Michael Clark will be your primary point of contact while on Probation. Please contact him with any questions and send him the documentation and evidence for each term. It is Athenian eAcademy's responsibility to provide sufficient documentation and evidence to show how each term is met. While on Probation, the SCSB also offers technical assistance and mentoring via mentoring funds provided in U.C.A. § 53F-2-705. Authorizing and School Support Coordinator Rabecca Cisneros will be contacting you to offer this support.

Sincerely,



Chair Kristin Elinkowski
State Charter School Board

cc: Athenian eAcademy Director Matt Throckmorton
State Charter School Board
State Superintendent Syd Dickson