

Charter School Law and Policies

Cassie R. Blausey
Director of School Choice

Overview

- ▶ Purpose
- ▶ Introduction
- ▶ Areas of Policy
 - ▶ Authorization and Application Process
 - ▶ Contracting
 - ▶ Monitoring
 - ▶ Renewal
 - ▶ Revocation/Closure
 - ▶ Finance
- ▶ Questions

Purpose

To build capacity in the area of charter school law and policy with the intent to provide context and foundation for the adoption of charter policy.

Introduction

This is a high-level overview of the law in the areas covered by the proposed policies.

That overview will serve as a foundation for discussion about the policies.

Charter School Law

| Statute | Subject |
|--------------|--|
| KRS 160.1590 | Definitions |
| KRS 160.1591 | Legislative Declarations; Requirements for a charter school |
| KRS 160.1592 | Requirements for a charter school |
| KRS 160.1593 | Charter school application process |
| KRS 160.1594 | Authorizer responsibilities |
| KRS 160.1595 | Appeal of Authorizer's decisions |
| KRS 160.1596 | Contracting requirements |
| KRS 160.1597 | Contracting requirements; Powers of the Charter School |
| KRS 160.1598 | Renewal or Nonrenewal; Revocation; Closure |
| KRS 160.1599 | Conversion |
| KRS 161.141 | Employees |

| Regulation | Subject |
|---------------|---------------------------------------|
| 701 KAR 8:010 | Student Application and Enrollment |
| 701 KAR 8:020 | Evaluation of Authorizers |
| 701 KAR 8:030 | Appeal Process |
| 701 KAR 8:040 | Conversion |

Charter Schools are subject to Health, Safety, Civil and Disability Law. Similar finance requirements.

Charter Schools are subject federal law.

Charter Schools are subject to Authorizer policy - but this is not exactly Board policy.

Areas of Policy

701 KAR 8:020, Section 2:

Pursuant to KRS 160.1594, an authorizer shall create policies and procedures governing the authorizer's performance of its duties under KRS 160.1590 to 160.1599, 161.141, and 701 KAR Chapter 8 and include in its policies and procedures...

1. Vision and Mission
2. Charter School Application Process
3. Contracting
4. Monitoring
5. Renewal
6. Revocation
7. Closure

KRS 160.1594

701 KAR 8:030, Section 2:

The authorizer shall create and publish on its website policies and procedures for its implementation of KRS 160.1595 and 160.1598 as established in subsections (1) through (5) of this section. The authorizer shall include in its policies and procedures:

1. Application evaluation (initial and renewal)
2. Performance Evaluation
3. Revocation and Nonrenewal
4. Appeal

Authorization and Application Process

- ▶ What is a charter school? (KRS 160.1590, 160.1591, 160.1592)
- ▶ What are the required elements of the charter school application process? (KRS 160.1593; 701 KAR 8:020)
 - ▶ What shall be in the application (Kentucky Application is required per 701 KAR 8:020)
 - ▶ Mission and Vision
 - ▶ Purposes - *“A description of the school’s proposed academic program that is aligned with state standards and that implements one (1) or more of the purposes described in KRS 160.1591...”*
 - ▶ Student Achievement Goals
 - ▶ Assessments
 - ▶ Governance Structure
 - ▶ Student Recruitment and Enrollment, Extracurricular or Cocurricular Programs
 - ▶ Finances - 5 year budget and 4 year projection; fiscal and internal policies; insurance coverage
 - ▶ Programmatic Audits
 - ▶ Personnel Policies, Staffing
 - ▶ Discipline Policy
 - ▶ Facilities (if known)
 - ▶ Calendar
 - ▶ Food Services
 - ▶ Code of Ethics
 - ▶ Community and Parent Involvement
 - ▶ Start Up Plan

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Authorization and Application Process

► What does an authorizer do? What are we responsible for? (KRS 160.1594)

- Accountability and Transparency
- Applications
- Contracting
- Monitoring
- Renewal or Nonrenewal
- Revocation and Closure

701 KAR 8:020

- (a) The authorizer's strategic vision for chartering, including a clear statement of any preference for a charter application that demonstrates the intent, capacity, and capability to provide comprehensive learning experiences or expanded learning opportunities to students identified in KRS 160.1594(2) or KRS 160.1592(19);
- (g) Guidelines concerning the format and content essential for an applicant to demonstrate the capacities necessary to establish and operate a public charter school, pursuant to KRS 160.1590 to 160.1599, 161.141, and 701 KAR Chapter 8;
- (h) The timeline for submission, review, decision, and appeal for a charter application, and a request for renewal. An authorizer described in KRS 160.1590(13)(c) and (d) shall consult with the superintendent of the resident local school district if planning this timeline
- (n) The authorizer's requirements for solicitation and evaluation of a charter application, including its implementation of a comprehensive application process that includes use of the Kentucky Charter School Application and Addendum, and rigorous criteria, and approval of only a charter application that demonstrates a strong capacity to establish and operate a charter school;

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Authorizing and Application Process

What are our duties regarding authorizing a charter school? (KRS 160.1593; 160.1594; 701 KAR 8:020)

- ▶ *“Approve new and renewal charter applications that meet the requirements of [KRS 160.1594] and KRS 160.1593.”*
- ▶ *“Decline to approve charter applications that:*
 - ▶ *(1) Fail to meet the requirements of [KRS 160.1594] and KRS 160.1593; or,*
 - ▶ *(2) Are for a school that would be wholly or partly under the control or direction of any religious denomination.”*
- ▶ *“In reviewing applications, the public charter school authorizer is encouraged to give preference to applications that demonstrate the intent, capacity, and capability to provide comprehensive learning experiences to:*
 - ▶ *(a) Students identified by the applicants as at risk of academic failure; and*
 - ▶ *(b) Students with special needs as identified in their individualized education program as defined in KRS 158.281.”*
- ▶ *“In deciding to approve a charter application, the authorizer shall:*
 - ▶ *(a) Grant charters only to applicants that possess competence in all elements of the application requirements identified in [KRS 160.1594] and KRS 160.1593;*
 - ▶ *(b) Base decisions on documented evidence collected through the application review process; and*
 - ▶ *(c) Follow charter-granting policies and practices that are transparent, based on merit, and avoid conflicts of interest.”*
- ▶ *“An application shall be approved if the public charter school authorizer finds that:*
 - ▶ *(a) The public charter school described in the application meets the requirements established by [KRS 160.1594] and KRS 160.1590 and 160.1592;*
 - ▶ *(b) The applicant demonstrates the ability to operate the school in an educationally and fiscally sound manner; and*
 - ▶ *(c) Approving the application is likely to improve student learning and achievement and further the purposes established by KRS 160.1591.”*

Good
Faith

Contracting

- ▶ What are the charter school contracting requirements? (KRS 160.1596)
 - ▶ The required elements of the contract include:
 - ▶ Term of the Contract - 5 years
 - ▶ Rights and Duties of Each Party
 - ▶ Relationship between Charter School and Authorizer
 - ▶ Oversight by Authorizer
 - ▶ Student and School Goals
 - ▶ Process for Revision of the Contract
 - ▶ Dispute Resolution
 - ▶ Pre-Opening Requirements
 - ▶ Performance Requirements - Performance Framework

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Performance Framework

KRS 160.1596(d)

- Student academic proficiency;
- Student academic growth;
- Achievement gaps in both student proficiency and student growth between student subgroups, including race, sex, socioeconomic status, and areas of exceptionality;
- Student attendance;
- Student suspensions;
- Student withdrawals;
- Student exits;
- Recurrent enrollment from year to year;
- College or career readiness at the end of grade twelve (12);
- Financial performance and sustainability; and
- Board of directors' performance and stewardship, including compliance with all applicable statutes, administrative regulations, and terms of the charter contract.

701 KAR 8:020

- Student assessment and accountability;
- Student graduation rates;
- Student promotion rates;
- Student attendance rates;
- Student admission and enrollment in postsecondary institutions; and
- Other outcomes.

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Monitoring

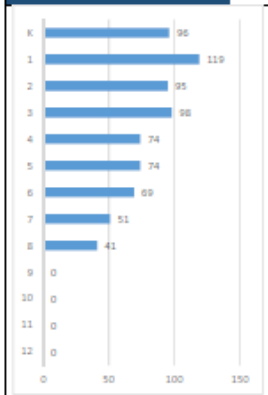
- ▶ What does monitoring encompass? (KRS 160.1594; 160.1596; 701 KAR 8:020 Section 6)
 - ▶ Authorizer must oversee the performance of the charter school.
 - ▶ The process for monitoring and oversight is included in the charter contract.
 - ▶ The Authorizer must commence an investigation where there is an issue with any aspect of performance.
 - ▶ The Performance Framework includes academic, financial, and organizational performance requirements. Regulation requires specific elements (assessment and accountability, graduation rates, attendance rates, promotion rates, admission and enrollment in postsecondary)
 - ▶ JCPS will also include climate and culture performance expectations.
- ▶ What information will the Authorizer receive regarding performance? (KRS 160.1596; 701 KAR 8:020, Section 7)
 - ▶ An annual report will be completed for each charter school. It will outline performance against the Performance Framework. This is to meet compliance with KDE reporting requirements in statute.
 - ▶ **The annual charter school report, and all the information compiled in its creation, will serve as the basis for a recommendation to approve or deny renewal of the charter contract.
 - ▶ The Authorizer may use a progressive system of monitoring consequences in situations where issues of charter school performance do not rise to the level of immediate action.

Sample Annual Report

ANNUAL CHARTER EVALUATION 2016
AD PRIMA CHARTER SCHOOL

SCHOOL OVERVIEW

ENROLLMENT BY GRADE



ENROLLMENT TOTAL

As of 10/1/2015 **717**

ENROLLMENT CAP

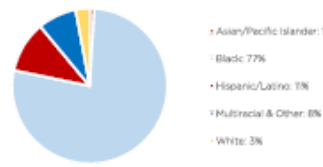
Maximum number of students this school can enroll per charter agreement in 2015-16 school year: **700**

ADMISSIONS PREFERENCES

| | |
|--------------|---|
| Citywide | ✓ |
| Neighborhood | X |

STUDENT DEMOGRAPHICS

RACE/ETHNICITY



| GENDER | HISTORICALLY UNDERSERVED | | This School | | Dist. & Charter | |
|--------|--------------------------|-----------------|-------------|-----------------|----------------------------|-----------------|
| | This School | Dist. & Charter | This School | Dist. & Charter | This School | Dist. & Charter |
| Male | 45% | 51% | 53% | 61% | Students Living in Poverty | |
| Female | 55% | 49% | 1% | 8% | English Language Learners | |
| | | | 11% | 16% | Special Education | |

PEER GROUP SCHOOLS

Peer groups are groups of schools that serve similar populations of students based on poverty, minority, special education status, and limited English proficiency status.

408 Peer Group: Ad Prima CS, Anderson, Day, Discovery CS, First Philadelphia CS, Filler Academics Plus, Global Leadership Academy CS, Harambee CS, Henry, JS Jenks, Kearny, Khopra CS, Laboratory CS, Lingelbach, Math Civics and Sciences CS, McCloskey, Mifflin, Northwood Academy CS, Southwest Leadership Academy CS, Universal Caroff CS, Universal Institute CS, West Oak Lane CS

ANNUAL CHARTER EVALUATION 2016
AD PRIMA CHARTER SCHOOL

ORGANIZATIONAL COMPLIANCE ENROLLMENT & DISCIPLINE

All charter schools must meet certain regulatory requirements and responsibilities as established by the Pennsylvania Charter School Law and Public School Code, the Pennsylvania Department of Education, and the school-specific charter agreement. This section evaluates certain compliance requirements while also highlighting best practices charter schools can use to improve student learning, equity, and transparency.

| ENROLLMENT | | Additional CSO Notes | |
|--|---|---|--|
| COMPLIANCE REQUIREMENTS | | | |
| ENROLLMENT POLICY: Enrollment policy complies with Pennsylvania regulations on student enrollment. | ✓ | | |
| ENROLLMENT MATERIALS: Application and enrollment materials comply with Pennsylvania regulations on student enrollment. | ✓ | | |
| ENROLLMENT LANGUAGE POLICY: School translates enrollment materials for families with limited English proficiency upon request. | X | The school does not require translation of enrollment materials in any language upon request by a family. | |
| BEST PRACTICES | | Additional CSO Notes | |
| STUDENT APPLICATION: Student application is consistent with Charter Schools Office's guidance on access. | ✓ | | |
| APPLICATION AVAILABILITY: Students and families can submit applications without physical presence in the school building. | ✓ | | |
| ENROLLMENT TRANSLATION: Enrollment materials are available in Spanish and English. | ✓ | | |
| ENROLLMENT WEBSITE: Enrollment steps are detailed on school website. | X | The school's website does not contain information on enrollment website. | |
| ENROLLMENT ACCESSIBILITY: School accepts multiple sources of documentation as identified in Pennsylvania regulations to demonstrate proof of age and proof of residency. | ✓ | | |

| DISCIPLINE | | Additional CSO Notes | |
|--|---|----------------------|--|
| COMPLIANCE REQUIREMENTS | | | |
| CODE OF CONDUCT: Student code of conduct fully outlines due process rights and responsibilities consistent with requirements in PA Public School Code, including formal and informal hearing rights. | ✓ | | |
| MANIPULATION DETERMINATION: Code of conduct is differentiated for students with disabilities. | ✓ | | |

ANNUAL CHARTER EVALUATION 2016
AD PRIMA CHARTER SCHOOL

EQUITY SCHOOL CLIMATE

SUSPENSIONS

In the charts to below, we present the percentage of the charter school's students who received at least one out-of-school suspension in SY 2015-16. Suspension rates are detailed further by students' gender, race/ethnicity, and historically underserved subgroups. The school's suspension rates are also compared against the rates for all charter schools.

| Suspension Rate by Student Group | | | | | Suspension Rate by Grade | | | | |
|----------------------------------|-------------|--------------|-----------------|------------------|--------------------------|-------------|--------------|-----------------|------------------|
| | This School | Peer Schools | Charter Schools | District Schools | | This School | Peer Schools | Charter Schools | District Schools |
| Female | 5% | | 9% | | ALL | 10% | | 12% | |
| Male | 16% | | 16% | | K | 8% | | 5% | |
| Asian | * | | * | | 1st | 9% | | 7% | |
| Black | 10% | | 17% | | 2nd | 13% | | 8% | |
| Hispanic/Latino | 20% | | 9% | | 3rd | 5% | | 11% | |
| Multiracial and Other | 2% | | 10% | | 4th | 11% | | 12% | |
| White | * | | * | | 5th | 12% | | 15% | |
| English Language Learners | * | | * | | 6th | 14% | | 17% | |
| Special Education | 24% | | 20% | | 7th | 17% | | 18% | |
| | | | | | 8th | 5% | | 16% | |
| | | | | | 9th | - | | - | |
| | | | | | 10th | - | | - | |
| | | | | | 11th | - | | - | |
| | | | | | 12th | - | | - | |

STUDENT SURVEYS

In the chart below, we present the charter school's student responses on selected questions from the District-Wide Surveys completed during the 2015-16 school year. The rates presented are the percentage of students selecting the most positive response, which was "most or all of the time." The percentage of most positive responses from all District and charter schools collectively is also provided for comparison. More information about the surveys can be found on the Office of Research and Evaluation's website.

| Student Surveys (Percentage of Students Responding "Most or All of the Time") | | |
|---|-------------|----------------------------|
| Survey Item | This School | District & Charter Schools |
| My school meets my learning needs. | * | 50% |
| My teachers really listen to what I have to say. | * | 45% |
| In my classes we stay busy and do not waste time. | * | 40% |
| In my classes we learn a lot. | * | 56% |
| I enjoy being in school. | * | 57% |
| When I am in school, I feel like I belong. | * | 44% |
| I feel safe in the hallways and bathrooms. | * | 62% |

Renewal

- ▶ What happens at the end of the charter contract term? (KRS 160.1598;)
 - ▶ If performance meets expectations, the charter school may be renewed.
 - ▶ This process runs similarly to the application process.

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Nonrenewal, Revocation, and Closure

- ▶ What authority does the Authorizer have when performance lacks? (KRS 160.1598)
 - ▶ *“A charter contract may not be renewed if the authorizer determines that the public charter school has:*
 - ▶ *(a) Committed a material violation of any of the terms, conditions, standards, or procedures required under KRS 160.1590 to 160.1599 and 161.141 or the charter contract, and has persistently failed to correct the violation after fair and specific notice from the authorizer;*
 - ▶ *(b) Failed to meet or make significant progress toward the performance expectations identified in the charter contract;*
 - ▶ *(c) Failed to meet generally accepted standards of fiscal management, and has failed to correct the violation after fair and specific notice from the authorizer; or*
 - ▶ *(d) Substantially violated any material provision of law from which the public charter school was not exempted and has failed to correct the violation after fair and specific notice from the authorizer.”*
 - ▶ *“An authorizer may take immediate action to revoke a charter contract if a violation threatens the health and safety of the students of the public charter school.”*
- ▶ 701 KAR 8:020 Outlines specific areas where the Authorizer shall revoke or nonrenew:
 - ▶ Assessment violation (knowingly), KHSAA violation, or conviction of a crime (bribery, forgery, perjury, any felony) by a member of the board of directors

Finance

- ▶ What financial transparency requirements are charter schools mandated to follow? (KRS 160.1592; 160.1593; 160.1596; 701 KAR 8:020, Sections 2, 4, 5, 6, and 8)
 - ▶ Application:
 - ▶ Budget and Cash Flow; Financial Audits; Internal Controls; Generally Accepted Accounting Principles
 - ▶ Contracting:
 - ▶ Monitoring requirements; Performance Framework expectations for financial viability and sustainability
 - ▶ Monitoring:
 - ▶ Monthly budget and attendance reports
 - ▶ Closure:
 - ▶ Procedures regarding distribution of assets upon closure

Questions?