

Memo

To: BVSD Board of Education
From: District Accountability Committee (DAC)
Date: April 21, 2019
RE: Recommended Changes to BVSD Charter Policy LBD-R

Context

The District Accountability Committee (DAC) Charter Application subcommittee has reviewed two charter school applications in the past two years, in addition to an expansion application for a BVSD Focus school. In anticipation of any further application submissions, the BVSD board has requested the DAC provide recommendations on improvements to the current choice policies -- LBD and LBD-R. Building upon learnings from these reviews and upon research on national best practices, the charter application subcommittee drafted the memo and the full DAC voted in favor of the recommendations.

Summary of Recommendations

Overall, the DAC recommends that BVSD align with national best practices for charter authorization. See the [NACSA Principles and Standards 2018](#). Of highest priority are adjusting the timeline, building the district's expertise and strengthening the application and review process. Notes from the subcommittee's discussion are included in the appendix and contain further detail (starts on p. 2).

- **Timeline.** Move the application deadline so that DAC has enough time to participate in the review (i.e., not during summer months) and provide applicants have enough time to participate in the application process and still have time to prepare for opening a new school (e.g., 18 months).
- **BVSD Expertise.** Build in-house charter school expertise (e.g., hire a new position, expand a current position) to provide staffing for charter school policies, applications and renewals, as well as act as a liaison to existing charter schools. To kick-start this work, partner with an external entity (e.g., NACSA) to review district practices and provide recommendations for next steps.
- **Charter Application and Review Process.** Adopt the updated Colorado Charter School Model Application and Rubric as a framework for the BVSD application. Within the application, make BVSD-specific requirements regarding:
 - **Waivers:** Identify any policies that are non-negotiable, or not open to waivers. In addition to requiring a list of requested waivers and the rationale for the request, require schools to provide a replacement policy.
 - **Equity:** Require substantial information regarding plans to recruit and serve historically underserved populations of students (e.g., IEPs, ELLs, FRL, Gifted) and their families.
 - **Enrollment:** Require applicants to predict enrollment numbers on intent to enroll, rather than simply on signatures of support. Documentation on how they collected responses should be included.
 - **Replication/Expansion:** For existing charter schools/organizations, add a section to share success at their other site(s) (e.g., student performance, experience serving similar populations) and capacity for serving additional schools.
 - **Interviews:** Consider including external experts in review panels. BVSD staff and the DAC should hold capacity interviews with applicants.
- **Formalize a Process for Focus School Applications and Expansions.** Consider building a short application process to handle new focus schools or expanding existing focus schools.

Appendix: Subcommittee Meeting Notes



DISTRICT ACCOUNTABILITY COMMITTEE (DAC)

MINUTES: Charter Application Subcommittee Meeting

BVSD Education Center

April 2, 2019

7:00 p.m. - 8:30 p.m.

Present: Ruben Anguiano, Jennifer Biegen, Amanda Brown, Lisa Medler, Nicole Rajpal, Anna Siepman, Alex Medler (external consultant).

Absent (but participated electronically): Karla Scornavacco, Teegan Sheanin, Terri Wilson

- **General Recommendations:**

- Recommend in BVSD hire house charter expert and provide internal staff to assist DAC in charter process
- Adopt resolution to commit itself to national best practices for authorizes
- Be more substantive rather than limited in policy
- Make application requirements clearer and less redundant

- **Model Application & Rubric:**

- Officially adopt Colorado model application and rubric & incorporate that into district policy
- Update the application and make recommendations specific to BVSD
- Recommend a page limit for applications - 125 pages is the best limit (this could be included in 'Submission Procedures')

- **Timeline for Submission:**

- The proposal submission date is August 1 at 4:00pm (pg. 1, 8-9). *At best*, DAC would review the proposal in September, and issue a report in October. This would violate the 45 day reviewal timeline noted in the policy.
 - Recommend proposal submission date of September 1st, at the earliest.
- Consider changing to an 18 month on-ramping timeline to give charters enough time to work through the application process and still have time to prepare for opening a new school.

- **Application Contents:**

- **Purpose (A.5):** Move "Purpose: State the purpose of the intended district charter school..." to section A.3 "Mission and Vision." as the purpose relates more to M/V than evidence of support.
- **Evidence of Support (A.5):** Change language to "Evidence of Intent to Enroll" rather than "Evidence of Support"
 - Rec exploration to predict real enrollment. Document how they collected responses, provide an example form.
 - Recommend BVSD staff hold Capacity Interviews (reference best practices - Alex will share the document) rather than have all meetings public with the Board of Education.

- **Student Achievement and Curricula (A.6):**
 - Require evidence of alignment to Colorado Academic Standards
 - Set clear expectations for student growth and achievement
 - Set clear expectations for postsecondary readiness
 - Ask them to explicitly state expectations and programming for specific populations (ELL, SPED, GT)
 - Look at adopting [best practices in special populations](#) - students with disabilities, ELL, etc From
 - **[NASCA states:](#) “By requiring substantial information as part of the charter application, authorizers have a unique opportunity to require applicants to incorporate special education into their overall planning of the school model, rather than add it later to existing policies and procedures. Authorizers should require applicants to submit:**
 - Plan to evaluate and identify children with disabilities
 - Plan to develop, review, and revise IEPs
 - Plan to integrate special education into the general education program
 - Plan to deliver special education and related services (e.g., in-house or contract out)
 - Projected cost of special education program (e.g., percent of operating budget)
 - Plan to access and account for special education funds
 - Plan to ensure that the school facility meets the requirements of other related laws such as ADA and Section 504
 - Plan for enrollment/IEP transition procedure
 - Plan to address discipline for students with disabilities
 - Plan to ensure confidentiality of special education records
 - Plan to purchase services from special education vendors
 - Plan to secure technical assistance and training”
- **Enrollment Decisions (A.7):** Include a notice of enrollment preferences given to any specific groups, and how those groups are defined.
 - At a minimum the enrollment should mirror demographics of the district or be tilted toward serving a particular disadvantaged population.
 - Insist everyone use lottery and can’t have more than 10% - align for open enrollment policy
 - Recommend BVSD explore all of the preferences that are currently allowed and cap preferences on adults/preferences.
 - Siblings currently enrolled are okay.

- Federal startup grants limit number of references to 10% - or not affecting too large of a population
 - In-district preferences
 - Require charters to participate in the BVSD lottery
- **Governance (A.8):**
 - More specificity and clarity on transition from application group and governing board.
 - Reframe a description of the process for how families and/community can have a voice (governance vs. other sections of the applications)
 - Third party agreements/contracts
 - Look to national standards, which are reinforced in state policy. [NACSA Principles & Standards 2018](#) (pg. 22, Box 2 & pg 24, Box 4):
 - **“ELEMENTS FOR APPLICANTS PROPOSING TO CONTRACT WITH EDUCATION SERVICE OR MANAGEMENT PROVIDERS:** Applicants proposing to contract for education services or management should be required to provide:
 - Evidence of the service provider’s educational and management success;
 - A draft (or existing) service/management contract that sets forth proposed key terms, including roles and responsibilities of the school governing board, the school staff, and the service provider; the services and resources to be provided; performance-evaluation measures and mechanisms; detailed explanation of compensation to be paid to the provider; financial controls and oversight; investment disclosure; methods of contract oversight and enforcement; and conditions for contract renewal and termination; and
 - Disclosure and explanation of any existing or potential conflicts of interest between the school governing board and proposed service provider or any affiliated business entities.”
- **Financial, Facilities & Transportation (A.10)**
 - From [NACSA Principles & Standards 2018](#) (pg. 23, Box 3): “Establish expectations related to the school environment, including health and safety, transportation, facilities, and appropriate handling of records”
- **Waivers (A.12):** be clear on waivers that are non-negotiable? In addition to requiring a list of requested waivers and the rationale for the request, require schools to provide a replacement policy.
 - ID the ones you care the most about and specifically require those
 - Ensure compliance with student and employee rights
- **Equity - Add a section on this topic to Application Contents:**
 - Equitable education is a high priority for BVSD and expectations around equity should be clearly defined for charter school applicants. Current language in policy LBD “encourages” applicants to serve the needs of at-risk students, but this is vague.
 - Include a plan for serving a diverse community within their programming description.
 - Include a plan for serving special populations that are not meeting targets for academic achievement and growth.
 - Improve explanation on access and services to all kids, particularly those that are underachieving

- Think more about target setting, programming, etc. to make sure the school reflects the populations you want to serve.
- **Replication and Expansion Schools:**
 - Use “Elements for existing school operators or replicators” from [NACSA Principles & Standards 2018](#) (pg. 22, Box 1):
 - Provide clear evidence of their capacity to operate new schools successfully while maintaining quality in existing schools;¹⁰
 - Document their educational, organizational, and financial performance records based on all existing schools;
 - Explain any never-opened, terminated, or non-renewed schools (including terminated or non-renewed third-party contracts to operate schools);
 - Present their growth plan, business plan, and most recent financial audits; and
 - Meet high standards of academic, organizational, and financial success to earn approval for replication.
- **Applicant Response (pg 5 of LBD-R):**
 - Require applicants to respond to questions/provide additional information in one document that is shared with all district staff, board of education members and DAC (rather than emailing specific answers to specific people).
- **Public Meetings (pg 5 of LBD-R):**
 - Suggest including a specific, maximum, number of meetings rather than just “meetings”
- **Renewal/Oversight:**
 - Contract & procedures giving the district the ability to intervene if things don’t go well (other than revocation of the charter)
 - Probationary approval with milestones
 - Recommend BVSD write a more rigorous renewal process with more regular progress monitoring of existing charter schools.
 - Require existing charter schools to adopt any changes outlined in policy revisions (commitment to equity, enrollment preferences, student achievement, etc)

Might be best to make more limited recommendations to the board and directly reference national best practices...

- National Association of Charter School Authorizers (NACSA) Documents.
 - [NACSA’s 12 Essential Practices](#)
 - [NACSA Principles and Standards 2018](#)
 - [NACSA Special Education Tool Kit, created in collaboration with the National Center for Special Education in Charter Schools \(NCSECS\)](#)

Recommendations From April 2018:

- Section II.C (p. 3) sets the proposal submission deadline for the beginning of August, which is fine, but please be aware that, *at best*, DAC would review the proposal in September, and issue a report in October.

- Add a section that names any district policy waivers and their replacement plan. Maybe the "alternate" section covers this enough? But thinking about Community Montessori's application, they needed more elbow room for their curriculum and assessments. The current proposed sections is not explicit enough for the school to know what else to include.
- Include something that gets at addressing equity issues through enrollment (at a minimum the enrollment should mirror demographics of the district or may be tilted toward serving a particular disadvantaged population) and a plan for serving a diverse community within their programming description.
- If applicable, the proposal (pp. 4-5) could also include a notice of enrollment preferences given to any specific groups, and how those groups are defined.
- The practical, process elements in this document (pp. 3-5) may be better handled in a regulation than in the policy itself.
- On Description of resources to be used --"Include personnel, facility, financial, and time resources. Resources planned must be within the school allocation. Please see the Budget Office for assistance." (p. 4) Seems like this requirement needs to be different this for existing schools wishing to expand vs. a brand new focus school. School allocation can mean different things in these situations.
- On Expected Outcomes for students (p. 5): Maybe change the language to "student performance targets" and include a discussion on how the school will respond to students that are not meeting performance expectations.