



2018-2019 ANNUAL CHARTER SCHOOLS REPORT 3.J

September 24, 2019

**Executive Limitation 3.J
Charter Schools**

To: Board of Education

From: Dr. Chris Fiedler, Superintendent of Schools

Re: Internal Expectations of the Board Report- 3.J Charter Schools

I hereby present my report on our Charter Schools, Executive Limitation 3.J, in accordance with the monitoring schedule as set forth in Board policy. I certify the information in this report is true.

Signed: 

Date: September 24, 2019

Dr. Chris Fiedler
Superintendent, School District 27J



Policy 3.J - CHARTER SCHOOLS

Date Adopted/Last Revised: November 10, 2009, April 16, 2013, June 25, 2013, April 28, 2015

Management Limitations

Monitoring Date: September 24, 2019

The superintendent shall not allow charter school contract applications to be recommended and shall not allow existing charter school contracts to continue if fiscal jeopardy or failure to make consistent progress towards their stated objectives is a likely outcome or is evident. In addition, the superintendent shall not allow existing charter schools to operate in a manner that would jeopardize the learning or well-being of their students such as any conditions or procedures that are unclear, unfair, unsafe, untimely, undignified or unnecessarily intrusive.

I interpret "charter school" to mean:

*a public school operated by a group of parents, teachers, and/or community members as a semi-autonomous school of choice, operating under a contract or "charter" contract between the members of the charter school community and the authorizer. The school must be nonsectarian and non-home-based, but may be web based under certain circumstances.
22-30.5-104(1), C.R.S*

I interpret "fiscal jeopardy" to mean:

entering into an agreement to pay expenses when the source of income to pay for those expenses has not been determined, or not having cash available to pay expenses when/they are due.

I interpret "unclear" to mean:

published information or interactions which do not result in clearly defined expectations, opportunities or intent.

I interpret "unfair" to mean:

no/uniform, ill-balanced, discriminatory, or judicial. A practice or procedure which is meant to ameliorate a pre-defined right.

I interpret "unsafe" to mean:

dangerous: not secure. This places an affirmative obligation on all school personnel to take necessary measures to ensure that the school environment is safe and conducive for use by students and the public. Action is not required in the absence of foreseeable danger.

I interpret "untimely" to mean:

an unreasonable length of time as may be fairly, properly and reasonably allowed or required, having regard to the nature of the act or duty, or of the subject matter, and to the attending circumstances.

I interpret "undignified or unnecessarily intrusive" to mean:

absent good fit and with an intent to harm others, to mean actions which are arbitrary, capricious, or motivated by personal and political objectives. Lacking an etiology that would require the information.

Data Reported:

School District 27J has authorized five charter schools within its boundaries. The table below shows the enrollment data for each charter school from October 1, 2017 through September 1 2019.

Charter School	October 1, 2018 Enrollment	Jan. 2, 2019 Mid-year	Anticipated Enrollment for 2019-20	Sept.1, 2019 Enrollment
Belle Creek K-8	685	675	668	688
Bromley East K-8	1241	1224	1259	1194
Foundations Academy K-8	754	753	764	751
Landmark Academy	747	735	747	783
Total Students in	3,427	3,387	3,438	3,416

Charter High	October 1, 2018	1-2-2019	Anticipated	Sep. 1 , 2019
Eagle Ridge Academy 9-12	524	521	520	527
Total Charter School	3,951	3,908	3,958	3,943

The Oct. 1, 2018 enrollment figures served as the basis for state funding for the year.

The latest statistics from the Colorado League of Charter Schools report that in 2018-2019 over 124,000 students were enrolled in 255 charter schools throughout the state up from 120,000 students who were enrolled in 250 charter schools in 2017-2018, which equals approximately 13% of all Colorado students enrolled in public schools based on a total enrollment of 920,000. On October 1, 2018 School District 27J had 22% of its K-12 students enrolled in charter schools. School District 27J continues to be a leader in the state of Colorado in charter student enrollment, not counting charter online schools.

District-authorized charter schools must comply with the requirement of financial reporting to Colorado Department of Education (CDE) using the prescribed Chart of Accounts format for

reporting financial information. Their reports are incorporated into the school district reports. Formatting, frequency of reporting, and deadlines to comply with the Financial Transparency Act have been monitored by the school district and CDE. The School District communicated with each Charter School to ensure that they were in compliance within the Colorado State Reporting Guidelines.

Conclusion: I report compliance.

Accordingly, during the charter school application process the superintendent may not:

1. Fail to provide the Board with an analysis of the strengths and weaknesses of each charter application.

I interpret analysis to mean the process of breaking a complex topic into smaller parts to gain a better understanding of it;

I interpret strengths and weaknesses to mean data and information to review for the purpose of determining whether or not to approve the application.

I interpret charter application to mean the documentation provided, and required by statute, by an entity seeking authorization to operate a charter school with the boundaries of School District 27J.

Data Reported:

Our district received two formal applications for new charter schools during this reporting period: STEAD School and Capstone Academy (an NHA school). During this reporting period no complaints were lodged with School District 27J or the Charter Institute citing that School District 27J did not act in a manner consistent with the intent of this executive limitation.

Conclusion: I report compliance.

2. Fail to have a standard application format, complete with dates for submittal and expectations of thoroughness that includes and requires documentation of all areas of concern to the Board. The critical questions format used by district staff is available on the website with the directions for applications.

I interpret standard application format to mean the explicit set of requirements and supporting documentation, including Application, Checklist, and Review Rubric, set forth by the Colorado Department of Education for the completion and submission of charter school applications.

Data Reported:

Superintendent Policies LBD and LBD-R contain the district requirements and deadlines for all new charter school applications. These policies were developed in accordance with Colorado State Statute set forth in CRS 22-30.5-106, Charter Applications and CRS 22-30.5-107, Charter Application and Process. The Colorado Standard Application, Checklist and Review Rubric are available to all applicants on the School District 27J website, the League of Charter Schools website and the Colorado Department of Education School of Choice website. Executive Limitation 3.J was revised in April of 2015 to include a suggested percentage of charter students relative to total enrollment to be used as a planning tool for managing our continued growth, as well as the use of a weighted lottery enrollment system for all new charter applicants. Additional information in this limitation further puts charter applicants on notice as to the types of information that the Board requires and the timelines they must follow to be considered as a charter school within the School District 27J boundaries.

Conclusion: I report compliance.

3. Fail to ensure that members of the Board of Education receive a single completed application and any other relevant information at least two weeks prior to the public hearing for each charter applicant.

The Statutory process in CRS 22-30.5-107 requires that an application be submitted to the local board of education by a date determined by the local board of education to be eligible for consideration for the following school year. The date determined by a local board of education for filing of applications shall not be any earlier than August 15, or later than October 1. Our Superintendent Policies require applications to be submitted by August 15th for schools wishing to open in the following school year.

Data Reported:

Two applications have been submitted by the August 15th deadline for hearings for this year (2019-2020): STEAD School and Capstone Academy.

The Board received electronic and hard copies of the STEAD School and the Capstone Academy charter applications at the September 10, 2019 Board of Education Meeting. Capstone Academy Public Meeting is scheduled for September 25, 2019. The STEAD School Public Meeting is scheduled for October 9, 2019.

Conclusion: I report compliance.

4. Fail to ensure that members of the Board of Education receive all revisions to the charter application, answers to questions raised by board members and district staff, and all other relevant information at least two weeks prior to Board action on each charter application.

Data Reported:

Two applications were submitted by the August 15th deadline for Board action this year (2019-2020): STEAD School and Capstone Academy.

The Board received electronic and hard copies of the STEAD School and the Capstone Academy charter applications at the September 10, 2019 Board of Education Meeting. Capstone Academy Public Meeting is scheduled for September 25, 2019. The STEAD School Public Meeting is scheduled for October 9, 2019.

The Board's decision on the STEAD School and the Capstone Academy charter applications is scheduled for the October 22, 2019 Board of Education meeting.

Conclusion: I report compliance.

5. Fail to have the application easily available to prospective applicants by providing phone and e-mail addresses to access an application.

Data Reported:

School District 27J has an application available for prospective applicants in the Charter School Section of the SD27J website under Our Schools. The Colorado League of Charter Schools and the CDE website have links to www.startchartercolorado.org. The application contains information and resources available for new applicants. The new application has the latest information for educational management organizations and also contains the latest on the new requirements to ensure School Accountability. Additionally, we have current guidelines and "best practices" for distribution to new applicants.

Conclusion: I report compliance.

6. Fail to require a detailed and realistic financial plan and analysis by the applicant, which shall include:
 - a. Provision for placing three percent of the operating or three percent of the capital budget in a TABOR reserve fund.
 - b. Cash flow projections for the first year displayed month-by-month and a plan to fund any cash-flow shortfalls.

I interpret financial plan to mean how the applicant will afford to achieve its strategic goals and

objectives.

Data Reported:

Two applications were submitted by the August 15th deadline for Board action this year (2019-2020): STEAD School and Capstone Academy.

District staff review of both applications was conducted on September 16, 2019. Additional questions regarding the financial plan for the STEAD School will be submitted by staff to them by September 20, 2019.

Conclusion: I report compliance.

7. Fail to assess the viability of a charter school applicant by assuring that the following requirements are appropriately addressed before a favorable recommendation can be given:
 - a. An analysis of the monetary impact on the district budget, with the consideration of the impact the new charter school will have on the education of students in other district schools.

I interpret viability to mean capable of being successful in all aspects of operating a charter school.

I interpret monetary impact to mean the fiscal or financial result.

- b. An impact statement of the proposed school, given its proposed location, on neighborhood schools and other charter schools.

I interpret impact statement to mean brief narrative statements which summarize significant outcomes that the opening of a charter school will have on neighborhood schools and other charter schools.

- c. Documentation that substantiates that current availability to the program is limited and that demonstrates sufficient commitments to attend the school by students who are eligible to attend.
 - d. Description of a program of study or curriculum, including whether the program or curriculum currently exists in the district as a whole or in the geographic area of the district where the charter school proposes to locate or is in high demand with little or no space available.

I interpret curriculum to mean the set of courses, and their content, offered at a school or university

- e. Documentation that the proposed school has located a prospective site or sites that is/are sufficient for the program, is/are financially feasible, and is/are likely to meet the criteria for site development in the district.
- f. Description of how the proposed school addresses the needs of at-risk students.

I interpret at-risk students to mean those students who may underachieve academically based on poverty, race, ethnicity, language, or other similar factors.

- g. Description of how the needs of identified special needs students are sufficiently addressed according to law and policy.

I interpret special needs students to mean individuals who require assistance for disabilities that may be medical, mental, or psychological.

Data Reported:

Two applications were submitted by the August 15th deadline for Board action this year (2019-2020): STEAD School and Capstone Academy and are currently under review by staff.

Conclusion: I report compliance.

- 8. Fail to collaborate with new charter applicants to mutually agree to reasonable timelines for consideration of their application.

Data Reported:

Two applications were submitted by the August 15th deadline for Board action this year (2019-2020): STEAD School and Capstone Academy. District staff has worked with both of the founding boards from each charter applicant to coordinate the application timeline/schedules.

Conclusion: I report compliance.

In regard to existing charter schools, the superintendent may not:

- 1. Fail to monitor the charter school environment and ensure that their students and public are treated according to policy 3A.

I interpret monitor to mean systematically checking for incorrect or unfair conduct.

I interpret charter school environment to mean the students, staff, administration, parents and community members.

I interpret students to mean those persons officially enrolled in the academic program of the charter school.

I interpret public to mean relating to or concerning the people at large or all members of a community.

Data Reported:

District-authorized charter schools agree in their contracts to submit regular reports to the Charter School Liaison. Their Student Code of Conduct is presented to all parents in the annual parent student handbook. The Charter Schools submit a systematic series of operational quarterly reports on or before October 30, January 30, April 30 and August 15 that include student enrollment, disciplinary information, employment data, quantitative data on student progress, information on progress made by the charter school in reaching its educational goals and objectives, surveys and other parent satisfaction data and assessments of the effectiveness of the school's policies and procedures. The Charter Schools submit a monthly report, on the 1st day of the month, directly to the Director of Special Education, regarding the individual educational plan (IEP) and assessment information for the students who have Special Needs. The District liaison attends the charter school board meetings to ensure the accuracy and completeness of the reports. The consistent review and approval of these reports monitor each charter school environment in accordance to Policy 3J. The operational quarterly reports are submitted, reviewed, approved and stored in an electronic data management system called Image Silo. This data system is secure and annual training is offered for all users to insure that the protected information is properly maintained.

There were no official complaints of the charter schools authorized by School District 27J during this reporting period.

Conclusion: I report compliance.

2. Fail to monitor progress toward goals at least twice each year for charters in their first two years of existence and yearly in the school accountability plan of all other charter schools.

I interpret school accountability plan to mean the document or documents and supporting evidence outlining protocols and procedures the school will use to document student achievement and progress.

Data Reported:

All charter schools have complied with their contracts by submitting their Uniform Improvement Plans (UIP) to the District Accountability Committee (DAC) according to District 27J protocols.

Conclusion: I report compliance.

3. Fail to require, review, and analyze quarterly financial reports from each charter school, including an annual audit of all of the charter school accounts conducted by a licensed and accredited auditor approved by the district.

I interpret quarterly financial reports to mean financial statements, including a balance sheet and statement of revenues and expenditures.

I interpret annual audit to mean an independent, outside audit by a certified public accountant of financial and administrative operations on an annual basis that complies with state requirements.

Data Reported:

Effective July 1, 2010, the Public School Financial Transparency Act (the Act) requires any 'local education provider' to post certain financial information online, in a downloadable format, for free public access. Included in the requirements are quarterly financial statements commencing with the statements for the 2010-11 budget year. The websites for each charter school are checked for compliance and quarterly financial reports are reviewed to ensure compliance with statute.

The Local Government Audit Law (C.R.S. 29-1-601 et seq) requires Colorado local governments to have an annual audit of their financial statements. The law states that the audit must be performed by an independent Certified Public Accountant (CPA) and be in accordance with generally accepted auditing standards.

The Consolidated Appropriations Act of 2010 requires that states ensure that every authorizing school district conducts annual, timely and independent audits of the school's financial position in order to receive funding from the Public Charter School Grant Program.

Charter school audits are to be submitted annually beginning fiscal year ending June 30, 2012. The annual deadline for submission to 27J is September 30th. The charter school audits must be submitted to the Colorado Department of Education and the State Auditor's Office. All School District 27J charter schools submitted a completed audit.

Conclusion: I report compliance.

4. Fail to inform the Board and place on the consent agenda any loans from the School District to charter schools.

Data reported:

No loans or repayment plans were made or entered into between the District and any charter school during the 2018-19 school year.

Conclusion: I report compliance.

5. Fail to document, in writing, any discrepancies or deficiencies, whether fiscal, educational, or related to school climate, and the steps and timelines for correction and additional monitoring. Copies shall be provided to the charter school board chairperson and the members of the Board of Education.

I interpret discrepancies to mean a divergence or disagreement, as between facts or claims. I interpret deficiencies to mean a lack or incompleteness.

Data Reported:

During 2018-19 there were no discrepancies or deficiencies noted.

Conclusion: I report compliance.

6. Fail to assure compliance with the charter school contract.

I interpret compliance to mean observance of official requirements.

Data Reported:

District staff has provided professional development and training in contractual, legal and student issues for all administrators of charter schools. The District charter school liaison attends charter school boards of directors' meetings. The charter administrators work with board presidents to provide training to meet district standards and to respond to matters of compliance. These training agendas are established on the unique needs of each charter school board member.

In 2018-19 the Board of Directors at Eagle Ridge Academy continued its professional development with a Board Member Retreat. At this retreat the Board discussed Board member etiquette and attorney Tony Dyl led a session concerning how social media use relates to the Sunshine Law as well as a refresher on the law. Lisa Brody from Community Reach Counseling also led a session in social and emotional learning and how these needs might be reflected in policy. The ERA Board also attends the Colorado Association of School Boards conference each year, and members receive valuable training at the conference. Additionally, new board of directors are provided initial training in the area of Policy Governance as well as in school specific areas.

In 2018-2019, Landmark board members participated in the following trainings:

- 2018 NHA Board Symposium – Governance
- 2019 Colorado Charter Schools Conference – Governance
- Leader in Me (Intro)
- Launching Leadership
- Leader in Me Conference
- National Character & Leadership Symposium.

All Foundations Academy board members attended the 2018 NHA Board Symposium and

received training in Governance and all attended their Board Retreat.

Board members at Belle Creek have been receiving ongoing training in policy governance and several members attended the League of Charter Schools Conference where they received additional training.

Bromley East Board Members have completed the following trainings:

- Various sessions at the League of Charter Schools Conference
- An annual Board retreat including training in leadership, board rules and policies, governance
- Monthly one hour on-site training sessions regarding implementation, reporting, and protocol of Board Governance
- New Board member training through CDE Charter School Board Training Modules

The District charter liaison continues to monitor the following section of the Foundations Academy contract, and the on-going non-compliance of enrollment compliance. The issue is detailed in Section 5.4.1, states that *"the continuing intention to serve children who would qualify for free-and-reduced lunch program in substantially the same percentages as surrounding District schools educating other 27J kindergarten through eighth grade students."*

For the 2017-18 school year, Foundations Academy made some progress towards achieving this goal by increasing their FRL percentage to 19%. However, in the 2018-2019 school year, their free and reduced lunch percentage dropped slightly to 18%. This can probably be partially attributed to the composition of the community surrounding Foundations as it tends to be a neighborhood school because they do not offer transportation for their students.

Foundations Academy: 18%
Pennock Elementary: 41%

Northeast Elementary: 61%
Southeast Elementary: 50%

Conclusion: I report noncompliance.

7. Fail to inform the Board annually of the student achievement attained by charter schools, as well as regular public schools, using the same statistical analyses.

I interpret student achievement to mean the amount of growth exhibited by students during a one-year period.

Data Reported:

All charter schools are required to take part in all mandatory state testing. Results of those tests are part of the reporting system that is used for all public schools by the state and district. Statistical analyses of testing results will be done in accordance with the standard for all schools in the district. All charter schools have completed the mandatory accreditation

process and results are provided to the Board. Charter schools are included in all district reports, press releases, and information created to communicate testing results.

For the 2018-19 school year, all charter schools in 27J attained a Performance Rating on their Colorado School Performance Framework.

Conclusion: I report compliance.

8. Fail to collaborate with existing charter schools applying for a renewal of their contract to mutually agree to reasonable timelines for consideration of their renewal application.

Data Reported:

No charter contracts were up for renewal during this reporting period.

Conclusion: I report compliance.

9. Fail to require charter schools to submit revised budgets to the charter school administrator when their official October 1 count of students is more than 5 percent less than the projected student enrollment that has been submitted to the District.

Data Reported:

A procedure is in place to monitor student enrollment counts and to require new budgets be submitted based on these enrollments. All Charter Schools submitted their Charter School Board of Directors' adopted budget by June 30, 2019.

Conclusion: I report compliance.

10. Fail to provide to the Board documentation of the revised budgets of charter schools whose official October 1st count is more than 5 percent less than the projected student enrollment that has been submitted to the school district.

Data Reported:

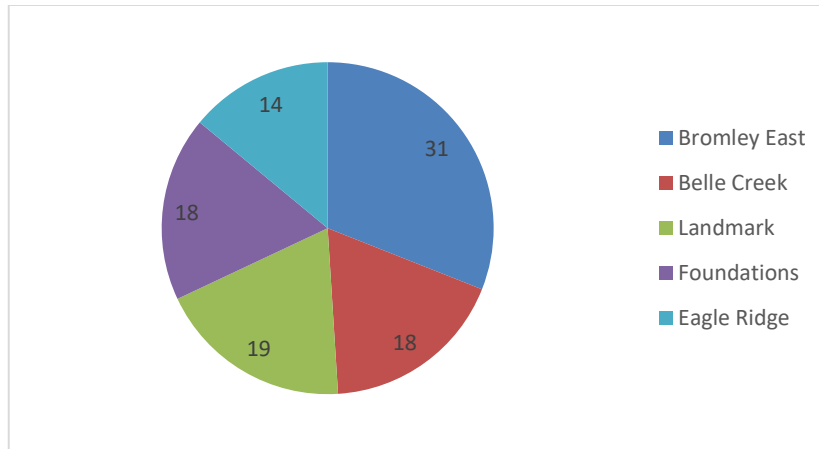
The Board of Education is provided documentation of charter schools official enrollment compared to projected enrollments. All Charter Schools are required to submit revised budgets to the district for approval based on October 1 student enrollment.

Conclusion: I report compliance.

All Authorized SD27J Charter Schools

July 1st, 2019 Enrollments

School Name	Current Total	Percent	Waitlist Total	Offered Seats	Projected
Bromley East Charter School	1203	31%	155	239	1240
Belle Creek Charter School	690	18%	8	754	653
Landmark Academy	719	19%	20	748	726
Foundations Academy	714	18%	94	748	728
Eagle Ridge Academy High School	539	14%	77	543	546
Total	3865	100%	354	3032	3893



Teacher, Staff, and Administration, July 1, 2019

School Name	Teachers	New Teachers	Additional Support Staff	Admin	Total Staff
Bromley East Charter School	60	1	43	5	108
Belle Creek Charter School	35	4	31	3	69
Landmark Academy	39	0	10	5	54
Foundations Academy	36	1	11	5	52
Eagle Ridge Academy High School	27	3	10	3	40
Total	197	9	105	21	323

2019 TESTING

2019 PSAT 9

	EBRW	Math
District	62	38
Eagle Ridge Academy	84	67

2019 PSAT 10

	EBRW	Math
District	57	30
Eagle Ridge Academy	84	52

2019 SAT 11

	EBRW	Math
District	45	25
Eagle Ridge Academy	72	46

SAT Results by State, District, and School

	2018	2019
State	1014	1000
District	947	936
BHA	789	777
BHS	952	941
BOLT	913	910
ERA	1062	1043
PVHS	929	918

2019 CMAS Results

	3rd ELA/L					3rd Math										
	2015	2016	2017	2018	2019	2015	2016	2017	2018	2019						
State	38.2	37.4	40	40	41.3	36.7	38.9	40	39	41						
District	33	34	39	35	40	34	37	42	39	39						
Belle Creek	22	19	27	23	25	37	28	26	36	27						
Bromley East	27	28	40	30	36	23	27	34	21	37						
Foundations	67	52	35	44	48	68	71	59	53	40						
Landmark	54	66	64	41	45	67	74	74	55	49						
	4th ELA/L					4th Math					4th Social Studies					
	2015	2016	2017	2018	2019	2015	2016	2017	2018	2019	2015	2016	2017	2018	2019	
State	41.7	43.9	44	46	48	30.2	33.3	34	34	33.6	21	23.8	24.8	22.4	23.9	
District	35	36	37	44	42	24	26	35	36	29	14	13	17	17	15	
Belle Creek	25	32	25	48	28	28	31	32	45	32					14	
Bromley East	34	46	40	57	46	20	25	26	31	16				32		
Foundations	72	59	61	45	41	59	57	58	53	35				21		
Landmark	60	56	53	67	47	61	48	52	52	47				19		

5th ELA/L						5th Math					5th Science				
	2015	2016	2017	2018	2019	2015	2016	2017	2018	2019	2015	2016	2017	2018	2019
State	40.5	41.2	46	47	48.4	30.1	34.3	34	36	35.7	35	33.6	34.9	35.5	35.9
District	37	34	41	42	45	25	31	32	36	34	26	24	26	27	30
Belle Creek	27	22	25	37	50	19	29	35	54	44	16	17	23	32	41
Bromley East	41	28	37	40	44	32	20	22	29	27	29	27	27	26	37
Foundations	34	49	53	51	54	42	50	48	47	47	34	48	46	35	30
Landmark	46	31	56	48	51	52	44	39	50	58	48	34	37	47	55
6th ELA/L						6th Math									
	2015	2016	2017	2018	2019	2015	2016	2017	2018	2019					
State	39.1	38.3	40	43	43.6	31.7	31	31	30	29.5					
District	29	28	27	30	34	23	21	20	21	23					
Belle Creek	32	33	35	41	34	27	40	39	29	34					
Bromley East	38	41	27	42	34	31	30	18	26	24					
Foundations	39	33	28	24	62	30	54	41	31	46					
Landmark	52	33	26	21	56	46	27	27	23	41					
7th ELA/L						7th Math					7th Social Studies				
	2015	2016	2017	2018	2019	2015	2016	2017	2018	2019	2015	2016	2017	2018	2019
State	41	41	44	47	46.5	27.4	26.2	26	29	31.6	17	18.1	18.7	15.7	17.9
District	29	29	33	31	34	18	22	20	18	19	12	12	11	10.1	11
Belle Creek	49	32	45	57	43	34	35	45	36	27	9	12			8
Bromley East	38	39	41	43	45	31	40	27	30	25	16			11	
Foundations	54	40	32	31	50	37	28	40	30	35	36			11	
Landmark	38	43	31	31	45	7	37	33	25	31	19			13	
8th ELA/L						8th Math					8th Science				
	2015	2016	2017	2018	2019	2015	2016	2017	2018	2019	2015	2016	2017	2018	2019
State	40.9	41.6	33	44	46.9	18.9	20.4	21	28	36.9	29	30.2	30.2	31.2	31.5
District	30	27	33	35	34	12	14	24	29	22	25	21	23	26	19
Belle Creek	19	45	59	69	53	31	58	53	59	38	9	32	28	28	24
Bromley East	51	26	29	61	44	25	16	17	45	29	57	31	33	41	25
Foundations	51	50	32	43	48	5	39	31	16	57	43	40	17	36	30
Landmark	49	37	34	33	46	17	13	7	41	43	29	28	27	36	31