

**Ball State University  
Office of Charter Schools  
October 2022  
Procedures for Monitoring and Renewal**

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According to Indiana law, a charter school is established to provide innovative and autonomous programs that: 1) serve the different learning styles and needs of public school students; 2) offer public school students appropriate and innovative choices; 3) provide varied opportunities for professional educators; 4) allow public schools freedom and flexibility in exchange for exceptional levels of accountability; and 5) provide parents, students, community members, and local entities with an expanded opportunity for involvement in the public school system (IC 20-24-2-1). As an authorizer of charter schools, Ball State University is responsible for ensuring that its charter schools demonstrate that they are achieving academic, financial, and organizational outcomes.

Pursuant to the Indiana “Charter School Law” (IC 20-24) the Ball State University Office of Charter Schools (OCS) has adopted these practices, policies, and procedures for monitoring its charter schools and reviewing renewal applications submitted by charter schools that OCS has authorized.

**I. Introduction**

A Ball State University (“University”) charter school trades the greater autonomy it is granted for the greater accountability to which it is held. While OCS has the duty and authority to hold charter schools accountable through a number of means during the charter period, the requirement that a school applies and be approved for renewal on a periodic basis is the ultimate responsibility of OCS and the crux of the school accountability bargain. Renewal and the reviews OCS conducts is a high-stakes process for charters schools and for all others who are affected by these decisions.

As part of the Charter Agreement (“Charter”) between the University and its authorized charter schools, each school’s organizer, board of directors and administrators have agreed to meet a number of requirements. Schools that do not meet the terms of their Charters or applicable federal, state and local laws are subject to remedial actions, revocation, or non-renewal of their Charters when circumstances are warranted.

The guidance in this policy is intended to outline a process whereby the leaders at authorized schools remain aware of the expectations placed upon them and their school’s performance relative to those expectations. With this policy, the University is also implementing a process to aid schools in identifying and correcting potential issues as early as possible. The policy identifies specific areas critical to school success and a process for informing schools of potential problem areas. Depending on the seriousness of the issue(s) identified, multiple levels of intervention may be warranted and are set forth herein.

Through a series of procedural measures, the University evaluates the performance of the charter schools it authorizes following an accountability process described in the Accountability Frameworks (including the areas of academic, finance, and governance). Accordingly, this policy hereby becomes a part of, and is incorporated by reference, into the Accountability Frameworks.

**II. Monitoring School Performance**

The Indiana charter school statute (IC 20-24) requires a charter authorizer to monitor the performance of each charter school, including the school’s progress toward achieving the academic goals set forth in the

Charter. In reviewing and assessing the performance of a school, an authorizer is required by statute to consider the following:

*(A) Evidence of improvement in: (i) assessment measures, including the statewide assessment program measures; (ii) attendance rates; (iii) graduation rates (if appropriate); (iv) increased numbers of Indiana diplomas with a Core 40 designation and other Indiana Code 2022 college and career ready indicators including advanced placement participation and passage, dual credit participation and passage, and International Baccalaureate participation and passage (if appropriate); (v) increased numbers of Indiana diplomas with Core 40 with academic honors and technical honors designations (if appropriate); (vi) student academic growth; (vii) financial performance and stability; and (viii) governing board performance and stewardship, including compliance with applicable laws, rules and regulations, and charter terms. (B) Evidence of progress toward reaching the educational goals set by the organizer. IC 20-24-4-1*

Each Charter between the University and an authorized charter school includes a provision requiring the school to annually update the academic, non-academic and organizational goals. OCS unveiled the new Accountability System to the University's authorized schools June 27, 2012. This updated Accountability System draws specifically upon the expectations and requirements outlined in each area of the Accountability Frameworks (academic performance; financial performance; and organizational performance).

#### A. Annual Evaluation of Each Charter School

While there are a number of areas that may be used to evaluate the performance of a charter school, three areas in particular are critical to the success of any school. The areas that make up OCS' Accountability Performance Framework (academic performance, financial performance, and organizational performance) will serve as the focus of the schools' annual evaluation and any resulting intervention which is deemed necessary. Annual evaluation of the schools consists of reviewing the following:

1. Current data points outlined in the Accountability Frameworks
2. Previous year's Accountability Performance Framework Results
3. Previous year's financials
4. Previous year's audits
5. Current and prior years' budgets
6. Documents related to schools' organizational health
7. Progress on interventions previously designated
8. Timely submissions to SharePoint
9. Documents identified in OCS renewal application

#### B. Performance Monitoring and Periodic Review

In addition to the annual evaluation, OCS has created a comprehensive system of gathering information regarding charter school performance. Key elements of this accountability system include various methods of acquiring data:

1. Pre-opening Process: Guided by a detailed list contained within the Pre-opening Protocol, OCS staff works before a school opens to ensure that it is ready to start the school year in full compliance with education, financial, health, legal, safety and other vital requirements.

2. School Visits: Teams will visit each first and second year school in both the fall and spring. Mid-way through the current charter term, OCS will conduct an in-depth site visit providing an evaluation of where the school stands in relation to OCS Accountability Frameworks.
3. Analysis of Performance Framework Data
  - a. OCS may collaborate with researchers and statisticians at the University to conduct thorough academic data analysis on all charter schools authorized by the University. The effort is to measure the performance over the course of the Charter and intervene when school data shows indication of failure to meet the standard set forth in the Academic Performance Framework.
  - b. OCS will monitor the fiscal viability of schools by requiring an annual accrual-based audit by an outside accounting firm who will report to the Indiana State Board of Accounts as well as OCS. Further, schools are required to work on an accrual-based accounting system regarding budgetary submission to OCS. The financial standards are articulated in the Financial Performance Framework.
  - c. OCS has a structured procedural method to monitor and assess the functioning of the governance body of the charter schools relating to the charter school's educational program, financial management and oversight, governance and reporting, protecting the rights of students and employees, school environment and any additional obligations and responsibilities specific to the Charter. The organizational and governing standards are articulated in the Organizational Performance Framework.

OCS will continuously monitor the performance of each authorized charter school throughout its operation. When OCS identifies concerns in one or more of the areas of academic, financial or organizational performance, an informal review of the concern(s) may be conducted by OCS. As a part of this informal review, OCS may contact school representative to obtain additional information. After this informal review, the Executive Director will determine whether the concern warrants formal action on the part of OCS including intervention as set forth below in Section III.

### **III. Intervention Process**

OCS will take initiative to address concerns or problems as soon as they emerge. A University authorized charter school is encouraged to take immediate remedial action to address any concerns or correct any problem identified through its own observations or those made by OCS staff or through other outside entities responsible for the monitoring of school's performance.

Informal Intervention Process: Informal intervention consists of a phone call to school leader and follow-up email from OCS staff to school leader and Board President regarding deficiency, which is to be corrected within five (5) business days.

Formal Intervention Process consists of the following levels:

#### **A. Level One: Notice of Deficiency**

This level of intervention may be triggered by failure to meet performance targets; failure and/or noncompliance with the school's charter and/or applicable federal, state, and local laws. Such issue(s) will be identified through routine monitoring; implementation of policies, compliance, performance reviews; or by other means. In addition, failure to submit required documents on a timely basis to SharePoint, or request an extension, will trigger this level of intervention.

The Notice of Deficiency is issued on the 6<sup>th</sup> business day following informal intervention which has not been corrected within five (5) business days following the information intervention. The Notice of Deficiency will be issued pursuant to the Notice provisions in the Charter, detailing area(s) of deficiency and will require said deficiencies to be corrected within five (5) business days following receipt or outline a date in which the school must respond to OCS in writing stipulating its actions to remedy area(s) of deficiency.

**B. Level Two: Notice of Probationary Status**

This level of intervention is triggered when there is continued failure to meet performance targets and there is failure to meet objectives of performance in the school narrative. This level of intervention may also be triggered if there is continued failure to comply with applicable law or with the provisions of the charter. In addition, repeated failure to submit required documents on a timely basis to SharePoint will trigger this level of intervention.

The conditions described above will result in written notice from OCS pursuant to the Notice provisions in the Charter, detailing area(s) of deficiency. The Notice shall outline a date in which the school must respond to OCS in writing stipulating its actions to remedy area(s) of deficiency.

**C. Level Three: Charter Review/Restructuring**

This level of intervention is triggered when there is an extended pattern of failure to comply or to meet performance targets. This level of intervention will also be triggered if there is failure to successfully address terms of probation.

The conditions described above will result in written notice from OCS pursuant to the Notice provisions in the Charter, detailing area(s) of continued deficiency. The Notice may include OCS's recommendation to revoke, not to revoke, or impose additional sanctions. Additional sanctions will include, but are not limited to, the school having to revise its school narrative to include changes in school procedures or operations. A school on probation will not be considered for a 5-year renewal.

**D. Level Four: Notice of Intent to Revoke/Charter Revocation**

This level of intervention is triggered when the school has demonstrated persistent failure in meeting performance targets. This level of intervention may also be triggered if the performance results demonstrate an unsuccessful attempt at addressing the terms of probation.

The conditions described above will result in written notice from OCS pursuant to the Notice provisions in the Charter, citing with specificity the areas of performance that were not met and informing the Board of its right to appeal OCS's decision. Appeal will result in a hearing with the President of the University making the final determination based on the written recommendation of the Hearing Panel Members.

**IV. Coordination of Monitoring Processes with the Renewal Process**

Merit-based renewal decisions will be based on an analysis of a comprehensive body of objective evidence defined by the Accountability Frameworks and gauged under standards developed under national principles and standards for quality authorizing. Renewals will be granted to each charter school that can demonstrate that it has achieved ongoing and continuous performance standards as stipulated in the Accountability Frameworks (developed by OCS), and has been faithful to the terms of the Charter and applicable laws.

The renewal process serves three purposes. First, it forms OCS' decision on whether to renew a school's Charter by providing evidence of school performance in relation to the academic, financial, and organizational performance standards set out in the school's charter and in the Accountability Frameworks. Second, the process through the renewal application provides the school a meaningful opportunity to present additional evidence regarding its performance. Third, it provides the school with an opportunity to outline – based on its past performance – a deliberate plan for sustaining success, addressing areas requiring improvement, and ensuring ongoing viability of the school.

#### A. Renewal Timeline

Pursuant to the terms of the Charter, the Organizer must initiate the renewal process by filing a written request for renewal with the Executive Director of the OCS no later than October 1 in the last academic year before expiration of the then current term of the Charter. A Renewal Application/Continuous Improvement Plan is also due October 1 in the last academic year before expiration of the then current term of the Charter.

#### B. Renewal Decision Overview

OCS intends to conduct a rigorous, transparent renewal decision process that leads to merit-based decisions consistent with national principles and standards for quality authorizing. In OCS's process to make changes to its accountability framework and to align its processes with national principles and standards for quality authorizing, the Performance Frameworks and OCS's Policy for School Assessment and Intervention will both be used to determine a school's eligibility for a charter renewal. OCS will base its renewal decisions on the existing record of school performance including, but not limited to, the school's written response to the Renewal Narrative of the Charter Renewal Application and any additional performance data provided by the school.

The renewal process is the culmination of a continuous improvement process, and includes analysis by the school, by OCS and external reviewers. The Renewal Application provides schools an opportunity to present the record of performance and to outline plans for the school's next charter term. Within the report, schools will have an opportunity to comment on the data and provide factual corrections and/or supplement the record with information and data to explain academic results and demonstrate other academic measures that may provide evidence of the school's academic success and/or improvement (e.g., individual student growth data, legacy/cohort group data, summer remediation and/or additional IREAD scores, etc.). The school's plans for the next charter term may affect the length of the renewal term/extension and may shape the development of a new Charter.

External reviews may be conducted of the academic and organizational performance of schools. All schools are required to complete a fiscal audit. OCS staff reviews the school's application, external reviewer reports, and our staff analysis to determine renewal decisions.

#### C. Renewal Recommendations

The Executive Director of OCS will issue notice of the University's intent to extend, renew or non-renew the school's Charter by March 1 of the same academic year.

1. Renewal. If the renewal findings demonstrate the following:
  - The school has demonstrated satisfactorily the improvement in academic performance of pupils for the preceding four years consistent with OCS Academic Performance Framework;

- The school has met or exceeded all of the benchmarks for educational performance for each of the four preceding years;
- The school has met or exceeded all of the benchmarks for financial performance for each of the four preceding years and has had no significant audit findings during the term of the charter; and
- The school has met or exceeded all of the benchmarks for organizational performance for each of the four preceding years.

A full renewal of a Charter means that OCS will recommend the school for a renewal term of up to seven years.

2. Non-Renewal. If the findings indicate the school has failed to substantially meet the standards set forth in OCS Accountability Frameworks, then the school will be recommended for Non-Renewal. If the Organizer wishes to appeal the decision of the University not to renew the charter, the Organizer may appeal such decision in accordance with the Charter Schools Reconsideration Procedures, which are available on the web site of OCS.
3. Extension A review of the charter may show the school still has some performance areas of deficiency that may be remedied in the near term. These circumstances may result in OCS issuing an extension of the charter for a period less than three years.

#### **V. Non-Renewal Appeal Process**

The Organizer may appeal the recommendation of the Executive Director to non-renew or revoke a Charter. Decisions to place a school on a probationary status are at the discretion of the Executive Director. The Reconsideration Procedures for Non-Renewal and Appeal Procedures for a revocation are located on OCS website.