

**Ball State University
Office of Charter Schools
November 2012**

**Practices, Policies and Procedures for the Monitoring and Renewal of Charter Schools
Authorized by the Office of Charter Schools at Ball State University**

Pursuant to the Indiana “Charter School Law” the Office of Charter Schools at Ball State University has adopted these practices, policies, and procedures for charter school monitoring and renewal applications submitted by charter schools that the Office of Charter Schools, hereinafter the “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 the 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 the OCS and the crux of the school accountability bargain. Renewal and the reviews the OCS conducts is a high-stakes process for charters schools and for all others who are affected by these decisions.

As part of the contract 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 charter contracts 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 Performance 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 Performance 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:

Evidence of improvement in assessment measures, including the ISTEP+ program, and the graduation requirements, attendance rates, increased numbers for Core 40, increased numbers of academic honors and technical honors diplomas (if appropriate), graduation rates, student academic growth, financial performance and stability, governing board performance and stewardship, including compliance with applicable laws, rules and regulations, and charter terms, evidence of progress toward

reaching the educational goals set by the organizer and compliance with applicable law. IC 20-24-4-1 (8).

Each contract between the University and an authorized charter school includes a provision requiring the school to annually update the academic, non-academic and organizational goals. The 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 Performance 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 the OCS's 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 Performance 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 CSAPPHIRE
9. Documents identified in OCS renewal application

B. Performance Monitoring and Periodic Review

In addition to the annual evaluation, Ball State University 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, the 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. OCS Staff and Outside Consultants School Visits:** Teams will visit each first and second year school for a full day in both the fall and spring. Third year schools engage in a self-evaluation process. Site visits are also required in the schools third year. For schools in their fourth year, teams will conduct an in-depth, two-and-a-half day visit, providing an evaluation of where the school stand in relation to the OCS standards;
- 3. Independent, Confidential Surveys of Parents:** The OCS coordinates surveys of parents and other stakeholders during the Spring of the school year to rate their satisfaction with the schools on a variety of issues. The survey will be available through the OCS website and the results will be shared through the annual Accountability Report;

4. **Expert Analysis of Test Score Data:** The OCS collaborates with researchers and statisticians at the University to conduct thorough 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 performance failure;
5. **Review of School Finances:** 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;
6. **Special Education Review:** The OCS will review the special education policies and procedures of all sponsored schools to determine if the schools are in compliance with applicable laws and the requirements of the OCS on a non-compliance basis including the IDOE designation for Article VII and the Individual's with Disability Educational Act;
7. **Governance Monitoring:** The OCS has a structured procedural method to monitor and assess the functioning of the governance body of the charter schools. The organizational and governing standards are articulated in the Organizational Performance Framework.

The 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 performance, financial performance or organizational performance, an informal review of the concern(s) may be conducted by the OCS. As a part of this informal review, the 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 the OCS including intervention as set forth below in Section III.

III. Intervention Process

The 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 the OCS staff or through other outside entities responsible for the monitoring of schools performance.

A. Identification and Notification Process

Formal intervention consists of the following levels of intervention:

1. Level One: Notice of Deficiency
 2. Level Two: Notice of Probationary Status
 3. Level Three: Charter Review/Restructuring
 4. Level Four: Notice of Intent to Revoke/Charter Revocation
1. Level One: Notice of Deficiency

The level of intervention is 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 CSAPPHIRE will trigger this level of intervention.

For academic performance monitoring, this level of intervention will be triggered (pursuant to IC 20-24-2.2-2) if a school has received its initial placement in either of the two lowest overall ratings, “D”-Does Not Meet Standard or “F”-Falls Far Below Standard, per the OCS Academic Framework per the OCS Academic Performance Framework and as established under IC 20-31-8-4.

The conditions described above will result in a written notice from OCS to charter school’s Board of Directors detailing area(s) of deficiency. The letter shall outline a date in which the school must respond to OCS in writing stipulating its actions to remedy area(s) of deficiency.

2. 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 CSAPPHIRE will trigger this level of intervention.

For academic performance monitoring, this level of intervention will be triggered (pursuant to IC 20-24-2.2-2) if a school has received for two consecutive years a placement in either of the two lowest overall ratings, “D”-Does Not Meet Standard or “F”-Falls Far Below Standard, per the OCS Academic Framework and as established under IC 20-31-8-4.

The conditions described above will result in written notice from OCS to charter school’s Board of Directors detailing area(s) of deficiency. The letter shall outline a date in which the school must respond to OCS in writing stipulating its actions to remedy area(s) of deficiency.

3. 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.

For academic performance monitoring, this level of intervention will be triggered (pursuant to IC 20-24-2.2-2) if a school has received for two consecutive years a placement in the lowest overall rating, “F”- Falls Far Below Standard per the OCS Academic Performance Framework and as established under IC 20-31-8-4.

The conditions described above will result in written notice from OCS to charter school’s Board of Directors detailing area(s) of continued deficiency. The letter 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.

4. 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.

For academic performance monitoring, this level of intervention will be triggered (pursuant to IC 20-24-2.2-2) if a school has received a placement of “F”-Falls Far Below Standard for three consecutive years in the overall ratings per the OCS Academic Performance Framework and as established under IC 20-31-8-4.

The conditions described above will result in written notice from OCS to charter school’s Board of Directors citing with specificity the areas of performance that were not met and informing the Board of its right to appeal the 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.

B. Academic Performance Monitoring

Academic performance standards are described in Attachment 1, Academic Performance Framework.

C. Finance and Organizational Performance Monitoring

In the areas of finance and compliance, the Executive Director of the OCS will determine whether formal action is deemed necessary. See Attachment 2, Financial Performance Framework, and Attachment 3, Organizational Performance Framework, for an outline of matters to be considered in areas of finance and organizational concerns. The following procedures will be used when performance in Finance and/or Organizational is not meeting articulated standards.

1. The Executive Director will send written notice to the school leader and head of the school’s board of directors regarding the specific concerns. If it is deemed appropriate, the directors may request additional information to determine whether the concern(s) should be remedied through formal intervention steps. If after reviewing any additional information submitted by the school, the Executive Director determines the situation warrants intervention, the Executive Director will send written notification to the school leader and head of the school’s board of that determination. If intervention is warranted, the school will be required to take action to remedy the defect and submit a response to the Executive Director within 30 days of the formal notification by the Executive Director.
2. If the Executive Director determines the seriousness of the concern(s) warrants a probationary status, the Executive Director will notify the head of the school’s board and school leader that the OCS is placing the school on Probationary Status and will outline therein remedial steps which need to be taken by the school in order to remedy the deficiency. A time frame will be issued for accomplishing the remedial action, and any other necessary steps which the school needs to satisfy in order to be removed from the Probationary Status.
3. Upon notification to the school leader and head of the school’s board of directors that a school has been placed on Probationary Status, the school may submit additional information to the Executive Director and request that the decision to place the school on Probationary Status be reconsidered. The Executive Director will notify the school leader and head of the school’s board of directors in writing of any reconsideration of the Probationary Status.

4. In a situation where the Executive Director determines that a Notice of Intent to Revoke the charter is warranted, the Executive Director shall notify the head of a school's board and school leader in writing and recommend revocation to the Dean of Teachers College, Provost, and President of the University. In this case, the Executive Director will meet with school leaders to discuss appropriate actions related to the recommendation. Schools notified of Charter Revocation may appeal the recommendation through the Appeal Process described below.

IV. Coordination of Monitoring Processes with the Renewal Process

Each charter school's contract with the University has a termination date. During the final year of a charter contract, a formal evaluation of the school's performance will be conducted by the OCS. The performance of the school as determined by components of the Accountability Performance Frameworks will be important in determining the school's eligibility for charter renewal.

The renewal process requires the OCS to determine what the school has accomplished with respect to the educational outcomes of its students, the financial stability of the organization, and the soundness of the school's governance and operations. The decision-making process is designed to provide adequate time for the OCS to consider all relevant evidence; to engage third-party experts for analysis and synthesis of the evidence; to provide schools adequate opportunity to submit relevant information and to comment on preliminary findings; and for the public to comment.

A. Renewal Recommendations

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 the 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 contract means that the OCS will recommend the school for a minimum renewal term of five years.

2. Non-Renewal

If the findings indicate the school has failed to substantially meet the standards for renewal in one or more areas, 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 the OCS.

3. Extension

A review of the charter may show the school still has some performance areas of deficiency that may be remedied over a period of time. These circumstances will result in the OCS issuing an extension of the charter.

V. Appeal Process

The head of a school's board of directors may appeal the recommendation of the Executive Director to revoke a charter. Decisions to place a school on a probationary status are at the discretion of the Executive Director. The Appeal Procedures are located on the OCS website.