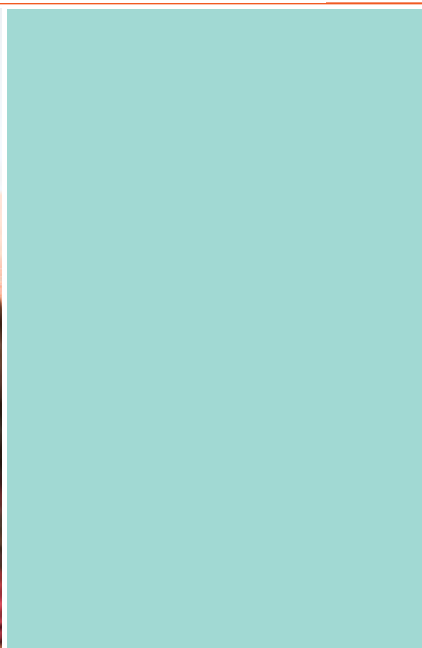




Florida Principles & Standards *for Quality Charter School Authorizing*



Dear colleagues,

Florida has taken a significant step toward the establishment of a high-achieving and highly accountable sector of charter schools. Over the course of one year, charter school sponsors and operators in the Sunshine State came to the same table to draft the document you are now reading, the *Florida Principles and Standards for Quality Charter School Authorizing*. I encourage anyone with a stake in the future of Florida's charter schools to heed the best practices herein.

Florida now educates more than 295,000 students at more than 650 charter schools. While a great many of these schools are providing excellent educational opportunities, others are not living up to their promise and are failing the children and the communities they are meant to serve. It is the responsibility of every school district in Florida to make sure that the charter schools they authorize are fully capable of delivering on the charter promise. Such a burden requires support.

For the past fourteen years, the National Association of Charter School Authorizers has worked to provide this help. NACSA prepared the original *Principles & Standards for Quality Charter School Authorizing* as a resource to help decision-makers ensure that every charter school is a great school and to help fulfill the "grand bargain" of chartering: give these schools the freedom and autonomy to do things differently, but hold them accountable for results. NACSA's guidelines reflect the best practices developed through years of experience working with entities of all types who are engaged in the daily work of charter school authorizing. They are guidelines animated by the belief that quality authorizing is the foundation for quality charter schooling.

It's rare for any state to tailor these Principles and Standards to its charter school environment, much less bring school districts and charter schools together to jointly hammer out such optimal guidelines. Florida has helped to blaze a trail with this effort, and it has done so while keeping student achievement in the forefront. I am confident the *Florida Principles and Standards for Quality Charter School Authorizing* will lead to the quality charter school environment that all Florida residents deserve.

Sincerely,

A handwritten signature in cursive script that reads "Greg Richmond".

Greg Richmond,
President and Chief Executive Officer,
National Association of Charter School Authorizers



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Introduction

Florida has been a national leader in the charter school movement since the state passed its own charter law in 1996. Few major cities and school systems have outpaced the growth of student enrollment at charter schools seen in Florida's largest urban areas. Moreover, the National Alliance for Public Charter Schools has consistently ranked Florida's law among the best in terms of what it does to create high-quality charters schools and to hold them accountable.

To build on this success, Florida's district, charter, and state leaders are continually examining their policies and practices to help ensure that students have access to the best charters schools. One of the single most important ways to accomplish this goal is to improve charter school authorizing. A charter sponsor has the power to approve a charter school and, if necessary, shut it down; it's no surprise that states and regions with some of the best charter authorizing practices have some of the best charter schools.

Purposes of the Florida Principles and Standards

The National Association of Charter School Authorizers (NACSA) has given us a blueprint for effective authorizing, one that helps charter school sponsors balance diverse and competing interests, regardless of the policies and laws of a given state. NACSA's defining publication, the *Principles & Standards for Quality Charter School Authorizing*, includes founding principles as well as basic and advanced standards for implementation and provides a critical roadmap to the best practices in the industry.

To be sure, however, Florida does have unique challenges and opportunities—the state's 67 school districts are currently charged with the responsibility for charter school authorizing. Sponsors and charter operators alike in Florida have recognized a need for their own strategy, using NACSA's as a model.

How the Florida Principles and Standards were developed

Starting in the summer of 2013, representatives from school districts, charter schools, charter support organizations, and the Florida Department of Education met many times over the course of the year to develop the document you're reading now: the *Florida Principles and Standards for Quality Charter School Authorizing*. Consistent with NACSA's own efforts (NACSA, in fact, helped to facilitate this endeavor) this publication is the outcome of an unprecedented collaboration between charter schools and school districts to find common ground and to strive for high standards in the charter sector. It sets as a goal the same best practices reflected in NACSA's original document while meeting Florida's requirements and particular needs.



Who should use this resource

The Florida Principles and Standards are not designed to be a step-by-step list of tasks for charter sponsors to follow. Nor is it intended to be a tool for legislative action or sponsor evaluation. The Principles and Standards are intended to be a roadmap that can guide sponsors at all stages and levels of experience. It is designed to provide practical guidance to help local school boards and their staffs carry out their work as a standards-based profession. And it highlights the complexity and challenges of quality authorizing—and the need for local and state policy to contemplate and invest adequately in authorizing to achieve a quality charter school sector.

GLOSSARY	Definitions of key terms
High Stakes Review:	An in-depth sponsor review of important charter school performance data utilizing the agreed upon goals and objectives referenced in the charter contract. Differs from routine annual reports in terms of the depth and comprehensiveness of the data reviewed.
Human Resources:	The component of the school’s operation that deals with personnel including recruitment, selection and/or termination of staff, staff training and development, and implementation of policies and procedures governing those activities.
Management Company:	An organization, either for-profit or nonprofit, that contracts with a charter school or a network of charter schools to provide comprehensive educational and business services.
Performance Management:	The process whereby sponsors and schools agree to the establishment, execution, and appraisal of certain goals, standards, and expectations.
Portfolio:	The full set of schools a sponsor has authorized described in terms of total numbers of schools and students as well as relevant breakdowns such as program types, special populations, and cumulative subgroup numbers.
Request for Proposal (RFP):	As used in this document a Request for Proposal (RFP) represents an invitation to qualified charter school applicants to submit an application to a sponsor for consideration. Frequently, RFP’s include specific criteria such as the student population or geographic area to be served by the charter application.
Strategic Planning:	A process that helps sponsors and schools determine and clearly communicate the long-range vision of their respective organizations and desired outcomes and how their goals will be evaluated and achieved.



- State reasonable pre-opening requirements or conditions for new schools to ensure that they meet all health, safety, and other legal requirements prior to opening and are prepared to open in a timely manner consistent with contract requirements,
- State the responsibility and commitment of the school to adhere to essential public education obligations, including admitting and serving all eligible students so long as space is available, and not dismissing students except pursuant to the school’s discipline policy as approved by the sponsor and incorporated in the charter contract, and
- State the responsibilities of the school and the sponsor in the event of school closure, and
- Ensure that any fee-based services that the sponsor provides are set forth in a services agreement that respects charter school autonomy and treats the charter school equitably compared to district schools, if applicable, and ensures that purchasing such services is explicitly not a condition of charter approval, continuation or renewal.

STANDARD 3(C)

Performance Standards

A Quality Sponsor Will:

- Establish the performance standards under which schools will be evaluated, using objective and verifiable measures of student achievement as the primary measure of school quality,
- Specify expectations for appropriate access and education support services for students with disabilities,
- Define the sources of academic data that will form the evidence base for ongoing and renewal evaluation, including state-mandated and other standardized assessments, qualitative reviews, and comparisons with other comparable public schools in the district and state,
- Define the sources of financial data that will form the evidence base for ongoing and renewal evaluation, grounded in professional standards for sound financial operations and sustainability,
- Define the sources of organizational data that will form the evidence base for ongoing and renewal evaluation, focusing on fulfillment of legal obligations, fiduciary duties, school climate, sound public stewardship and ethical practices, and



- Include clear and measurable performance standards to judge, within statutory requirements, the effectiveness of alternative schools, if applicable — requiring and appropriately weighting rigorous mission-specific performance measures and metrics that credibly demonstrate each school’s success in fulfilling its mission and serving its target population.

Additional elements critical to establish and monitoring appropriate performance standards are included in Box 1.

STANDARD 3(D)

Provisions for Education Service or Management Contract (if applicable)

A Quality Sponsor Will:

- Provide additional contract provisions for any charter school that contracts with an external (third-party) provider for education design and operation or management to ensure rigorous, independent contract oversight by the charter governing board and the school’s independence from the external provider as specified in Box 3, and
- Review the proposed third-party contract as a condition of charter approval to ensure that it is consistent with applicable law and the public interest and contains the provisions identified in Box 2.



Standard 4 - Ongoing Oversight and Evaluation

A quality sponsor conducts contract oversight that competently evaluates performance and monitors compliance; ensures schools' legally entitled autonomy; protects student rights; informs intervention, termination, and renewal decisions; and provides annual public reports on school performance.

STANDARD 4(A)

Performance Evaluation and Compliance Monitoring

A Quality Sponsor Will:

- Conduct a comprehensive performance accountability and compliance monitoring system that is defined by:
 - The terms of the charter contract and including the information necessary to make rigorous and standards-based renewal, termination, and intervention decisions, and
 - Alignment with federal, state, and local performance expectations and compliance requirements while protecting schools' legally entitled autonomy and minimizing schools' administrative and reporting burdens,
- Define and effectively communicate to schools the process, methods, and timing of gathering and reporting school performance accountability and compliance data,
- Provide clear technical guidance to schools as needed to ensure timely compliance with applicable rules and regulations,
- Conduct school visits as appropriate and necessary for collecting data that cannot be obtained otherwise and in accordance with the contract, while ensuring that the frequency, purposes, and methods of such visits respect school autonomy and avoid operational interference to the extent possible,
- Monitor each school at least annually on its performance and progress toward meeting the standards and targets stated in the charter contract, including essential compliance requirements, and clearly communicate results to the school's governing board and leadership,
- Require and review annual financial audits of schools, conducted by a qualified independent auditor,
- Communicate regularly with schools, including both the school leaders and governing boards, and provide timely notice of contract violations or performance deficiencies,



	<ul style="list-style-type: none">• Provide an annual written report to each school, summarizing its performance and compliance to date and identifying areas of strength and areas needing improvement, and• Articulate and enforce stated consequences for failing to meet performance expectations or compliance requirements.
STANDARD 4(B)	A Quality Sponsor Will:
Respecting School Autonomy	<ul style="list-style-type: none">• Respect the school’s authority over its day-to-day operations,• Collect required information from the school in a manner that minimizes administrative burdens on the school, while ensuring that performance and compliance information is collected with sufficient detail and timeliness to protect student and public interests to the extent possible,• Periodically review compliance requirements and school autonomy based on flexibility in the law, demonstrated school performance, streamlining needs, or other considerations, and• Refrain from directing or participating in educational decisions or choices that are appropriately within a school’s purview under the charter law or contract.
STANDARD 4(C)	A Quality Sponsor Will:
Protecting Student Rights	<ul style="list-style-type: none">• Require that schools admit students through a random selection process that is open to all students, is publicly verifiable, and does not establish undue barriers to application that exclude students based on socioeconomic, family, or language background, prior academic performance, special education status, or parental involvement,• Ensure, via oversight of contractual provisions, that the rights of parents and students to an open enrollment and admissions process are protected,• Ensure that schools provide access and services to students with disabilities as required by applicable federal and state law, including compliance with student individualized education programs, Section 504 plans, facilities access, and educational opportunities,• Ensure clarity in the roles and responsibilities of all parties involved in serving students with disabilities,



- Ensure that schools provide access to and appropriately serve other special populations of students, including English language learners, homeless students, and gifted students, as required by federal and state law, and
- Ensure that schools' student discipline policies and actions are legal and fair, foster stable student enrollment and ensure that no student is dismissed outside of that process.

STANDARD 4(D)

Intervention

A Quality Sponsor Will:

- Establish and clearly communicate at the outset an intervention process that states the general conditions that may trigger intervention and the types of actions and consequences that may ensue,
- Give schools clear, adequate, evidence-based, and timely notice of contract violations or performance deficiencies,
- Allow schools reasonable time and opportunity for remediation in non-emergency situations, and
- Where intervention is needed, engage in intervention strategies that clearly preserve school autonomy and responsibility (identifying what the school must remedy without prescribing solutions).

STANDARD 4(E)

Public Reporting

A Quality Sponsor Will:

- Produce an annual public report that provides clear, accurate performance data for the charter schools it oversees, reporting on individual school performance according to the framework set forth in the charter contract.



Standard 5 - Termination and Renewal Decision Making

A quality sponsor designs and implements a transparent and rigorous process that uses comprehensive academic, financial, and operational performance data to make merit-based renewal/non-renewal decisions, and terminates or non-renews charters when necessary to protect student and public interests.

<p>STANDARD 5(A)</p>	<p>A Quality Sponsor Will:</p>
<p>Termination</p>	<ul style="list-style-type: none"> • Terminate a charter during the charter term for good cause and/or clear evidence of significant underperformance or violation of law or the public trust that imperils students or public funds.
<p>STANDARD 5(B)</p>	<p>A Quality Sponsor Will:</p>
<p>Renewal/Non-Renewal Decisions Based on Merit and Inclusive Evidence</p>	<ul style="list-style-type: none"> • Base the renewal process and renewal decisions on thorough analyses of a comprehensive body of objective evidence defined in the charter contract, • Grant renewal only to schools that have achieved the standards and targets stated in the charter contract, are organizationally and fiscally viable, and have been faithful to the terms of the contract and applicable law, and • Not make renewal decisions, including granting probationary or short-term renewals, on the basis of political or community pressure or solely on promises of future improvement.
<p>STANDARD 5(C)</p>	<p>A Quality Sponsor Will:</p>
<p>Cumulative Report and Renewal Application</p>	<ul style="list-style-type: none"> • Provide to each school, in advance of the renewal decision: <ul style="list-style-type: none"> ▪ A summary of the school’s performance record over the term of the charter, and ▪ A statement of the sponsor’s summative findings concerning the school’s performance and its prospect for renewal, and • Require any school seeking renewal to apply for it through a renewal application, which provides the school a meaningful opportunity and reasonable time to respond to the finding; to correct the record, if needed, and to present additional evidence regarding its performance.
<p>STANDARD 5(D)</p>	<p>A Quality Sponsor Will:</p>
<p>Fair, Transparent Process</p>	<ul style="list-style-type: none"> • Clearly communicate to schools the criteria for charter termination, renewal, and non-renewal decisions that are consistent with the charter contract,



- Promptly notify each school of its renewal (or, if applicable, non-renewal or termination) decision, including written explanation of the reasons for the decision,
- Promptly communicate renewal, non-renewal or termination decisions to the school community and public within a time frame that allows parents and students to exercise choices for the coming school year,
- In a timely manner, explain in writing any available rights of legal or administrative appeal through which a school may challenge the sponsor’s decision, and
- Regularly update and publish the process for renewal/ non-renewal decision making, providing guidance regarding required content and format for renewal applications and including any provisions that apply specifically to high performing charter schools.

STANDARD 5(E)

A Quality Sponsor Will:

Closures

- In the event of a school closure, oversee and work with the school governing board and leadership in carrying out a detailed closure protocol that ensures timely notification to parents; orderly transition of students and student records to new schools; and disposition of school funds, property, and assets in accordance with law.





Key Elements for Special Topics:

BOX 1 | *Performance Standards*

The charter contract should define clear, measurable and attainable academic, financial and organizational performance standards and targets that the school must meet (or make significant progress toward meeting) as a condition of renewal, including but not limited to state and federal measures. Ideally, these would include:

- Goals for student academic achievement status or proficiency,
- Goals for student academic growth including adequacy of growth toward state standards,
- Goals relating to state and federal accountability systems,
- As applicable, goals for postsecondary readiness (including graduation rates for high school students),
- Mission specific performance goals unique to the school as mutually agreed by the parties,
- Financial reporting data sufficient to allow the sponsor to evaluate the school's short-term financial stability and viability as well as the school's long term financial sustainability,
- A description of the required financial reporting and fiscal management process required by the sponsor,
- Required documentation related to the school's governance including board meeting notices and minutes, board compliance with by-laws, public records and public notice statutes, adoption of the school's budget and required school policies, and
- Expectations related to the school's environment, health and safety, transportation and facilities.

BOX 2 | *Education Service or Management Contracts*

A quality sponsor will ensure that any third party agreement for operation and and/or management services will:

- Clearly establish the primacy of the charter contract over the third-party contract,
- Clearly identify the school governing board as the party ultimately responsible for the success or failure of the school, and clearly define the external provider as a vendor of services,
- Prohibit the third party from selecting, approving, employing, compensating or serving as school governing board members,
- Require the school governing board to directly select, retain, and compensate the school attorney, accountant, and audit firm,

- Provide for payments from the sponsor to the school to be made to an account controlled by the school governing board, not the third party,
- Require all instructional materials, furnishings, and equipment purchased or developed with public funds to be the property of the school, not the third party,
- Define roles and responsibilities of the school governing board and the service provider, including all services to be provided under the contract,
- Clearly identify the performance measures, consequences, and mechanisms by which the school governing board will hold the provider accountable for performance, aligned with the performance measures in the charter contract,
- Identify all compensation to be paid to the provider, including all fees, bonuses, and what such compensation includes or requires,
- Define the terms of any facility agreement that may be part of the relationship,
- Clearly identify financial reporting requirements and provisions for the school governing board's financial oversight,
- Identify all other financial terms of the contract, including disclosure and documentation of all loans or investments by the provider to the school, and provision for the disposition of assets in accordance with law,
- Clearly specify that the school governing board, at all times maintains independent fiduciary oversight and authority over the school budget and ultimate responsibility for the school's performance,
- Identifies criteria for contract termination without excessive penalties that would threaten the school's ability to operate, and
- Identifies the respective responsibilities of the governing board and service provider in the event of school closure.

BOX 3 | *Requirement for Applicants Proposing to Contract with Education Service or Management Providers*

For any applicant proposing to contract with a Education or Management Provider a quality sponsor will require the applicant to provide additional contract provisions including:

- 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 or 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.

Acknowledgements

The Office of Independent Education and Parental Choice of the Florida Department of Education is indebted to workgroup members and other staff who gave generously of their time and talent to participate in the development of the *Florida Principles and Standards for Quality Charter School Authorizing*. It is hoped that this document will be of value to all charter school stakeholders as Florida continues its efforts to make high quality charter schools an important and viable school choice option for Florida's students and families.





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