

# Charter Schools: What Your Board Needs to Know and Be Prepared to Do

California County Board of Education  
County Board Governance Workshop  
March 9, 2019  
12:30 - 2:45

# Presenters

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# California Charter Authorizing Professionals (CCAP)

- Is a non-profit (501C3)
- Is governed by a board of directors of experienced California charter authorizers (professional staff)
- Tri-State Alliance - Won a three year federal grant to support district and county office charter authorizers. Working in collaboration with authorizing professionals in Florida and Colorado.



# MISSION OF CCAP

Members of the California Charter Authorizing Professionals (CCAP) advance quality public education for all students by providing charter school authorizing professionals with the support, resources, and collective voice necessary to foster high-performing, fiscally sound, autonomous, and accountable charter schools.

# Tri-State Alliance Project Goals

1

Strengthen authorizing states with district authorizers

2

Educate districts and stakeholders about authorizing responsibilities

3

Engage and provide support to more authorizers in CA, CO, and FL

4

Support states outside the Tri-State Alliance

# Who is Here Today?

# Our Working Assumptions

- This is not a “charter authorizing 101” class
  - We have resources for those who want more detailed information
- Focus is on a strategic and board level approach to the work and the key components

# Outcomes from the Workshop

- **You will have an understanding of:**
  - Essential components of a strong/effective charter authorizing and oversight process
  - What components you have in place in your county
- **You will have a plan for moving forward**
- **We will have a discussion of:**
  - The new responsibilities coming to authorizers under LCAP beginning in 2019
  - Quick discussion of new legislation (SB 126) and introduced bills

# Resources and Tools

- PowerPoint: Charter Schools: What Your Board Needs to Know and Be Prepared to Do (today's presentation)
- CHARTER SCHOOLS: WHAT YOU NEED TO KNOW AND BE PREPARED TO DO Planning Document
- CARSNet Petition Review Checklist
- Values, Principles and Expectations
- “Deeper Dive” Presentation to CCBE, May 3, 2017
- Compilation of Charter School Law and Regulations

*All these resources are on the CCAP website*

# A “Mini” Review

## Charter Schools

- Origins and Purpose
- Today - Number of Charter Schools and Authorizers
- Approval/Denial Criteria
- Role of County Boards

# Charter Schools and Authorizers in California

- 1,253 active charter schools
- 327 charter authorizers
- 287 district authorizers
- 40 county authorizers (plus SBE)
- 92% authorize 6 or fewer
- 42% authorize only 1 or 2
- 8% authorize 58% of all charter schools (large authorizers)
- 622 (50%) of current charter schools overseen by “small” authorizers

**It is the intent of the Legislature,** in enacting this part, to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplish all of the following:

- (a) Improve pupil learning.
- (b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.
- (c) Encourage the use of different and innovative teaching methods.
- (d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.
- (e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.
- (f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.
- (g) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.

# Authorizing Is Primarily About The System, Not The Schools

- Shift from traditional “geographic franchise” model of public education (monopoly)
  - Where all public school are owned and managed by geographically distinct, school districts that own the local franchise
- To create an “open sector” within the public education system
  - Where other types of organizations may control and operate public schools, independent of the usual school district model
- Shift from rule based to performance based accountability

# The Mega-Waiver

47601: Legislative intent

47610: Waiver and exceptions

From laws governing school districts

With specific exceptions

47612.5: And other district-like requirements (minimum minutes)

47605(l): And as included in charter content (credentials)

49414: And in other places in the code (e.g., Epi-pens), other statutes that specifically mention charter compliance



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# Standard of Review - County Charter and District Appeal

The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- (3) The petition does not contain the number of signatures required by subdivision (a).
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (d).
- (5) The petition does not contain reasonably comprehensive descriptions.

# Standard of Review

- Approve “unless”
- Must rely on facts and make written findings
- Core findings: sound program, ability to implement
- Not basis for denial:
  - No “need” in our community
  - Financial impact on the district

# Standard of Review

QUESTIONS?

# California's Authorizing Structure and Support

## We have a Model T

- Groundbreaking in its Time
- Not Able to Meet Today's Charter School Authorizing and Oversight Challenges

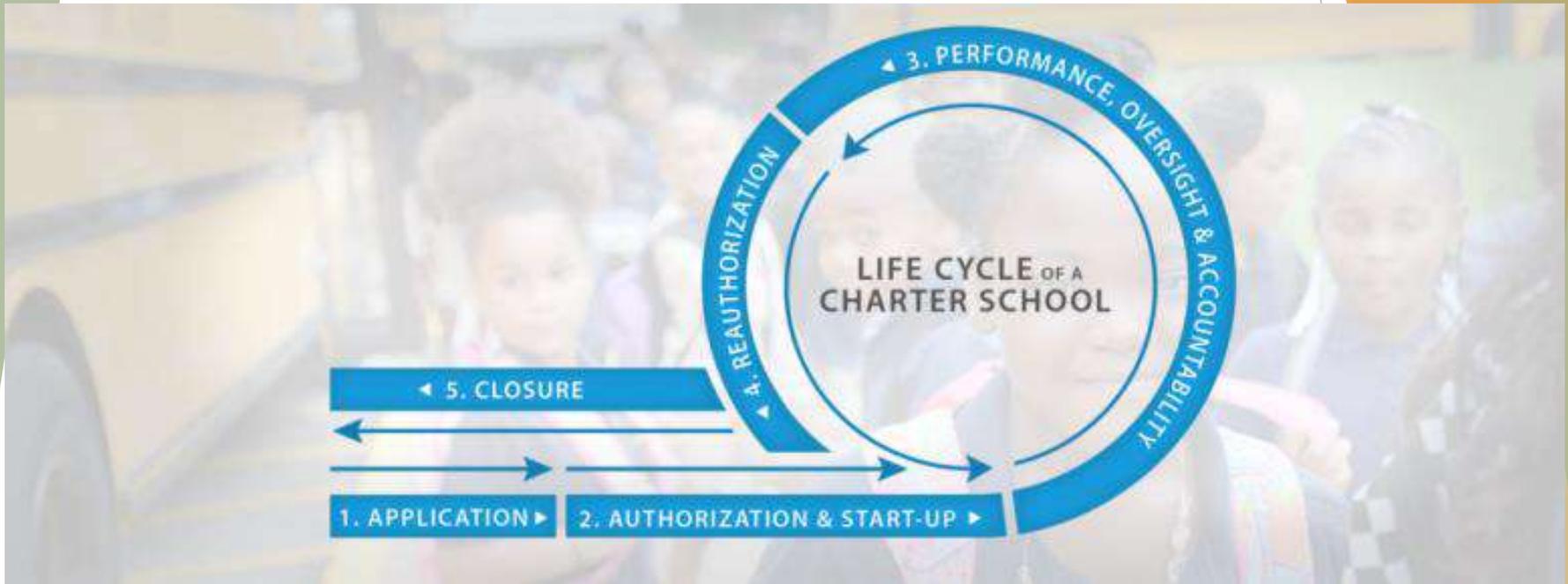


# Tesla S - Where We Need to Go

- An Updated Law
- A Performance Contract/MOU
- Clear Standards for Approval, Renewal and Revocation
- Technology Powered Support Systems
- Adequate Fiscal Support for Oversight Quality
- 2019 MAY be the Year...



# Life Cycle of a Charter School



## START WITH THE END IN MIND

Renewal - Because the school earned it!

Non-renewal - Have you done your homework?

# Inventory - Where are You as a Board?

Please Take a Moment and Reflect:

- Am I clear on my board's/county office's philosophy regarding charter schools?
- Do I have a strong understanding and comfort with our board policies on charter schools?
- Am I clear on my responsibilities as a board regarding charter schools?
- Am I clear on our county's procedures for reviewing and overseeing charter schools?



# County Boards and County Superintendents - Collaboration and Cooperation is Essential!

- County Board Members are Elected Officials (typically)
- County Superintendents of Schools are Elected Officials (typically)
- Boards Approve or Deny Charters
- Superintendents have direct responsibility for the staff of County Offices of Education, and typically for the oversight of charter schools approved by the Board

# The Governing Board's Role - Overview

- Review the charter school petition prior to approval
- Create clear and positive relationships
- Continuously review the performance of the charter school
- Use the charter school board as a vehicle for accountability
- Determine if the charter should be renewed, or not, based on evidence, and if needed, be revoked

# Your Special Role: Appeals from Denial of Petition

- From district to COE
- From COE to SBE (except countywide)
- District role:
  - Provide documentation of denial
  - May be offered an opportunity to speak; can provide public comment
- Not judging the district's decision - *de novo review*
- Often difficult role for the board AND staff



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# Authorizing Law - Life Cycle - Board Role

## QUESTIONS?

# Charter School Accountability Components

## Academic

Is the academic program a success?

## Financial

Is the school financially viable?

## Organizational

Is the organization effective and well run?

# Charter Oversight Design Principles

(From February 2018 Master Class)

- **Principle 1** - The process and annual report format must meet the needs of a small authorizer
- **Principle 2** - Place first level oversight responsibility on charter school boards
- **Principle 3** - There are fundamental measures of quality that can be identified and measured
- **Principle 4** - Determine the level/intensity of oversight based on the charter school meeting/failing key performance indicators
- **Principle 5** - The Authorizer Provides an Annual Report that guides the renew/not renew decision for the school

# Charter Schools: What You Need to Know and Be Prepared to Do Planning Document

*The purpose of this planning document is to help you outline key discussion and action steps that you can take back to your County Board and County Office of Education to improve the effectiveness of charter school approval and oversight...*



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# Activity 1 - Building Effective Authorizing/Charter School Relationships

What is our organization currently doing to...

- **Provide clear guidance on the process and standards for charter school approval and renewal?** [Examples: adopted policy and procedures, website with process, sample documents, etc.]
- **Establish expectations for school performance and authorizer monitoring over the term of the charter? Do we have standards and a process for renewal?** [Examples: MOU, renewal standards and process, handbook, etc.]
- **What can we do to ensure an open, productive and transparent relationship with charter schools in our county in order to best serve the interests of students and families in our community?**

# Example Websites

OCDE > Governance, Leadership & Community Partnerships > Charter Schools

## Charter Schools



- Charter Schools
- Charter School Appeal Process
- Countywide Charter School Review Process
- Charter School Oversight
- Charter School Material Revisions and Petition Renewal Process
- Charter Schools Directory

## Charter School Leaders and Petitioners Page

- Parents and Community
- Charter School Authorizers
- Charter School Leaders/Petitioners
- Charter Schools Home Page

The Riverside County Office of Education (RCOE) offers training and resources to charter schools. RCOE is responsible for processing petitions submitted to the Riverside County Board

Input your search...

# Charter Schools

## Los Angeles County



For questions or concerns regarding any charter school operating in Los Angeles County please [click here](#)

Contact

**Kelly Gaughan**  
Director  
714-709-3884

Teresa C. 7

### Charter School Office

### Business Charter Schools Unit

### LAC Charter SELPA

The Charter School Office (CSO) serves as the point of contact for charter school petitioners, parents, school districts, and other stakeholders. Our office also coordinates the monitoring and oversight of charter schools authorized by the County Board.

- Petitioners:** The CSO is responsible for accepting charter petitions and appeals on behalf of the Los Angeles County Board of Education and facilitating the petition review and appeal process. The process and forms for submitting petitions is available on our [webpage](#).
- Parents:** Questions and concerns regarding charters schools authorized by the County Board may be directed to the Charter School Office by telephone or email. We will help you identify the authorizing entity if it is not the County Board.
- School Districts:** The CSO provides technical support to school districts and school boards on the process of authorizing and monitoring charter schools.
- Community Stakeholders:** The CSO website offers resources and information on various topics related to the authorizing and monitoring of charter schools.
- Fiscal Oversight**

and Petitioners Page is designed to provide the following

- Questions about Charter Schools
- Local Network Information
- RCBE Authorized Charter Schools
- Petition Process
- Locations in Riverside County

### Office of Education Petition Review Process

- Complete Intent to Submit Form
- Petitioner Submits Completed Charter Petition Packet
- Charter Petition Packet "Deemed Complete" by RCOE Staff
- RCOE Multidisciplinary Review
- Internal Review Team Meeting
- Capacity Interview
- Public Hearing
- Review of "Draft" Staff Report
- RCBE Charter Subcommittee Meeting
- Riverside County Board of Education Decision

# Activity 2 - Monitoring Financial Performance

- What process and standards are currently in place for our review of charter school finances?
- Does that process generate timely, useful information to alert us to potential problems?
- Do the charter schools we authorize understand the fiscal monitoring process and have we communicated our expectations for financial performance?
- What improvements in monitoring should we consider?

# Activity 3 - Monitoring Academic Performance

- What process and standards are currently in place for our review of charter school academic performance?
- How are we using information on charter school academic performance to promote student success?
- Are we communicating our evaluation of charter school academic performance to school leadership, both to their executive officer as well as to the charter school's governing board? To the public?
- What improvements in monitoring should we consider?

# Activity 4 - Annual Charter School Progress Report that Guides the Renew/NOT Renew Decision for the School

Do we provide an annual written report to the charter school regarding the school's success/progress in meeting the standards set for that school that informs all parties and ultimately guides the renew/not renew decision for the school?

# My Responsibilities as an Authorizer - My Next Steps

What steps can I take as a board member to support my organization to be a more effective charter authorizer?

- Discuss possible updates or policy changes with my colleagues and the superintendent.
- Develop questions I will ask regarding charter school agenda items.
- Schedule one or more Board Study Sessions.
- Plan ways I will become better informed on charter school issues.



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# Authorizers New Obligation to Provide Support

## 47607.3.

(a) If a charter school fails to improve outcomes for three or more pupil subgroups identified pursuant to Section 52052, or, if the charter school has less than three pupil subgroups, all of the charter school's pupil subgroups, in regard to one or more state or school priority identified in the charter pursuant to subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605 or subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605.6, in three out of four consecutive school years, all of the following shall apply:

(1) Using an evaluation rubric adopted by the state board pursuant to Section 52064.5, the chartering authority shall provide technical assistance to the charter school.

(2) At the request of the chartering authority, the California Collaborative for Educational Excellence may, after consulting with the Superintendent, and with the approval of the state board, provide advice and assistance to the charter school pursuant to Section 52074.

(b) A chartering authority shall consider for revocation any charter school to which the California Collaborative for Educational Excellence has provided advice and assistance pursuant to subdivision (a) and about which it has made either of the following findings, which shall be submitted to the chartering authority:

(1) That the charter school has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence.

(2) That the inadequate performance of the charter school, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or so acute as to require revocation of the charter.

(c) The chartering authority shall consider increases in pupil academic achievement for all pupil subgroups served by the charter school as the most important factor in determining whether to revoke the charter.

(d) A chartering authority shall comply with the hearing process described in subdivision (e) of Section 47607 in revoking a charter. A charter school may not appeal a revocation of a charter made pursuant to this section.

# SB 126 - Open Meeting, Public Records and Conflict of Interest Laws

## Other Legislative Proposals

# Open Forum

QUESTIONS?

Thank You for Attending

# California Charter Authorizing Professionals

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[www.calauthorizers.org](http://www.calauthorizers.org)

Violet Gutierrez, President

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