



Louisiana Department of
EDUCATION



LOUISIANA CHARTER SCHOOL AUTHORIZER EXCELLENCE PROJECT

OFFICE OF PARENTAL OPTIONS

LOUISIANA DEPARTMENT OF EDUCATION

AUGUST 26-27, 2010



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INTRODUCTION



- Conference held in August 2010 over two days
- National experts and local leaders in charter authorizing and the charter school movement
- Focused on improving the state's laws and policies governing the charter school authorizing process



- Day one was dedicated to identifying the strengths, weaknesses, and problems with current policy and law, raising questions and concerns, and advancing solutions to these problems.
- Four small groups tackled one of the following areas: Applications, Oversight & Review, Contracts & Closures, Extensions, Renewals, & Revocations.
- During day two, the Executive Committee answered more specific questions and made policy recommendations.



DAY ONE: MOST PRESSING PROBLEMS

- Schools and authorizers having access to real time data
- Having a clear timeline for the entire chartering process from application through renewal
- Establishing a clear protocol for school closures
- Authorizers being clear about expectations, identifying problems early on, and tying correction of these problems to the charter contract
- Clarity on the roles of BESE, the RSD, and charter boards



Discussions among the groups fell into five main areas of concern:

1. Charter School Application Process
2. Contracts
3. Closures
4. Oversight and Review
5. Extension, Renewal, and Revocation



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CHARTER SCHOOL APPLICATION PROCESS



MAJOR THEMES

- Consensus that the BESE application requirements are clear
- Applicants need communication, feedback and transparency and need to know the evaluation rubric.
- BESE could establish supports or trainings for applicants.
- BESE could give applicants time to respond to critiques and evaluation and to offer clarity.
- BESE could develop guidelines for the application process that could also be used by LEAs.



CONCRETE RECOMMENDATIONS

- There should be a simple qualifying process to label an operator as high-performing and allow them a streamlined or differentiated application process for additional schools.
- There was consensus that authority to choose an operator for a school ultimately lies with the authorizer, not the community.
- However, a transparent process with community input, vision, and values should be used to select the operator.



QUESTIONS FOR FURTHER DISCUSSION

- What should the differentiated application process be for high performing operators? How should high performing be defined?
- Who comprises the community to be considered when approving applications and turning over schools to new operators? What should the community's role be?
- What should BESE's role be in encouraging authorizing by LEAs and ensuring that they operate as quality authorizers?



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OVERSIGHT AND REVIEW



MAJOR THEMES

- Schools can benefit from authorizers pushing them to be better.
- The roles and responsibilities of BESE and the RSD are unclear and confusing.
- There can be significant tension between oversight and support.
- The compliance model of authorizing is restricting; revocation and non-renewal are often the only tools available to authorizers.



CONCRETE RECOMMENDATIONS

- The contract should be modified to more clearly articulate roles and responsibilities.
- The authorizer should develop support systems for schools including a calendar, role flow chart, and clear list of evaluation standards.
- The review process should be ongoing, over the charter term, with a policy that identifies triggers for further investigation.
- There should be real time reports and a data dashboard for use throughout the school year.



QUESTIONS FOR FURTHER DISCUSSION

- What should be the role of BESE, LDE, RSD, and the charter board?
- What should trigger a site visit to a school by someone from the OPO?
- What should be included in a charter school calendar?
- What actions/penalties should be possible in between extension and renewal years?



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CONTRACTS



MAJOR THEMES

- Schools and authorizers lack knowledge about what is in their contracts.
- Authorizers lack understanding of how to use a contract to resolve problems.
- How do law and policy changes affect contracts? Material vs. non-material changes?
- Who is the contract actually between? How do joint BESE/RSD responsibilities function?



CONCRETE RECOMMENDATIONS

- Define the oversight process, crafting flexible language around escalation.
- There should be uniform language between law, policy, and the contract.
- Identify joint and separate responsibilities and a mechanism for dispute resolution.
- Improve the negotiation process and signing timeline.



QUESTIONS FOR FURTHER DISCUSSION

- How does the revision to SPS standards impact current contracts?
- Should there be different academic performance standards for different types of schools? Growth vs. absolute?
- Where the contract and state law or policy differ, which controls? What happens when new law or policy is passed while a contract is operative?
- How much of the agreement should be in the contract versus in other referenced materials?



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EXTENSION, RENEWAL, AND REVOCATION



MAJOR THEMES

- There need to be big picture guidelines as to what is important in evaluation.
- Schools need to know what data is being used to evaluate them and where it comes from.
- There should be a better system of real time reporting on performance and compliance data.
- The 3rd year extension process should be streamlined and returned to the intent of the law, as a “check-up” on schools, not an early renewal decision.



CONCRETE RECOMMENDATIONS

- BESE should get back to the law regarding the 3rd year extension process, improving the policy so it can be used as a mechanism to identify deficiencies at schools.
- There should be no immediate change to BESE policy, despite the raising SPS bar, for the next 2 years because safe harbor provisions already exist for Type 5 charters.
- There should be a procedure adopted by the OPO to make recommendations to BESE for “automatic renewals” based on a school SPS, academic growth, and general compliance.



QUESTIONS FOR FURTHER DISCUSSION

- Given the increase in the Academically Unacceptable School (AUS) bar, how should increases school performance (academic) standards be phased in?
- Should there be different academic performance bars for renewal of different types of charters, start-ups versus conversions, or years in existence?



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CLOSURES



MAJOR THEMES

- There should be timely decision on closures, which should now be the case due to the new law that requires a January 31st notification.
- Communication with schools and families is important and should begin before the decision is made.
- BESE should incubate operators and invest in capacity and leadership for takeover teams.
- Who should choose the new operator: community, parents, authorizer, competitive bidding process?



CONCRETE RECOMMENDATIONS

- There should be clear closure protocol in BESE policy or OPO procedure.
- There should be a point person at the LDE to hold charter board members accountable for following the dissolution plan.
- The closure procedure might also involve appointing a trustee and creating a school closure fund to handle debts and obligations.



QUESTIONS FOR FURTHER DISCUSSION

- Could a competitive bidding process for new school operators by BESE be stymied by politics?
- What should the nature and extent of parental and community involvement in selecting a new operator be?



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CONCLUSION



- The Office of Parental Options committed to rectifying the most pressing issues through changes to administrative procedure and policy recommendations to BESE.
- One of these most pressing issues is clearing up the confusion that surrounds the 2010-2011 renewal process, when a significant number of Type 5 charter schools will be up for renewal for the first time.
- The Executive Committee agreed that the meeting had been fruitful and should occur annually or semi-annually.



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