

The Washington State Board of Education

Governance | Accountability | Achievement | Oversight | Career & College Readiness

Title:	Charter Authorizer Approval Process	
As Related To:	<input type="checkbox"/> Goal One: Effective and accountable P-13 governance. <input type="checkbox"/> Goal Two: Comprehensive statewide K-12 accountability. <input type="checkbox"/> Goal Three: Closing achievement gap.	<input checked="" type="checkbox"/> Goal Four: Strategic oversight of the K-12 system. <input type="checkbox"/> Goal Five: Career and college readiness for all students. <input type="checkbox"/> Other
Relevant To Board Roles:	<input checked="" type="checkbox"/> Policy Leadership <input checked="" type="checkbox"/> System Oversight <input type="checkbox"/> Advocacy	<input type="checkbox"/> Communication <input type="checkbox"/> Convening and Facilitating
Policy Considerations / Key Questions:	<ol style="list-style-type: none"> 1. Do the draft rubrics provide a valid, fair, transparent and rigorous basis for Board decisions that promote the goal of quality authorizing of charter schools? Are they consistent with the letter and intent of the law? 2. Is the use of external review panels and personal interviews likely to raise the quality of evaluations of authorizer applications and result in better decisions by the Board? 3. What specific roles and duties should Board members and staff most appropriately have in reviewing and evaluating authorizer applications? 4. Does the process recommended retain clear Board accountability for decisions to approve or deny charter applications? 	
Possible Board Action:	<input checked="" type="checkbox"/> Review <input type="checkbox"/> Adopt <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Other	
Materials Included in Packet:	<input checked="" type="checkbox"/> Memo <input type="checkbox"/> Graphs / Graphics <input checked="" type="checkbox"/> Third-Party Materials <input type="checkbox"/> PowerPoint	
Synopsis:	<p>RCW 28A.710.090 requires the SBE requires to establish an annual application and approval process for school district applications to be charter school authorizers, and to consider the merits of each application and make its decision whether to approve or deny within the timelines set by the Board. WAC 180-19-040, adopted by the Board in February 2013, establishes criteria for approval or denial of applications. SBE staff, with assistance from the National Association of Charter School Authorizers, have developed draft rubrics to guide evaluators in determining whether each part of the applications submitted meet criteria for approval, and assigning an overall rating to the application. Criteria and rubrics are linked closely to the statute, SBE rules, and NACSA Principles & Standards for Quality Charter School Authorizing as called out in law. The memo in your packet also recommends Board procedures for review and evaluation of authorizer applications, including external review panels and personal interviews with district staff to review, discuss and gain additional information to inform Board decisions.</p>	

CHARTER AUTHORIZER APPROVAL PROCESS

Policy Consideration

Members will review and approve a process for review and evaluation of applications submitted by school districts seeking to be charter school authorizers. Members will consider whether proposed rubrics for evaluation meet the intent of the law and conduce to quality authorizing of charter schools. Members will also consider for approval recommended procedures for review and evaluation of applications, including the use of external review panels and personal interviews with district personnel.

Application, Criteria and Rubrics

The state's new charter schools law directs the State Board of Education to establish an annual application and approval process for school districts seeking approval to be charter school authorizers. This section of law, RCW 28A.710.090, further directs the State Board to "consider the merits of each application and make its decision within the timelines established by the Board."

On February 26 the SBE adopted rules to implement this section. The rules established a timeline for authorizer applications and Board action as follows:

Action	2013 Approvals Only	2014 Approvals And Ongoing
District notice of intent to submit authorizer application to SBE.	April 1, 2013	October 1, 2013
SBE posts authorizer application.	April 1, 2013	October 1, 2013
Closing date for authorizer applications to SBE.	July 1, 2013	December 31, 2013
Closing date for SBE to approve or deny authorizer applications	September 12, 2013	April 1, 2014

Thirteen school districts submitted notice of intent to submit applications. The authorizer application was posted on the SBE web site on April 1, and is included in your packet. Each part of the application links directly to a component of the application as required in RCW 28A.710.090(2) and detailed in adopted WAC 180-19-030. The application includes criteria for evaluation of each part of the application, tied closely again to the statute and the rules.

The next step in fulfilling the SBE's charge is to develop a Board process for determining whether an application meets the criteria for approval, consistent with the letter and intent of the law. The rule, WAC 180-19-040, sets a two-part test for approval or denial of authorizer applications. For an application to be approved, the rule states:

- 1) “The state board must find it to be satisfactory in providing all of the information required to be set forth in the application,” and
- 2) “The board will also consider whether the district’s proposed policies and practices are consistent with the principles and standards for quality charter school authorizing developed by the National Association of Charter School Authorizers, as required by RCW 28A.710.100(3), in at least the following areas:
 - a. Organizational capacity: . . .
 - b. Solicitation and evaluation of charter applications: . . .
 - c. Performance contracting: . . .
 - d. Ongoing charter school oversight and evaluation: . . .
 - e. Charter renewal and revocation processes: . . . “

The criteria in the application document provide valid and transparent means of evaluating whether the application passes these two tests in each component, and so merits approval by the Board.

The rule further provides, “A determination that an application does not provide the required information, or does not meet standards of quality authorizing in any component, shall constitute grounds for disapproval.”

Since the posting of the authorizer application on April 1, the SBE has worked with the National Association of Charter School Authorizers (NACSA) to develop scoring rubrics to provide a clear and consistent basis for measuring the performance [evaluating the quality] of the applications against the criteria. The rubrics are then converted to a rating scale to inform Board decisions. This collaborative work is in accordance with the letter of agreement with NACSA approved by the Board in March. The rubrics are included, in draft form, in your packet.

For each evaluation criterion, the rubrics guide evaluators to look for evidence of specific attributes or descriptors, each of them drawn from the statute, rules or NACSA standards. For example, a criterion for evaluation of the part of the application in which the authorizer applicant submits its draft request for proposals is:

The draft or outline of the RFP demonstrates that the district intends to implement a comprehensive application process that follows fair procedures and rigorous criteria, based on a performance framework meeting the requirements of Washington’s charter school law.

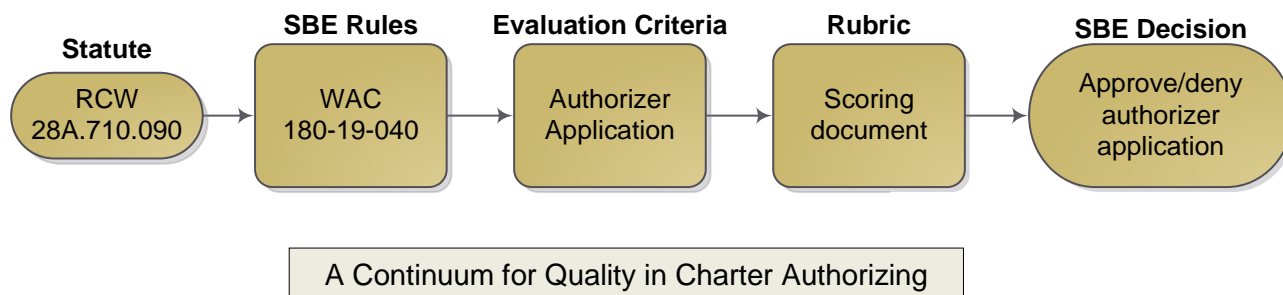
In proposed rubrics, evaluators would look for evidence of these and other descriptors:

- The RFP process will be open, well-publicized and transparent.
- The RFP includes a strategy for communicating and disseminating information regarding the application process, approval criteria, and decisions to the public.
- The RFP includes a clear and realistic timeline that outlines key milestones and explains how each stage of the process is conducted and evaluated.
- The RFP outlines applicant rights and responsibilities and outlines procedures for promptly notifying applicants of approval or denial, and the factors that determined the decision.

By developing, refining and posting the rubrics, the SBE makes the effort incumbent on it to create a fair, rigorous and transparent process for decision-making on authorizer evaluations. It enables school districts preparing authorizer applications to know not just what information

they're expected to include in the applications, but how that information will be evaluated by the SBE in determining whether to approve.

By maintaining close linkage in each stage of the process to the requirements and standards set in law, the SBE takes a critical step in ensuring quality authorizing – the first requisite for quality charter schools.



The next task is to develop a rating scale for authorizer applications, based on evaluation of each section against the criteria and rubrics. Staff recommend the following rating scale:

Exemplary (E)	Commendable in that the response meets or exceeds the expectations established in law by the State Board of Education and NACSA's <i>Principles & Standards</i> , and worthy of emulation by other applicants.
Well Developed (WD)	Fundamentally sound in that the response satisfies expectations established in law by the State Board of Education and NACSA's <i>Principles & Standards</i> in material respects.
Partially Developed (PD)	Incomplete in that the response contains some aspects of a well-developed practice but is missing key components, is limited in its execution, or otherwise falls short of satisfying the expectations established in law by the State Board of Education and NACSA's <i>Principles & Standards</i> .
Undeveloped (UD)	Wholly inadequate in that the applicant has not considered or anticipated the practice at all, or intends to carry it out in a way that is not recognizably connected to the expectations in law established by the State Board of Education and NACSA's <i>Principles & Standards</i> .

The ratings would be the sum of the evaluation of each subsection of the application. Based on the summary of the subsection, evaluators will assign an overall rating to each of the five sections of the application. An applicant receiving an overall rating of Well Developed will be recommended to the Board for approval.

In adherence to WAC 180-19-040, an applicant receiving a rating lower than Well-Developed for any section of the application will not be recommended for approval. That applicant, after notice, would have the opportunity to improve and resubmit its application for 2014 approval, assisted by the written explanation of the specific reasons for the disapproval that is required in rule.

Review and Evaluation Process

The establishment of sound criteria, rubrics and a rating scale is just the beginning of the process. After that, procedures must be set in place for applying them in a way that promotes the highest-quality outcomes. Staff recommend that the process for review and evaluation of authorizer applications include at least the following steps.

External Review Panels. WAC 180-19-040(1) provides, “The state board may utilize the services of external reviewers with expertise in educational, organizational and financial matters in evaluating applications.” Such external reviewers, properly chosen, bring both technical expertise to this work that is not yet available within the agency, and independence that increases confidence in the results. (NACSA staff would not participate in review of applications, as this is outside the scope of work in the letter of agreement with the SBE.) Staff have identified state requirements for solicitation of potential contractors through a public process. Once selected, external reviewers will be familiarized with the state’s charter school law, SBE rules, and the criteria and rubrics before beginning their work. The role of the panels would be to evaluate and score authorizer applications in the approved manner and make recommendations to the Board. Decisions whether to approve or deny are wholly the Board’s, for which it is, by law, wholly responsible.

Personal Interviews. WAC 180-19-040(1) also provides that “The state board may, at its discretion, require personal interviews with district personnel for the purpose of reviewing an application.” Staff recommend that the Board exercise this discretion. The section of Washington’s charters law dealing with approval or denial of charter applications, RCW 28A.710.140, specifies that “The application review process must include . . . an in-person interview with the applicant group.” NACSA *Principles & Standards* states that a quality charter application and decision-making process includes “a substantive in-person interview with the applicant group . . . conducted by knowledgeable and competent evaluators.” This should be no less true of the authorizer approval process, given all that’s at stake for school districts, the SBE, parents and children. A personal interview with district staff presenting the application can clarify responses, solicit additional information, identify deficiencies, and assess both capacity and commitment in a way that may not be achievable through a written document alone. Among questions are who would be on interview panels, how information gained would be used in evaluation of applications, and how they would fit into the schedule for SBE decision-making, given the tight timeline in the first year.

Action

The Board will consider approval of a process for review and evaluation of authorizer applications by school districts, as described in this memo.

The Washington State Board of Education

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CHARTER SCHOOL AUTHORIZER APPLICATION

APRIL 2013

School District: _____

District Contact: _____ Title: _____

Mailing Address: _____

Telephone: _____ Fax: _____

E-mail: _____

I certify that I have the authority to submit this application and that all information contained herein is complete and accurate. The person named as the contact person for the application is authorized to serve as the primary contact for this application on behalf of the school district.

Signature *Title*

Printed Name *Date*

Both the original hard copy of the application and a complete electronic application must be received by SBE no later than July 1, 2013 (as specified in WAC 180-19-130). Direct your questions to sbe@k12.wa.us or (360) 725 – 6025.

I. AUTHORIZER STRATEGIC VISION FOR CHARTERING**Requirement**

"The applicant's strategic vision for chartering." -- RCW 28A.710.090(2)(a)

Guiding Question

Does the applicant school district present a clear and compelling vision for chartering, aligned with the purposes of Washington's charter school law?

Instructions (target length 2,500 words)

The district must state:

- The district's purposes for wishing to be a charter school authorizer. These include both the statutory purposes the district expects to fulfill under RCW 28A.710.005 and any district-specific purposes it may have.
- The educational goals the district wishes to achieve.
- The characteristics of the schools the district is most interested in authorizing.
- How the charter schools the district wishes to authorize might differ from the schools it currently operates with respect to such features as staffing, schedule, curriculum, community engagement, or other significant characteristics.
- How the district will give priority to charter schools that will serve at-risk students as defined in RCW 28A.710.010(2).
- How the district will respect and protect charter school autonomy.
- How the district intends to promote and ensure charter school accountability.

Criteria for Evaluation: Strategic vision for chartering

- The vision clearly aligns with the statutory intent and purposes for charter schools. The vision need not address every statutory purpose; however, it should align clearly with at least one of those purposes.
- The district clearly articulates any additional purposes it may have for chartering that are particular priorities for the district. Any additional purposes address clearly identified educational needs of the district, and are supported by specific evidence and examples that illustrate the identified needs.
- The district's response describes with specificity the desired characteristics of the schools it will charter, such as types of schools, student populations to be served, and geographic areas to be served, along with the demographic data and instructional research it will use to evaluate needs.
- The response reflects a commitment to providing flexibility for charter schools in day-to-day operations, including respecting the autonomy of the charter school board.
- The response demonstrates a sound understanding of and commitment to performance-based accountability.

II. AUTHORIZER CAPACITY AND COMMITMENT**Requirement**

“A plan to support the vision presented, including explanations and evidence of the applicant’s budget and personnel capacity and commitment to execute the responsibilities of quality charter school authorizing.” -- RCW 28A.710.090

Guiding Question

Does the district demonstrate the capacity and commitment to carry out the duties of a quality charter school authorizer?

Instructions (target length of 2500 words or fewer excluding organizational chart)

- Provide a detailed description of the staff resources to be devoted to charter authorizing and oversight.
- Define the roles and responsibilities of authorizing staff or staff positions. Provide an organizational chart showing where primary authorizing responsibilities lie within the district.
- List the qualifications of district personnel expected to have principal authorizing responsibilities. Provide brief bios or resumes of staff expected to have principal authorizing responsibilities.
- Describe any external resources on which the district intends to rely in the execution of its authorizing responsibilities.
- Provide estimates of the district’s projected financial needs and financial resources, supported by the authorizer oversight fee and any other anticipated resources, for carrying out the responsibilities of a quality charter school authorizer.

Criteria for Evaluation: Authorizer Capacity and Commitment

- The description of capacity conveys a clear and accurate understanding of the district's duties and responsibilities as a charter school authorizer, in accordance with Washington's charter school law and the *Principles and Standards for Quality Charter School Authorizing* developed by the National Association of Charter School Authorizers.
- Staff resources to be devoted to charter authorizing and oversight are appropriate to fulfill the district's authorizing responsibilities in accordance with the Principles and Standards of Quality Charter School Authorizing developed by the National Association of Charter School Authorizers and the provisions of chapter 28A.210 RCW.
- The district clearly defines the roles and responsibilities of its chartering staff, and provides thorough and clear job descriptions. The organizational chart shows clear lines of reporting and authority for decision-making.
- The district demonstrates that it has or will secure access, through staff, contractual relationships or interagency collaboration, to expertise in all areas essential to charter school authorizing and oversight, including school leadership; curriculum, instruction and assessment; special education, English language learners and other diverse learning needs; performance management; law, finance, and facilities.
- The estimates of the financial needs of the authorizer and projected resources for authorizing are reasonable and supported, to the extent possible, by verifiable data, including such data about the district's overall financial condition as will demonstrate capacity for the new task.

III. REQUEST FOR PROPOSALS

Requirement

“A draft or preliminary outline of the request for proposals that the applicant would, if approved as an authorizer, issue to solicit charter school applicants.” – RCW 28A.710.190(2)(c).

Guiding Question

Does the district propose decision-making standards, policies and procedures for approval or denial of charter school applications based on applicants’ demonstrated preparation and capacity to operate a quality charter school?

Instructions

- Provide as an attachment to this application a draft or outline of the district’s proposed request for proposals (RFP) to solicit applications to establish charter schools.
- The draft or outline RFP must meet all the requirements for RFPs set forth in RCW 28A.710.130(1).
- Identify any key outstanding issues the district needs to resolve with respect to the RFP. Discuss the district’s current assessment and direction with respect to these outstanding issues.

Criteria for Evaluation: Request for Proposals

- The draft or outline of the RFP includes all components of RFPs required by RCW 28A.710.130(1)(b).
- The draft or outline of the RFP demonstrates that the district intends to implement a comprehensive application process that follows fair procedures and rigorous criteria, based on a performance framework meeting the requirements of Washington's charter school law.
- The RFP has clearly articulated criteria for evaluating the charter applicant's proposed mission and vision that are aligned with the purposes of Washington's charter school law.
- The RFP has clear and rigorous requirements for presenting and criteria for evaluating the applicant's proposed educational program, including but not limited to:
 - The academic program aligned with state standards;
 - The proposed instructional design, including the type of learning environment, class size and structure;
 - Curriculum and teaching methods;
 - Teaching skills and experience;
 - Assessments to measure student progress;
 - School calendar and sample daily schedule;
 - Discipline policies, and plans for serving students with special needs.
- The RFP has clear and rigorous requirements for presenting and criteria for evaluating the applicant's organizational plan, including but not limited to:
 - The legal status of the applicant as specified in RCW 28A.710010(1);
 - The proposed organizational structure of the school;
 - The roles and responsibilities of the school's proposed governing board, leadership, management team, and any external organizations; staffing plan;
 - Employment policies, including performance evaluation plans;
 - Student enrollment and recruitment plan, and the plan for parent and community involvement.
- The RFP has clear and rigorous requirements for presenting and criteria for evaluating the applicant's proposed business plan, including but not limited to start-up plan, financial plan and policies, budget and cash-flow projections, and facilities plan.
- The RFP has clear and rigorous requirements for demonstrating, and criteria for evaluating, the applicant's capacity to implement the proposed program effectively, with particular focus on the capacity of the proposed governing board and school leadership. The evaluation of capacity includes a personal interview with applicants being considered for approval.
- For applicants that operate one or more charter schools in any state or nation, the RFP provides for review of evidence of the applicant's past performance.

IV. PERFORMANCE FRAMEWORK**Requirement**

“A draft of the performance framework that the district would, if approved as an authorizer, use to guide the establishment of a charter contract and for ongoing oversight and evaluation of charter schools.” -- RCW 28A.710.090(2)(d)

Guiding Question

Does the district’s draft performance framework provide a clear and effective guide for charter school contracting and for ongoing oversight and evaluation of charter schools?

Instructions

Provide as an attachment to this application a draft of the district’s proposed performance framework. The draft performance framework must, at a minimum:

- Meet each of the requirements of RCW 28A.710.170.
- Include measures and metrics for each of the indicators enumerated in RCW 28A.710.170(2).
- Provide that student academic proficiency, student academic growth, achievement gaps in both proficiency and growth, graduation rates, and career and college readiness are measured and reported in conformance with the Achievement Index developed by the State Board of Education.
- Identify any key issues that require resolution in order to finalize the performance framework. Discuss the district’s current assessment and direction with respect to these issues.

Criteria for Evaluation: Performance Framework

- The draft performance framework meets the requirements for performance frameworks in Washington's charter schools law, including indicators, measures and metrics for each component enumerated in the law.
- The district clearly states any additional, district-selected indicators, measures and metrics of student and school performance it may include in its draft performance framework.
- Any district-selected indicators, measures and metrics are rigorous, valid and reliable.
- The district identifies the sources of all data supporting the indicators, measures and metrics included in its draft performance framework.
- The draft performance framework requires the disaggregation of all student performance data by major student subgroup as specified in RCW 28A.710.170.
- The draft performance framework includes clear, valid and objective criteria for evaluating the financial performance and sustainability of the charter school.
- The draft performance framework includes clear, valid and objective criteria for evaluating the organizational performance of the charter school, including governance, management and administration, and student and family engagement. The criteria should hold schools accountable for compliance with all applicable law and the terms of the charter contract, while respecting their primary responsibility and authority to manage their day-to-day operations.

V. RENEWAL, REVOCATION, AND NONRENEWAL PROCESSES**Requirement**

“A draft of the applicant’s proposed renewal, revocation, and nonrenewal processes, consistent with RCW 28A.710.190 and 28A.710.200.” – RCW 28A.710.090(2)(e)

Guiding Question

Does the district have proposed processes for renewal, revocation, and nonrenewal of charter contracts that base decisions on clear, measurable and transparent standards, and meet the requirements of RCW 28A.710.190 and RCW 28A.710.200?

Instructions

Submit as an attachment to this application a draft of the district’s proposed charter renewal, revocation and nonrenewal processes. The proposed renewal, revocation and nonrenewal plans must, at a minimum, provide for transparent and rigorous processes that:

- Establish clear standards for renewal, nonrenewal and revocation of charters that meet the requirements set forth in RCW 28A.710.190 and RCW 28A.710.200.
- Describe how academic, financial and operational data will drive decisions to renew, revoke or decline to renew a charter contract.
- Outline a plan to take appropriate actions in response to identified deficiencies in a charter school’s performance or legal compliance with applicable state and federal laws and the terms of the charter contract.

Criteria for Evaluation: Renewal, Revocation and Nonrenewal Processes

- The plan illustrates how academic, organizational and financial data, based on the performance framework, will drive decisions whether to renew, revoke, or decline to renew a charter contract.
- The plan articulates a process for ongoing monitoring, oversight and reporting on school performance consistent with the expectations set forth in the charter contract and performance framework.
- The plan sets reasonable and effective timelines for actions to renew, revoke or decline to renew a charter contract, including for notification of the charter school board of the prospect of and reasons for revocation or nonrenewal.
- The plan identifies interventions, short of revocation, in response to identified deficiencies in a charter school's performance, based on the charter contract and the performance framework set forth in the charter contract.
- There are sound plans for communicating the standards for decisions on renewal, revocation and nonrenewal of charters to the charter school board and leadership during the term of the charter contract, and for providing guidance on the criteria for renewal in the renewal application.
- The plan clearly sets forth how opportunity will be provided for the charter school board to present evidence and submit testimony challenging the stated reasons for revocation or nonrenewal of a charter contract.
- The plan considers under what exceptional circumstances a charter contract might be considered for renewal if, at the time of the renewal application, the charter school's performance falls in the bottom quartile of schools on the Achievement Index developed by the State Board of Education.