

Proposed Draft Rules – Prepared by CDE Staff 9.26.11

DEPARTMENT OF EDUCATION

Colorado State Board of Education

STANDARDS FOR CHARTER SCHOOLS AND CHARTER SCHOOL AUTHORIZERS

1 CCR 301-88

0.0 STATEMENT OF BASIS AND PURPOSE

These rules are promulgated pursuant to Colorado Revised Statutes § 22-2-107 (1) (c) and § 22-2-106 (1) (h). Pursuant to HB 10-1412, the State Board of Education is required to promulgate rules establishing standards for charter schools and charter school authorizers based on the recommendations made by the charter school and charter authorizer standards review committee pursuant to § 22-30.5-104.5, C.R.S.

1.0 DEFINITIONS

- 1.01 "Charter School" means a district charter school established pursuant to §§ 22-30.5-101 to 115, C.R.S., an independent charter school established pursuant to §§ 22-30.5-301 to 308, C.R.S., or an institute charter school established pursuant to § 22-30.5 (6)-502, C.R.S.
- 1.02 "Charter School Authorizer" means, in the case of a district charter school or an independent charter school, a school district board of education or, in the case of a state institute charter school, the board of the state charter school institute as defined in § 22-30.5-502 (5), C.R.S.
- 1.03 "Colorado Academic Standards" means the standards adopted by the State Board pursuant to § 22-7-1005, C.R.S.
- 1.04 "Department" means the Department of Education created and existing pursuant to § 24-1-115, C.R.S.
- 1.04 "State Board" means the State Board of Education created and existing pursuant to section 1 of Article IX of the Colorado State Constitution.

2.00 STANDARDS FOR CHARTER SCHOOLS

The following standards for Charter Schools shall be applied by the State Board when considering an appeal from a Charter School and when making decisions concerning exclusive chartering authority. These standards also shall serve as guiding principles to Charter Schools and Charter School Authorizers when developing a charter contract.

2.01 Standards and Indicators for Charter School Improvement

2.01 (A) Standard 1: Academic Performance – Curriculum

- 2.01 (A) (1) Curriculum is rigorous and is aligned with the Colorado Academic Standards and assessment frameworks.
- 2.01 (A) (2) Leadership facilitates articulation of curriculum within the school.

- 2.01 (A) (3) Leadership facilitates articulation of curriculum with other schools to focus on key transition points.
- 2.01 (A) (4) There are curricular links to continuing education, life and career options.
- 2.01 (A) (5) The curriculum provides access to common academic core for all.
- 2.01 (A) (6) Information literacy is integrated into content curricula.

2.01 (B) Standard 2: Academic Performance – Classroom Evaluation/Assessment

- 2.01 (B) (1) Classroom assessments are frequent, rigorous and aligned to standards.
- 2.01 (B) (2) Teachers collaborate in the design or selection of assessment tasks.
- 2.01 (B) (3) Students can articulate academic expectations and know what is required to be proficient.
- 2.01 (B) (4) Tests and assessment results are used to identify achievement and curricular gaps and to refine instruction.
- 2.01 (B) (5) Multiple assessments provide feedback on learning.
- 2.01 (B) (6) Performance standards are communicated, evident in classrooms and observable in student work.
- 2.01 (B) (7) Student work is analyzed to obtain information on student learning, to identify gaps and to refine instruction.

2.01 (C) Standard 3: Academic Performance – Instruction

- 2.01 (C) (1) Effective and varied instructional strategies are used in all classrooms.
- 2.01 (C) (2) Instructional strategies/activities are designed to promote mastery of standards and performance expectations.
- 2.01 (C) (3) Instructional strategies are planned, delivered and monitored to meet the changing needs of a diverse student population.
- 2.01 (C) (4) Teachers and students incorporate the use of technology in teaching and learning.
- 2.01 (C) (5) Instructional resources are sufficient to effectively deliver the curriculum.
- 2.01 (C) (6) Homework is monitored and linked to learning targets.

2.01 (D) Standard 4: Learning Environment – School Culture

- 2.01 (D) (1) There is a safe, orderly and equitable learning environment.
- 2.01 (D) (2) Teachers hold high academic and behavioral expectations for all students.
- 2.01 (D) (3) School staff demonstrates the belief that all children can learn at high levels and facilitates continuous improvement in student learning.

- 2.01 (D) (4) Teachers and non-teaching staff are involved in decision making.
- 2.01 (D) (5) Teachers recognize and accept their role in student success and failure.
- 2.01 (D) (6) Staff assignments maximize instructional strengths.
- 2.01 (D) (7) Teachers regularly communicate about each student's progress.
- 2.01 (D) (8) Teachers and staff care about students and inspire their best efforts.
- 2.01 (D) (9) Multiple communication strategies are used to disseminate information.
- 2.01 (D) (10) Student achievement is valued and publicly celebrated.
- 2.01 (D) (11) Support for the physical, cultural, socio-economic and intellectual needs of all students reflects the school's commitment to equity and appreciation of diversity.

2.01 (E) Standard 5: Learning Environment – Student, Family and Community Support

- 2.01 (E) (1) Families, community and the school work to remove barriers to learning.
- 2.01 (E) (2) Support structures and programs help reduce barriers to learning.
- 2.01 (E) (3) The school maintains an accurate, accessible student record system.

2.01 (F) Standard 6: Learning Environment – Professional Growth, Development and Evaluation

- 2.01 (F) (1) Effective teachers are recruited and supported.
- 2.01 (F) (2) Professional development opportunities are selected based on a range of criteria and data.
- 2.01 (F) (3) Professional development opportunities impact classroom practices, staff efficiency and school functioning.
- 2.01 (F) (4) Professional development is implemented and evaluated for effectiveness.
- 2.01 (F) (5) The school provides fiscal resources for professional development.
- 2.01 (F) (6) A clearly defined evaluation process is implemented in the school.
- 2.01 (F) (7) The employee evaluation process is used to improve staff proficiency.
- 2.01 (F) (8) Leadership uses the evaluation process to provide teachers with follow-up and support to improve professional and instructional practices.

2.01 (G) Standard 7: Organizational Effectiveness – Leadership

- 2.01 (G) (1) Leadership develops and sustains a shared vision and mission.
- 2.01 (G) (2) School leadership incorporates information from disaggregated data into the school improvement plan.

- 2.01 (G) (3) Leadership ensures that all instructional staff has access to resources related to the Colorado Academic Standards.
- 2.01 (G) (4) Leadership protects instructional time.
- 2.01 (G) (5) Leadership allocates and monitors the use of resources.
- 2.01 (G) (6) Leadership ensures a safe and effective learning and work environment.
- 2.01 (G) (7) The School Accountability Committee provides input into the school improvement plan.
- 2.01 (G) (8) The principal demonstrates leadership skills in the areas of academic performance, learning environment and efficiency.

2.01 (H) Standard 8: Organizational Effectiveness – Organizational Structure and Resources

- 2.01 (H) (1) The school maximizes the use of resources to support achievement.
- 2.01 (H) (2) The master schedule provides all students access to curriculum.
- 2.01 (H) (3) Staff members are efficiently allocated and organized.
- 2.01 (H) (4) Staff makes efficient use of instructional time to maximize learning.
- 2.01 (H) (5) Procedures promote vertical and horizontal team planning.
- 2.01 (H) (6) The schedule is designed to provide quality instructional time.
- 2.01 (H) (7) A clearly defined process provides equitable allocation of resources.
- 2.01 (H) (8) Discretionary funds are allocated based on analysis of data.
- 2.01 (H) (9) State/Federal funds are allocated and integrated to address student needs.

2.01 (I) Standard 9: Organizational Effectiveness – Comprehensive and Effective Planning

- 2.01 (I) (1) A collaborative process is used to develop the school's vision, mission and goals and guide decision-making.
- 2.01 (I) (2) The planning process involves collecting, managing and analyzing data.
- 2.01 (I) (3) The school uses data to set goals for school improvement.
- 2.01 (I) (4) Plans reflect current research and performance expectations.
- 2.01 (I) (5) School goals for student learning are clearly defined.
- 2.01 (I) (6) Methods to achieve school goals are identified in clear action steps.
- 2.01 (I) (7) The means for evaluating the effectiveness of the plan are established.
- 2.01 (I) (8) The school improvement plan is implemented as developed.

2.01 (I) (9) The degree to which the school achieves its improvement goals is monitored and evaluated.

2.01 (I) (10) The school sustains a commitment to continuous improvement.

2.01 (J) Standard 10: Strong Board Governance – Quality Leadership

2.01 (J) (1) The governing board promotes and articulates the vision and mission of the school in all publications, and through board documentation, recruiting, behavior and self-evaluation.

2.01 (J) (2) The governing board promotes the vision of the school through strategic planning.

2.01 (J) (3) The governing board has adopted policies in alignment with state laws, state rules and district policies (unless waived) that promote consistency for how the school's vision is implemented.

2.01 (J) (4) Governing board members are well informed on legislative and legal issues that affect charter schools.

2.01 (J) (5) The governing board models quality, continuous improvement, and needs-based professional development.

2.01 (J) (6) The governing board provides guidance on program assessment and renewal processes.

2.01 (J) (7) The governing board has a clear plan for hiring, retaining, supporting and evaluating the school administrator.

2.01 (J) (8) The governing board provides strong guidance to the school through the use of effective committees.

2.01 (J) (9) The governing board supports the vision/mission of the school by securing strong relationships within the school and with outside agencies.

2.01 (K) Standard 11: Sound Fiscal Management

2.01 (K) (1) School leadership collaboratively develops short-term and long-term budgets and makes effective use of sound budgeting practices.

2.01 (K) (2) School leadership uses realistic revenue and program costs in the budget.

2.01 (K) (3) The school has enough revenue to ensure stable programming.

2.01 (K) (4) The school has developed other resources to augment per pupil revenue and can increase revenue if a shortfall occurs.

2.01 (K) (5) Schools programs do not exceed their assets. Programs operate on a modest surplus and the school makes adjustment to reduce operating costs to cover any deficit.

2.01 (K) (6) The school has access to reserves or can raise cash if a budget shortfall occurs or to finance growth.

- 2.01 (K) (7) The governing board and administrators hold themselves responsible for the school's financial stability and integrity.
- 2.01 (K) (8) The governing board has adopted policies that ensure financial health and a strong system by the timely, accurate tracking and recording of all financial data and transactions.

2.02 Conflict of Interest, Nepotism, and Excessive Compensation:

- 2.02 (A) Charter Schools should adopt conflict of interest policies that comply with federal and state laws applicable to public officials.
- 2.02 (B) Charter School compensation should comply with excessive executive compensation requirements under federal law or applicable industry standards.
- 2.02 (C) Charter Schools should ensure that all board members and senior administrators receive training on these issues. Charter School Authorizers should review such policies and compliance therewith as part of their oversight and contract renewal process.
- 2.02 (D) When a Charter School board contracts with a third party education service provider for the general day-to-day operation of a school, such contracts and any amendments to such contracts should be subject to review by the Charter School Authorizer. Charter School Authorizers' oversight of such contracts should comply with the standards for Charter School Authorizers outlined in section 3.00 of these rules.

2.03 Nondiscrimination:

- 2.03 (A) Charter Schools are subject to all federal and state laws regarding nondiscrimination. Charter Schools should provide evidence of annual training on nondiscrimination laws to employees and board members, and otherwise ensure that their boards and leadership stay current on all relevant provisions.
- 2.03 (B) Charter Schools should provide access to services for students with disabilities and the Charter School Authorizer should develop systems to ensure that services are delivered to students with disabilities as required by federal and state law.
- 2.03 (C) Charter Schools should provide access to services for and appropriately serve other special populations of students, including English language learners, homeless students, and gifted students. Charter Schools should collaborate with Charter School Authorizers to deliver appropriate services as required by federal and state law.
- 2.03 (D) Charter Schools and Charter School Authorizers should not engage in or adopt discriminatory recruiting, marketing, or enrollment policies or practices. Charter Schools and Charter School Authorizers should strive for transparent and honest communication.
- 2.03 (E) Charter Schools should not establish undue barriers to students applying for enrollment, such as mandated testing prior to acceptance, that have the effect of excluding students based on socioeconomic, family, or language background, prior academic performance, special education status, or parental involvement.

- 2.03 (F) Charter Schools should admit students through a publicly verifiable selection process that is either random in nature or first-come-first-served.
- 2.03 (G) Charter Schools and Charter School Authorizers should adopt enrollment practices that ensure that enrollment decisions are non-discriminatory and consistent with the best interests of the student applicant. Such practices should include a pre-enrollment admissions process that is in compliance with federal and state statutes, and that meets the following standards:
- 2.03 (G) (1) During the pre-enrollment admissions process, the Charter School, in consultation with the Charter School Authorizer, should determine whether the Charter School is an appropriate placement for students with special needs, including but not limited to students with disabilities, English language learners, students with disciplinary history, and students who may pose a threat to the safety of themselves or other students.
- 2.03 (G) (2) The pre-enrollment admissions process should require, at a minimum, (i) a pre-enrollment admissions determination; (ii) prompt, collaborative, and individualized decisions in accordance with federal and state law; (iii) prompt record sharing; and (iv) fair and transparent decisions.
- 2.03 (G) (3) Charter Schools should annually review their discipline and enrollment records to ensure that their policies have been applied equitably to all students.

3.00 STANDARDS FOR CHARTER SCHOOL AUTHORIZERS

The following standards for Charter Schools shall be applied by the State Board when considering an appeal from an already operating Charter School and when making decisions concerning exclusive chartering authority. These standards also shall serve as guiding principles to Charter Schools and Charter School Authorizers when developing a charter contract.

- 3.01 The State Board hereby adopts, by reference, the 2010 Edition of the Principles and Standards of Quality Charter School Authorizing adopted by the National Association of Charter School Authorizers (NACSA) available at: http://www.qualitycharters.org/images/stories/publications/Principles_and_Standards_2010.pdf. These rules do not include any later amendments or editions of the NACSA standards. A copy of the 2010 Edition of the Principles and Standards of Quality Charter School Authorizing is available for public inspection at the Department at 201 E. Colfax Ave., Denver, CO 80203, during regular business hours. Contact info@qualitycharters.org to order hard copies.
- 3.02 Charter School Authorizers should require each Charter School to conduct an independent annual financial audit, conducted by a qualified auditor.
- 3.03 Charter School Authorizers should consider the following criteria when determining whether to revoke or not renew a charter:
- 3.03 (A) Information concerning whether the Charter School failed to meet or make reasonable progress toward achievement of the goals, objectives, content standards, pupil performance standards, targets for the measures used to determine the levels of attainment of the performance indicators, applicable federal requirements, including

consideration of the academic achievement of all the federally-identified subgroups of students, or other terms identified in the charter contract. This criterion is the most important to consider when determining whether to revoke or not renew a charter;

3.03 (B) Information concerning whether the Charter School committed a material violation of any of the conditions, standards, or procedures set forth in the charter contract;

3.03 (C) Information concerning whether the Charter School failed to meet generally accepted standards of fiscal management; and

3.03 (D) Information concerning whether the Charter School violated any provisions of law from which the Charter School was not specifically exempted.