

**CHARTER SCHOOL REVIEW, EXTENSION, AND RENEWAL CHECKLIST**  
**June 2010**

For Type 2, 4, and 5 charter schools, the State Board of Elementary and Secondary Education (BESE) acts as the authorizing and accountability entity. State law requires charters to be formally reviewed for renewal consideration in Years 3, 5, and other years as renewal decisions become necessary. This document provides a step-by-step process of BESE's renewal decision-making framework. What is most clear and important for the process is the requirement that charters demonstrate student academic growth in order to be eligible for renewal.

**THIRD YEAR REVIEW FOR CHARTER EXTENSION**

*Timeline: BESE first considers extension decisions in January of a school's third year of operations using Year 2 data. If BESE needs further information, it relies on Year 3 data. All final extension decisions are made in June to take into account a school's comprehensive report and any additional information as necessary.*

- 1) Did the school submit a comprehensive third year report?**
  - If yes, proceed to question 2.
  - If no, stop. The school shall be recommended for revocation.
  
- 2) Did the school meet all financial performance standards as well as all legal/contractual standards? (See Appendix 1 for standard details.)**
  - If yes, proceed to question 3.
  - If no, did the school fail to meet three or fewer of all financial and legal/contractual standards?
    - If the school only failed to meet three or fewer, proceed to question 6.
    - If the school failed to meet four or more, stop. The school shall be recommended for revocation.
  
- 3) Is the schools SPS Year Two or Assessment Index (AI) Year Two equal to or greater than 60.0?**
  - If yes, the school shall receive a two year extension.<sup>1</sup> (Note: This is true for Type 5 charters even if they fail to meet any standard set forth in R.S. 17:10.5)
  - If no, proceed to question 4.
  
- 4) Did the school meet any of the following student performance requirements by June of year three: (a) AI Year Three of 60.0 or above; (b) AI increase of 10 points over two years; or (c) Required Growth of 10 points?**
  - If yes, the school shall receive a two year extension.<sup>2</sup> (Note: This is true for Type 5 charters even if they fail to meet any standard set forth in R.S. 17:10.5)
  - If no, proceed to question 5.
  
- 5) Did the school achieve at least a five point increase in Required Growth by June of year three?**
  - If yes, the school may receive a one-year probationary extension subject to any conditions and/or monitoring required by BESE.<sup>3</sup>

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<sup>1</sup> See Bulletin 126, Section 1303(B)(1)(a).

<sup>2</sup> See Bulletin 126, Section 1303(B)(1)(b).

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- If no, the school shall be recommended for revocation.

**6) Did the school meet at least one student performance measure necessary to receive an extension?**

- If yes, the school may receive a one-year extension and be placed on contract probation in June of year three, subject to any conditions and/or monitoring required by BESE.<sup>4</sup>
- If no, stop. The school shall be recommended for revocation.<sup>5</sup>

**FOURTH YEAR REVIEW FOR CHARTERS ON PROBATION**

*Timeline: BESE considers extension decisions of probationary charters in January of a school's fourth year of operations using Year 3 information. If BESE needs further information, it will consider Year 4 data and make its decision for the final year extension in June of the charter's fourth year.*

**1) Did the school meet all financial and legal/contractual standards? (See Appendix 1 for details.)**

- If yes, proceed to question 2.
- If no, stop. The school shall be recommended for revocation.

**2) Did the school meet either its Growth SPS or achieve a Baseline SPS Year Three of 60.0?**

- If yes, the school may receive a one-year extension at the conclusion of its fourth year.<sup>6</sup>
- If no, proceed to question 3.

**3) Did the school meet the Required Growth standard of 10 points or achieve an All Year Four of 60.0 or above?**

- If yes, the school shall receive a one-year extension.<sup>7</sup>
- If no, stop. The school shall be recommended for revocation.<sup>8</sup>

**FIFTH AND SUBSEQUENT YEAR (AS NECESSARY) REVIEW FOR CHARTER RENEWAL**

*Timeline: During a charter school's fifth year of operation and expiration year of its contract, a charter school may reapply for the renewal of its charter. In October of that year, the charter submits a request for renewal to BESE. In January of the same year, the department makes a recommendation to BESE about renewal disposition based on the charter's first four years of performance or performance during the current contract period. BESE makes*

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<sup>3</sup> See Bulletin 126, Section 1303(B)(2)(a).

<sup>4</sup> See Bulletin 126, Section 1303(B)(2)(b).

<sup>5</sup> See Bulletin 126, Section 1303(B)(3).

<sup>6</sup> See Bulletin 126, Section 1305(A)(1).

<sup>7</sup> See Bulletin 126, Section 1305(A)(2).

<sup>8</sup> See Bulletin 126, Section 1305(B).

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*all final decisions on contract renewal according to timelines and processes established by the Charter School Office and approved by BESE.*

- 1) ***Did the school apply for renewal in compliance with processes and timelines established by the DOE Charter School Office and approved by BESE?***
  - If yes, proceed to question 2.
  - If no, stop. The charter has expired and should not be renewed.
  
- 2) ***Was the original charter labeled academically unacceptable?***
  - If yes, proceed to question 3.
  - If no, proceed to question 7.
  
- 3) ***Does the charter serve a unique student population where an alternate evaluation tool has been established between the charter operator and Board?***
  - If yes, it may be renewed for no more than five years.<sup>10</sup>
  - If no, proceed to question 4.
  
- 4) ***Did the school meet its growth target at the end of year four OR does the school have a Growth Performance Score of 60 or higher?***
  - If yes, it may be renewed for no more than three years.<sup>11</sup>
  - If no, proceed to question 5.
  
- 5) ***Were less than 30% of the enrolled grades testable?***
  - If yes, it may be renewed for no more than three years.<sup>12</sup>
  - If no, proceed to question 6.
  
- 6) ***As determined by the superintendent, will non-renewal require many students to attend lower performing schools such that the superintendent recommends renewal? (Note: Prior to making this recommendation, the superintendent must demonstrate that efforts to find a new high-quality operator were unsuccessful).***
  - If yes, it may be renewed for no more than three years.<sup>13</sup>
  - If no, the charter has expired and should not be renewed.
  
- 7) ***Did the school demonstrate improvement in the academic performance of its pupils over the term of its existence (using standardized test scores)?<sup>14</sup>***
  - If yes, begin the renewal review process (like initial review process<sup>15</sup>)
  - If no, the charter has expired and should not be renewed.

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<sup>9</sup> See Bulletin 126, Section 1501(B).

<sup>10</sup> See Bulletin 126, Section 1503(B)(5)(a).

<sup>11</sup> See Bulletin 126, Section 1503(B)(5)(b).

<sup>12</sup> See Bulletin 126, Section 1503(B)(5)(c).

<sup>13</sup> See Bulletin 126, Section 1503(B)(5)(d).

<sup>14</sup> See Bulletin 126, Section 1501(F).

<sup>15</sup> See Bulletin 126, Section 1501(E) and *Appendix 2*.

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**APPENDIX 1:**  
**Standards for Financial and Legal/Contractual Performance**

**(1) Financial Performance Standards**

The evaluation financial performance indicator standards measured annually shall be as follows:

<b>Indicator</b>	<b>Standard</b>
Prior and Current Year Budgets	Both budgets balanced using realistic and responsible assumptions
Annual Financial Report	Timely and Sufficient Filing
Financial Audit	Unqualified opinion; No major findings
Financial Obligations	All in good standing
Financial Reporting	Timely and sufficient filing of all LDE-required financial reports
Student Count Audit	No major findings from LDE audit staff

*NOTES:*

- An audit finding shall be considered "Major" if it indicates a deliberate act of wrongdoing, reckless conduct, or causes the loss of confidence in the abilities or integrity of the school or seriously jeopardizes the continued operation of the school.
- Financial Obligations shall include, but not be limited to, pension payments, payroll taxes, insurance coverage, and loan payments and terms.

**(2) Legal/Contractual Standards**

BESE's legal and contract performance evaluation of each charter school shall be based on, but not limited to, the following indicators. All other requirements in the charter contract that are otherwise captured in the Department of Education's charter school oversight, monitoring, and reporting structure shall be subject to evaluation. In assessing legal and contract indicators, BESE may consider information from various sources .

BESE will consider a standard not met if a violation indicates a deliberate act of wrongdoing, reckless conduct, or causes a loss of confidence in the abilities or integrity of the school or seriously jeopardizes the rights of students, safety of students, or the continued operation of the school.

<b>Indicator</b>	<b>Standard</b>
Special Education and ELL Program	Pursuant to applicable law and regulation and contract provisions

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<b>Indicator</b>	<b>Standard</b>
Student Enrollment	Pursuant to applicable law and regulation, and contract provisions
Student Discipline	Pursuant to applicable law and regulation, and contract provisions
Health and Safety	Pursuant to applicable law and regulation, and contract provisions
Governance	Pursuant to applicable law and regulation, and contract provisions
Facilities	Pursuant to applicable law and regulation, and contract provisions

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**APPENDIX 2:**

**Renewal Terms for BESE-Authorized Charter Schools in Fifth Year or Final Year of Charter Contract**

Consistent with the philosophy of rewarding strong performance and providing incentives for schools to strive for continual improvement, the renewal terms for BESE-authorized charter schools will be linked to each school's performance label (based on the school's performance on the state assessment in the year prior to the renewal application) in accordance with the table that follows:

**School Performance Labels and Maximum Charter Renewal Terms**

<b>Performance Label</b>	<b>SPS (SY 2008-09)</b>	<b>Maximum Renewal Term</b>
Academically Unacceptable	Below 60.0	3 years
★	60.0 - 79.9	3 Years
★★	80.0 - 99.9	5 Years
★★★	100.0 - 119.9	10 Years
★★★★	120.0 - 139.9	10 years
★★★★★	140.0 and above	10 years

Similar to the Year Three Review and Extension process, charters seeking renewal must meet financial and legal standards.

*Financial*

BESE will reduce the renewal term by a year for any charter school otherwise recommended for renewal in any of the following instances, but no term shall be less than three years:

- a charter school that is not current in all financial reporting at the time of its renewal application or at the time of the department's renewal recommendation;
- a charter school that has failed to submit at least half of its required financial reports timely or sufficiently in the 12 months immediately preceding the department's renewal recommendation to BESE;
- a charter school with a "major finding" in either student count audit or financial audit in the most recent reporting period; or
- a charter school projecting a deficit in its most recent year end general fund balance.

A charter contract will be non-renewed if the charter has failed to demonstrate over the term of its charter, the fundamental ability to operate a fiscally sound charter school, as evidenced by repeated failure to adhere to the financial standards articulated above.

*Legal*

BESE will not renew a charter if it has failed to demonstrate over the term of its contract, the fundamental ability to adhere to the legal and contractual performance standards articulated in Bulletin 126.