# Ball State University Office of Charter Schools Policy for School Assessment and Intervention February 4, 2009

# I. Background Information

#### A. Intent

The purpose of the charter school initiative in Indiana is to encourage the development of additional high quality, innovative choices in public education. Ball State University (the "University") has been a leader in this initiative from its inception and has served as a sponsor of charter schools since the 2001-02 school year.

As part of the contract between the University and its authorized charter schools, each school's organizer, board of directors and administrators have agreed to meet a number of requirements. Schools that do not meet the terms of their charter contracts or applicable federal, state and local laws are subject to corrective actions, revocation, or non-renewal of their charters when circumstances are warranted.

As the sponsor of the largest number of charter schools in the state, the University has a responsibility to monitor the schools it sponsors to ensure each is meeting the terms of its charter as well as applicable laws. The Policy for School Assessment and Intervention is intended to outline a process whereby the leaders at sponsored schools remain aware of the expectations placed on them and their school's performance relative to those expectations. With this policy, the University is also implementing a process to aid schools in identifying and correcting possible problems as early as possible.

The policy identifies specific areas critical to school success and a process for informing schools of potential problem areas. Depending on the seriousness of the problem(s) identified, multiple levels of intervention may be warranted and are set forth herein.

Through a series of steps, the University evaluates the performance of the charter schools it sponsors following an accountability process described in the "Accountability Framework." Accordingly, this policy hereby becomes a part of, and is incorporated by reference into, the Accountability Framework.

# **B.** Expectations for Charter Schools

General expectations of University sponsored charter schools include:

- Increasing the achievement of enrolled students
- Financial viability
- Open enrollment
- Providing services for students with disabilities
- Providing a safe environment for learning
- Compliance with federal, state and local laws

The Indiana charter school statute (IC 20-24) requires a charter sponsor to monitor the performance of each charter school, including the school's progress toward achieving the academic goals set forth in the charter. In reviewing and assessing the performance of a school, a sponsor is required by statute to consider the following:

Evidence of improvement in assessment measures, including the ISTEP program, and the graduation requirements, attendance rates, increased numbers for Core 40 (if appropriate), graduation rates, progress toward reaching the educational goals in the charter, and compliance with applicable law. I.C. 20-24-4-1(8).

In August 2006, the University released a set of General Indicators of Success for Charter Schools. The primary purpose of the "Indicators" is to provide a comprehensive set of overall expectations for all charter schools sponsored by the University. The "Indicators" focus on expectations for public schools, including University sponsored charter schools. A plan for phasing in the use of those "Indicators" in evaluating proposals for new charters, monitoring the performance of approved charter schools and the charter renewal decision-making process was released at the same time the "Indicators" were released. The purpose of the plan was to allow schools that had been granted charters prior to the release of the document an opportunity to begin to adjust their operations to meet the expectations set forth in the "Indicators."

Each contract between the University and a sponsored charter school includes a provision requiring the school to annually update the academic, non-academic and organizational goals through an Accountability Plan (the "Plan"). The Plan is developed by each school using a standard format and is then submitted, reviewed, and then approved by the Office of Charter Schools. The Plan describes specific performance objectives and expected levels of performance for those objectives for each school.

On June 8, 2007, the University formally notified all charter schools of amendments to the Accountability Framework. The amendments included the incorporation of the General Indicators of Success for Charter Schools in charter applications, ongoing monitoring of charter schools, and applications for charter renewal. In addition, the Accountability Framework amendments included a statement indicating that each charter school's academic goals must take into account Adequate Yearly Progress (AYP), as well as measures set forth in the federal No Child Left Behind Act (NCLBA), as minimum accountability standards.

A five-year Strategic Plan is also required of each operating charter school to encourage all schools to engage in planning activities. Each school's annual Accountability Plan is reviewed by the Office of Charter Schools in reference to the Strategic Plan to ensure consistency between the school's long-range plans and the specific annual objectives. The Policy for School Assessment and Intervention draws specifically upon the expectations and requirement previously outlined and addressed in the "Indicators," and in each school's "Accountability Plan" and "Strategic Plan."

# **II.** Monitoring School Performance

#### A. Annual Assessment of Each Charter School

With the adoption of the Policy for School Assessment and Intervention, the University is requiring schools that have completed one or more academic years of operation to host a meeting each fall with staff from the Office of Charter Schools to review the school's performance. The meeting will focus on several documents to be submitted to the Office of Charter Schools and will be an opportunity for the school leaders and the Office of Charter Schools to exchange information and communicate regarding the school's performance. The following documents are required for the review:

- 1) Previous year's Accountability Plan and Results
- 2) Current year's Accountability Plan
- 3) Previous year's financials
- 4) Previous year's audit
- 5) Current and prior year's budget
- 6) Current Strategic Plan
- 7) School Improvement Plan (if applicable)
- 8) Other items the school leadership desires to share

School representatives who may participate include school administrators, teachers, school board members, members of the school organizing group, and Educational Management Organization (EMO) staff. The annual meeting must be held as a public meeting if school board members are in attendance. The Director of the Office of Charter Schools and other staff from the office will attend the annual performance review meeting.

Within fifteen business days after the annual meeting at a school, the Director of the Office of Charter Schools will issue to the school's board of directors and school leader a written report about the performance of the school. The report will outline and articulate areas where the school is performing well and/or areas where concerns may have arisen.

#### B. Areas to be Examined in Annual Assessment and Intervention Decisions

While there are a number of areas that may be used to evaluate the performance of a charter school, three areas in particular are critical to the success of any school. These three areas will serve as the focus of the School's Annual Assessment and any resulting Intervention which is deemed necessary:

Academic	Achievemen
Finance	

Compliance

Through the assessment process, each school's performance will be measured against a set of prescribed expectations as outlined herein to determine whether the school is performing at or below expectations. When schools are performing below expectations, intervention on the part of the University may be deemed necessary as set forth in Section III. Details about these areas, the level of performance expected in each and the corresponding intervention called for when a school's performance in one or more of these areas is below expectations will be discussed further in this document and in Attachment 1.

# C. Informal Monitoring and Periodic Review

In addition to the Annual Assessment meeting with each school that has been in operation for at least one academic year, the Office of Charter Schools will continuously monitor the performance of each sponsored charter school throughout its operation. When a staff member from the Office of Charter Schools identifies concerns in one or more of the areas of Academic Achievement, Finance or Compliance, an informal review of the concern(s) may be conducted by the Director of the Office of Charter Schools in consultation with other staff. As a part of this informal review, the Director may contact school representatives to obtain additional information. After this informal review, the Director will determine whether the concern warrants formal action on the part of the Office of Charter Schools including Intervention as set forth below in Section III.

### **III.** Intervention Process

It is the preference of the University that school representatives take the initiative to address concerns or problems as soon as they become aware of them. A school is encouraged to take immediate remedial action to address any concern or correct any problem identified through its own observation or through observations made periodically by the Office of Charter Schools or other office of the University outside of the Annual Assessment or the informal monitoring process, thus alleviating the need for the University to intervene in a more formal manner.

#### A. Identification and Notification Process

Formal Intervention can consist of the following steps:

Step 1: Corrective Action Plan

Step 2: Probationary Status

Step 3: Recommendation for Revocation of the Charter

#### B. Academic Achievement

In the area of **Academic Achievement** the interventions for performance that is below expectations are listed on Attachment 1 in the "Intervention Chart for Academic Achievement."

# C. Finance and Compliance

In the areas of **Finance** and **Compliance**, the Director of the Office of Charter Schools (the "Director") will determine whether formal action is deemed necessary. See Attachment 1 for outline of matters to be considered in areas of finance and compliance. The following procedures will be used when performance in Finance and/or Compliance is not satisfactory:

- 1) The Director will send written notice to the school leader and head of the school's board of directors about the specific concerns and, if appropriate, request additional information to determine whether the concern(s) should be remedied through a Corrective Action Plan (see Corrective Action Plan below). If after reviewing any additional information submitted by the school, the Director determines the situation warrants a Corrective Action Plan the Director will send written notification to the school leader and head of the school's board of that determination. If a Corrective Action Plan is warranted, the school will be required to submit a plan satisfactory to the Director within 30 days of the formal notification by the Director. See below for further information about Corrective Action Plans.
- 2) If the Director determines the seriousness of the concern(s) warrants Probationary Status (see Probationary Status below), the Director will notify the head of the school's board and school leader that the Office of Charter Schools is placing the school on Probationary Status and will outline therein the corrective steps which need be taken by the school in order to remedy the deficiency, a suggested time frame for accomplishing the remedial action, and any other necessary steps which the school needs to satisfy in order to be removed from Probationary Status. The Director will send written notification to the Dean of Teachers College when a charter school is placed on Probationary Status.
- 3) Upon notification to the school leader and head of the school's board of directors that a school has been placed on Probationary Status, the school may submit additional information to the Director and request that the decision to place the school on Probationary Status be reconsidered. The Director will notify the school leader and head of the school's board of directors in writing of any reconsideration of the Probationary Status. See below for further information about Probationary Status.
- 4) In a situation where the Director determines that a Recommendation to Revoke the Charter is warranted the Director shall notify the head of a school's board and school leader in writing and recommend revocation to the Dean of the College of Education, Provost and President. In this case, the Director will meet with school leaders to discuss appropriate actions related to the recommendation. Schools notified of a Recommendation to Close may appeal the recommendation through the Appeal Process described below.

# **D.** Corrective Action Plan (Areas of Finance and Compliance)

A Corrective Action Plan is developed by school representatives to address the reasons for the problem(s) and specific remedial actions the school will take to attain a level of performance that meets expectations.

After submission of a Corrective Action Plan, the Director will notify the school leader and head of the board of directors whether the Corrective Action Plan is satisfactory. If it is satisfactory the school will then be required to follow the Corrective Action Plan with the intent of attaining the level of performance that meets expectations on the identified problem area(s) by the reasonable deadline established by the Director.

Upon receipt and review of the report from the school documenting the results of the school's actions to attain satisfactory performance, the Director will consult with appropriate staff within the Office of Charter Schools to determine whether the school has attained a level of performance that meets expectations. Schools with Corrective Action Plans that successfully attain a level(s) of performance that meets expectations in the problem area(s) will be notified in writing by the Director within ten (10) business days of the receipt of a report on the school's performance in the area(s) addressed by the Corrective Action Plan, and then will be released from Corrective Action.

A school required to submit a Corrective Action Plan that does not attain the level of performance that meets expectations in the problem area by the deadline established by the Director will be considered for Probationary Status.

# E. Probationary Status (Areas of Finance and Compliance)

Probationary Status means a school has one or more problems considered severe by the University in one or more of the areas of Finance or Compliance. A school placed on Probationary Status will be required to take specific actions designated in writing by the Director or his designee within a specific and reasonable time frame to attain a level of performance that meets expectations. A school on Probationary Status that attains a level of performance that meets expectations in identified problem areas by the deadline established by the Director will be released from Probationary Status.

Formal notification of a school being released from Probationary Status will be sent to the school leader and head of the board of directors by the Director within ten days of the decision to release a school from Probationary Status.

A school placed on Probationary Status that does not attain a level of performance that meets expectations by the deadline established by the Director may be recommended for charter revocation. The Director will notify the school leader and head of the school board in writing of the reasons for the recommendation. When a school is recommended for charter revocation the Director will send written notification to the Dean of Teachers College, the University Provost and to the University President. The school will be

afforded an opportunity to appeal the recommendation for closure to an Appeal Panel prior to a final decision by the President on the Director's recommendation. The Appeal Procedures are located on the Office of Charter Schools Website at www.bsu.edu/teachers/charter. .

#### IV. Additional Considerations

#### A. Coordination with Charter Renewal Process

Each charter school's contract with Ball State has a termination date. During the final year of a charter contract, a formal evaluation of the school's performance will be conducted by the Office of Charter Schools. The performance of the school with respect to the Accountability Framework, the General Indicators of Success and in the areas of Academic Achievement, Finance, and Compliance will be important components of determining the school's eligibility for charter renewal

Charter schools should be advised that notwithstanding the discretionary guidelines set out in this Section IV (A), the University retains sole discretion as to whether a charter will be renewed or extended and the length of such offered renewal and extension and will not be bound to the time frames set forth below. However, in determining whether to offer a charter renewal or extension and the length thereof, the University will generally consider the following guidelines:

Schools not on a Corrective Action Plan, on Probationary Status or under a recommendation for Charter Revocation may be considered for a Charter Renewal of up to five years.

Schools on a Corrective Action Plan may be considered for a Charter Renewal of up to five years.

Schools on Probationary Status may be considered for a one or two year charter extension where evidence indicates the school can attain performance that meets expectations by the end of that period of extension.

Schools recommended for Charter Revocation will not be eligible for Charter Renewal pending the outcome of any Appeal Procedure. If the Appeal Procedure results in a decision that Charter Revocation is not warranted, the school would be eligible for a one or two year extension where evidence indicates that the school can attain performance that meets expectations by the end of that period of extension.

# B. Coordination with Differentiated Accountability Model

In 2008, the Indiana Department of Education established a Differentiated Accountability Process for Title 1 schools that are not meeting achievement expectations of the No Child Left Behind Act. Where practicable, the interventions for Corrective Action and

Probationary Status will be in conjunction with the expectations of the Differentiated Accountability Model to which the charter school may be subjected.

# C. Appeal Process

The head of a school's board of directors may appeal the recommendation of the Director to revoke a charter. Decisions to place a school on a Corrective Action Plan or place a school on Probationary Status are at the discretion of the Director. The Appeal Procedures are located on the Office of Charter Schools website at www.bsu.edu/teachers/charter.

# **Ball State University Office of Charter Schools**

Policy for School Assessment and Intervention

#### Attachment 1

In addition to on-going monitoring of school performance, the Office of Charter Schools will utilize information obtained through the Annual Assessment to determine whether schools are performing at expected levels in the areas of Academic Achievement, Finance, or Compliance, or if intervention is necessary to attain satisfactory levels of performance.

Within fifteen business days after the Annual Assessment meeting is completed, the Director will send written notification of the assessment results of that school to the school leader and head of the school's board of directors.

Outlined below are the specific measures to be used in assessing a school's performance and determining whether formal intervention by the University is necessary to attain a satisfactory level of performance in any of the areas of Academic Achievement, Finance, or Compliance.

#### A. Academic Achievement

Satisfactory Academic Achievement will be determined based on the performance of each charter school on a discrete number of measures to which the schools are already subjected by federal or state law, or by the terms of the Model Charter. The measures to be utilized to assess Academic Achievement will be:

- 1. Adequate Yearly Progress
  - a. Meeting or Not Meeting AYP (overall) each academic year
- 2. Rating established by the Indiana Department of Education on PL 221 each academic year (Exemplary Progress, Commendable Progress, Academic Progress, Academic Watch, Academic Probation)
- 3. NWEA-the percentage of students meeting growth targets in three areas
  - a. Math
  - b. Language
  - c. Reading
- 4. High School Graduation Exam Requirements (where applicable)
  - a. Core 40 End-of-Course Assessments
  - b. GQE (until phased out)

Levels of performance expectation (Exceeding, Meeting, Approaching, and Not Meeting) are established for each measure. These levels will correspond to the levels of

performance on objectives in the Accountability Plan. These objectives may be reviewed and revised by the school subject to the approval of the Office of Charter Schools.

The attached "Intervention Chart for Academic Achievement" describes the performance expectations that correspondent to each intervention. When a school's academic performance falls below the identified expectations for the specified period of times, the corresponding intervention will be imposed on that school by the Director in the case of a Corrective Action Plan or Probationary Status, or in the form of a Director's recommendation to the University President regarding charter revocation..

For the purpose of this ongoing monitoring process, the data used in the Annual Assessment of Academic Achievement at any point in time will focus on the performance of a school over the most recent years of operation.

Charter schools sponsored by Ball State University that already have a record of performance in the No Child Left Behind Act (NCLBA) requirement of Adequate Yearly Performance (AYP) that is below expectations will be subject to the interventions in the "Intervention Charter for Academic Achievement" upon the implementation of this policy. Interventions that correspond to the expected levels of performance on PL 221 and the NWEA will be implemented beginning in school year 2008-09 to allow schools that need to make necessary adjustments in their educational programs.

#### **B.** Finance

The measures to be utilized to assess Finance will be:

- 1. State Board of Accounts audit
- 2. Independent audit
- 3. Strategic Plan's revenue and expenses projections
- 4. Cash balance
- 5. Annual Budget

Performance below expectations in the area of Finance will result from the following circumstances.

- 1) The most recent State Board of Accounts audit had significant findings that were identified in the audit results and all the significant findings identified were not corrected to the satisfaction of the Office of Charter Schools within 90 days of the audit closing meeting.
- 2) The most recent independent auditor's review or audit had significant findings that were identified in the auditor's results and the significant findings identified

were not corrected to the satisfaction of the Office of Charter Schools within 90 days of the audit closing meeting.

- 3) The school's board approved Strategic Plan projections of revenues and expenses are not adequate for any of the next three years.
- 4) The school's current cash balance after subtracting short term liabilities is not favorable, or has not been favorable at any time in the past fiscal year or the current fiscal year.
- 5) The school fails to complete an annual budget in a timely manner.

For schools that are determined to be performing at a level below expectations in the area of Finance, a number of interventions may be taken by the Director. Depending on the nature and severity of its problem(s), a school performing at a level below expectations may be required to submit a Corrective Action Plan, be placed on Probationary Status, or be recommended for revocation of its charter...

# C. Compliance

The measures to be utilized to assess Compliance will be:

- 1. Legal Compliance
  - a. Open Enrollment
  - b. Special Education
  - c. Teacher Certification
  - d. Compliance with applicable Indiana law—I.C. 20-24 et seq,
  - e. Compliance with requirements of the model charter
  - f. Compliance with university policy
- 2. Governance
  - a. Number of board members
  - b. Number of board meetings
  - c. Compliance with Open Door and Public Records Acts

For schools that are determined to be performing at a level below expectations in the area of Compliance, a number of interventions may be taken by the Director. Depending on the nature and severity of its problem(s), a school performing at an unsatisfactory level may be required to submit a Corrective Action Plan, be placed on Probationary Status, or be recommended for revocation of the school's charter.