District of Columbia
Public Charter School Board

2018-19 Charter Review Guidelines

DC Public Charter School Board
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LETTER FROM THE BOARD CHAIR

August 15, 2018

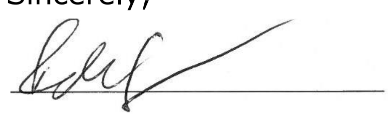
Dear DC Public Charter School Leader,

Pursuant to the School Reform Act, the DC Public Charter School Board (DC PCSB) is required to review each DC charter schools' performance at least once every five years. This review includes an assessment of a school's academic, legal, and fiscal performance.

The following guidelines detail DC PCSB's charter review process, including the standard for review, and the timeline DC PCSB will follow in completing reviews in the 2018-19 school year.

If you have questions about the review process or would like to discuss the review process as it relates to your school, please contact Laterica (Teri) Quinn, DC PCSB by email at **lquinn@dcpcsb.org**.

Sincerely,



Rick Cruz
Chair, DC Public Charter School Board

2018-19 CHARTER REVIEW TIMELINE

Action Item	Description	Date
DC PCSB meets with each school that will be undergoing review	DC PCSB meets with each school to discuss the school's review, including the school's goals and student academic achievement expectations.	Spring 2018
School submits additional data	In some cases, DC PCSB will not have sufficient data on record to determine whether a school has met a goal or academic expectations. Schools are invited to supplement the record with information and/or data before DC PCSB conducts its review.	Summer/early fall 2018
DC PCSB conducts Qualitative Site Reviews (QSRs)	DC PCSB conducts a QSR at each campus of a school undergoing review to gather qualitative evidence about the extent to which a school is meeting its mission, goals, and student academic achievement expectations. Staff will issue a QSR report specific to each campus to document its qualitative findings, which will be incorporated into the review report.	These QSRs occur no earlier than fall 2018 and no later than October 2019
DC PCSB staff provides preliminary charter review analysis to the school	DC PCSB's preliminary charter review analysis includes a staff assessment of the school's academic performance, goal attainment, legal compliance, and fiscal management, as well as a recommendation to the PCSB Board regarding the review vote. DC PCSB shares its preliminary analysis with the school to allow the school an opportunity to respond to the report in writing to correct any inadvertent substantive factual errors.	Fall 2018-Winter 2019
DC PCSB Board votes on the charter review	The DC PCSB Board will conduct the vote on charter reviews during regularly scheduled DC PCSB public meetings.	Fall 2018-Winter 2019

SCHOOLS ELIGIBLE FOR CHARTER REVIEW

Pursuant to the School Reform Act (SRA), D.C. Code §38-1802.12(a)(3), the DC Public Charter School Board (DC PCSB) must review a school's charter at least once every five years. DC PCSB conducts such charter reviews during a school's fifth and tenth year of operation, and may perform additional reviews of schools outside of this schedule. DC PCSB may also conduct a charter review if a school:

- is identified as a Tier 3 school on the Performance Management Framework and/or;
- is not meeting conditions of previous charter reviews or renewals.

SCOPE OF CHARTER REVIEW

DC PCSB analyzes the school's performance in the following areas as part of a charter review:

1. Fulfillment of charter goals;
2. Fulfillment of academic achievement expectations;
3. Compliance with the school's charter and applicable laws; and
4. Fiscal performance.

Fulfillment of Charter Goals and Academic Achievement Expectations

DC PCSB will assess goals that the school has consistently pursued. DC PCSB will meet with each school in the spring of 2018 to discuss the information the school plans to present in support of its goals.

<u>Types of Goals</u>

Academic Goals. Academic goals differ from student academic achievement expectations (described below) in that they focus on academic content specific to a school's mission. A school may have set academic goals for, among other things:

- Student achievement or growth in terms of school's educational focus, such as the arts;
- Student achievement or growth in speaking, reading, and/or writing in a second language;
- Performance or growth in core content areas for students with disabilities, English language learners, or other student populations.

Non-Academic Goals. A school may have set non-academic goals for, among other things:

- Post-graduation college attainment measured by college acceptance, college persistency, and/or college completion rates;
- Student extracurricular participation; and
- For schools with career and technical education programs, percentage of students employed after graduation.

Organizational Goals. A school may have set organizational goals for, among other things:

- School climate, integration of art or music in the school's academics;
- Teacher retention; and
- Parent, teacher, and student satisfaction with the school.

DC PCSB will have the school's data as well as statewide or charter sector wide data that can be compared against the school's performance for most goals. These include PMF goals.

DC PCSB may not have access to the data or comparable data on file for certain goals that are unique to the school. In these cases, DC PCSB requests that the school provide documents and/or data files related to the goal. When submitting data files, the school must submit individual student-level data. DC PCSB staff will not publish the student-level data; however, to the extent that the data is not protected by privacy laws, they would be considered a public item that could be accessed by the public through a Freedom of Information Act request. DC PCSB's determination of whether the school has met a goal will be based on the totality and quality of the evidence provided by the school and the methodology used in support of it meeting the goal.

If the school amended its charter to adopt the Performance Management Framework as its charter goals and academic expectations, the review is based on whether the school achieved the benchmarks included in the most recent Elect to Adopt the PMF as Goals Policy.

Academic achievement expectations are performance indicators measured by state or other externally validated assessments.

A school may have set academic expectations for, among other things:

Literacy and mathematic proficiency with an option for growth as measured by percentage of students scoring proficient or advanced on the state assessment or improving year-over-year; College readiness as demonstrated by PSAT, SAT, ACT, IB, and/or AP exam scores.

DC PCSB will analyze whether the school's general population, special education, and English language learners are achieving the academic expectations in place at the school. In addition, DC PCSB will display WIDA growth by campus. DC PCSB has statewide or sector-wide data that can be compared against the school's performance for most academic expectations. DC PCSB will deem a school to have met its academic expectations if its performance is above the state or charter sector average.

If the school amended its charter to adopt the Performance Management Framework as its charter goals and academic expectations, the review is based on whether the school achieved the benchmarks included in the most recent Elect to Adopt the PMF as Goals Policy.

Compliance with Charter and Applicable Laws

The SRA requires DC PCSB to assess whether a school has "committed a material violation of applicable laws or a material violation of conditions, terms, standards, or procedures set forth in its charter, including violations relating to the education of children with disabilities."[1]

Compliance with Charter

The SRA provides that the following items of a school's initial charter application comprise a school's charter.[2] As part of its review assessment, DC PCSB will review the school's compliance with its:

1. Mission;
2. Rules and policies for governance and operation of the school;
3. Articles of incorporation and bylaws;
4. Procedures the school follows to ensure the health and safety of students, employees, and guests of the school;
5. Accreditation status; and
6. Employment relationships it committed to in its charter.

Legal Compliance

To determine a school's legal compliance, DC PCSB will review the school's previously conducted charter reviews for references to legal noncompliance, as well as the compliance reports DC PCSB produces on an annual basis. Without limiting the scope of schools' obligation to comply with all laws, DC PCSB will specifically review compliance in the following areas. Charter reviews will also include whether a school received a Notice of Concern or other board action due to non-compliance during the Compliance Review cycle.

[1] D.C. Code §38-1802.12(c)(1).
[2] D.C. Code §38-1802.12(h)(2).

Indicator	Documentation	Legal Rationale
Fair enrollment process	Proof of Participation in My School DC Open Lottery or Enrollment Lottery Procedures Policy	D.C. Code § 38-1802.06
Discipline Policy and Due Process	Student handbook or other written document that outlines the school's discipline policy and procedures	D.C. Code § 38-1802.06(g) and Goss v. Lopez, 419 U.S. 565 (1975)
Attendance Policy	Student handbook or other written document that outlines the school's attendance policy and procedures	Attendance Accountability Amendment Act
Student Health	Option 1: Notice of assigned nurse on staff	D.C. Code § 38-1802.04(c)(4) and the Student Access to Treatment Act of 2007
	Option 2: Copy of staff certificate to administer medications	
Student Safety	Current roster of all employees and volunteers (working greater than 10 hours at the school) with indication that background check has been conducted	D.C Code §§ 38-1802.04(c)(4) and 4–1501.03
	Sexual Violation Protocol Assurance Policy	D.C. Code §§ 38-1802.04(c)(4) and 4-1321.02
	School Emergency Response Plan	D.C. § 38-1802.04(c)(4) and Sec. 404 of the International Fire Code (as adopted by DC)
Charter School Employees	Employee handbook or other written document on policies and procedures governing employment at the school for compliance with employment laws regarding sexual harassment, equal opportunity, drug-free workplace, and complaint resolution process	D.C. Code §§ 38-1802.04 and 38-1802.07; Drug-Free Workplace Act of 1988
Insurance	Certification that appropriate levels of insurance have been secured	D.C. Code § 38-1802.04(b)(4)
Occupancy, Lease and License for the Facility	Certificate of occupancy with an occupant load equal or greater than the number of students and staff in the building	D.C. Code § 38-1802.04(c)(4) and § 47-2851.02; 11-A D.C.M.R. § 302
	Lease/Purchase Agreement	
	Basic Business License	
	Board meeting minutes	
	Board calendar with meeting dates	
Submission of Annual Report	Annual Report	D.C. Code § 38-1802.04(c)(11)

Special Education Laws

To ensure compliance with special education laws, including the Individuals with Disabilities Education Act, 20 U.S.C. § 1401 *et seq.*, and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 701, PCSB will conduct a desk audit of documents on file regarding the school's compliance with all applicable special education laws. Along with a review of the school's description of its special education programming in its charter, this audit will include a review of the following OSSE-produced documents:

- Annual Determination Reports;
- On-Site Monitoring Reports;
- Quarterly Findings (also called Special Conditions reports); and
- Hearing Officer Determinations and/or Settlement Agreements.

For any questions about this aspect of the review analysis, please contact Avni Murray, Manager, Equity and Fidelity Team, at 202-328-2671 or via email at amurray@dcpcsb.org.

Procurement Requirements

The SRA requires DC charter schools to use a competitive bidding process for any procurement contract valued at $25,000 or more and, within three days of awarding such a contract, to submit to DC PCSB all bids received, the contractor selected, and the rationale for which the contractor was selected.[3] To ensure compliance with this law, DC PCSB requires schools to submit a Determinations and Findings form to detail any qualifying procurement contract entered into.
As part of its financial audit, DC PCSB will review whether the school has submitted Determination and Findings form corresponding to each procurement contract $25,000 or more. **If a school has not turned in all required Determination and Findings forms and procurement contract documents for the previous five years, it should submit them to DC PCSB before the start of the review process. If during the review, it is determined that required information from the previous five years is still missing, DC PCSB staff will not recommend continuance of the charter until such information is provided to DC PCSB or a detailed reasoning as to why such information cannot be provided.** If a school would like to discuss its procurement contract status with DC PCSB, please contact Katherine Dammann at **kdammann@dcpcsb.org**.

[3] D.C. Code §38-1802.04(c)(1). Certain contracts are exempted from this requirement: (1) contracts for the lease or purchase of real property; staff employment contracts; and (3) management contracts entered into by a school and a management company, if that relationship has been detailed in the school's charter or its petition for a revised Charter. Id.

Fiscal Review

DC PCSB's fiscal review will assess whether a school:

- Has engaged in a pattern of nonadherence to generally accepted accounting principles;
- Has engaged in a pattern of fiscal mismanagement; and/or
- Is no longer economically viable.

To determine the school's adherence to accounting principles, as well as whether it has engaged in fiscal mismanagement, DC PCSB will review the school's submitted audits for five years preceding the review.

DC PCSB reviews several factors to analyze whether a school is economically viable, including, but not limited to, the school's:

- Operating result (how much annual revenues exceed annual expenditures);
- Earnings before depreciation;
- Net assets (total assets minus total liabilities);
- Primary reserve ratio (total net assets divided by total annual expenses);
- Current ratio (current assets divided by current liabilities);
- Days of cash on hand; and
- Debt burden (total liabilities divided by total assets).

DC PCSB may also review other information about the school's financial management, including, but not limited to, unusual financing transactions (e.g., New Markets Tax Credits transactions); its allocation of resources relative to that of other schools; and its preparedness for a fiscally responsible winddown should the DC PCSB Board vote for charter revocation.

DC PCSB STAFF REVIEW ANALYSIS

DC PCSB staff will analyze the school's performance and draft a preliminary review analysis for the DC PCSB Board's consideration. This analysis will include an assessment of the school's academic performance, goal attainment, legal compliance, fiscal management, as well as a recommendation to the DC PCSB Board regarding the outcome of the charter review.

DC PCSB will provide the school ten days to respond to the preliminary review analysis to correct any factual errors. After the school has reviewed the report and submitted corrections or responses, DC PCSB may revise the report and share the finalized review analysis with the school again. DC PCSB staff will also share the review analysis with the DC PCSB Board as they prepare to vote on the charter review. DC PCSB staff will not publish this report; however, to the extent that the data is not protected by privacy laws, they would be considered a public item that could be accessed by the public through a Freedom of Information Act request.

POTENTIAL REVIEW OUTCOMES

There are three outcomes of a charter review:

1. Full charter continuance;
2. Charter continuance, with conditions; and
3. Charter revocation.

If in its fiscal analysis of the school, DC PCSB determines that the school has (a) engaged in a pattern of nonadherence to generally accepted accounting principles; (b) engaged in a pattern of fiscal mismanagement; and/or (c) is not economically viable, then DC PCSB is required by the SRA to revoke the school's charter.

For all other findings, the DC PCSB Board has further discretion. The Board may, but is not required to, revoke a school's charter if it finds that a school has:

1. Not met its goals;
2. Not met its academic expectations;
3. Materially noncomplied with its charter; and/or
4. Materially violated applicable law.