

District Staff and Superintendent's Response to NACSA Needs Assessment

(The NACSA Needs Assessment does not reflect The School Board of Broward County, Florida's interpretation and application of Florida State Statute)

NACSA Authorizer Needs Assessment

May 28, 2015

Authorizer

Broward County Public Schools

Superintendent

Robert W. Runcie

Section 1 Application Decision-Making

Does the authorizer approve applications based on applicants' demonstrated preparation and capacity to open and operate a quality charter school?

Established:

Approaching Well-Developed

Applied:

Minimally Developed

Section 1 Application Decision-Making	
Summary Assessment	Response from the Authorizer
<p>BCPS uses the Florida Department of Education's (FDOE) model application as its charter application. BCPS uses a detailed evaluation rubric for assessing applications that is also created by the FDOE. BCPS' superintendent is then charged with reviewing applications within a 60-day timeframe and making a recommendation to the board. The board votes on each application and, per Florida statute, all denials may be appealed to the State Board of Education.</p> <p>BCPS reviews approximately thirty to fifty applications annually. Per BCPS' website, applicants are invited to submit a draft application on or before May 1 with a non-refundable \$500 application fee. These applications are then reviewed by the authorizer staff and feedback is given based on the evaluation rubric. Applicants may then submit a revised application by the August 1 statutory deadline. Then internal review teams of approximately twenty to thirty individuals from a variety of BCPS offices are assigned to analyze the submitted applications. No external reviewers are used. Currently, the review process is focused on statutory compliance rather than a quality assessment of a school's likelihood of success. Review team members are responsible for specific sections of the application and, as a result, no one reviews the application in its entirety for alignment and comprehensiveness. Though review teams desire reviewing applications through a more purposeful and quality-driven lens, BCPS currently does not provide any training to review team members.</p> <p>While BCPS does interview some applicants, it does not have a policy that details who qualifies for an interview, the timing of the interview, or what occurs during an interview. The interview is currently being used to address application inconsistencies and statutory requirements rather than to assess an applicant's capacity to effectively implement the proposed school plan.</p> <p>BCPS's current approach is to only deny applications who fail to demonstrate an alignment with statutes. BCPS does not make application decisions based on quality or capacity-based criteria. BCPS' current interpretation of Florida law hampers its work and creates an open-door mentality, yielding approval of applicants that then close within the first few months of operation. While authorizer staff are generally aware of these shortcomings and cite the legal complications as their main obstacle, this perceived inability to amend the</p>	<p>NACSA writes often in this report about SBBC's attention to compliance with state law. SBBC is governed by its applicable federal and state laws and rules, and as a public body adheres to those requirements.</p> <p>The Florida Principles and Standards for Quality Authorizing document states specifically that the uses of the Principles and Standards are not designated to be a step-by-step list of tasks for charter sponsors to follow nor is it intended to be a tool for legislative action or sponsor evaluation. While acknowledging that the Principles and Standards were just released this year and that each district has the autonomy to implement them as it sees fit, the NACSA team repeatedly refers to this document in addition to the NACSA Principles and Standards as though both contain required practices and procedures for charter school sponsors. The district follows all federal and state statutes in relation to its processes and procedures in authorizing and monitoring charter schools.</p> <p>SBBC complies with Section 1002.33(6)(a), Florida Statutes, which provides "that a person or entity wishing to open a charter school <u>shall</u> prepare and submit an application on a model application form prepared by the Department of Education." [Emphasis added] Similarly, SBBC complies with Section 1002.33(6)(b), Florida Statutes, which provides that "a sponsor <u>shall</u> receive and review all applications for a charter school using an evaluation instrument developed by the Department of Education." [Emphasis added] Applicable laws make use of FLDOE's model application form and evaluation instrument compulsory for sponsors.</p> <p>Section 1002.33(6)(b), Florida Statutes, places responsibility for charter application review and evaluation upon the sponsor and does not address the external delegation of such responsibilities to outside persons.</p>

Section 1 Application Decision-Making	
Summary Assessment	Response from the Authorizer
<p>process, or develop supplemental application materials, prevents authorizer staff from functioning at the level required by the Florida Principles & Standards of Quality Authorizing.</p>	
<p>Recommendations</p> <ul style="list-style-type: none"> • Pursuant to the Florida Principles & Standards for Quality Authorizing, evaluate applications based on quality standards and likelihood of success rather than a compliance-driven review. • Include external reviewers in the review process. • Provide more thorough training for reviewers in terms of understanding expectations, policies and expected educational outcomes. • Establish a capacity interview policy and process that would allow BCPS to fully assess an applicant's capacity to effectively implement a successful school plan. • Per the Florida Principles & Standards for Quality Authorizing, develop supplemental application materials that align with BCPS' strategic plan for its charter schools and the district. 	

1.1 Application Materials and Process

The authorizer provides clear guidance and requirements regarding application materials and submission requirements and runs a clear and well-structured application process with realistic timelines.

Established:

 Approaching Well-Developed

Applied:

 Minimally Developed

1.1 Application Materials and Process	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>BCPS effectively outlines and communicates the process to apply for a charter school. Application materials, timelines, submission requirements, and application types are all easily accessed from the BCPS website. Materials are published annually and the review process includes a timeline for all applicants to submit a draft application.</p> <p>All BCPS application materials are developed and provided by the FDOE. The model application requires an educational plan, an organizational plan, and a financial plan. The document links each section to the applicable Florida statute and details the application evaluation criteria. BCPS does not require or ask for any additional or supplemental information as part of its application process. As such, BCPS is not adapting the application process to the district's specific needs or strategies. The lack of specific BCPS orientation or application materials limits BCPS' ability to assess applications against district priorities, policies, or strategic goals.</p> <p>In addition, BCPS uses the evaluation instrument created by the FDOE. The instrument is well-developed and provides opportunities, throughout the application, for reviewers to assess an application based on quality, capacity, soundness of plans, and thoroughness.</p>	<p>It is not a requirement that districts include supplemental information as part of the application process. To the contrary, applicable Florida laws do not provide authority for the use of supplemental materials. SBBC complies with Section 1002.33(6)(a), Florida Statutes, which provides "that a person or entity wishing to open a charter school <u>shall</u> prepare and submit an application on a model application form prepared by the Department of Education." [Emphasis added] Similarly, SBBC complies with Section 1002.33(6)(b), Florida Statutes, which provides that "a sponsor <u>shall receive and review all applications</u> for a charter school <u>using an evaluation instrument developed by the Department of Education.</u>" [Emphasis added] Applicable laws make use of FLDOE's model application form and evaluation instrument compulsory for sponsors. As such, SBBC is maintaining consistency with the majority of other districts in the state of Florida. We are aware that several districts do request additional information, but they have informed us that the use of that information is expressly prohibited in the decision making process.</p> <p>The District's specific needs and/or strategies and statutorily charged responsibilities are being met sufficiently when the charter applicant is able to demonstrate an understanding of the district's policies and procedures as evidenced in the various application sections.</p>
<p>Applied</p> <p>BCPS leadership and staff view their role as a technical reviewer of applications and do not consider a school's overall likelihood of success in making application decisions. Although the evaluation instrument is sufficient to provide reviewers a quality lens through which to screen applications, it is being used as more of a compliance tool. The district has a perception that any review beyond technical will be overturned on appeal at the state board. This technical approach contradicts the Florida <i>Principles & Standards</i> which requires authorizers to comprehensively evaluate the likelihood of success through a rigorous review of the evidence provided by the applicant.</p> <p>Reviewers screen an application based on their particular area of expertise and, few if any reviewers, evaluate an</p>	<p>The purpose of the Florida Principles and Standards for Quality Charter School Authorizing (FLP&S) is to provide a "blueprint for effective authorizing." It was created to provide "founding principles" as well as "basic and advanced standards for implementation" and to "provide a roadmap to best practices" in the industry. It specifically states that the FLP&S "are not designated as step by step list of tasks for charter sponsors to follow nor is intended to be used as a tool for legislative action or for sponsor evaluation," nor those the Florida Principals and Standards override applicable state law. Like any model, it is designed to provide guidance and the sponsor has the discretion and autonomy to use it to meet the needs of its role as the local authorizer. "Guidance" does not equal "obligation," nor those it supplant legislative mandates.</p> <p>According to page 6 of the FLP&S, a quality sponsor will "support and advance the purposes of charter school law,"</p>

1.1 Application Materials and Process

Analysis by NACSA

application in its entirety. Currently, a complete application review consists of a compilation of sections reviewed by multiple reviewers, rather than multiple reviews compiled and aggregated. This approach limits the authorizer staff's ability to assess the application's overall quality. In addition, reviewers are not receiving adequate training. Charter school specific training should be provided to ensure a complete review aligned to law and best practice.

BCPS does not use external reviewers in its application reviews. However, the Florida *Principles & Standards for Quality Authorizing* recommends that authorizers use external reviewers with a thorough understanding of charter school autonomy and accountability to support rigorous decision-making. External reviewers bring credibility to the decision-making process by providing another perspective and filling expertise gaps on review teams.

Response from the Authorizer

"comply with statutory provisions to protect the authorizer's function from conflict of interests", "implement policies, processes and practices...", "evaluate its work regularly against state standards for quality authorizing...", and "enlist expertise and competent leadership pursuant to Florida statutes..."; therefore, Broward's technical approach is in alignment with the standards for quality charter school authorizing.

It is the position of the sponsor that it is unnecessary for all reviewers to review areas of the application that are beyond their areas of expertise. However, many reviewers are required to read **multiple sections of the applications** as it pertains to their areas of expertise.

Charter application reviewers have received **specific training**, are provided with access to **charter law** and are encouraged to review **state law as it relates to their areas of expertise**. **Frequent correspondence** is sent to the committee to check for concerns and questions that a reviewer may have after training.

Section 1002.33(6)(b), Florida Statutes, places responsibility for charter application review and evaluation upon the sponsor and does not address the external delegation of such responsibilities to outside persons. SBBC does not use external reviewers for the following reasons:

- It is not required
- Potential conflict of interest
- Potential financial cost/constraint
- Lack of qualified external reviewers that have a thorough knowledge of all sections of the application and **state law in** Florida and its requirements

Recommendations

Train application reviewers to better understand their role in the overall application process, charter school law, and best practices.

Include external reviewers in the review process.

Require member(s) of the application team to review the application in its entirety to ensure a comprehensive review.

Pursuant to the Florida *Principles & Standards for Quality Authorizing*, evaluate applications based on quality standards and likelihood of success, not just simply a technical review.

How does NACSA define "likelihood of success" based on intent of the application? Many applications are forward thinking and not based on prior implementation. The **District's legislative platform** specifically included a provision to allow for the use of background information in the decision making process. This language was not passed by the Florida Legislature.

1.2 Educational Program

The authorizer has thorough requirements and rigorous evaluation criteria for the proposed educational program including the vision and mission statements, educational philosophy, curriculum and instruction, teaching skills and experience, calendar and daily schedule, target population, enrollment, and plans for educating students with special needs.

Established:

● Well-Developed

Applied:

⊕ Minimally Developed


Section 1.2 Educational Program	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>The model application and evaluation instrument generally include detailed educational program sections that reference the mission, guiding principles and purpose, the target population, the educational program design, the curriculum plan, performance, assessment and evaluation, at risk populations, and school culture. The questions presented in the application and the corresponding evaluation criteria require applicants to demonstrate knowledge of Florida law and the ability to provide sound plans for service provision and implementation.</p>	<p>The analysis or justification of the application review findings is communicated through phone conferences and applicant interviews with the committee members.</p> <p>Narrative comments are not required by the FLDOE charter evaluation form. Reviewers commonly find “cut and paste” language in multiple applications across applicants, counties and even states. This practice denigrates reviewer’s ability to provide comments and only determines if it meets the standard application requirement or not. Denied applicants are provided feedback and the opportunity to meet with District staff to go over the specifics over denial of the application.</p> <p>As explained to the NACSA team, the District’s former Charter Schools Task Force discussed the possibility of ongoing external reviewers and rejected the concept. Some felt that having competitive charter providers on the review team would cause applicants to be unfairly denied or approved.</p> <p>The repeated statements of the District’s lack of external reviewers seems self-serving as NACSA is one of the few external reviewers that are available at a large cost – creating a direct benefit to NACSA.</p>
<p>Applied</p> <p>Although the application and corresponding review instrument cover all of Florida’s <i>Principles & Standards</i>’ educational program requirements, BCPS is not applying the evaluation criteria rigorously in a way that supports quality decision-making. This lack of rigor is reflective of BCPS’ general approach to application reviews, which focuses on technical compliance rather than overall quality. For example, in one application evaluation, reviewers either recommended or denied the applicant without providing analysis or justification as to whether the applicant met the stated standards. Documentation reflects that reviewers often cite applicants for compliance reasons such as “failing to eliminate references to PARCC,” rather than truly assessing the qualitative educational program criteria such as “evidence that data will inform decisions” or “demonstrated capacity to meet the school’s obligations.”</p>	<p>The District’s Charter School Review Committee applies the state defined evaluation criteria continuously throughout the review of their section(s). In addition, reviewers reference Section 1002.33, Florida Statutes as well as any other applicable statutes or rules that support quality decision-making.</p>

Section 1.2 Educational Program	
Analysis by NACSA	Response from the Authorizer
In addition, when an applicant is deemed to have “met the standard,” reviewers do not consistently include comments as part of the rating. This makes it difficult to not only assess the quality of the review, but also to assess the strength of the application.	
<p>Recommendations</p> <p>Require application reviewers to include justification for their ratings and focus reviews on a quality rather than a compliance-driven assessment.</p> <p>Provide a thorough training for application reviewers, which includes clear expectations for application evaluations that is based on consistent implementation of evaluation tools.</p>	

1.3 Organizational Plan

The authorizer has thorough requirements and rigorous evaluation criteria for the proposed organizational plan including the effective governance and management structures and systems (including staffing); founding team members demonstrating diverse and necessary capabilities; and understanding of legal requirements related to opening and operating a charter school.

Established:

 Approaching Well-Developed

Applied:

 Minimally Developed

Section 1.3 Organizational Plan	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>The Florida model application requires a thorough organizational plan with sections devoted to school governance, management, education service providers (ESPs), human resources and employment, and student recruitment and enrollment.</p> <p>The organizational section focuses more on descriptions or plans, rather than requiring or seeking evidence of criteria indicative of success. Numerous questions and criteria center on process rather than a demonstration of quality standards. For example, the management and school leader sections focus on the recruitment process, not the individuals' qualifications or mission alignment. While BCPS cannot dictate the content of the model application, it could require additional information that would help authorizer staff evaluate the organizational plan's alignment with the educational program and business plan, as well as the overall quality and capacity of the proposal.</p> <p>The ESP section requires applicants to provide information related to other schools within the ESP's portfolio, but the criteria for evaluation do not consider the performance of these schools. As such, reviewers do not utilize this information when assessing a proposed ESP or when making application recommendations.</p>	<p>There are incorrect assumptions made by NACSA in this section. If the District were to request supplemental information, in addition to the standard application, state law supports charter school applicants in not providing additional information. This was evidenced by the State Appeals Commission decision to overturn Palm Beach County's denial of a Charter Schools USA application due to requiring innovation.</p> <p>Charter schools are not required to provide ESP information at the time of application and, therefore it cannot be considered as a rationale for denial. An application speaks to what the charter intends to do, while the contract and statute provide a mechanism to see if they are doing what was stated in the application.</p> <p>In regards to school closures, districts have more authority under state law to close charter schools not meeting contract provisions and state requirements than they do when determining if an applicant will execute a forward thinking plan of action.</p> <p>If NACSA has tools that can discern the operations and capacity of effective implementation prior to actually opening a school, it would be in the best interest of the students for NACSA to share those tools, free of charge, to all authorizers to protect the integrity of the authorizers' decisions.</p> <p>Experience has demonstrated that the FLDOE Charter Appeals Commission determines sufficient operations based solely on the written application of the written document.</p> <p>Organization & School Readiness Conditions - provide documented effective timeline for ready-to-open. State law does not allow sponsors to request, let alone, require a certificate of occupancy prior to 15 days before the first day of class.</p> <p>State law does not permit districts to require supplemental materials about any history, prior track record, or criminal records. The sponsor may not use any information other than the actual application to approve or deny an application. Recently, the District introduced this language in the District's legislative platform and it was presented in a bill to the Florida Legislature. If background screenings were already allowable, such legislation would be unnecessary.</p>

Section 1.3 Organizational Plan

Analysis by NACSA	Response from the Authorizer
<p>Applied</p> <p>Reviewers do not thoroughly review the organizational section. In fact, as with the educational program, little to no comment or justification is included in the application reviews. As a result, reviewers should be instructed to include justification for their ratings or may require additional training and expertise to better assess organizational soundness.</p> <p>Numerous schools authorized by BCPS have closed within months of opening. These schools have closed for a variety of reasons, but a common theme is the failure to execute a solid plan. These closures are extremely disruptive and likely could be avoided with a more rigorous review of organizational readiness (governance, management, capacity, capability, ready to open standards, etc.). BCPS staff indicated that the current approach to reviewing applications limits their ability to truly assess applicants' organizational viability. BCPS board members expressed an interest in including additional steps that would require applicants to demonstrate organizational and school readiness conditions. As such, it is essential to fully review all applicants for the ability to not only get a school up and running, but also to operate effectively and execute a solid plan with fidelity.</p>	<p>If a section meets minimum standards, the District does not add comments. Reviewers are instructed to be very specific in their comments when a section does not meet standards. Each district has the autonomy to determine the level of comment it wishes to provide to the applicant.</p> <p>An application cannot be denied if it meets standards established by the FLDOE application instrument. The execution of the plan comes only after the application has been approved and a contract has been signed. An applicant can have the best intentions and the application can sound great on paper; however, not all applicants have the capacity to run a school. It is difficult to forecast their success rate from what is on paper to implementation a year or more in advance.</p> <p>Anyone can express an interest for a different application, more sections, additional steps, more processes etc., however, until it is supported at the state level, those wishes and desires are just that. SBBC will always act in accordance with the governing laws and rules when it comes to the approval or denial of a charter application.</p>
<p>Recommendations</p> <p>Include supplemental materials in the ESP evaluation criteria section that requires reviewers to assess the history and track record of the ESP.</p> <p>Provide organizational capacity training for BCPS reviewers and require reviewers to provide justification for their ratings.</p>	<p>Charter school applicants are not required to disclose the intent to engage an ESP during the application phase. Currently the State is reviewing its charter school application template and is considering removing the section that refers to the ESP, as such information is not required by state statute. The section may be included as an addendum.</p> <p>Training is provided to the charter application review committee and members do provide justification for all of the application sections that are rated as "partially meets" and "does not meet standard."</p>


1.4 Business/Financial Plan

The authorizer has thorough requirements and rigorous evaluation criteria for the proposed business plan including financial viability of the plan demonstrated through budget projections that are aligned with the proposed educational program.

Established:

 Approaching Well-Developed

Applied:

 Partially Developed


Section 1.4 Business/Financial Plan	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>The business plan section of the Florida model application and evaluation instrument covers the basic areas of facilities, transportation, and food services, while also requiring a budget, budget narrative, financial management and oversight plan, and a detailed start-up plan. The financial portions of the application require a great deal of vital information, from a start-up budget to a multi-year operating budget with narrative and monthly cash flow projections for start-up and fundraising plans. The evaluation criteria, within this section, are limited in scope and overall are not thorough and rigorous. For example, the application requires a contingency plan (based on enrollment), but there are no corresponding evaluation criteria. It is critical for BCPS to assess contingency plans given that numerous schools have closed, right after opening, due to low enrollment numbers. As another example, the application requires a description of the internal financial controls, yet the criteria is based on being “sufficient,” with no explanation as to a standard for sufficiency.</p> <p>Furthermore, the business and financial section of the model application does not require a contingency plan for under enrollment. Over the last few years BCPS has seen numerous schools close right after opening because of an inability to recruit or enroll the required amount of students, resulting in budgetary and financial failure. Without the requirement of a budget contingency plan, applications are being approved based on unrealistic enrollments, and schools are opening without the ability to meet their enrollment, and therefore, budget numbers.</p>	<p>A contingency plan for under enrollment is not required by state law or the state application template.</p> <p>The District's response to the financial dilemma has been to request legislation requiring applicants to secure a level of credit or a security bond to protect public assets. That language has not been approved by the state legislature.</p> <p>The School Board of Broward County, Florida contract template requires a revised budget on actual enrollment. The Budget department does cross check components of the application and the budget section to make sure it aligns with the rest of the document.</p> <p>While there have been numerous closures at the beginning of the school year, low enrollment has not been cited as the primary reason. The main reason has been the lack of securing appropriate facilities.</p>
<p>Applied</p> <p>While the business and financial sections of the evaluation instrument include the basic requirements for effectively assessing an applicant's business plan, BCPS is not conducting an in depth review of plans and capacity to implement those plans. Reviewers have the information necessary to conduct a thorough review of the budget, based on knowledge of Florida statute and per pupil calculations, but reviewers do not assess competence and capacity in terms of financial health and planning. For example, in the</p>	

Section 1.4 Business/Financial Plan	
Analysis by NACSA	Response from the Authorizer
<p>financial management and oversight section of one application evaluation, a reviewer determined that the section met the standard based on following the minimum guidelines for storage and retention of records. This does not reflect any assessment of internal controls, sound policies, or necessary financial management. In addition, the financial plan is not crosschecked against either the educational or organizational plans. This process is necessary to ensure that the financial plan aligns with and contributes to the applicant's ability to present a comprehensive school plan.</p>	
<p>Recommendations</p> <p>Supplement the FDOE application by requiring applicants to submit a contingency plan for under enrollment.</p> <p>Ensure that reviewers are trained to review the financial and business plan documents (e.g. enrollment figures, contingency plans).</p> <p>Crosscheck the business/financial plan against all other application sections to ensure application alignment and a comprehensive review.</p>	

1.5 Capacity

The authorizer has thorough requirements and rigorous criteria for evaluating the applicants' capacity to implement the school plan effectively, including but not limited to a substantive in-person capacity interview with all qualified applicants.

Established:

 Partially Developed

Applied:

 Minimally Developed

Section 1.5 Capacity	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>While BCPS has an “authorizer policy” (1163) which provides a clear decision-making structure, BCPS does not have a policy related to the capacity interview. BCPS does not interview all applicants and does not have a policy detailing who qualifies for an interview, the timing of the interview, or what occurs during an interview. BCPS does not state whether or how it uses the information gathered from the interview to assess capacity and ultimately make recommendations for approval.</p>	<p>Please provide a copy of the tool used by NACSA in discerning language and questions on how a state required template meets an applicant's capacity. Please justify the use of the tool by explaining how it meets Florida's state requirements of applicable Florida laws and rules.</p> <p>Districts are not required to interview applicants; therefore, SBBC has not unilaterally imposed such additional requirements.</p> <p>The comment “fear of appeal” misrepresents the true state of affairs in Florida. A comment of understanding that the culture of the appeals process and what will or what will not be approved (overturned) based on compliance to a mandatory template more accurately reflects many school district experiences during the appeals process.</p>
<p>Applied</p> <p>In practice, BCPS does not implement an effective capacity interview to assess an applicant's ability to implement a successful school plan. BCPS does not interview all applicants and it is unclear how BCPS determines which applicants receive an interview. Furthermore, the capacity interview is used narrowly to demonstrate statutory adherence rather than quality or capacity. Currently, the applicant interviews only serve to add to the extensive amount of time it takes the review committee to make its recommendation.</p> <p>Furthermore, while there are some capacity-oriented criteria in the evaluation instrument, BCPS does not consistently apply these criteria in their review, but rather conducts a review that is focused on technical compliance rather than likelihood of success. As a result, this practice continuously leads to the approval of applicants that have not demonstrated the capacity to implement an effective school plan and schools that have ultimately failed within the first few months of operation.</p> <p>Authorizer staff indicated a degree of reluctance to apply rigorous quality standards throughout the review, and hold applicants to a standard of review that would appropriately assess capacity and likelihood of success. When staff were asked about the schools that have closed within their first year of operation, there was agreement that</p>	<p>Charter applicant interviews are not statutorily required. In a district that receives an average of 40 applications per year, the use of the interview is carefully considered on a case-by-case basis.</p> <p>Applicants are provided with the opportunity to attend an interview to provide clarity regarding the responses presented in the state-mandated application.</p> <p>The Superintendent's Charter School Review Committee determines the need for an interview after analyzing each application in its entirety. If the committee determines that further clarification is needed, the applicant is invited to attend an interview with the committee. After the interview, the committee makes a determination if the applicant has met the requirements or not based on what was stated in the application and if they were able to provide clarification during the interview.</p>

Section 1.5 Capacity

at the time of the review the entire review team was in agreement that the related applications should never have proceeded to approval, yet because of the fear of the appeal, they recommended approval to the board.

No application has been approved that the entire review committee assessed/determined warranted denial regardless of the uncertainties of the charter application appeal process.

Recommendations

Establish a capacity interview policy and process that would allow BCPS to fully assess an applicant's capacity to effectively implement a successful school plan.

Create a clear interview protocol that will help reviewers conduct a consistent and comprehensive interview process.

Assess capacity beyond technical compliance with state law; include assessment of comprehensive quality of the application and likelihood of success.

1.6 Specialized Applicant Types and Application Priorities

The authorizer’s application includes requirements that specialized applicant types (i.e., charter network applicants, virtual school applicants, or applicants planning to contract with an education service provider) provide additional relevant information, and to the extent applicable, the authorizer adapts its application to address identified needs or attract desired program types.

Established:

● Partially Developed

Applied:

● Undeveloped

Section 1.6 Specialized Applicant Types and Application Priorities	
Analysis by NACSA	Response from the Authorizer
<p>Established BCPS currently has no application process separate from, or supplemental to, the Florida model application. Multiple stakeholders within BCPS, from the board to authorizer staff, discussed various district strategic needs. However, these strategic needs are not formalized in any document or strategic plan, nor reflected in the application. While the FDOE provides a separate model application for virtual schools and one for replications by high-performing charter schools, BCPS should consider supplementing the model virtual application since it does not meet all of NACSA’s best practices for virtual applications including enrollment monitoring and verification of full-time student enrollment, student participation in a full course load, and credit accrual.</p> <p>As previously noted, the Florida model application could be strengthened by including a more rigorous evaluation of ESPs. Since BCPS does not require supplemental information in this area, BCPS’ ability to fully assess the efficacy of the proposal, especially with regard to past performance of operators and overall capacity of the applicant group, is limited.</p>	<p>Differentiated reviews occur in regard to virtual, high performing and standard applications. Additional district staff with expertise in these areas is engaged in the review process.</p> <p>The Charter Schools Management/Support Department (CSMSD) does use additional experts to supplement the review process for specialized programs, such as virtual/blended, enrollment practices, and guidance.</p> <p>Past performance is not currently an evaluation element under Florida laws and rules. As informed by Miami-Dade County, they also critically remind reviewers that although they may have supplemental materials, they absolutely are not allowed to reference/apply any of those findings in recommendations or decision-makings as to an application approval.</p>
<p>Applied Given that BCPS does not supplement the Florida model applications, opportunities to further examine specialized applicant types currently does not exist. Superintendent Runcie, along with interviewed BCPS board members, expressed a desire to create supplemental application materials that better aligns to district strategic priorities. Furthermore, authorizer staff do not carefully review past performance, nor conduct thorough due diligence of ESPs in making recommendations to the board.</p>	
<p>Recommendations Supplement the Florida model virtual application to meet NACSA’s best practices for virtual applications.</p> <p>Supplement the Florida model application to gather additional information on ESPs and conduct due diligence</p>	<p>The charter application process established under the Florida laws and rules does not include an element for the sponsor’s strategic vision or plan. A separate vision, mission and associated goals are required of each applicant. If the intent of the state legislature were for charter schools to align with the District plan, it would have provided for an RFP process that would require applications to align with local visions and</p>

Section 1.6 Specialized Applicant Types and Application Priorities

Analysis by NACSA

on proposed educational service or management providers.

Research and connect with other authorizer colleagues in Florida, such as Miami-Dade and Hillsborough County Public Schools, who have created and utilized supplemental application materials in their application processes. Differentiate the Florida model application to better align with BCPS internal strategic priorities.

Per the Florida *Principles & Standards*, incorporate the sponsor’s strategic vision and authorizing priorities into the application packet to make that information available to prospective charter applicants, while still considering applications that propose to fulfill other goals.


Response from the Authorizer

strategic plans.

1.7 Decision Alignment

The authorizer makes application decisions that are informed by and align with documented evidence and analysis of the extent to which the plan satisfies approval criteria and the extent to which applicants demonstrate strong preparation and capacity to establish and operate a quality charter school.

Established:

 Partially Developed

Applied:

 Partially Developed

1.7 Decision Alignment	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>The BCPS board has established clear application decision-making policies that include a review process conducted by authorizer staff that results in a recommendation to the board. However, the policy does not explicitly state that only those charter schools that exhibit the highest likelihood of success will be recommended for approval. In addition, the policy does not include clear interview processes and protocols.</p>	<p>If NACSA has the tools that can discern the charter school applicants' likelihood of success prior to the implementation of the school's program, it would be in the best interest of the students for NACSA to share those tools, free of charge, to all authorizers to protect the integrity of the authorizers' decisions.</p> <p>Recent events have shown that while the SBBC has expressed an interest in strengthening state laws that govern charter schools and the charter school application process, the current statute does not allow a district to step out of the mandated application process. As stated in Section 1002.33(5)(b), Florida Statutes, charter schools are not required to follow district policies; therefore, any policies regarding charter requirements are moot and SBBC's ability to adopt local policies governing charter schools application process is preempted by legislative enactments.</p> <p>Current state law prohibits the Sponsor from mandating that a charter school follow District policy. SBBC staff works collaboratively with the Office of Governmental Relations to draft language for the SBBC's legislative platform.</p>
<p>Applied</p> <p>In practice, authorizer staff make sound recommendations to the board that give them strong legal footing, but do not always reflect a school's likelihood of success. Board votes reflect strong decision alignment with staff recommendations.</p> <p>While this alignment exists, board members expressed a desire to refine the process and implement new policies. They spoke highly of the staff's work and demonstrated commitment to the process, but feel that there is an opportunity to challenge the limitations of Florida law. Board members pointed out numerous application approvals that have resulted in failed schools, including schools that failed in their first year of operation, and they attribute this to the limited requirements and lack of quality indicators in both Florida law and internal BCPS policies. Board members expressed interest in adding supplemental materials to the application process like additional financial requirements or guarantees of funds, more quality and capacity-focused questions, and a through the applicant interview.</p>	

1.7 Decision Alignment	
Analysis by NACSA	Response from the Authorizer
<p>Recommendations Strengthen existing board policy by making it clear that only charter schools that exhibit the highest likelihood of success will be recommended for approval.</p> <p>Add a board policy regarding applicant capacity interviews.</p>	

1.8 Transparency

The authorizer has transparent processes for both application evaluation and application decision-making.

Established:

 Partially Developed

Applied:

 Minimally Developed

Section 1.8 Transparency	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>BCPS' application and evaluation policies are made available to the public through their website and a direct link to FDOE's website. Applicants are aware of the submission requirements and timelines. Evaluation criteria are clearly posted and included in the application. The application evaluation policy reflects a review process that results in written analysis and recommendations to the board.</p> <p>Other than state-developed materials, BCPS does not actively communicate to the public about the application review process. Final board decisions on charter school applications do not contain any justification or explanation of the decision. Additionally, applicants do not receive reviewer feedback on the application or have the opportunity to meet with authorizer staff to discuss feedback. Furthermore, as noted in section 1.5, BCPS does not have any established policies regarding the applicant interview and as a result, applicants do not know what to expect from this process.</p>	<p>SBBC follows all state requirements in the charter application process. All applicants receive feedback as requested. Additionally, prior to the interview each applicant receives clear direction on the purpose and scope of the interview. Representatives from organizations that have submitted applications that were denied or withdrawn are invited to meet with district staff to review the individual findings. Each approved or denied application becomes public record and the rationales are included in the back-up documentation for each application. Each application denied by SBBC is accompanied by a detailed description of the good cause supporting its denial in accordance with Section 1002.33(6)(b)3a, Florida Statutes.</p>
<p>Applied</p> <p>In practice, completed application evaluation instruments and the corresponding recommendations provided by authorizer staff to the board do not provide sufficient justification for ratings or decisions and limit process transparency. Completed evaluation instruments reflect a compliance-driven approach rather than a quality review and do not effectively highlight an application's strengths and weaknesses.</p>	
<p>Recommendations</p> <p>Increase transparency in the application decision-making process by providing applicants with feedback or an explanation as to why an application was either approved or denied.</p> <p>Create a clear interview protocol so that applicants understand the purpose of the interview and what is expected of them during the interview.</p>	

Section 2 Performance Management Systems

Does the authorizer have effective systems for establishing and monitoring school performance expectations and for holding schools accountable as necessary to protect student and public interests?

Established:

 Partially Developed

Applied:

 Partially Developed

Section 2 Performance Management Systems	
Summary Assessment	Response from the Authorizer
<p>BCPS has only partially developed systems for establishing and monitoring school performance expectations and for holding schools accountable as necessary to protect student and public interests. The district's charter contract is relatively strong, but in practice, BCPS does not exercise its contractual authority to prevent problems from developing or escalating and does not intervene promptly or decisively when schools violate their obligations. The authorizer does not have a clearly established policy or process for ensuring that approved schools are adequately prepared for initial opening and the recent rash of school closures only months after opening is evidence that schools are being allowed to open when they are not ready to do so.</p> <p>The authorizer's systems and processes for ongoing monitoring are heavily focused on technical compliance with legal requirements and on inputs related to educational programming rather than school performance or quality and at the expense of financial and organizational oversight. The authorizer does not have a clearly defined approach to intervention and revocation other than the technical process described in the contract and state law.</p> <p>The authorizer conducts a formal renewal process and uses a renewal application and training materials that communicate the renewal standards, process, and timeline. The authorizer does not, however, produce written recommendations or reports that explain the rationale for its decisions. The authorizer has a checklist of activities that must be completed following closure, but provided no additional documentation related to oversight of closed schools. The review team received only limited information about how the authorizer manages school closure, but authorizer staff reported significant problems with the district's oversight in this area, particularly relating to the recovery of district property. Other than through its on-site programmatic review process, and the state's grading system, the authorizer has no system for communicating to schools and the public regarding school performance.</p>	<p>SBBC provides all ready to open processes and required documents to each approved applicant. Although the district previously imposed more stringent requirements in its contracts, the district is now prohibited from requiring specific documentation relevant to the charter school's facility prior to 15 days before the 1st day of classes. This has led to the rash of school closures. Furthermore, the district's ability to strengthen its charter schools contracts will be substantially diminished by FLDOE's adoption of a model charter school agreement which will provide charter schools operators little incentive to accept any terms other than the minimum provisions of the model charter school agreement.</p> <p>The authorizer's formal renewal process is established by state law. The rationales for each renewal can be found in the executive summary that is a standard part of each renewal board item.</p> <p>Closed charter schools do not provide the data requested by the authorizer in a timely manner. The process is aligned with state law and charter contract, which, while followed by the authorizer, is frequently ignored by charter schools.</p> <p>State law requires each charter school to provide an annual accountability report to the state, sponsor and for publication on the charter school's website. Communicating the school's performance to the public is the responsibility of the charter school's governing board.</p>
<p>Recommendations</p> <ul style="list-style-type: none"> Use the charter contract more regularly as a tool for performance management and enforce contract provisions consistently and vigorously to ensure that schools are not allowed to violate their contractual obligations repeatedly and are held accountable for 	

Section 2 Performance Management Systems	
Summary Assessment	Response from the Authorizer
<p>violations.</p> <ul style="list-style-type: none"> • Streamline compliance activities so that it can direct time, attention and resources to more substantive performance evaluation and quality assurance and focus less on technical compliance with statutory requirements and more on outcome measures indicative of short-term viability and long term health. • Strengthen contractual provisions regarding pre-opening requirements and consequences and develop a corresponding district policy that outlines the pre-opening process, details requirements, describes the process that the authorizer will use to monitor the progress of approved applicants and make decisions about deferral. • Purchase or develop a unified system for tracking contractual violations over time that feeds information directly into the renewal process and will assist authorizer staff in assessing whether revocation is warranted and defend against appeals of revocation decisions by schools. • Restructure the renewal process so that it begins and ends earlier in the school year, is organized around the authorizer's initial findings regarding each school's overall performance, includes clearly defined metrics in the areas of educational, financial and organizational performance and results in the production of a written recommendation or report that articulates the grounds for each decision. • Develop a comprehensive closure protocol and incorporate it by reference in each school's charter contract. The protocol should include a timeline for the overall process, establish deadlines, and allocate responsibilities among the school and appropriate district departments. 	

2.1 Contracting

The authorizer executes a charter contract for each school that clearly articulates the rights and responsibilities of each party.

Established:

 Approaching Well-Developed

Applied:

 Partially Developed

Section 2.1 Contracting	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>BCPS utilizes a strong and comprehensive charter school contract template. The contract describes in detail the key responsibilities of the charter school and the district and the various statutes, policies, and processes that structure the parties' relationship. The contract makes clear how the district will enforce various statutory mandates and clearly establishes the district's expectations and requirements in critical areas. The grounds for renewal, non-renewal, and termination are detailed and comprehensive.</p> <p>The contract includes provisions, however, that are duplicative of other provisions, overly prescriptive and unnecessarily repetitive of language already contained in the state statute and regulations. For example, financial reporting requirements are stated in multiple places in the contract and the district's right to review financial records is described in multiple and inconsistent ways. There are entire sections of the contract that are recitations of state law and regulations.</p>	<p>We appreciate NACSA's recognizing the strong and comprehensive charter school contract developed by the SBBC. Recently, the FLDOE has mandated a statewide charter agreement template that removes many of the provisions we believe support quality authorizing in this district. FLDOE does not support the termination or non-renewal of charter schools based on contract provisions that while violated are cured of deficiency.</p> <p>Furthermore, the district's ability to strengthen its charter schools contracts will be substantially diminished by FLDOE's adoption of a model charter school agreement which will provide charter schools operators little incentive to accept any terms other than the minimum provisions of the model charter school agreement.</p>
<p>Applied</p> <p>The authorizer does not utilize its contractual authority to prevent problems from developing or escalating and does not exercise its authority in a timely or consistent manner when problems do arise. For example, the contract states that failure to submit timely financial reports is grounds for termination or non-renewal. However, our review of evidence provided by the authorizer and our interviews with staff indicate that there have been several recent occasions where the authorizer has not acted, acted late, or not followed through when schools failed to submit critical financial reports such as annual audits.</p> <p>District staff reported in interviews that BCPS is reluctant to act when schools breach their contracts and is slow to act when it does. Staff also noted that schools breach their contracts repeatedly and regularly without consequence as long as they eventually cure each violation. Staff report frustration that this cycle of breach and cure makes it virtually impossible to hold schools accountable for their contractual obligations and allows schools that are habitually non-compliant to avoid accountability.</p>	
<p>Recommendations</p> <p>Improve the contract template by removing repetitive language and provisions that are unnecessarily duplicative</p>	

Section 2.1 Contracting	
Analysis by NACSA	Response from the Authorizer
<p>of statutory language.</p> <p>Enforce contract provisions consistently and vigorously to ensure that schools are not allowed to violate their contractual obligations repeatedly and are held accountable for violations.</p>	


2.2 School Opening

The authorizer ensures that approved schools are prepared adequately for opening.

Established:

 Minimally Developed

Applied:

 Minimally Developed


Section 2.2 School Opening	
Analysis by NACSA	Response from the Authorizer
<p>Established BCPS does not have a clearly established policy or process for ensuring that approved schools are adequately prepared for opening prior to the first day of school. BCPS has a pre-opening checklist of items that must be submitted by a set date, but all documentation is due at the same time, and no process exists for tracking school preparedness over time. The contract template references pre-opening requirements in several places, but does not reference any pre-opening policy or process. Except for the requirement relating to a school's certificate of occupancy, neither the contract nor the pre-opening checklist makes clear the consequences for failure to meet the submission deadline. BCPS issues deferrals for applicants that do not demonstrate readiness to open, but the documents provided to the review team do not make clear how the district decides whether to grant deferrals or whether there is any process for monitoring applicants' progress towards readiness during the deferral period.</p>	<p>The SBBC's charter schools contract template outlines a variety of ready to open requirements pertaining to all aspects of the charter operations. CSMSD provides each opening charter school with a timeline of required documentation and conducts an annual new principals/new charter orientation meeting. District departments present information to the charter operators relevant to a successful school opening.</p> <p>In the specific case of the Magnolia Charter Schools, all documentation was received by the sponsor except the certificate of occupancy, which led to the termination of those charter schools.</p> <p>While we would recommend the increased strengthening of the action plan requirements in the application timeline, the current state-mandated template specifically states that the action plan is to be considered a projection and is not meant to be binding on the school or sponsor. As such the state-developed application does not support rigorous accountability of the charter school timeline for opening.</p> <p>To create a specific policy governing charter schools pre-opening requirements will not be advantageous to the sponsor as outlined in state law, and charter schools are not required to follow district policies per Section 1002.33(5)(b)1d, Florida Statutes.</p>
<p>Applied In recent years a number of new schools have closed—three in 2014 and six total since 2012— within two months of opening which indicates that schools are permitted to open without demonstrating their readiness to do so. During interviews with district staff, they reported feeling constrained by state law which prevents the authorizer from requiring a certificate of occupancy for a school's facility more than 15 days before the start of the school year. This restriction does indeed make it unnecessarily difficult to exercise effective oversight of school facilities prior to opening. There are other ways, however, that the authorizer can exercise oversight in this area, several of which are outlined in the authorizer's contract template and the pre-opening checklist but which, according to district staff, are unenforced. In fact, district staff reported that many of the requirements included in the district's checklist are not actually enforced and that schools are often allowed to open without meeting them, including, for example, the requirement to provide evidence of startup</p>	<p>The comment that the closure of the Magnolia Charter Schools is an example of the District's lack of pre-opening oversight is incorrect. The charter operator provided documents as required but choose to intentionally mislead the sponsor in that they provided data that misrepresented the enrollment figures and the location of the students. The District investigated the schools, which resulted in the schools' terminations.</p>

Section 2.2 School Opening	
Analysis by NACSA	Response from the Authorizer
<p>funding. Authorizer staff also reported that they do not, and believe that they cannot, verify enrollment information provided by schools prior to opening. In September 2014, this lack of oversight contributed to the closure of two schools, the Magnolia charters, less than two months after opening and after BCPS had allocated over \$360,000 in public funds to the schools. In interviews, district staff referenced these schools as examples of the district's lack of pre-opening oversight.</p>	
<p>Recommendations</p> <p>Strengthen contractual provisions regarding pre-opening requirements and consequences and develop a corresponding district policy that outlines the pre-opening process, details requirements, describes the process that the authorizer will use to monitor the progress of approved applicants and make decisions about deferral.</p> <p>Develop a robust process for monitoring school preparedness over time with staged benchmarks that schools must meet before they are approved to open.</p>	


2.3 Ongoing Monitoring

The authorizer has an effective process for monitoring education, financial, and organizational performance of the schools it authorizes.

Established:

 Partially Developed

Applied:


 Partially Developed

Section 2.3 Ongoing Monitoring	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>BCPS' systems and processes for ongoing monitoring are heavily focused on technical compliance with legal requirements and on inputs related to educational programming rather than school performance or quality. The district's robust process for onsite programmatic review is impressive in scope and depth and intended to fulfill the district's oversight responsibilities while providing value to schools. The onsite programmatic review is extensive, differentiated and comprehensive, and with a few exceptions school leaders report that they appreciate the feedback received. This process, however, focuses on technical compliance with statutory requirements and on educational inputs related to state standards and curriculum alignment, and is not focused on measurable outcomes related to student performance or school quality. The process also does not monitor organizational or financial compliance or performance. BCPS' formal policy for charter school accountability includes financial and organizational oversight but is simply a recitation of state law and regulation. Moreover, the district and state policies in this area are inconsistent with provisions in state statute, the district's charter contract, and the state's newly adopted model contract that governs charter termination and non-renewal.</p> <p>BCPS uses a variety of other systems for ongoing monitoring. Viewed individually, some of BCPS' oversight tools are useful both to schools and to the authorizer. BCPS' reporting calendar, for example, creates clarity about what is required and when. Overall, however, BCPS' various systems and tools are not integrated, and at least one key system, the district's "charter school monitoring database," is not even functional. Authorizer staff reported that the district department responsible for maintaining this system has not responded to requests for assistance and they do not know when the system will be working again.</p>	<p>We appreciate NACSA's acknowledgement of the On-Site Programmatic Review (OSPR) process. As stated, the OSPR review is not focused on the operational, organizational or financial components of the charter school but is focused on the educational performance of the charter. As outlined in the OSPR PowerPoint and the associated materials provided to NACSA team, charter schools are selected for review in this process based on the following criteria: new schools, "D" or "F" schools (SIP), renewal schools, schools designated by the State as Lowest 300th elementary schools, and upon request by the charter school's governing board. This process provides for the variety of academic performance levels and the district staff works collaboratively with the charter school leadership to address academic deficiencies.</p> <p>Financial and organizational performance oversight is provided by other mechanisms. Monthly and quarterly financial reports and the annual independent audit provided by the charter schools' governing board are reviewed by the Office of the Chief Auditor. The SBBC has a financial recovery committee in place to evaluate and assist charter schools that have been identified as having a deteriorating financial condition.</p>
<p>Applied</p> <p>In practice, the authorizer's approach to ongoing monitoring appears to be entirely driven by statutory requirements and focused on inputs and compliance rather than academic, organizational, and financial performance over time or on overall school quality. School leaders and authorizer staff reported that the authorizer's processes for ongoing oversight were at one time nonexistent and have improved significantly over time as more resources have been</p>	<p>In review of the state-mandated charter school application, NACSA should note that the vision and mission of the charter school is responsibility of the governing board and not that of the sponsor.</p> <p>The continuing growth of the charter school portfolio in Broward County has led to a need for increased use of technology to facilitate the efficient monitoring of charter schools' compliance. The SBBC is exploring the possibility of purchasing a unified reporting and tracking system.</p>

Section 2.3 Ongoing Monitoring	
Analysis by NACSA	Response from the Authorizer
<p>devoted to these activities. Nonetheless, the authorizer’s activities in this area are almost exclusively oriented around preparing plans and compliance with reporting requirements. Instead, the authorizer should be focused on evaluating demonstrated outcomes and providing schools with an overall vision for school quality that is independent of compliance with legal and programmatic requirements. There is clearly significant communication and coordination between the charter office and the district’s academic departments, but there is much less coordination and communication with other departments, including those with relevant expertise in finance, operations, and technology. Authorizer staff also report that they are exploring the possibility of purchasing a unified reporting and tracking system which could reduce time spent collecting paper and allow staff more time to focus on performance evaluation, specifically the evaluation of financial and organizational health.</p>	
<p>Recommendations</p> <p>Streamline compliance activities so that the district can direct time, attention, and resources to more substantive performance evaluation and quality assurance.</p> <p>Purchase or develop a single integrated system for ongoing monitoring that allows staff to identify and track problems over time, feeds historical information into the renewal process, and makes all relevant information readily available throughout the charter term.</p> <p>Focus less on technical compliance with statutory requirements and more on outcome measures indicative of short-term viability and long-term health.</p> <p>Strengthen capacity to oversee financial and organizational performance by shifting focus and resources from compliance monitoring of academic inputs towards short- and long-term financial and organizational performance and quality.</p>	

2.4 School Intervention/Revocation

The authorizer has effective policies and practices for school intervention and revocation and conducts merit-based interventions, including revocation where appropriate, in response to clearly identified deficiencies in the school's record of educational, organizational and/or financial performance.

Established:
 Partially Developed


Applied:
 Partially Developed

2.4 School Intervention/Revocation	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>The authorizer does not have a clearly defined approach to intervention and revocation other than the technical process described in the contract and state law and regulation. The district's monitoring policy, much of its contract relating to intervention and revocation, and its related communications with schools are almost entirely recitations of state law and regulation. In response to a request for documents on financial and organizational oversight, BCPS provided the state's audit guide and regulations relating to financial emergency. The district's written communication provided with these documents included extensive repetition of language already included in state law and regulation. The language of BCPS policies, documents, and communications relating to oversight generally and intervention in particular, is extremely bureaucratic and convoluted. These documents are often overly complicated and unnecessarily long. For example, documents routinely include text that is copied verbatim from sources rather than simply including a reference to the source. This weakens the effectiveness of the district's communications with charter schools and is a waste of staff time and resources.</p>	<p>Charter schools intervention and revocation processes are clearly outlined in the current SBBC charter school contract. Each contract is negotiated by the charter operators and SBBC staff to allow all parties to understand and mutually agree to the expectations within the charter agreement. The inclusion of statute and rule allows all parties to clearly communicate via a common language.</p> <p>The District has the autonomy to determine the depth and breadth of its communication with charter schools and respectfully disagrees with NACSA's statement that the language is bureaucratic and convoluted.</p>
<p>Applied</p> <p>The district's approach to intervention and revocation is heavily focused on technical statutory compliance and is overly lenient regarding material violations by schools of their legal obligations. Despite the strong focus on compliance, nearly every person interviewed expressed frustration that BCPS is either unwilling or unable to hold school accountable for meeting their obligations. Because of this perceived lack of authority, BCPS is unnecessarily restrained in its enforcement of contractual obligations and does not track non-compliance over time in a way that would inform revocation and renewal decisions. For example, even though the contract makes clear that failure to comply with reporting requirements is grounds for termination or non-renewal, authorizer staff report that, in practice, schools are allowed to cure violations of these requirements by simply submitting the required reports after the authorizer has issued its notice of intent to terminate/non-renew but before</p>	<p>SBBC does track noncompliance and uses that data in decisions regarding revocation or nonrenewal of charter contacts. The District is hampered by the State's posture in allowing charter schools to rectify noncompliance during the mandated 90-day notice of termination.</p> <p>The CSMSD provides information to all district departments that have interactions with the charter school community as evidenced by the creation of the Charter School Monitoring and Oversight Committee (CSMO). As the charter school community expands, CSMSD strives to continuously increase the communication opportunities among the other district stakeholders.</p>

2.4 School Intervention/Revocation	
Analysis by NACSA	Response from the Authorizer
<p>its decision is final. Authorizer staff reported that this means that schools can repeatedly violate their contractual obligations without any actual consequences so long as they come into compliance following notification of their violations. The authorizer’s ability to act more quickly and forcefully in these circumstances is hampered by overly burdensome and contradictory notice and corrective action requirements in state law and a mandated appeals process that are unnecessarily lengthy, but this does not justify the authorizer’s overly permissive approach to material and repeated violations by schools of their contractual obligations. BCPS staff report that the district often fails to enforce contractual requirements or otherwise hold schools accountable and when it does take far too long to act.</p> <p>BCPS also has significant problems with coordination and communication among BCPS’ various departments. Authorizer staff regularly experience significant difficulty in obtaining information and assistance from other BCPS departments which severely inhibits its ability to anticipate problems with schools before they occur and to respond effectively when they do.</p>	
<p>Recommendations</p> <p>Establish a formal and standardized approach to intervention that includes notice and consequences for violations short of revocation, but which can lead to revocation either due to a school’s failure to timely cure its breach or as a result of a pattern of violations even if each is ultimately cured.</p> <p>Draft policies and communications using concise and direct prose and reference applicable law, regulation, and contractual provisions rather than quoting them directly.</p> <p>Purchase or develop a system for tracking contractual violations over time that informs the renewal process and decisions about whether revocation is warranted and defends against appeals of revocation decisions by schools.</p> <p>Prioritize coordination and communication among various departments and staff to facilitate better identification of problems at schools and stronger intervention to address them.</p>	

2.5 Renewal

The authorizer runs a well-structured renewal process including clear requirements; a meaningful opportunity for the school to present information and respond to the authorizer’s findings; clear communication; and prompt notification of decisions.

Established:
 Partially Developed

Applied:
 Partially Developed

Section 2.5 Renewal	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>The authorizer conducts a formal renewal process and uses a renewal application with training materials for schools that communicates the standards, process, and timeline for renewal, and provides schools with an opportunity to make their case for renewal. The authorizer convenes a review team from various departments (the same team used for application review) and provides guidance to the review team about the renewal standards and their role in the process. The authorizer also conducts interviews with renewal applicants that do not qualify for automatic renewal under the statutory standard. The authorizer does not, however, provide any written findings for schools to respond to prior to submission of their renewal application, does not limit the length of renewal applications, and does not produce a written summary of the authorizer’s rationale for its decision other than the formal notice provided to schools. The renewal application requires schools to submit extensive information about their performance (e.g. state test scores, school improvement rating etc.) that the district should already have and should already be using for ongoing monitoring.</p>	<p>The renewal process in Florida does not speak to an automatic renewal but rather requires the Sponsor to complete a programmatic review of each charter school. The schools are notified of renewal processes and timeline one year in advance of the expiration of the charter, which is ample time for the charter school to coordinate its internal processes.</p> <p>Charter schools are granted renewal terms of varying lengths as require by statute, which is well known to charter operators in Florida.</p> <p>An explanation of the charter review committee findings are incorporated into the renewal documents, which are public records. Charter schools that have programmatic issues that warrant extensive reviews are offered restrictive contracts and must meet specifically outlined transparent benchmarks to remain in operation. Charter schools are not recommended for renewal if the committee determines that the school has met the statutory criteria for termination. Any denials of charter renewal applications are supported by detailed descriptions of the grounds for the denial pursuant to Section 1002.33(8)(b), Florida Statutes.</p>
<p>Applied</p> <p>In practice, the renewal process is opaque. In addition to not providing a rationale for its decisions, schools are granted renewal terms of varying lengths without written explanation and comments submitted by the review team are minimal or not provided at all. While renewal process documents include clear and comprehensive standards for decision-making, it is unclear how these standards are applied. In one case, a school that was recommended for closure was allowed to remain open.</p> <p>The renewal process is also too long from start to finish. The process begins too late, and decisions are made too late. Authorizer staff do not meet with schools up for renewal until October of the school year in which their charter expires, does not receive applications until the middle of December and decisions are not made until the middle of March. BCPS leadership and staff report feeling constrained by state law governing the renewal process, and while elements of the law are unnecessarily restrictive, the authorizer interprets and applies the law in a far more restrictive manner than required. For example, the law requires the authorizer to notify a school of its intention regarding renewal at least 90 days prior</p>	

Section 2.5 Renewal	
to the expiration of a school's charter, but this is the latest that the authorizer can provide notice. The authorizer can notify schools earlier and by failing to do so, only extends what is already an overly lengthy process.	
<p>Recommendations</p> <p>Collect and provide schools with a summary of their performance prior to the submission of the renewal application.</p> <p>Begin the renewal process and make decisions earlier in the school year.</p> <p>Craft a renewal process that requires more detailed and substantive feedback from reviewers, and includes written recommendations that detail the reasons for each recommended decision.</p>	

2.6 Closure

Following non-renewal, revocation or voluntary return of the charter, the authorizer oversees and works with the school governing board and leadership in carrying out an effective plan for the orderly closure of schools.

Established:

 Minimally Developed

Applied:

 Minimally Developed

Section 2.6 Closure	
Analysis by NACSA	Response from the Authorizer
<p>Established BCPS has a basic checklist of activities that must be completed following closure, but it is out of date and incomplete. The checklist includes essential activities but only includes due dates for some of these activities. For example, there are due dates for several financial submissions. However, there are no due dates or timeframes for notification to parents of the closure. The checklist also includes items that are unnecessary including, for example, teacher lesson plans. Despite the closure of several schools during the 2014-15 school-year, the checklist is out of date and does not appear to have been updated since the 2012-13 school-year.</p>	<p>SBBC has an established process and procedure to facilitate orderly terminations that included the specific duties and responsibilities of all parties. The NACSA team received the updated information as requested with rationale as to why the district finds particular items significant. Included in the on-site conversation was the rationale for lesson plans that contain evidence of the charter schools' modifications and accommodations for ESE and ELL students.</p>
<p>Applied The district's closure process is only minimally developed. When a school is closed the authorizer convenes a team of staff from various departments who are responsible for collecting records and other information from schools. This team is focused solely on processing records and paperwork and is not charged with ensuring an orderly wind down of the school's overall affairs. The authorizer does have direct access to a variety of records for students enrolled in closed schools because charter schools are required to use the district's student information system. Despite this direct access, and even though students are technically enrolled in the school district, authorizer staff reported that they do not have a way to ensure that schools communicate with families regarding closure. Furthermore, authorizer staff reported that they do not communicate with families regarding the closure directly due to a belief that this would violate federal privacy rules. Authorizer staff also reported significant difficulties in securing school assets following closure due to lack of coordination between schools and authorizer staff and inadequate recordkeeping.</p>	<p>The SBBC's Office of the General Counsel has informed the Sponsor that while students attending charter schools are public school students, they are not district students enrolled with SBBC. This status impairs SBBC's ability to communicate with parents of students not enrolled in our district schools. We would welcome the opportunity to review any pertinent research NACSA maybe able to offer upon this subject.</p>
<p>Recommendations Develop a comprehensive closure protocol and incorporate it by reference in each school's charter contract. The protocol should include only essential requirements, establish a timeline for the process with completion and submission deadlines, and allocate responsibilities among the school and appropriate district departments.</p>	

Section 2.6 Closure	
Analysis by NACSA	Response from the Authorizer
Establish a process for monitoring school closure that facilitates coordination among district departments and enables the district to ensure that schools are fulfilling their responsibilities, and can be implemented as soon as decisions are final and where appropriate even while decisions are still pending.	

Section 2.7 Transparency

The authorizer communicates to schools and the public clearly and consistently regarding expectations for and status of school performance including formal reporting on school performance and status at least annually.

Established:

 Minimally Developed

Applied:

 Minimally Developed

Section 2.7 Transparency	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>Other than through its on-site programmatic review process and the state's grading system, the authorizer has no system for communicating to schools and the public regarding school performance. The on-site programmatic review, while impressive in both scope and intensity, is heavily focused on technical compliance with legal requirements and the subjective analysis of academic inputs. It does not provide a comprehensive view of school performance or quality. The authorizer communicates with schools that are required by statute to develop school improvement and corrective action plans but does so only to notify schools of their legal obligations and the district's process for ensuring compliance.</p> <p>The authorizer does not publicly report annually, semi-annually or even at the renewal stage on the performance of the schools it authorizes except for a listing of how many schools received an A, B, C, D or F grade. Other than school grades and raw assessment scores, which are reported by the state, BCPS does not provide the public with information about the overall or individual quality of the schools in its portfolio.</p>	<p>As mandated by statute, each charter school governing board is required to submit an annual report to the state and the sponsor. Additionally, each charter schools is required to provide access to its website to allow the public to review its academic, organizational and financial data. Clearly, informing the public is a responsibility imposed by state law upon a charter school's governing board and is not a function of the sponsor.</p>
<p>Applied</p> <p>BCPS does not report to schools regularly regarding their overall performance and does not articulate its own comprehensive view of how well schools are performing to either schools or the public either on an annual basis or at renewal. BCPS does communicate regularly with schools regarding compliance issues and the legally mandated processes for school improvement and corrective action planning following on-site reviews. The authorizer relies heavily on information provided by state reports and information that can be gathered through site visits. It ensures that schools comply with state planning and corrective action requirements.</p>	
<p>Recommendations</p> <p>Communicate to schools and the public a comprehensive vision for school quality that makes clear the district's expectations for school performance.</p> <p>Publicly report the academic, financial and organizational performance of each individual school annually and as part of the renewal process.</p>	

Section 2.7 Transparency	
Analysis by NACSA	Response from the Authorizer
As part of its internal analysis of and public reporting on school performance, consolidate state data sources and interpret the results in a way that highlights key indicators and trends in the data.	

Section 3 Performance-Based Accountability

Does the authorizer have rigorous, appropriate standards by which it holds schools accountable for results? Are decisions made with the intent to maintain high standards and protect the students' and the public's interests?

Established:

● Partially Developed

Applied:


● Partially Developed

Section 3 Performance-Based Accountability	
Summary Assessment	Response from the Authorizer
<p>The authorizer evaluates schools on their educational, financial and organizational compliance as required by state law and as part of the charter renewal process. The authorizer's evaluation of school performance in these areas is heavily focused on legal and contractual compliance, re-reporting of state assessment data, and information gathered during periodic site visits. Evaluation is not focused on overall school performance or quality. Schools are evaluated according to how well they comply with technical legal compliance and on inputs related to their educational program rather than academic outcomes they produce or their short and long-term financial and organizational health. Schools are simply rated in a variety of performance categories with only the most minimal comment from district staff and no formal analysis or explanation. BCPS has no framework or similar tool that consolidates and reports to schools, the board or the public information on the academic, organizational, or financial performance of schools.</p> <p>Because no analysis of school performance is provided to the authorizer's governing board as part of the authorizer's recommendations for revocation, renewal or closure, there is no evidence regarding whether or not the board considers any information related to school performance when making its decisions.</p>	<p>The sponsor disagrees with NACSA's statements that the District does not analyze student performance in its processes for revocation, renewal or closure as outlined in prior responses. As noted in NACSA's Members Notes dated April 28, 2015, "There isn't a single 'right' way to monitor each organization framework element. Authorizers will have to determine which approach is most appropriate for each section of the organizational framework based on their authorizing values, capacity and local environment. Organizational framework elements can be monitored in a number of different ways including assurance of compliance by the charter board."</p> <p>It is clear that the NACSA team did not take the above statement into consideration during the recent Broward County, Florida review.</p> <p>The closure documents that analyze student data and performance indicators were included in the 6904 pages submitted to NACSA on January 23, 2015.</p>
<p>Recommendations</p> <ul style="list-style-type: none"> Clarify in district policy, the charter contract, and the renewal application the district's expectations for educational, financial, and organizational performance and the process the district uses for evaluating whether schools are meeting those expectations. Develop a school performance framework or similar tool for use in annually evaluating and reporting on educational, financial, and organizational performance to schools and the public and for use in making renewal and revocation decisions. Expand authorizer capacity to evaluate charter school financial short and long-term performance by focusing less resources and attention on activities related to monitoring of technical compliance with mandated school improvement and corrective action plans. The authorizer should produce and the authorizer's governing board should expect and require a 	<p>In addition, Section 1002.33(5)(b)1d, Florida Statutes provides that charter schools are not subject to district policies unless they voluntarily agree to the same.</p> <p>Each recommendation for charter school revocation, non renewal and involuntary closure is accompanied by a detailed description of the grounds for such action as required by Section 1002.33(8)(b), Florida Statutes.</p>

Section 3 Performance-Based Accountability	
Summary Assessment	Response from the Authorizer
substantive, written analysis and findings to accompany every recommendation that is made to the board regarding revocation, renewal, and closure.	

3.1 Educational Performance

The authorizer holds schools accountable for academic performance using objective and verifiable measures, established in the charter contract or performance framework, that address, at a minimum, student achievement, student growth, and post-secondary success as the primary measures of school quality.

Established:
 Partially Developed


Applied:
 Partially Developed

3.1 Educational Performance	
Analysis by NACSA	Response from the Authorizer
<p>Established BCPS evaluates and holds schools accountable for their educational performance and for the implementation of their educational programs and school improvement and corrective action plans. Schools are simply rated as “Meets Standard,” “Partially Meets Standards,” and “Does Not Meet Standards” and points are awarded based on which category of performance a school falls into on each measure. Within the educational performance category, objective performance outcomes (e.g. “Federal Accountability-Assessment”) are weighted the same as subjective inputs (“Educational Program Implementation – Curriculum”). The indicators that comprise each education performance measure are defined in the district’s renewal application and described in the district’s charter contract but schools do not receive any written explanation about how the ratings were determined. The district’s standards also conflate academic performance expectations with standards for legal compliance and organizational performance. For example, compliance with legal requirements for English Language Learners, an organizational performance issue, is combined with the academic achievement and growth of these students, which is an educational performance issue.</p>	<p>It appears that NACSA has confused the processes that are in place and the ratings that are given for an application review versus an existing school. The ratings that are referenced are for the application process only. Once a school has opened, the On-Site Programmatic Review (OSPR) is used to monitor educational performance. In addition, the reference to “Federal Accountability-Assessment” is for the renewal process only. NACSA’s evaluation of this section is inaccurate.</p> <p>Without adhering to legal requirements for academic standards, the educational performance expectations would suffer. NACSA’s desire to separate legal requirements from educational and organizational performance is in conflict with what the authorizer deems as its responsibility to the students and other stakeholders in the District.</p> <p>NACSA states that legal compliance with English Language Learners (ELLs) is an organizational performance issue; however in the state of Florida, the education of ELLs is an academic/educational performance issue as supported by the META Consent Decree. If charter schools are not upholding the legal requirements granted to ELLs, it will adversely impact the educational performance of these students.</p>
<p>Applied The authorizer’s accountability activities are focused entirely on state-mandated consequences related to school improvement planning, corrective action, and mandatory closure. It is unclear how the education information collected through on-site programmatic reviews is used to make renewal decisions or how this information is weighed against objective and subjective information provided by schools through the renewal process. The authorizer has, however, recently taken action to close schools based at least in part on educational performance. It is unclear, however, how these decisions were made. There is no evidence in the record as to how this decision was made. Because the district does not incorporate educational performance analysis in its recommendations to the BCPS board, and because the records provided include no analysis by district staff, it is not possible to determine how evidence of educational performance is used to make high stakes decisions regarding renewal and revocation.</p>	<p>The On-Site Programmatic Review (OSPR) is used to identify the strengths and weaknesses of the educational programs in the school. Schools with noted areas of weaknesses/deficiencies put together an action plan to address these needs and make their educational programs stronger. In addition, the OSPR report is used for the renewal process to provide evidence of the school’s implementation of their academic programs as they are aligned to their charter application, contract and state statutes and rules.</p> <p>The OSPR is the method that the SBBC uses to evaluate educational performance of charter schools other than the State-issued school grades or School Improving Ratings (SIR).</p> <p>When making recommendations to the SBBC, the rationale for renewal or revocation decisions is extremely detailed and thorough and specifies the grounds for such action as required by Section 1002.33(8)(b), Florida Statutes. The</p>

3.1 Educational Performance	
Analysis by NACSA	Response from the Authorizer
	<p>supporting documents presented to the SBBC include the multiple deficiencies of the school and why the authorizer is recommending the revocation or nonrenewal of a charter agreement. Documentation of the same was submitted on January 23, 2015.</p>
<p>Recommendations</p> <p>Clarify in district policy, the charter contract, and the renewal application the district's expectations for educational performance and the process the district uses for evaluating whether schools are meeting those expectations.</p> <p>Develop a school performance framework or similar tool for use in annually evaluating and reporting on academic performance to schools and the public and for use in making renewal and revocation decisions.</p> <p>Distinguish the district's expectations for academic performance from its standards for legal compliance and financial health.</p>	

3.2 Financial Performance

The authorizer holds schools accountable for financial performance using appropriate near term and sustainability measures, established in the charter contract or performance framework, as the primary indicators of a school's financial viability.

Established:
 Minimally Developed


Applied:
 Minimally Developed

Section 3.2 Financial Performance	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>The authorizer collects extensive financial information from schools, has established financial standards, and weighs financial performance as part of the renewal process, but does not have a policy explaining how ratings are determined or how these standards and ratings are used to evaluate charter school financial performance. As with educational performance, schools are rated as “Meets Standard,” “Partially Meets Standards,” and “Does Not Meet Standards” and points are awarded based on which category of performance a school falls into on each measure. The district’s renewal application includes indicators and standards for financial management and viability but they are neither robust nor comprehensive and are inadequate for evaluation of performance in those areas. For example, financial viability includes only three indicators and three corresponding standards: “Budgeting: The school maintains balanced budgets and a positive cash flow;” “Financial Obligations: The school’s financial obligations are in good standing;” and “Long-term financial planning: The school has a sound and sustainable long-term financial plan.”</p>	<p>It appears that NACSA has confused the processes that are in place and the ratings that are given for an application review and an existing school. The ratings that are referenced are for the application process only. Once a school has opened, reviews of monthly and quarterly reports, current budget and annual audits are conducted.</p>
<p>Applied</p> <p>Several schools have collapsed in recent years due to financial mismanagement and instability. Despite the district’s collection of extensive financial information from these schools, district staff report that they were either unaware of how serious the problems were, did not have enough information to act, or lacked the authority or ability to intervene to prevent escalation and eventual collapse. When the district does intervene to address financial problems, it is often long after problems first arise and comes too late. The authorizer staff does not have sufficient capacity to review the financial performance of schools on its own; the finance and audit departments have more capacity than the charter office but do not dedicate sufficient resources or attention to financial oversight of charter schools; and there is a lack of coordination and communication between all three departments.</p>	<p>The School Board of Broward County, Florida reviews all Charter schools’ financial reports. As a result of this process, those schools with financial weaknesses are required to prepare a financial recovery plan addressing those problematic areas. In addition, periodic follow-ups are scheduled to evaluate their progress. As their sponsor, we assist them with this process.</p> <p>Among other indicators of financial problems in a charter school, aside from financial statements that reflect deteriorating conditions, is when financial information is not received from the charter schools. The delay or failure to provide timely financial information (monthly reports, annual audit reports prepared by a CPA firm) is a good predictor of a school in financial emergency. Another indicator is failure to pay employees and vendors; the District periodically receives communications from employees and/or vendors looking for payments from the District. They are not aware that the District does not pay charter schools’ liabilities. The District investigates these issues of non-payment triggered by notification from charter school staff or vendors.</p>

Section 3.2 Financial Performance	
Analysis by NACSA	Response from the Authorizer
	<p>The daily management of the charter schools is independent from the District and the daily management decisions are the sole responsibility of each charter school's management. Each charter school has its own Governing Board that directs the management group at the charter school, whether governed by a management company or a Principal.</p> <p>The schools that have failed after going through the process of preparing a financial recovery plan had ample opportunities to correct their deficiencies. The main factors of charter schools' failures due to deteriorating financial conditions are poor revenue projections and/or mismanagement; both areas outside the control of the District. We respond to indicators of financial problems and provide assistance to the charter schools in an expeditious manner.</p> <p>The Charter Schools Monitoring and Oversight Committee (CSMO) was established for all District departments involved with charter schools (Finance, Audit, Transportation, ESE, ESOL, Student Records, Risk Management, etc.) to meet periodically to discuss issues affecting charter schools. At these meetings, best practices and compliance requirements are presented to assist in the coordination of activities related to charter schools.</p>
<p>Recommendations</p> <p>Clarify in district policy, the charter contract, and the renewal application the district's expectations for financial performance and the process the district uses for evaluating whether schools are meeting those expectations.</p> <p>Develop a school performance framework or similar tool for use in annually evaluating and reporting on financial performance to schools and the public and for use in making renewal and revocation decisions.</p> <p>Develop a comprehensive system for evaluating monthly and quarterly financial information from schools and a protocol for swift and decisive intervention.</p> <p>Strengthen the authorizer staff's capacity to monitor and evaluate financial performance and increase coordination and communication between authorizer staff and the finance and audit departments.</p>	<p>In addition, District policies that specifically outline the district's expectations for financial performance are not binding to charter schools unless they agree to the same. Similar limitations apply to any attempt to place provisions in the charter contract once the FLDOE adopted model agreement goes into effect.</p>

3.3 Organizational Performance

The authorizer holds schools accountable for compliance with organizational performance requirements established in the charter contract or the performance framework, including educational program requirements, governance and reporting, financial management and oversight, and operational requirements related to students, employees, and the school environment.

Established:
 Partially Developed

Applied:
 Partially Developed

Section 3.3 Organizational Performance	
Analysis by NACSA	Response from the Authorizer
<p>Established BCPS has standards in its contract and renewal application for organizational performance but does not have a comprehensive and fully functional system for collection and evaluation of relevant evidence particularly in the areas of facilities, discipline and enrollment, and governance. BCPS does have a robust on-site programmatic review process, but it is only used for some schools and only provides a snapshot of performance at the time of the site-visit. BCPS does not have an established policy or procedure for incorporating the findings from on-site reviews into its renewal decision making process. The district also monitors and evaluates legal compliance and educational program implementation as part of academic performance rather than organizational performance.</p>	<p>In regards to facilities, every charter location is inspected annually by the municipality having local jurisdiction. The sponsor's safety department attends the inspections when it is agreed to by the municipality.</p> <p>Each school receives an inspection report identifying code compliance concerns for the safety and welfare of staff and students.</p> <p>In Broward County, all charter schools follow the Broward County Public Schools' Code of Student Conduct and may have their own supplemental standards for conduct.</p> <p>The OSPR is addressed in Section 3.1 Educational Performance and is not relevant in the Organizational Performance section.</p>
<p>Applied Despite the authorizer's strong focus on compliance, extensive procedures for on-site monitoring of organizational performance, and its collection of thousands of documents, authorizer staff across all departments report significant and ongoing problems related to the organizational performance and quality of schools. BCPS staff report deep frustration that problems are allowed to repeatedly reoccur without consequences, other than the collection of more paperwork, and that schools can remain in a constant state of corrective action and school improvement planning without ever being held accountable for their weak performance. BCPS staff also report that the district should focus less on paperwork collection and technical compliance and more on monitoring and intervention related to financial management and viability and academic performance.</p>	<p>It is not clear why NACSA continues to mention the OSPR as an organizational performance tool. It is strictly used to monitor educational performance.</p> <p>With the adherence to the timelines that are required by state law and rules, charter schools must be given the opportunity to cure any noncompliance concerns. The SBBC cannot take any action until the entire timeframe has expired and the school has been reevaluated for compliance in the areas outlined. We believe that this barrier could be corrected via the legislative process.</p>
<p>Recommendations Clarify in district policy, the charter contract, and the renewal application the district's expectations for organizational performance and the process the district uses for evaluating whether schools are meeting those expectations.</p> <p>Distinguish the district's expectations for school compliance with legal requirements relating to operations, governance and finance from its standards for academic performance and</p>	<p>Charter schools are not required to follow the District's policies. The implementation of a state-mandated charter contract further reduces the Sponsor's autonomy in monitoring the charter schools.</p>

Section 3.3 Organizational Performance	
Analysis by NACSA	Response from the Authorizer
<p>financial health.</p> <p>Develop a school performance framework or similar tool for use in annually evaluating and reporting on school performance to schools and the public and for use in making renewal and revocation decisions.</p> <p>Evaluate whether some of the extensive time and resources currently dedicated to organizational compliance monitoring would be better spent on financial and academic performance management.</p>	

3.4 Decision Alignment

Authorizer makes accountability decisions that are informed by and align with documented evidence and analysis of the extent to which the school satisfies performance expectations. The analysis presented to decision-makers is of high quality and the merits of the decisions themselves show decision-making is based on thoughtful analysis ensuring that only the charter schools that meet or exceed expectations are in operation. (Note: this section focuses on decisions by the authorizer other than the application, which is addressed in 2.7.)

Established:
 Undeveloped

Applied:
 Undeveloped

Section 3.4 Decision Alignment	
Analysis by NACSA	Response from the Authorizer
<p>Established and Applied Because no analysis of school performance is provided to the authorizer’s governing board as part of the authorizer’s recommendations for revocation, renewal or closure, there is no evidence regarding whether or not the board considers any information related to school performance when making its decisions.</p>	<p>The comments provided by NACSA in this section are entirely inaccurate. The CSMSD provides detailed evidence of school performance (academic, financial and/or organizational) to the SBBC for consideration when a revocation, renewal or closure is brought before the Board as evidenced in the documents provided to NACSA on January 23, 2015. The Office of the General Counsel reviews all recommendations for substantive evidence of school performance deficiencies prior to the item being presented to the Board for closure. The SBBC ensures that each decision regarding any charter school nonrenewal or termination is supported by proper evidence.</p> <p>SBBC is not a governing board; it is a School Board.</p>
<p>Recommendations Prepare a written analysis explaining the authorizer staff’s rationale for its recommendations made to the board regarding revocation, renewal, and closure.</p>	

Section 4: Autonomy

Do schools have the autonomy to which they are entitled?

Established:

● Partially Developed

Applied:

● Partially Developed

Section 4 Autonomy	
Summary Assessment	Response from the Authorizer
<p>BCPS has not clearly defined the autonomies to which its charter schools are entitled. The contract does not identify the autonomies granted to an individual charter school under Florida law. Defining autonomy may help the authorizer staff assess the appropriateness of current or future policies or actions and will also help charter schools understand when, how, and under what circumstances, such as cause for intervention, BCPS may rightfully limit autonomy.</p> <p>Furthermore, rather than defining the material terms of the educational program in the charter contract, the contract incorporates the full application. As such, it is unclear what terms of the educational program the school must implement in order to fulfill its charter contract obligations. Additionally, schools are not able to make adjustments to the educational program without mutual agreement, in writing and executed by both parties.</p> <p>BCPS has no differentiated oversight or renewal processes for charter schools (beyond the statutory allowances for high-performing schools), but is currently establishing practices and procedures related to differentiated renewal and contract terms. Schools receive between five- and fifteen-year contracts. BCPS does not have established standards for what constitutes different charter terms.</p>	<p>State law outlines the autonomies afforded to charter schools. The level of oversight and compliance is clearly outlined in the SBBC charter contract. This statement seems to contradict the prior statement by the NACSA team indicating the belief that the contract is “too bureaucratic.” SBBC’s ability to augment the terms of its charter schools agreement will be constrained by the terms of FLDOE’s model charter school agreement and the lack of incentive for a charter school to accept anything greater than the minimum terms required by the model agreement. The charter contract autonomies are clearly defined for each individual charter school as evidenced in the documents provided to NACSA on January 23, 2015.</p> <p>NACSA’s suggestion to not include the complete application in the contract contradicts the requirement of including the complete application in the newly approved a state-mandated contract template.</p>
<p>Recommendations</p> <ul style="list-style-type: none"> • Develop policies to address: <ul style="list-style-type: none"> ○ Authorizer staff’s responsibility to uphold charter school autonomy and circumstances under which BCPS may limit autonomy, and ○ Differentiated oversight, including length of renewal terms. • Define, via the contract or policy, what constitutes a material change to a school’s educational program. 	<p>Once again, SBBC’s ability to utilize its policies to provide definition for a charter school’s contract is limited by Section 1002.33(5)(b)1d, Florida Statutes, to any policies that are voluntarily accepted by a charter school.</p>

4.1 Autonomy

The authorizer defines and respects the autonomies to which the schools are entitled based on statute, waiver, or authorizer policy. The authorizer does not reduce school autonomy unless there is a compelling reason to do so.

Established:

 Partially Developed

Applied:

 Partially Developed

Section 4.1 Autonomy	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>Although all BCPS charter schools operate under an approved and agreed upon contract, nothing in the contract discusses or mentions the autonomies granted to the charter school under law.</p> <p>BCPS does not have a policy on charter school autonomy and generally its policies do not address autonomy. Defining autonomy may help the authorizer staff assess the appropriateness of current or future policies or actions and will also help charter schools understand when, how, and under what circumstances, such as cause for intervention, BCPS may rightfully limit autonomy.</p>	<p>It is not the authorizer’s responsibility to define autonomy; it is defined in state law. In addition, Section 1002.33(5)(b)1d, Florida Statutes, limits the application of school board policies to charter schools.</p> <p>SBBC’s template outlines when, how and under what circumstances the District may rightfully limit autonomy. We appreciate NACSA’s acknowledgement of the positive relationship District staff has with the charter schools operating within Broward County. Charter schools have requested technical assistance on specific programs or assessments. If they feel that it may encroach on the school’s autonomy they always have the right to choose their own programs or assessments provided they meet state standards.</p>
<p>Applied</p> <p>In practice, it is unclear if BCPS upholds the autonomies to which its schools are entitled. Neither authorizer staff nor charter school leaders could explicitly point to or define the autonomies that are afforded to BCPS charter schools. With the high level of involvement that is felt by the school leaders and exemplified by the staff’s familiarity with and exposure to each school’s individual situations, it is clear that BCPS and the schools work well together. Schools also feel that they receive great support from authorizer staff, and appreciate the feedback. School leaders described this feedback as “realistic roadmaps for achievement”. Nevertheless, this high level of technical assistance, such as recommending a specific program or assessment, may encroach on a charter school’s autonomy, especially if the school feels pressure to act on a recommendation since it came from BCPS.</p> <p>In addition, BCPS created the Venture Design team three years ago to provide services to its charter schools and to serve as a communication liaison between the district and its portfolio of schools. While the evaluation team did not find any evidence of this, BCPS should be careful to ensure that schools do not feel pressured into working with the Venture Design team out of fear that non-participation could lead to disfavor or negative ratings.</p>	<p>The Venture Design Initiative was developed two years ago. The purpose of the Venture Design Initiative is to provide high quality district premium services to charter schools; as permitted by Section 1002.33(20)(b), F. S., thereby promoting choice, encouraging collaboration and resulting in essential academic excellence.</p> <p>The Venture Design Initiative eliminates conflict of interests through the foundational design, structure and standard operating procedures of its business and revenue model, which are strictly aligned with Florida law. These three facets of the Venture Design Initiative model were strategically created to ensure an “arms length” separation from the CSMSD. The procedures in place safeguard charter schools from feeling pressure to enter premium service contracts. Additionally, staff has received State training on the Code of Ethics, Sunshine Law and the Public Records Act so that procedures implemented follow the letter of the law and are free from potential conflicts of interest.</p> <p>Charter schools register for the premium services they are interested in via an online tool. Charter schools are free to obtain these services through any outside vendor available or through the Venture Design Initiative, should they choose to do so. The Venture Design Initiative is one of many options available to charter schools, as they choose academic and operational support services. Procedures include sending out annual Satisfaction Surveys and Needs Survey to the charter schools and regularly communicating with charter school staff to ensure that processes are clear and effective.</p> <p>All Premium Service Agreements between The School Board</p>

Section 4.1 Autonomy	
Analysis by NACSA	Response from the Authorizer
	of Broward County, FL and the individual charter governing boards are reviewed and approved as to form and legal content by the District's Office of the General Counsel.
Recommendations Define, via either the contract or a separate policy, the autonomies afforded to BCPS authorized charter schools. Develop a policy that details the circumstances under which authorizer staff may limit autonomy.	


4.2 Educational Program

The authorizer defines and respects school autonomy over the educational program.

Established:

 Partially Developed

Applied:

 Partially Developed

Section 4.2 Educational Program	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>Provisions in the district’s adapted charter contract limit a school’s autonomy over its educational program. Rather than defining the material terms of the educational program, the charter contract incorporates the full application into the contract. As such, it is unclear what terms of the educational program the school must implement in order to fulfill its charter contract obligations. Furthermore, schools are not able to make adjustments to the educational program without mutual agreement, in writing and executed by both parties.</p>	<p>The newly approved, state-mandated charter contract specifically requires the inclusion of the entire application. The educational program as outlined in the application it its entirety must be implemented with fidelity in order for a charter school to meet its contractual obligations. Charter schools have the autonomy to make adjustments to their educational programs without an amendment to the contract provided such change does not alter the mission and vision statements expressed in the application. SBBC has not declined any reasonable request to amend a charter school agreement to make desire adjustments to an educational program.</p>
<p>Applied</p> <p>Since schools are not permitted to make adjustment to the educational program without formal BCPS approval, schools report having difficulty making necessary programmatic adjustments. Currently, school leaders state that they feel that they are limited in terms of being able to change the program when and if needed based on school data and results. As noted in section 4.1, authorizer staff sometimes overstep in terms of providing technical assistance to schools and infringing on a school’s ability to implement and provide its own educational model and program.</p>	
<p>Recommendations</p> <p>Instead of incorporating the full charter application into the charter contract, define the materials terms of the educational program, which will provide both BCPS and the school with greater clarity regarding the educational program elements the school must implement in order to fulfill its contract obligations.</p> <p>Define, via the contract or policy, what constitutes a material change to a school’s educational program so that schools are free to make non-material changes without BCPS approval.</p>	

4.3 Financial Management

The authorizer defines and respects school autonomy over financial operations.

Established:

● Well-Developed

Applied:


● Well-Developed

Section 4.3 Fiscal Management	
Analysis by NACSA	Response from the Authorizer
<p>Established As established, BCPS has clear financial monitoring and reporting requirements that are appropriate and respect a school's autonomy over its finances while ensuring overall financial health of the school. BCPS has a clear process for monitoring a school's financial viability and health which includes requirements for submission of quarterly financials and annual audits. BCPS does not prescribe required budgetary percentages or advised fund allocations related to individual school programming, nor does it appear that they are inappropriately questioning how monies are spent.</p>	<p>We appreciate NACSA's acknowledgement of the District's processes and oversights in relation to financial oversight.</p>
<p>Applied School leaders could not point to instances in which BCPS has impeded or infringed upon financial autonomy or accountability. There were no indications that they felt that they didn't have control over their own budgets and financial decision-making, nor did they find reporting to be over burdensome.</p>	

4.4 Differentiated Oversight

The authorizer periodically reviews compliance requirements and evaluates the potential to differentiate school oversight based on flexibility in the law, demonstrated school performance, and other considerations.

Established:

 Partially Developed

Applied:


 Minimally Developed

Section 4.4 Differentiated Oversight	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>Florida has a statutory definition (1002.331) of high performing charter schools which enables authorizers further flexibility when it comes to applications, replication, authorizing fees, exemptions from training, and the ability to enroll additional students without seeking a charter amendment. However, BCPS only minimally takes advantage of this provision. The definition is based on Florida's academic accountability standards and BCPS perceives that it does not have the ability to add any additional criteria to this definition, or amend it in any way. BCPS uses this classification to allow high performing charters to increase their enrollment through a streamlined notification process. This flexibility is in contrast to other charter schools which have to go through a more formal modification approval process. While this is an example of earned autonomy, it is limited. Through this provision, BCPS has the opportunity to incentivize performance, differentiate oversight, and increase autonomy for high-performing charter schools by creating additional flexibilities, such as streamlining the renewal process for its strongest schools or reducing certain reporting requirements.</p>	<p>Pursuant to Section 1002.331, Florida Statutes, high performing charter schools have the authority to exercise specific statutory benefits as outlined. Sponsors are not permitted to change or to limit those charter schools' rights under that provision.</p> <p>The renewal process does recognize high-performing status in documentation mandates and on-site visits for schools that do not meet high performing status. This information is reviewed during the annual charter school renewal orientation meeting.</p> <p>SBBC offers a standard five-year contract to those schools that meet the criteria outlined. If the committee determines that a charter school requires additional oversight, it recommends the inclusion of mitigating language with accompanying consequences. Fifteen-year contracts are statutorily mandated in the case of high performing charter schools.</p>
<p>Applied</p> <p>BCPS does not differentiate its oversight or renewal application process for charter schools. All schools are required to submit the same materials and undergo the same comprehensive on-site review process.</p> <p>BCPS does differentiate the length of charter terms. The authorizer staff are able to use their internal renewal process to define not only the length of the term, but the correlating mitigating factors (renewal conditions) it sometimes attached to the renewal of struggling schools. Schools now receive between five- and fifteen-year contracts. It is not clear how BCPS makes determinations as to the length of a charter school's renewal term.</p>	
<p>Recommendations</p> <p>Identify standards for differentiated oversight and varying charter school renewal terms. Ensure the policy still permits a reasonable degree of professional discretion.</p> <p>Based on the flexibility provided by statute, create an earned autonomy policy for high performing charter schools.</p>	

Section 5 Organizational Capacity

To what extent do the organizational structure and systems support quality authorizing practices and forward the authorizer's mission?

Established:

 Partially Developed

Applied:

 Partially Developed

Section 5 Organizational Capacity	
Summary Assessment	Response from the Authorizer
<p>BCPS has worked diligently to keep up with the demands of a growing portfolio of schools and a seemingly ever-changing and limiting state statute. Authorizer staff, under the Director of Charter Schools Support's leadership, is a highly functional team that runs efficiently and effectively and demonstrates a great knowledge and familiarity with their charter school portfolio. Members of the authorizer staff operate in their defined roles and rely on expertise and assistance from other members of the larger BCPS department. While this dependence has been working and has helped to improve certain authorizing practices, there is no clear structure for reporting, staffing, capacity building, or training to manage the work of the various departments that assist with charter schools. Furthermore, BCPS' budget does not show how the administrative fee collected from charter schools is collected and distributed amongst the various departments that support charter schools.</p> <p>With so many departments touching charter schools within the district, it is imperative that BCPS' strategic plan incorporates charter schools and authorizing. Since charter schools are not mentioned in the district's strategic plan, it is difficult to determine how the growing portfolio (currently about one-third of all BCPS schools) aligns with district priorities, population growth, demographic trends, and quality initiatives. To build a strong charter school portfolio and implement quality authorizing practices, all BCPS staff and board members need to understand the role of the charter sector and the work of the authorizer team. There is an inherent desire to see charters as a quality choice option for families, but BCPS needs to focus on developing organizational structures and policies that support this vision.</p>	
<p>Recommendations</p> <ul style="list-style-type: none"> • Develop a strategic plan to guide the work of the authorizer staff and align this work to BCPS' strategic priorities and goals. • Seek out external resources for training, capacity building or professional development for all BCPS who work with charter schools. • Clearly delineate and track the use of the administrative fee so that all BCPS departments understand how the monies are distributed to support charter school related-work. 	

5.1 Strategic Planning

The authorizer articulates and implements a clear strategic vision and plans for authorizing, including clear priorities, goals, and time frames for achievement.

Established:

 Minimally Developed

Applied:

 Minimally Developed

Section 5.1 Strategic Planning	
Analysis by NACSA	Response from the Authorizer
<p>Established BCPS established a three-year strategic plan in 2012-2013. All interviewed staff and board members acknowledged and openly discussed the strategic plan as their guiding mission. However, charter schools are not explicitly mentioned in the plan. Additionally, authorizer staff have not articulated its own mission or goals to guide its work.</p>	<p>The authorizing office falls under the auspice of the SBBC's strategic plan. Our authorizing work with all charter schools follows the strategic vision in the areas of High Quality Instruction, Continuous Improvement and Effective Communication.</p>
<p>Applied While BCPS staff and board members reference the district's strategic plan, there is no clear connection to or correlation with the charter school authorizing. Superintendent Runcie expressed a desire to better align applications to district strategic priorities and recruit quality operators to Broward County.</p>	
<p>Recommendations Develop a strategic plan to guide the district's authorizing work and help define the authorizing role as it relates to BCPS' broader mission and strategic goals.</p>	

5.2 Organizational Structure

The authorizer purposefully and economically staffs its office to effectively carry out its authorizing duties. Staff positions are clearly defined both in policy and in practice.

Established:

 Partially Developed

Applied:

 Partially Developed

Section 5.2 Organizational Structure	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>Authorizer staff functions are not aligned to core authorizing duties. Although the duties of each team member are clearly delineated in job descriptions and organizational charts, and are exemplified in staff meetings, there remains a heavy reliance on other BCPS staff. This includes, but is not limited to, applications, renewals, site visits, closures, and financial reviews. Although there is great crossover in roles and responsibilities, there is no clear reporting structure, time management system, or charter authorizer specific training.</p> <p>BCPS has numerous departments that interact with the authorizer staff, who is led by the Director of Charter Schools Support. The ten individuals that comprise the authorizer staff take on numerous roles, some clearly defined and some that arise out of the natural day-to-day issues with the schools.</p>	<p>The core authorizing duties, as outlined by NACSA, are not related to the topic of the organizational structure of the SBBC.</p> <p>We acknowledge that, with the size of the current charter school portfolio, the current staffing of the CSMSD is insufficient to solely meet the needs of all stakeholders. The District addresses this concern by identifying additional staff in other departments, on an as-needed basis.</p>
<p>Applied</p> <p>In practice, that there is not enough staff capacity to effectively implement key authorizing functions. Staff members are overwhelmed by the growing portfolio and need to align their responsibilities with clear authorizing strategies, policies, practices and procedures. Staff members are clearly committed and dedicated to their work. Both authorizer staff and other BCPS department staff have ideas about how to improve and work more effectively, but adjusting the organizational structure is challenging given the departmental silos that exist at BCPS. For example, within the authorizer staff, there is one individual responsible for reviewing financial materials. With such a large portfolio, one individual is simply not sufficient to conduct anything more extensive than a compliance review. While there is engagement with the auditing office, there are no clear guidelines and processes for what to do with information when concerns or red flags arise.</p> <p>BCPS must be purposeful in staffing efficiently and focusing resources on the core authorizing functions. They must do so in a way that defines roles and desired outcomes for the work.</p>	<p>Over the past three years, the CSMSD has grown considerably as the District realizes our need for additional staff and has supported us in our requests. We are seeking a robust digital management system to centralize the variety of mandated compliance events/documents reviewed by multiple District departments.</p>
<p>Recommendations</p> <p>Review the overall BCPS organizational structure as it</p>	

Section 5.2 Organizational Structure	
Analysis by NACSA	Response from the Authorizer
relates to charter schools to ensure that resources are appropriately aligned to allow the core authorizing functions to be fulfilled.	

5.3 Human Capital Processes and Systems

The authorizer has systems necessary for building and maintaining a strong workforce and implements them with fidelity.

Established:

 Approaching Well-Developed

Applied:

 Approaching Well-Developed

Section 5.3 Human Capital Processes and Systems	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>The Director of Charter Schools Support has created a professional and effective work environment for her small authorizer staff team. Staff members have been with BCPS for multiple years. There are multiple teams and staff members that work with BCPS' charter portfolio. There is no clear reporting and evaluation structure for how all of these individuals from different department work with one another and ensure that work is done in a timely and effective fashion.</p> <p>Professional development to build comprehensive knowledge and buy-in of Florida's <i>Principles & Standards</i> is still emerging. There is a desire to build knowledge of quality authorizing and to understand how best BCPS can implement policies that both align to the law and build on best practices</p>	
<p>Applied</p> <p>BCPS has been very effective in building and maintaining an exceptionally committed and dedicated workforce. There is a strong organizational culture that promotes productivity. There remains a great need for capacity building in terms of building authorizing expertise and knowledge. The authorizer staff have a clear understanding of their roles. The director leads the team in a way that aligns with the larger BCPS mission.</p>	
<p>Recommendations</p> <p>Develop a clear reporting structure and time management system for all BCPS staff that work on charter schools; provide appropriate training for all BCPS staff that work on charter schools.</p> <p>Continue to provide professional development to build comprehensive knowledge and buy-in of Florida's <i>Principles and Standards for Quality Authorizing</i>.</p>	


5.4 Conflict of Interest

The authorizer operates free from conflicts of interest.

Established:

 Partially Developed

Applied:

 Partially Developed

Section 5.4 Conflict of Interest	
Analysis by NACSA	Response from the Authorizer
<p>Established There is no established or documented conflict of interest policy related specifically to charter school authorizing.</p> <p>The Venture Design team currently has contracts with 81 schools within the portfolio. The purpose of the Venture Design team is to create a one-stop communication shop and serve as a liaison between the charter schools and the district. Since the Venture Design team is part of BCPS and providing services to charter schools, these contracts can create a perceived conflict of interest.</p>	<p>The Venture Design Initiative should be addressed as such and not as the Venture Design Team.</p> <p>The purpose of the Venture Design Initiative is to provide high quality district premium services to charter schools; in accordance with Section 1003.33(20)(b), Florida Statutes, thereby promoting choice, encouraging collaboration and resulting in essential academic excellence.</p> <p>The Venture Design Initiative provides services to charter schools through the Innovative Programs Design/Support Department and not through the Charter Schools Management/Support Department. This separation ensures that operations are independent, where compliance and authorizing, managed by CSMSD, do not inform marketing and sales of premium services, managed by the Innovative Programs Department. These departments are led by different directors and are housed on different floors of the administration building.</p>
<p>Applied While safeguards regarding the Venture Design team’s work need to be implemented to avoid conflicts of interest, board members and authorizer staff appear to operate free from conflicts of interest and make decisions based on established policies and procedures.</p> <p>As mentioned above, the Venture Design team’s work needs to be clearly defined and monitored to avoid conflicts of interest. BCPS needs to ensure that schools do not feel pressured to enter into these contracts and that a school’s work with the Venture Design team does not influence authorizer decision-making. Furthermore, it is unclear if the revenues generated by the Venture Design team are tracked and not used in a manner that could impact or inappropriately influence BCPS’ authorizing work.</p>	<p>The Venture Design Initiative’s processes were presented to the Board and to District departments via a Logic Model that stipulated the Need, the Resources, the Plan of Action, the Objectives and Outcomes and the Success Measures that would be followed. This Logic Model was created based on the data gathered from an independent Needs Assessment obtained from all existing, deferred and new charter schools as well as data independently gathered from 69 District departments. The data was not informed by any information gathered by the CSMSD.</p> <p>The Venture Design Initiative eliminates conflicts of interest through the foundational design, structure and standard operating procedures of its business and revenue model, which are strictly aligned with Florida law. These three facets of the Venture Design Initiative model were strategically created to ensure an “arms length” separation from the CSMSD. The procedures in place safeguard charter schools from feeling pressure to enter premium service contracts. Additionally, staff has received State training on the Code of Ethics, Sunshine Law and the Public Records Act so that procedures implemented follow the letter of the law and are free from potential conflicts of interest.</p> <p>Charter schools register for the premium services they are interested in via an online tool. Charter schools are free to obtain these services through any outside vendor available or through the Venture Design Initiative, should they choose to</p>

Section 5.4 Conflict of Interest

Analysis by NACSA	Response from the Authorizer
	<p>do so. The Venture Design Initiative is one of many options available to charter schools, as they choose academic and operational support services. Procedures include sending out annual Satisfaction Surveys and Needs Survey to the charter schools and regularly communicating with charter school staff to ensure that processes are clear and effective.</p> <p>Additionally, Premium Service Agreements between The School Board of Broward County, FL and the individual charter governing boards are reviewed and approved as to form and legal content by the District’s Office of the General Counsel.</p> <p>The NACSA Report implies that revenues generated by the Venture Design Initiative are not tracked. The District’s financial statements are prepared in conformity with accounting principles generally accepted in the United States of America (“GAAP”) as applied to governmental units. The Governmental Accounting Standards Board (“GASB”) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The general operating authority of the District is contained in chapters 1000 through 1013, Florida Statutes. Pursuant to Section 1010.01, Florida Statutes, the District keeps records and accounts of all financial transactions in the manner prescribed by the State Board of Education. The Florida Department of Education has published the Red Book and this manual provides Florida school districts with a uniform chart of accounts. To further enhance the reporting of the Venture Design Initiative, the District has established specific accounts within its general ledger to report the revenue and expenditures of their program.</p>
<p>Recommendations</p> <p>Develop and implement a conflict of interest policy related specifically to charter school authorizing duties.</p> <p>Develop appropriate policies and safeguards to ensure that schools in BCPS’ portfolio do not feel pressured to enter into service contracts with the Venture Design team and the Venture Design team’s work does not influence authorizer decision-making.</p>	<p>The Venture Design Initiative eliminates conflicts of interest through the foundational design, structure and standard operating procedures of its business and revenue model, which are strictly aligned with Florida Statutes. These three facets of the Venture Design Initiative model were strategically created to ensure an “arms length” separation from the CSMSD. The procedures in place safeguard charter school governing boards from feeling pressure to enter into Premium Service Agreements with The School Board of Broward County, Florida.</p>

5.5 Organizational Budget

The authorizer's budget allows for organizational effectiveness and stability. The budget is aligned with the strategic goals and supports quality authorizing practice.

Established:

 Partially Developed

Applied:

 Minimally Developed

Section 5.5 Organizational Budget	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>As defined by law, BCPS receives an administration fee of up to five percent (based on the first 250 students enrolled) and as low as two percent (for those schools defined as high performing) from all schools within their portfolio. This fee is challenging in that numerous schools within BCPS' portfolio have enrollment sizes much larger than 250 and in that the high performing definition is designated by Florida law, not internal policies or practices. With such a large portfolio of schools, there is a great need for staff time, capacity, and expertise as well as additional resources. The revenues generated from this fee are not clearly delineated or explicitly tied to a larger BCPS budget. Furthermore, although BCPS' portfolio has increased in size, its budget has not and it is unclear how additional funds will be allocated as the school portfolio grows.</p>	
<p>Applied</p> <p>In practice, BCPS does not track how the \$4.8 million administrative fee is spent throughout the organization. Because individual offices are unaware of how the funds are dispersed or utilized, there is great confusion amongst BCPS staff as it relates to a transparent and equitable appropriation that correlates to the related services or resources. The individual offices that work with charter schools are searching for ways to restructure or add additional staff to complete the tasks they are required to do in terms of participating in the authorizing work (applications, renewals, on-sites, financials, etc.). They are all aware of the growing portfolio and have not been able to keep up with the demand, causing issues with timely reporting and availability to the authorizer staff. Directors of offices that support the authorizing work claim that their offices do not receive any of these funds directly, yet are still responsible for the work. As long as many different departments contribute to and work on charter schools, BCPS needs to create buy-in so that the various departments feel both fiscally incentivized and adequately staffed.</p> <p>In addition, as the Venture Design team, in its second year of operation, starts to generate revenue for its services, this revenue needs to be clearly tracked and monitored in a way that is transparent and effective.</p>	<p>The District's financial statements are prepared in conformity with accounting principles generally accepted in the United States of America ("GAAP") as applied to governmental units. The Governmental Accounting Standards Board ("GASB") is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The general operating authority of the District is contained in chapters 1000 through 1013, Florida Statutes. Pursuant to Section 1010.01, Florida Statutes, the District keeps records and accounts of all financial transactions in the manner prescribed by the State Board of Education. The Florida Department of Education has published the Red Book and this manual provides Florida schools districts with a uniform chart of accounts. To further enhance the reporting of the Venture Design Initiative, the District has established specific accounts within its general ledger to report the revenue and expenditures of the program. All revenue is tracked by an accountant and reported through the Budget department on a quarterly basis. This ensures the transparency and effectiveness of the revenue model. Charter Principals have reported their satisfaction with this model on the Annual Survey.</p>

Section 5.5 Organizational Budget

Analysis by NACSA

Recommendations

To promote transparency, provide the public with a budget that illustrates how the authorizer fee is allocated between the authorizer staff and other BCPS divisions that support authorizing work (e.g. finance division that supports audit work).

Track revenue generated by the Venture Design team and ensure that this revenue is not distributed in a way that will unduly influence authorizer decision-making.

Response from the Authorizer

The process of contracting with SBBC for Premium Services only occurs after a charter school already has an approved charter agreement. Premium Service Agreements have no relation with charter authorizing processes.


5.6 Leadership and Decision-Making Body

The authorizer's leadership and decision-making body understand their roles and responsibilities; are invested in the mission, vision, and strategic plan of authorizing; and have the expertise necessary to make well-informed decisions that support the tenets of a high quality authorizer.

Established:

 Approaching Well-Developed

Applied:

 Partially Developed

Section 5.6 Leadership and Decision-Making Body	
Analysis by NACSA	Response from the Authorizer
<p>Established</p> <p>The authorizer staff and board members understand the authorizing role and are invested in making well-informed decisions. Board members make decisions consistent with the recommendations of the authorizer staff members. However, these decisions are driven more by legal compliance than charter school performance or a school's likelihood of success. Board members and authorizer staff remain committed to improving their own practices and are committed to Florida's <i>Principles & Standards</i>, but are searching for a way to do so within the limitations of Florida law.</p>	<p>The SBBC follows Florida State Statutes in relation to authorizing and monitoring charter schools.</p> <p>As NACSA correctly notes, Florida laws limit the District's autonomy in reviewing a school's likelihood of success and, therefore, creates a culture that invites abuse of practice by some charter school operators.</p> <p>NACSA writes often in this report about SBBC's attention to compliance with state law. SBBC is governed by its applicable federal and state laws and rules, and as a public body adheres to those requirements.</p>
<p>Applied</p> <p>In practice, board members are making high stakes decisions and authorizing policies as part of their much larger role within Broward County. They are operating under the limited auspices of current perspective and practices as it relates to BCPS' understanding of their role and their limitations. Practice and policy are not clearly linked to the goals of quality authorizing nor best practices, but rather legal compliance.</p>	
<p>Recommendations</p> <p>In order to make well-informed decisions that support high quality authorizing, authorizer staff and board member should focus on charter school performance and likelihood of success in addition to compliance with Florida law.</p>	<p>NACSA writes often in this report about SBBC's attention to compliance with state law. SBBC is governed by its applicable federal and state laws and rules, and as a public body adheres to those requirements.</p>