

**U.S. Department of Education - EDCAPS  
G5-Technical Review Form (New)**

Status: Submitted

Last Updated: 08/03/2015 11:34 AM

## Technical Review Coversheet

**Applicant:** Calif. Department of Education for State Board of Education (U282A150010)

**Reader #1:** \*\*\*\*\*

	Points Possible	Points Scored
<b>Questions</b>		
<b>Selection Criteria</b>		
<b>State-Level Strategy</b>		
1. State-Level Strategy	15	12
<b>Sub Total</b>	15	12
<b>Selection Criteria</b>		
<b>Policy Context for Charter Schools</b>		
1. Policy Context	5	4
<b>Sub Total</b>	5	4
<b>Selection Criteria</b>		
<b>Past Performance</b>		
1. Past Performance	10	4
<b>Quality of Plan to Support Ed. Dis. Students</b>		
1. Ed. Dis. Students	15	10
<b>Vision for Growth and Accountability</b>		
1. Growth and Accountability	10	7
<b>Dissemination of Information and Best Practices</b>		
1. Dissemination	10	8
<b>Oversight of Public Chartering Agencies</b>		
1. Oversight of Authorizers	15	14
<b>Management Plan and Theory of Action</b>		
1. Management Plan	10	5
<b>Project Design</b>		
1. Project Design	10	8
<b>Sub Total</b>	80	56
<b>Priority Questions</b>		
<b>Competitive Preference Priority</b>		
<b>High-Quality Authorizing and Monitoring Processes</b>		
1. CPP 1	15	14
<b>Sub Total</b>	15	14
<b>Competitive Preference Priority</b>		
<b>Authorizer other than LEA or Appeal Process</b>		

1. CPP 2

	5	5
<b>Sub Total</b>	5	5
<b>Total</b>	120	91

# Technical Review Form

Panel #7 - SEA Panel - 7: 84.282A

Reader #1: \*\*\*\*\*

Applicant: Calif. Department of Education for State Board of Education (U282A150010)

## Questions

### Selection Criteria - State-Level Strategy

1. The Secretary considers the quality of the State-level strategy for using charter schools to improve educational outcomes for students throughout the State. In determining the quality of the State-level strategy, the Secretary considers the following factors:

1) The extent to which the SEA 's CSP activities, including the subgrant program, are integrated into the State s overall strategy for improving student academic achievement and attainment (including high school graduation rates and college and other postsecondary education enrollment rates) and closing achievement and attainment gaps, and complement or leverage other statewide education reform efforts;

2) The extent to which funding equity for charter schools (including equitable funding for charter school facilities) is incorporated into the SEA' s State-level strategy; and

3) The extent to which the State encourages local strategies for improving student academic achievement and attainment that involve charter schools, including but not limited to the following:

i. Collaboration, including the sharing of data and promising instructional and other practices, between charter schools and other public schools or providers of early learning and development programs or alternative education programs; and

ii. The creation of charter schools that would serve as viable options for students who currently attend, or would otherwise attend, the State 's lowest-performing schools.

### Strengths:

California's CSP grant program proposal is aligned with its state level strategy to close the achievement gap through the establishment of high-quality charter schools "serving students in underserved communities" (page 14) and "to improve educational outcomes for educationally disadvantaged students."

Through California's Local Control Funding Formula (LCFF), the state ensures that all schools receive equal funding per student in a "base grant." Subsequently, LCFF provides additional "grant add-ons" based on "the number and concentration of educationally disadvantaged students served by a school" (page 15).

California's Local Control and Accountability Plan (LCAP) encourages local strategies for improving student achievement through mechanisms including the California state parent empowerment law, which allows parents to take over low-performing schools and convert them to charters as an improvement strategy. California facilitates collaboration through the sharing of best practices information; some of this activity, in turn, has been facilitated through the state's past participation in the CSP program (pages 17 and 18).

### Weaknesses:

Additional clarity in understanding specifically how the state's CSP-funded plans will drive progress toward its goal to expand the number of charter schools serving educationally disadvantaged students would be helpful.

## Selection Criteria - Policy Context for Charter Schools

1. The Secretary considers the policy context for charter schools under the proposed project. In determining the policy context for charter schools under the proposed project, the Secretary considers the following factors:

1) The degree of flexibility afforded to charter schools under the State's charter school law, including:

i. The extent to which charter schools in the State are exempt from State or local rules that inhibit the flexible operation and management of public schools; and

ii. The extent to which charter schools in the State have a high degree of autonomy, including autonomy over the charter school's budget, expenditures, staffing, procurement, and curriculum;

2) The quality of the SEA's processes for:

i. Annually informing each charter school in the State about Federal funds the charter school is eligible to receive and Federal programs in which the charter school may participate; and

ii. Annually ensuring that each charter school in the State receives, in a timely fashion, the school's commensurate share of Federal funds that are allocated by formula each year, particularly during the first year of operation of the school and during a year in which the school's enrollment expands significantly; and

3) The quality of the SEA's plan to ensure that charter schools that are considered to be LEAs under State law and LEAs in which charter schools are located will comply with sections 613(a)(5) and 613(e)(1)(B) of IDEA (20 U.S.C. 1400, et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101, et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

### Strengths:

California's charter schools enjoy significant flexibility and are exempt from laws governing school districts (page 19). Application content provides the impression that the actual amount of autonomy enjoyed by an individual charter school may vary along some dimensions, but that the "intent" of state law is to enable its charter schools to operate independently.

California notifies charter schools of funding opportunities through multiple vehicles and venues. The state issues press releases with funding information, publishes notices on the California Department of Education's web site in multiple locations, and issues regular notices to organizations with which it partners to support charter schools. California Department of Education staff also share information about funding opportunities at charter school conferences held in the state (page 21).

The application outlines in detail on page 22 the state's approach for ensuring the timely release of funds to newly approved and expanding charters.

State law requires that charters which are LEAs must comply with IDEA. The state is committing further to require charters to comply with other federal Acts through the charter school petitioning process and the proposed CSP sub-grant process (page 23).

### Weaknesses:

The application does not discuss the state's approach for ensuring the timely release of funds to charters other than those defined as "newly approved and expanding."

Reader's Score: 4

#### Selection Criteria - Past Performance

1. The Secretary considers the past performance of charter schools in a State that enacted a charter school law for the first time five or more years before submission of its application. In determining the past performance of charter schools in such a State, the Secretary considers the following factors:

1) The extent to which there has been a demonstrated increase, for each of the past five years, in the number and percentage of high-quality charter schools (as defined in this notice) in the State;

2) The extent to which there has been a demonstrated reduction, for each of the past five years, in the number and percentage of academically poor-performing charter schools (as defined in this notice) in the State; and

3) Whether, and the extent to which, the academic achievement and academic attainment (including high school graduation rates and college and other postsecondary education enrollment rates) of charter school students equal or exceed the academic achievement and academic attainment of similar students in other public schools in the State over the past five years.

#### Strengths:

The narrative includes high-level evidence of positive progress over the last five years. It cites research from Stanford showing that the performance of minority students in Los Angeles charter schools was superior to the performance of similar students in traditional public schools, and makes passing reference to another study (CCSA 'Portrait of a Movement') which showed what sounds like similar results across the state.

#### Weaknesses:

While the narrative speaks directly to progress made over the last five years in aggregate, the state does not provide annual data per the outlined requirements.

The application does not directly present data addressing the statewide performance of charters compared with other public schools in the state over the last five years.

Reader's Score: 4

#### Selection Criteria - Quality of Plan to Support Ed. Dis. Students

1. The Secretary considers the quality of the SEA 's plan to support educationally disadvantaged students. In determining the quality of the plan to support educationally disadvantaged students, the Secretary considers the following factors:

1) The extent to which the SEA' s charter school subgrant program would--

i. Assist students, particularly educationally disadvantaged students, in meeting and exceeding State academic content standards and State student achievement standards; and

ii. Reduce or eliminate achievement gaps for educationally disadvantaged students;

2) The quality of the SEA 's plan to ensure that charter schools attract, recruit, admit, enroll, serve, and retain educationally disadvantaged students equitably, meaningfully, and, with regard to educationally disadvantaged students who are students with disabilities or English learners, in a manner consistent

with, as appropriate, the IDEA (regarding students with disabilities) and civil rights laws, in particular, section 504 of the Rehabilitation Act of 1973, as amended, and title VI of the Civil Rights Act of 1964;

3) The extent to which the SEA will encourage innovations in charter schools, such as models, policies, supports, or structures, that are designed to improve the academic achievement of educationally disadvantaged students; and

4) The quality of the SEA 's plan for monitoring all charter schools to ensure compliance with Federal and State laws, particularly laws related to educational equity, nondiscrimination, and access to public schools for educationally disadvantaged students.

**Strengths:**

Per the state, the first two goals the state has established for its CSP subgrant program are to “increase the number of high-quality charter schools in underserved communities” and “improve academic outcomes for economically disadvantaged students.”

A focus on innovation will be reinforced through the awarding of higher amounts of funding to subgrant applications from charter schools targeting underserved communities with few charter schools options (page 29).

Charter schools in California are subject to “multiple layers of monitoring and accountability, and charter petitions and the proposed CSP sub-grant process incorporate required "assurances" that reaffirm compliance with all state and Federal laws relevant to this Factor.

**Weaknesses:**

The narrative is light on specifics regarding how it will make progress towards the two abovementioned goals through the CSP subgrant program. Additionally, the state does not flesh out its stated intent to shift its focus to "areas with few charter school options within the state." Additional data around the need/opportunity and its relevance to the abovementioned goals would be helpful (particularly for a reviewer less familiar with such areas in California).

It is unclear the extent to which the state has mechanisms in place to validate the assurances provided through the abovementioned application processes, or confirm the extent to which other charter schools are in compliance with the abovementioned state and Federal laws.

**Reader's Score: 10**

**Selection Criteria - Vision for Growth and Accountability**

1. The Secretary determines the quality of the statewide vision, including the role of the SEA, for charter school growth and accountability. In determining the quality of the statewide vision, the Secretary considers the following factors:

1) The quality of the SEA' s systems for collecting, analyzing, and publicly reporting data on charter school performance, including data on student academic achievement, attainment (including high school graduation rates and college and other postsecondary education enrollment rates), retention, and discipline for all students and disaggregated by student subgroup;

2) The ambitiousness, quality of vision, and feasibility of the SEA' s plan (including key actions) to support the creation of high-quality charter schools during the project period, including a reasonable estimate of the number of high-quality charter schools in the State at both the beginning and the end of the project period; and

**3) The ambitiousness, quality of vision, and feasibility of the SEA' s plan (including key actions) to support the closure of academically poor-performing charter schools in the State (i.e., through revocation, non-renewal, or voluntary termination of a charter) during the project period.**

**Note: In the context of closing academically poor-performing charter schools, we remind applicants of the importance of ensuring adherence to applicable laws, policies, and procedures that govern the closure of a charter school, the disposition of its assets, and the transfer of its students and student records.**

**Strengths:**

California has historically enjoyed a well-established system for collecting, analyzing and publicly reporting charter school performance data. The application notes that the state is currently revising its accountability system to incorporate “multiple measures of success beyond test scores.” The application also provides guidance regarding some of the data the state will collect to this end.

In general, the targets and plan elements outlined in the proposal speak favorably to the ambitiousness and vision of the state’s plan (with caveats noted in the weaknesses section)

The state makes the case that California law is already reflective of “an ambitious plan” through its non-renewal requirement for schools that do not make sufficient progress at the end of its five-year charter period.

**Weaknesses:**

The content in the abstract includes a target for the growth of high-quality charter schools (“expand the number of charter schools in underserved communities...by an estimated 200 new schools”) that is different than those disclosed in the “Vision for Growth and Accountability” section on page 30. The targets in the latter section focus on total number of new charter schools (300) and total number of high-quality autonomous charter schools to be awarded planning and implementation funds (215).

Additional discussion regarding the specifics of how the state will reach its targets given the abovementioned shift in focus to areas with few charter options would have made the discussion stronger overall and the feasibility of the targets easier to evaluate.

**Reader's Score: 7**

**Selection Criteria - Dissemination of Information and Best Practices**

**1. The Secretary considers the quality of the SEA' s plan to disseminate information about charter schools and best or promising practices of successful charter schools to each LEA in the State as well as to charter schools, other public schools, and charter school developers (20 U.S.C. 7221b(b)(2)(C) and 7221 (c)(f)(6)). If an SEA proposes to use a portion of its grant funds for dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221c(f)(6)(B)), the SEA should incorporate these subgrants into the overall plan for dissemination. In determining the quality of the SEA s plan to disseminate information about charter schools and best or promising practices of successful charter schools, the Secretary considers the following factors:**

**1) The extent to which the SEA will serve as a leader in the State for identifying and disseminating information and research (which may include, but is not limited to, providing technical assistance) about best or promising practices in successful charter schools, including how the SEA will use measures of efficacy and data in identifying such practices and assessing the impact of its dissemination activities;**

**2) The quality of the SEA' s plan for disseminating information and research on best or promising practices used by, and the benefits of, charter schools that effectively incorporate student body**

diversity, including racial and ethnic diversity and diversity with respect to educationally disadvantaged students, consistent with applicable law;

3) The quality of the SEA's plan for disseminating information and research on best or promising practices in charter schools related to student discipline and school climate; and

4) For an SEA that proposes to use a portion of its grant funds to award dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221a(f)(6)(B)), the quality of the subgrant award process and the likelihood that such dissemination activities will increase the number of high-quality charter schools in the State and contribute to improved student academic achievement.

**Strengths:**

The state will leverage a varied set of existing vehicles and mechanisms – including the My Digital Chalkboard platform it recently developed (page 34) - that will enable it to continue to serve as a leader in identifying and disseminating best practices information.

The state will maintain a special focus on identifying and distributing best practices information relevant to “California’s racial and ethnic diverse student populations” (page 35).

The state will also maintain a special focus on identifying and distributing best practices information in areas including discipline and school climate (page 35). This focus will be driven in part by California law, which identifies school climate as a priority area for annual charter school performance reviews (page 36), and reinforced through the subgrant process.

The application discusses the state’s intent to set aside up to \$4.5 million to fund Dissemination subgrants “that yield an increase in high-quality charter schools” (sic) (page 37).

**Weaknesses:**

The application content does not directly address “the likelihood that such dissemination practices will increase the number of high-quality charter schools in the State”; it simply assumes that such grants will in fact lead to such an increase.

**Reader's Score: 8**

**Selection Criteria - Oversight of Public Chartering Agencies**

The Secretary considers the quality of the SEA's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA's plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA's plan will ensure that authorized public chartering agencies are --

1) Seeking and approving charter school petitions from developers that have the capacity to create charter schools that can become high-quality charter schools;

2) Approving charter school petitions with design elements that incorporate evidence-based school models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies with respect to educationally disadvantaged students, consistent with applicable law;

3) Establishing measureable academic and operational performance expectations for all charter schools (including alternative charter schools, virtual charter schools, and charter schools that include pre-kindergarten, if such schools exist in the State) that are consistent with the definition of high-quality charter school as defined in this notice;

4) Monitoring their charter schools on at least an annual basis, including conducting an in-depth review of each charter school at least once every five years, to ensure that charter schools are meeting the

terms of their charter or performance contracts and complying with applicable State and Federal laws;

5) Using increases in student academic achievement as one of the most important factors in renewal decisions; basing renewal decisions on a comprehensive set of criteria, which are set forth in the charter or performance contract; and revoking, not renewing, or encouraging the voluntary termination of charters held by academically poor-performing charter schools;

6) Providing, on an annual basis, public reports on the performance of their portfolios of charter schools, including the performance of each individual charter school with respect to meeting the terms of, and expectations set forth in, the school 's charter or performance contract;

7) Supporting charter school autonomy while holding charter schools accountable for results and meeting the terms of their charters or performance contracts; and

8) Ensuring the continued accountability of charter schools during any transition to new State assessments or accountability systems, including those based on college- and career-ready standards.

**Strengths:**

The state manages quality in part through its requirement that charter school petitions address the “16 (content) elements,” tied to high quality performance, specified by California law.

Per EC Section 47605, as discussed on page 7, a charter petition must describe annual goals and specific actions to achieve such goals for all students and for every subgroup of students.

Per EC Section 47605, as discussed on page 7, a charter petition must describe annual goals and specific actions to achieve such goals for all students and for every subgroup of students. Per the state, “the inclusion of annual reporting of progress toward goals and specific actions in a charter petition provides an additional level of ensuring high-quality schools are authorized based on the rigorous performance expectations articulated by the petitioner.”

California law (EC Section 47604.32, per pages 2 and 5) outlines required oversight duties for all state charter authorizers in line with the elements in Factor 4.

Per California law, as stated on page 1, a chartering entity “shall consider increases in pupil academic achievement for all groups of pupils served...as the most important factor in determining whether to grant a charter renewal.”

Per California law (EC Section 47607, per page 3), a chartering authority may revoke a charter at any time for failure to meet or pursue measurable pupil outcomes (MPOs) identified in its charter, and a school’s charter may also be revoked by the California State Board of Education (SBE) regardless of whether the SBE issued the original charter.

The state has established multiple mechanisms for the provision of annual performance data.

The discussion highlights the “clear criteria” set forth by California statute for revoking a charter, and prior sections of the application discuss the balancing between the “intent” of autonomy and the “multiple layers of monitoring and accountability.”

As evidence of its efforts to ensure the accountability of charter schools "during any transition to new State assessments or accountability systems," the state cited concrete action steps in the form of its establishment of "laws to provide continued accountability" as it completes its transition to a new state assessment system (page 42).

**Weaknesses:**

The narrative does not address factor 2, regarding the approval of charter school petitions “with design elements that incorporate evidence-based school models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies with respect to educationally disadvantaged students, consistent with applicable law.”

### Selection Criteria - Management Plan and Theory of Action

1. The Secretary considers the quality of the management plan and the project 's theory of action. In determining the quality of the management plan and the project s theory of action, the Secretary considers the following factors:

1) The quality, including the cohesiveness and strength of reasoning, of the logic model (as defined in 34 CFR 77.1(c)) and the extent to which it addresses the role of the grant in promoting the State-level strategy for using charter schools to improve educational outcomes for students through CSP subgrants for planning, program design, and initial implementation; optional dissemination subgrants; optional revolving loan funds; and other strategies;

2) The extent to which the SEA' s project-specific performance measures, including any measures required by the Department, support the logic model; and

3) The adequacy of the management plan to --

i. Achieve the objectives of the proposed project on time and within budget, including the existence of clearly defined responsibilities, timelines, and milestones for accomplishing project tasks; and

ii. Address any compliance issues or findings related to the CSP that are identified in an audit or other monitoring review.

**Note:** The Secretary encourages the applicant to propose a comprehensive management plan and theory of action for assessing the achievement of the objectives, including developing performance measures and performance targets for its proposed grant project that are consistent with those objectives. The applicant should clearly identify the project-specific performance measures and performance targets in its plan and should review the logic model application requirement and performance measures section of this notice for information on the requirements for developing those performance measures and performance targets consistent with the objectives of the proposed project. The applicant may choose to include a discussion of the project-specific performance measures and targets it develops in response to the logic model requirement when addressing this criterion.

#### **Strengths:**

The proposal incorporates a comprehensive logic model which identifies activities that would be supported through the proposed CSP grant and the outcomes to which the activities identified in the model would contribute.

The plan incorporates administrative improvements based on the findings of a report on past state monitoring practices (page 45) and does not contain any elements raising concern regarding the state's ability to execute the proposed activities on time and on budget.

#### **Weaknesses:**

The state did not provide a detailed management plan with timelines and milestones. As a result, the available content is insufficient to support an accurate assessment of the state's ability to achieve the objectives of the proposed project on time and within budget.

The state indicates that it has identified performance measures for elements of the model, but the extent to which the "performance measures" on page 59 and 60 are the requested performance measures is unclear. Consequently, it is difficult to evaluate the extent to which the measures support the model.

### Selection Criteria - Project Design

1. The Secretary considers the quality of the design of the SEA 's charter school subgrant program, including the extent to which the project design furthers the SEA' s overall strategy for increasing the number of high-quality charter schools in the State and improving student academic achievement. In determining the quality of the project design, the Secretary considers the following factors:

1) The quality of the SEA' s process for awarding subgrants for planning, program design, and initial implementation and, if applicable, for dissemination, including:

i. The subgrant application and peer review process, timelines for these processes, and how the SEA intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-quality charter schools; and

ii. A reasonable year-by-year estimate, with supporting evidence, of

a) the number of subgrants the SEA expects to award during the project period and the average size of those subgrants, including an explanation of any assumptions upon which the estimates are based; and

b) if the SEA has previously received a CSP grant, the percentage of eligible applicants that were awarded subgrants and how this percentage related to the overall quality of the applicant pool;

2) The process for monitoring CSP subgrantees;

3) How the SEA will create a portfolio of subgrantees that focuses on areas of need within the State, such as increasing student body diversity or maintaining a high level of student body diversity, and how this focus aligns with the State-Level Strategy;

4) The steps the SEA will take to inform teachers, parents, and communities of the SEA' s charter school subgrant program; and

5) A description of any requested waivers of statutory or regulatory provisions over which the Secretary exercises administrative authority and the extent to which those waivers will, if granted, further the objectives of the project.

#### Strengths:

The application outlines clear processes and timelines, informed by past experience, and identifies targets for the number and size of subgrants the state expects to award. The application process incorporates a peer review element and scoring rubric, both of which are designed to ensure that “only applications with sound fiscal management and rigorous education programs will pass peer review” and receive the opportunity to obtain subgrant funding. The application also includes historical data on previous CSP-funded subgrant awards (pages 47-51).

The application outlines a robust monitoring process, which encompasses site visits and the use of a “standardized site monitoring instrument that includes 12 indicators the school must meet to be considered in compliance on the site-monitoring visit.”

The proposal outlines “several avenues” for creating a portfolio of subgrantees focusing on areas of need in the state (page 53).

#### Weaknesses:

The discussion of previous subgrantees does not identify how the percentage of eligible applicants that were awarded subgrants related to the overall quality of the applicant pool.

While the application includes content describing the vehicles that the state will use to announce the availability of

subgrant funds, the discussion is very brief and does not fully convey a sense of anticipated impact.

**Reader's Score: 8**

## **Priority Questions**

### **Competitive Preference Priority - High-Quality Authorizing and Monitoring Processes**

#### **1. Competitive Preference Priority 1: High-Quality Authorizing and Monitoring Processes**

To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

a) Frameworks and processes to evaluate the performance of charter schools on a regular basis that include--

1) Rigorous academic and operational performance expectations (including performance expectations related to financial management and equitable treatment of all students and applicants);

2) Performance objectives for each school aligned to those expectations;

3) Clear criteria for renewing the charter of a school based on an objective body of evidence, including evidence that the charter school has (a) met the performance objectives outlined in the charter or performance contract; (b) demonstrated organizational and fiscal viability; and (c) demonstrated fidelity to the terms of the charter or performance contract and applicable law;

4) Clear criteria for revoking the charter of a school if there is violation of law or public trust regarding student safety or public funds, or evidence of poor student academic achievement; and

5) Annual reporting by authorized public chartering agencies to each of their authorized charter schools that summarizes the individual school 's performance and compliance, based on this framework, and identifies any areas that need improvement.

b) Clear and specific standards and formalized processes that measure and benchmark the performance of the authorized public chartering agency or agencies, including the performance of its portfolio of charter schools, and provide for the annual dissemination of information on such performance;

c) Authorizing processes that establish clear criteria for evaluating charter applications and include a multi-tiered clearance or review of a charter school, including a final review immediately before the school opens for its first operational year; or

d) Authorizing processes that include differentiated review of charter petitions to assess whether, and the extent to which, the charter school developer has been successful (as determined by the authorized public chartering agency) in establishing and operating one or more high-quality charter schools.

#### **Strengths:**

EC Section 47604.32 outlines clear expectations regarding the duties and performance of all state charter school authorizers.

EC Sections 47607 and 47606.5 of California law provides clear guidance regarding the annual and periodic review of charter school performance, the annual reporting requirements of charter schools and the criteria (emphasizing "pupil academic achievement") to be utilized to determine whether charters are to be renewed. EC Section 47607 also outlines the powers of intervention held by charter authorizers and the criteria for revoking a charter.

California supports the work of a third party entity, CARNet, which in turn provides support to authorizes to help them execute their duties effectively. California also has multiple process in place through which it holds authorizers accountable (page 37-38).

Per EC Section 47605, as discussed on page 7, a charter petition must describe annual goals and specific actions to achieve such goals for all students and for every subgroup of students. Per the state, “the inclusion of annual reporting of progress toward goals and specific actions in a charter petition provides an additional level of ensuring high-quality schools are authorized based on the rigorous performance expectations articulated by the petitioner.”

EC Section 47604.32 outlines clear expectations regarding the duties and performance of all state charter school authorizers.

California's authorizing procedure includes a multi-tiered approval process (described on page 10).

**Weaknesses:**

In California, a differentiated review of operators with a prior track record is not required. Per the content on page 12, “an authorizing agency may elect to differentiate the review process for approval of a charter petition, particularly when a petitioner has an established record of providing high-quality charter schools.”

**Reader's Score: 14**

**Competitive Preference Priority - Authorizer other than LEA or Appeal Process**

**1. Competitive Preference Priority 2: One Authorized Public Chartering Agency Other than a LEA, or an Appeals Process**

To meet this priority, the applicant must demonstrate that the State--

a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

b) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

**Note:** In order to meet this priority under paragraph (b) above, the entity hearing appeal must have the authority to approve the charter application over the objections of the LEA.

**Strengths:**

California's authorizing structure satisfies the criteria set forth for this competitive preference priority. California's State Board of Education serves as an authorized non-LEA public chartering agency and possesses the ability to hear and rule on appeals for the denial of charter school applications at the county level.

**Weaknesses:**

No weaknesses found.

**Reader's Score: 5**

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**Last Updated:** 08/03/2015 11:34 AM



Status: Submitted

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## Technical Review Coversheet

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**Reader #2:** \*\*\*\*\*

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	5	5
<b>Sub Total</b>	5	5
<b>Total</b>	120	95

# Technical Review Form

Panel #7 - SEA Panel - 7: 84.282A

Reader #2: \*\*\*\*\*

Applicant: Calif. Department of Education for State Board of Education (U282A150010)

## Questions

### Selection Criteria - State-Level Strategy

**1. The Secretary considers the quality of the State-level strategy for using charter schools to improve educational outcomes for students throughout the State. In determining the quality of the State-level strategy, the Secretary considers the following factors:**

**1) The extent to which the SEA 's CSP activities, including the subgrant program, are integrated into the State s overall strategy for improving student academic achievement and attainment (including high school graduation rates and college and other postsecondary education enrollment rates) and closing achievement and attainment gaps, and complement or leverage other statewide education reform efforts;**

**2) The extent to which funding equity for charter schools (including equitable funding for charter school facilities) is incorporated into the SEA' s State-level strategy; and**

**3) The extent to which the State encourages local strategies for improving student academic achievement and attainment that involve charter schools, including but not limited to the following:**

**i. Collaboration, including the sharing of data and promising instructional and other practices, between charter schools and other public schools or providers of early learning and development programs or alternative education programs; and**

**ii. The creation of charter schools that would serve as viable options for students who currently attend, or would otherwise attend, the State 's lowest-performing schools.**

### Strengths:

Charter schools are one facet of an integrated, coherent system of increasing academic achievement of all students (page 14 - 16). The overall strategy involved starting at the local level with broad involvement of all stakeholders with the state providing oversight and support. The three essential legs of the strategy are the LCAP (performance), LCFF (funding) and technical assistance (Attachment 1). These essentials are guided by state content standards, accountability and assessment systems (page 15).

LCFF is designed to provide equitable funding across traditional and charter schools. The CSP grant will provide incentives for developers to serve the neediest students in the poorest communities (page 16). Additionally, CA requires school districts to make facilities available to charter schools and also provides \$100 million per year in facilities grants and \$500 million in construction bonds for new buildings (page 17). Both equitable funding and facilities funding are important to provide resources charter schools need to adequately fund instruction and innovative programs.

Through a previous dissemination grant, CA has established collaboration with charter school associations and networks as well as created a digital forum for sharing best practices which is an asset statewide when distances are barrier to face-to-face interaction (page 18, 35).

With a CSP grant, CA plans to build on previous work to increase the number of charter schools in areas with high concentration of low performing school of educationally disadvantaged students by providing incentives for targeting educationally disadvantaged and locating in the areas where they reside, increasing the total number of charter schools and strengthening accountability (page 18).

**Weaknesses:**

It is unclear how increasing the number of charter schools, strengthening accountability, and even providing additional funding (page 50) will result in the creation of high performing charter schools (page 18). It is one thing to set a goal and another to operationalize it through programming that will result in higher achievement for educationally disadvantaged students.

**Reader's Score:** 13

**Selection Criteria - Policy Context for Charter Schools**

**1. The Secretary considers the policy context for charter schools under the proposed project. In determining the policy context for charter schools under the proposed project, the Secretary considers the following factors:**

**1) The degree of flexibility afforded to charter schools under the State's charter school law, including:**

**i. The extent to which charter schools in the State are exempt from State or local rules that inhibit the flexible operation and management of public schools; and**

**ii. The extent to which charter schools in the State have a high degree of autonomy, including autonomy over the charter schools budget, expenditures, staffing, procurement, and curriculum;**

**2) The quality of the SEA's processes for:**

**i. Annually informing each charter school in the State about Federal funds the charter school is eligible to receive and Federal programs in which the charter school may participate; and**

**ii. Annually ensuring that each charter school in the State receives, in a timely fashion, the school's commensurate share of Federal funds that are allocated by formula each year, particularly during the first year of operation of the school and during a year in which the school's enrollment expands significantly; and**

**3) The quality of the SEA's plan to ensure that charter schools that are considered to be LEAs under State law and LEAs in which charter schools are located will comply with sections 613(a)(5) and 613(e)(1)(B) of IDEA (20 U.S.C. 1400, et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101, et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).**

**Strengths:**

The CA Education Code provides charter schools with flexibility in governance, resource allocation, curricula and instructional delivery (Page 19 - 20). The use of LCFF helps assure equal funding but does not mandate expenditures. Categorical programs are the only source of restricted use funds.

CA legislation provides autonomy in order to enable groups of teachers, parents, students and the community to start schools to meet their needs local needs (page 20).

CDE has well-established communication channels with charter schools that take advantage of charter school organizations. In addition, the information is made available through public media (page 21). CDE make efforts to assure that charter schools receive their fair share of federal funds and LCFF (page 22). The use of the California Consolidated Application allows charter schools that are LEAs to participate in federal programs. New and expanding charter schools may be given special advanced funding to enable them to meet the needs of their projected enrollment (page 22). Taken together communication of the policies and a fair share of funding are likely to enable charter schools to succeed.

CA statutes assure that charter schools are considered LEAs and are therefore must comply with IDEA. Sub-grantees will be required to comply with other federal laws that provide protection for diverse individuals (page 23).

**Weaknesses:**

The intent of the legislation and system described above is clear but it is not clear what agency is in charge of monitoring the process by which charter schools apply for federal program funds and the timeliness of the process.

**Reader's Score:** 4

**Selection Criteria - Past Performance**

1. **The Secretary considers the past performance of charter schools in a State that enacted a charter school law for the first time five or more years before submission of its application. In determining the past performance of charter schools in such a State, the Secretary considers the following factors:**
  - 1) **The extent to which there has been a demonstrated increase, for each of the past five years, in the number and percentage of high-quality charter schools (as defined in this notice) in the State;**
  - 2) **The extent to which there has been a demonstrated reduction, for each of the past five years, in the number and percentage of academically poor-performing charter schools (as defined in this notice) in the State; and**
  - 3) **Whether, and the extent to which, the academic achievement and academic attainment (including high school graduation rates and college and other postsecondary education enrollment rates) of charter school students equal or exceed the academic achievement and academic attainment of similar students in other public schools in the State over the past five years.**

**Strengths:**

CA has experienced consistent growth in the number of charter schools, high-quality charter schools and students. Data from the California Charter School Association provide evidence that over the past 5 years the number of high-quality high-performing charter schools have grown while the number of under-performing charter schools have significantly decreased (page 24). The number of under-performing charter schools has decreased significantly in the past 5 years (page 24-25). The success of CSP Dissemination grant activities may have contributed to this decrease by providing guidance to other schools (page 24).

California has been a leader in creating charter schools and through the California Association of Charter Schools has created measures of growth and success and provided technical assistance.

**Weaknesses:**

No data were provided in the application to be able to judge the extent to which, the academic achievement and academic attainment (including high school graduation rates and college and other postsecondary education enrollment rates) of charter school students equal or exceed the academic achievement and academic attainment of similar students in other public schools in the State over the past five years.

**Reader's Score:** 5

**Selection Criteria - Quality of Plan to Support Ed. Dis. Students**

1. **The Secretary considers the quality of the SEA 's plan to support educationally disadvantaged students. In determining the quality of the plan to support educationally disadvantaged students, the Secretary considers the following factors:**

**1) The extent to which the SEA' s charter school subgrant program would--**

**i. Assist students, particularly educationally disadvantaged students, in meeting and exceeding State academic content standards and State student achievement standards; and**

**ii. Reduce or eliminate achievement gaps for educationally disadvantaged students;**

**2) The quality of the SEA 's plan to ensure that charter schools attract, recruit, admit, enroll, serve, and retain educationally disadvantaged students equitably, meaningfully, and, with regard to educationally disadvantaged students who are students with disabilities or English learners, in a manner consistent with, as appropriate, the IDEA (regarding students with disabilities) and civil rights laws, in particular, section 504 of the Rehabilitation Act of 1973, as amended, and title VI of the Civil Rights Act of 1964;**

**3) The extent to which the SEA will encourage innovations in charter schools, such as models, policies, supports, or structures, that are designed to improve the academic achievement of educationally disadvantaged students; and**

**4) The quality of the SEA 's plan for monitoring all charter schools to ensure compliance with Federal and State laws, particularly laws related to educational equity, nondiscrimination, and access to public schools for educationally disadvantaged students.**

**Strengths:**

The applicant has identified a need to increase choice and serve educationally disadvantaged students and is committed to continuing LCFF, CLAP and trends in past achievement (page 26). Research from CREDO has found that minority students in LA made greater gains in reading and math than students in traditional schools.

CA law recognizes that identifying and serving low achieving populations is a priority (page 28). Therefore, there are plans to encourage and support innovation by providing increased funding for sub grantees that open charter schools in underserved areas (page 29). Currently the system for monitoring and providing oversight of charter schools by the authorizers, county and state is strong (pages 6 - 13).

**Weaknesses:**

The proposal asserts that CA has made “significant progress in establishing HQ charter schools serving educationally disadvantaged students in urban areas” but provides no student achievement data or demographics to support that assertion. Other than continuing current practices, there did not seem to be any new approaches.

The application requires charter school applicants to address how the proposed charter school will attract, recruit, admit, enroll, serve and retain educationally disadvantaged students but the guidance in how to achieve this or indication of expected outcomes is unclear.

It is unclear what criteria will be determined other than the LCFF to fund innovative programs. The CSP grant application does not include specifics about how monitoring for the new charter schools would be improved or strengthened except by collaboration with the Advisory Board and Curriculum Team (CARNet) (page 29).

**Reader's Score: 9**

**Selection Criteria - Vision for Growth and Accountability**

**1. The Secretary determines the quality of the statewide vision, including the role of the SEA, for charter school growth and accountability. In determining the quality of the statewide vision, the Secretary considers the following factors:**

**1) The quality of the SEA' s systems for collecting, analyzing, and publicly reporting data on charter**

school performance, including data on student academic achievement, attainment (including high school graduation rates and college and other postsecondary education enrollment rates), retention, and discipline for all students and disaggregated by student subgroup;

2) The ambitiousness, quality of vision, and feasibility of the SEA' s plan (including key actions) to support the creation of high-quality charter schools during the project period, including a reasonable estimate of the number of high-quality charter schools in the State at both the beginning and the end of the project period; and

3) The ambitiousness, quality of vision, and feasibility of the SEA' s plan (including key actions) to support the closure of academically poor-performing charter schools in the State (i.e., through revocation, non-renewal, or voluntary termination of a charter) during the project period.

**Note:** In the context of closing academically poor-performing charter schools, we remind applicants of the importance of ensuring adherence to applicable laws, policies, and procedures that govern the closure of a charter school, the disposition of its assets, and the transfer of its students and student records.

**Strengths:**

Currently, CA has an effective system of data collection, analysis and transparency that can be accessed online such as DataQuest and EdData. CDE generously shares data with researchers. The CSP grant would be used to explore and adopt multiple measures - beyond test scores (page 30). Data to be collected would present a holistic view of achievement.

The CSP grant may enable the CDE to better serve remote areas and diverse populations through strategic collaboration with other organizations. Creating a functioning infrastructure could spur charter school growth and provide meaningful choice (page 31-32). In addition, technical assistance could be enhanced through partnerships with organizations that have expertise in areas of need such as governance and fiscal management. Awarding 215 planning and implementation grants over a three year period is ambitious (page 49).

Currently, CA has a system and regulations in place to close under-performing charter schools. CA Education Code details the process for closure and distribution of assets (pages 32-33, 6 - 13).

**Weaknesses:**

It isn't clear that requiring sub-grantees to collect additional data will improve the accountability system and student achievement. Additionally, it is not clear that 215 planning and implementation grants over three years and the anticipation of 300 new charter schools over three years is reasonable especially when the target is areas that may lack infrastructure and accessibility.

**Reader's Score:** 7

**Selection Criteria - Dissemination of Information and Best Practices**

1. The Secretary considers the quality of the SEA' s plan to disseminate information about charter schools and best or promising practices of successful charter schools to each LEA in the State as well as to charter schools, other public schools, and charter school developers (20 U.S.C. 7221b(b)(2)(C) and 7221 (c)(f)(6)). If an SEA proposes to use a portion of its grant funds for dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221c(f)(6)(B)), the SEA should incorporate these subgrants into the overall plan for dissemination. In determining the quality of the SEA s plan to disseminate information about charter schools and best or promising practices of successful charter schools, the Secretary considers the following factors:

1) The extent to which the SEA will serve as a leader in the State for identifying and disseminating information and research (which may include, but is not limited to, providing technical assistance) about best or promising practices in successful charter schools, including how the SEA will use measures of

efficacy and data in identifying such practices and assessing the impact of its dissemination activities;

2) The quality of the SEA' s plan for disseminating information and research on best or promising practices used by, and the benefits of, charter schools that effectively incorporate student body diversity, including racial and ethnic diversity and diversity with respect to educationally disadvantaged students, consistent with applicable law;

3) The quality of the SEA' s plan for disseminating information and research on best or promising practices in charter schools related to student discipline and school climate; and

4) For an SEA that proposes to use a portion of its grant funds to award dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221a(f)(6)(B)), the quality of the subgrant award process and the likelihood that such dissemination activities will increase the number of high-quality charter schools in the State and contribute to improved student academic achievement.

**Strengths:**

CA will extend the dissemination efforts that began during the 2010-15 CSP grant using what they learned to guide the new grant. The extension will emphasize partnerships with higher education institutions, charter school associations and a new authorizer organization to disseminate best practices and successful strategies. It will also build technical/professional skills in teachers, school leaders, charter school developers and broader communities of practice (pages 33 - 36). Evaluation of these efforts will include quantitative and qualitative data from a variety of sources, provide feedback and guide future efforts.

CA has one, or maybe the most, diverse population in the U.S. This characteristic provides a great opportunity for investigating dissemination strategies that work.

The LCAP already gathers information on school climate and discipline so making these priority items in the evaluation of Dissemination Sub-grants is appropriate and may prove an effective way to identify best practices in these areas (page 36). \$4.5 million will be used for dissemination sub-grants (page 37). The grants may supply the needed incentive and resources to free staff from high-performing schools to spread the word about their successes and assist other programs in adopting them.

**Weaknesses:**

One complaint made about charter schools in general is that they serve an elite population. If the state wants to close the achievement gap and better serve educationally disadvantaged students, it would be important to reach out to parents and provide education about school choice to them. It might be appropriate to work with organizations that represent different ethnic groups and partner with them in educating parents. If the efforts are aimed only at education professionals, the results may end up being more of the same. It would be important not to limit strategies to direct work with students. Parents and family would be appropriate targets for best practices.

The processes and criteria for judging charter school dissemination grant application is unclear. It would be important to invite participation of operators to create the criteria and processes needed

**Reader's Score: 8**

**Selection Criteria - Oversight of Public Chartering Agencies**

**The Secretary considers the quality of the SEA 's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA' s plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA' s plan will ensure that authorized public chartering agencies are --**

**1) Seeking and approving charter school petitions from developers that have the capacity to create charter schools that can become high-quality charter schools;**

**2) Approving charter school petitions with design elements that incorporate evidence-based school models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies with respect to educationally disadvantaged students, consistent with applicable law;**

**3) Establishing measureable academic and operational performance expectations for all charter schools (including alternative charter schools, virtual charter schools, and charter schools that include pre-kindergarten, if such schools exist in the State) that are consistent with the definition of high-quality charter school as defined in this notice;**

**4) Monitoring their charter schools on at least an annual basis, including conducting an in-depth review of each charter school at least once every five years, to ensure that charter schools are meeting the terms of their charter or performance contracts and complying with applicable State and Federal laws;**

**5) Using increases in student academic achievement as one of the most important factors in renewal decisions; basing renewal decisions on a comprehensive set of criteria, which are set forth in the charter or performance contract; and revoking, not renewing, or encouraging the voluntary termination of charters held by academically poor-performing charter schools;**

**6) Providing, on an annual basis, public reports on the performance of their portfolios of charter schools, including the performance of each individual charter school with respect to meeting the terms of, and expectations set forth in, the school 's charter or performance contract;**

**7) Supporting charter school autonomy while holding charter schools accountable for results and meeting the terms of their charters or performance contracts; and**

**8) Ensuring the continued accountability of charter schools during any transition to new State assessments or accountability systems, including those based on college- and career-ready standards.**

**Strengths:**

CA has demonstrated the ability to provide chartering processes that result in high-quality charter schools and when necessary result in the revocation of charters of under-performing schools (pages 6 - 13, 23 - 25). CDE monitors and provides oversight for 331 authorizers that have varying resources and capacity (page 38 - 41) and proved successful. CA has charter petition elements that incorporate best practices and evidence-based models (page 39).

There are no distinctions made between different types of charter schools. However, virtual charter schools have a maximum award of \$175,000 while classroom and non-classroom based charter schools may receive between \$475,000 and \$600,000. All are expected to identify performance expectations and specify the means by which they will be assessed and report annually. Each charter school has autonomy to set performance targets and demonstrate growth in ways appropriate for the target performance (page 39-40). The autonomy is commendable.

CDE has demonstrated the ability to monitor and provide oversight for authorizers and charter schools through clear policies and procedures guided by 16 elements and clear criteria (pages 6 - 13, 23 - 25).

The most important factor in renewals or revocations is increases in academic achievement for all sub groups served by the charter school (pages 1, 6, 8, 9, 40). This may help improve the quality of charter schools as long as there are new applicants waiting to replace those who have failed.

CDE has a well-developed accountability plan (LCAP) that is updated annually. It also publishes a School Accountability Report Card that is posted online (pages 39-40). The more accessible and up to date the reports are, the more information it provides to parents and the community about high-quality public school choices are available to them.

Charter schools are held to high accountability standards that are assessed annually (pages 1, 6, 8, 9, 40-41). If the assessments used are sound, then the data should be useful feedback for operators and authorizers and selection information for parents and the community.

CDE is in the midst of improving assessment and has redesigned the LCAP evaluation. The transition has resulted in its successful implementation of the new assessments and redesigned LCAP evaluation (page 42). Hopefully, the first year of data can serve as a baseline from which to measure future growth.

**Weaknesses:**

It isn't clear how identified models can improve achievement for educationally disadvantaged students. It would be helpful to have data that shows how different practices and models works for different subgroups of students so that decisions can be made about best practices for each group. It is unclear how the awards for different types of charter school were calculated or how the decisions will be made to award the sub grants to different types of charter schools.

**Reader's Score:** 13

**Selection Criteria - Management Plan and Theory of Action**

**1. The Secretary considers the quality of the management plan and the project 's theory of action. In determining the quality of the management plan and the project s theory of action, the Secretary considers the following factors:**

**1) The quality, including the cohesiveness and strength of reasoning, of the logic model (as defined in 34 CFR 77.1(c)) and the extent to which it addresses the role of the grant in promoting the State-level strategy for using charter schools to improve educational outcomes for students through CSP subgrants for planning, program design, and initial implementation; optional dissemination subgrants; optional revolving loan funds; and other strategies;**

**2) The extent to which the SEA' s project-specific performance measures, including any measures required by the Department, support the logic model; and**

**3) The adequacy of the management plan to --**

**i. Achieve the objectives of the proposed project on time and within budget, including the existence of clearly defined responsibilities, timelines, and milestones for accomplishing project tasks; and**

**ii. Address any compliance issues or findings related to the CSP that are identified in an audit or other monitoring review.**

**Note: The Secretary encourages the applicant to propose a comprehensive management plan and theory of action for assessing the achievement of the objectives, including developing performance measures and performance targets for its proposed grant project that are consistent with those objectives. The applicant should clearly identify the project-specific performance measures and performance targets in its plan and should review the logic model application requirement and performance measures section of this notice for information on the requirements for developing those performance measures and performance targets consistent with the objectives of the proposed project. The applicant may choose to include a discussion of the project-specific performance measures and targets it develops in response to the logic model requirement when addressing this criterion.**

**Strengths:**

The CA strategies and model for improving educational outcomes is coherent, based on successful experiences and the opportunity to learn and improve their work plan in light of past CSP grants. It is also coherent with the overall state plan to provide more school choice and improve all schools (pages 42-43). There is an emphasis on TA that may help recruit applicant groups and build capacity among them and the authorizers. The inclusion of other charter support organizations and divisions of the state into 6 service regions will help broaden the reach and expand the number and types of applicants (pages 42 - 43 & 56). The well-developed system of monitoring and oversight as well as clear criteria for all phases of the start-up and dissemination processes will help assure that the charter schools created and used as models

will be of high quality (pages 43-47). The CDE has used feedback from past evaluations to improve administrative procedures (page 45-47).

The performance measures are clear and appropriate to assess each objective. Academic performance measures are consistent across charter and other public schools so that valid comparisons can be made between them (pages 42-43, Table 5 pages 58-60). In addition to academic measures, important characteristics such as year-to-year retention and EL students reclassified at higher or equal rates as the traditional schools, surveys and annual reports will all add weight to the assessment (Table 5, page 59-60).

The management plan has strong monitoring processes for sub-grantees that are conducted using standardized site monitoring indicators and standard risk criteria (page 52). The large geographic area of California has been divided into 6 regions so that monitors are closer to the schools and able to provide assistance as needed. Failure of the sub grantees to meet expectations will trigger corrective action and TA (page 52). These processes are proactive and likely to prevent some failures.

The CDE has used feedback from past evaluations to improve administrative procedures (page 45-47). The project logic model presented on page 56 is clear and reasonable. In addition the Project Objectives and Performance Measures on Table 5 page 59-60 are specific and measurable.

**Weaknesses:**

The Responsibilities and Timelines in Table 1, page 45 are vague. The activities are specific but the responsibilities and outcomes are difficult to evaluate.

**Reader's Score: 8**

**Selection Criteria - Project Design**

**1. The Secretary considers the quality of the design of the SEA 's charter school subgrant program, including the extent to which the project design furthers the SEA' s overall strategy for increasing the number of high-quality charter schools in the State and improving student academic achievement. In determining the quality of the project design, the Secretary considers the following factors:**

**1) The quality of the SEA' s process for awarding subgrants for planning, program design, and initial implementation and, if applicable, for dissemination, including:**

**i. The subgrant application and peer review process, timelines for these processes, and how the SEA intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-quality charter schools; and**

**ii. A reasonable year-by-year estimate, with supporting evidence, of**

**a) the number of subgrants the SEA expects to award during the project period and the average size of those subgrants, including an explanation of any assumptions upon which the estimates are based; and**

**b) if the SEA has previously received a CSP grant, the percentage of eligible applicants that were awarded subgrants and how this percentage related to the overall quality of the applicant pool;**

**2) The process for monitoring CSP subgrantees;**

**3) How the SEA will create a portfolio of subgrantees that focuses on areas of need within the State, such as increasing student body diversity or maintaining a high level of student body diversity, and how this focus aligns with the State-Level Strategy;**

**4) The steps the SEA will take to inform teachers, parents, and communities of the SEA' s charter school subgrant program; and**

**5) A description of any requested waivers of statutory or regulatory provisions over which the Secretary exercises administrative authority and the extent to which those waivers will, if granted, further the objectives of the project.**

**Strengths:**

CDE has an excellent subgrant application and review process including specific checkpoints and timelines for the sub grant process (pages 47-49). The external peer review process solicits input from a variety of knowledgeable stakeholders: developers, governing boards, operators and authorizers. Based on past experience SBE has in place (2012) standard scoring rubrics that are designed to assure the approval of applications that present “sound fiscal management and rigorous educational programs” (page 48).

CDE provided data from the 2010 - 15 CSP grant that resulted in 530 sub grant applications and 279 awards (page 50). Given this past history, the projected estimate of 215 charter schools to be funded from 2015 to 2018 seems reasonable and doable (Table 3, page 49). The average award size also is appropriate and well justified by past performance, charter school growth trends and the number of authorizers (331) (pages 23- 25, 38).

The management plan has strong monitoring processes for sub-grantees that are conducted using standardized site monitoring indicators and standard risk criteria (page 52). The large geographic area of California has been divided into 6 regions so that monitors are closer to the schools and able to provide assistance as needed. Failure of the sub grantees to meet expectations will trigger corrective action and TA (page 52).

SDE has identified a need to diversify its portfolio of charter school in alignment with the state’s overall strategy by requiring sub grant applicants to address: 1) how their educational program aligns with their community needs; and 2) how they will assure equal access. Grant funding will be higher for the schools that serve a high percentage of educationally disadvantaged students.

According to the application, “a variety of venues” will be used to announce the availability of the start-up grants (page 53-54). Community organizations are cited as one vehicle (page 53).

**Weaknesses:**

It would have been helpful to know how many of the charter sub grants in the last round were awarded to schools that served significant numbers of educationally disadvantaged, students with disabilities and English Learner students in order to see if the SDE was successful at providing funds to support them.

It isn’t clear how charter schools located in communities that have many educationally disadvantaged students will be made aware of the sub grants and assisted in applying for them. Outreach to low-income communities is not well described and could be more intentional in seeking less typical avenues such as churches and community centers.

**Reader's Score: 8**

**Priority Questions**

**Competitive Preference Priority - High-Quality Authorizing and Monitoring Processes**

**Competitive Preference Priority 1: High-Quality Authorizing and Monitoring Processes**

**To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:**

**a) Frameworks and processes to evaluate the performance of charter schools on a regular basis that include--**

**1) Rigorous academic and operational performance expectations (including performance expectations related to financial management and equitable treatment of all students and applicants);**

**2) Performance objectives for each school aligned to those expectations;**

**3) Clear criteria for renewing the charter of a school based on an objective body of evidence, including evidence that the charter school has (a) met the performance objectives outlined in the charter or performance contract; (b) demonstrated organizational and fiscal viability; and (c) demonstrated fidelity to the terms of the charter or performance contract and applicable law;**

**4) Clear criteria for revoking the charter of a school if there is violation of law or public trust regarding student safety or public funds, or evidence of poor student academic achievement; and**

**5) Annual reporting by authorized public chartering agencies to each of their authorized charter schools that summarizes the individual school 's performance and compliance, based on this framework, and identifies any areas that need improvement.**

**b) Clear and specific standards and formalized processes that measure and benchmark the performance of the authorized public chartering agency or agencies, including the performance of its portfolio of charter schools, and provide for the annual dissemination of information on such performance;**

**c) Authorizing processes that establish clear criteria for evaluating charter applications and include a multi-tiered clearance or review of a charter school, including a final review immediately before the school opens for its first operational year; or**

**d) Authorizing processes that include differentiated review of charter petitions to assess whether, and the extent to which, the charter school developer has been successful (as determined by the authorized public chartering agency) in establishing and operating one or more high-quality charter schools.**

**Strengths:**

The CA framework for evaluation and review has well-established processes and mechanisms to assure uniform periodic review and evaluation of charter schools. Monitoring starts at the school level with the creation of a Local Control Accountability Plan (LCAP) that requires opportunities for input from all stakeholders and must be updated annually. See Attachment 1 of the grant application. The template includes goals and specific actions to achieve them. These goals are guided by state priorities and aligned with student outcomes from the state standards, instructional materials and teacher standards. The plan must address each subgroup of students detailed in the CA Education Code. Funding is tied to need. These processes are likely to result in high-quality charter schools.

CA has in place a multi-tiered application and appeal process as well as differential review of applications to start a charter school (pages 10-12). While specific and rigorous criteria are required by statute (page 6), the differential review process allows for flexibility for the authorizer to consider multiple factors which might help to avoid a one-size fits all approach that hasn't worked in the past and allow for creativity and innovation.

As described in Part I, charter schools are granted contracts for up to five years (pages 1 - 3). Renewal processes are clear and require yearly on site visits by the authorizer. One non-negotiable criterion for renewal is increase in student performance (page 8). Specific academic as well as other renewal standards criteria must be met before a charter is renewed. Without verification of rigorous evaluation, the state will not authorize funding. Funding is then tied to verified performance. To assure financial viability charter schools must submit quarterly financial reports and be audited by an independent agency annually. A charter may be revoked by the authorizer at any time according to clear criteria detailed in Education Statutes (pages 3, 9-10). The State Board of Education may also revoke a charter based on fiscal mismanagement or for instructional reasons (page 4). Results of annual evaluations are published in School Accountability Report Cards (page 40-41).

Accountability provisions are clear and appropriate but not sufficient without an opportunity for a charter school to improve. As part of the LCAP, CA has specific strategies for improving student achievement (page 17). If a charter school

needs assistance it may be referred to the California Collaborative for Educational Excellence (page 9).

One objective for the CSP grant is to make sure that authorizers have the capacity and resources to integrate high-quality charter schools into a portfolio of educational options (page 16).

Taken together the processes for application, monitoring and revoking for charter schools are coherent and likely to result in high-quality schools that will address the varied needs of diverse students and contexts throughout the state.

**Weaknesses:**

No weaknesses found.

**Reader's Score: 15**

**Competitive Preference Priority - Authorizer other than LEA or Appeal Process**

**1. Competitive Preference Priority 2: One Authorized Public Chartering Agency Other than a LEA, or an Appeals Process**

To meet this priority, the applicant must demonstrate that the State--

a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

b) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

**Note:** In order to meet this priority under paragraph (b) above, the entity hearing appeal must have the authority to approve the charter application over the objections of the LEA.

**Strengths:**

In addition to LEAs, county and state boards of education can also be initial authorizers (page 13). If a charter is denied at the LEA level, applicants can appeal to the county. The SBE serves as the court of last resort.

**Weaknesses:**

No weaknesses found.

**Reader's Score: 5**

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**Status:** Submitted  
**Last Updated:** 08/05/2015 02:50 PM

Status: Submitted

Last Updated: 08/05/2015 04:19 PM

## Technical Review Coversheet

**Applicant:** Calif. Department of Education for State Board of Education (U282A150010)

**Reader #3:** \*\*\*\*\*

	Points Possible	Points Scored
<b>Questions</b>		
<b>Selection Criteria</b>		
<b>State-Level Strategy</b>		
1. State-Level Strategy	15	13
<b>Sub Total</b>	15	13
<b>Selection Criteria</b>		
<b>Policy Context for Charter Schools</b>		
1. Policy Context	5	4
<b>Sub Total</b>	5	4
<b>Selection Criteria</b>		
<b>Past Performance</b>		
1. Past Performance	10	5
<b>Quality of Plan to Support Ed. Dis. Students</b>		
1. Ed. Dis. Students	15	6
<b>Vision for Growth and Accountability</b>		
1. Growth and Accountability	10	6
<b>Dissemination of Information and Best Practices</b>		
1. Dissemination	10	5
<b>Oversight of Public Chartering Agencies</b>		
1. Oversight of Authorizers	15	14
<b>Management Plan and Theory of Action</b>		
1. Management Plan	10	7
<b>Project Design</b>		
1. Project Design	10	8
<b>Sub Total</b>	80	51
<b>Priority Questions</b>		
<b>Competitive Preference Priority</b>		
<b>High-Quality Authorizing and Monitoring Processes</b>		
1. CPP 1	15	15
<b>Sub Total</b>	15	15
<b>Competitive Preference Pritority</b>		
<b>Authorizer other than LEA or Appeal Process</b>		

1. CPP 2

	5	5
<b>Sub Total</b>	5	5
<b>Total</b>	120	88

# Technical Review Form

Panel #7 - SEA Panel - 7: 84.282A

Reader #3: \*\*\*\*\*

Applicant: Calif. Department of Education for State Board of Education (U282A150010)

## Questions

### Selection Criteria - State-Level Strategy

1. The Secretary considers the quality of the State-level strategy for using charter schools to improve educational outcomes for students throughout the State. In determining the quality of the State-level strategy, the Secretary considers the following factors:

1) The extent to which the SEA 's CSP activities, including the subgrant program, are integrated into the State s overall strategy for improving student academic achievement and attainment (including high school graduation rates and college and other postsecondary education enrollment rates) and closing achievement and attainment gaps, and complement or leverage other statewide education reform efforts;

2) The extent to which funding equity for charter schools (including equitable funding for charter school facilities) is incorporated into the SEA' s State-level strategy; and

3) The extent to which the State encourages local strategies for improving student academic achievement and attainment that involve charter schools, including but not limited to the following:

i. Collaboration, including the sharing of data and promising instructional and other practices, between charter schools and other public schools or providers of early learning and development programs or alternative education programs; and

ii. The creation of charter schools that would serve as viable options for students who currently attend, or would otherwise attend, the State 's lowest-performing schools.

### Strengths:

The applicant lists one of its objectives for charter schools as increasing the number of high quality charter schools serving students in underserved communities. Another of its objectives is to reduce or eliminate the achievement gap for educationally disadvantaged students. Both of these align with the state strategy to differentiate local funding for schools serving educationally disadvantaged students. (p14).

The state restructured the way its funds all public education in 2013 according to a local control funding formula (LCFF) (p2). Under LCFF all schools receive an equal amount of funding per student in the base grant (p15). This provides more equity in funding for charter schools.

The state allows all charter to share in public facilities in Education Code Section 47614 (p17) and provides supplemental funding programs for facilities (p17). This is a more equitable approach to funding facilities.

The state has created a forum for collaboration, My Digital Chalkboard (p18). This allows charter school practitioners and traditional school practitioners to share best practices and resources. The applicant also has a digital library that share professional development opportunities.

**Weaknesses:**

While the applicant has a goal of educating more underserved children, it did not have specific strategies that will increase the number of charter schools educating underserved students.

The applicant does not explicitly state a clear strategy for creating charter schools that are intended to be an option for students who currently attend the State's lowest-performing schools.

**Reader's Score:** 13

**Selection Criteria - Policy Context for Charter Schools**

**1. The Secretary considers the policy context for charter schools under the proposed project. In determining the policy context for charter schools under the proposed project, the Secretary considers the following factors:**

**1) The degree of flexibility afforded to charter schools under the State's charter school law, including:**

**i. The extent to which charter schools in the State are exempt from State or local rules that inhibit the flexible operation and management of public schools; and**

**ii. The extent to which charter schools in the State have a high degree of autonomy, including autonomy over the charter school's budget, expenditures, staffing, procurement, and curriculum;**

**2) The quality of the SEA's processes for:**

**i. Annually informing each charter school in the State about Federal funds the charter school is eligible to receive and Federal programs in which the charter school may participate; and**

**ii. Annually ensuring that each charter school in the State receives, in a timely fashion, the school's commensurate share of Federal funds that are allocated by formula each year, particularly during the first year of operation of the school and during a year in which the school's enrollment expands significantly; and**

**3) The quality of the SEA's plan to ensure that charter schools that are considered to be LEAs under State law and LEAs in which charter schools are located will comply with sections 613(a)(5) and 613(e) (1)(B) of IDEA (20 U.S.C. 1400, et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101, et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).**

**Strengths:**

The state has statutory language, Education Code 47601, that provides charter schools with a high degree of autonomy, including the educational program, budgets, expenditures, staffing and curriculum choice (p20). This provides the school with maximum flexibility in its operations.

The state ensures that all charter schools are informed of federal funding by notifies each charter school once it receives an ID number of the eligible grants and funding opportunities (p20).

State regulations, Educational Code 47641 (a), ensures that charter schools must be compliant with federal laws and that each charter school is its own LEA (p23). ). The applicant ensures these regulations are carried out by requiring charter schools to provide assurances in their charter petitions.

**Weaknesses:**

Funding lags the opening of school by five months (p22). This provides a burden on the school to meet cash flow demands in the months preceding opening when there are salaries to pay and recurring costs incurred that cannot be paid for by CSP funds. A school typically needs a large percentage of its budget much closer to the beginning of operations.

**Reader's Score:** 4

**Selection Criteria - Past Performance**

1. **The Secretary considers the past performance of charter schools in a State that enacted a charter school law for the first time five or more years before submission of its application. In determining the past performance of charter schools in such a State, the Secretary considers the following factors:**
  - 1) **The extent to which there has been a demonstrated increase, for each of the past five years, in the number and percentage of high-quality charter schools (as defined in this notice) in the State;**
  - 2) **The extent to which there has been a demonstrated reduction, for each of the past five years, in the number and percentage of academically poor-performing charter schools (as defined in this notice) in the State; and**
  - 3) **Whether, and the extent to which, the academic achievement and academic attainment (including high school graduation rates and college and other postsecondary education enrollment rates) of charter school students equal or exceed the academic achievement and academic attainment of similar students in other public schools in the State over the past five years.**

**Strengths:**

The applicant states that the percentage of schools in the top decile has remained constant. With the overall number of schools increasing, it must be true that there has been an increase in the actual number of schools in the top decile (p25) over the last five years.

The applicant has demonstrated that there is progress made against poor performing schools. There has been a 33% reduction in the percentage of schools in the bottom decile, and a reduction in the absolute number of schools in the bottom decile, too (chart p24, p25).

The applicant demonstrates that there is an increase in the number of students who are in better schools today than five years ago. There are now 50,000 students who have moved from poor performing schools to high performing schools (p25).

**Weaknesses:**

There has not been an increase in the percentage of schools in the top decile (p25) and there is no clear data for each of the five years. While the overall trend in the quality of schools is positive, there is no clear evidence for this criterion.

The applicant does not provide clear data for each of the five years for the reduction of poor performing schools, as specified in the criterion.

The applicant does not clearly describe the academic achievement and academic attainment for the students in charter schools. It is not clear if charter school students as a whole perform the same or better than other students.

### Selection Criteria - Quality of Plan to Support Ed. Dis. Students

1. The Secretary considers the quality of the SEA 's plan to support educationally disadvantaged students. In determining the quality of the plan to support educationally disadvantaged students, the Secretary considers the following factors:

1) The extent to which the SEA' s charter school subgrant program would--

i. Assist students, particularly educationally disadvantaged students, in meeting and exceeding State academic content standards and State student achievement standards; and

ii. Reduce or eliminate achievement gaps for educationally disadvantaged students;

2) The quality of the SEA 's plan to ensure that charter schools attract, recruit, admit, enroll, serve, and retain educationally disadvantaged students equitably, meaningfully, and, with regard to educationally disadvantaged students who are students with disabilities or English learners, in a manner consistent with, as appropriate, the IDEA (regarding students with disabilities) and civil rights laws, in particular, section 504 of the Rehabilitation Act of 1973, as amended, and title VI of the Civil Rights Act of 1964;

3) The extent to which the SEA will encourage innovations in charter schools, such as models, policies, supports, or structures, that are designed to improve the academic achievement of educationally disadvantaged students; and

4) The quality of the SEA 's plan for monitoring all charter schools to ensure compliance with Federal and State laws, particularly laws related to educational equity, nondiscrimination, and access to public schools for educationally disadvantaged students.

#### Strengths:

The applicant requires charter schools to specify academic goals by subgroup, including educationally disadvantaged students. The charter school must also report on the success of meeting these goals. This focus on setting and measuring goals should help the charter schools target educationally disadvantaged students and have successful outcomes (p26, 27).

The applicant requires charter schools as part of the CSP sub-grant RFA to describe how they will recruit, enroll, and retain disadvantaged students. This requirement will help schools focus on this subgroup of students.

The applicant requires all charters to have assurances that reaffirm compliance with state laws. The applicant also requires charter schools to update the LCAP. These two approaches are strong encouragements for schools to be compliant with all federal and state laws.

#### Weaknesses:

The applicant seems to suggest there is a shift from the last CSP which focused on educationally disadvantaged students to this CSP application which focuses on geographic areas where charter schools are less prevalent, without regard to educationally disadvantaged students (p26). The applicant states in the second paragraph that the CSP will focus on areas with few charter school options, but does not state that those areas must also be serving educationally disadvantaged students.

The applicant does not have any proactive strategies itself to improve attracting, recruiting, retaining, admitting, enrolling, serving, and retaining educationally disadvantaged students. The SEA leaves it completely up to the schools. This does not ensure that the schools are successful in their efforts to recruit, enroll, ad retain educationally disadvantaged students.

While the applicant states that there are innovative schools in the state, it does not present any strategies to encourage innovative schools to apply for authorization or replicate in the state.

The applicant does not present any proactive monitoring strategies to make sure charter schools follow through on their promise to be compliant.

**Reader's Score:** 6

### **Selection Criteria - Vision for Growth and Accountability**

**1. The Secretary determines the quality of the statewide vision, including the role of the SEA, for charter school growth and accountability. In determining the quality of the statewide vision, the Secretary considers the following factors:**

**1) The quality of the SEA' s systems for collecting, analyzing, and publicly reporting data on charter school performance, including data on student academic achievement, attainment (including high school graduation rates and college and other postsecondary education enrollment rates), retention, and discipline for all students and disaggregated by student subgroup;**

**2) The ambitiousness, quality of vision, and feasibility of the SEA' s plan (including key actions) to support the creation of high-quality charter schools during the project period, including a reasonable estimate of the number of high-quality charter schools in the State at both the beginning and the end of the project period; and**

**3) The ambitiousness, quality of vision, and feasibility of the SEA' s plan (including key actions) to support the closure of academically poor-performing charter schools in the State (i.e., through revocation, non-renewal, or voluntary termination of a charter) during the project period.**

**Note: In the context of closing academically poor-performing charter schools, we remind applicants of the importance of ensuring adherence to applicable laws, policies, and procedures that govern the closure of a charter school, the disposition of its assets, and the transfer of its students and student records.**

#### **Strengths:**

The applicant has a system in place that collects data and allows third parties such as Stanford's CREDO Institute and the Charter School Development Center (p30) to conduct thorough and rigorous analysis. CREDO is viewed as a leader in the analysis of charter school information.

The finding of the collection and analysis of data is publically available and can be found on the web sites DataQuest and EdData (p30). The applicant is continually increasing the scope of data that is collected thereby allowing for more analyses (p31).

The applicant has an ambitious goal of creating 300 new schools in the next three years (p30).

The applicant has demonstrated that there has been a vision for reducing poor performing schools (chart p24). There is evidence that there has been a marked reduction in the number of poor performing schools over the last few years.

#### **Weaknesses:**

The applicant is unclear of the feasibility of such an ambitious goal of 300 new schools in 3 years. The last year had 68 new schools (p24) and the shift seems to be to new geographies where there is little school choice. That suggests there is limited latent demand of current operators seeking to expand, and there is no historical success of charters in those

regions to attract and support growth. It is unclear what strategies the applicant will pursue to generate charter school interest in these areas where there has been no interest before.

The applicant does not have an ambitious goal for reducing poor performing schools. It does not provide any measurable goals of either the number or percentage of poor performing that it intends to close.

**Reader's Score:** 6

### **Selection Criteria - Dissemination of Information and Best Practices**

**1. The Secretary considers the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools to each LEA in the State as well as to charter schools, other public schools, and charter school developers (20 U.S.C. 7221b(b)(2)(C) and 7221(c)(f)(6)). If an SEA proposes to use a portion of its grant funds for dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221c(f)(6)(B)), the SEA should incorporate these subgrants into the overall plan for dissemination. In determining the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools, the Secretary considers the following factors:**

**1) The extent to which the SEA will serve as a leader in the State for identifying and disseminating information and research (which may include, but is not limited to, providing technical assistance) about best or promising practices in successful charter schools, including how the SEA will use measures of efficacy and data in identifying such practices and assessing the impact of its dissemination activities;**

**2) The quality of the SEA's plan for disseminating information and research on best or promising practices used by, and the benefits of, charter schools that effectively incorporate student body diversity, including racial and ethnic diversity and diversity with respect to educationally disadvantaged students, consistent with applicable law;**

**3) The quality of the SEA's plan for disseminating information and research on best or promising practices in charter schools related to student discipline and school climate; and**

**4) For an SEA that proposes to use a portion of its grant funds to award dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221a(f)(6)(B)), the quality of the subgrant award process and the likelihood that such dissemination activities will increase the number of high-quality charter schools in the State and contribute to improved student academic achievement.**

#### **Strengths:**

The applicant has served as a leader in the state in disseminating best practices by creating the MyDigitalChalkboard web site. This allows charter school practitioners and traditional school practitioners to share best practices. The applicant will also provide a number of technical assistance workshops to help disseminate best practices. These workshops will address challenging topics such as special populations, EL, and discipline that many teachers are struggling to address successfully (p33).

The applicant demonstrates a strong focus on school climate by awarding priority points for dissemination sub-grants to schools addressing school climate (p36). This is an effective way to encourage applicants to share best practices on this topic.

The applicant will award dissemination grants to schools focused on key criteria of academic achievement for educationally disadvantaged students and school climate (p37). These two topics are essential to high quality charter schools and best practices would help other schools improve in these areas.

**Weaknesses:**

The applicant does not explain how it will use measures of efficacy and data in identifying best practices, nor does it describe how it will assess the impact of its dissemination activities.

The applicant does not present a plan for disseminating best practices of schools that effectively incorporate student body diversity.

The dissemination methods are vague and the distribution channels for dissemination are not defined. It is unclear what a variety of avenues means (p37). This makes it very difficult to assess the likelihood that any dissemination activities will reach their intended audience and contribute to improved student academic achievement.

**Reader's Score: 5**

**Selection Criteria - Oversight of Public Chartering Agencies**

**1. The Secretary considers the quality of the SEA 's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA' s plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA' s plan will ensure that authorized public chartering agencies are --**

**1) Seeking and approving charter school petitions from developers that have the capacity to create charter schools that can become high-quality charter schools;**

**2) Approving charter school petitions with design elements that incorporate evidence-based school models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies with respect to educationally disadvantaged students, consistent with applicable law;**

**3) Establishing measureable academic and operational performance expectations for all charter schools (including alternative charter schools, virtual charter schools, and charter schools that include pre-kindergarten, if such schools exist in the State) that are consistent with the definition of high-quality charter school as defined in this notice;**

**4) Monitoring their charter schools on at least an annual basis, including conducting an in-depth review of each charter school at least once every five years, to ensure that charter schools are meeting the terms of their charter or performance contracts and complying with applicable State and Federal laws;**

**5) Using increases in student academic achievement as one of the most important factors in renewal decisions; basing renewal decisions on a comprehensive set of criteria, which are set forth in the charter or performance contract; and revoking, not renewing, or encouraging the voluntary termination of charters held by academically poor-performing charter schools;**

**6) Providing, on an annual basis, public reports on the performance of their portfolios of charter schools, including the performance of each individual charter school with respect to meeting the terms of, and expectations set forth in, the school 's charter or performance contract;**

**7) Supporting charter school autonomy while holding charter schools accountable for results and meeting the terms of their charters or performance contracts; and**

**8) Ensuring the continued accountability of charter schools during any transition to new State assessments or accountability systems, including those based on college- and career-ready standards.**

**Strengths:**

The applicant successfully assists the local authorizers with approving charters by providing a clear description of the 16 elements required for charter school approval. These consistent and well defined elements make it clear for authorizers to

approve high quality schools. The power of the applicant's appeals process also keeps local authorizers from denying high quality charter operators.

There are 16 elements charter school applicants must address include describing a sound educational program based on evidence of successful school models and practices. These same elements require the charter school applicant to identify the measurable objectives and allow the local authorizer to determine if the school has objectives that align with high quality schools. This also ensures that the approved schools will be of high quality.

The applicant provides a monitoring and reporting tool, the LCAP (p39,40), that assists local authorizers in ensuring the charter school is meeting its terms and conditions and helping to determine if the school should be renewed or revoked. The LCAP is heavily weighted on student achievement. This LCAP is also used for providing annual reports to the public. This tool is an invaluable means of assisting local authorizers. The SEA holds accountable the local authorizers to faithfully monitor charter schools through its power of revocation or approval appeals. A local authorizer does not want the SEA to overrule its decisions based on faulty monitoring and, therefore, will use the LCAP to avoid the SEA stepping in.

The applicant has statutory language, Education Code 47601, (p41) that assists local authorizers in giving schools autonomy. This language and the power of the appeals process also holds local authorizers accountable if they were to not provide autonomy.

The applicant also has regulatory language, Education Code 52052(e)(4), to cover the transition to new assessments (p42). This language and the power of the appeals process also holds local authorizers accountable if they were to deviate from the law during the transition of assessment systems.

#### **Weaknesses:**

The applicant does not present any strategies to assist local authorizers in seeking high quality charter school applicants.

**Reader's Score: 14**

#### **Selection Criteria - Management Plan and Theory of Action**

**1. The Secretary considers the quality of the management plan and the project 's theory of action. In determining the quality of the management plan and the project s theory of action, the Secretary considers the following factors:**

**1) The quality, including the cohesiveness and strength of reasoning, of the logic model (as defined in 34 CFR 77.1(c)) and the extent to which it addresses the role of the grant in promoting the State-level strategy for using charter schools to improve educational outcomes for students through CSP subgrants for planning, program design, and initial implementation; optional dissemination subgrants; optional revolving loan funds; and other strategies;**

**2) The extent to which the SEA' s project-specific performance measures, including any measures required by the Department, support the logic model; and**

**3) The adequacy of the management plan to --**

**i. Achieve the objectives of the proposed project on time and within budget, including the existence of clearly defined responsibilities, timelines, and milestones for accomplishing project tasks; and**

**ii. Address any compliance issues or findings related to the CSP that are identified in an audit or**

other monitoring review.

**Note:** The Secretary encourages the applicant to propose a comprehensive management plan and theory of action for assessing the achievement of the objectives, including developing performance measures and performance targets for its proposed grant project that are consistent with those objectives. The applicant should clearly identify the project-specific performance measures and performance targets in its plan and should review the logic model application requirement and performance measures section of this notice for information on the requirements for developing those performance measures and performance targets consistent with the objectives of the proposed project. The applicant may choose to include a discussion of the project-specific performance measures and targets it develops in response to the logic model requirement when addressing this criterion.

**Strengths:**

The applicant provides a logic model that is comprehensive and includes inputs from all participants in the state strategy. The activities have clear measures and the outcomes are aligned with the state and CSP strategy (p56).

The performance measures in the logic model and also in the table on page 60 address the outcomes in the logic model. For example, the measure of an increase in the number of high quality charter schools (#1a, p59) supports the growth in charter schools listed in the logic model.

The applicant provides a management plan that is clear with respect to timeline and budget. For those tasks that are assigned to qualified staff members, the responsibilities are clear and adequate. The plan demonstrates confidence that these activities will be achieved.

The applicant has demonstrated that it addresses any compliance issues through its response to the WestEd CSP monitoring Report of 2013. The applicant made a number of improvements to its administrative procedures in reaction to the review, including developing more monitoring instruments and implementing a formal training program for site visits.

**Weaknesses:**

The lack of a one-to-one relationship of the inputs to the outputs and outcomes makes the logic model difficult to follow. It is unclear which of the measurable outputs and outcomes align with activities that are related to the CSP as opposed to activities of other state participants. This lack of alignment in the logic model makes it difficult to determine its strength of reasoning.

There is some discrepancy in the performance measures and the logic model. The number of dissemination grants in the performance measures (20 awards in #3a) differs from the logic model (10 awards).

The management plan relies on a number of consultants who are not identified (p45). There is risk in quality control with consultants, especially if they are new to this process. There is no discussion about hiring contractors and therefore, these activities that are assigned to the numerous consultants contain a higher risk of not being completed on time or to the desired level of quality.

**Reader's Score:** 7

**Selection Criteria - Project Design**

The Secretary considers the quality of the design of the SEA 's charter school subgrant program, including the extent to which the project design furthers the SEA' s overall strategy for increasing the number of high-quality charter schools in the State and improving student academic achievement. In determining the quality of the project design, the Secretary considers the following factors:

1) The quality of the SEA' s process for awarding subgrants for planning, program design, and initial implementation and, if applicable, for dissemination, including:

i. The subgrant application and peer review process, timelines for these processes, and how the SEA intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-quality charter schools; and

ii. A reasonable year-by-year estimate, with supporting evidence, of

a) the number of subgrants the SEA expects to award during the project period and the average size of those subgrants, including an explanation of any assumptions upon which the estimates are based; and

b) if the SEA has previously received a CSP grant, the percentage of eligible applicants that were awarded subgrants and how this percentage related to the overall quality of the applicant pool;

2) The process for monitoring CSP subgrantees;

3) How the SEA will create a portfolio of subgrantees that focuses on areas of need within the State, such as increasing student body diversity or maintaining a high level of student body diversity, and how this focus aligns with the State-Level Strategy;

4) The steps the SEA will take to inform teachers, parents, and communities of the SEA' s charter school subgrant program; and

5) A description of any requested waivers of statutory or regulatory provisions over which the Secretary exercises administrative authority and the extent to which those waivers will, if granted, further the objectives of the project.

#### **Strengths:**

The subgrant application process is flexible to account for the various authorizers across the state (p48). This will ensure high quality applicants to qualify for the grant even if there local authorizer has an application deadline late in the year. The peer review process is attracting a pool of high quality reviewers (p48).

The applicant uses an existing monitoring tool (the LCAP) to monitor the sub-grantees. This reduction in paperwork for the school can result in a higher compliance rate by schools and a more effective monitoring program. For schools that require a site visit, the applicant has a clearly defined 12 indicator site monitoring instrument (p52). This ensures a quality site monitoring process.

The applicant aims to create a portfolio of sub-grantees that focus on serving educationally disadvantaged students. It does so by providing more funding to schools serving high-need students.

The applicant will inform teachers, parents, and communities of the subgrant program though a dedicated funding page on their website.

CDE did not seek any CSP waivers in this application

#### **Weaknesses:**

The estimate on the number of expected charter schools (100 per year) (p49) and the number of grants (75 in Year 1) (chart p49) is not aligned with the number of new schools opening this current year (68) (p24). It is challenging to find this number to be a reasonable year-by-year estimate without any supporting strategies that will drive up the number of applicant from previous years.

The applicant does not have a well-defined strategy to increase the number of charter school applicants in areas with a limited number of school choice options. This lack of a plan may hamper the growth of charter schools, including those serving educationally disadvantaged students.

## Priority Questions

### Competitive Preference Priority - High-Quality Authorizing and Monitoring Processes

#### 1. Competitive Preference Priority 1: High-Quality Authorizing and Monitoring Processes

To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

a) Frameworks and processes to evaluate the performance of charter schools on a regular basis that include--

1) Rigorous academic and operational performance expectations (including performance expectations related to financial management and equitable treatment of all students and applicants);

2) Performance objectives for each school aligned to those expectations;

3) Clear criteria for renewing the charter of a school based on an objective body of evidence, including evidence that the charter school has (a) met the performance objectives outlined in the charter or performance contract; (b) demonstrated organizational and fiscal viability; and (c) demonstrated fidelity to the terms of the charter or performance contract and applicable law;

4) Clear criteria for revoking the charter of a school if there is violation of law or public trust regarding student safety or public funds, or evidence of poor student academic achievement; and

5) Annual reporting by authorized public chartering agencies to each of their authorized charter schools that summarizes the individual school's performance and compliance, based on this framework, and identifies any areas that need improvement.

b) Clear and specific standards and formalized processes that measure and benchmark the performance of the authorized public chartering agency or agencies, including the performance of its portfolio of charter schools, and provide for the annual dissemination of information on such performance;

c) Authorizing processes that establish clear criteria for evaluating charter applications and include a multi-tiered clearance or review of a charter school, including a final review immediately before the school opens for its first operational year; or

d) Authorizing processes that include differentiated review of charter petitions to assess whether, and the extent to which, the charter school developer has been successful (as determined by the authorized public chartering agency) in establishing and operating one or more high-quality charter schools.

#### Strengths:

The applicant has a framework that includes a list of 16 required elements for a charter application (p6). This is a comprehensive and rigorous list of performance expectations that should lead to high quality authorizing.

The applicant requires each charter application to adhere to a set of Measurable Performance Objectives (p7) and the applicant has performance measures in their new LCAP (p2). These are aligned to the performance expectations. This should lead to high quality authorizing.

The applicant has clear renewal criteria that meet or exceed the federal requirements (p1) and the applicant uses academic achievement as the most important factor in charter renewals (p1). This should lead to high quality authorizing.

The applicant can revoke a charter even if it is not the authorizer (p3) for failure to meet the performance objectives and other clearly identified reasons.

The applicant allows authorizers to differentiate the review process for established charter schools that have a record of

success (p12).

**Weaknesses:**

None identified

**Reader's Score:** 15

**Competitive Preference Priority - Authorizer other than LEA or Appeal Process**

**1. Competitive Preference Priority 2: One Authorized Public Chartering Agency Other than a LEA, or an Appeals Process**

To meet this priority, the applicant must demonstrate that the State--

a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

b) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

**Note:** In order to meet this priority under paragraph (b) above, the entity hearing appeal must have the authority to approve the charter application over the objections of the LEA.

**Strengths:**

The applicant allows counties to be authorizers instead of the LEAs (13). It also has an appeals process at the state level (p13).

**Weaknesses:**

None identified

**Reader's Score:** 5

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**Status:** Submitted

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