



**LAPCS**

**LOUISIANA ASSOCIATION  
OF PUBLIC CHARTER SCHOOLS**

# Charter Schools: A Toolkit for Parish School Boards

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# How to Use This Toolkit

The mission of the Louisiana Association of Public Charter Schools (LAPCS) is to support, promote, and advocate for the Louisiana charter school movement, increasing student access to high quality public schools statewide. Charter school quality is directly correlated to authorizer quality, and thus, LAPCS seeks to be a trusted source for authorizers seeking to manage their portfolio of schools well.

This toolkit is meant to be used in tandem with the National Association of Charter School Authorizers' (NACSA's) "Principles & Standards for Quality Charter School Authorizing" guide. Louisiana's charter law requires authorizers to abide by NACSA's Principles & Standards when conducting the application process. However, much of what NACSA lays out in its guide is best practice for authorizers at all stages of authorization. Therefore, in this toolkit, we've both reiterated the NACSA standards and included additional Louisiana-specific information and resources.

We also highly encourage authorizers to thoroughly read through the Charter School Demonstration Programs Law (Charter Law), as well as [Bulletin 126](#)—the state policies that govern charter schools. In addition, authorizers should work with their legal counsel to ensure that all contracts, policies and practices put in place by the authorizer are legal and sound.

Finally, it is important to note that this toolkit is simply a guide. Quality authorizing isn't a "one size fits all" endeavor. Different authorizers will have varying circumstances and diverse charter school portfolios, and thus different needs. Fortunately, there are many resources available to authorizers and we hope that authorizers will take advantage of them.

All the best,

The LAPCS Team

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# Chapter 1

## What Are Charter Schools?

Charter schools are public schools. They do not charge tuition, and they must accept all students that apply. Charter law requires that students be admitted via a random lottery drawing if there are more students that apply than there are available seats.

In Louisiana, charter schools are managed by nonprofit boards which are held accountable to high academic, financial, and operational standards by an authorizer via a performance contract. If a charter school does not meet these standards, the authorizer has a responsibility to hold the organization accountable and can ultimately decide to revoke the contract and close the school.

### Charter School Types

There are currently five different types of charter schools in Louisiana, though the law actually allows for seven different types. The following chart summarizes how each differs by authorizer, as well as by whether the school is new or a conversion.

As of 2013-14, the overwhelming majority of charter schools (59 schools) are Type 5 charter schools—schools that were considered academically failing and taken over by the state via the Recovery School District (RSD). The RSD then entered into charter agreements with high-quality charter organizations to operate these schools. BESE is considered the authorizer. Each school is considered its own local education agency (LEA).

BESE also authorizes Type 2 charter schools. Currently, 24 of these charter types operate in Louisiana. Type 2 charter schools can be new, or they may be traditional schools that have chosen to convert into charter schools. Each school is considered its own LEA.

Both Type 1 and Type 3 charter schools are authorized by local school boards (33 schools). While they have autonomous nonprofit boards, they are still considered part of a local district and are not their own LEAs. Type 4 charter schools (there is only one Type 4 school) are schools that are operated by a local school board and authorized by BESE.

Type	Authorizer	Contract	Start-Up vs. Conversion	Admissions
<b>1</b>	Local school board	Local school board + nonprofit board	Start-up	At-risk percentage requirements; may have admission reqs consistent with mission
<b>1B</b>	Local charter authorizer	Local charter authorizer + nonprofit board	Either	May have admission reqs consistent with mission
<b>2</b>	BESE	BESE + nonprofit board	Either	At-risk percentage requirements; may have admission reqs consistent with mission
<b>3</b>	Local school board	Local school board + nonprofit board	Conversion	May have admission reqs consistent with mission
<b>3B</b>	Local school board (with financial oversight from BESE)	Local school board + nonprofit board	Conversion	Open enrollment only
<b>4</b>	Local school board + BESE	BESE + local school board	Either	At-risk percentage requirements; may have admission reqs consistent with mission
<b>5</b>	BESE	BESE + nonprofit board	Conversion*	Open enrollment only

Type 1B charter schools are authorized by a local charter authorizer (LCA). Currently, there are no LCAs and thus, no Type 1B charter schools exist. Type 3B charter schools are former Type 5 charter schools that transfer from the RSD back to the jurisdiction of a local school system. As of yet, no Type 5 charter schools have opted to return to local control and become 3B charters.

## Chapter

## 2

## What Is the Role of the Authorizer?

An authorizer is an entity responsible for granting charters to operators and overseeing charter school performance. In Louisiana, local school boards, local charter authorizers (LCA), and the Board of Elementary and Secondary Education (BESE) are allowed to authorize charter schools.

By law, authorizers in Louisiana are required to abide by the principles and standards set out by the National Association of Charter Schools Authorizers (NACSA).

- The principles of responsible charter authorizing are threefold:
- Maintain high standards for schools
- Uphold school autonomy
- Protect student and public interests

Authorizers should find the balance of ensuring quality oversight while preserving school-level autonomy. While that can be a complex task, authorizers can achieve this goal by focusing on the standards for quality charter school authorizing:

- Foster excellent schools that meet identified needs, clearly prioritize a commitment to excellence in education and authorizing practices, and create effective and efficient organizational structures
- Implement a comprehensive, fair, and transparent application process
- Execute performance contracts with charter schools that articulate the responsibilities of both the operator and the authorizer as it relates to autonomy, funding, administration, oversight, performance metrics, and performance consequences
- Consistently conduct contract oversight that evaluates performance and monitors compliance and performance
- Designs and implements a transparent, rigorous process that uses performance data to make fair renewal and revocation decisions

Of course, this is easier said than done in practice. This guide should help operationalize the NACSA standards, giving authorizers more guidance on how to not only comply with law, but also giving more high-quality public school options to families.

## Agency Commitment & Capacity

### *Planning & Commitment to Excellence*

Quality authorizing is not accidental. Without taking time to purposefully create policies, processes, and practices that specifically focus on charter school oversight, authorizing cannot be done effectively and efficiently.

Of course, this means that authorizers must find the resources to conduct said quality oversight. To address this need, Louisiana state law allows authorizers to charge up to a two percent administrative fee (2% of the total per pupil amount—does not apply to federal money or grants). If charged, the fee must be withheld from the per pupil amount in monthly increments. The fee is meant to cover costs incurred by the chartering authority for:

- Charter application process
- Monitoring and oversight of authorized charter schools
- Collecting and analyzing charter school data
- Reporting on charter school performance

At least 30 days before each fiscal year, authorizers must provide each of its charter schools with a budget detailing anticipated administrative costs and planned usage for any administrative fees charged. Then, by no later than 90 days following the end of each fiscal year, each charter school must be provided an itemized accounting of all administrative costs charged, including the actual cost of each purchased service provided to the charter school (if applicable).

### *Human Resources*

While not mandatory, authorizers should strongly consider enlisting experts and leaders to help address the areas essential to charter school oversight. Some authorizers choose to employ “charter liaisons” in each of their existing offices or divisions, while other authorizers choose to create special offices to address their portfolio needs, such as charter school issues. Either way, it is important for leadership and staff to commit to regular professional development to maintain high standards of professional authorizing practices.

### *Financial Resources*

Again, authorizers are not expected to fulfill their authorizing responsibilities free of charge. Both bond debt and up to a two percent admin fee can be withheld from charter schools’ per pupil funding. In addition, if charters choose to contract with an authorizer for certain services (such as food or transportation), the charter is obligated to pay for these services at cost. However, the charter school should be billed for such services since service payments are not an allowable expense from the MFP.

Authorizers should be careful to structure their funding in a way that avoids conflicts of interest and or compromises in judgment as it relates to charter approval and accountability decision-making.

## Chapter

## 3

## Application Process and Decision-Making

### *Proposal Information, Questions, and Guidance*

Charter law requires authorizers to review and formally act upon each charter proposal received within the timeline established by BESE. Authorizers, by law, are required to provide for an independent evaluation of charter proposals by an independent, third party with educational, organizational, legal, and financial expertise. In addition, potential authorizers are required to use the state-approved “common application” as the minimum evaluation metric for applicants (see Appendix A). In conducting reviews of applications, authorizers, via the independent evaluator(s), must determine if each proposed charter:

- Complies with all rules and laws
- Is valid and complete
- Is financially well-structured
- Meets educationally sound standards
- Provides for a master plan for improving behavior and discipline

Authorizers should encourage and welcome proposals from diverse charter groups, including first-time applicants, existing operators, and groups with unique educational philosophies and approaches. Remember, children have diverse needs and it behooves educational systems to have a multitude of options to fit those needs.

### *Fair, Transparent, Quality-Focused Procedures*

The charter application process should be transparent and clear. As previously mentioned, the state mandates that all authorizers use the LDE’s common charter application as the minimum required for applying for a charter. Potential authorizers have the legal obligation to post the application, along with any other required application materials to its website, and in printed form upon request. In addition, the authorizer must also make the following available to the public through its website:

- The timelines established for accepting and reviewing charter proposals (must be in line with the [state’s timeline windows](#))
- The process the authorizer board will use to review all proposals
- The name and contact information for a primary point of contact for charter proposals

At a minimum, via the state-approved timeline windows through which authorizers can accept charter applications, authorizers are afforded 90 days to evaluate applications. Within 90 days, the authorizer board must notify applicants of its final decision regarding their applications. If an authorizer denies a charter proposal, it must give a written explanation. Failure to comply with these rules allows charter applicants to bypass the district and apply directly to the state.

### ***Rigorous Approval Criteria***

The authorizer and the independent evaluator(s) should agree on rigorous rubrics and metrics to evaluate the quality of charter applications. NACSA provides strong resources for authorizers or independent evaluators interested in guidance and best practices for approval criteria at [www.qualitycharters.org](http://www.qualitycharters.org).

While different authorizers may have different approval criteria, the goal for all should be to consistently and fairly evaluate an applicant's capacity to operate a successful and sustainable environment of learning for students.

### ***Rigorous Decision Making***

Charters should only be granted to applicants that have demonstrated competency and capacity to excel in all aspects of approval criteria. It is highly recommended that in addition to a review of the written proposal, the independent evaluator and/or authorizer also conduct a substantive in-person interview with the applicant(s).

Authorizers may contract with evaluators of their choosing. Some authorizers seek individual consultants who or organizations that specialize in charter application evaluation, while others may build evaluation teams from individuals with relevant expertise. Regardless of who an authorizer chooses to evaluate charter proposals, it is important that the application review process and decision making are free of conflicts of interest. Full disclosure of any potential or perceived conflicts of interest between reviewers, decision-makers and applicants is required.

## Performance Contracting

The charter contract is the indispensable agreement between an authorizer and a charter operator, separate from the charter application, which establishes how the school will be held accountable. It is a legally binding document and according to NACSA, it should “articulate the rights and responsibilities of each party regarding school autonomy, funding, administration and oversight, outcomes, measures for evaluating success or failure, performance consequences, and other material terms.” Examples of charter contract templates can be found in Appendix B.

### *Contract Term, Negotiation, and Execution*

In Louisiana, approved charter schools must be granted an initial operating term of four years and may be extended for a maximum initial term of five years, contingent upon a comprehensive review in the school’s fourth year of operation. After the initial term, charters can be renewed for additional periods of three to ten years, following another comprehensive review.

The criteria and procedures that will be used when considering whether to extend or renew a charter must be provided by the authorizer to the operator. A charter school cannot be renewed unless the charter can demonstrate improvement in academic performance, using standardized test scores.

Any charter school which has met or exceeded the benchmarks established for it, demonstrated growth in student achievement for the three preceding school years, and has no significant audit findings during the term of the charter agreement must be given an automatic renewal.

In years of extension or renewal, the authorizer must notify the charter operator in writing of any decisions regarding renewal or nonrenewal by January 31st (in the year in which the charter would expire). If an authorizer chooses not to renew an operator’s contract, the authorizer must provide a written explanation.

The authorizer may also require the operator to meet certain “pre-opening” requirements before being allowed to receive public funds and students. Best practice suggests such pre-opening requirements should be explicitly stated in the contract. For examples of the pre-opening process some authorizers require, see Appendix C.

After approval, a school charter may be amended by the school’s authorizer by an affirmative vote of the majority. Some authorizers, such as BESE, define and differentiate between material amendments (amendments that substantially affect the charter contract and thus require approval by the state, and non-material amendments) amendments that do not have a substantive effect on the school’s operations or contract and simply require notification. For a list of BESE’s definition of material vs. non-material amendments, see Appendix D.

### *Rights and Responsibilities*

A quality charter contract should outline the rights and responsibilities of both the school and the authorizer. Beforehand, authorizers may want to consider discussing what the contract will entail with a charter school’s board to work through the expectations each party has regarding roles and responsibilities to “avoid any surprises.” This is especially true since charter law allows a charter organization to appeal to BESE to become a Type 2 charter school if they find the terms of their contract unacceptable.

All charter contracts should clearly state some basics, such as:

- The autonomies to which schools will be entitled, including but not limited to all statutes, waivers, and policies relating to a charter school's authority over educational programming, staffing, budgeting, etc.
- Definitions of performance standards, criteria, and conditions for renewal, intervention, revocation, and non-renewal, while also laying out the consequences for meeting or not meeting said standards
- All statutory, regulatory, and procedural terms and conditions for the school's operation
- Reasonable pre-opening requirements or conditions for new schools to ensure that they meet all health, safety, and other legal requirements prior to opening and are prepared to open smoothly
- The responsibility and commitment of the school to adhere to essential public education obligations, including admitting and serving all eligible students so long as space is available, and not expelling or counseling out students except pursuant to a legal discipline policy approved by the authorizer
- The responsibilities of the school and the authorizer in case of school closure
- An explicit list of any fee-based services that the authorizer provides and clarity that the purchasing such services is not a condition of charter approval, continuation, or renewal

### *Performance Standards*

Performance standards are the heart of the charter contract. It is absolutely essential to ensure that the charter contract plainly do the following:

- Establish the performance standards under which schools will be evaluated, using objective and verifiable measures of student achievement as the primary measurement of school quality
- Define clear, measurable, and reasonable academic, financial, and organizational performance standards and targets that the school must meet as a condition of renewal, including but not limited to state and federal measures. For guidance in establishing performance standards, see Box 3 of NACSA's [Principles & Standards for Quality Charter School Authorizing](#).
- Include expectations for appropriate access, education support services, and outcomes for students with disabilities
- Define the sources of academic data that will form the evidence base for ongoing and renewal evaluation, including state-mandated and other standardized assessments, etc.
- Define the sources of financial data that will form the evidence base for ongoing and renewal evaluation, grounded in professional standards for sound financial operations and sustainability
- Define the sources of organizational data that will form the evidence base for ongoing and renewal evaluation, focusing on fulfillment of legal obligations, fiduciary duties, and sound public stewardship
- Include clear, measurable performance standards to judge the effectiveness of alternative schools, if applicable

### *Provisions for Education Service or Management Contract (if applicable)*

For any school that contracts with an external provider for education design, operation, and/or management, the authorizer should include additional contractual provisions that ensure rigorous, independent contract oversight by the charter's board and the school's financial independence. The authorizer should also review the proposed education service provider to be sure that it meets all legal and policy requirements.

## Chapter

## 4

## Ongoing Oversight & Evaluation

### *Performance Evaluation and Compliance Monitoring*

A good authorizer consistently and fairly evaluates the academic, financial, and operational performance of its charter schools and monitors their compliance. In addition, there should be clear consequences, as well as pathways for correcting failures to meet benchmarks for performance.

While it is up to the authorizer how to best oversee and evaluate their portfolio, it is best practice to define and communicate performance expectations and compliance requirements via a performance management rubric of sorts, often known as a Performance Framework. Authorizers can use a combination of desk audits, school visits, and existing reports and audits to gather data for annual evaluations.

Performance Frameworks benefit both authorizers and schools and are in the interest of both parties to develop. Having a Framework promotes transparency and objectivity in authorizing and protects school autonomy. They enable charter school performance contracting to function as intended by providing both charter schools and authorizers with clarity about expected outcomes, objective evidence of achievement, and a comprehensive tool for evaluating results. NACSA states that Frameworks:

*Promote transparency and objectivity by putting the authorizer on record and schools, parents, stakeholders, and the public on notice about the performance standards that will be used to evaluate whether or not a school is successful and is living up to its end of the charter bargain. The frameworks help to establish expectations at the beginning of the school's operation so that there will be no surprises when a school is held accountable for meeting them over the course of the charter term and at renewal. The frameworks protect school autonomy by clarifying through mutual agreement and in objective terms the performance data the authorizer will collect and the outcomes that it expects and will evaluate. The frameworks help to establish the boundaries of the parties' relationship and define the rights and responsibilities of both the charter school and the authorizer.*

NACSA provides a model charter school oversight document for authorizers known as the [Core Performance Framework and Guidance](#). Theirs was created as part of the Performance Management, Replication, and Closure (PMRC) project. They researched best practices in Performance Frameworks among seven model authorizers and used the findings along with research from other education institutions, charter school funding organizations, and analysis of common state laws to develop it.

The three areas of performance covered by the Framework—academic, financial, and organizational—correspond directly with the three components of a strong charter school application, the three key areas of responsibility outlined in strong state charter laws and strong charter school contracts, and are the three areas on which a charter school’s performance should be evaluated.

As an authorizer, BESE--through the Louisiana Department of Education (LDE) and the Recovery School District (RSD)--also uses a Performance Framework. Theirs is known as the [Charter Performance Compact](#). The Compact is the rubric the state uses to measure the performance of the charter schools in its portfolio. Similar to NACSA’s framework, the Compact focuses on academic, financial, and organizational performance. While there may be other general rules charters are obligated to follow, the LDE and RSD focus their efforts on the Compact’s measures as those are the ones they have deemed key indicators of performance and school health.

### *Respecting School Autonomy*

While it is important for authorizers to collect the information and data they need to measure school performance, the authorizer should try to do it in a manner that minimizes administrative burdens on the school. Remember: charters receive autonomy and flexibility in their day-to-day operations in exchange for high accountability. Thus, authorizers should refrain from interfering with a school’s operations or decisions.

### *Protecting Student Rights*

One of the top priorities for both charter schools and authorizers should be to ensure that the rights of all students are being protected. Barriers to entry and unfair admission processes, failure to provide special education services, and counseling students out are inappropriate behaviors and should not be tolerated by authorizers of any school in their portfolio, including charters.

### *Admissions Process*

If there are available seats, charter schools are required to accept all eligible students who have applied to that school. For charter schools where the applications outnumber the available seats, a random selection process should take place to fill seats. Charter law allows some selection preferences, such as for siblings and for mission-specific criteria. For more information regarding criteria and weighted lotteries, please see Appendix E.

### *Special Education and Special Populations*

Type 1 and Type 3 charter schools are not their own Local Education Agencies (LEAs). By law, the authorizer (the school district) is the LEA and thus responsible for ensuring that all federal and state guidelines, including the Individuals with Disabilities Education Act (IDEA), are being met. Charter schools are not allowed to turn away or counsel out students, and should be particularly sensitive to meeting the needs of students with disabilities and students with special needs, such as English language learners.

However, it is essential for the roles and responsibilities of all parties involved in serving special education and special population students to be crystal clear. This includes understanding how dollars for special education can flow. For guidance from the Louisiana Department of Education regarding

the role and responsibilities of the district versus the charter as it relates to special education, please see Appendix F.

### ***Discipline Policies***

A quality authorizer should ensure that all of its schools, including its charter schools, are abiding by legal and fair disciplinary policies. Students should have due process rights and no child should be expelled or counseled outside of a formal, just process.

### ***Intervention***

No one should be caught off guard by consequences. As an authorizer, it is important to establish intervention policies from the outset. The general conditions that may trigger intervention and the types of actions and consequences associated with these conditions should be clearly states and made known to charter schools.

If a charter takes an action that requires an intervention, the authorizer should give the school clear, adequate, evidence-based and timely notice. Schools should be allowed reasonable opportunity for remediation in non-emergency situations.

Authorizers differ in their intervention strategies, as well as in the consequences they provide. The LDE utilizes an “intervention ladder” for their authorized charters. To see this ladder and the associated consequences, please see their [Performance Compact](#).

### ***Public Reporting***

By law, each chartering authority shall report to the state board on the number of schools chartered, the status of those schools, and any recommendations by July first of each year.

In addition, the authorizer should consider publishing an annual report that provides, clear, accurate data regarding each of its charter schools.

## Chapter

## 5

## Revocation and Renewal Decision Making

A quality authorizer designs and implements a transparent and rigorous process, using academic, financial, and contractual performance data to make informed, evidence-based renewal decisions. Authorizers must also have the political fortitude to revoke and close charters when necessary to protect the interests of students and the public.

### *Revocation*

An authorizer may revoke a charter school's contract before the charter completes its outlined term, if a) it fails to meet agreed-upon academic results as specified in the charter, or b) the authorizer determines that the health, safety, and welfare of students is at risk.

Authorizers are highly encouraged to include due process procedures as they create policies regarding charter revocation.

### *Renewal Decisions Based on Merit and Inclusive Evidence*

Renewal decisions should be based on comprehensive data and evidence defined by the performance framework in the charter contract.

Unless revoked, approved charter schools must be authorized for an initial term of four years which can be extended to a maximum term of five years. After the initial term, the charter may be renewed for no less than three years and no more than ten years based on the charter's performance. The chartering authority shall notify the chartering group in writing of any decisions made relative to the renewal or nonrenewal of a school's charter not later than January 31st of the year in which the charter would expire. A notification that a charter will not be renewed must include written explanation of the reasons for such non-renewal.

Renewal decisions should not be based on political or community pressure, and by law, no charter is allowed to be renewed if there is no academic improvement (must be demonstrated by standardized test scores).

### *Cumulative Report and Renewal Application*

Renewal decisions must be made by January 31st of the year in which the charter school would otherwise expire. Before any renewal decision is made, it is best practice to provide each school a

cumulative performance report.

The report should include:

- A summary of the school’s performance record over the charter term
- A statement from the authorizer regarding any findings concerning the school’s performance and its prospects for renewal

The school should be allowed to respond to this report and correct the record if needed. NACSA also recommends requiring schools to apply for renewal through a renewal application, which could then serve as the vehicle for responding to the authorizer’s cumulative performance report.

### *Fair, Transparent Process*

Louisiana charter law requires that notification be given in writing to any charter that will not be renewed. The authorizer must include a written explanation of the reasons for non-renewal. This communication needs to be prompt and clear. The authorizer should also explain in writing any available rights of legal or administrative appeal through which a school may challenge the authorizer’s decision.

### *Closure*

Authorizers must be prepared for possible school closures. There should be policy that clearly outlines the closure protocol, including how to ensure timely notification to parents; the orderly transition of records; and the disbursement of school funds, property, etc.

For the LDE school closure protocol, see Appendix G.

## **Need More Help?**

Becoming a quality authorizer requires hard work, a commitment to excellence, and a willingness to be open to new ideas. Don’t ever be afraid to ask for help. The Louisiana Association of Public Charter Schools is happy to be of service. We can connect you to a variety of resources.

In addition, we highly recommend the National Association of Charter School Authorizers (NACSA) as a top-notch resource. You can actually join their organization as a member, connecting your district to a wide array of benefits, tools, data, educational opportunities, and discounted programs designed to assist you in overseeing your charter schools.

**APPENDIX A**

Louisiana Charter Application

# Louisiana Believes

## **Louisiana Charter Application**

John White

State Superintendent of Education

December 5, 2013

## Everything You Need to Know to Complete a Louisiana Charter Application

### ***How do I know if I am eligible to submit a charter application?***

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- Any organization or individual may become eligible to submit a Louisiana charter application by meeting specific eligibility requirements.
- The Department has published on its website a set of [common eligibility requirements](#) that all applicants must complete. Local school boards may elect to impose additional eligibility requirements. Local school districts must publish any additional eligibility requirements to their websites no later than January 6, 2014.

### ***To which board(s) should I submit my application?***

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- Local school boards and the state Board of Elementary and Secondary Education (BESE) both have the authority to approve charter schools. To submit an application to BESE, applicants must fall into one of four specific categories, listed in [Charter Applicant 101](#).
- Applicants may submit charter applications to one authorizer or to multiple authorizers. Local school boards and BESE both accept a common charter application on the same deadline (Friday, March 7, 2014). Applicants may submit the same application to multiple authorizers or may craft a distinct application to submit to each authorizer.
- Local school boards may elect to ask additional questions, above and beyond the questions included in the common charter application. Local school districts must publish any additional questions to their websites no later than January 6, 2014.
- The Department has compiled a comprehensive set of resources to help you determine whether you should apply for a state-authorized charter school, a district-authorized charter school, or both. Those resources can be found in an online [Toolbox](#) on the Department's website.

### ***Are there any unique opportunities I should be aware of as I complete my application?***

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Louisiana law allows for two unique opportunities:

- Applicants may submit a proposal for a growth plan to open multiple schools. Local school boards and BESE have the authority to grant an applicant approval to open all or some of the schools in their growth plan. There are specific, clearly identified application questions that pertain to applicants who submit a proposal to open multiple schools.
- Applicants may submit a proposal to open a charter school in partnership with a corporate partner. Corporate partners must commit to make a significant donation to the school. If BESE or a local school board authorizes the plan, the charter organization will be able to reserve up to 50% of seats in the charter school for permanent employees of the corporate partner. The Department has provided a more detailed explanation of the rules for becoming a corporate partner in [Charter Applicant 101](#).

## ***Which set of questions should I complete?***

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- There are two sets of questions – one set for experienced operators and another set for new operators.
- Experienced operators meet one of two criteria: either the organization applying for the charter has already operated at least one school for at least one complete year or the organization has partnered with an Educational Service Provider (ESP) that has operated at least one school for at least one complete year.
- Organizations that do not meet either of these criteria should complete the set of questions for new operators.
- An Educational Service Provider (ESP) is an organization that a nonprofit board hires to manage all aspects of running a school. The ESP makes all hiring and firing, curricular, and budgetary decisions on behalf of the nonprofit board. The board retains the authority to review the performance of the ESP.
- New operators and experienced operators that have not yet operated two schools for at least three years each must identify a school leader in their application for all schools proposed to open in the fall of 2015.

## ***When is the application due? What other dates do I need to know?***

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- The common application that all applicants must complete will be released by BESE on December 5, 2013, and is due on March 7, 2014. Local school boards can request additional information from applicants if they post that information to their websites no later than January 6, 2014.
- Local school boards must consider applications that they receive on or before Thursday, June 5<sup>th</sup>. District applicants may elect to appeal to BESE if a district rejects their proposal, does not consider it on or before June 5<sup>th</sup>, or authorizes an applicant to open a school but imposes conditions that the applicant finds unacceptable. In [Charter Applicant 101](#) the Department has published a more detailed explanation of the conditions that allow an applicant to appeal to BESE.
- There is one exception to the rule that local school boards must consider applications on or prior to June 5<sup>th</sup>. Local school boards may opt to outsource the operation of their charter application process to the Department. Districts that choose this approach are considered partner districts by the Department. Applicants who apply to partner districts will follow the same timeline as applicants who apply to BESE, and partner school boards will consider applications on the same timeline as BESE. All applicants will be notified by the Department if they submit an application to a district that has chosen to outsource the management of their charter application process to the Department.
- The table below summarizes key application process dates. After an applicant submits an application to either BESE or a local school board, the relevant authorizer will provide a more detailed timeline pertaining to that particular process. A detailed timeline for applicants who submit a proposal to BESE can be found [here](#). **The timeline includes links to additional documents that applicants need to submit to BESE later in the process.**

## Charter Applicant Timeline

Date	Relevant Applicants	Activity
Thursday, December 5	All applicants	Department releases common application and <a href="#">Toolbox</a> with application resources
Monday, January 6	District applicants	Districts publish charter application information to their websites, including additional eligibility requirements and additions to the common application.
Friday, March 7	All applicants	Charter applications are due – four components: <a href="#">proposal overview</a> , application, <a href="#">finances template</a> , <a href="#">eligibility form</a>
Thursday, June 5	District applicants	Deadline for local school boards to consider applications
Thursday, June 12	District applicants	Deadline for district applicants to appeal to BESE
Wednesday, August 13	State + partner district applicants	BESE school boards consider applications; deadline for partner school boards to consider applications
Wednesday, August 20	Partner district applicants	Deadline for partner district applicants to appeal to BESE
Wednesday, October 15	Appeals applicants	BESE considers applications on appeal from districts

### ***How do I submit my proposal?***

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- BESE and each local school board utilize their own submission systems.
- No later than January 6<sup>th</sup>, local school boards must post on their websites the instructions for submitting a charter proposal.
- To submit a charter proposal to BESE, please email [david.shepard@la.gov](mailto:david.shepard@la.gov) to receive a username and password for the Department’s online submission system. You will receive a user guide in addition to your username and password.

### ***What resources are available to help me develop a proposal?***

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- The Department has compiled a comprehensive set of resources in an online [Toolbox](#) that you can find on the Department’s website. The Toolbox is designed to help you determine whether you should apply for a charter school and which needs your charter school can meet. It also includes tools that are designed to help you write a proposal that meets BESE’s expectations for quality.
- The Toolbox includes a dedicated space for school districts to post information that articulates their specific needs. All school districts have the opportunity to submit information to be included.

## ***How will my proposal be evaluated?***

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- BESE and local school boards will provide for an independent review of all charter applications they receive. The rubric used by the independent evaluators hired by BESE can be found [here](#).
- Both BESE and local school boards may choose to include multiple components in their charter application process. For example, authorizers may choose to request a second submission or an interview. Local school boards must post a description of the review process to their websites, no later than January 6<sup>th</sup>. A detailed timeline for applicants who submit a proposal to BESE can be found [here](#). **The timeline includes links to additional documents that applicants need to submit to BESE later in the process.**
- All applicants will have the opportunity to write a response to a draft recommendation from the independent reviewer and to speak at a public school board meeting prior to the school board's consideration of their application.
- School boards are not required to agree with the recommendation submitted by the independent reviewer that they hire.

## ***Who should I contact with questions?***

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- No later than January 6<sup>th</sup>, local school boards must post to their websites the contact information for a primary contact for charter school application questions.
- Applicants may contact the Department for two reasons: (1) to ask questions about BESE's charter application process, and (2) if they are unable to identify or reach a primary charter application contact within a local school district. David Shepard is the primary charter application process contact at the Department. He may be reached via email at [david.shepard@la.gov](mailto:david.shepard@la.gov) or via phone at 225.342.7185.

## New Operator Application

If you are a new operator, no later than 3:00 pm CT on March 7<sup>th</sup>, you should submit four documents to each authorizer to which you are applying: a [proposal overview](#), an application, a [finances template](#), and an [eligibility form](#). Follow the links to find the three hyper-linked forms above. Keep in mind that districts may collect additional information above and beyond the information in these hyperlinked forms and the questions included below as part of the application. All additional information should be clearly indicated on each district's website.

Applications should include only the information requested below, saved in a single PDF file. Applications should be no more than 50 pages, excluding the requested Appendices A, B, and C. There are no page limits for individual sections except for the Executive Summary.

Please clearly label each section of your application. There are no specific format requirements for the application that you submit, but keep in mind that your application is a professional document. The quality of the document that you submit should reflect the quality of the school that you propose to open. Evaluators will be able to navigate well-organized, effectively-edited documents easily, thereby focusing their energy on reviewing the content of each application.

### Applying for Multiple Schools

New operator applicants applying for multiple schools must include as an addendum to their application the following sections of the experienced operator application:

- Growth Plan
- Theory of Change (only if the educational model for the additional schools that you would open differs from the educational model that you describe in your start-up plan)
- Scale Strategy
- Risks and Associated Contingency Plans

Applicants should submit an addendum of no more than 15 pages. Applicants submitting a Multiple Schools Addendum should save the addendum as a single PDF file and submit it as a second submission document in the same email as their start-up application.

The purpose of this application is to assess the potential of charter applicants to produce high-quality student outcomes exceeding the results that charter schools must achieve to remain in operation.

### **Executive Summary**

Provide a two-page overview of your proposed school, including:

- The outcomes you will achieve;
- The key components of your educational model;
- The values, approach, and leadership accomplishments of your school leader or leadership team; and
- Key supporters or resources that will contribute to your school's success

**Community Needs**

- (1) Describe the community in which your school will be located, including the community's greatest strengths and greatest challenges.
- (2) Identify key relationships that your organization has established in the community you intend to serve. Describe the mutually beneficial nature of each key relationship.
- (3) Describe the student population that your school will serve.
- (4) Describe the needs of your intended student population. Describe the most impactful school system and non-school system programs that currently serve your intended student population, and explain why current schools and service providers are not satisfactorily meeting their needs.

**Mission and Vision**

The mission of your non-profit should tell the reason that your school exists. It should describe the purpose of your school and the values to which you will adhere while achieving that purpose.

The vision of your non-profit should describe what success looks like for students, for the school as a whole, and for any other entities that are critical to your mission.

- (1) Provide the mission of your non-profit and describe the role that your mission will play in your school's daily activities.
- (2) Provide a vision for your school that clearly illustrates what success will look like in terms of (a) life outcomes for students and (b) impact on community and / or society.

**Goals and Performance Targets**

- (1) Describe the performance goals that you will achieve to put students on the path towards achieving your vision. Include the goals that you will reach both in Year One and in Year Five, at the end of your first charter contract.
- (2) Describe the metrics that you will use to measure progress towards your goals, including the mechanisms by which you will collect data to measure your progress.
- (3) Identify the greatest obstacles to your achievement of your performance targets. Discuss how you will overcome those obstacles.

**Theory of Change**

- (1) Articulate your approach to education. Describe the most fundamental features of a school that ensure successful student outcomes.
- (2) Describe the fundamental features of your educational model that will drive educational outcomes in your proposed school. Key features may include:
  - Programs (ex. curriculum, PD, afterschool program, parent program, etc...)
  - Principles (ex. no excuses, individualized learning, learn at your own pace, etc...)
  - Structures (ex. blended learning, small learning communities, small class sizes, etc...)
- (3) Describe the mechanisms by which the fundamental features you described in (2) will dramatically influence student success.

**Risks and  
Associated  
Contingency  
Plans**

- (1) Identify the greatest threats to your success.
- (2) Reflect on the countermeasures you will take to minimize the possibility that the threats you identify will prevent you from achieving your targeted student outcomes.

**Leadership  
Track Record**

- (1) As Appendix A, provide a one-page resume for your identified school leader for each school proposed to open in 2015 and all identified leadership team members. Appendix A will not count towards the 50-page limit.
- (2) Provide performance data for all schools or other organizations associated with the school leader(s) you have chosen, including school level performance data for schools that each leader has led and classroom level data, or, if a school leader has no prior school leadership experience, classroom level data for classes that the school leader has taught.
- (3) Provide a narrative account of your proposed school leaders' greatest achievements in other organizations or schools that they have led.
- (4) Describe the key tenets of the leadership philosophy that your school leader(s) will employ to drive success in your school.
- (5) Describe leadership training and development that will be provided to your school leader(s) in the year between charter approval and school opening. Include a description of the skills that school leader(s) will gain from these experiences.

**Board  
Capacity**

Include as Appendix B, a signed statement of no more than one page by each board member. Board members should describe their rationale for joining the board, provide an example of a tough decision they have made in their professional lives, and describe the skills that they bring to the board. Appendix B will not count towards the 50-page limit.

**Financial  
Readiness**

- (1) Do you plan to use a financial manager or a back-office service provider?
- (2) If the entity that will provide your financial services has been chosen, please provide its name. If that entity is an individual financial manager, please provide his / her one-page resume as Appendix C.
- (3) To whom will your financial manager or back-office service provider report: the school leader or the board?"
- (4) Describe your approach to budgeting, including an explanation of your approach to cutting costs if faced (as schools so often are) with a budget shortfall.
- (5) Describe the accounting and control systems you will install, including essential checks and balances. Please indicate how a culture of proper financial controls and reporting will become an essential component of your organizational culture.

## **Special Populations**

Provide a student report that includes:

- An approach to recruitment, admissions, and enrollment that ensures that your school will enroll a diverse group of students, including students with special needs, English Language Learners, and a level of at-risk students in compliance with state law. If applicable, provide this specific information as well:
  - Geographic boundaries surrounding the school from which applicants will be given an admissions preference (note: applicants may choose to enroll students from the entire school district where the school is located)
  - Admissions requirements consistent with your charter school's mission (note: schools may be general enrollment – admissions requirements are not required)
- A detailed student discipline plan that:
  - (a) Lists the acts for which a child may be disciplined
  - (b) Lists the range of consequences that will be used to discipline children
  - (c) Describes the process for assigning a consequence to an offense
  - (d) Describes a plan for minimizing the effect of disciplinary action on student achievement
  - (e) Ensures that adequate and appropriate resources will be devoted to effectively implementing the school's discipline approach
- A detailed special education plan describing how you will ensure that all special education students succeed academically and socially. Describe plans for recruiting, identifying, serving, and disciplining special education students. Include plans for involving families in special education decisions as well.
- A detailed English Language Learner plan describing how you will ensure that all English Language Learners succeed academically and socially. Describe plans for recruiting, identifying, and serving English Language Learners. Include plans engaging non-English speaking families of English Language Learners as well.

## Experienced Operator Application

If you are an experienced operator, no later than 3:00 pm CT on March 7<sup>th</sup>, you should submit four documents to each authorizer to which you are applying: a [proposal overview](#), an application, a [finances template](#), and an [eligibility form](#). Follow the links to find the three hyper-linked forms above. Keep in mind that districts may collect additional information above and beyond the information in these hyperlinked forms and the questions included below as part of the application. All additional information should be clearly indicated on each district's website.

Applications should include only the information requested below, saved in a single PDF file. Applications should be no more than 40 pages, excluding the requested Appendices A, B, and C. There are no page limits for individual sections except for the Executive Summary.

Please clearly label each section of your application. There are no specific format requirements for the application that you submit, but keep in mind that your application is a professional document. The quality of the document that you submit should reflect the quality of the school that you propose to open. Evaluators will be able to navigate well-organized, effectively-edited documents easily, thereby focusing their energy on reviewing the content of each application.

The purpose of this application is to assess the potential of charter applicants to produce high-quality student outcomes exceeding the results that charter schools must achieve to remain in operation.

### **Executive Summary**

Provide a two-page overview of your proposed network, including:

- The outcomes you will achieve;
- The key components of your scale strategy; and
- Your approach to mitigating the threats most likely to hinder your success

### **Growth Plan**

- (1) Describe the number of schools that you plan to open in Louisiana every year for at least the next five years, the year in which each school will open, and the demographic characteristics of the students to be served by each school. If your network operates multiple models, identify the model that you will open in each location.
- (2) If you are simultaneously opening new schools in other states or have submitted applications to open schools in new states, provide a list including the name and location of each school, the authorizer and application status for each application, and the number of students served by each proposed school.
- (3) Describe the vision for your organization after your growth plan has been implemented. In what way will your growth in Louisiana contribute to that vision?
- (4) Describe the specific student population that your proposed school(s) will serve. Identify the needs of your intended student population.

### **Past School Performance**

In your proposal overview you provided performance data on the schools your organization currently operates or has previously operated. If necessary, provide a brief accompanying

narrative that describes your organization's success educating a similar demographic population to the population you intend to educate in Louisiana. Please note that the school district(s) to which you applied or the Department may contact your other authorizers.

In addition, describe the causes that led to and the current status of:

- Any performance deficiencies or compliance violations that have led to authorizer intervention
- Any litigation involving your organization or a school that you operate
- Any material audit findings for your organization or a school that you operate

## **Theory of Change**

- (1) Articulate your approach to education. Describe the most fundamental features of a school that ensure successful student outcomes.
- (2) Describe the fundamental features of the educational model that will drive educational outcomes in each proposed school that you plan to open in Louisiana. Key features may include:
  - Programs (ex. curriculum, PD, afterschool program, parent program, etc...)
  - Principles (ex. no excuses, individualized learning, learn at your own pace, etc...)
  - Structures (ex. blended learning, small learning communities, small class sizes, etc...)
- (3) Describe the mechanisms by which the fundamental features you described in (2) will dramatically influence student success.

## **Scale Strategy**

- (1) Describe the steps that you will take to scale your model to new sites, including the people involved and the resources contributed both by the parent organization and the new schools.
- (2) If your organization operates schools in other states, compare your efforts to scale operations to Louisiana to past scale efforts in other states.
- (3) Describe your plan for embedding the fundamental features of each model that you described in your theory of change into the schools that you plan to open.

## **Risks and Associated Contingency Plans**

- (1) Organizations that operate multiple schools should discuss the results of past scale efforts and lessons learned. Include particular challenges or troubles encountered and how you addressed them. Organizations that operate only one school should address challenges encountered while growing their initial school.
- (2) Identify the greatest new threats to your success.
- (3) Describe any changes to the leadership personnel or leadership structure of your organization over the last two years.
- (4) Reflect on the countermeasures you will take to minimize the possibility that the risks you identified in (1) – (3) will prevent you from achieving your targeted student outcomes.

**Leadership Track Record**

This section must be completed only by experienced operators that have not operated at least two schools for at least three years each.

- (1) As Appendix A, provide a one-page resume for your identified school leader for each school proposed to open in 2015 and all identified leadership team members. Appendix A will not count towards the 40-page limit.
- (2) Provide performance data for all schools or other organizations associated with the school leader(s) you have chosen, including school level performance data for schools that each leader has led and classroom level data, or, if a school leader has no prior school leadership experience, classroom level data for classes that the school leader has taught.
- (3) Provide a narrative account of your proposed school leaders' greatest achievements in other organizations or schools that they have led.
- (4) Describe the key tenets of the leadership philosophy that your school leader(s) will employ to drive success in your school.
- (5) Describe leadership training and development that will be provided to your school leader(s) in the year between charter approval and school opening. Include a description of the skills that school leader(s) will gain from these experiences.

**Board Capacity**

Boards that do not currently oversee any charter schools in Louisiana should include as Appendix B a signed statement of no more than one page for each board member. Board members should describe their rationale for joining the board, provide an example of a tough decision they have made in their professional lives, and describe the skills that they bring to the board. Appendix B will not count towards the 40-page limit.

**Educational Services Provider Contract**

Complete this section if applicable. If your non-profit plans to use an Educational Service Provider (ESP), please provide as Appendix C a copy of the ESP contract that your non-profit board will sign with the Educational Service Provider that you have selected.

## APPENDIX B

### OPSB charter contracts

There is probably no such thing as a perfect charter contract, but Orleans Parish School Board (OPSB) has authorized numerous charter schools over the years, many of which are high-performing. All of their charter school contracts can be found on their website at: <http://www.opsb.us/charter-schools/contracts-2/>

The charters authorized in 2013 represent the most recent contract template that OPSB uses.

## APPENDIX C

### Pre-Opening Process: Rounds and Tasks

The pre-opening process can be done in a multitude of ways. Some authorizers simply offer their new charter operators a checklist of items that must be completed by an agreed upon date. Others walk their operators through each task. The Louisiana Department of Education (LDE) has found what we think is a happy medium.

The LDE provides new operators with a checklist of items, but they allow the tasks to be completed in “rounds” so that the process is not overwhelming. They also offer an “introduction” session at the beginning of the process to make sure that operators are clear on their pre-opening obligations. You can find the LDE’s pre-opening timeline here: <https://www.dropbox.com/s/2mb1174wbh6xh8f/Pre-Opening20One-Pager.pdf>

## APPENDIX D

### Material vs non-material amendments

#### Material Amendments

**Definition:** A material amendment to a charter is an amendment that makes substantive changes to a charter school’s governance, operational, or academic structure.

**Includes:**

- changes in legal status or management, including the structure of the governing board, a corporate partnership, or assignment of or changes in management organization
- changes in grade levels served
- changes in student enrollment which result in enrollment in excess of 120 percent of the total number of students set forth in the school’s charter
- changes in admission procedures or criteria
- changes in any option expressed in the charter contract exhibit with respect to collective bargaining
- any changes to the charter contract not specifically identified as non-material amendments.

## **Non-Material Amendments**

**Definition:** A non-material amendment to a charter is an amendment that makes non-substantive changes to a school's charter.

**Includes:**

- changes to the mailing address, telephone, and/or facsimile number of the charter school
- changes to the designated contact person for the charter operator or changes to the contact person located at the charter school site
- changes in any option expressed in the charter contract exhibits with respect to Teachers' Retirement System of Louisiana.

## **APPENDIX E**

### **Admissions criteria and weighted lotteries**

To ensure fairness and to help ensure that all families and students have access to charters, there are laws that authorizers and operators must follow related to enrollment and admission practices.

#### **Admission Requirements**

A charter school may have admission requirements, but only if they are consistent with the school's role, scope, and mission. For example, a school with a dance and performing arts mission could require auditions. If there are to be admission requirements, they must be set forth in approved charter contract and must be specific. There must also be a system for admission decisions that precludes exclusion of students based on race, religion, gender, ethnicity, national origin, intelligence level, or identification as an "exceptional child."

#### **The Application Process**

Charter schools must have a designated student application period that is between 1 to 3 months long. The application period should not begin prior to January 1st of the school year immediately preceding the school year for which applications are being accepted. No students can be admitted during the application period.

#### **Enrollment**

If the charter school has capacity, it must enroll eligible students who submitted timely applications and meet any residency or admission requirements. Charter schools cannot enroll more than 120% of the total number of approved students in any given year without formally amending their charter.

If fewer students have applied than the school's maximum enrollment number permits, then all eligible students must be admitted and the school may continue to accept application and admit eligible students until capacity is reached.

However, if more applications are received than there is capacity, then the school must conduct a lottery until maximum capacity is reached and to determine student placement on a waitlist. A school's lottery and continued admission of applications must be performed in such a fashion that assures compliance with all at-risk student population requirements (a school may implement a weighted lottery to ensure that all at-risk student population requirements are met).

## **Enrollment Preferences**

Charter schools must give preference to students enrolled in a pre-existing school, if that school is subsequently converted to a charter. Charter schools may also give enrollment preferences to siblings of previously enrolled students. These students are exempted from a lottery and are automatically admitted following the application period.

Type 1, 3, 4, & 5 charter schools with elementary and middle school grade levels may request from and be granted by their chartering authority the authority to give enrollment preference to students residing within the neighborhood immediately surrounding the school. The geographic boundaries of the neighborhood immediately surrounding the school must be determined by the school's authorizer.

## **At-Risk Enrollment Requirements**

Type 1 & 2 "new" schools must maintain an at-risk student population percentage (based on Oct. 1 student count) that is equal to the percentage of students eligible for the federal free/reduced lunch program in the district in which the charter school is located, or the average of districts from which students served by the charter school reside (exception for schools that cater to military families). The Type 1 & 2 "new" school's at-risk population must consist of at least 85% students who are eligible for the free/reduced lunch program, while the remaining 15% of the at-risk population may consist of students otherwise defined as "at-risk." (see below).

By law, "at-risk" is defined as any student who:

- Eligible to participate in the federal free or reduced lunch program
- Under 20 yrs. and has been withdrawn from school prior to graduation for not less than 1 semester
- Under 20 yrs. and has failed to achieve the required score on any portion of the examination required for high school graduation
- In 8th grade or below and is reading 2 or more grade levels below grade level
- Has been identified as an "exceptional child" (not including gifted & talented)
- Has a child

**APPENDIX F**

Special Education Guide for  
Type 1 and 3 Charter Authorizers

In Louisiana, each Local Education Agency (LEA) bears the responsibility of providing a Free Appropriate Public Education (FAPE) to students with disabilities enrolled in Type 1 and 3 charter schools authorized by the LEA. The LEA is responsible for the oversight of special education in all of its schools, including Type 1 and 3 charter schools located within its boundaries, and for ensuring special education services are provided and administered according to state and federal law. The procedural safeguards, decision-making processes, and other requirements of IDEA applying to students with disabilities in Louisiana public schools also apply to students with disabilities enrolled in charter schools.

For the provision of special education and related services, charter schools and their authorizers must find a balance between autonomy and cooperation. As a result, the administration and provision of special education at the charter school becomes a collaborative endeavor between the charter school and the LEA, and a clear description of the provision of special education services should be outlined in the charter agreement.

This guidance document explains three methods for the provision of special education in Type 1 and 3 charters. Regardless of the method chosen, there must be an explicit written agreement between the Type 1 or 3 charter and the LEA.

1. **LEA Provision of Services** – the LEA maintains control of special education funding and provides services and supports to the students enrolled in the charter school
2. **LEA Provision of Funds** – the LEA flows special education funding to the charter school, enabling the charter school to provide services and supports to its students
3. **A Blended Approach** – The LEA and the charter agree to blend the provision of services and funds

#### **1. LEA Provision of Services**

In the provision of services method, the LEA maintains control of special education funding and uses those funds to support the provision of FAPE to the students enrolled in its schools, including the charter schools authorized by the LEA.

The charter authorizer serves children with disabilities attending the charter school in the same manner as it serves children with disabilities in its other schools, including providing supplementary and related services on-site at the charter school to the same extent it provides those services on-site at its other schools.

The LEA would provide pupil appraisal services and would coordinate the development of Individualized Education Programs (IEP). The LEA may provide the charter with a special education administrator and a representative from the LEA would be an active member on IEP teams. The LEA would provide an officially designated representative who is knowledgeable about the availability of LEA resources to participate in IEP development.

The LEA assumes responsibility for record keeping and managing information in Louisiana’s Special Education Reporting (SER) system.

In this method, the charter school is responsible for providing each child with a disability instruction in the general education curriculum, implementing any services or supports which are to be provided in the regular education setting, monitoring student progress, and providing the LEA with regular updates.

This method requires the LEA to maintain a high level of direct involvement and greatly minimizes charter school autonomy. Further, this method could cause difficulties in regards to supervision if the charter hires and manages special education staff while the LEA manages the provision of special education. However, it does allow the LEA to ensure that FAPE is being provided and that children enrolled in Type 1 and 3 charter schools have access to all district resources.

## **2. LEA Provision of Funds**

In this method, the LEA provides the charter schools with special education funding to provide FAPE to students with disabilities attending charter schools authorized by the LEA.

The charter would be responsible for pupil appraisal, IEP development, and the provision of special education and related services. The charter would also assume responsibility for record keeping, progress monitoring, and SER data management. During IEP development, the LEA may provide an officially designated representative who is knowledgeable about the availability of LEA resources to assist in the development of each student's IEP.

This method allows the charter school the autonomy to hire special education staff, to hire or contract with related service providers of their choice, and to play a larger role in the development and implementation of IEPs. It should be noted that providing all necessary services and supports to students with disabilities could significantly impact the budget of the charter school.

As always under IDEA, the LEA remains accountable for the provision of FAPE. Special education funding must be managed by the LEA; in no case will state or federal funds go directly to the charter. Therefore, the LEA would need to develop methods to disburse funds to the charter as well as monitor charter special education processes and procedures.

## **3. A Blended Approach**

In the blended method, the LEA and the charter school work cooperatively to provide FAPE to students with disabilities. A negotiated, written agreement would be included in the charter contract, outlining the specific responsibilities of both the LEA and the Type 1 or 3 charters. This method allows the LEA to ensure compliance while the charter retains greater autonomy.

This approach allows the LEA to provide the charter with a blend of funds and services. For example, the LEA may carry out pupil appraisal tasks while the charter school has responsibility for services delivered in the classroom. Or, the charter school may be responsible for only those services that can be delivered in the school and the LEA resumes responsibility when the child needs more specialized placement. An LEA may choose to provide the charter with a special education coordinator but provide funds to the charter for the purpose of directly hiring special education teachers or paraprofessionals.

A collaborative relationship lends itself to many possibilities, but it is important to consider all factors at the onset while the charter agreement is in development. It is critical for an LEA and the charter school it authorizes to arrange in advance and commit to an understanding in order to avoid future conflicts or the interruption of special education provision.

The following checklist covers many of the decision points the LEA and charter should consider prior to signing the charter agreement.

### **Special Education Considerations**

#### **Funding**

- Is there a formula for determining how much special education funding will flow to the charter?
- What is the formula and how is it determined?
- What funds will the charter receive for special education services?
  - Federal?
  - State?
  - Local?
  - Other?

- How will grant applications and allocations be handled?
  - IDEA Consolidated Application?
  - High Cost Services Application?

**Pupil Appraisal**

- Who will make up the School Building Level Committee (SBLC) and oversee screening activities and data collection measures?
- What will child find look like at the charter?
- Will the LEA be responsible or will the school also implement Child Find like activities
- Who will coordinate Child Find activities?
- For students who are referred, who will serve as the Evaluation Coordinator and ensure all evaluation timelines and procedures are followed?
- Who will be part of the pupil appraisal team?
- Where will student evaluations be conducted?
- Who will oversee evaluations, screenings and procedures under Section 504?

**IEP Development**

- Where will IEP meetings be conducted?
- Who is required to attend IEP meetings as part of the IEP team?
- Who will act as the officially designated representative who is knowledgeable about the availability of LEA resources to supervise the provision of specially designed instruction?
- What types of special staff or consultants are needed to implement students' IEPs?

**Personnel**

- How many special education teachers are needed to provide FAPE to students with disabilities?
- How many special education paraprofessionals are needed?
- Who will pay the salaries/stipends for teachers and paraprofessionals?
- What kind of certification will the teachers and paraprofessionals need?
- What other types of services will the charter school need?
  - Legal counsel with special education expertise?
  - Accountants/bookkeepers?
  - Data/SER personnel?

**Related Services**

- How will the charter provide special education related services?
  - Adapted physical education?
  - Speech therapy?
  - Occupational or physical therapy?
  - Orientation and mobility?
- What is the process for obtaining these related service providers or contracting with these individuals?
- What types of special staff or consultants are needed to implement IEPs?
- What other types of services will the charter school need?
  - Legal counsel with special education expertise?
  - Accountants/bookkeepers?
  - Data/SER personnel?

**Professional development**

- What type of specialized professional development will be needed by charter school staff (including teachers, paraprofessionals, administrators) to support children with disabilities?
- Who will provide teachers with professional development related to special education?

**Monitoring /Supervision**

- What are the local monitoring protocols?
  - How often will the LEA monitor the charter?
  - What areas of IDEA implementation will be reviewed
  - What monitoring instruments will be used?
- How will the charter and the LEA coordinate to participate in LDOE monitoring?

**Dispute Resolution**

- How will disputes occurring between the LEA and the charter school be managed?
  - Process for dispute resolution?
  - Personnel involved?
- How will informal and formal complaints from families or other representatives outside the LEA/charter be managed?

# **APPENDIX G**

## **Framework for the School Closure and Transfer Process**

## **Framework for the School Closure and Transfer Process**

The Louisiana Department of Education (LDOE) and the Recovery School District (RSD) are committed to the smooth transition of charter schools that cease operation. To effectively manage the process, the LDOE has developed the following guidelines to help all parties understand their responsibilities during the school transfer and closure process. This is not an exhaustive list of all closure and transfer processes; the LDOE reserves the right to modify and add/remove items throughout the closure and transfer process.

### **A. LDOE/RSD Responsibilities**

1. The LDOE (Types 2 and 4) or the RSD (Type 5) shall form a Transition Leadership Team that shall include any individuals determined to be necessary by the RSD or LDOE to help facilitate the closure and transfer process.
2. The LDOE (Types 2 and 4) or the RSD (Type 5) shall develop a project plan that enumerates necessary deliverables and timelines for the school closure and transfer process. Items may be added, modified, made optional, or removed at the discretion of the LDOE or RSD based upon the specific circumstances of each individual school.
3. The LDOE (Types 2 and 4) and the RSD (Type 5) shall have the authority to take the following actions at any point during the school closure or transfer process:
  - a. send communication to, or conduct in-person meetings with, the following stakeholders regarding the school transfer or closure process:
    - i. Board and/or staff of the school's current operator,
    - ii. Parents and/or any interested community members;
  - b. conduct meetings with the current operator and the new operator;
  - c. conduct assessments of the school's inventory to determine which items may or may not be retained by the current operator, according to state law, BESE policy, and the school's charter contract;
  - d. conduct inspections of the school's facility to assess its condition and determine any necessary maintenance or construction; and
  - e. impose deadlines for specific activities associated with school closure or transfer
4. Should a dispute arise between the existing and new operator where a particular resolution is not specified in this policy, state law, BESE policy, or the school's charter contract, the LDOE and RSD shall have final authority to resolve the dispute and to take or require appropriate action.
5. In the event that the current or new operator fails to comply with the school closure or transfer process or related directives from the LDOE and/or RSD, the LDOE and RSD may take actions including, but not limited to the following:
  - a. Restrict/grant access to the school facility for the new operator
  - b. Cite noncompliance on the Data Universal Numbering System (DUNS Number)
  - c. Factor non-compliance into the decision making processes for renewal, extension, or granting of new charters to the organization
  - d. Factor non-compliance into evaluations of applications made by the charter operator for state administered grants or state assistance

6. In the event that the current operator fails to comply with the school transfer process or related directives from the LDOE and/or the RSD, or the health, safety, or well-being of students or capacity of the school to operate is in danger, the LDOE and RSD shall have the authority to directly oversee the dissolution of the school, including directly managing the operation of the school to ensure compliance with the closure process.

## **B. Current Operator Responsibilities**

1. The current operator of the school shall provide to the LDOE (Types 2 and 4) or the RSD (Type 5) a contact list for parents/guardians of children enrolled in the school, including, but not limited to the:
  - a. Name of child
  - b. Name of parent/guardian
  - c. Current grade level
  - d. Current address
  - e. Current phone number
  - f. Current email

For charter schools participating in the RSD's unified enrollment process, this contact list may be submitted to the RSD or LDOE through the enrollment system's data management software. The charter operate shall clean and update all data to ensure that it reflects current, actual student enrollment, and shall notify the RSD or LDOE when the process of updating the data has been completed.

2. Upon request by the LDOE (Type 2 and 4) or the RSD (Type 5), the current operator of the school shall provide names and contact information of school employees who consent to have their contact information shared. This contact information may be used by the RSD to contact employees with information about the transfer process, and may also be shared with the new operator for the purposes of contacting current employees.
3. The current operator of the school shall submit to the LDOE (Types 2 and 4) or the RSD (Type 5) for approval, a calendar that includes the following:
  - a. dates and times that the new operator may not access the school facility (ex: student testing days, extracurricular activities after school hours, parent nights, etc.), and
  - b. specific areas in the facility the new operator may not access (ex: personal offices, etc.).
4. During visits by the new operator, the current operator shall make all spaces available to the new operator, except as enumerated in the calendar described in B.3 or as prohibited by the RSD or LDOE.
5. The current operator shall complete all items in the checklist described in A.2 per the timelines listed in the checklist or as determined by the LDOE or RSD. Checklist items may be added, modified, made optional, or removed at the discretion of the LDOE or RSD based upon the specific circumstances of each individual school.
6. The current operator of the school shall provide summer activities and instruction that are required by law (ex: LEAP remediation, summer school, etc.). Any other activities scheduled to occur in the facility over the summer are subject to the approval of the LDOE (Type 2 and 4) or RSD (Type 5). The LDOE or RSD may require that the school provide the summer activities at an alternative location.
7. At a time to be determined by the RSD or LDOE, if the school is to be transferred to a new operator, the current operator shall provide to the LDOE or RSD keys to the school facility with labels indicating which

rooms the keys unlock.

8. Upon request by the LDOE (Types 2 and 4) or RSD (Type 5), the operator shall provide hard copies of student records for students who have enrolled at the new operator's school for the following year. Further, upon request, the charter operator shall permit the new charter operator to access the school facility to make copies of student records for students who have enrolled at the new operator's school for the following school year. The new operator shall be responsible for reimbursing the LDOE, RSD, or current operator, as applicable, for the cost of making copies.
9. Original student records for the students of any school-based program through the current operator shall be made available for possession by the new operator no later than June 30th. The current operator will ensure that the records are organized and made easily accessible to the new operator.
10. The current operator shall reimburse the RSD or LDOE for any publicly funded property appearing on an inventory or audit for the school that is missing, misappropriated, or unaccounted for upon closure, unless such property has been stolen and the theft is substantiated by a police report.

### **C. New Operator Responsibilities (if applicable)**

1. The new operator shall complete the checklist described in A.2 per the timelines stated in the checklist or as determined by the LDOE or RSD.
2. During visits, the new operator may access any area of the school facility, except as enumerated in the calendar described in B.3 or as prohibited by the LDOE or RSD.
3. Following a formal announcement by the RSD or LDOE that the new operator will be moving into the facility, the new operator may place a sign at the front of the new school indicating that they will be the new operator of the school. Before placing the sign, the new operator must receive approval from the LDOE (Types 2 and 4) or RSD (Type 5) as to the content and placement of the sign.
4. During visits to their future facility, new operators shall not interfere with the instruction or operation of the school by its current operator.
5. The new operator shall complete all items in the checklist described in A.2 per the timelines listed in the checklist or as determined by the LDOE or RSD. Checklist items may be added, modified, made optional, or removed at the discretion of the LDOE or RSD based upon the specific circumstances of each individual school.
6. Should the new operator find it necessary to have access to student records prior to the transfer of the original records upon closure, the new operator may make a request to the LDOE (Types 2 and 4) or RSD (Type 5) for copies of student records for those students who have enrolled at the new school. Alternatively, the new operator may make a request to access the school facility to make copies of student records for students who have enrolled at the new operator's school for the following school year. The new operator shall be responsible for reimbursing the LDOE, RSD, or current operator, as applicable, for the cost of making copies.