

Constituents are asking about... **Charter Schools**

June 22, 2014

General Overview Question

To whom is a charter school responsible?

A charter school is accountable to the families in the school, the local school district or Charter School Institute, and the state. The charter school authorizer sponsors the charter school and, through a contract, has outlined certain provisions the charter school is responsible to fulfill. Charter schools are also required to participate in the state-mandated assessment program, now called the Colorado Measures of Academic Success (CMAS). It is through the CMAS that charter schools, along with all other public schools in the state, are measured.

Districts issue an annual school accountability report, called the School Performance Framework (SPF) for every public school in the district, including charter schools. The performance ratings are Accredited with Distinction, Accredited, Accredited with Improvement Plan, Accredited with Priority Improvement Plan, Accredited with Turnaround Plan.

For more information on a specific school, see <http://www.schoolview.org>. Be aware that the data is based on TCAP only. A new accountability baseline will be established with the full implementation of CMAS over the next two years. More at: <http://www.cde.state.co.us/cdechart/faq.asp#sthash.3oezIGND.dpuf>

I need some help understanding the finer points of the charter school debate. I understand the so-called "equalization" argument, which as far as I can tell is concerned solely with funding. But I need help deciphering all the snippets that I've heard over the years about how charters operate. Specifically...

1. Does every charter have a board of directors?

Yes. Most charter schools use the term "governing board". The charter school application should describe the process to appoint or elect the initial governing board; how and when bylaws will be adopted by the board; the governance structure for the school; the nature and/or extent of parental and/or community involvement in governance; and the amount of authority the governing board will convey to the school's administrator, along with a clear delineation of their respective roles and the means by which the administrator will be evaluated. The number of directors on a charter school board should not be less than five and it is generally considered a best practice to have no more than nine directors.

The charter school governing board must operate in compliance with the Colorado Open Meetings Law (C.R.S. 24-6-401) and Public Records Act (C.R.S. 24-72-204) as well as the Family Educational Rights and Privacy Act (20 U.S.C. Sect. 1232).

Every charter school governing board should have a set of board policies. Much of what is included in the charter school application will become board policy. For instance, the school's vision/mission statement, legal status, enrollment policy, discipline policy and nondiscrimination policy will all be in the board policy book. These board policies should be made available to school staff and families. Generally, schools put these policies on their website and have them available in the school office.

2. Are charters required to do all the standardized testing that neighborhood schools do? Acuity? PARCC? TCAP? Etc.?

Yes, charter schools are required to administer the state-mandated assessment program (CSAP/TCAP and now CMAS), and they must comply with the requirements of the READ Act. They also must file School Performance Framework/Accountability Reports [C.R.S. 22-30.5-104 (6)] and meet any other accreditation requirements.

More at: <http://www.cde.state.co.us/cdechart/faq.asp#sthash.3oez1GND.dpuf>

Charters are not required to administer district-determined assessments, such as Acuity, but some choose to do so. It all depends on the charter's instructional program description in their application/contract with the district.

3. Are charters free to devise their own admission standards?

The Charter Schools Act [C.R.S. 22-30.5-104 (3)] prohibits discrimination based on academic ability. Diagnostic or placement exams may be given to students after they have been officially enrolled. As with all public schools, a charter school may create eligibility thresholds for enrollment that are consistent with their area of focus or grade levels, but the school's methods for determining eligibility cannot be designed, intended, or used to discriminate on the basis of a child's knowledge, skills, or disability. For instance, a charter high school may deny admission to a student not completing the 8th grade, but it cannot deny admission to a student who has an "unsatisfactory" score on a CMAS (TCAP) test.

- See more at: <http://www.cde.state.co.us/cdechart/faq.asp#sthash.3oez1GND.dpuf>

In addition, the Charter Schools Act [C.R.S. 22-30.5-104 (3)] prohibits discrimination on the basis of need for special education services. As a public school, a charter school must comply with the federal Individuals with Disabilities Education Act (IDEA), the Americans with Disabilities Act (ADA), the Office of Civil Rights (OCR) and any state special education laws.

More information on Colorado charter schools and special education is at:

<http://www.cde.state.co.us/cdechart/guidebook/sped/index.htm> and

<http://www.cde.state.co.us/cdechart/faq.asp#sthash.3oez1GND.dpuf>

4. Can charters expel students for any reason?

Discipline in general should be outlined in the charter's board policy. In any case, public charters must comply with the same federal and state laws referenced in Question #3. Check with the district or the individual charter school to find out what the school's contract and/or board policy says about this.

5. How are staff salaries determined at a charter?

This is up to the individual charter school's governing board. The list of automatic waivers granted to charters include general personnel practices (employment, job assignment, staff salaries, etc.). This is usually described in both the application to become a charter and the initial operating contract between the charter school and the authorizer (the local district).

6. Do teachers at charters still have to be licensed and highly qualified to teach?

No. Charter schools in Colorado are not required to employ teachers with current Colorado licenses. However, charters often do have licensed teachers on staff. Check with each individual charter school for more information on that individual school's requirements. NCLB does not require that a charter school teacher have a teaching license, but NCLB does require charter schools to comply with all other NCLB

requirements regarding “Highly Qualified Teachers”. The NCLB requirements for Highly Qualified Teachers can be found at: <http://www.ed.gov/nclb/methods/teachers/hqtflexibility.html>

Colorado’s Highly Qualified requirements can be found at:
<http://www.cde.state.co.us/FedPrograms/tii/index.asp> and
<http://www.cde.state.co.us/cdechart/faq.asp#sthash.3oezIGND.dpuf>

As charter schools are, by statute, public schools, employees of charter schools are public employees. Charter schools and their employees must participate in Colorado’s Public Employees’ Retirement Association (PERA) retirement fund.

7. Can charters teach any curriculum they choose? Or must they still comply with state curriculum standards?

Yes. The charter school application must include a description of the school’s educational program “that has been proven to be effective, pupil performance standards, measurable annual achievement goals that are based on the state accreditation indicators...” [C.R.S. 22-30.5-106 (e)]. More at:
<http://www.cde.state.co.us/cdechart/faq.asp#sthash.3oezIGND.dpuf>

Important distinction -- The state sets content standards for what students will know and be able to do at each grade level. Districts must adopt standards that meet or exceed the state standards. Districts/schools are responsible for determining the curriculum and materials that will enable students to meet the standards.

8. Do charters have to comply with district instructional mandates (thinking maps, extra literacy time, etc.)?

No. Since charters determine their own curriculum, per their application and contract with the district, they are not required to comply with district instructional mandates. However, see the response to Question #7, in that the contract requires charter’s to have student performance standards and measurable achievement goals in order to meet state accreditation requirements.

9. Are charters required to utilize the district food service department for lunches? and 10. Do charters use the district for facilities maintenance?

No, charters are not required to use any district provided services, such as food, maintenance or transportation. Some do use part of their PPR for one or more of these services, and some contract with an independent vendor. All decisions regarding “services”, are spelled out in each charter school’s contract with the district.