

# Falcon School District 49

## Charter Authorization Principles, Standards and Practices

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### I. Purpose of Charter Schools

The Charter School Act (C.R.S. 22-30.5-101 et seq.) allows for the establishment of charter schools to create a legitimate avenue for parents, teachers, and community members to implement new and innovative methods of educating children that are proven to be effective and to take responsible risks and create new and innovative, research-based ways of educating all children within the public education system. Falcon School District 49 Board of Education believes that it is the obligation of the school district to provide all students with schools that reflect high expectations and create conditions in all schools where these expectations can be met. In addition, the district believes that different pupils learn differently and public school programs should be designed to fit the needs of individual pupils. To these ends, Falcon School District 49 authorizes charter schools in such a way that the district maintains high standards for schools, upholds school autonomy, and protects student and public interests.

### II. Mission for Innovation Zone

#### Vision for the iConnect Innovation Zone:

Reinvented educational environments that inspire individuals' peak potential.

#### Mission for the iConnect Innovation Zone:

- To Interconnect effective educational systems which inspire individuals to their learning potential
- To investigate and implement best educational practices that lead students to success
- To invest in students by challenging and developing citizens that compete in a global society
- To invent settings and systems that empower individuals' learning, leadership and life
- To inspire individuals with meaningful challenges and surround them with nurturing support to achieve ambitious goals

### III. Mission for Charter Authorizing

The mission of Falcon School District 49's Charter Authorizing is to promote high quality and effective public charter school options that are autonomous and accountable for improved academic outcomes for a diverse student population. Through our policies, practices and procedures as a quality authorizer, the district will provide high standards for all schools, which will protect student and public interests.

### IV. Core Principles of Charter Authorizing

The Board of Education upholds the three core principles of charter authorizing as defined by the National Association of Charter School Authorizers and adopted by the Colorado State Board of Education:

1. ***Falcon School District 49 maintains high standards for schools.*** This includes setting high standards for approving charter applicants; maintaining high standards for the schools the district oversees;

effectively cultivating quality charter schools that meet identified educational needs of the district; overseeing charter schools that, over time, meet the performance standards and targets set forth in their charter contracts through established measures and metrics; and closing schools that fail to meet standards and targets set forth in law and by contract.

2. ***Falcon School District 49 upholds school autonomy.*** This includes honoring and preserving core autonomies crucial to school success, including governing board independence from the authorizer, personnel, school vision and culture, instructional programming, and budgeting; assuming responsibility not for the success or failure of individual schools, but for holding schools accountable for their performance; minimizing administrative and compliance burdens on schools; and focusing on holding schools accountable for outcomes rather than processes.
3. ***Falcon School District 49 protects student and public interests.*** This includes making the well-being and interests of students the fundamental value informing all the authorizer’s actions and decisions; holding schools accountable for fulfilling fundamental public education obligations to all students; holding schools accountable for fulfilling fundamental public education obligations to the public; and ensuring in its own work ethical conduct, focus on the mission of chartering high-quality schools, transparency, effective and efficient public stewardship, and compliance with applicable laws and regulations; and supporting parents and students in being well-informed about the quality of education provided by charter schools.

Falcon School District 49 upholds these principles and expects that all district leadership and staff understand and commit themselves to the three Core Principles of authorizing.

# 1. Agency Commitment and Capacity

**NACSA Overview:** A quality authorizer recognizes that chartering is a means to foster excellent schools that meet identified needs; clearly prioritizes a commitment to excellence in education and in authorizing practices; and creates organizational structures and commits human and financial resources necessary to conduct its authorizing duties effectively and efficiently.

## 1.1 Planning and Commitment to Excellence

NACSA Quality Authorizing Standard	Falcon District 49 Practice
<p>1.1(A) The district supports and advances the purpose of the Charter School Act.</p>	<ul style="list-style-type: none"> <li>• (Staff members who work with charter schools) and district board members will annually review the Legislative Declaration included in the Charter School Act (C.R.S. 22-30.5.102).</li> <li>• At the end of each annual legislative session, staff will provide district board members legislative updates and changes that impact charter schools and charter school authorizers.</li> <li>• New staff members who work with charter schools and district board members will receive a brief orientation on the Charter Schools Act and its purposes within the first 90 days of their board membership or employment.</li> </ul>
<p>1.1(B) The district ensures that the board, leadership and staff understand and are committed to the three Core Principles of Charter School Authorizing.</p>	<ul style="list-style-type: none"> <li>• District board members will regularly review the Core Principles of Charter School Authorizing and the corresponding standards and practices.</li> <li>• Staff will annually review, and update as needed, the practices that support the implementation of the Core Principles of Charter School Authorizing and the corresponding standards.</li> <li>• Staff will provide new Board member with a brief orientation on the Core Principles of Charter School Authorizing and the corresponding policies and practices within the first 90 days of their board membership.</li> </ul>
<p>1.1(C) All district board members and staff members adhere to the district’s Conflict of Interest Policy and avoid conflicts of interest in decision-making related to charter schools.</p>	<ul style="list-style-type: none"> <li>• District board members and staff will annually review, and update as needed, the Conflict of Interest statement to ensure that it is relevant and that authorizing functions are protected from conflicts of interest from all staff and review committee members.</li> <li>• Staff members and review committees will annually sign a statement acknowledging their understanding and intent to comply with the district Conflict of Interest Statement.</li> </ul>
<p>1.1(D) Charter authorizing processes and decision-making are based on established written policy and practice, and implemented consistently across the district, to avoid actions and decisions driven by political influence.</p>	<ul style="list-style-type: none"> <li>• The district will maintain a mission statement for its charter authorizing work that prioritizes the needs and best interests of students above other potentially competing interests.</li> <li>• The district will maintain written policies and practices pertaining to charter schools that are publicly available.</li> <li>• The district will hold all of its schools – traditional and charter – equally accountable for student success.</li> <li>• Consistency in meeting authorizing standards and implementing</li> </ul>

	<p>practice in alignment with district policy is generally acknowledged by the district’s charter schools.</p> <ul style="list-style-type: none"> <li>•</li> </ul>
<p>1.1(E) The district implements policies, processes, and practices as efficiently and systematically as possible while minimizing administrative burdens on schools.</p>	<ul style="list-style-type: none"> <li>• The district will work to align its reporting expectations of charter schools with existing federal and state requirements as much as possible.</li> <li>• The district will develop and provide charter schools with an annual calendar no later than the start of each school year that outlines all reporting and administrative expectations and deadlines.</li> <li>• When additional information is required to meet quality authorizing standards, the district will provide written notice to the school at least two weeks in advance of the reporting deadline whenever possible.</li> </ul>
<p>1.1(F) The district evaluates its authorizing practices annually against national standards and implement timely improvements in where the district falls short.</p>	<ul style="list-style-type: none"> <li>• District board members and staff members who work with charter schools will conduct an annual evaluation of authorizing practice based on three sources of information: <ul style="list-style-type: none"> <li>○ Annual survey of the district’s charter schools measuring satisfaction in a number of areas.</li> <li>○ Annual self-evaluation against implementation of these policies and practices.</li> <li>○ Review of NACSA key reports on national authorizer practice, such as <i>The State of Charter School Authorizing</i> and the <i>Index of Essential Practices</i>.</li> </ul> </li> </ul>
<p><b>1.2 Human Resources</b></p>	
<p><b>NACSA Quality Authorizing Standard</b></p>	<p><b>Falcon District 49 Practice</b></p>
<p>1.2(A) The district enlists expertise and competent leadership for all areas essential to charter school oversight.</p>	<ul style="list-style-type: none"> <li>• District central office staff members who work in various areas will all participate actively in charter school oversight as needed and determined by the iConnect Zone Innovation Leader. This includes central office staff members who support schools in education leadership; curriculum, instruction, and assessment; special education; performance management and accountability; law; finance; facilities; and governance.</li> </ul>
<p>1.2(B) The district employs competent personnel at a staffing level appropriate and sufficient to carry out all authorizing responsibilities in accordance with national standards, and commensurate with the scale of the charter school portfolio.</p>	<ul style="list-style-type: none"> <li>• The district Chief Education Officer will conduct an annual evaluation of the iConnect Zone Innovation Leader to ensure that job responsibilities are being met, annual goals are being accomplished, and the charter schools portfolio is meeting expectations or making reasonable progress towards expectations.</li> <li>• The district will ensure that it has an appropriate number of employees dedicated to charter school oversight in accordance with NACSA guidance and national standards.</li> </ul>
<p>1.2(C) The district provides for regular professional development for the district’s leadership and staff to achieve and</p>	<ul style="list-style-type: none"> <li>• The iConnect Zone Innovation Leader in partnership with the School Improvement Coordinator will develop an annual professional development plan for the charter authorizing staff</li> </ul>

<p>maintain high standards of professional authorizing practice and enable continual district improvement.</p>	<p>based on the Innovation Zone’s goals and work plans for the year.</p> <ul style="list-style-type: none"> <li>• The district board members will allocate time in the annual board calendar at least once a year for professional development related to charter authorizing responsibilities.</li> <li>• The district will annually budget funds to support the professional development plans identified above.</li> </ul>
<p><b>1.3 Financial Resources</b></p>	
<p><b>NACSA Quality Authorizing Standard</b></p>	<p><b>Falcon District 49 Practice</b></p>
<p>1.3(A) The district determines the financial needs of the authorizing office and devotes sufficient financial resources to fulfill its authorizing responsibilities in accordance with national standards and commensurate with the scale of the charter school portfolio.</p>	<ul style="list-style-type: none"> <li>• In order to ensure that the district has an appropriate number of employees dedicated to charter school oversight in accordance with NACSA guidance and national standards, the annual budget will include funds for personnel as needed.</li> <li>• No later than April 30th of each year, the district will conduct a satisfaction and needs assessment survey of all charter schools. Results from this survey will lead to an analysis of whether current central office funding mechanisms are enabling district staff to adequately meet the oversight needs of charter schools. Any needed changes will be incorporated into the budget for the subsequent academic year.</li> </ul>
<p>1.3(B) The district structures funding in a manner so that the district’s authorizing functions are revenue neutral, thereby avoiding conflicts of interest, inducements, incentives, or disincentives that might compromise the district’s judgment in charter approval and accountability decision-making.</p>	<ul style="list-style-type: none"> <li>• Because the Innovation Zone includes both charter and non-charter schools, funding mechanisms should be established to avoid conflicts or competition between schools.</li> <li>• Fees for purchased services will be negotiated annually with the schools. With the exception of special education services which are mandatory for all schools, purchased services will be chosen voluntarily by the school.</li> <li>• Any fees collected from schools for purchased services should cover only those expenses associated with the services and should be revenue neutral.</li> <li>• The district will annually audit the fees charged to charter schools for central administration and share the results of this audit with the charter schools to ensure that the appropriate amounts have been withheld.</li> <li>• The district will annually share the results of its purchased service audits with the charter schools.</li> </ul>
<p>1.3(C) The district deploys funds effectively and efficiently with the public’s interests in mind.</p>	<ul style="list-style-type: none"> <li>• The district will provide its charter schools with equitable access to all funds that are available to the district’s traditional public schools.</li> <li>• The district will establish and maintain a consistent schedule for disbursement of per pupil revenue to charter schools.</li> <li>• The district will provide user-friendly financial reports that are shared with the schools when funds are disbursed so schools will understand what funds are being received.</li> <li>• The district will annually survey charter schools to assess</li> </ul>

	whether the schools feel the district deploys funds effectively and efficiently with the public's interests in mind.
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## 2. Application Process and Decision Making

**NACSA Overview:** A quality authorizer implements a comprehensive application process that includes clear application questions and guidance; follows fair, transparent procedures and rigorous criteria; and grants charters only to applicants who demonstrate a strong capacity to establish and operate a quality charter school.

### 2.1 Proposal Information, Questions, and Guidance

NACSA Quality Authorizing Standard	Falcon District 49 Practice
<p>2.1(A) The District annually creates a charter application information packet or request for proposals (RFP) that states any chartering priorities the district has established, articulates comprehensive applications questions to elicit the information needed for rigorous evaluation of applicants’ plans and capacities, and provides clear guidance and requirements regarding application content and format and evaluation criteria.</p>	<ul style="list-style-type: none"> <li>• No later than three months prior to the district-established charter application deadline, the district will publicly post on its website a Request for Proposals (RFP) or an application packet.</li> <li>• The RFP will include any identified district needs based on data analysis and community input.</li> <li>• The RFP will also welcome proposals that do not meet district-identified community needs so long as the applicants can demonstrate sufficient need and community interest and support.</li> <li>• The RFP will include the application requirements and a corresponding rubric the district will use to evaluate charter applications.</li> </ul>
<p>2.1(B) The district encourages charter applications from both first-time charter applicants as well as existing school operators, while appropriately distinguishing between the two kinds of developers in proposal requirements and evaluation criteria.</p>	<ul style="list-style-type: none"> <li>• The RFP will specify additional requirements from schools that are replicating, expanding, or requesting transfer from another authorizer. When applicable, this includes but is not limited to evidence of success in serving similar student populations, evidence of capacity to support development of an additional school, evidence of mechanisms to ensure integrity of the model across multiple schools, and effective systems in place to support ongoing operations of multiple schools.</li> <li>• The district will clearly define replication-readiness, expansion-readiness, and transfer criteria that reflect high academic and operational standards.</li> <li>• The district will include in the RFP a rubric to evaluate the unique application components that are applicable to replicating, expanding, or transferring applicants.</li> </ul>
<p>2.1(C) The district considers diverse educational philosophies and approaches.</p>	<ul style="list-style-type: none"> <li>• The evaluation rubric for charter applications will be model-neutral. However, the district does require applicants to demonstrate the success of the proposed model in other contexts and with similar student populations.</li> </ul>

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

NACSA Quality Authorizing Standard	Falcon District 49 Practice
<p>2.2(A)The district implements a charter application process that is open, well-publicized, and transparent, and is organized around clear, realistic timelines.</p>	<ul style="list-style-type: none"> <li>• In order to ensure the maximum planning time for approved schools, the district will annually establish a charter application deadline that is early in the statutorily-defined application</li> </ul>

<p>The timelines allow sufficient time for each stage of the application and school pre-opening process to be carried out with quality and integrity.</p>	<p>window (typically August 15<sup>th</sup>).</p> <ul style="list-style-type: none"> <li>• The district will annually develop a timeline for charter application review to comply with the 75-day period within which the district board of education must make a decision about a charter application after receipt of an application. The timeline will include at a minimum the following dates: <ul style="list-style-type: none"> <li>○ Date by which the district will review applications received for completeness.</li> <li>○ Date by which the applicant must submit any missing information based on the district’s review of completeness.</li> <li>○ Date by which the District Accountability Committee’s Charter School Sub-Committee must review the charter application (C.R.S. 22-30.5-107 (1)). The DAC sub-committee will have at least one month to conduct its review of the application and prepare its recommendations for the district board of education.</li> <li>○ Date for applicant interviews with the Application Review Team.</li> <li>○ Board meeting date at which the applicants can present their school design to the school board and address any board questions.</li> <li>○ Board meeting date at which the community can express support or concern regarding charter school applications.</li> <li>○ Board meeting date at which the Application Review Team will share its recommendations for approval or denial with the school board.</li> <li>○ Board meeting date at which the board will vote on the charter applications.</li> </ul> </li> <li>• The district established timeline including the dates identified above will be posted on the district’s website no later than the application deadline.</li> </ul>
<p>2.2(B) The district provides clear criteria for how charter applications are reviewed.</p>	<ul style="list-style-type: none"> <li>• The rubric the district uses to evaluate charter applications will be posted on the district’s website along with the RFP.</li> <li>• The rubric the District Accountability Sub-Committee uses to evaluate the charter application will be posted on the district’s website along with the RFP.</li> <li>• The Application Review Team’s feedback on charter application reviews will be written in terms of strengths and weakness, along with a recommendation for approval or denial and corresponding rationale for that recommendation, and will be formally presented to the board of education and a part of public record.</li> <li>• The District Accountability Sub-Committee’s feedback on charter application reviews will be written in terms of strengths and weaknesses of the application. The District Accountability Sub-Committee’s feedback will be formally presented to the board of education and a part of public record.</li> </ul>



<p>2.2(C) The district communicates chartering opportunities, processes, approval criteria, and decisions clearly to the public.</p>	<ul style="list-style-type: none"> <li>• The district will post all materials related to the RFP and charter application process on an easily-accessible area of its website.</li> <li>• The district will post all applications received on its website during the 75-day review period.</li> <li>• The district will post Application Review Team and DAC summary recommendations and rationale (strength and weaknesses) to the website.</li> <li>• The district will post board resolutions approving or denying applications, along with rationale, to the website.</li> <li>• The district will submit a press release to local and Front Range media outlets when the RFP is made public each year.</li> <li>• The district will submit a press release to local media outlets after charter application decisions have been made each year.</li> </ul>
<p>2.2(D) The district informs applicants of their rights and responsibilities and promptly notifies applicants of approval or denial, while explaining the factors that determined the decision.</p>	<ul style="list-style-type: none"> <li>• District staff will make every effort to keep communication lines open with applicants during the review process, including advance notice of any changes to timelines.</li> <li>• After collecting a full body of evidence and gathering community input, district staff will inform applicants of their recommendations regarding approval or denial and the rationale for their recommendations prior to those recommendations being presented publicly to the board.</li> <li>• The board resolutions approving or denying applications will include the rationale for the decision.</li> </ul>
<p><b>2.3 Rigorous Approval Criteria</b></p>	
<p><b>NACSA Quality Authorizing Standard</b></p>	<p><b>Falcon District 49 Practice</b></p>
<p>2.3(A) The district requires all applicants to meet rigorous application requirements defined in policy LBD-E.</p>	<ul style="list-style-type: none"> <li>• The district will update LBD-E: Application Requirements annually to meet or exceed statutory requirements and in alignment with the Colorado Charter School Standard Application, Checklist, and Review Rubric.</li> <li>• The district will evaluate all applications received against the established evaluation rubric and will base approval or denial decisions on this standards-based evaluation process.</li> </ul>
<p>2.3(B) The district establishes distinct requirements and criteria for applicants that are existing school operators, applicants proposing to contract with education service providers, and applicants proposing to operate virtual or online charter schools.</p>	<ul style="list-style-type: none"> <li>• The district will stay abreast of current trends and best practices for school replication. Application requirements will then include specific questions and evaluation criteria to reflect high standards and increased likelihood of success for school replicators.</li> <li>• The district will stay abreast of current trends and best practices for schools working with an education service provider. Application requirements will then include specific questions and evaluation criteria to reflect high standards and increased likelihood of success for schools working with education service providers.</li> <li>• The district will stay abreast of current trends and best practices for virtual or online schools. Application requirements will then</li> </ul>

	include specific questions and evaluation criteria to reflect high standards and increased likelihood of success for virtual or online schools.
<b>Rigorous Decision Making</b>	
<b>NACSA Quality Authorizing Standard</b>	<b>Falcon District 49 Practice</b>
2.3(C) The district grants charters only to applicants that have demonstrated competence and capacity to succeed in <i>all</i> aspects of the school, consistent with the stated approval criteria.	<ul style="list-style-type: none"> <li>• The Application Review Team will rate each section of the application using the four-point scale in the evaluation rubric.</li> <li>• Only applications that consistently receive threes and fours on all critical sections of the application will be granted a charter.</li> </ul>
2.3(D) The district engages, for both written application reviews and applicant interviews, highly competent teams of internal and external evaluators with relevant expertise in a variety of areas.	<ul style="list-style-type: none"> <li>• The Application Review Team will be led by the iConnect Zone Innovation Leader and will include both internal and external evaluators.             <ul style="list-style-type: none"> <li>○ The internal members of the Applicant Review Team will include district staff members with expertise in the following essential areas of school design: curriculum and instruction, accountability and assessment, financial management and budgeting, serving students with special needs (special education, English language learners, gifted students), and governance.</li> <li>○ The Application Review Team will include at least three outside evaluators who have experience working with charter schools in other districts and who have different areas of expertise. The Colorado Department of Education and the Colorado League of Charter Schools will help the district identify potential external evaluators.</li> </ul> </li> </ul>
2.3(E) The district conducts a fair, comprehensive, and rigorous evaluation of each application to include a written evaluation, interview, and background checks.	<ul style="list-style-type: none"> <li>• All members of the Application Review Team, both internal and external, will review and evaluate each of the complete charter applications received in their entirety. Each reviewer’s evaluation will be based on the pre-defined and publicized evaluation criteria articulated through the evaluation rubric.</li> <li>• Representatives from the Application Review Team will conduct a substantial in-person interview with the applicant group. The team will use standard interview questions that will be asked of all applicants to assess experience and capacity, as well as questions specific to the applicant based on areas of concern from the application review. The Application Review Team will ask specific questions of the board and the school leader to ensure that all parties have the capacity to fulfill their respective roles.</li> <li>• The iConnect Zone Innovation Leader will compile all Application Review Team Members’ evaluations, and then convene all internal and external reviewers to identify primary strengths and weaknesses of the application and make a written recommendation on approval or denial with rationale to the board of education.</li> </ul>

	<ul style="list-style-type: none"> <li>• The district will conduct reference checks on any proposed school leaders to assess experience and capacity.</li> <li>• The district will conduct background checks on proposed school leaders and board members to ensure safety of students.</li> </ul>
<p>2.3(F) The Charter School Subcommittee of the District Accountability Committee conduct a fair and rigorous evaluation of each application to assess likelihood of success based on academic program, community support, and financial planning.</p>	<ul style="list-style-type: none"> <li>• The district will ensure that the Charter School Subcommittee of the District Accountability Committee include at least a person with a demonstrated knowledge of charter schools and one parent or legal guardian of a child enrolled in a charter school (C.R.S. 22-30.5-107 (1.5))</li> <li>• Members of the Charter School Subcommittee of the District Accountability Committee will receive a brief orientation on the Charter Schools Act and the Core Principles of Charter School Authorizing prior to review of any charter school applications or renewal applications.</li> <li>• Upon submission of the charter application and following determination by the district that the application is complete, an electronic copy of the application will be made available to all committee members.</li> <li>• The Charter School Subcommittee of the District Accountability Committee will review and evaluate the following three components of the charter application using established criteria and an evaluation rubric:             <ol style="list-style-type: none"> <li>1. The proposal is based on a model that is likely to be successful due to a strong research-basis or evidence of success in other similar environments.</li> <li>2. The proposal has adequate support from the community.</li> <li>3. The proposed budget is realistic and sound.</li> </ol> </li> <li>• The District Accountability Sub-Committee’s feedback on the three identified criteria will be written in terms of strengths and weaknesses of the application. The District Accountability Sub-Committee’s feedback will be formally presented to the board of education and a part of public record.</li> <li>• The Charter Subcommittee will complete its review of the applications and present the board with its feedback within 45 days of receiving the applications.</li> </ul>
<p>2.3(G) The district ensures consistent evaluation standards and practices, observance of essential protocols, and fair treatment of applicants by providing comprehensive training to application evaluators and interviewers.</p>	<ul style="list-style-type: none"> <li>• The district will identify all members of the Application Review Team (internal and external) and District Accountability Charter School Subcommittee members prior to the application deadline.</li> <li>• All members of the Application Review Team and District Accountability Charter School Subcommittee will receive training on the review process and how to use the evaluation criteria and review rubrics. This will happen no later than two weeks after the application deadline (while district staff members are reviewing any received applications for completeness).</li> </ul>
<p>2.3(H) The district ensures that the</p>	<ul style="list-style-type: none"> <li>• Anyone potentially involved in application reviews (internal or</li> </ul>

application review process and decision-making process are free of conflicts of interest.

external members of the Application Review Team or District Accountability Subcommittee members) will disclose any relationships with applicants and recuse themselves from the application review process for that applicant.

- All application reviewers –whether on the Application Review Team or District Accountability Subcommittee – will annually sign a statement acknowledging their understanding and intent to comply with the district Conflict of Interest Policy.

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### 3. Performance Contracting

**NACSA Overview:** A quality authorizer executes contracts with charter schools that 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 materials terms. The contract is an essential document, separate from the charter application, that establishes the legally binding agreement and terms under which the school will operate.

#### 3.1 Contract Term, Negotiation, and Execution

NACSA Quality Authorizing Standard	Falcon District 49 Practice
3.1(A) The district executes a contract with a legally incorporated governing board independent of the authorizer or an educational service provider.	<ul style="list-style-type: none"> <li>• Before beginning contract negotiations, the district will ensure that the governing board is legally autonomous by reviewing incorporation documents and ensuring that the independent board is recognized as being in <i>good standing</i> with the Colorado Secretary of State.</li> </ul>
3.1(B) The district grants charter contracts term of no more than five operating years.	<ul style="list-style-type: none"> <li>• A typical initial charter school contract will be for three years.</li> <li>• Each consecutive contract after the initial contract will be for five years, unless the district has performance concerns or specific conditions that must be met in which case the school may be given a shorter conditional contract.</li> </ul>
3.1(C) The district defines material terms of the contract.	<ul style="list-style-type: none"> <li>• Material terms of the contract which must be defined include the following:                             <ul style="list-style-type: none"> <li>○ District-School Relationship</li> <li>○ School Governance</li> <li>○ Operation of School and Waivers</li> <li>○ School Enrollment and Demographics, including enrollment policies, enrollment maximum and minimum, and grade levels</li> <li>○ Educational Program, including vision/mission, goals and objectives, educational program characteristics, graduation requirements, and serving students with special needs.</li> <li>○ Financial Matters</li> <li>○ Employment Status of Employees</li> <li>○ Renewal, Revocation, and Closure Processes and Conditions</li> </ul> </li> <li>• The district will use the Colorado Charter School Sample Contract Language and Attachments as applicable in its charter school contracts.</li> <li>• In order to facilitate the monitoring of charter contracts by the district, all schools will receive the same base contract with modifications made to certain sections to reflect specific school characteristics and needs.</li> </ul>
3.1(D) The district ensures mutual understanding and acceptance of the terms of the contract by the school’s governing board prior to authorization or	<ul style="list-style-type: none"> <li>• The district’s legal counsel will review drafts of any new charter school contracts prior to negotiations between the district and school.</li> <li>• When a charter school is approved, the iConnect Zone Leader</li> </ul>

<p>charter granting by the authorizing board.</p>	<p>with legal counsel will meet with the school’s governing board and school leader (if hired) to review and negotiate key contract provisions.</p> <ul style="list-style-type: none"> <li>• Any material changes to the contract during the negotiation process will be reviewed by the iConnect Zone Leader and the district’s legal counsel.</li> <li>• When both the school and the district staff have mutually agreed on all contract provisions, the draft contract will be provided to the Board of Education for review and approval.</li> <li>• In compliance with state statute (C.R.S. 22-30.5-107 (2)), a contract for a new school will be finalized within 90 days of after the Board of Education rules by resolution to approve the application.</li> </ul>
<p>3.1(E) The district allows – and requires contract amendments for – occasional material changes to a school’s plans, but does not require amending the contract for non-material modifications.</p>	<ul style="list-style-type: none"> <li>• The district will annually review charter contracts during March of each year.</li> <li>• The district will define for charter schools the material provisions of the contract that require district approval in order to be changed.</li> <li>• The district will send all schools a memo noting the material contract provisions, information on the process for making contract revisions, and the timeline for the process (any proposed revisions must be submitted by the school to the district no later than February 28<sup>th</sup> of each year).</li> <li>• Any proposed material revisions to charter contracts by the schools must be made through the following process:             <ul style="list-style-type: none"> <li>○ The school’s board will approve a motion to propose a material change to the charter contract at a public meeting.</li> <li>○ The board will submit the request to the district in writing no later than February 28<sup>th</sup>. The school must note the requested change and the rationale for the change.</li> <li>○ During March, as part of the annual contract review process, the district staff will review any revisions requests and discuss them with legal counsel as needed.</li> <li>○ When all potential revisions have been made and agreed upon by district staff and the charter school governing, the draft revised contract will be submitted to the district Board of Education for consideration at its first April meeting.</li> <li>○ The Board of Education will vote to either accept or reject the proposed changes no later than May 31st.</li> </ul> </li> </ul>
<p><b>3.2 Rights and Duties</b></p>	
<p><b>NACSA Quality Authorizing Standard</b></p>	<p><b>Falcon District 49 Practice</b></p>
<p>3.2(A) The district executes comprehensive charter contracts that address all of the NACSA standards for contracts.</p>	<p>The base charter contract template used for all charter schools in the district will:</p> <ul style="list-style-type: none"> <li>• State the rights and responsibilities of the school and authorizer.</li> </ul>

	<ul style="list-style-type: none"> <li>• State and respect autonomies to which schools are entitled (based on statute, waiver, or district policy) including those related to the school’s authority over educational programming, staffing, budgeting, and scheduling.</li> <li>• Define performance standards, criteria and conditions for renewal, intervention, revocation, and non-renewal, while establishing the consequences for meeting or not meeting standards or conditions.</li> <li>• State the statutory, regulatory, and procedural terms and conditions for the school’s operations.</li> <li>• State 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.</li> <li>• State the responsibility and commitment of the school to adhere to essential public education obligations.</li> <li>• State the responsibilities of the school and the authorizer in the event of school closure.</li> <li>• State the responsibility of the school to comply with non-discriminatory open enrollment practices and admit and serve all eligible students so long as space is available. This shall include providing access to and serving students with special needs including students with disabilities, English language learners, homeless students, and gifted students. The contract shall state that the school may not establish undue barriers to application, such as mandated testing prior to acceptance, that have the effect of excluding students based on socioeconomic, family, or language background, prior academic performance, special education status, or parental involvement. The contract shall require the school to use a publicly verifiable enrollment process that is either random in nature or first-come-first-served.</li> <li>• State the responsibility of the school to adopt a conflict of interest policy that complies with federal and state laws applicable to public officials.</li> <li>• State the responsibility of the school to comply with excessive executive compensation requirements under federal law or applicable industry standards.</li> <li>• State the responsibility of the school to have an annual independent financial audit.</li> <li>• State the responsibility of the school to implement student discipline policies and actions that are legal and fair, ensuring that a student is not expelled or counseled out of a school outside of the established district-approved process.</li> </ul>
<p>3.2(B) The district ensures that any fee-based services provided by the district are set forth in a services agreement separate</p>	<ul style="list-style-type: none"> <li>• When a school is approved, the district and the charter school governing board will also negotiate a purchased services agreement.</li> </ul>

<p>from the charter contract. In addition, the district ensures that purchasing such services is not explicitly a condition of charter approval, continuation, or renewal.</p>	<ul style="list-style-type: none"> <li>○ This will begin with the district providing the new school with a menu of services that the school has the option of purchasing. Any specific information about the services will also be provided.</li> <li>○ The school’s governing board and leader will have an opportunity to review the purchased services options and select only those that would be needed by the school.</li> <li>○ When the district knows which services are wanted by the school, it will put together a purchased services agreement that defines the services, what is included and/or excluded, and cost. Both parties will sign this agreement.</li> <li>○ The signed agreements will be housed both with the Finance Department and the iConnect Zone Office, as well as with the respective charter schools.</li> </ul> <ul style="list-style-type: none"> <li>• Purchased service agreements will always be for a one-year period.</li> <li>• During the annual contract review period in March of each year, the district and each charter school will also review its purchased service agreement. The district will inform the school of any price changes and the school will have the opportunity to continue or discontinue any purchased services or make changes to the agreement as needed.</li> </ul>
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**3.3 Performance Framework and Standards**

<p><b>NACSA Quality Authorizing Standard</b></p>	<p><b>Falcon District 49 Practice</b></p>
<p>3.3(A) The district executes performance contracts that clearly define the district’s expectations of the charter school, and the conditions under which the charter school will be allowed continued operations and renewal.</p>	<ul style="list-style-type: none"> <li>• Each charter contract will have a performance framework under which it will be evaluated, using objective and verifiable measures of student achievement as the primary measure of school quality. Specifically, all charter schools in the district will be expected to obtain or be making reasonable progress towards a “meets” or “exceeds” rating on the three (elementary and middle schools) or four (high school) performance indicators on the State Performance Framework.</li> <li>• If a school does not obtain a “meets” or “exceeds” rating on any of the performance indicators, the school and district will work together to establish annual performance goals (based on academic achievement, academic growth, and growth gaps) so that the school will meet all expectations within three years.</li> <li>• Each school’s contract will define clear, measurable, and attainable academic, financial, and operational performance standards and targets that the school must meet as a condition of renewal, including, but not limited to, state and federal measures.</li> <li>• Each school’s contract will define the sources of data that will form the evidence base for ongoing and renewal evaluation, including state-mandated and other standardized assessments,</li> </ul>



	<p>internal assessments, qualitative reviews, and performance comparisons with other public schools in the district and state.</p>
<p><b>3.4 Provisions for Education Service or Management Contracts (if applicable)</b></p>	
<p><b>NACSA Quality Authorizing Standard</b></p>	<p><b>Falcon District 49 Practice</b></p>
<p>3.4(A) For any school contracting with a third-party provider for education design and operation or management, the district includes additional contractual provisions that ensure rigorous, independent contract oversight by the charter governing board and the school’s financial independence from the external provider.</p>	<p>The district will ensure that the following best practices are addressed in the school’s agreement with the Educational Service Provider (ESP):</p> <ul style="list-style-type: none"> <li>• The maximum term of an ESP agreement must not exceed the term of the charter. After the second year that the ESP agreement has been in effect, the school must have the option of terminating the contract without cause or a financial penalty.</li> <li>• ESP agreements must be negotiated at ‘arms-length.’ The charter school’s board and ESP must have independent legal counsel to represent their interests in reaching a mutually acceptable management agreement.</li> <li>• No provision of the ESP agreement shall interfere with the charter school board’s duty to exercise its statutory, contractual and fiduciary responsibilities governing the operation of the charter school. No provision of the ESP agreement shall prohibit the charter school board from acting as an independent, self-governing public body, or allow decisions to be made other than in compliance with the Colorado Sunshine Law.</li> <li>• An ESP agreement shall not restrict the charter school board from waiving its governmental immunity or require a charter school board to assert, waive or not waive its governmental immunity.</li> <li>• No provision of an ESP agreement shall alter the charter school board’s treasurer’s legal obligation to direct that the deposit of all funds received by the charter school be placed in the charter school’s account.</li> <li>• ESP agreements must contain at least one of the following methods for paying fees or expenses: 1) the charter school board may pay or reimburse the ESP for approved fees or expenses upon properly presented documentation and approval by the charter board; or 2) the charter board may advance funds to the ESP for the fees or expenses associated with the charter school’s operation provided that documentation for the fees and expenses are provided for charter school board ratification.</li> <li>• ESP agreements shall provide that the financial, educational and student records pertaining to the charter school are charter school property and that such records are subject to the provisions of the Colorado Open Records Act. All charter</li> </ul>

	<p>school records shall be physically or electronically available, upon request, at the charter school’s physical facilities. Except as permitted under the charter contract and applicable law, no ESP agreement shall restrict the District’s access to the charter school’s records.</p> <ul style="list-style-type: none"><li>• ESP agreements must contain a provision that all finance and other records of the ESP related to the charter school will be made available to the charter school’s independent auditor.</li><li>• The ESP agreement must not permit the ESP to select and retain the independent auditor for the charter school.</li><li>• If an ESP purchases equipment, materials and supplies on behalf of or as the agent of the charter school, the ESP agreement shall provide that such equipment, materials and supplies shall be and remain the property of the charter school.</li><li>• ESP agreements shall contain a provision that if the ESP procures equipment, materials and supplies at the request of or on behalf of the charter school, the ESP shall not include any added fees or charges with the cost of equipment, materials and supplies purchased from third parties.</li><li>• ESP agreements must contain a provision that clearly allocates the respective proprietary rights of the charter school board and the ESP to curriculum or educational materials. At a minimum, ESP agreements shall provide that the charter school owns all proprietary rights to curriculum or educational materials that (i) are both directly developed and paid for by the charter school; or (ii) were developed by the ESP at the direction of the charter school governing board with charter school funds dedicated for the specific purpose of developing such curriculum or materials. ESP agreements may also include a provision that restricts the charter school’s proprietary rights over curriculum or educational materials that are developed by the ESP from funds from the charter school or that are not otherwise dedicated for the specific purpose of developing charter school curriculum or educational materials. All ESP agreements shall recognize that the ESP’s educational materials and teaching techniques used by the charter school are subject to state disclosure laws and the Open Records Act.</li><li>• ESP agreements involving employees must be clear about which persons or positions are employees of the ESP, and which persons or positions are employees of the charter school. If the ESP leases employees to the charter school, the ESP agreement must provide that the leasing company accepts full liability for benefits, salaries, worker’s compensation, unemployment compensation and liability insurance for its employees leased to the charter school or working on charter school operations. If the charter school is staffed through an employee leasing agreement, legal confirmation must be</li></ul>
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	<p>provided to the charter school board that the employment structure qualifies as employee leasing.</p> <ul style="list-style-type: none"> <li>• ESP agreements must contain insurance and indemnification provisions outlining the coverage the ESP will obtain. The ESP's insurance is separate from and in addition to the insurance for the charter school board that is required according to the charter contract. Insurance coverage must take into account whether or not staff at the school are employees of the ESP or the school.</li> <li>• Marketing and development costs paid by or charged to the charter school shall be limited to those costs specific to the charter school program, and shall not include any costs for the marketing and development of the ESP.</li> <li>• If the charter school intends to enter into a lease, execute promissory notes or other negotiable instruments, or enter into a lease-purchase agreement or other financing relationships with the ESP, then such agreements must be separately documented and not be a part of or incorporated into the ESP agreement. Such agreements must be consistent with the school's authority to terminate the ESP agreement and continue operation of the school.</li> </ul>
<p>3.4(B) The district reviews the proposed third-party contract as a condition of charter approval to ensure that it is consistent with applicable law, authorizer policy, and the public interest.</p>	<ul style="list-style-type: none"> <li>• Any charter applicant that intends to work with an ESP must include a draft ESP agreement with the charter application. This will be a requirement defined in the RFP or application packet.</li> <li>• District staff and the Board of Education will review the draft ESP agreement included with the charter application to ensure that the conditions identified above are met.</li> <li>• Once an ESP agreement is signed between a charter school and ESP, a copy of the executed contract should be sent to the district.</li> </ul>

## 4. Ongoing Oversight and Evaluation

**NACSA Overview:** A quality authorizer conducts contract oversight that competently evaluates performance and monitors compliance; ensures schools’ legally entitled autonomy; protects student rights; informs intervention, revocation, and renewal decisions; and provides annual public reports on school performance.

### 4.1 Performance Evaluation and Compliance Monitoring

NACSA Quality Authorizing Standard	Falcon District 49 Practice
<p>4.1(A) The district implements a comprehensive performance accountability and compliance monitoring system that is defined by the charter contract and provides the information necessary to make rigorous and standards-based renewal, revocation, and intervention decisions.</p>	<ul style="list-style-type: none"> <li>• The district will collect academic data (e.g. Stanford 10, NWEA MAP, Scantron) two to three times per year from the school as additional evidence of the school’s academic performance. These collection dates will be mutually established by the district and the schools based on the schools’ testing schedules.</li> <li>• Schools will report disciplinary data on an ongoing basis through the district’s student information system (e.g. Infinite Campus).</li> <li>• The district will conduct an annual compliance review each year in the fall (no later than October 31<sup>st</sup>) to ensure that each school has the necessary processes and practices in place to meet legal requirements of charter schools.</li> <li>• The district will require and review financial statements (budget vs. actuals and balance sheets) from each charter school four times per year (due October 15, January 15, April 15, and July 15).</li> <li>• The district will review each school’s board meeting minutes once per year. The district expects that minutes will be posted on the school’s website no more than 45 days after each board meeting.</li> <li>• Schools are expected to file background checks with the district for all school employees prior to each employee’s start of employment.</li> </ul>
<p>4.1(B) The district defines and communicates to schools the process, methods, and timing of gathering and reporting school performance and compliance data.</p>	<ul style="list-style-type: none"> <li>• The district will compile an annual calendar documenting all reporting due dates and distribute this to charter schools within the first week of the start of the school year.</li> </ul>
<p>4.1(C) The district implements an accountability system that effectively streamlines federal, state, and local performance expectations and compliance requirements while protecting schools’ legally entitled autonomy and minimizing school’s administrative and reporting burdens.</p>	<ul style="list-style-type: none"> <li>• The basis of the district’s academic accountability system will be the state’s accountability and accreditation system. Additional academic data will be collected as further evidence of the school’s performance, but the primary basis for accountability decisions will be the state’s School Performance Framework, which reflects state and federal expectations.</li> </ul>
<p>4.1(D) The district visits each school as</p>	<ul style="list-style-type: none"> <li>• The iConnect zone leader or district staff will conduct a planned</li> </ul>

<p>appropriate and necessary for collecting data that cannot be obtained otherwise and in accordance with the contract, while ensuring that the frequency, purposes, and methods of such visits respect school autonomy and avoid operational interference.</p>	<p>visit to each charter school each year. These visits will be arranged in advance at a date and time that is mutually convenient for both the school and district. The visit will be used to collect any data that cannot be obtained through other means.</p> <ul style="list-style-type: none"> <li>• If additional school visits are needed, they will be arranged in advance and a date and time that is mutually convenient for both parties. The district will always inform the school of the purpose of the visit.</li> </ul>
<p>4.1(E) The district evaluates each school annually on its performance and progress toward meeting the standards and targets stated in the charter contract, including essential compliance requirements, and clearly communicate evaluation results to the school’s governing board and leadership.</p>	<ul style="list-style-type: none"> <li>• No later than November of each year, after CSAP results have been released by the state, the district will evaluate each school on progress made towards annual goals and compliance requirements.</li> <li>• The evaluation should include a summary of the school’s performance and compliance to date, as well as identify areas of strength and areas needing improvement.</li> <li>• The district will share the results of this evaluation process in writing with each school’s governing board and leader no later than November 30<sup>th</sup> for the prior year.</li> <li>• Any concerns with the school’s performance will be communicated to the school, as well as any expectations for changes or improvements in outcomes for the coming year.</li> </ul>
<p>4.1(F) The district requires and reviews annual financial audits of schools, which are conducted by a qualified independent auditor.</p>	<ul style="list-style-type: none"> <li>• All schools are obligated by State Board of Education guidance to undergo an annual independent financial audit (by a Certified Public Accountant that does not also conduct the district’s audit).</li> <li>• Each school will send a copy of the completed audit to the district no later than September 30 each year.</li> <li>• District personnel will review each school’s audit and notify the school of any concerns or financial performance expectations for the coming year.</li> </ul>
<p>4.1(G) The district communicates regularly with schools as needed, including both the school leader and governing board, and provide timely notice of contract violations or performance deficiencies.</p>	<ul style="list-style-type: none"> <li>• Communication regarding contractual obligations or reporting requirements will be delivered electronically to both the charter school leader and the charter school board president.</li> <li>• Communication regarding any problems with the school leader or missed deadlines by the school leader will be delivered electronically to the charter school board president.</li> </ul>
<p>4.1(H) The district articulates and enforces stated consequences for failing to meet performance expectations or compliance requirements.</p>	<ul style="list-style-type: none"> <li>• The charter contract will clearly define the consequences for not meeting performance expectation or compliance requirements. Typically a school that does not meet expectations or requirements will be put on a probationary or conditional contract and will be required to provide evidence of meeting certain benchmarks over a period of time to assure the district that the school is making progress towards correcting the identified problems.</li> </ul>

<b>4.2 Respecting School Autonomy</b>	
<b>NACSA Quality Authorizing Standard</b>	<b>Falcon District 49 Practice</b>
4.2(A) The district respects the school’s authority over its day-to-day operations.	<ul style="list-style-type: none"> <li>The district will not get involved in the day-to-day operations of any charter school, even if advice or support is solicited. Instead, the district will focus on communicating expectations of outcomes to schools. If a school is struggling with day-to-day operational challenges, the district will encourage the school to seek support from other organizations that provide such services. Getting involved in day-to-day problem-solving compromises the district’s ability to fully uphold its responsibilities around accountability and autonomy.</li> </ul>
4.2(B) The district collects information from the school in a manner that minimizes administrative burdens on the school, while ensuring that performance and compliance information is collected with sufficient detail and timeliness to protect student and public interests.	<ul style="list-style-type: none"> <li>Whenever possible, the district will streamline its reporting requirements of schools so that one report can serve multiple purposes.</li> <li>The district will always provide at least two weeks’ notice for any reporting expectations, though ideally all deadlines will be communicated at the beginning of the year on an annual reporting calendar.</li> <li>When detailed reporting information is expected of the school, the district will provide adequately detailed guidance on the format and content that should be provided.</li> </ul>
4.2(C) The district periodically reviews compliance requirements and evaluates the potential to increase school autonomy based on flexibility in the law, streamlining requirements, demonstrated school performance, or other considerations.	<ul style="list-style-type: none"> <li>The district will annually review its compliance and reporting requirements and determine if the administrative burden on schools is reasonable or can be reduced.</li> <li>The district will annually survey its schools to determine if the administrative burden on schools is reasonable and can be reduced.</li> <li>The district will reduce reporting expectations for schools that have been open for three or more years and are consistently high-performing.</li> </ul>
<b>4.3 Protecting Student Rights</b>	
<b>NACSA Quality Authorizing Standard</b>	<b>Falcon District 49 Practice</b>
4.3(A) The district ensures that schools admit students through a random selection process that is open to all students, publicly verifiable, and does not establish undue barriers to application that have the effect of excluding students based on socioeconomic, family, or language background; prior academic performance; special education status; or parental involvement.	<ul style="list-style-type: none"> <li>The district will annually review each school’s enrollment policy and verify the enrollment process through an on-site visit to ensure equitable access to all students.</li> <li>When a school is oversubscribed and a lottery is held for admission, the school will be required to have an outside observer (with no connection to school staff members, board members, current student or prospective students) present during the lottery to verify the process is handled equitably.</li> <li>When a school is oversubscribed and a waitlist is used for admission, the school must be able to provide records for how students are added to the waitlist and admitted when a seat</li> </ul>

<p>4.3(B) The district ensures that schools provide access and services to students with disabilities as required by federal and state law.</p>	<p>becomes open.</p> <ul style="list-style-type: none"> <li>• The district’s Director of Special Education with an Innovation Zone representative will visit each charter school at least twice per year to review IEP records, observe pull-out instruction, and work with the special education teacher to ensure that services are being effectively provided for students with disabilities.</li> <li>• The district will investigate any allegations of compliance issues related to meeting the needs of students with disabilities within one week of receiving a complaint or concern from a parent or school employee.</li> <li>• Access issues will be ensured during the annual review of the school’s enrollment policy and process.</li> </ul>
<p>4.3(C) The district ensures that schools provide access to and appropriately serve other special populations of students, including English language learners, homeless students, and gifted students, as required by federal and state law.</p>	<ul style="list-style-type: none"> <li>• The English Language Learner specialist will visit each charter school at least twice per year to review CELA and ELA Plan records, observe pull-out instruction, and work with the ELA teacher to ensure that services are being effectively provided for English Language Learners.</li> <li>• The district will investigate any allegations of compliance issues related to meeting the needs of English Language Learners within one week of receiving a complaint or concern from a parent or school employee.</li> <li>• Access issues will be ensured during the annual review of the school’s enrollment policy and process.</li> </ul>
<p>4.3(D) The district ensures that schools’ student discipline policies and actions are legal and fair, and that no student is expelled or counseled out of a school outside of that process.</p>	<ul style="list-style-type: none"> <li>• The district will annually review each school’s discipline policy to ensure equitable treatment of all students.</li> <li>• The district will semi-annually review each school’s disciplinary data uploaded into the district’s student information system to identify any concerning trends.</li> <li>• The district and the school will work collaboratively to manage any serious disciplinary situation involving a student with a disability.</li> <li>• The district and the school will work collaboratively when an expulsion or school transfer is being considered as a result of disciplinary issues.</li> </ul>
<p><b>4.4 Intervention</b></p>	
<p><b>NACSA Quality Authorizing Standard</b></p>	<p><b>Falcon District 49 Practice</b></p>
<p>4.4(A) The district establishes and make known to schools at the outset an intervention procedure stating the general conditions that may trigger intervention and the types of actions and consequences that may ensue.</p>	<ul style="list-style-type: none"> <li>• After gathering initial input from the district’s charter schools and the National Association of Charter School Authorizers, the district will develop an intervention procedure that outlines conditions that warrant intervention and how the district will respond to various circumstances.</li> <li>• The district will review and make any needed updates to the intervention procedure annually by July 31 to ensure that it is effective.</li> <li>• District board and staff members will only receive complaints</li> </ul>

	<p>from charter school parents/guardians if the complaint or concern involves a student safety issue, a legal issue, or a contractual issue. The district will investigate the complaint and follow the established intervention procedure when appropriate.</p> <ul style="list-style-type: none"> <li>• The district will notify the school’s board president and leader electronically of any complaints or concerns raised within 24 hours of receiving the complaint or concern.</li> </ul>
<p>4.4(B) The district gives schools clear, adequate, evidence-based, and timely notice of contract violations or performance deficiencies.</p>	<ul style="list-style-type: none"> <li>• Communication regarding contract violations or performance deficiencies will be delivered both electronically and by mail to the charter school leader and the charter school board president. Such communications will be delivered within one week of the district become aware of the violation or concern.</li> <li>• The communication to the school board president and leader will include a detailed description of the contract violation and/or performance deficiency, along with the evidence of the violation or deficiency.</li> <li>• The communication to the school board president and leader will also include the expectation the district has of the school in remedying the situation, the timeline for doing so, and the consequences if that does not happen.</li> </ul>
<p>4.4(C) The district allows schools reasonable time and opportunity for remediation in non-emergency situations.</p>	<ul style="list-style-type: none"> <li>• The timeline for remediation will be based upon the intervention procedure and the specific violation or infraction that has taken place.</li> </ul>
<p>4.4(D) Where intervention is needed, the district engages in intervention strategies that clearly preserve school autonomy and responsibility (identifying what the school must remedy without prescribing solutions).</p>	<ul style="list-style-type: none"> <li>• The district’s intervention procedure, when defined, should be focused on the district’s role of identifying the concern, the expected outcomes, and the timeline under which change is expected.</li> </ul>
<p><b>4.5 Public Reporting</b></p>	
<p><b>NACSA Quality Authorizing Standard</b></p>	<p><b>Falcon District 49 Practice</b></p>
<p>4.5(A) The district produces an annual report that provides clear, accurate performance data for the charter schools it oversees, reporting on individual school and overall portfolio performance according to the framework set forth in the charter contract.</p>	<ul style="list-style-type: none"> <li>• The district will compile the annual reports produced for each school into a portfolio performance report that will be shared publicly and posted on the district’s website.</li> <li>• Because the portfolio performance will be shared broadly, it should not include information that might reveal confidential student-level information.</li> <li>• Because the portfolio performance will be shared broadly, data should be presented in such a way that is easily understood by multiple audiences, particularly parents/guardians.</li> </ul>



## 5. Revocation and Renewal Decision Making

**NACSA Overview:** A quality authorizer designs and implements a transparent and rigorous process that uses comprehensive academic, financial, and operational performance data to make merit-based renewal decisions, and revokes charters when necessary to protect student and public interests.

### 5.1 Revocation

NACSA Quality Authorizing Standard	Falcon District 49 Practice
<p>5.1(A) The district revokes a charter during the charter term if there is clear evidence of extreme underperformance or violation of law or the public trust that imperils students or public funds.</p>	<ul style="list-style-type: none"> <li>• When conducting its annual evaluation of each charter school, if there is objective evidence of extreme underperformance or violation of law or the public trust, the district will consider mid-contract charter revocation.</li> <li>• If such concerns are raised, the district will conduct a formal evaluation of the school, including having a team of district personnel and outside consultants spend two days evaluating the school.</li> <li>• All feedback will be compiled – quantifiable data and evidence, as well as insight from the site visit evaluation – and presented to the Board of Education. The staff will also provide its recommendation on whether the school’s charter should be revoked.</li> <li>• The Board of Education will rule by resolution on whether to revoke the charter contract, continue the charter contract with specific conditions and expectations that must be met, or allow the school to continue operating under its current contract.</li> <li>• In rare circumstances, the district may request that the Commissioner of Education invoke the Emergency Powers Act (C.R.S. 22-30.5-701 et seq.) In this case, district management typically leading to closure is usually related to financial mismanagement, a threat to district or school property, and/or student safety.</li> </ul>

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

NACSA Quality Authorizing Standard	Falcon District 49 Practice
<p>5.2(A) The district bases the renewal process and renewal decisions on thorough analyses of a comprehensive body of objective evidence defined by the performance framework in the charter contract.</p>	<ul style="list-style-type: none"> <li>• The district will consider and gather objective data on the renewal goals included in the charter contract.</li> <li>• The renewal goals in the contract should align with the following indicators designed to inform renewal decision-making:                         <ol style="list-style-type: none"> <li>1. Is the educational program a success?                                 <ol style="list-style-type: none"> <li>A. The school has achieved adequate levels of academic growth over the past three years.</li> <li>B. The school has achieved adequate levels of academic achievement over the past three years.</li> <li>C. The school has strong levels of stakeholder engagement.</li> </ol> </li> </ol> </li> </ul>

	<p>D. The school has achieved its unique educational outcomes.</p> <p>2. Is the school meeting its legal and other obligations?</p> <p>A. The school meets all statutory and regulatory requirements.</p> <p>B. The school adequately serves and supports students with special needs.</p> <p>C. The school adequately serves and supports English Language Learners.</p> <p>D. The school provides its students with a safe and secure facility in which learning can take place.</p> <p>E. The school has and consistently implements an equitable enrollment process.</p> <p>3. Are school operations effective and efficient?</p> <p>A. The school has had strong financial performance over the past three years.</p> <p>B. The school has experienced strong demand over the past three years.</p> <p>C. The school effectively implements its unique organizational commitments.</p> <p>4. Does the school have excellent governance and leadership?</p> <p>A. The governing board demonstrates excellent leadership.</p> <p>B. The administration demonstrates excellent leadership.</p> <p>C. The teachers demonstrate excellent leadership.</p> <p>D. The parents demonstrate excellent leadership.</p>
<p>5.2(B) The district grants renewal only to schools that have achieved the standards and targets stated in the charter contract, are organizationally and fiscally viable, and have been faithful to the terms of the contract and applicable law.</p>	<ul style="list-style-type: none"> <li>Renewal decisions will be based on evidence that demonstrates whether the school has achieved, or is making adequate progress towards achieving (as defined in the charter contract), the performance goals identified in the contract and based on the indicators above (C.R.S. § 22-30.5-110(3)(a)).</li> </ul>
<p>5.2(C) The district does not make renewal decisions, including granting probationary or short-term renewals, on the basis of political or community pressure or solely on promises of future improvement.</p>	<ul style="list-style-type: none"> <li>The district will allow an opportunity for community members to provide input on renewal decisions during one open comment session at a regular Board of Education meeting prior to a renewal decisions. However, the renewal decision will be based on material evidence of the school’s success in serving students well.</li> <li>The district will base renewal decisions on the past performance of the charter school and improvements made in the most recent 12 months; the district will not allow promises of future improvements to influence renewal decisions.</li> <li>In accordance with state statute, the Charter School Subcommittee of the District Accountability Committee (DAC) will review the school’s renewal application and provide a renewal recommendation to the Board of Education. The DAC will base its recommendation on the evidence provided by the school that demonstrates the school’s level of achievement around the indicators above.</li> </ul>

**5.3 Cumulative Report and Renewal Process**

<b>NACSA Quality Authorizing Standard</b>	<b>Falcon District 49 Practice</b>
<p>5.3(A) The district provides to each school, in advance of the renewal decision, a cumulative performance report that:</p> <ul style="list-style-type: none"> <li>Summarizes the school’s performance record over the charter term; and</li> <li>States the authorizer’s summative findings concerning the school’s performance and its prospects for renewal.</li> </ul> <p>The district requires any school seeking renewal to go through the formal renewal process, which provides the school a meaningful opportunity and reasonable time to respond to the cumulative performance report; correct the record, if needed; and present additional evidence regarding its performance.</p>	<p>The district will adhere to the renewal timeline identified here:</p> <p><b>July 1 of the year prior to renewal</b> District submits preliminary renewal recommendation and supporting data from the cumulative academic and operational performance record over the charter term. District staff meets with the school, if requested, to explain or clarify the data or recommendations.</p> <p><b>September 1</b> Charter school submits comments on the data and responds to the district renewal recommendation.</p> <p><b>October 1</b> District conducts a site visit to the charter school to assess whether 1) the educational program is a success; 2) school operations are effective and efficient; 3) the school is meeting its legal and other obligations; 4) the school has excellent governance and leadership. The length of the site visit will depend on the school’s performance. A school that has been on a Performance Plan for two or more years and has met all obligations of the charter contract will only have a one-day site visit; a school that does not meet these criteria will undergo a more extensive two-day site visit.</p> <p><b>November 1</b> District submits final recommendations and supporting data to the charter school, including prior year performance information. District staff meets with the school, if requested, to explain or clarify the data or recommendations.</p> <p><b>No later than December 1</b> The school formally submits a renewal packet to the district which includes:</p> <ol style="list-style-type: none"> <li>Charter school comments on the district data and final recommendations.</li> <li>Financial information.</li> <li>Additional data generated by the school relevant to whether or not the charter should be renewed.</li> <li>Changes being requested (and rationale) that would have a material impact on the charter contract.</li> <li>Challenges anticipated during the next term of the charter and the plan for addressing them.</li> <li>A plan with measurable goals and strategies for addressing any</li> </ol>

	<p>contractual or performance concerns.</p> <p><b>Prior to December District Board Meeting</b> District staff reviews the renewal documentation provided by the school and adds additional information as needed.</p> <p><b>December District Board Meeting</b></p> <ol style="list-style-type: none"> <li>1. District staff presents the recommendation and supporting evidence at public meeting.</li> <li>2. Board asks questions and requests clarification as needed.</li> <li>3. Charter school responds to the staff report and recommendation.</li> <li>4. Public hearing where charter parents and other interested persons address the board.</li> </ol> <p><b>Prior to January District Board Meeting</b> District staff sends any additional written information and clarifications to the Board of Education.</p> <p><b>No later than February 1</b> District Board of Education acts by resolution to approve or deny the request to renew the charter.</p>
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**5.4 Fair, Transparent Process**

<b>NACSA Quality Authorizing Standard</b>	<b>Falcon District 49 Practice</b>
5.4(A) The district clearly communicates to schools the criteria for charter revocation, renewal, and non-renewal decisions, consistent with the charter contract.	<ul style="list-style-type: none"> <li>• The renewal timeline identified above will be shared with all schools preparing to undergo renewal no later than April 30 of the year prior to the renewal year.</li> <li>• The renewal criteria and associated rubric will be sent to all the school’s board president and leader no later than April 30 of the year prior to the renewal year.</li> </ul>
5.4(B) The district promptly notifies each school of its renewal (or, if applicable, revocation) decision, including written explanation of the reasons for the decision.	<ul style="list-style-type: none"> <li>• The district will make all renewal decisions in regularly schedule, posted open meetings.</li> <li>• The formal resolution that is passed pertaining to a school’s renewal will be sent electronically and by mail to the school’s board president and leader.</li> </ul>
5.4(C) The district promptly communicates renewal or revocation decisions to the school community and public within a time frame that allows parents and students to exercise choices for the coming school year.	<ul style="list-style-type: none"> <li>• The district will issue a press release to the media community regarding renewal or revocation decisions within two days of the board meeting at which the decision is made. The press release will also note the timeline and opportunities for families to exercise school choice for the coming year.</li> <li>• In the case of a revocation, the district will mail and email a letter to each enrolled family notifying them of the revocation decision. This letter will also note the timeline and opportunities for families to exercise school choice for the coming year.</li> </ul>

<p>5.4(D) The district explains in writing any available rights of legal or administrative appeal through which a school may challenge the authorizer’s decision.</p>	<ul style="list-style-type: none"> <li>• In the case of a less than favorable renewal decision or a revocation decision, the district will provide the school board president and school leader with information on the state appeal process and the timeline for appealing the decision. This may be included in the letter that is sent electronically and by mail in which the district notifies the school of the decision.</li> </ul>
<p>5.4(E) The district regularly updates and publishes the process for renewal decision making, including guidance regarding required content and format for renewal applications.</p>	<ul style="list-style-type: none"> <li>• The renewal timeline identified above will be shared with the public via the district’s website no later than April 30 of each year.</li> <li>• The renewal criteria and associated rubric will shared with the public via the district’s website no later than April 30 of each year.</li> </ul>

**5.5 Closure**

**NACSA Quality Authorizing Standard**

**Falcon District 49 Practice**

5.5(A) In the event of school closure, the district oversees and works with the school governing board and leadership in carrying out a detailed closure protocol that ensures timely notification to parents; orderly transition of students and student records to new schools; and disposition of school funds, property, and assets in accordance with law.

- The district believes that an end-of-year closure is almost always in students’ best academic and social interests; in addition, it simplifies the financial issues associated with the closure.
- In the event that the school is unable to operate until the end of the school year, the district will consider whether it can run the program in the charter school facility until the end of the year or if it needs to close completely.
- In planning for a school closure, there are three primary goals to be accomplished in the winding up of the school’s affairs:
  - Providing educational services in accordance with the charter contract until the end of the school year, or the agreed upon date when instruction will stop.
  - Reassigning students to schools that meet their educational needs.
  - Addressing the school’s financial, legal and reporting obligations.
- The district will follow the steps in the Colorado Charter School Sample Closure Framework as closely as possible to ensure that students’ needs are prioritized and that the school’s business is wrapped up effectively. These steps include: 1) Notification and initial steps; 2) Develop and monitor implementation of the closure plan; 3) Finalize school affairs: governance and operations; 4) Finalize school affairs: finance; 5) Finalize school affairs: reporting; and 6) Dissolution.