

A woman with dark hair pulled back, wearing a dark blue polo shirt with white piping, is shown in profile from the chest up. She is looking down at a tablet device she is holding. The background is a bright, out-of-focus office interior with large windows.

# District Authorized Charters: School Board Responsibilities

September 15, 2021

## PRESENTERS

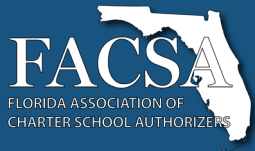
MELISSA BRADY, EXECUTIVE DIRECTOR, FACSA

ANDREA MESSINA, EXECUTIVE DIRECTOR, FSBA

# Who is FACSA?

## Florida Association of Charter School Authorizers

- We are an independent, non-profit membership association.
- We serve Florida district staff who do the work of charter school authorizing.
- Our members represent more than 60 percent of districts who currently serve charter school students.
- Collectively they oversee more than 90 percent of Florida's charter schools.
- We are neither pro- nor anti-charter, and we work with all districts to help them strengthen their practices.
- You can learn more about [FACSA at our website](#).



# OBJECTIVES

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- ✓ Understand statutory processes for authorizing charter schools
- ✓ Understand district processes for authorizing charter schools
- ✓ Understand ROLES, RESPONSIBILITIES, & LEGAL REQUIREMENTS of district staff
- ✓ Understand ROLES, RESPONSIBILITIES, & LEGAL REQUIREMENTS of district school board

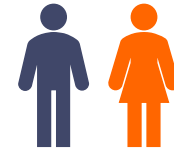
# CONTEXT



# FLORIDA CHARTER SCHOOLS AT A GLANCE

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**329,000** STUDENTS ENROLLED



IN **673** CHARTER SCHOOLS

IN **48** FLORIDA DISTRICTS



CHARTER SCHOOLS = PUBLIC SCHOOLS

# STATUTES THAT GUIDE AUTHORIZING IN FLORIDA

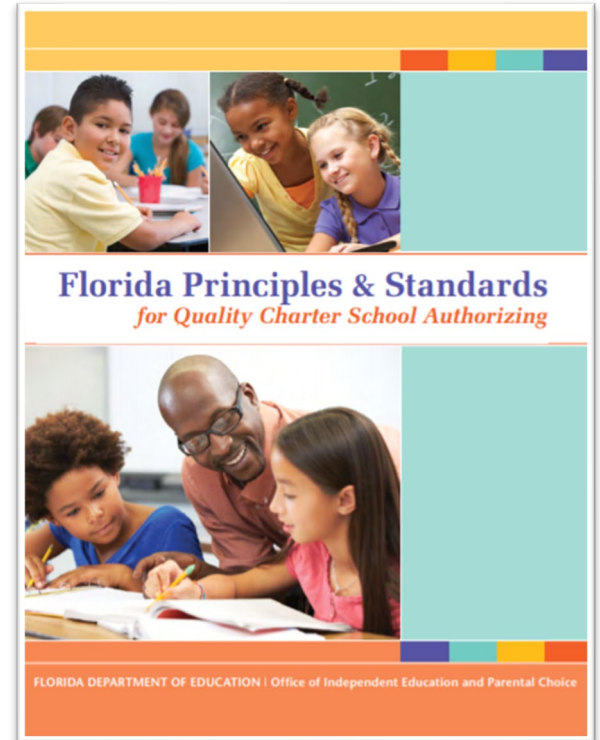
Statute	Scope of Law
<a href="#"><u>Section 1002.33</u></a>	Establishes charter schools; Application Review, Approval, Denial, Appeals, Contracts, Renewals, Termination, Oversight
<a href="#"><u>Section 1002.345</u></a>	Financial emergency criteria for charters; corrective action plans
<a href="#"><u>Section 1013.62</u></a>	Charter eligibility requirements; capital outlay funding, conversion charter schools
<a href="#"><u>Section 1002.331</u></a>	High-performing charter schools; financial reporting, request to increase enrollment, 15-year contract qualification, high performing charter application to replicate
<a href="#"><u>Section 1002.332</u></a>	High-performing charter school system; criteria, high performing charter application to replicate
<a href="#"><u>Section 1002.333</u></a>	Schools of Hope; definitions of School of Hope and Hope Operator, establishment of School of Hope, performance-based agreement
<a href="#"><u>Marjorie Stonemen Douglas High School Public Safety Act</u></a>	School safety

# Florida Principles and Standards for Quality Charter School Authorizing

Adopted by the Florida Department of Education this **roadmap** was designed to provide practical guidance to help local school boards and their staffs carry out their work as a standards-based profession.

## Based on 3 Core Principles

1. **Ensure high standards** for application approval and school operation,
2. **Hold charter schools accountable for performance** while, at the same time, respecting each charter school's autonomy (consistent with statutory requirements) and
3. **Protect students and the public interest** in all authorizing and sponsorship functions.



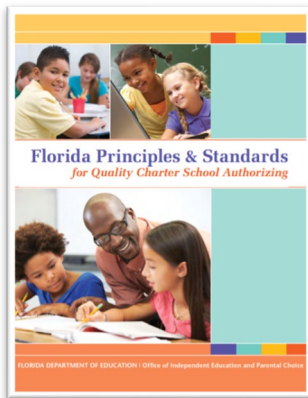
Source: <https://www.fldoe.org/core/fileparse.php/9905/urlt/PrinciplesStandards.pdf>



# PRINCIPLE I: Maintain High Standards

## PRINCIPLE I

### Maintain High Standards



### A Quality Sponsor Will:

- Set high standards for approving charter applicants,
- Maintain high standards for the schools it monitors,
- Effectively cultivate and consider quality charter schools that meet identified educational needs in the community,
- Monitor charter schools that meet the performance standards and targets, on a range of measures and metrics set forth in their charter contracts, and
- Close schools that fail to meet standards and targets set forth in law and by contract.

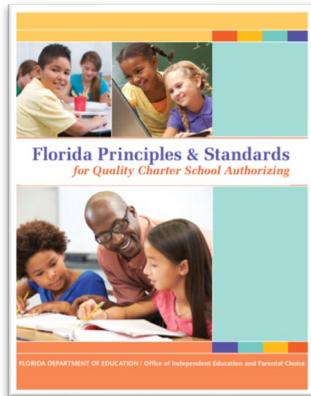
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# PRINCIPLE II: Uphold School Autonomy

## PRINCIPLE II

### Uphold School Autonomy

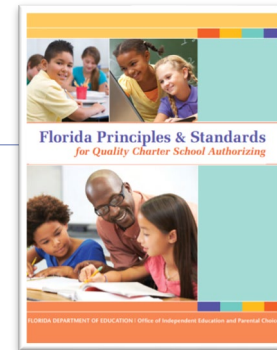


## A Quality Sponsor Will:

- Understand and preserve core autonomies crucial to school success including:
  - Governing board independence,
  - Personnel,
  - School vision and culture,
  - Instructional programming, design, and use of time, and
  - Budgeting,
- Assume responsibility, not for the success or failure of individual schools, but for holding schools accountable for their performance consistent with the terms of their charter contracts,
- Minimize administrative and compliance burdens on schools, and
- Focus on holding schools accountable for measurable outcomes rather than processes.

Source: <https://www.fldoe.org/core/fileparse.php/9905/urlt/PrinciplesStandards.pdf>

# PRINCIPLE III: Protect Student and Public Interests



## A Quality Sponsor Will:

- Make the well-being and interests of students the fundamental value informing all of the sponsor's actions and decisions,
- Hold schools accountable for fulfilling fundamental public education obligations to all students which includes providing:
  - Nonselective, non-discriminatory access to all eligible students,
  - Fair treatment in admissions and disciplinary actions for all students, and
  - Appropriate services for all students including those with disabilities and English language learners, in accordance with applicable law,
- Hold schools accountable for fulfilling fundamental obligations to the public, which includes providing:
  - Sound governance, management, and stewardship of public funds, and
  - Public information and operational transparency in accordance with law,
- Ensure in its own work:
  - Ethical conduct,
  - Focus on the mission of authorizing high quality schools,
  - Clarity, consistency, and public transparency in authorizing policies, practices and decisions,
  - Effective and efficient public stewardship,
  - Compliance with applicable laws and regulations, and
  - Support for parents, students and the community in being well-informed about the quality of education provided by charter schools.

Source: <https://www.fldoe.org/core/fileparse.php/9905/urlt/PrinciplesStandards.pdf>

# Let's take a look at...

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**1002.33(6)**

- Application Review
- Approve/ Deny

**1002.33(7)**

- Contract Requirements
- Contract Process

**1002.33(8)**

- Non-Renewal or Termination
- Renewal Process

# Authorizing At A Glance: APPLICATIONS

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Application Cycle – 90 Days to Approve or Deny

## TASKS

1

### **District Staff:**

Receive, review, and recommend to Superintendent.

2

### **Superintendent:**

Review and recommend to approve or deny to School Board with consideration given to staff review and recommendations.

3

### **School Board:**

Review and approve or deny with consideration given to staff and Superintendent review and recommendations.

4

Notifies applicant of approval or denial.

# Authorizing At A Glance:

## APPEALS

### Tasks

#### District Staff:

1

Receive appeal and will respond to State Board with input from district leaders.

#### Superintendent:

2

Review appeal and provide input to response to State Board.

Typically, there is district representation at the commission hearing.

Charter School Appeal Commission Meets and then State Board Meets

3

Implement decision of State Board.

4

Implement decision of State Board.

7

**School Board:** Review and approve or deny negotiated contract with consideration given to staff and Superintendent review and recommendations.

5

Create and negotiate contract, provide district leader with final contract.

6

Review and recommend approval or denial of negotiated contract.

# Authorizing At A Glance: CONTRACTS

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## Statutory Requirements for Initial Contract

F.S § 1002.33(7)

- “The terms and conditions for the operation of a charter school shall be set forth by the sponsor and the applicant in a written contractual agreement called a charter.”
- The sponsor **must use** the standard charter contract adopted by the State Board of Education.
- Any differences from the standard contract are presumed to be a limitation on charter flexibility and “the sponsor may not impose unreasonable rules or regulations that violate the intent of giving charter schools greater flexibility to meet educational goals.”



# Authorizing At A Glance: CONTRACTS

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## Florida Standard Charter Contract

### Section 1: General Terms

- General application approval
- Charter term, charter renewal, nonrenewal and termination
- Educational program
- Other general statutory requirements

### Section 2: Academic Accountability

- Annual academic objectives
- Assessment information
- Student graduation and data requirements

### Section 3: Students

- Grade levels, recruitment, class sizes
- Racial/ethnic balance
- ESE administrative services, EL services, and student discipline procedures

### Section 4: Financial Accountability

- State, local, federal, and grant funding
- Capital outlay funds
- Restricting charging tuition or fees in charter schools
- Financial record-keeping and oversight requirements

### Sections 5-12

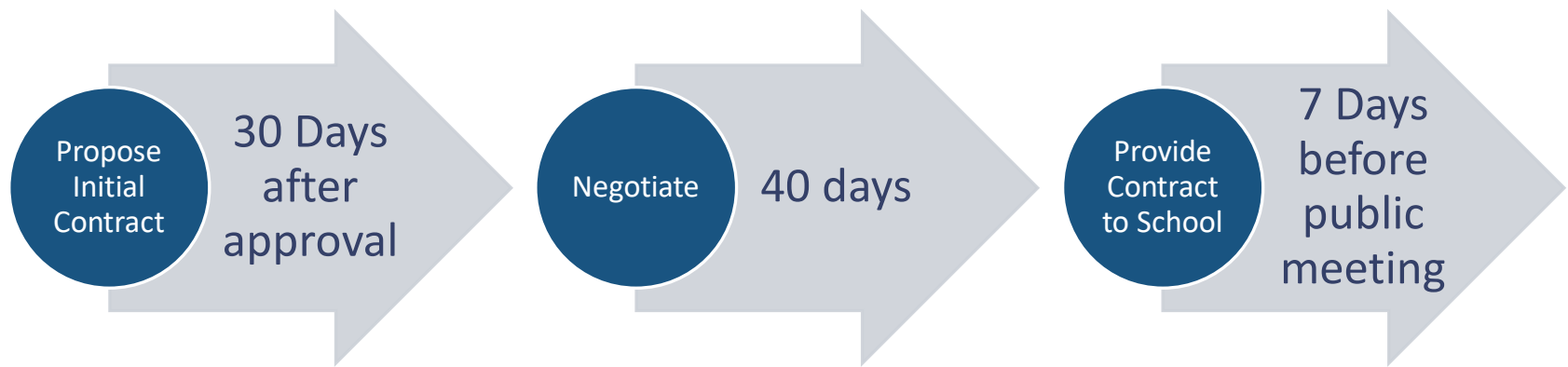
#### Other topics covered in the contract include:

- Facilities
- Transportation
- Food Services
- Insurance & Indemnification
- Governance
- Human Resources
- Required Reports and Documents
- Miscellaneous Provisions

# Authorizing At A Glance: CONTRACTS

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## Statutory Requirements for Initial Contract (continued)



FDOE will provide mediation services for disputes related to the charter.

# Authorizing At A Glance: CONTRACTS

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## TASKS

1

### **District Staff:**

Create and negotiate contract, provide Superintendent with final contract.

2

### **Superintendent:**

Review and recommend approval or denial of negotiated contract.

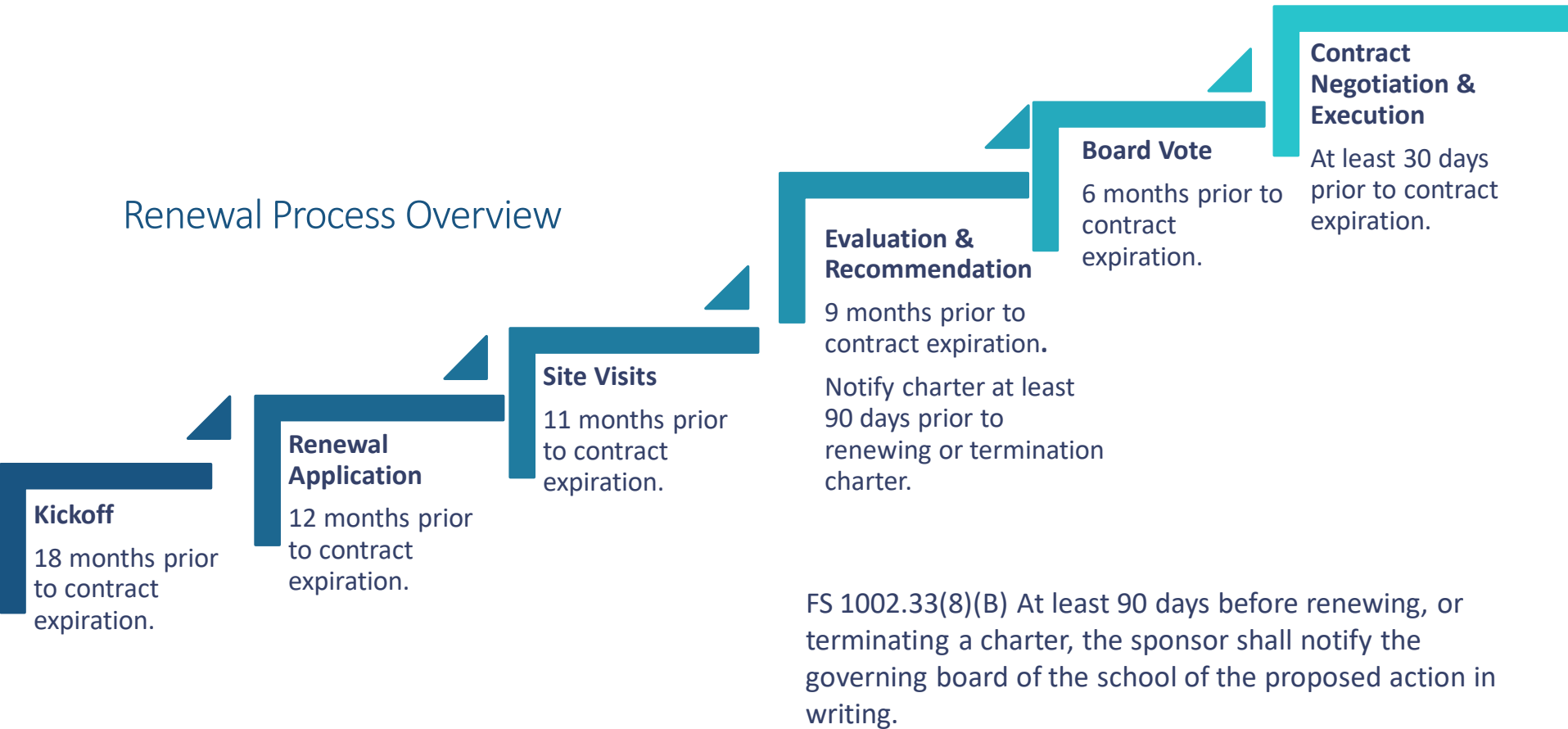
3

### **School Board:**

Review and approve or deny negotiated contract with consideration given to staff and Superintendent review and recommendations.

# Authorizing At A Glance: RENEWALS

## Renewal Process Overview



# Authorizing At A Glance:

## CONTRACT RENEWALS

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### TASKS

#### District Staff:

- 1 Notify operator and provide renewal application.
- 2 Review school progress, renewal application, and conduct a site visit. Provide a recommendation to renew to Superintendent.
- 5 Pending approval, create and negotiate contract, provide district leader with final contract.

#### District Leader:

- 3 Review and recommend approval or denial of renewal to school board with consideration given to staff review and recommendations.
- 6 Pending approval to renew, review and recommend approval or denial of negotiated contract.

#### School Board:

- 4 Review and approve or deny the renewal of the the contract with consideration given to Superintendent and staff review and recommendations.
- 7 Approve or deny final negotiated contract.

# OVERSIGHT AND MONITORING

1002.33  
(8)(a)

The sponsor shall make student academic achievement for all students the most important factor.

1002.33  
(5)(b)(1)(b)

Revenues and Expenditures

Contract Process

1002.33  
(5)(b)(1)

School participates in state accountability system.

Ensure the charter is innovative and consistent with state goals.



# OVERSIGHT & MONITORING

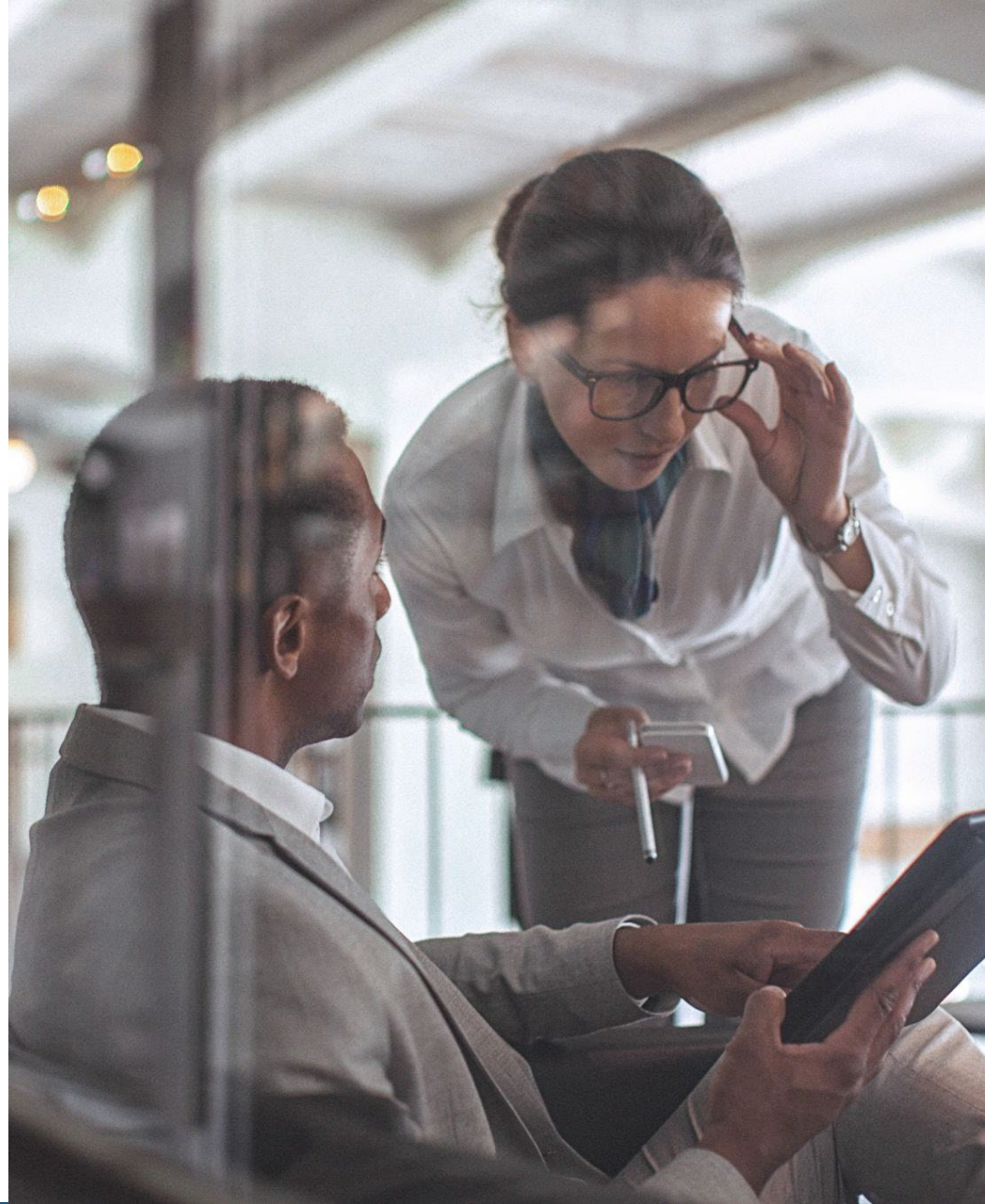
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Talk to your staff about how they monitor the charter schools in your district's portfolio.



# From Policy to Practice

1. What does your policy say?
2. What does your contract say?
3. Do you include charter conversations in your calendar of work?





WRAP UP

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# RESOURCES

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- [FDOE Model Charter School Application Evaluation Instrument](#)
- [FACSA External Reviewer Information](#) (December 2020)
- [FACSA External Reviewer FAQs](#) (December 2020)
- [FDOE Guidance on Charter Applications](#)
- [FACSA Capacity interview Toolkit: Exceptional Student Education](#) (March 2020)
- [FACSA Capacity interviews](#) (February 2021)
- [FACSA Applicant Appeals Process](#) (February 2021)
- [FDOE Standard Charter Contract](#)
- [Florida Principles and Standards for Quality Charter School Authorizing](#)
- FACSA Website: [www.flauthorizers.org](http://www.flauthorizers.org)
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