



COLORADO LEAGUE of  
CHARTER SCHOOLS  
*focus on achievement*

# Quality Standards for Developing Charter Schools

## Developed by the Colorado League of Charter Schools

### Introduction

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The following quality standards have been developed for founding groups that are in the process of designing a charter school and writing a charter application. The Colorado League of Charter Schools (the League) has created these standards in order to provide clear guidance for developing groups on what it means to be a high-quality, successful applicant. These quality standards also serve to support charter school application reviewers in understanding the elements of a quality charter school plan. By understanding and meeting these standards, and following through with their well-developed processes, new schools are more likely to be met with success through the application and start-up process. In addition, by meeting these standards and creating the foundation for a high-quality school, the developing group promotes the spirit of the League's mission by positively contributing to quality schools as a whole.

It is the hope of the League that groups in the process of developing charter schools will use these standards to gauge their readiness for submitting an application and eventually opening a quality school. If a founding committee finds that they do not yet meet most of these standards, the committee may want to consider postponing their application submission until they are better prepared. The standards should serve as a guide and reference point for these groups as they work through the development process.

The League believes strongly that if a charter applicant can demonstrate that it meets these standards, it is likely to be successful in the application and start-up process. Should a strong application that meets these standards be submitted, by a high-quality founding group, and denied by a charter authorizer, the school will be better positioned to appeal the decision to the State Board of Education. Meeting these standards will better position the school, once approved, to seek operating grants and facilities financing, and open a quality school.

The League recognizes that meeting these standards takes a great deal of time and commitment. While the League fully expects all developing schools to meet these standards, the League is also highly committed to supporting schools in their efforts to rise to these high levels of performance. The League will provide developing groups with much of the information and resources needed to meet these standards. In return, the school holds the responsibility for being teachable and bringing the human resources, time, drive, and commitment to excellence to the development process. Development of the following categories is recommended for maximum effectiveness.

The quality standards for developing charter schools are broken down into the following categories:

- Charter School Knowledge and Best Practices
- Community Outreach
- Founding Committee
- Commitment to Accountability
- Application

## Charter School Knowledge and Best Practices

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The charter school founding committee demonstrates a commitment to understanding charter schools and pursuing best educational practices.

- Multiple members of the founding committee have attended at least two League-endorsed conferences or workshops prior to submittal of the charter application.
- The founding committee participates fully in the League's New Schools Development Program <https://coloradoleague.org/nsdsupport> and works actively with the Colorado League of Charter Schools during the application and start-up process.
- Appropriate members of the founding committee have received training in the areas of accountability and performance management, prior to submitting their application.
- All members of the founding board commit to governance, accountability, and performance management training, to begin prior to opening and to be completed within the first year of operation, to ensure they understand progress monitoring and interventions, legal requirements, and their role of oversight as they transition the school operations to the school leader.
- The founding committee is committed to understanding and implementing research-based best practices whether based on extensive formal research studies or simply on other schools with a solid history of academic success.
- Members of the founding committee have visited and informally evaluated at least three successful charter schools.
- The founding committee demonstrates a strong commitment to ongoing professional development for the governing board, school administration, and staff and faculty. This commitment is reflected in the school's application, calendar, and allocation of financial resources.
- Members of the founding committee have read the Charter School Act (C.R.S. 22-30.5-101 *et seq.*) available at: <http://www.lexisnexis.com/hottopics/colorado/>, (Title 22 Education/ School Districts) and several strong sample applications from other schools, other Colorado Education statutes as outlined throughout the quality standards, and a variety of additional resources provided by the League and the Colorado Department of Education (CDE). (<http://www.cde.state.co.us/choice/index.htm>)

## Community Outreach

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The founding committee actively focuses its development efforts on effective outreach practices.

- The founding committee has adequately researched the community in which the charter school will exist; has knowledge of the demographics, cultural and academic needs; and has interviewed a variety of community members to verify that there is a need and desire for the charter school in the community.
- The founding committee has adequately researched the student population to be served to understand their educational needs and what services are currently in place to meet those needs.
- The founding committee actively networks with community leaders, local legislators, and other key figures in the community in order to understand the community and to build ongoing relationships as well as garner support for the charter school.
- The founding committee proactively develops a relationship with the charter authorizer. This relationship is initiated by notifying the authorizer of the group's intent to apply for a charter and is maintained throughout the application process. The founding committee seeks guidance from the authorizer and actively works to understand the authorizer's expectations.
- The founding committee recruits additional founding committee and prospective board members in order to broaden the pool of expertise and the skill-base of those working to start the school.

- The founding committee actively educates families in the community about the school and solicits students for enrollment. The founding committee develops outreach strategies to ensure equitable access to a diverse group of families in the community. Enrollment is made available to all students.
- The founding committee understands its role in representing and advocating for the charter school movement. The school makes decisions and works in such a way that the charter school sector will be well-represented.

## **Founding Committee**

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The founding committee consists of multiple parents, community members, educators, business persons, or other stakeholders who are well-situated to successfully start a high-quality charter school.

- The founding committee has a genuine personal interest or concern for the student population to be served. This motivation can be clearly articulated by all members of the founding committee. The founding committee is not driven to create a charter school by personal, financial, political, or other counterproductive motivations.
- The founding committee consists of self-driven people who have the motivation, time, and other resources necessary to undertake the challenging task of starting a charter school.
- The founding committee places integrity and ethical practices at the forefront in all decision-making processes.
- The founding committee has designated an individual or a small leadership team to provide collaborative leadership, including delegating responsibilities to other members of the founding committee, keeping other members of the committee on task, and seeing the application/start-up process through from start to finish.
- The founding committee demonstrates a willingness to consider and implement outside feedback and recommendations.
- The founding committee consists of at least three individuals who have diverse skill sets (e.g. education, educational leadership, curriculum, understanding of assessment/accountability, business/finances, legal, fundraising, etc.)
- The founding committee recognizes areas of weakness and need in its composition (e.g. absence of a business perspective, legal perspective, educational perspective, real estate, etc.) and actively solicits support from outside individuals/organizations in these areas.
- The members of the founding committee are committed to working together collaboratively. Processes are in place to hear all opinions, to respect dissenting opinions, and to move forward with effective decision-making, e.g. through a code of conduct, decision-making process, etc.

## **Commitment to Accountability**

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The founding committee demonstrates a commitment to accountability and this commitment is reflected in the school's development process, application, and goals upon opening.

- The founding committee has successfully participated in the League's application review process prior to the submission of the charter application to the chartering authority.
- The founding committee commits to having the school participate in a comprehensive self-study and external site visit review, such as those provided by either the CDE Charter School Support Initiative (CSSI) or another external party, within the first three years of the school's existence, and has allocated financial resources in order to support this review process.
- The founding committee understands statutory guidance on School Accountability Committees (SAC) and commits to forming such a committee upon the school's opening. (C.R.S. 22-11-401 to 406)

- ❑ The founding committee is committed to having the school create a performance management plan and an annual Unified Improvement Plan (UIP), which includes specific performance goals, action plan and progress monitoring. This commitment will be communicated both in the charter application and when the applicant transitions from a founding committee to a board-governed, administrator-run school.
- ❑ The founding committee is committed to building a permanent institution that sustains the integrity of the founders' vision and transfer of values through: written documentation and ongoing review of core values, ongoing documentation of board decisions, processes for transfer of leadership (both for the board and the school's administration), and effective policy making at the board level.
- ❑ The founding committee has educated themselves about the state accountability system, including the required assessments, school performance framework, types of performance plans, performance indicators, Colorado Growth Model, and the Unified Improvement Plan.

## Application

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The school's charter application reflects an overall commitment to quality.

This standard consists of several general indicators for a high-quality charter application, and then specific indicators based on the different application sections defined by state law (C.R.S. 22-30.5-106) (See link above). The League has aligned the various sections to areas specified in statute, and described detail as to what should be included in each section. All sections of the application should describe a cohesive program that is tied together throughout the document. The League also offers support to new schools through an application review process.

When the League does an application review, it rates each section on a scale from 0 to 4. A score of 2 means that standards have been mostly met, a score of 3 indicates that the section adequately addresses the standards, and a score of 4 indicates that standards were exceeded. The sections indicated with an asterisk (\*) below are "essential component" sections that are considered absolutely critical to opening a quality school, and typically appear as an authorizer's more heavily weighted requirements. The League advises that a developer should only apply to an authorizer if all of these essential sections have received a score of 3 or higher.

The charter authorizer that is reviewing the application may have additional content requirements and formatting that the applicant must address, but the information below should cover most authorizers' basic requirements.

### Overview

- ❑ Members of the founding committee have authored the school's charter application themselves. In cases where a consultant has been hired to write the application, the founding committee has worked closely with the consultant to communicate their ideas and vision for the school. Although it is certainly expected that the applicant will review several successful applications written by other schools, the applicant has not simply copied and pasted sections of another school's application. The school "owns" its application and all of the concepts embodied within it.
- ❑ Based on the research conducted and the founding committee's core educational values for the school, the committee has thoroughly discussed and evaluated the different aspects of the proposed school's educational program, governance structures, and other operations. After coming to agreement on what the various components of the school should look like, the founding committee has clearly articulated these concepts. All aspects of the school have been adequately discussed and are understood by the members of the founding committee.
- ❑ The committee has determined that their core educational values can realistically be implemented and sustained with limited financial resources.
- ❑ The application reflects thoughtful, research-based ideas and practices. The application provides extensive detail on the various components of the school's program and operations.

- The founding committee understands the authorizer’s timelines for submitting charter applications. The committee actively plans around the authorizer’s timelines and consistently meets deadlines in a timely manner.
- The application has been edited for spelling and grammatical errors and consistency of terms, especially in areas where other best practice charter documents were used in the development of sections of the application (e.g. the application uses the correct school name throughout). The content that is included is necessary to describe the school, and adds relevance to the design and implementation of the program once the charter application receives approval from the authorizer.

The indicators for the various sections of the charter application are detailed in the following pages. For more information on the charter development process, see the Application Process Flowchart with imbedded links at <http://startachartercolorado.org> and the *Standard Application Guidebook* which is available on this website. It is advised that the League’s Quality Standards for Developing Charter Schools be used in conjunction with any authorizer specific content requirements and formatting, as the Quality Standards provide complete guidance on the content detail, and include hyperlinks to explain the detail of each section of the application. Sample applications and section examples are available on the League’s website, at <https://coloradoleague.org/nsdsampleapplication> , and resources specific to a charter model or a developing school’s needs can be sent upon request.

### Cover Letter (Optional)

The cover letter introduces the applicant and application to the charter authorizer and more importantly creates a paper trail documenting the date of submission, and expected time frame for the authorizer to make a decision. The cover letter:

- Specifically addresses the authorizer from whom a charter is being requested.
- Has a respectful tone that reflects the founding committee’s desire to work *with* the authorizer in providing an educational choice for students.
- Includes a brief summary of the proposed school, including its name, grades to be served, proposed location/community, and one or two key, unique characteristics about its educational program (Montessori, project-based, Core Knowledge, technology-focused, EL, etc.).
- Identifies a primary contact person for the proposed school and that person’s contact information, including mailing address, email and phone number(s). This is likely the chair of the founding committee or the president/chair of the governing board, if a board has already been formed.
- Communicates what is being requested (for example, a four year charter contract to operate under the charter authorizer).
- Is signed by the primary contact person.

## A. Executive Summary

An **executive summary** is an overview. The purpose of an executive summary is to summarize the key points of a document for its readers, saving them time and preparing them for the upcoming content. The executive summary is approximately two to three pages, but no more than five, and concisely summarizes the charter proposal. This section of the application includes:

- The vision and mission statements.
- The circumstances and motivations that brought the applicant team together to propose this charter school.
- Information on who is submitting, the school's name, grade levels to be served, proposed opening date (e.g. August of 2020), grade levels upon opening, and growth plan (if the school does not plan to initially open with all grade levels, show the first year's enrollment and each year's expected growth in a chart. See an example in the Sample budget, under enrollment tab, located in the folder at this link: [https://coloradoleague.org/resource/collection/1DEC0061-8535-4309-8C58-0A7AC50CD1F5/New\\_School\\_Budgeting.zip](https://coloradoleague.org/resource/collection/1DEC0061-8535-4309-8C58-0A7AC50CD1F5/New_School_Budgeting.zip) ).
- Size of the school at full build-out, including the grades served, number of classes per grade level and the number of students per class.
- A short explanation of the school culture and educational philosophy and key programmatic features the school will implement in order to accomplish its vision and mission. Includes an overview of the school's core values about teaching and learning, the educational program and major instructional methods and assessment strategies, professional development, and highlights the research-based elements supporting these approaches that will effectively meet the educational challenges with the target population.
- A summary of evidence of community need that will be filled and adequate interest including number of intent to enroll forms, for a school of this nature, serving the target population, in the proposed location. This includes a summary of the student body to be served with rationale, including key demographic data, targeted geographical area, etc.
- Any other unique features, such as a non-traditional school year, longer school day, key partner organizations, multiple campuses, home-based program, how the community and parents have been engaged, etc.
- Brief summary of the critical qualifications, credentials and attributes that will be looked for in a leader, a short bio if a leader's been chosen, each board member's name, experience and position, the leadership team and board role in school governance, financial and academic implementation and oversight and professional development, as well as the school management structure.
- Identify any partners in establishing the school, and their role, including an educational management group.

## B. Vision & Mission Statements

This section of the application reflects the school's vision and mission statements as developed and agreed upon by the members of the founding committee and are likely to produce high-quality education outcomes. These statements should answer the questions, "What is the purpose for the school and what is the applicant team's vision for the school?" The rest of the application should answer, "How exactly will we get there?" An explanation should be given as to the process and impetus for developing both the vision and mission statements.

The **vision** of the school articulates how the applicants envision the school and its impact in the future (five to ten years).

- The vision statement expresses the ideal, long-term impact, scope and scale of the school. It articulates *what* the school hopes to be, but not *how* the school will reach that vision. The vision should focus on essentials, be research based, and provide guidance to the board and administration as the school grows. (For example, all conversations about budget, planning, and staff development would be guided by the long-term vision.)

- The vision statement is focused on the future. It concisely and succinctly defines the school’s impact on the community and what the school looks like in five to ten years when it is “all grown up.”

The **mission statement** is short and concise, and no more than several sentences that present a clear, focused, compelling purpose that will guide the school’s operations. (This is not a motto or marketing slogan.)

- A mission statement explains the fundamental purpose for the school. It should articulate clear, focused and compelling guiding purposes and priorities that are meaningful, measurable, and attainable, and explain *how* the school will reach its vision, and meet the needs of the target population.
- Focuses on high quality educational outcomes that are the driving force and rationale behind all other components of the application. It should be obvious to a reader of the application that the school’s goals, educational program, operations, etc. all align with and support the fulfillment of the mission.
- The mission statement section defines what skills, knowledge, and competencies a student who graduates from the school will possess, and provides the entire community with a clear picture of what the school aims to achieve.

**Note:** An easy way to understand the difference between the vision and mission is that the mission focuses on the school’s present state and day-to-day fundamentals of the school, while the vision focuses on the school’s future. A strong example of a vision and mission can be found here: <http://www.newlegacycharter.org/>

### C. Goals, Objectives, & Pupil Performance Standards\*

This section focuses on the specific outcomes anticipated for the school and its students within the terms of the requested charter contract (usually four years (C.R.S. 22-30.5-110(1)(a)). The majority of the goals and objectives are focused on specific student outcomes (pupil performance or educational performance goals); others are broader school-based goals and objectives (organizational and management performance goals).

**Note:** These will be used in the authorizer’s annual review of the charter school’s performance (C.R.S. 22-30.5-110(1)(b)) which, at a minimum, includes the school’s progress in meeting the objectives identified in the plan the charter school is required to implement (C.R.S. 22-11-210) and the results of the school’s most recent annual financial audit. The local authorizing school board must provide written feedback to the charter on an annual basis, which will become part of the body of evidence that will be used for renewal decisions. The applicant need not include detailed strategies for meeting the goals in this section, as that will be covered in several subsequent sections of the application.

- Applicant has developed no more than ten to twelve broad goals, with the majority (five to six minimum) focusing on educational performance. Each goal is a clear, measurable statement of what the school will accomplish with its students after a specific length of time attending the school.<sup>1</sup> These should provide a clear plan for the school to meet or exceed the state accountability measures and expectations that align with the authorizer’s performance framework, based on the three performance indicators (achievement, growth, and for secondary schools, post-secondary and workforce readiness (PWR), as well as any federal expectations. Growth gaps for students are now measured for each of the three indicators.) There should also be goals based on the READ Act to include reducing the number of students who have significant reading deficiencies, and ensuring that each student achieves grade level expectations in reading, and secondary schools should include goals for SAT scores and graduation rates. (For more information on performance indicators see: <http://www.cde.state.co.us/schoolview>)
- All goals are reasonable yet rigorous, & written as “SMART” goals which means they are: **S**pecific, **M**easurable, **A**mbitious/ **A**ttainable, **R**eflective of/ **R**elevant to the School’s Mission, and **T**ime-Specific with a **T**arget Date.
- Each goal is supported by:
  - **Benchmarks or Objectives:** Clear, measurable statements of what the school will accomplish with its students at a given point in the school’s development, usually showing a percent of growth each year or at more frequent intervals using (interim) assessments. Benchmarks allow monitoring of progress toward the

<sup>1</sup> Much of the information in this section is taken from “Developing Sound Performance Goals and Measures: Guidance for Charter Schools” prepared by Margaret Lin, when she was the Senior Associate at the National Association of Charter School Authorizers.

ultimate goal, and clearly support the academic goals through strategies that are proven effective and tied to research.

- **Measures:** The specific assessment tools that will be used to gauge whether the goals and benchmarks have been achieved (e.g. standardized tests, internal assessments, parent surveys, student surveys, School Performance Framework, Colorado Growth Model, etc.).
- **Timeline:** The goal or benchmarks should reflect how long the school anticipates taking to meet the goal or benchmark (e.g. annually, after three years, etc.), and the action plan to meet these goals.

- Goals and benchmarks with interim assessments to show it is on-track in the first years of operation, and goals are aligned to the vision and mission and are written taking into account that baseline data is not yet available.

**Note:** For example, without knowing at what level students will be able to perform when they enroll in the school, it would be premature to set a goal of 90% meet and exceed on Colorado Measures of Academic Success (CMAS) assessments at the end of the first year in any grade or subject area. A better goal would be to state the percentage of students that will make growth (above 50<sup>th</sup> percentile and if students are behind/below grade level they need more than 60<sup>th</sup> percentile growth) as measured by the Colorado Growth Model using CMAS and any other nationally-normed assessments the school chooses to use. (For more around the Colorado Growth Model see <http://www.cde.state.co.us/accountability/growth-fact-sheet> and the document on goal setting starting on p. 9 of the linked District Accountability Handbook: [http://www.cde.state.co.us/accountability/district\\_accountability\\_handbook2017](http://www.cde.state.co.us/accountability/district_accountability_handbook2017).)

- A description is included of how the school will collect and use longitudinal assessment data, in addition to the state model, to determine and improve academic progress of enrolled students, to include students in K-2 prior to having state assessment data and for readiness and READ Act, GT, ELL, minority, and Special Education.
- Goals address closing the achievement gap for all groups of students, based on interim assessments such as NWEA/MAP (state assessments do not currently include growth gaps). The growth target should be justified with rationale based on research of the current performance of likely demographics of attendees, or the median adequate growth measure based on students in the neighborhood. This includes goals that reflect underachieving students making median growth above the 60<sup>th</sup> percentile (some districts such as DPS require at least 65<sup>th</sup> percentile growth), and students on track or ahead making median growth of at least the 50<sup>th</sup> percentile. (See above link.)
- There is a demonstrated understanding of and strategy for complying with federal, state and authorizer achievement and reporting timeline requirements including those related to accountability reporting and accreditation (e.g. the Unified Improvement Plan (UIP) process, and the data pipeline).
- The applicant includes several goals that demonstrate the school's plans to meet or exceed state and federal requirements through the Colorado categories of performance, outlined in the School Performance Framework (SPF) of achievement (status), growth, and post-secondary and workforce readiness with 21<sup>st</sup> Century Skills, and any additional authorizer goals. (For information about these categories see the 2017 fact sheet at: <http://www.cde.state.co.us/accountability/accountability-fact-sheet-2017> , other DPF & SPF Resources located at: <http://www.cde.state.co.us/accountability/performanceframeworksresources> and additional information may be found at: <http://www.cde.state.co.us/accountability/8-30-17-frameworks-webinar> .)

Note: Please note that two authorizers, Denver Public Schools (DPS) and the Colorado Charter School Institute (CSI) have developed unique School Performance Frameworks that are aligned to the State's plan, but add in additional indicators, have more rigorous cut points, and in some cases, different language and templates.

- In addition to writing goals that cover core educational expectations (English Language Arts (ELA)/reading, math, graduation rates, and other academic areas), the school has also developed goals around areas such as curriculum development, alignment of curriculum and instruction with state and authorizer standards, professional development, teacher retention, financial management and solvency, governance, parent and community involvement and satisfaction, student engagement to include attendance, target re-enrollment rate and satisfaction, and any other aspects of the program that are unique and essential to the school (e.g. service learning, multicultural education, outdoor education, foreign language acquisition, project-based learning, etc.) Specific measures and metrics for monitoring these additional goals are included. (See DPS attendance specific rubric)



## D. Evidence of Support \*

The Evidence of Support section of the application provides the authorizer with detail on the student population to be served, how many parents have expressed interest in the school, such as by submitting Letters of Intent to Enroll, and what other community support exists for the school. Specifically, this section:

- Includes detailed information about the proposed school's student body and how the decision was made to serve that population, and an identified region being proposed. This section reflects that the applicant has conducted and included sufficient research, that is reasonable given publicly available demographic information, into the student population to understand their needs, educational values, and area demographics (including racial/cultural, socioeconomic, special needs, and ELL breakdown), and achievement data for the proposed school's area. The remainder of the application reflects this understanding of the student population through a program designed specifically to meet these students' needs.
- Includes a summary of the number of families who have expressed interest in the proposed school through signing Intent to Enroll Forms. The forms themselves should not be submitted with the application, but should instead be summarized (C.R.S. 22-30.5-106(3)). The summary of information includes the anticipated demographic characteristics in the area of the students expected to enroll, the rationale for determining these, as well as information describing from where they anticipate their students will come (school district, what school would otherwise be attended (neighborhood public, private, charter), number/grade level, specific neighborhood, etc.). Evidence must show that an adequate number of parents and pupils support the formation of this charter school (C.R.S. 22-30.5-106(1)(d)). It's recommended the school provide evidence of no less than 50% of year 1 intent to enroll.
- Demonstrates research regarding number of new schools opening in the area and adjusts enrollment projections accordingly.
- Includes information about general community members and business leaders who have stepped forward in support of the school. Letters of Support should be included in the appendices whenever possible.

## E. Educational Program & Standards\*

This critical section of the application details an effective, well thought out, research-based educational program. This section should clearly align with the school's mission, goals, and the student population to be served and the Colorado Academic Standards (CAS). Everything in this section is research-based, whether based on extensive formal research studies or simply on other schools with a solid history of academic success. The application's authors specifically cite the research basis throughout this section. It is not assumed that the reader of the application will be familiar with common best practices or widely-known research within the field of education or charter schools. In summary, the Educational Program should address the interrelationship between the following:

- Goals – Overall school goals developed to ensure student and school progress;
- Curriculum – What you want your students to know and be able to do within the overall academic program;
- Instruction – The activities and methodology for getting the curriculum to the students;
- Interventions – How the school will respond if some or all students do not master the curriculum (e.g. the school will use Multi-tiered System of Supports (MTSS) /Response to Intervention (RtI) with all students, small group work, tutoring, etc. and the Serving Students with Special Needs section addresses a continuum of supports and services that are in place to meet the specific needs of identified groups of students.);
- Supports – Includes structures of the schedule and calendar and professional development;
- Evaluation – Addresses the ways in which the school will assess if students master the curriculum and how that information will be used for making needed changes to the educational program.

Because this is such a substantial section of the application, it is strongly recommended that the applicant break this section down into the following subsections:

## E. 1. Educational Program & Standards: Educational Philosophy & Culture

This subsection describes the founding committee’s core beliefs about education and how students learn, and the planned culture with implementation strategies since this is the driving force behind the school’s educational program.

- Describes the founding committee’s core beliefs about what a school of excellence looks like, and any research basis or academic history of the school model the school is replicating or adapting, as this will drive the school’s educational program and operations. For example, if the founding committee believes that secondary students learn best when work is focused around group-based, interdisciplinary “real-life” projects, the application presents a picture of how this style of learning (which is based on a set of beliefs about how students learn best) will be implemented in the school as a foundation for all aspects of the instructional approach.
- Articulates an understanding of the identified student population that is congruent with planned culture and educational philosophy intentionally chosen to meet their needs.
- Includes an overview of the planned culture for the school and how this culture will promote a positive and inclusive academic environment and reinforce student intellectual and social/emotional development.
- Summarizes the systems, practices and traditions the school leader and leadership team will create to foster this culture in all students, staff, and parents from the first day of school. Includes a description of research-based strategies that will be implemented to meaningfully involve students in the school and their academics, including school-specific routines (e.g. morning meeting, uniforms, advisory, blackboard configuration, etc.).
- Ensures alignment between the vision and mission statements, target population, school culture; and frames the context for choosing the curriculum, instructional practices, interventions, evaluations, and all components for the educational plan.

## E.2. Educational Program & Standards: Curriculum

The school describes the critical aspects of the overall academic program, each component of the curriculum and how the curriculum is research based, aligned to the Colorado Academic Standards (CAS), and will meet the needs of the target student population.

Note: A current research basis for selecting a particular curriculum for the target population can be based on obtaining information from publishers as well as formal research available online at ERIC ([www.eric.ed.gov](http://www.eric.ed.gov)) and the What Works Clearinghouse (<https://ies.ed.gov/ncee/wwc/>). While the narrative in this subsection should describe the critical aspects of each component of the curriculum, lengthy research, a full scope and sequence, and a full-curriculum alignment with state standards (and any other pertinent documents) should be included in the appendices rather than the body of the application. For information on the ten subjects of the CAS, visit: <http://www.cde.state.co.us/standardsandinstruction/coloradostandards-academicstandards>. Health & Wellness and Physical Education (PE) information can be found at: <http://www.cde.state.co.us/cohealthpe/statestandards> (standards), <https://coloradoleague.org/HealthWellness> (guidance), <https://coloradoleague.org/nsdresources> *Opening A Healthy School* located under Health and Wellness Resources (regulations), and <https://www.cde.state.co.us/standardsandinstruction/instructionalunits-physicaled> (unit samples). It is also advisable for schools considering blended and online program components to review the information at: <http://www.cde.state.co.us/onlinelearning/blendedlearning> and <http://www.cde.state.co.us/onlinelearning/events>.)

- This subsection provides a detailed description of the school’s academic program and curriculum tailored to meet the needs of the target population, including an overview of what will be taught at each grade level and all subject areas, and more detailed documents such as a curriculum framework and sample lessons showing alignment to state standards and 21<sup>st</sup> Century skills should be referenced in the appendices.
- If using an established school-wide program (e.g. Expeditionary Learning, Core Knowledge, Montessori, etc.) or another successful school as a model (e.g. High Tech High, Big Picture School, etc.), the application provides detailed information and research about the program or model. When possible, this should include research, experience, and objective evidence about the academic success of the chosen program/model, and in particular why it was chosen for this specific population. If evidence is not available, the applicant should explain why the proposed program is likely to be successful. The applicant should not assume that the reader of the application will be familiar with or supportive of an established curricular program, so applicants should

explicitly explain how the use of such an educational program supports the school's vision and mission, goals, student population, and educational philosophy.

- It is important to include the research-basis and evidence-based success rate behind subject-specific skills programs and approaches used to implement the overall academic program as the authorizer may not be familiar with them or how they pertain to the target population, or why this approach is expected to result in increased academic achievement. At a minimum, information should be included for each core subject area of ELA/reading, Math, Writing, Science and Social Studies and explain how cultural relevance and responsiveness will be developed in the curriculum. ***If the school is choosing a text program:*** Give the reason for choosing subject-specific skill-based programs or texts (e.g. Success for All, Open Court Reading, Everyday Math, Saxon Math, Step Up to Writing, etc.), with detailed information provided about these programs, how they support the school's vision and mission, goals, and educational philosophy, and how they align to CAS. ***If the school will develop its own curriculum:*** Sufficient detail should be given to understand the content at each grade level, scope and sequence development, alignment to standards, implementation practices, and how these will all be communicated. Details of the plan for developing curriculum should also include staffing needs and cost to accomplish this, the timeline, tools and resources used, person responsible, their training in CAS and curriculum expertise, a process to map standards to lesson plans, and benchmarks that will ensure completion of curriculum.

Note: Choosing a textbook is different than choosing curriculum; the latter should address the important question of "what we want students to know and be able to do", and should relate to the means used to meet the state standards, and the textbook is the resource used to facilitate the curriculum.

- If the school includes a high school, the application includes clear information on course offerings and descriptions, how the school will prep students for college and the workforce, promotion requirements to move to the next grade, planned graduation requirements/credits, to include electives credits, in comparison to district requirements, how credit hours are earned and appear on transcripts, how GPA is calculated, indicators for post-secondary readiness (to include ICAP), and how these requirements meet or exceed the school district's and Colorado Commission on Higher Education (CCHE) requirements. (Adopted by the State Board pursuant to (C.R.S. 22-2-106). For a summary of college admissions standards, go to: <http://highered.colorado.gov/Academics/Admissions/coursecompletion.html>. For information on developing Colorado high school graduation requirements for career and college readiness see: <http://www.cde.state.co.us/postsecondary/graduationrequirements> . The application also addresses whether the school plans to implement a basic skills assessment i.e. ACCUPLACER See: <http://www.cde.state.co.us/assessment/accuplacer>.)

**Note:** For high schools, see a summary of the requirements for the creation of Individual Career and Academic Plans (ICAP) for each secondary student: Individual career and academic plans (C.R.S.22-30.5-525(1) and (2)); Board of Education – specific duties (C.R.S. 22-32-109(1)(oo)(I-III)); and basic skills placement (C.R.S. 22-32-109.5); Charter Schools – basic skills placement (C.R.S. 22-30.5-117 and C.R.S. 22-30.5-526). Description of these plans should include how the student ICAP aligns to requirements set forth in (C.R.S. 22-7-1001 *et seq.* and C.R.S. 22-11-101, *et seq.*, and pursuant to C.R.S. 22-2-136(1)). (For more resources on ICAP see: <http://www.cde.state.co.us/postsecondary/icap>.) A school must also provide notice to students of postsecondary courses through enrollment in an institution of higher education's concurrent enrollment opportunities (C.R.S.22-35-104. (1)(b)(I)), and use successful completion of AP classes as part of determination of Post-Secondary and Workforce Readiness (C.R.S.22-11-204, add (4)(a)(VI)).

- The application defines how the school will know and ensure that the curriculum meets or exceeds the district educational and state academic standards. It explains how the school will ensure alignment of its curriculum with the state standards, and in addition to the timeline outlining curriculum development during the pre-opening phase, it provides assurance that a full alignment is to be ongoing and completed within one year of opening for each grade level served. This alignment needs to be explicit and not simply assumed because a certain program or model is being used. (Colorado P-12 Academic Standards (CAS) and suggested grade level expectations can be found online at: <http://www.cde.state.co.us/standardsandinstruction/GradeLevelBooks.asp>; more information about how Colorado's academic standards align with the Common Core State Standards can be found at: [http://www.cde.state.co.us/contentareas/ccss\\_in\\_the\\_colorado\\_standards](http://www.cde.state.co.us/contentareas/ccss_in_the_colorado_standards).)

- The application defines how the school will align objectives, content and skills to ensure the horizontal alignment of curriculum between classrooms and the vertical alignment of curriculum across grade levels.
- A clear outline of how the school will monitor the implementation of the curriculum is given. At a minimum, the appendices should include a course Scope and Sequence for one grade, preferably at each school level, including alignment with CAS, and exit standards for each division at the school (e.g. primary, middle school, high school). The plan identifies what resources were used to develop the scope and sequence, the method to assure CAS are addressed within lessons, a lead contact and specific action steps to track implementation (e.g. using curriculum mapping as a way for staff to discuss essential elements such as content/skills, subjects taught and the completion of full alignments by grade, etc.).
- The application describes actions the school may take if, upon actual enrollment of students and/or baseline data are gathered, it is determined that adjustments or revisions to the curriculum and/or instructional methodology (see below) are warranted. The budget supports a final plan for curriculum at the school which includes this curriculum-adjusting contingency plan.

### E.3. Educational Program & Standards: Instruction

This subsection identifies quality instruction that is research-based and has been effective in meeting the needs of the target population. For unique or innovative practices, the team presents a compelling rationale for effectiveness. Instruction is aligned to the educational philosophy.

- As much as possible, the application defines the teaching methods and strategies, and any unique instructional methodologies that will be used to deliver the curriculum described above to the school's students (e.g. direct instruction, Socratic seminars, lab-based learning, etc.), and why they are the best choice for getting the curriculum across to the target population based on research and aligned to the philosophy, vision and mission of the school. Explanation is given as to how teachers will provide instruction for all student populations, to include ELL, G/T and Special Education, that will promote both rigor and high expectations. Cultural relevancy and responsiveness is also addressed. If teachers will be allowed to develop their own instructional methods, guidelines on how this will be integrated into the program's mission and culture (e.g. teaching writing based on a school-wide rubric, guided reading instruction, etc.) will be explained.
- The application defines the methods and systems the teachers will use, along with student academic performance data to inform (refine and improve) instruction, and to differentiate in order to meet the needs of students coming into the school with varying educational backgrounds, abilities and learning styles. At a minimum, these methods should include a brief introduction to and explanation of how the Multi-tiered System of Supports (MTSS) /Response to Intervention (RtI) model will be incorporated into the school's instructional program for all students whether for specific or special needs. (See: Overview training: <http://www.cde.state.co.us/mtss/overviewtrainingmaterials-fall2014>, and <http://www.rti4success.org/> also see links in Evaluating Pupil Performance and Exceptional Students sections.) It is clear how this information will be tracked. If the school plans to use ability grouping, describes how grouping decisions target the needs of students who require either remediation or acceleration. Describes how teachers will include essential elements in lesson planning, such as including standards aligned daily objectives with checks for understanding to ensure that each student masters content objectives, and develops related skills to demonstrate proficiency across all subjects and standards.
- The application describes classroom culture, the learning environment, class size in core and elective classes, what part technology will play, and planning tools used to prepare and structure lessons. In essence, this subsection describes how teachers will incorporate common elements in their planning, such as learning objectives, academic vocabulary, essential questions, and differentiated student activities, and provides the reader with a clear picture of what a typical day looks like as the school delivers the specified curricula. (An added description of a day-in-the-life of both a student and a teacher may be helpful.)

#### E.4. Educational Program & Standards: Supplemental Programs, Specials or Electives

This subsection describes any unique curricular aspects of the school's program, such as a service-learning, after school programs, clubs, and family programs that are key components of the school.

- The application defines any unique curricular aspects of the school, and includes descriptions of the program(s) and how often they will occur, such as a service-learning component, technology, character education, outdoor education, multicultural education, after school program, elective course offerings (during and after school), sports, clubs, etc., and is based on the Colorado Academic Standards when available. Any supplemental programs integral to the curriculum or family programs that are key components of the school are addressed, as well as any supplementary programs for students, that are evidence-based, that address the needs of the whole child to promote improved social/emotional and physical health.
- The application clearly defines if the school will offer after school or summer school, and describes any program to be offered, the criteria for selection of participants, any specific instructional needs that will be met, the times of operation to include number of hours and weeks, and how many can attend. Also describes how physical, social/emotional, and nutritional needs will be met, such as offering a movement class, a class about making good choices, or a note to parents to either pack a lunch or to confirm that FRL qualified food is available.
- Ensures chosen programs are aligned to the vision, mission, and educational philosophy, and the curriculum. Any supplemental curriculum and texts, and elective course descriptions are thoroughly described where appropriate, and the research base is provided.
- A plan to fund any supplementary programs is given, along with what the funding information is based on, to include fees (so long as it's done in accordance with applicable Colorado law, including but not limited to the provisions of (C.R.S. 22-32-110(1)(o) and (p) and 22-32-117 *et seq.*), and if they are waived or reduced if students cannot pay), materials, faculty, staff, or partnership organization(s) that will oversee and provide services, etc. (An explanation should be included concerning any additional stipends or volunteer positions. If summer school or other programming is part of the job expectation, the application clarifies if/how that work is compensated.)

#### E.5. Educational Program & Standards: Professional Development

This subsection provides a description of the ongoing professional development for faculty and staff, such as individual professional development plans, staff-wide trainings, and the assessment of progress made toward professional performance goals. Professional development aligns with the vision and mission, values and goals of the school, and the implementation of the educational plan.

- The application provides a description of methods the school will use to ensure the ongoing professional development of its faculty and staff, such as individual professional development plans, staff-wide training, and assessment of progress made towards professional performance goals, etc.
- The application defines how the inaugural staff will be trained and prepared to implement the programs with fidelity prior to the school opening, and includes a list and schedule of critical topics that will be covered to include incorporation of ELL, alignment to language of instruction for a dual language program, Special Education and Gifted and Talented into all topics. Further, this subsection explains how, after the first year, the school will support and assimilate teachers new to the school to prepare them to deliver any unique or challenging aspects of curriculum and instruction (regardless of their level of experience in education).
- If the school anticipates that it might hire teachers new to the field of education, the application explains the primary goals and plans of teacher coaching and how the school will support these teachers to ensure that they are successful. This includes how the school will reinforce the curriculum scope and sequence of the school and ensure that all teachers will have a common understanding of a standards-based teaching and learning cycle supported by data-driven processes.

- The professional development plan identifies a timeline, a lead contact responsible for developing, leading and evaluating each component, the specific action steps that will be taken, and how it will be evaluated for effectiveness.
- The application discusses how the budget reflects the school's professional development plan (e.g. a professional development allocation for every staff member, a certain percentage of the annual budget as defined by the board, instructional coaches dedicated to professional development, travel and lodging as needed, etc.).
- The application includes a clear outline of how the school will use information from the curriculum monitoring process to facilitate and adjust professional development and goal setting, and to ensure relevant and differentiated feedback toward continuous improvement in the education program. Essential elements of lesson planning that will be evaluated by the school leader are identified, with time set aside in the calendar to analyze, collaborate, and plan to ensure vertical and horizontal alignment, along with how to address cultural competency and adjust instruction to serve and meet the needs of diverse students.
- Ensures members of the school team will participate in trainings related to the use of technology in the planned technological aspects of the academic program.
- Identifies the person(s) or organization(s) that will provide professional development and mentoring options to the faculty staff and administration or an identification process of how providers will be selected is included.
- In addition to professional development, strategies are defined for supporting the faculty through mentorship and regular observation, evaluation and feedback, and research-based strategies for setting reasonable target goals for retention and building a positive staff culture in order to maintain high faculty retention rates. Description is provided of methodologies used in a coaching feedback loop to inform instructional planning and practice, and develop teacher needs and interests through instruments and protocols that are research-based. Specifics should also be given as to personnel involved to coach and mentor teachers, other members of the leadership team, and the school leader, with adequate rationale demonstrating transparent, model-aligned criteria.
- Ensures all members of the school team have been included, board, leadership, teachers, other staff, and professional development offerings align with the vision, mission, values and goals of the school.

## E.6. Educational Program & Standards: Structure, Annual Calendar & Daily Schedule

This subsection describes the school's organizational structure which places a priority on implementing the chosen curriculum with fidelity and in its entirety within the confines of an annual calendar and daily schedule, and in compliance with statutory regulations.

- Provides a description of the organizational structure of the school day and year that demonstrates enough time to fully implement the curriculum.
- The application provides narrative around the expected number of days and hours, and a draft of the annual calendar, for the first year of operation, so the authorizer understands the number of proposed student contact days, teacher work, collaborative planning and professional development days, and total hours of instruction in compliance with statutory regulations. This is especially important when the annual calendar differs in any way from the district's calendar.
- The school calendar and daily schedule reflect time allotted for collaborative planning and professional development with expected number of days and hours noted in the narrative. The school's proposed annual calendar and daily schedule reflect the minimum number of hours required by state statute (1,056 hours/year for secondary students; 968 hours/year for elementary students; no fewer than 160 days per year for all students; (C.R.S. 22-33-104 *et seq.* and C.R.S. 22-32-109(1)(n)(I-II)(A and B)). Narrative notes the viability of the curriculum within the provided structure, using a compelling explanation of optimizing student learning, and notes whether the proposal includes an extended day/year. The total number of days in the year is identified.
- The application includes a draft of both the teachers' and students' daily schedules, for one week of classes, so the authorizer understands the number of hours of instruction per day and week. The reader can see how the

structure of the school day and week, and allocation of time on a daily and weekly basis reflects the school's mission and goals, teacher training, individual planning times, and academic interventions, to include required pull-outs (such as a 45 minute ELD block, during the school day, in DPS), etc. within the school day.

- The daily schedule reflects adequate time each day in which to implement the intended program(s), and gives the length of the school day with the start and dismissal times, the hours and minutes/day and week dedicated to academic instruction in each grade, and core instructional areas of Language Arts, Math, Science, and Social Studies. The application narrative explains how the schedule will optimize student learning, and how it supports the goals of the educational program. Adequate time is also provided for required physical education classes and recommended minimum levels of activity of 600 minutes/month (30 minute/school day) for elementary (HB 1069) and 225 minutes/week (45 minutes/school day) for secondary students. (See links under health and wellness/Curriculum.)

## F. Plan for Evaluating Pupil Performance \*

This section expands on the goals section earlier in the application by defining how the school will determine whether it is meeting its goals, and its plan for administering statewide assessments consistent with (C.R.S. 22-7-406-409). It focuses both on internal assessments used to drive instructional decision-making, as well as external assessments used to communicate academic achievement and growth to stakeholders. A quality assessment plan will include summative (end-of-year) assessments, as well as interim (more frequent, end of unit or assessments used formatively) and formative (daily and weekly checks for understanding) assessments to track student skill and knowledge development. The plan will include how this data will be used to guide professional development of teachers as well as how this data will be used to guide refinement of the curriculum and instruction. Be aware that all Colorado public schools including charter schools are subject to the Colorado Measures of Academic Success (CMAS, which include the Colorado Summative Assessments of Science and Social Studies and Mathematics and English Language Arts assessments) that serve as the state assessments associated with the Colorado Academic Standards (CAS), and the PSAT for Sophomores and SAT for Juniors. (See the CDE website: <http://www.cde.state.co.us/assessment> for detailed information regarding these programs.)

Because this is such a substantial section of the application, it is strongly recommended that the applicant break this section down into the following subsections:

### F.1. Plan for Evaluating Pupil Performance: Assessments

This subsection describes the types of appropriate internal school level assessments the school will use to evaluate both student needs and the effectiveness of the academic programs, and external assessments that will be used to measure student performance, and comply with district and state requirements to ensure content standards will be met.

- The application defines chosen assessments and the rationale for using them, how the school will gather baseline data (meaning local assessments) on all incoming students so that the school has immediate information in placing students in appropriate levels and can accurately monitor their growth. (It is recommended that all schools administer a standardized test at the start of the school's first year to all students and additional interim and summative assessments throughout the year. This ensures that baseline data is available to determine progress made by students during the first year rather than having to wait until the end of the second year when the school would have state student achievement data for two consecutive years.)
- The application provides a sample testing schedule/timeline and describes a comprehensive list of what school-level assessments will be used in addition to CMAS, SAT, and ACCESS for ELLs (C.R.S. 22-7-406-409 *et al.*), how they will notify parents of the assessments (C.R.S. 22-7-1013(7) (a)(b) and (8)), when and how they will each be administered and opt-out policies (C.R.S. 22-7-1006.3). The list also includes the use of any planned assessments for grade level or class placement, G/T identification, reading proficiency and Kindergarten readiness, as applicable.

**Note:** These evaluation methods align with the school’s goals outlined in the Goals, Objectives, and Pupil Performance Standards section. For example, if the school has a goal on the percentage of students reading on grade level by the end of each academic year, then there must be an assessment tool included to provide at established interval leading up to the English Language Arts assessment, so that the school can ensure students are making progress toward and on track to be classified as meeting or exceeding on the state assessment in the Spring. The school should choose assessments that will provide useful data for the school, rather than just using assessments for the sake of using assessments. Both interim and summative assessments should be identified (or timelines to identify them should be included along with the process to determine what assessments to use) to show sufficient frequency of assessments without over-testing. A recommended minimum testing interval should be three times per year for interim assessments.

- The application defines what assessments will be used for literacy testing in order to comply with the Reading to Ensure Academic Development Act (READ Act), which mandates that students are to be reading on grade level by the end of the 3<sup>rd</sup> grade. It explains how this data will be used to complete and monitor READ Plans. (See the Colorado READ Act for more details: (C.R.S. 22-7-1201 to 22-7-1213) or <http://www.cde.state.co.us/coloradoliteracy/ReadAct/index.asp>.) It also explains how the school will assess kindergarteners (<http://www.cde.state.co.us/schoolreadiness/kindergarten>) and provide a school readiness plan.

**Note:** SB 08-212, Colorado’s Achievement Plan for Kids (CAP4K) indicates that local education providers are required to ensure all children in publicly-funded preschool or kindergarten receive an individual school readiness plan (C.R.S. 22-7-1014). The legislation does not specify the contents of school readiness plans except that the plans need to be informed by the school readiness assessment which is to be given within a required timeframe.

- A description should be given as to how the school will know the formative assessments are aligned to curriculum, the vision and mission, instruction, and are valid and reliable indicators of the effectiveness of interventions and performance goals and state standards. Research to support the school’s evaluation process is included in the appendices. (See: [http://www.cde.state.co.us/ui/assessment\\_instrument\\_descriptions](http://www.cde.state.co.us/ui/assessment_instrument_descriptions))
- Identified school-level and state assessments demonstrate that the school understands and intends to comply with the Colorado accreditation requirements as articulated in the Colorado School Performance Framework. (For information on Accountability see: <http://www.cde.state.co.us/accountability>, and the three Performance Indicators, see section 2 of the Rules for Administration of Statewide Accountability Measures (1 CCR 301-1), at: <http://www.cde.state.co.us/accountability/accountabilityrulesadopted31114>. It will also be important to ask the authorizer for information about their accreditation contract, process, and timeline.
- Identified school-level and state assessments comply with the authorizer’s methods for determining whether the school has met the state and federal mandates of accountability and the Every Student Succeeds Act (ESSA). (Additional information may be found at: [http://www.cde.state.co.us/accountability/sb\\_163\\_052013](http://www.cde.state.co.us/accountability/sb_163_052013), <http://www.cde.state.co.us/accountability/federalaccountability>, and <http://www.cde.state.co.us/fedprograms/essa>.)

## F.2. Plan for Evaluating Pupil Performance: Data Management & Data Support for Teachers

This subsection describes the school’s chosen methods of managing the multiple disparate student data (whether it is a data warehouse system, excel or person) and how it will utilize data to inform and modify curriculum and instruction, professional development, course completion and grade-level advancement.

- Ensures the three parts of a performance management system are in place. The school has created a performance management plan including how they will utilize the three “systems”: 1. Student Information System (SIS) 2. Interim/Formative/Summative Assessments 3. Data Management System (a data warehouse or process) to capture and effectively manage student and school level data. This subsection provides a summary of the full plan, and more extensive information can be included in an appendix as needed. The plan identifies what other tools and resources will be used for data management purposes, such as an internal database, data management service, dedicated staff who will manage the process, etc.
- This subsection explains how budget resources have been adequately allocated to support staffing, system start-up, and ongoing implementation and training costs. The narrative also contains a timeline with the lead contact and details for performance management system acquisition and implementation.



- Provides a detailed description of how the school will use internal assessments, including formative, interim, and summative assessments to ensure that each student is making progress towards both short- and long-term goals, and explains how formative assessment data will be used to inform instruction. The application describes the types of assessments that will primarily be used at the school, such as tests, projects, essays, portfolios, and how these align with the mission and clearly defined academic goals.
- The application explains how the school will collect, analyze, triangulate, and manage data on an ongoing basis. The performance management plan includes a clear schedule for data analysis, person or groups responsible for collecting data, specific action steps, that include tools and protocols that will be taken to utilize data and support teachers in the analysis of evaluating data in order to help them clearly inform their instruction based on what the data says. The student assessment information monitoring is also used to facilitate continuous improvement in the school's entire educational program, and professional development planning. Performance management planning documents are available on the League website [https://coloradoleague.org/resource/collection/960B2589-FB38-46CA-BF8F-4E6E5FE97634/Critical\\_Components\\_Best\\_Practice\(012710\).pdf](https://coloradoleague.org/resource/collection/960B2589-FB38-46CA-BF8F-4E6E5FE97634/Critical_Components_Best_Practice(012710).pdf), and additional support in developing a performance management plan is available upon request.
- The application explains how the school will use longitudinal data analysis to measure its success, the frequency of assessments, and what systems will be put in place to allow teachers to regularly analyze and collaborate around useful data in order to drive instruction. The authors have listed the assessments to which the school will apply school level and student level growth data to measure success. For example, using Colorado's Growth Model, one can set reasonable, but attainable student level growth targets around performance. (For more information, visit: <http://www.cde.state.co.us/schoolview/growthmodeltutorials> and <http://www.cde.state.co.us/uiip>. For help with goals see the Goals, Objectives, and Pupil Performance Standards section above.)
- In compliance with (C.R.S. 22-30.5-106(f)), the application provides a description of the charter school's trigger points for intervention based on goals, and procedures for taking corrective action in the event that pupil performance at the charter school falls below the achievement goals approved by the authorizer in the charter contract to include many examples of interventions and specific action steps. This includes information on how the school will schedule additional supports. (Such as a Response to Intervention (RtI) model, which includes a Multi-tiered System of Supports (MTSS) and assessments focusing on labeling each area of need and needed supports instead of labeling students, and is explained well in resources located at: <http://www.cde.state.co.us/mtss>. An Implementation Rubrics Guidebook is available at: [http://www.cde.state.co.us/sites/default/files/documents/rti/downloads/pdf/guidebook\\_rtirubrics.pdf](http://www.cde.state.co.us/sites/default/files/documents/rti/downloads/pdf/guidebook_rtirubrics.pdf)).

### F.3. Plan for Evaluating Pupil Performance: Performance Standards

This subsection describes the student performance standards and how the standards are used to advance academic performance.

- The application defines how the school will communicate individual student progress to parents and guardians, and what that progress is based on (i.e.: grading scale and report card examples, portfolios with rubric examples, promotion and exit standards for each grade level, etc.). This information includes graduation and course pass requirements. If the school does not plan to use traditional grades, the application explains what alternative methods will be used to record and communicate individual academic success to families, and includes a sample rubric in the appendices. This subsection also describes parent/teacher conferencing requirements.
- Clearly describes a plan to monitor progress toward meeting school goals and includes a description of how the school will use data to inform modification and improvement processes to the overall school program.
- The application provides information on how the school will annually review and report its assessment data and academic success to the parent community, the broader community, and the school district. The narrative addresses implementation of an annual Unified Improvement Plan (UIP) as part of the Accountability process. (See guidance for new schools in developing a UIP:

[http://www.cde.state.co.us/sites/default/files/SupplementalGuidance\\_NewSchools\\_2013.pdf](http://www.cde.state.co.us/sites/default/files/SupplementalGuidance_NewSchools_2013.pdf), and general information about the UIP process at: [http://www.cde.state.co.us/uiip/uiip\\_general\\_resources](http://www.cde.state.co.us/uiip/uiip_general_resources).)

- The application identifies trigger points for retention and procedures for involving the parent in determining promotion or retention, and specific interventions that the school will implement prior to and after retention to accelerate achievement if student performance at the school falls below the described targets. Also includes information on how the school will ensure students meet graduation requirements on-time, what will be done for students at-risk of dropping out of high school or not meeting the proposed graduation criteria, and how retention decisions comply with the READ Act if applicable.

## G. Budget & Finance \*

This is a substantive, and important section of the application that details the school's budget, the school's plans for an independent governmental financial audit, and other aspects of the school's fiscal management. ((C.R.S. 22-30.5-112.2 & 513(4.5)) for definitions for at-risk supplemental aid, and (C.R.S. 22-30.5-111.5 & 513.5) for funding definitions.) The CDE requirements for financial management and reporting are available in the Financial Policies and Procedures manual at [http://www.cde.state.co.us/cdefinance/fpp\\_coa](http://www.cde.state.co.us/cdefinance/fpp_coa) and full resource page at [www.cde.state.co.us/cdefinance/sfFPP.htm](http://www.cde.state.co.us/cdefinance/sfFPP.htm). Also note that schools may form a consortium (C.R.S. 22-30.5-507(12)). An additional resource with general information is the Colorado Charter School Financial Management Guide located at:

<http://www.cde.state.co.us/sites/default/files/documents/cdechart/guidebook/fin/pdf/financeguide.pdf> though schools should also consider any updated information found on the CDE Public School Finance website at: <http://www.cde.state.co.us/cdefinance>. The budget shall be prepared in accordance with (C.R.S. 22-30.5-111.7(1)(a) and C.R.S. 22-30.5-112(7)) and the state-mandated chart of accounts. Assurances for Financial Accreditation can be found at: <http://www.cde.state.co.us/cdefinance/accreditation>.

Because this is such a substantial section of the application, it is strongly recommended that the applicant break this section down into the following subsections:

### G.1. Budget & Finance: Budget Narrative

This subsection provides a financial narrative of the five year school budget that includes a description of the school start-up plan, in alignment to its vision and mission, services and specific programming for both the academic and non-academic program, and any other areas of service that are unique to the school model and its vision and mission.

- This subsection includes a complete summary of the budget, including all major revenue (to include private sources) and expense items, and should also indicate that the school plans to use conservative budgeting. Includes statutory required areas of PERA, TABOR and Worker's Compensation. The summary and budget both reflect the minimum enrollment needed for solvency. (Pupil enrollment count day occurs on October 1 each year. (C.R.S. 22-30.5-103(6.6) and 502(9.5)). The narrative clearly explains how assumptions have been obtained from reliable sources.

**Note:** The summary reflects that the school has reviewed several operating charter schools' budgets and understands the reality of revenues and expenses within the school district and the larger market. Specifically, on the revenue side, the school has gathered and used accurate information for projected per pupil revenue (PPR) shall be defined as set forth in (C.R.S. 22-30.5-112(2)(a.5)), mill levy funds (C.R.S. 22-32-108.5 *et seq.*) title funds (%FRL), etc. (The School shall not charge tuition, except as otherwise provided in (C.R.S. 22-20-109(5), C.R.S. 22-32-115(1) and (2) and C.R.S. 22-54-109), other than for PRE-K, full-day kindergarten programs, before and after school programs or as otherwise permitted by law.) On the expense side, the school has gathered and used information that reflects district administrative costs (C.R.S. 22-30.5-112(2)(a.5)(I)(A & B)), and reconciliation at the end of each year (C.R.S. 22-30.5-112(2)(a.4)(I)), or CSI administrative overhead costs (C.R.S. 22-30.5-506(4)), competitive salaries, benefits, a plan for making accurate retirement contributions (see the PERA website at [www.copera.org](http://www.copera.org) or the specific payment information located at: <https://www.copera.org/sites/default/files/documents/5-123.pdf> and <https://www.copera.org/employers/employer-contribution-rates>) special education costs as required by the authorizer, professional development expenses based on the proposed professional development plan, data management services, assessments, legal fees, audit costs, average market lease rates and associated facility costs, commercial insurance premiums,

curriculum expenses, furniture, fixtures, and equipment (FFE) to supply a fully operating school building, start-up and replacement costs, and costs associated with any special school focus or emphasis, etc.

- The budget narrative includes a basic start-up plan (facilities funding, FFE and materials acquisition), to include a summary of which revenue streams are used to address listed startup costs year zero, the curriculum and professional development plan, and the school growth plan. The growth plan should include student count and needed staffing projections that fit the educational narrative, along with adequate financial allocations and anticipated timelines that all of these will be in place. There is an adequate and reasonable plan to manage start-up costs without complete dependence on federal or private grant funds.
- Budget is maximized to meet the vision and mission and the programs described in each section of the application.
- Ensures projected student population growth is adequate to meet long range plans for the chosen school model, staffing and facility needs. Projections are conservative and are based on realistic data, and include an explanation of how the school will reach enrollment goals in the initial years.
- A plan is in place to address funding shortfalls that might occur if the school is under-enrolled. Because public schools cannot run a deficit budget, the developers should reference a contingency budget that addresses this scenario and is included as an appendix. For the detailed contingency summary and budget, at a minimum, the planned cuts should be noted in the narrative, with specific adjustments and related dollar amounts noted, and should reflect what happens if 80% of the expected enrollment or PPR is achieved. Overall financial impact should address how the school programs would be affected with the anticipated cuts.
- Explains the school's understanding of financial implications of employment law and operations and has planned for funds to be in place regarding tax, payroll, retirement, insurance and background check requirements.

## G.2. Budget & Finance: 5 Year Budget

The budget is submitted as an Appendix to the application. The five year budget is balanced, follows district and specific statutory requirements, and adheres to the Authorizer's budget template guidelines.

- Includes a five year balanced budget that is included as an appendix in the application that aligns with the growth plans as described in each section of the application. Ideally, the budget reflects a separate realistic cash flow projection for the 1<sup>st</sup> year of operation. (A cash flow statement accurately reflects the timing of income and expenses in order to help the school manage possible cash shortfalls.) The budget also reflects an understanding of specific statutory requirements, including the ability to track federal, state and foundation grant funding income and expense by grant code (e.g. any income from categorical or special funds (e.g. Title I, CCSP grant, etc.), is clearly shown as separate in a column reflecting expenditures for that area, and includes known expenses such as the CSSI visit costs for CCSP grant recipients in year 3 of this grant.)
- The budget has the required PERA contributions and 3% TABOR reserve each year. The attached budget includes an assumptions sheet that shows income and expense projections/or quotes that are realistic, and assumptions are based on the best possible sources (e.g. per pupil revenue (PPR) at 100% of the district's PPR except for small attendance areas (C.R.S .22-30.5-112) for the estimated number of students, with Kindergarten students figured at .58 of the per pupil amount, (C.R.S. 22-30.5-112(2)(c)(III); 112.1(3)(c); and 513(2)(b.5)), an explanation of how the school will reach enrollment goals, estimated number of students eligible for FRL, per pupil costs of other charters schools in the district, insurance quotes from the district and another company, etc.)
- Demonstrates an understanding of financial implications of employment law and operations and has funds in place regarding tax, payroll, retirement, insurance and background check requirements.
- The budget fully demonstrates an awareness of needs and a plan and resources for available cash on hand prior to school opening and the receipt of reimbursement grants.
- The budget is set up in such a way that it is most useful to the school's board and leadership for making effective short- and long-term decisions, and reflects an understanding of the Colorado Department of Education's Chart of Accounts. The working budget should be easily cross-walked to the required CDE chart of

accounts budget, and the financial information should be accurately translated into the year-end district-negotiated format for the Automatic Data Exchange (ADE) trial balance. Preschool tuition and funds are not co-mingled with state and federal K-12 funds, where public funds would be paying for the program, except for income and expenses for qualifying students for which the school receives state aid. Expenditures are clearly noted as coming from the appropriate funding category or area. (For example, just as a column for Title I shows allowable areas where the funds are used, in that program, and the fund zeroes out at the end of the year, a column for preschool should show where expenses are covered using tuition-based funding or fees the PK pays to the charter are instead noted in line item descriptors.)

- The budget does not include any “soft funds,” such as unknown foundational funding or contributions; it includes only grants or donations that have already been received or for which commitments have been received, and doesn’t rely on private funding to sustain key program needs. Evidence is provided for anticipated fundraising and grants, if cited in the application.
- The proposed budget balances each year and includes a five year plan to reach at least a five percent reserve (in addition to the TABOR reserve) that the school can use for emergency purposes or as a long-term reserve. The budget demonstrates that expenditures will not exceed available funds.

### G.3. Budget & Finance: Systems & Procedures

This subsection focuses on the systems and procedures in place to ensure the school and Board follow sound financial practices to make sure their school is financially stable and funds are appropriately used to support the vision and mission of the school.

- The narrative should indicate that the school will meet district budget reporting requirements throughout the year (which will be negotiated with the district after charter approval.) The School shall prepare quarterly financial reports for the District in compliance with (C.R.S. 22-44-301 to 22-44-304)) the Financial Transparency Act (that requires finance information to be posted on the school’s website), and that the budget will be finalized each year by the January 31<sup>st</sup> CDE chart of accounts budget submission deadline. (See: Financial Transparency Act: <http://www.cde.state.co.us/cdefinance/sfFinancialTransparency.htm>).
- The application describes the process the school will follow to contract with a Certified Public Accountant to conduct an annual, independent financial audit, and submit it to the district in written form by September 30<sup>th</sup> of each year.
- It explains how the school will comply with any GASB (Governmental Accounting Standards Board) provisions. (GASB is an oversight entity that develops accounting standards for state and local governments.) An explanation is also given as to how the school will remain fiscally solvent; adhere to Generally Accepted Accounting Principles (GAAP); have no material breaches; will address any management letter concerns; and will disseminate the results from the audit with the school district, the public and required state agencies.
- The application provides financial policies, and procedures and a management plan that the board and administration will implement and follow to ensure leadership monitors financial metrics, and documents, including dollars to actuals, cash flow, etc. so that the school remains fiscally solvent.
- Appropriate internal controls are implemented to ensure a sound financial management system that includes checks and balances in cash disbursement and oversight that are explained, and the school has provided sample financial templates and reports, such as a dashboard template, as an attachment.
- The application provides financial policies and procedures that ensure that the school’s financial priorities are aligned with the vision, mission and goals as well as the growth, curriculum and professional development plans. Included is a description of an annual process for evaluating whether financial allocations have effectively supported the school in carrying out its mission and meeting its goals, and the process by which the governing board and the school leader make mid-year and annual financial decisions.
- The school identifies an evaluation or internal audit process of financial spending decisions based on a data-driven needs assessment, and mission alignment and includes it in the appendices.

- If any financial services are to be provided by the state, a school district, or another third party, the applicant has provided criteria used in selection, costs, qualification, and a description of the manner in which these services will be conducted, to include a management contract or Memorandum of Understanding (MOU) where applicable. There is an identified member of the school staff who will have financial knowledge to understand, interpret and manage information provided by the external consultant.
- If the school is to obtain a 501(c)(3), it states how it will ensure proper reporting to the federal government by submitting a 990 form (indicates compliance with Sarbanes Oxley requirements). The school will also comply with state and federal requirements, including GAAP and GASB. (See CDE finance guide and other resources at <http://www.cde.state.co.us/cdechart/guidebook/fin/index.htm> for more information.)

## H. Governance \*

This section provides detailed information on the governance philosophy and how the board will approach the oversight role, the role and make-up of the board and the role of the school's administration in carrying out the school's vision and mission and meeting its goals. Charter school governance is extremely important to the success of a charter school. There should be clear information given as to the founding committee or board and how this group will transition to an official governing board. Also, the chief administrator's responsibilities should be stated. The number of directors on an official charter school board should not be less than five and it's generally considered a best practice to have no more than nine directors. (Many sample best practice documents for charter school governing boards are available online at <https://coloradoleague.org/page/nsdresources>, while information, on the Open Meetings and Open Records laws, is located at the bottom of the page at this link. (See: <http://www.cde.state.co.us/cdechart/techassistance>.) Also see: Colorado Code of Ethics: (C.R.S. 24-18-101 *et seq.*)

Because this is such a substantial section of the application, it is strongly recommended that the applicant break this section down into the following subsections:

### H.1. Governance: Governing Board

This subsection provides detailed information on the governance philosophy, and board make-up.

- A description should be given as to how the vision and mission will be brought to fruition in everyday practice and decision making. (i.e. How this will be incorporated into every board agenda/meeting.)
- The application includes a definition of who can serve on the board (parents, community members, etc.). The application also defines who will be targeted for board participation, and how highly qualified board members are recruited, selected and trained. Consideration should be given to areas of expertise that are needed in order to open the school, and representation of key constituencies when adding new members.
- A description of the composition of the governing board and number of members is included. The board represents the diversity of the school, which represents the diversity of the larger community. The board also represents a diversity of skill sets (e.g. people with legal, financial, governance, education, fundraising, non-profit board, etc. expertise). The narrative explains how the composition will ensure educational and operational success, and involvement with both the target population and key stakeholders (e.g. committees, annual surveys, etc.). The application defines what the school's ideal governing board would look like. If this does not match the current composition of the governing board, a plan and timeline for soliciting board participation in order to accomplish this vision is defined. (State board rules require the board should demonstrate diverse and necessary capabilities.)
- A plan for ongoing comprehensive board training and capacity building over time is noted as to when, how often and included in a board calendar, and includes both annual board training in vital subjects to include Open Meetings and Open Records laws, for new board members, and outlines key topics describing how the board will expand and develop over time. It is recommended to schedule a minimum of two half-day trainings per year to allow for continued development.

Note: Online Board Training Modules and quizzes can be accessed free at: <http://www.cde.state.co.us/cdechart/techassistance> with direct log-in at: <http://onlinelearning.enetcolorado.org/login/>. Information for signing up for the modules can be found at: <http://www.cde.state.co.us/cdechart/accessguide>.

- The application includes a description of any ongoing committees and advisory groups that will be put into place and their roles, along with a plan for meaningful involvement of parents and community members and opportunity for active participation in the governance of the school.
- If a governing board has already been appointed, information is provided on how that process took place. If the initial governing board will be elected or appointed following charter approval, a description is provided of that planned process, and includes a timeline. Information about the school's founding committee, in the form of [short] bios, should be included in this section. The bios should explain the expertise each member brings to the founding team for developing the school. A list of individuals making the transition to the official board should be provided, along with their role and interest and when they will be seated and assume responsibility for school governance. Resumes of the developing team and/or the founding board, whichever is applicable, are included in the appendices.
- Information should also be provided to address how decisions will be made and recorded prior to authorization.
- The application offers an opportunity to include an explanation of any non-traditional governance structures, such as an all-parent board, staff members serving on the board, the lead administrator serving on the board, (It is not considered Best Practice to have employees serve as voting board members), etc. The narrative explains rationale and legal expertise that has been sought in developing the structure, how it fits with Colorado law, and how any potential conflicts of interest will be avoided on a non-traditional board.
- There is evidence the board will conduct an annual self-evaluation and a program effectiveness review, with established benchmarks and progress indicators based on goals, and use the results to identify areas of needed growth and determine ongoing professional development.

## H.2. Governance: Legal Status & Governing Documents

This subsection describes the legal status of the school and the status of the completion of state statute requirements, school By-Laws, and Articles of Incorporation and policies. Policies and procedures are defined and align to the vision and mission of the school and support student achievement.

- This subsection includes a summary of the school's proposed or approved bylaws, which should be included as an appendix. An explanation should be clearly given as to who was consulted during the development of bylaws appropriate to the non-profit and legal review, and academic structure of the organization. In this subsection of the application, the founding committee highlights key features of the school's governance model as set forth in the bylaws. Specifically, the school addresses in the bylaws the board's powers and duties, how board members are elected or appointed, when elections or appointments take place and who can vote, who can serve on the school's board, the length of board terms, whether there are term limits, how many directors serve on the board and what the minimum number of directors is, what constitutes a quorum and how decisions are made, a summary of board officers and their roles, how members can be removed with actions that will trigger the described removal process, how vacancies will be filled, how often the board will meet, and attendance requirements and key expectations such as committee service.
- This subsection should also explain the school's status as a non-profit organization and include a copy of the Articles of Incorporation and letter of non-profit status, if available, and a plan for filing as a non-profit organization, which is required for all charter schools. (Non-Profit Corporation Act (C.R.S. 7-121-101 *et seq.*) Explains if the school will be a member or non-member corporation, and who the members will be if applicable.
- The application includes a description of steps the school will take to remain in compliance with the Open Meetings Act (C.R.S. 24-6-401 *et seq.*) and a schedule of regular board meetings.
- The application includes a description of steps the school will take to remain in compliance with the Colorado Public Records Act (C.R.S. 24-72-204 *et seq.*).

- The application includes a description of steps the school will take to remain in compliance with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g).
- A detailed description of the responsibilities of the school’s accountability committee and its role in relation to the school’s governing board and administration is included. This subsection demonstrates that the applicant thoroughly understands statutory guidance on School Accountability Committees (SAC) with regard to its makeup and essential duties to make budget recommendations and monitor academic goals, meeting requirements, committee composition, and commitment to forming such a committee upon the school’s opening to include recruiting, scheduling meetings and the role of the staff (this is an area where the school may not request a waiver (C.R.S. 22-11-401 to 406). For additional information and for sample SAC Committee documents see: <https://coloradoleague.org/page/nsdresources>. The applicant should also explain an understanding of the SAC responsibility to publicize a public hearing to review a written priority improvement or turnaround plan for the school and obtain public input concerning possible strategies. (C.R.S. 22-11-402(1)(g); 405(2)(b); 406 (2)(b)); and (22-30.5-520(2)).
- This subsection includes a list of the school’s primary governance and operational policies that the board has either already adopted or will adopt prior to the school’s opening, as well as additional policies, such as a board member agreement, needed to ensure the sound governance and operations of the school. All policies and procedures are aligned to the vision and mission of the school and support student achievement. The basic premise of these policies should be explained in the narrative along with either an explanation of how and when the founding board will develop and adopt a full set of policies, or a draft copy of the initial board policies should be included in the appendices.
- The application contains a draft or final conflict of interest policy and a policy for hearing parent, staff and student grievances. These policies are clear, show how conflicts of interest will be handled, and follow an appropriate route for delineating how grievances will be addressed for resolution of concerns that are raised. Among other things, the conflict of interest policy should address potential nepotism, employees serving on governing boards, and self-dealing. (See Colorado non-profit law for Conflict of Interest requirements.) It is also highly recommended, as a best practice and if the school obtains a 501c3 exemption, that the Bylaws or policies of the school include a requirement that each charter board member sign a Board Member Agreement, and annually sign a conflict of interest disclosure. (See: Sample Contract Language Attachment 4 <http://www.cde.state.co.us/cdechart/distauthinfo>. Includes example forms in the appendices.)

### H.3. Governance: Oversight of Operations

This subsection focuses on the roles and responsibilities of the board and lead administrator. It focuses on the process to hire a school leader that is skilled and aligned to the school’s vision and mission, and provides the qualities and qualifications this person must have to effectively run a school and lead the faculty and staff. It also addresses the process of board oversight and evaluation of administration, achievement, and finance.

#### **School Administration:**

- Describes the board’s and the administration’s primary responsibilities, and demonstrate a thorough and clear understanding of the differences in roles and responsibilities. It is essential that the difference between the roles and responsibilities of the board and administration are well thought out and articulated.
- The application provides detail of how the transition of leadership (from the founding committee and/or board to the school administration and a formal operating board) will take place following school approval to allow for a smooth shift of responsibility.

**Note:** This is a typical point of tension in operating schools and the more this can be defined in advance of hiring a school leader, the better. To better understand these differences, the League recommends that founding committees do substantial research into successful governance models and obtain governance training. While it is expected that the board will take on some functions of management prior to the school leader’s hire and even during initial start-up, the board should understand its role in governing the school, not in managing or operating it on a day-to-day basis. (For more board information see Board Development: <https://coloradoleague.org/page/nsdresources>.)

- Presents an organizational plan that clearly outlines roles and responsibilities for implementing the school’s program successfully. It clearly defines the board’s role on committees, and the relationship between the



board, the lead administrator, and committees or advisory groups, and explains how the board will interact with the school leader.

- The narrative includes a detailed and rigorous process to locate, interview and hire the school leader six months to a year before school opens, and includes a timeline and financial considerations. A job description is attached in the Appendix, and includes duties, minimum education and experience level needed, and supervisory relationship information.
- The narrative should include a profile description of the school's ideal leader including skills, qualifications and characteristics, essential duties and responsibilities, and how the identified qualifications will help the school meet its goals. It is expected the school leader will be experienced with the target student population, leading a school or team, developing and sustaining community and parent relations, and distributing leadership among its faculty, or a comparable leader training program could be listed to address areas needing development. A resume should be included if a school leader is already identified.

**Note:** If the group gets a charter contract, they need to comply with CRS 24-6-402(3.5) when hiring a school leader or CEO position. The provision states that a search committee shall establish job search goals, draft a job description, and establish deadlines for applications, requirements for applicants, selection procedures, and the time frame for employing the Leader. The school must make public the list of all finalists under consideration for the position no later than fourteen days prior to employing one of the finalists to fill the position. No offer of appointment or employment shall be made prior to this public notice.

- A system for how and when the board will evaluate the school leader and use this information to analyze the leader's need for coaching and professional development, and then supply needed supports is included along with the evaluation tool that will be used. (See: (C.R.S. 22-9-106) which should either be met with 50% of evaluation based on student achievement or a replacement plan included if waived.) The school may also want to consider standards for dismissal.

**General:**

- Ensures an internal and external evaluation plan is in place for the school. Information should include how the board will regularly monitor key financial, student achievement and school culture information, with clear protocols for receiving metrics and progress indicators in the form of a dashboard or similar reporting format. (See dashboard examples in PM webinar resources for *Developing a PM Plan* Powerpoint starting at slide 13: <https://coloradoleague.org/page/nsdtrainings>)
- Financial resources are in place to support board transition and administrative hiring plans, as well as board training, legal document and policy development, internal and external evaluations, and self-evaluation needs.
- Describes the Board oversight of the budget process and the statutory approval timeline is addressed in accordance with (C.R.S. 22-44-110 *et seq.* & 22-30.5-111.7(1)(a))

## I. Employees

This section provides a variety of information on the school's employees and employment policies, and the relationship that will exist between the charter school and its employees. There should be information on how the school will adhere to background check (C.R.S. 22-30.5-110.5 and C.R.S. 22-1-121) and fingerprinting (C.R.S. 22-30.5-110.7) requirements, verify immigration status, and implement non-discriminatory and Equal Opportunity Employment practices. As charter schools are, by statute, public schools and government entities, employees of charter schools are thus considered public employees. Charter schools and their employees must participate in Colorado's Public Employees' Retirement Association (PERA) defined benefit retirement fund (C.R.S.22-30.5-512 and 22-30.5-111(3)) (See budget section for links to PERA information and PERA 101 for employers located at <https://www.copera.org/sites/default/files/form/pdf-upload/5-144.pdf> ).

There are several resources that provide more information about employment issues. Tax information is available at [www.irs.gov](http://www.irs.gov) and through the Colorado Department of Labor and Employment at [www.coworkforce.com](http://www.coworkforce.com), and federal labor law information is available from the U. S. Department of Labor at: [www.dol.gov/elaws/firststep](http://www.dol.gov/elaws/firststep).

Because this is such a substantial section of the application, it is strongly recommended that the applicant break this section down into the following subsections:



## I.1. Employees: Staff Hiring

This subsection focuses on the process to hire faculty and staff that are skilled and is aligned to the school's vision and mission, and provides the qualities and qualifications for each position at the school.

- The narrative thoroughly describes the recruiting/interviewing/hiring process to ensure a robust pipeline, to include a diversified approach to how positions will be publicized, any standards that will be used, the clear decision making process, and the timeline.

Note: Title I, Part A under NCLB of 2001 used to require teachers be Highly Qualified, and was replaced by requirements of the newly adopted Every Student Succeeds Act (ESSA) of 2015 that now defers teacher qualification requirements in Title I programs to applicable State law. Colorado law (C.R.S 22-63-201) requires that a teacher hold a valid license or authorization before they can be hired to teach in a public school, including a charter school, unless the school or district has received a waiver from this provision. Waivers are not applicable to Special Education teacher qualification requirements. (See: Waiver & state plan info at <http://www.cde.state.co.us/cdechart/waiverguidanceforcharterschools> and <http://www.cde.state.co.us/fedprograms/essa>)

- Clear standards are in place to determine staff qualifications. Minimum teacher qualifications must include a description of requirements that matches any applicable licensure, or a waiver request from licensure with a clear replacement plan, that meets ESSA requirements. (See Teacher Qualifications under ESSA at [http://www.cde.state.co.us/FedPrograms/tii/a\\_hgt.asp](http://www.cde.state.co.us/FedPrograms/tii/a_hgt.asp) for assistance in explaining rationale for teacher qualifications in waiver requests, and it is recommended the school consider meeting the "in-field" standard recently adopted by the State Board). With the exception of Special Education teachers who must be licensed, Colorado law does not require charter school teachers to be licensed, so long as the school has obtained the appropriate waiver, however, some charter schools have made this an explicit expectation for all teachers, which should be explained.
- Job descriptions for all key employees, including teachers and administrative staff members are included, with a clear delineation of the staff requirements and role of the head administrator in the area of employee hiring, evaluation and firing. These job descriptions are especially important and will help the reader better understand the school when non-traditional or unique roles/jobs are planned.
- A clear explanation is given of how the school plans to classify its employees and communicate that when hiring. If the school's employees will be "at-will" employees, the application provides a definition of what this means.
- Clear communication will be provided to potential staff that all employees hired by the school shall be employees of the school and not the district, and that all employee decisions, including discipline and termination, shall be made solely by the school.

## I.2. Employees: Management & Evaluation

This subsection focuses on how the school will develop a comprehensive, consistent evaluation plan in alignment with the school's vision and mission, goals, curriculum, assessment, academic expectations, and professional development of staff.

- The plan explains how the School Leader conducts at least an annual evaluation, with a mid-year progress check, or ideally twice annual formal evaluations of its faculty and staff. The school uses this data to inform and to improve the educational program and organizational structure to support academic progress. A clear plan of support for staff development and funding is tied to the evaluation process and included in both the narrative and the budget.
- Explanation is given as to how the school will assess, on an annual basis, whether good hiring decisions were made.
- Time and duties are allotted in job descriptions of administrative staff to define who's responsible and allow for faculty and staff performance observations, follow-up discussions and coaching based on a clear schedule.
- School leadership and instructional staff plan to use external assessment results to obtain information on student learning, achievement gaps, and instruction, and to access and use data systems to efficiently

manage, disaggregate, display, and report multiple types and sources of data. Data will be used to adjust or change curriculum and instruction, and professional development focus areas.

- A clear plan is in place to develop a manageable yet comprehensive, consistent evaluation plan that is clearly communicated and transparent, in alignment with the school's mission, goals, educational program and student achievement goals, assessment, academic expectations and professional development of faculty and staff with the intent of that plan described. Reference is made as to the intent of implementing the employee evaluation expectations adopted in SB 191 to include 50% of the evaluation being based on student academic performance, or the replacement plan if waived. (For information on SB 191 see: (C.R.S. 22-9-106), and [www.cde.state.co.us/educatoreffectiveness/sb-policy](http://www.cde.state.co.us/educatoreffectiveness/sb-policy))
- Employee evaluation tools that have already been developed for the school are attached in the appendices, and the standards of evaluation are described in the narrative and include key performance criteria and observation protocols that are research-based, how they were developed, and evidence of how the staff will be held to high professional standards.

### I.3. Employees: School Structure, Policies & Procedures

This subsection focuses on the structures, policies, and procedures that will be used to guide the school administration.

- A reference to the school's employee policies, that are included in a handbook or an appendix, or a clear plan/timeline for timely development and intent of such policies are described in the narrative. The school will need to adopt many personnel policies and the founding committee should review several quality schools' employee handbooks for examples. Some key policies that need to either be included and/or the intent explained in the application narrative include, but are not limited to, employment practices, benefits, leave policies, grievance policy and procedures, conflict of interest policy, harassment, drug-free workplace, classroom practices, evaluation practices, salary range and performance structure, if applicable, if the school will use employment contracts, etc.

**Note:** In the absence of employment contracts, the default employment relationship between the school and employees is at-will, however, there are many exclusions to the at-will doctrine, and the school should receive legal advice to understand the at-will relationship, exclusions, and how the employee manual and other documents and policies may impact the at-will relationship. Careful attention should be given to wording in policies and employment documents in order to maintain the at-will employment relationship. It is recommended any policies and contracts/agreements be reviewed by legal counsel.

- An organizational chart is included, and shows position/title, and year a position will be added as the school grows, and until it reaches capacity. There is delineation in the narrative of who is responsible for employment decisions, the reporting structures, and oversight at each level of the organizational chart (governing board or lead administrator) including recruiting, hiring, performance evaluation, renewal decisions, and firing.
- A staff roster for the first five years of the school is explained in the narrative and provided in a table in either the appendices or budget, and should match the academic program needs, and budget assumption sheets. It should address all administrative, auxiliary, and educational full-time and part-time staffing needs to include para-professional and specialty positions such as specials, ELL, G/T and Special Education, and outsourced service providers. This should include information on the student/teacher ratio and the viable student/adult ratio in the school. A leadership team description and succession planning should also be addressed. (See: <https://www.crpe.org/publications/you%E2%80%99re-leaving-sustainability-and-succession-charter-schools>)
- All employment policies, including the employee handbook, clearly state that the policy may be amended or revised at the discretion of the School.

**Note:** The model contract states: "Other terms of the employment relationship are described in the Employee Handbook submitted as part of the School's charter application." Due to the model contract, many authorizers may require a finished or at least draft, employee handbook as part of the application. Legal counsel should be engaged annually, or as necessary, to review policies.

**Note:** Clear and consistent implementation of school policies is an important part of being an employer. School administration should undergo training as necessary in order to fully understand employee policies so that policies are implemented correctly.

## J. Insurance Coverage

This narrative section clearly demonstrates the school will meet all applicable insurance requirements and explains what types of insurance the school plans to carry to protect itself and its staff and students.

The school shall obtain reasonable assumptions for costs, and purchase insurance protecting the school and charter board, employees, and volunteers (if allowable by policy), and authorizer where appropriate, consisting of comprehensive general liability insurance, errors and omissions liability insurance (school entity liability insurance) and auto liability insurance. The school shall also purchase statutory workers' compensation insurance coverage.

- Explains the process the school will use to create and maintain an emergency management plan. Within this plan the school should consider forming safety teams (C.R.S. 22-32-109.1(2) and (4)(d)(I)), appointing a designated crisis response spokesperson, and establishing a claims management follow-up process.
- Any technology and processes the school will employ to ensure the ongoing safety and security of students and staff is explained in the narrative. (i.e.: Cameras, visitor sign-in, badging, policies in areas such as cyber-security, the use of Student Personally Identifiable Information (PII), FERPA requirements for protecting identifiable information that's kept in school records, and for information on the school's need to exercise "reasonable care" see: the Claire Davis Act on the CSSRC website [www.Colorado.gov/CSSRC](http://www.Colorado.gov/CSSRC).)

**Note:** Colorado's newly passed Student Data Transparency and Security Act [C.R.S. 22-16-101 et seq.] deals with how districts and schools need to address protection of student data, using vendor contracts, and increasing the transparency of the use of and security around how student PII can be used. Also passed laws on having reasonable procedures and policies in place to destroy PII or notify if it's been compromised (C.R.S. 6-1-713(1)(2)&(3) and 24-73-101(1)&(2)), and [HB18-1269: requires parent notice for student safety and protection](#) when a school employee or former employee is charged with certain crimes that may put the students at risk. FERPA considerations are also important to understand.

(Please see <http://www.cde.state.co.us/dataprivacyandsecurity/newprivacylawresources> for PII definitions (C.R.S. 22-16-103) and FERPA considerations <http://www.cde.state.co.us/cdereval/leatransparencybestpractice>, for protections when using online tools see: [https://nces.ed.gov/forum/pdf/data\\_governance\\_checklist.pdf](https://nces.ed.gov/forum/pdf/data_governance_checklist.pdf) for data classified as having either direct or indirect identifiers.)

Minimum coverages for the current school year are listed below:

- Comprehensive general liability at a minimum of \$2,000,000 per occurrence/wrongful act that covers at least the following: Bodily Injury; Property Damage; Abuse and Molestation; Employment Practices;
- Officers, directors and employee errors and omissions – \$1,000,000.
- Insurance program should also place coverage that meets individual exposures for the following:  
business income and extra expense; Crime and Fiduciary Liability; Student Accident; Off-campus activities, including field trips, program specific needs (i.e. expeditions, service learning, etc.) and sporting events; Cyber Liability, including social media exposures; Excess or Umbrella Policy should be carried at a minimum of \$1,000,000 per occurrence/wrongful act that considers many of the school's liability exposures.
- Workers' compensation as required by state law, and in place before workers start. (C.R.S. 8-40-202)
- The narrative describes any employee benefits to include health insurance coverage(s).

**Note:** Premiums are based on payroll and classification of employees. See the Department of Labor website at: <https://www.colorado.gov/cdle> for additional information.

- Property insurance as required by landlord and reasonable to cover school losses.
- Motor vehicle liability (if appropriate) – \$1,000,000.
- Bonding (if appropriate): Minimum amounts: \$25,000; Maximum amounts: \$100,000.
- Quotes or adequate cost information for the above policies have been included in the budget and appendix, where applicable, and show reasonable assumptions.

**Note:** Coverage shall be underwritten by an insurer that is legally authorized in the State of Colorado and rated by A.M. Best Company not lower than “A-VII”. The school shall provide certificates of insurance to the authorizer annually. The school should review authorizer’s policies on insurance requirements to ensure compliance with all specific policies.

## K. Parent & Community Involvement

This section is designed to address the roles parents/guardians, community members, and community organizations will play as part of the school community.

- Provides an overview of how parents will be or have been meaningfully involved in the charter application process and how this involvement will carry over once the school is opened, and includes strong documented evidence (this could be in the form of sign-in sheets at meetings, committee member lists, etc.) to demonstrate parent/guardian and community involvement in all phases of the school’s development.
- The application explains how family-school partnerships will be built and explains the parent/guardian engagement plan that provides opportunities for parents to partner with the school to strengthen and support student learning, school culture and operations.
- Information is given about how community organizations will be involved with the school or how the school’s students will be involved with community organizations once open. Any existing or planned relationships with outside organizations should be described to include planned partnerships, the services that will be provided and the anticipated or actual agreement(s). These can be provided in the form of a Memorandum of Understanding (MOU) or a Letter of Intent (LOI) that explains the nature, purpose, terms and scope of service. The narrative should include how the school is welcomed by the larger community and how the school reflects the community needs and interests, and evidence, such as Letters of Support, should be included in the appendix. The application describes how the school will continue to develop additional partnerships as it matures.
- A description of the parent/guardian volunteer requirement, if one exists, is included. If the school does plan to have such a requirement, it is important to note that this is an expectation, rather than an enforced requirement with any type of punitive consequence for families not fulfilling their hours. For example, the school cannot restrict enrollment only to families who serve a certain number of volunteer hours.
- Detail is provided about the types of roles parent/guardian and community volunteers will serve within the school, such as serving as board members, front office support, teacher support in the classroom, clerical support (photocopying, stuffing folders, etc.), committee roles, event organizers, etc. Any specific parent involvement plans or activities are provided, along with any applicable research basis.
- Establishes communication pathways and strategies to make timely school information accessible to all potential and involved families including those at-risk.
- Describes a method for assessing parent/guardian satisfaction, such as through a survey, along with the person(s) responsible for: the survey, increasing participation, addressing concerns, survey goals, and a timeline for making adjustments based on results.

## L. Enrollment Policy & Outreach

This section explains how students who want to attend the school will be recruited, admitted and enrolled, and how the school will manage the process

- Includes an enrollment policy and lottery policy and procedures, or description is included which specifies that enrollment is available to all students without regard to race, creed, color, sex, national origin, religion, sexual orientation, ancestry, disability, or need for special education services. It is important to distinguish between admission decisions and academic placement decisions. The Colorado Charter Schools Act (C.R.S. 22-30.5-104 (3) and 507(3)) prohibits discrimination based on academic ability.
  - The policy specifies any other priority enrollment groups, such as children of founders and staff members (in which case “founders” also need to be defined), siblings (this group can be given preference outside

the lottery), and students seeking to change schools under the public school choice provisions of ESEA Title I. Priority seats for children of founders and staff may not exceed 20%\* of the school's total population.

- Newer federal CSP grant standards now allow for weighted lotteries\* to address specific areas for “educationally disadvantaged” students and other designated federal programs as defined by the federal CSP program.
- The policy specifies whether enrollment will be determined by waitlist or lottery in the case that the school is oversubscribed.

- Application and enrollment procedures include when open enrollment happens, when the lottery takes place and the annual deadline for enrollment (if the school has one).

**Note:** It should be noted that charter schools cannot set enrollment criteria for admission (e.g. academic, audition, etc.). Once enrolled, charters can test students to determine their academic knowledge. (As such, it is important to distinguish between admission decisions and academic placement decisions.) Information may also be included as to how the lottery works (e.g. computer, bingo numbers, etc.)

- A plan is included on how the community received information about the formation of a new charter school, and as part of an ongoing marketing plan. There are indications of a sound plan for outreach to a diverse population, that includes the at-risk and under-served populations and those not likely to hear about the school. A timeline, action steps, and a specific recruitment contact person are provided.
- Describes the types of outreach the founding committee has already conducted to make the student population and their families aware of the proposed charter school. Means of outreach should be diverse and designed to reach all students in the community, thereby ensuring equal access. Applicants describe strong, diverse outreach strategies to engage all parents equally to include strategies such as community meetings, mailings, posters, door-to-door recruitment efforts, media advertising, etc.
- Includes a detailed description of future outreach steps the founding committee intends to take and events or venues where this will happen both before and after approval. Addresses milestones that will demonstrate progress and expected enrollment benchmarks that will result in sufficient progress in adequate enrollment prior to opening, and how these methods will reach all members of the community (bilingual fliers which can be included in the appendices, translators, and outreach locations to connect with diverse populations, etc.). Provides equal opportunity for students to enroll including at-risk, low achieving, disabled, and linguistically diverse students along with any allowable preference ratios, for CCSP grant applicants\*, and strategies used to meet that ratio. (\*See allowable preferences for educationally disadvantaged students below.)
- References a sample Intent to Enroll form (which is included as an appendix) that has been used to gauge parent and student interest in the school. The Intent to Enroll form requests detailed information about the student(s) who intend to enroll in order to address authorizer questions about the anticipated student population, while still assuring families of non-discrimination. For example, forms should include a non-discrimination statement and assurance that there are no criteria for enrollment. If there are concerns, questions such as socioeconomic level, special needs, and race could be gathered on a separate anonymous form that doesn't request a name, in order to gather data but not give the impression of bias in enrollment decisions.
- The means by which the school will track Intent to Enroll forms and manage the applicant pool includes how communication will take place and who will be responsible for this. Information is given concerning what happens to the names not drawn in the lottery.
- Describes a non-discriminatory enrollment procedure that ensures equal access for exceptional and educationally disadvantaged students.
- Notification procedures of placement and how long parents have to make a decision to accept or decline a seat are provided.
- The contents of the enrollment packet, which a parent/guardian fills out once a student has been admitted to the school, are described. This reflects an understanding of the types of documentation the district requires

for safety, medical, legal and financial purposes. The school should commit to having all student files set up prior to the school's opening.

- Any requirements of parents to reaffirm intent to enroll on an annual basis and the procedure to do so are provided. Anticipated changes to the outreach and recruiting plan, after year one, are explained along with target re-enrollment information.
- A clear process (or plan for developing a process) is in place for withdrawals and transfers of student records to support the transition of existing students from one school to another.

**Note:** The school's enrollment policy must be in compliance with federal guidelines if the school wants to receive federal start-up funding through the CSP grant\*. *For the purpose of this guidance, educationally disadvantaged students are students in the categories described in section 1115(b)(2) of the ESEA, which includes students who are economically disadvantaged, students with disabilities, migrant students, limited English proficient students, neglected or delinquent students, and homeless students.* The founding committee may want to have the CDE Schools of Choice Office review the enrollment policy for compliance prior to submitting the charter application. (See the CO Charter School Program CCSP RFP and the Guidebook for the CCSP grant/ U.S. Department of Education's Non-Regulatory Guidance: Title V, Part B, Charter Schools Program: <http://www.cde.state.co.us/cdechart/grantprograms> )

## M.1. Transportation

This section addresses whether the school plans to offer any transportation services to its students. Charter schools are not required by law to provide transportation; however, the founding committee should give some thought to how students' transportation needs will be met without transportation services.

**Note:** Many federal and state rules and regulations relate to the provision of transportation services. One specific rule to be aware of is that any small vehicles or school buses owned and operated by a charter school, or under contract, must meet the safety and operating standards as prescribed in State Board Rules 1 CCR 301-25 and 301-26. (For more information, see: <http://www.cde.state.co.us/transportation/transregulations.htm>.)

If the school does plan to offer transportation:

- The applicant explains how this will be provided to include field trips, before and after school, and extra-curricular activities (e.g. through the district, private transportation service, school-purchased buses, etc.).

If the school does not plan to offer transportation:

- The applicant provides some alternative means for meeting students' transportation needs to include low-income students (e.g. arranging carpools, purchasing bus passes for older students, etc.)
- This section of the application also reflects a commitment from the school to meet the transportation needs of students with IEPs or 504s, or homeless students that require transportation services. (This is usually negotiated in the authorizer contract. Homeless services are explained under the McKinney-Vento act. See: <http://www.cde.state.co.us/transportation/transhomeless>.)
- In either scenario, the applicant must be able to demonstrate that the budget accurately reflects the cost of providing student transportation and insurance, and addresses safety needs using private, public, or school vehicles.

## M.2. Food Service

This section addresses whether the school plans to offer food service to its students.

**Note:** Schools that anticipate serving a significant number of students who qualify for the free and reduced lunch (FRL) program are strongly encouraged to participate in food programs under the National School Lunch Program (NSLP). (For more information see: the CDE nutrition link at: [www.cde.state.co.us/nutrition](http://www.cde.state.co.us/nutrition) and League garden and nutrition links at: <https://coloradoleague.org/page/healthresources> or contact the Office of School Nutrition @ 303-866-6661 and CharterChoice at: [bknickerbocker@charterchoicecollaborative.org](mailto:bknickerbocker@charterchoicecollaborative.org) and/or contact Britton @ 303-953-4170, Executive Director of CharterChoice.) The application should also indicate whether or not the school will have its own wellness policy or if it will follow the wellness policy of its district or School Food Authority <http://www.cde.state.co.us/nutrition/nutriwellness>.

If the school does plan to offer food programs under the National School Lunch Program:

- The school should designate an authorized School Food Authority (SFA) (district, CharterChoice Collaborative, or charter SFA). In collaboration with their SFA, schools should outline a plan for the required steps to obtain and operate a food service program under the NSLP. These steps include securing a food vendor through a Request for Proposal process (<http://www.cde.state.co.us/nutrition/nutrifsmc>), establishing a method for distributing and collecting FRL applications, and preparing to operate a food service program that is compliant with both federal USDA guidelines as well as food safety and facility regulations.
- The school should establish a procedure to meet the Smart Snacks in Schools federal regulations for any food/beverage sold to students (<http://www.cde.state.co.us/nutrition/nutricompetitivefoods>) as well as establish or adopt their SFA's Local Wellness Policy per the Healthy Hunger Free Kids Act of 2010.
- This section addresses how the school will meet the needs of students who forget or cannot provide a lunch or for an extended day program, and whether general funds are used. (For more information visit: <http://www.cde.state.co.us/nutrition/frpublicrelease18-19>.)
- The school should create a budget for food services that reflects all expenses (staffing, to include on-site bookkeeping, meals, equipment, and other costs) as well as revenue (reimbursements for meals served in compliance, and monies collected from paying students).

**Note:** Schools should also consider how to market their food programs to parents to ensure adequate and increased participation. (C.R.S. 22-30.5-524 for Children's nutrition information.) If the school chooses not to participate in the National School Lunch Program, it may want to consider the Special Milk Program. The school should also make plans to collect Economic Data Surveys\* from families instead of Free and Reduced Lunch Applications for purposes of other funding (i.e., Title funds).

## N. Facilities\*

This section provides information on the school's short- and long-term facility plans. If the founding committee has not already identified a definite school facility, the committee has identified at least two prospective facility sites and the application contains a cogent strategy for acquiring one or more of the prospective sites.

- Provides at a minimum a four year facility needs assessment, for realistic short and long-term planning, including: how many classrooms are needed; how many specials rooms are needed (art, music, gym, special education, to include Occupational and Physical Therapy, and a nurse as required for an IEP, etc.); minimum size of each classroom; library space needed; number of bathrooms needed; number of offices needed; amount of common space needed; outdoor space needed; square foot needs/student; parking needed; etc. that is adequate to implement the school programmatic needs and mission each year.
- Includes the target location for the school building (geographical boundaries based on student outreach and enrollment).
- Provides as much detail as possible about planned or prospective facilities and a plan including a proposed schedule to finalize one; location (or general location if confidentiality is important due to lease negotiations); size; square foot needs (per pupil and total) including shared spaces; and how each facility aligns with the facility needs assessment as well as the school's mission. It is highly advisable, in order to show proper due diligence, to include a minimum of two additional potential sites, even if the school anticipates using a district building.
- The application includes reference to the type of professional assistance the founding committee is accessing in order to effectively navigate the real estate market. Any budget impacts should be included as well as a brief description of the relationship.

**Note:** Professionals can include a school space leasing specialist or a commercial real estate broker with a specialization in school facilities. It is important that the professional be familiar with public school transactions, as school facility requirements differ from typical commercial transactions. The Capital Construction Division of the Colorado Department of Education may be of assistance in facilities planning. Contact Dustin Guerin at 303-866-6263 or [Guerin\\_D@cde.state.co.us](mailto:Guerin_D@cde.state.co.us) or the Director, Division of Capital Construction at 303-866-6717 for more information on how the Capital Construction Division can be of assistance in reviewing contracts, looking at identified facilities, etc.

- Presents a reasonable and appropriate timeline and a sound plan for acquiring and renovating a facility that includes a contingency plan for securing or completing the school facility by the school's opening date.



- An explanation of how funds are being realistically allocated for facility costs in the budget is provided. As a guide, total facility costs should ideally not exceed 15% (up to 18% max) of the budget for occupancy costs. Budget items should include potential lease/rent costs, cost per square foot (reflecting average cost/square foot in the area), utilities, insurance, upkeep and maintenance, janitor, contracted services (i.e. snow removal, etc.), supplies and equipment and any other expenses involved in preparing the building for use as a school, as well as the percentage of the budget designated for facility needs. If additional funds or financing will be needed to bring a facility on-line, the application narrative and attached budget should identify renovation expenses (hard and soft costs and professional fees relating to the same), potential grants and/or lending sources.

**Note:** Many charter schools have been able to finance their own facilities with tax-exempt bond financing through the Colorado Educational and Cultural Facilities Authority (CECFA); however, these are typically established schools. Information can be found by calling CECFA at 303-297-7332. A state debt reserve fund exists to enhance the ability of charters that finance facility needs through bonds. (C.R.S. 22-30.5-407.) A charter must provide the state treasurer with information about expended monies from this fund. (C.R.S. 22-30.5-408(2)(d)) for more information.) Other sources of tenant finish or acquisition financing may be available to new schools from some non-profit lenders and or charter school facility developers. Applicant may consult financial advisors for such resources. (Information on purchasing furnishings and supplies can be found at: <https://coloradoleague.org/page/nsdresources>. Please contact the League for more information.)

- Letters of Intent or MOUs are included for prospective sites as applicable.
- There should be a clear understanding that construction permits and building and fire safety inspections have been or will be obtained, and the school provides zoning and occupancy requirements; assurance that the facility will comply with C.R.S. 22-32-124) and applicable building codes, health and safety laws, and Americans with Disabilities Act (ADA) if needed for opening.

**Note:** The CDE website contains a link with general information on the process. The state is responsible for review of plans, building inspections, and issuance of certificates of occupancy (C.R.S. 22-32-124) for public schools and information can be obtained on the Colorado Department of Fire Safety website at: <https://www.colorado.gov/pacific/dfpc/permits1> Inspections and plan review requests must have written permission prior to submission and may be conducted through that department, by a certified third-party inspector, or a local certified planning department. (See: <http://dfs.state.co.us/programs-2/emergency-management/public-school-and-junior-college-construction-and-inspection/inspector-certification-information>.) The applicant should also provide statutory notice to the local planning department pursuant to (C.R.S. 22-32-124), which governs local planning issues for schools. Applicants should provide such notice and communicate with the local officials in the planning department to address comments, and check with the district facilities director for information concerning the health and life safety requirements of the local authorities.

## O. Waivers

This section includes a statement at the beginning of it acknowledging a commitment to comply with all laws and policies that are not waived. This section focuses primarily on the waivers being requested and is broken down into two primary subsections: state waivers and district waivers. The requested waivers should match the proposed autonomy, school mission and goals, operations, governance, and employment relationships of the proposed charter school.

**Note:** It may be advisable for an applicant to obtain legal counsel when determining which waivers to seek from either the state or the authorizer. If an authorizer provides a listing of automatic statutory and policy waivers, or the school plans on taking the automatic state waivers provided for in law, the application needs to reflect which waivers the school will utilize, plus any other additional non-automatic state waiver requests which will require review by the State Board of Education. Waiver requests should provide the detailed information for non-automatic waivers identified under each subsection below as to what the replacement will look like and how the school plans to provide implementation. As a best practice, authorizers may ask for replacement plans for both automatic and non-automatic statutory waivers, otherwise, they are only needed for non-automatic.

**Note:** Pursuant to (C.R.S. 22-30.5-103), Automatic Waivers are those automatically granted upon the establishment of a charter contract. Pursuant to (C.R.S. 22-30.5-104(6)), the State Board will adopt, by rule, a list of automatic waivers for which the school is not required to submit a replacement plan, or statement, to the Colorado Department of Education, to specify the manner in which the school intends to comply with the intent of the state statute or State Board rule. See the Colorado Department of Education's charter school Waiver Requests webpage at <http://www.cde.state.co.us/cdechart/waivers> for an updated list of such waivers that do not require replacement plans, and a Waiver Requests Guidance document sharing other suggested non-



automatic waivers at <http://www.cde.state.co.us/cdechart/waiverguidanceforcharterschools>. School also needs to explain plan to post waivers. See: <http://www.cde.state.co.us/cdefinance/alertwaiverpostingcharterschools>

- The state waiver subsection includes a list of the state statutes for which waivers are being requested. In addition to listing the statutes requested for automatic waivers, for all non-automatic waivers being requested, the applicant also provides a policy or detailed replacement plan for what the charter school will do instead, as well as the rationale or purpose for requesting the waiver, expected financial and implementation impact, and how the effectiveness of the waiver will be evaluated.
- The district waiver subsection includes a list of the district policies for which waivers are being requested. Again, in addition to listing the policies, the applicant includes a draft replacement policy or explains the detailed replacement plan that the school will adopt, as well as the rationale or purpose for requesting the waiver, for any non-automatic policy waivers, the expected financial and implementation impact, and how the effectiveness of the waiver will be evaluated. A timeline should be included for when the final policies will be developed. (Sample policy waiver examples are available from the League upon request.)

**Note:** The founding committee is encouraged to visit with other charter schools under the authority of the same authorizer to determine typical waivers that are granted and to also review the waivers that the Colorado Department of Education has previously approved for charter schools: <http://www.cde.state.co.us/sites/default/files/rptStateWaiversCharter%208.29.13.pdf> Applicants may access information on applying for waivers from the state on the CDE Charter Schools Web site: <http://www.cde.state.co.us/cdechart/waivers.asp> and <http://www.cde.state.co.us/cdechart/charterschoolwaiveraddendum>.

**Note:** Waivers are neither necessary nor appropriate when a statute or rule by express terms does not apply to a charter school, nor when a district power or duty has been fully delegated, as more specifically stated in the contract, to the school. The school is expected to only seek waivers if a statute or rule applies to the school and the waiver is consistent with the school's operational or educational needs. As of 5/23/17, state waiver requests and replacement plans must be posted on school website.

## P. Student Discipline, Expulsion, or Suspension

This section defines how the school intends to handle student discipline and establish a student culture in which all students are able to learn.

Note: Refer to (C.R.S. 22-33-105 and 106 *et seq.*), and (C.R.S. 22-33-203), the Suspension, Expulsion and Denial of Admission law, and (C.R.S. 22-32-109.1 *et seq.*) for more detailed information. Also see school bullying policy requirements at (C.R.S. 22-30.5-116), (C.R.S. 22-2-144) and (C.R.S. 22-32-109.1(1)(b)). Further detail is provided on the Attorney General's office website: <https://www.colorado.gov/pacific/cssrc/cssrc-tools-and-templates> and the League's website: <https://coloradoleague.org/healthresources>

- A proposed discipline policy and procedures, that reflect school culture and include definitions of terms and major and minor levels of infraction, is provided. A timeline for development or a draft discipline manual is included in either the application or the appendices, respectively.
- Expulsion or Dismissal procedures and due process rights for students and parents/guardians are addressed. This will also include a process for appealing an expulsion decision, and how a student will be removed from the school and for what offenses. If there are other district schools that an expelled student would be prohibited from attending, these should be noted in the application.
- A description of steps the school will take to develop a positive student culture, and address strategies for positive support, thereby reducing the number of disciplinary infractions and reliance on negative consequences, is given. Description is also given as to how these are practiced in the classroom to reinforce student intellectual and social development, and ensure students are on task with their focus on learning. (See links on effective discipline and PBIS for ideas on how positive support can be integrated into the program: <http://cdpsdocs.state.co.us/safeschools/CSSRC%20Documents/CSSRC%20Resources%20for%20Effective%20Discipline%20at%20a%20glance.pdf>, <http://www.cde.state.co.us/mtss/pbis> and positive culture: <https://coloradoleague.org/healthresources>.)
- An explanation of how disciplinary expectations will be communicated to parents/guardians and students is included, and addresses state statutory requirements, policies, processes, rituals and protocols of school culture, and how systems, practices, and traditions will be in place from the first day.

- A draft discipline policy and procedures manual is consistent with the intent and purpose of C.R.S.22-33-106.
- A description is given of how the school will handle discipline for students with disabilities to ensure compliance with the Individuals with Disabilities Education Act (IDEA), and 504 regulations to include Manifestation Hearings and Behavior Plans as appropriate. (20 U.S.C 1415(k)), and (34 C.F.R. 519-529).
- Information is given as to the person responsible for implementation of discipline policies equitably and proportionally, and entering discipline data in the Student Information System (SIS), progress monitoring, through analyzing data by demographic group (students of color, language learners, G/T, students with disabilities, and at-risk students), and reporting.
- An explanation of how the charter school will provide the expelled student with an alternative education is provided, if applicable.
- Explanation is given as to how the school will ensure minorities and disabled students are not disproportionately represented in disciplinary matters, and how cultural considerations and disability related needs will be taken into consideration with staff training and implementation practices described.

**Note:** It is strongly recommended that the applicant meet with someone who handles discipline at the district level prior to submitting the charter application in order to gauge how the authorizer views charter schools and discipline issues. The founding committee should ensure that discipline plans are in compliance with statutory requirements and district policy. If not, ensure that an appropriate state or district waiver is being sought to allow for flexibility in implementing student discipline and that an appropriate replacement policy and plan are well-defined. C.R.S. 22-33-105(7) states that a charter school authorized by CSI may suspend, and CSI itself, may carry out the function of a school district and expel, suspend or deny admission of students to a CSI school. (C.R.S. 24-10-106.3) notes that a public school must exercise a duty of reasonable care to protect students, faculty, staff and others from reasonably foreseeable harm as noted in the Claire Davis Act. For information on the Claire Davis Act see: <https://www.colorado.gov/pacific/cssrc/news/cssrc-update-claire-davis-act>.

## Q. Serving Students with Special & Diverse Needs \*

This section discusses how the school will address exceptional and educationally disadvantaged student needs. Specific research-based instructional programs, practices and strategies should be employed to produce a continuum of services that are supported by good assessments to help ensure academic success for all students. There are many resources available for charter school applicants to consider when writing this section. (Some basic overview information is accessible at <https://coloradoleague.org/page/nsdresources>. See also: (C.R.S. 22-20-101 et seq.), and for additional resources to include transition to Every Student Succeeds Act (ESSA) see: <http://www.cde.state.co.us/cdechart/guidebook/sped/index.htm>, <http://www.ed.gov/esea?src=feature> and <http://www.charterschoolcenter.org/priority-area/special-education-0>.) Specifically, this section addresses how the school will successfully serve all students' needs.

Because this is such a substantial section of the application, it is strongly recommended that the applicant break this section down into the following subsections:

### Q.1. Serving Students with Special & Diverse Needs: Program Administration

This subsection summarizes the approach, oversight, and design of program(s) to serve exceptional and educationally disadvantaged students.

- The application identifies additional supports or programs that will be provided to exceptional students, describes how the assessments system will enable the school to identify exceptional, disadvantaged and ELL students, and how the student and teacher daily schedules and use of time will ensure adequate opportunity to implement services and supports to address all students' needs within the school day.
- The application states how strategies for serving exceptional students *will actually be implemented*. This includes developing systems and structures designed to support the implementation process. The plan will identify what strategies are needed, who will be key players in driving implementation, essential resources, understanding of how the structures support students throughout the school day, and ways to progress monitor and assess. Description is provided as to how best practices are strategically utilized to service

exceptional and educationally disadvantaged student needs and how these engagement strategies will be implemented, maintained and overseen.

- Describes instructor responsibilities for any necessary modifications and adaptations made to existing curriculum, to include a communication plan between Special Ed and General Ed teachers, and collaborative strategies to ensure student access and engagement in all aspects of academics and the school community.
- The application specifically identifies the number and type of instructional or other staff that will teach or support exceptional students, as well as services to be provided by contracted service providers. This includes a clear understanding of the qualifications this staff will need in order to be within state and federal compliance.
- The narrative identifies and describes the staff member(s) qualifications and Administrator to oversee these programs, and a plan to recruit, hire and retain qualified teachers. Appropriately licensed and endorsed Special Education, Gifted and Talented (G/T) and ELL teachers and other qualified staff are hired to collaborate with general education teachers to meet the level of service and oversight required to implement the program(s).
- The plan for serving exceptional students aligns with the overall school mission, curriculum, and instructional approach. The plan also aligns to all district, state, and federal guidelines, laws, and policies. Professional development needs and financial considerations for these key areas along with staffing and needed materials have been adequately addressed in the budget. This has been addressed by taking into consideration the demographic data from neighboring schools to consider realistic predictions.

## Q.2. Serving Students with Special Needs: Students with Individualized Education Plans (IEPs) and 504 Plans

This subsection focuses on the plan for meeting the needs of students with Individual Education Plans (IEPs).

- The application should address the legal requirements such as Individuals with Disabilities Education Act (IDEA) and Free Appropriate Public Education (FAPE) in a Least Restrictive Environment (LRE) as well as the program design. (42 U.S.C. 1401 *et seq.*)
- The plan includes a summary of special education staffing strategies, student to teacher ratios in years 1-5, & allocation of resources to special education and to providing any physical/occupational therapy (42 U.S.C. 12101), and a nurse as required by a student's IEP (see: <https://coloradoleague.org/resource/collection/958628C8-F705-4722-AB24-FA222DD7E4D6/CLCSSchoolNurseResourceBookFINALWEB.pdf>). The student evaluation process and how the students will be identified and assessed through the required system, using a body of evidence, and the role of the special education staff to provide a continuum of services is described (e.g. pulling students out scheduled during the school day, as needed, versus training and working with teachers and students in the regular classroom).
- Includes an explanation of how the school will use quality methods to regularly monitor progress and success of students to know whether it has been successful in meeting these students' needs, assess that no one group is over-represented, and to continuously improve effectiveness of the program including the evaluation and training of staff responsible.
- The budget adequately reflects funding (at least \$500 average or more per enrolled student under an insurance model – check with the authorizer to determine an accurate amount) allocated to cover special education costs, and a list of the specific services the district is expected to provide. (CSI schools provide their own program.)
- Demonstrates an understanding of the components of an IEP (including transition services) as defined by IDEA and anticipates providing students meaningful access to the general curriculum and other educational needs through appropriate additional resources, services, technologies and supports. (For more on transition services see: [http://www.cde.state.co.us/cdesped/transition\\_tk](http://www.cde.state.co.us/cdesped/transition_tk).)

- Outlines a method for IEP progress reporting toward annual goals, regularly assessing IEP goals through frequent normative and diagnostic assessment, and alternative assessment planning and alignment to achievement standards.
- Demonstrates an understanding of section 504 as defined by the Office of Civil rights (OCR), the functional definition of disability, and need for anticipatory accommodations.
- Students with 504 Plans.** The school addresses how 504 plans will be collected, developed, communicated, prepared and evaluated to ensure that students' needs are being met (29 U.S.C. 794). (See: <http://www2.ed.gov/about/offices/list/ocr/504faq.html>.)

**Note:** It is strongly recommended that the applicant meet with the district's special education director or a representative from the authorizer's special services department prior to submitting the charter application. The purpose of this meeting is to gain an understanding of how the authorizer views charter schools and the handling of special education issues. Once the information is understood, it is highly recommended to go back into the application and make any needed revisions based on the information learned from district, state, and federal guidelines. (See also: Know Your Rights: Students with Disabilities in Charter Schools <https://www2.ed.gov/about/offices/list/ocr/docs/dcl-factsheet-201612-504-charter-school.pdf>.)

### Q.3. Serving Students with Special Needs: Multi-Tiered System of Supports (MTSS) / Response to Intervention (RtI)

This subsection summarizes the school's Multi-Tiered System of Supports (MTSS)/Response to Intervention (RtI) program and clearly identifies the following: program components, systems and structures to support the components that align with the curricular day, professional development considerations, clear timelines for student identification that supports district timelines, and descriptive feedback that supports the understanding of this program.

- A MTSS/RtI implementation plan develops an explanation about the specific implementation steps that will take place to drive the framework of the program. The implementation process steps need to ensure that all strategies or steps of the process are research-based strategies or evidence-based practices to ensure the best student outcomes. This means there is a two to four year MTSS implementation plan. This includes immediate steps with the Response to Intervention process, building expertise through training and coaching of staff through ongoing professional development, understanding the student population and creating implementation priorities, and contains all six essential elements: shared leadership, data-based problem solving/decision making, layered continuum of supports, evidence-based instruction, Intervention, assessment practices, universal screening and progress monitoring, and family/school/community partnering.
- An administrative lead contact is identified to oversee the MTSS/RtI program.
- Procedures are in place to avoid misidentification and refer students for evaluation for Special Education services, as applicable. (A Response to Intervention (RtI) approach is designed to specifically intervene when any students are struggling academically so students may not need to be referred for special education assessments, if they respond to earlier interventions. Careful attention should be given to explaining this, what role it plays in Special Education identification, and the process by which final decisions for proper services and placements are made (i.e. Staffing meetings and who attends, etc.) based on a body of evidence.)

**Note:** RtI is seen in Colorado as a process under the umbrella of MTSS. The RtI Action Network has defined RtI as a "process," and MTSS as a "framework". There has been a shift in RtI Tiers of Intervention to a more focused system of a multi-level layered continuum of supports used within Tiers or Levels of Intervention that looks at both behavior and academic supports, with the idea that students may cross zones. (For more information on RtI visit:

<http://www.cde.state.co.us/mtss/problemsolvingprocesspages>; <http://www.cde.state.co.us/mtss/overviewtrainingmaterials-fall2014> , <http://www.cde.state.co.us/mtss/mtss-rti-pbis-crosswalk>, [http://www.cde.state.co.us/sites/default/files/documents/cdesped/download/pdf/sld\\_guidelines.pdf](http://www.cde.state.co.us/sites/default/files/documents/cdesped/download/pdf/sld_guidelines.pdf) and [http://www.cde.state.co.us/sites/default/files/documents/rti/downloads/word/fctk\\_iii\\_ieppartneringwithnrtimodel.doc](http://www.cde.state.co.us/sites/default/files/documents/rti/downloads/word/fctk_iii_ieppartneringwithnrtimodel.doc).

Additional information can be found at links in the Instruction and Evaluating Pupil Performance Sections.)

#### Q.4. Serving Students with Diverse Needs: English Language Learners (ELLs)

This subsection focuses on the plan for meeting the needs of ELL students. (C.R.S. 22-24-101 *et seq.*) (Those groups that are targeting a community with a significant number of ELL families should give particular focus to this subsection.)

- The applicant has developed a plan for meeting the needs of ELL students based on demographic data and the level of support needed. This means that the level of support needed is based on the district English Language Acquisition (ELA) model and all guidelines need to be developed.
- Identifies if the district, the applicant is applying to, is under court order to provide mandated services for ELL students, and if so, describes the program following the terms of the law.
- The application addresses how the planned curriculum and instructional strategies will be used to meet the needs of ELL students, and refers to any specific English Language Acquisition (ELA) program(s) and what types of supplemental services will be provided within the current curriculum program. This is explained along with research-based evidence of program success, how alignment will happen, how students will understand and use academic vocabulary, strategies all teachers will use to make content accessible, and how this will support different levels of language development. (Information on the adopted World-class Instruction Design and Assessment (WIDA) Standards as the Colorado English Language Proficiency (CELP) standards can be found at: <http://www.cde.state.co.us/coenglangprof.>)
- In addition, the application reflects an understanding of how ELL students will be evaluated with timely screening to determine whether they qualify for services (e.g. a Home Language Survey, and WIDA Screener, etc.), how often assessment of progress in both content and language development will happen with an identified owner of the progress monitoring responsibility, and how the information will be used to support educational planning. Also include what valid, reliable, objective criteria will be used to measure English proficiency in the four language domains, how parents will be notified and by who (i.e. home language notifications), what will determine exiting, redesignation, parent involvement, how the school will exit students from the program and continue monitoring for 2 years or as necessary and who will be involved. Explains how the school will evaluate teachers and measure student achievement to know whether it has been successful in meeting ELL students' needs. (See English Language Proficiency Act (C.R.S. 22-24-101 to C.R.S. 22-24-106) and this link for more resources: [http://www.cde.state.co.us/cde\\_english/eldrequirements.](http://www.cde.state.co.us/cde_english/eldrequirements.))
- Ensures cultural sensitivities are integrated into the school's ELL instructional approach, professional development for staff, and parent engagement opportunities.
- Qualifications, to include a qualified administrator designated as ELD Coordinator, as well as ELL teacher/instructors, are included. Explains high-quality training of staff who will provide the services, in language development, second language acquisition, program implementation and appropriate assessment, how the schedule will be structured to allow adequate time for services during the school day (reflected in the schedule-45 minutes for DPS), staffing plans to include whether the school will use para-professionals, what resources are being allocated to meet these students' needs and ongoing training is explained. Adequate funds are included in the budget. (For more information on WIDA and Colorado testing requirements see: <http://www.wida.us/> and <http://www.cde.state.co.us/assessment/ELA.asp.>)

#### Q.5. Serving Students with Diverse Needs: Gifted and Talented Students (G/T)

This subsection focuses on the plan for meeting the needs of G/T students (C.R.S. 22-20-201 to C.R.S. 22-20-206).

- The founding committee addresses how the school will differentiate instruction and curriculum to meet the needs of gifted and talented students using qualified staff (See: <http://www.cde.state.co.us/gt/gifteden-endorsement-technicalassistmarch2016>) and research based instructional programs and strategies. (See: <http://www.cde.state.co.us/gt/about.>)
- In addition, the application addresses how gifted and talented students will be identified (to include what systems, assessment(s) and Body of Evidence (BOE) will be used and the staff responsible) and an Advanced Learning Plan (ALP) developed, and how the school will improve representation of under-represented groups. Also explains how resources will be allocated to include materials, time (shown in the schedule), qualified staff (to include a detailed plan to recruit, hire and retain ESSA qualified staff to serve G/T students), and training

and funds needed to meet the needs of these students, and how the school will know whether it has been successful in meeting G/T students' needs. (See: <http://www.cde.state.co.us/gt/resources>.)

## Q.6. Serving Students with Diverse Needs: Students Who Are Educationally Disadvantaged or Have a Physical Disability

This subsection focuses on the plan for meeting the needs of Educationally Disadvantaged students (sometimes referred to as at-risk referenced in <http://eric.ed.gov/?ti=At+Risk+Students> and (C.R.S. 22-30.5-106(q))).

- Demonstrates an understanding of ADA laws as defined by the Office of Civil rights (OCR), the functional definition of disability, and need for anticipatory accommodations.
- Students with physical disabilities.** The application acknowledges a commitment to finding a facility that is Americans with Disabilities Act compliant (<https://adata.org/factsheet/ADA-overview>), or renovating to ensure ADA compliance. For website accessibility see: <https://c.ymcdn.com/sites/coloradoleague.site-ym.com/resource/resmgr/files-communications/Web-Accessibility.pdf> **Economically disadvantaged and homeless students.** Economic disadvantaged designation is primarily determined by whether students qualify for the free and reduced lunch program, and can also refer to "neglected or delinquent students" as defined by the federal program. Applicants have addressed how they will meet the unique needs of economically disadvantaged and, additionally, homeless students, and accompanying barriers to education including their physical needs (providing food services, waiving student fees, providing uniforms, addressing transportation needs, etc.) by ensuring provisional equal access. The application also includes an explanation of how the school will know whether it has been successful in meeting these students' needs, and any specific interventions that will be used to help close the achievement gap.

**Note:** A newly passed bill, [HB18-1306: Improving Education Stability for Foster Youth](#) requires education providers to allow foster students to remain in their school-of-origin. Also for wrap-around supports, see dental and vision and other resources to support first of year screenings and needed services at <https://coloradoleague.org/page/healthresources> and pro-bono mental health and counseling services at [https://www.sparkthechangecolorado.org/mental\\_health](https://www.sparkthechangecolorado.org/mental_health).

- Low performing or educationally disadvantaged students.** The school will undoubtedly attract students who enter below grade level. The application should include some thoughtful, realistic strategies, based on internal assessments and local district's school performance data, for bringing these students up to grade level and ensuring their success in the school. These strategies must be compatible with proposed staffing structures and budgetary restrictions. High School proposals should address students at risk of dropping out (C.R.S. 22-30.5-523) or not on target to meet graduation requirements.

## R. Dispute Resolution Process

This section is simply a paragraph or two that reflects the school's understanding of and compliance with (C.R.S. 22-30.5-107.5), which explains how the school and its authorizer agree to resolve disputes that may arise concerning governing policy provisions of the school's charter contract.

- The dispute resolution plan demonstrates reasonable method(s) for resolving disagreements, which arise between a charter school and its authorizer, concerning governing policy provisions of the school's charter contract. Methods of settling a dispute if an agreement cannot be reached by mutual consent may include mutually agreeing to use an alternative dispute resolution process and the findings of a neutral third party and agreeing to be bound by their findings, or may include an appeal to the State Board of Education for a final decision. Any decision by the State Board is final.
- The dispute resolution plan shows a clear understanding for compliance with statutory requirements for both the charter school and the authorizer (C.R.S. 22-30.5-107.5). This should include a process to reach an agreement within 30 days of receipt of notice.

**Note:** This is different from a grievance process which parents, staff and students can access in order to address areas of concern or policy violations within the school. It will be important to include a grievance process within the school's policies.



## S. School Management Contracts \*

This section, if applicable, should explain and justify the proposed charter school's intent to contract with an Education Management Provider.

**Note:** This could be a Charter Management Organization (CMO) (which includes a board serving over multiple schools with a central office for business services, and is typically non-profit), an Education Management Organization (EMO, which is typically for-profit), an Education Service Provider ((ESP), which is a term that is often used to refer to either of the previously mentioned groups, charter collaborative, or any other type of school management or services provider, (C.R.S. 22-30.5-103(3.5) ; C.R.S. 22-30.104(4)(b) and C.R.S 22-30.5-502(4.5)) to provide, manage, or oversee all or substantially all of the educational services provided by the charter school.

- Includes a logical explanation of how and why the services provider or central services configuration was selected or developed, and how the selected provider or services configuration will meet the school's needs. A list of schools operated, location and contact information for both the school and the authorizer for each should be provided along with a summary of reference checks conducted by the applicant, regarding the services provider, and including the name of the reference.
- Provides demonstrated evidence that the services provider has a clear track record and has been successful in the academic and/or business operation aspects of other schools, including demonstrated academic achievement using disaggregated growth data, with the target population, as well as successful management of non-academic school functions (e.g. back-office services, school operations, extracurricular programs, success of the whole child) and financial health. Explanation should be given of any management contract terminations, non-renewals, or non-openings.
- Provides explanation and evidence demonstrating the desired provider has capacity to take on the needs of this school, while also maintaining quality for its existing schools.
- Description is included of how the charter board will exercise its statutory duty, contractual and fiduciary responsibilities so long as the charter school maintains a governing board that is independent of the education management provider (C.R.S. 22-30.5-104(4)(b)), along with an explanation of how the charter board maintains the ability to sever the relationship and that the provider will not require a charter board to assert, waive or not waive its governmental immunity. Details are sufficient to assure there are no potential conflicts of interest between the services provider and the governing board.
- Reasonable management contract terms and fees, that do not exceed the term of the charter, along with clear measurable performance metrics, penalty clauses, and contract severing provisions for both parties are explained and supported in documentation. Strong consideration should be given to the charter school governing board having the right to terminate the contract without cause or financial penalty, under what conditions either can terminate for cause, and terms are included for required notice of termination to the other party. (See Service Provider Guidelines document referenced below.) Narrative explanation also covers duration, procedure to determine renewal and terms, how often the agreement is renewed and conditions each must meet to renew the contract. The provider agreement should recognize the requirement for educational materials and teaching techniques to be subject to state disclosure laws and Open Records Act, and also recognize the contract can only be in effect each year with charter board approval of funding. The service provider should adhere to financial transparency posting requirements.
- There is a clear plan for frequency and process for monitoring and evaluating performance of the services provider and adequate internal controls are in place that include how the governing board will ensure fulfillment of performance expectations and the process to intervene as needed; exercise their fiduciary responsibility; retain as charter property and have the right to access financial, educational, and student records that are to be physically and electronically available; retain the school's independent auditor who has the right to access financial and other records of the services provider related to the charter as needed; be represented by separate legal counsel; and operate under the Colorado Sunshine, Open Records Act, and Open Meetings Laws all independent from the services provider.
- Provides clear evidence that the services provider is authorized to conduct business in Colorado, and information as to whom the provider reports.

- Details a clear understanding of financial obligation to the services provider and if it increases, decreases or stays the same for the duration of the relationship. This includes the school board’s right to determine investments, deposits of funds in the charter’s account and disbursal of any excess revenues, method of paying fees to the provider dependent on properly presented documentation provided for ratification of payment by the charter board, ownership of products obtained with the use of public funds (e.g. textbooks, curriculum alignments to Colorado Academic Standards, equipment, supplies, etc.) and without added fees when acquired through the provider. The narrative should cite all aspects of the services agreement that may commit transfer of funds from the school to the education management provider, spending decisions the management organization can make without the school board’s approval, and explain the overall percentage impact to the budget.
- Includes a clear description of which staff members will be hired, report to, and be paid, evaluated and terminated by the services provider, and any relationship with the governing board on these decisions, and how the board will oversee this. The services provider 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, with confirmation the employment structure qualifies as employee leasing. The agreement must contain insurance and indemnification provisions outlining the coverage the service provider will obtain.
- Marketing and development costs paid by or charged to the charter are limited to the costs specific to the charter program.
- A separate agreement is in place for building ownership or lease if the developers are making payments to the services provider. This must be consistent with a school’s authority to terminate a services provider agreement and still operate as a school. The school should engage counsel with subject matter expertise on facilities, building ownership and leases prior to signing any contracts.
- The following items should be attached to the charter application:
  - Term sheet is included with clear performance measures and contract severing provisions. The terms sheet also sets forth the proposed duration of the management contract; roles and responsibilities; scope of services and costs of all resources to be provided by the services provider; performance evaluation measures and timelines; compensation structure and schedule including clear identification of all fees to be paid to the services provider, that are reflected in the budget, and noting what is provided for those fees; schedule on which the provider will receive compensation; which operations and capital expenses each is responsible for; reports the services provider must provide and schedule frequency; how often and in what way the board will review and evaluate performance, based on measurable, clearly identified school-wide performance and achievement metrics collected on an identified schedule; and other methods of contract oversight and enforcement, to include trigger points, standards, and procedures for board review; investment disclosure; any possible external evaluator to be used; and conditions for renewal, board intervention, if deemed unsatisfactory, and termination of the contract.
  - Proposed draft management contract including all of the above terms and a clear Conflict of Interest statement and indemnification provisions in the event of default or breach by either party.
  - Documented evidence that the services provider is authorized to do business in Colorado (e.g. licensed), has demonstrated academic success for all schools operated with students demographically similar to the target population in the same grade level(s) (e.g. assessment data), has sound business practices (e.g. a copy of most recent audit), and has successfully managed other schools (e.g. specific references and contact information are provided).

**Note:** For more information on for-profit entities not holding charter contracts with authorizers (C.R.S. 22-30.5-110(7) and 511(8)) and working with a services provider, see Attachment 5: Educational Services Provider Agreement Guidelines on page 41 of *Sample Contract Language and Attachments August 2014*. <http://www.cde.state.co.us/cdechart/distauthinfo>. The authorizer should be provided the opportunity to review and approve the contract prior to it being executed.