

**SUBJECT**

Commission Discussion: Implementation of NACSA Recommendations

**APPLICABLE STATUTE, RULE, OR POLICY**

N/A

**BACKGROUND**

In October 2014, representatives from the National Association of Charter School Authorizers presented to the PCSC the findings and recommendations resulting from their formative evaluation conducted earlier in the year.

**DISCUSSION**

NACSA's report provides key facts, findings, and recommended actions in five areas: application decision making, performance management systems, performance-based accountability, autonomy, and organizational capacity. The NACSA evaluators emphasized during their presentation that they would expect implementation of the recommendations to take place over a period of up to five years.

These materials list NACSA's recommendations and offer staff commentary in response to each. Recommended actions are included, with suggested priority ratings from 1 (high/short term) to 4 (low/long term).

**IMPACT**

PCSC discussion of NACSA's recommendations can serve as a step toward strategic planning, establishing priorities on which staff and commissioners should focus in the short term and over the next several years.

**STAFF COMMENTS AND RECOMMENDATIONS**

Staff recommends that the highest priority be placed on:

1. Increased staff and budgetary capacity
2. Policy development and adoption
3. Minimizing transfer petition workload until capacity increases
4. Developing annual report format

**COMMISSION ACTION**

Any action would be at the discretion of the PCSC.

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NACSA Recommendation	Staff Comments	Recommended Action	Recommended Priority Level (if applicable)
<p>Review and revise Petition Evaluation Rubric (PER) language around quality expectations. Ensure that all rubric criteria articulate minimum quality standards. (1.1, 1.2, 1.3, 1.4)</p>	<p>Review of the PER should take place in conjunction with petition template development (see below). Ideally, all necessary updates to the PER can be presented for PCSC approval at one time, alongside the petition template(s).</p>	<p>Review PER to ensure that quality expectations are clear in all categories.</p>	<p align="center">2</p>
<p>Develop a clear RFP process and quality expectations. Adopt an official RFP which can be adapted as needed based on specialized applicant types, programs, and PCSC priorities. Given the current provisions of Idaho's charter law, this may need to be done in concert with legislative changes and/or collaboration with other authorizers. (1.1, 1.6, 1.8)</p>	<p>Although Idaho statute renders the use of a typical RFP process unsuitable for the PCSC (because petitions must be submitted first to districts, and because the PCSC is obliged to consider all petitions), staff sees value in the creation of a petition template that serves many of the functions of an RFP. This document, used in conjunction with the PER, would be used to dramatically reduce the amount of time staff spends coaching petitioning groups. Petitioners would be expected to follow the clear guidance provided to them; those unable to do so would not receive further consideration, but instead would have their petitions denied.</p> <p>Ideally, two templates would be created -- one suitable for new petitioners, and the other for experienced operators requesting transfer or replication. The latter template would require development of a corresponding PER.</p> <p>Collaboration with other authorizers is not practicable due to the large number of potential authorizers in Idaho, most of whom are unlikely to be interested in spending time on a collaborative process from which they may never benefit. PCSC staff does make PCSC templates, rubrics, etc. available for use by other authorizers who wish to apply them.</p>	<p>Develop petition template(s) that provides clear guidance regarding what information should be contained in each element of the petition. The template(s) would correspond with the PER and provide additional quality expectations as necessary.</p> <p>The new charter petition template could be developed first, followed by an experienced operator petition template more suitable to transfers or replications.</p>	<p align="center">2 for new petition template</p> <p align="center">3 for experienced operator template and PER</p>

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<p>Work with the SDE to ensure clear communication regarding the petitioning process. Consider creation of a graphic depiction, links between SDE and PCSC websites, etc. (1.1, 1.8)</p>	<p>OSBE website management staff is working on substantial site updates that will take place over the next year. Site content can be upgraded as part of this process.</p> <p>SDE and PCSC staff already work together to ensure that petitioners are informed from the earliest stages about the PCSC's quality expectations as defined in the PER. It is important to recognize that, under Idaho statute, different authorizers are free to establish (or not establish) unique expectations. Petitioners cannot be required to meet PCSC standards when submitting to other authorizers.</p>	<p>Staff has developed a flowchart to help clarify the petitioning process.</p> <p>Work with website development staff to improve content during site overhaul.</p>	<p align="center">4</p>
<p>Uniformly follow established policies and procedures to provide clarity for applying schools, uphold quality standards, and protect the PCSC from approving schools to open that are unlikely to succeed. This will also protect the PCSC against accusations of favoritism. (1.2, 1.3, 1.4, 1.7)</p> <p>Develop quality standards and deadlines around key start-up activities, such as achieving adequate enrollment levels, securing facilities, and other items that have a high correlation to a school's ability to open successfully. (2.2)</p> <p>Align PCSC start-up timeline requirements with those of the SDE and national best practices. (2.2)</p>	<p>Recent experience with numerous PCSC-authorized schools whose petitions were approved despite concerns about their viability, and whose pre-opening status was weak, indicates that clearer expectations (and consequences for failure to meet them) during the pre-opening phase could prevent the opening of schools that proceed to struggle financially, operationally, and academically.</p> <p>Idaho statute provides that authorizers may establish reasonable pre-opening requirements for schools, and delay openings if such requirements are not met in order to ensure that students and taxpayer resources are not placed in the care of unprepared schools. The PCSC has not utilized this provision in the past, and the opening of several weak schools indicates that utilization should be considered going forward. Pre-established standards -- and PCSC willingness to enforce them -- will be important for fair and consistent decision-making.</p> <p>The PCSC should be able to compare petitioners' proposals to actual results during the pre-opening year. Schools that fail to reach pre-established goals (such as for enrollment and facility preparation) should not be permitted to open. Fair application of this concept requires that petitioners and the PCSC have access to clearly established standards.</p> <p>Once policies are adopted, consistent application by the PCSC will be critical to uphold quality standards and protect the PCSC from accusations of favoritism.</p>	<p>Develop/amend PCSC policy regarding the level of staff assistance that will be provided to petitioners, standards that petitioners must meet for approval, and pre-opening requirements that must be met to avoid delayed opening.</p> <p>Update pre-opening requirements and reporting templates to reflect new/amended policy.</p>	<p align="center">1 for policy development</p> <p align="center">2 for updating associated documents</p>

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<p>Strengthen the link between the assessment of financial and business plan documents and the data that will ultimately back them up. (1.4)</p>	<p>The petition template and PER should require inclusion of clear financial and business plan documents. The PCSC must have tools for comparing proposals made during the petitioning phase to actual results during the pre-opening phase. Staff has already updated budget templates for petitioners and schools in the pre-opening phase; these templates will facilitate clear comparison of budget proposals to actual results.</p> <p>Policy should clarify standards the PCSC will apply when deciding whether or not to delay the opening of an unprepared school. The PCSC's consistent application of adopted policies will be key.</p>		
<p>Minimize the time staff spends coaching founding teams. (1.5, 1.8)</p>	<p>Once petition quality expectations are clearly established in the petition template and PER, petitioning groups should be permitted to succeed or fail based on their own capacity and demonstrated merits, in the absence of excessive coaching by PCSC staff. The PCSC's consistent application of adopted policies will be key.</p> <p>The PCSC is currently experiencing an unprecedented level of interest from district-authorized schools wishing to transfer to the PCSC. The number of proposals anticipated in winter/spring 2015 represents an increase in workload (both during the petitioning process and for ongoing oversight) that further puts at risk the PCSC's ability to serve schools it already authorizes. The amount of resources necessary simply to meet the baseline activities required of an authorizer for the PCSC's existing portfolio already exceeds capacity.</p> <p>Further expansion of the PCSC's portfolio should be minimized until the PCSC's staff and budgetary capacity is increased. New charter petitions must continue to be considered in order to meet statutory obligations, as well as to maintain availability of the charter opportunity for new stakeholders. However, the PCSC could place a temporary moratorium on the approval of transfer petitions.</p>	<p>Place moratorium on approval of transfer petitions until the PCSC's staff and budgetary capacities are increased.</p>	<p align="center">1</p>

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<p>Ensure decision alignment with PCSC policy and quality standards. (1.5)</p>	<p>Staff bases its recommendations based on PCSC policy and quality standards, among other appropriate factors. Previous instances in which decisions were made contrary to PCSC policy have tended to result in poor outcomes.</p> <p>The PCSC should carefully consider new/amended policies prior to their adoption, and renew its commitment to consistent application of those policies once they are in effect.</p>		
<p>Engage external reviewers in the petition review process. (1.5)</p>	<p>Staff lacks the recourses (both time and budget) to implement this recommendation at this time, and must therefore continue to rely on content-area expertise of SDE staff via the sufficiency review. However, staff will continue to bear this recommendation in mind and seek out a practical manner in which it could be implemented in the future.</p>		<p align="center">4</p>
<p>Explore areas where authorizers may use their judgment to develop policies and practices that best serve the community and are in keeping with legislative intent. (1.7)</p>	<p>Idaho law leaves many aspects of authorizer practice unaddressed or open to authorizer discretion; The PCSC should endeavor to fill in the gaps with policies that reflect best practices to the greatest extent possible.</p>	<p>Develop/amend PCSC policies addressing the scope of authorizing functions.</p>	<p align="center">1</p>
<p>Examine the track record of approved schools versus their application and use the data to inform development of quality enrollment, founder capacity, etc. (1.7)</p>	<p>The PCSC and its staff are fortunate to have the benefit of several individuals with extensive institutional memory. Such knowledge should be used to inform the development of policies and procedures that will guide future decision-making. Much of the PCSC's track record will not directly apply to future policy development because statute has changed so significantly; however, lessons learned may be applied within the new context.</p>		
<p>Continue the strong practices already in place with regard to providing information to the public. (1.8)</p>	<p>Staff remains committed to timely publication of meeting materials, FAQs, forms, templates, policies, and other documents.</p>		

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<p>Consider ways to streamline the contracting process and minimize the need for multiple meetings/calls with each school. (2.1)</p>	<p>Staff believes strongly in the value of ensuring that schools understand the purpose and contents of the performance certificate, and have every opportunity to contribute to the development of their mission-specific goals. Although the collaborative process is time-consuming, it is worthwhile to establish buy-in and ensure that each school's mission-specific goals are meaningful.</p>		
<p>Consider ways in which information about new schools' start-up processes can flow more frequently without creating a burden for schools or PCSC staff. (2.2)</p>	<p>Current staff capacity severely limits the amount of time available for reviewing start-up processes, particularly as schools develop at different rates and cannot realistically be held to identical document submission schedules. In reviewing pre-opening requirements, staff will attempt to establish the most important deadlines that all new schools should meet. Documentation regarding these critical activities can then be reviewed and presented to the PCSC on a consistent schedule. Additional pre-opening oversight should be considered in the future if staff capacity expands.</p>	<p>Develop additional pre-opening oversight practices.</p>	<p align="center">4</p>

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<p>Create a differentiated oversight and monitoring plan aligned to performance-based accountability measures. Such a plan would allow for closer monitoring of struggling schools (perhaps including additional touch-points or report submissions), while allowing high performers an additional degree of earned autonomy (which would be removed if performance levels are not maintained). (2.3)</p> <p>Create a differentiated oversight policy based on the accountability designations within the performance framework. (4.4)</p>	<p>Due to limited staff and budgetary capacity and a prevailing culture of respect for the autonomy of charter school boards, the PCSC's baseline oversight activities are minimal compared to those of most large authorizers nationwide. The PCSC and staff have already endeavored to minimize schools' reporting burden by abbreviating dashboard reports, reducing site visits to every other year, and eliminating annual updates. Further reducing oversight of high performers would border on abdication of basic authorizing responsibilities. However, additional oversight of schools with poor framework results is likely to be appropriate and necessary.</p> <p>Under current practices, additional requirements are often imposed based on reason for concern. For example, the PCSC requires fiscal reports from all schools only once annually. Schools evidencing potential fiscal distress, however, are typically required to submit additional fiscal reports, usually quarterly. In the future, it is hoped that increased staff capacity will enable more individualized and assistive oversight of struggling schools.</p> <p>New policies regarding application of the Performance Framework should include consistent consequences (such as more frequent reporting) for schools that fall below Good Standing in any of the framework categories. The PCSC's consistent application of these policies, once adopted, will be key.</p>	<p>Develop policies related to application of the Performance Framework, including consistent consequences for schools that fall below Good Standing in any of the framework categories.</p>	<p align="center">1</p>
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<p>Develop monitoring policies and procedures, including a submission calendar that will optimize staff ability to conduct oversight in a timely, proactive fashion. (2.3)</p>	<p>Staff recently overhauled the PCSC's oversight calendar to better correspond with new statutory requirements. The calendar has improved consistency of reporting deadlines, reduced schools' reporting burden, and established a consistent schedule on which the PCSC will consider certain matters (such as renewal decisions and fiscal letters of concern).</p> <p>In the future, the PCSC may wish to discuss the possibility of legislative change to create a more manageable petition submission schedule. The current process requires authorizers to consider petitions on a certain timeline regardless of when they are submitted. This can be quite disruptive to the other activities required of a very small staff. Many states provide an annual application deadline, enabling authorizers to better plan their workloads and to consider the merits of all petitions side-by-side.</p>	<p>Consider proposing statutory changes related to the petition submission schedule.</p>	<p align="center">3</p>
<p>Work with SDE and schools to streamline data formatting and collection in order to reduce staff time requirements. (2.3)</p>	<p>Staff has already made extensive efforts to streamline the report evaluation process, including obtaining as much data as possible directly from the SDE and developing/improving reporting templates. It should be acknowledged, however, that the sheer number of schools under PCSC oversight renders inadequate staff's ability to consistently and thoroughly evaluate each school.</p>		
<p>Create intervention and revocation policies. (2.4)</p>	<p>Statutory intervention options for authorizers include annual reporting based on the Performance Certificate and Framework, issuance of fiscal concern letters, and notification of non-compliance to enforcement entities. PCSC policy should establish standards by which these interventions will be applied. Consistent PCSC application of adopted policies will be key.</p> <p>Statue currently limits revocation to cases in which a school fails to meet a specific, written condition established at the time a performance certificate is executed. Authorizers have no recourse to deal with severe problems that may arise mid-term; thus, students and taxpayers could be at risk for many years leading up to renewal. The PCSC may wish to discuss possible legislation that would create an opportunity for addition of conditions mid-term.</p>	<p>Develop policy regarding the implementation of statutory intervention options.</p> <p>Discuss possible legislative change to permit the addition of conditions mid-term.</p>	<p align="center">1 for policy development 3 for legislative change</p>



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<p>Continue the practice of providing transparent and timely information to all stakeholders when a revocation decision is made. (2.4)</p> <p>Particularly during this time of transition and development of new policies and procedures, work to keep schools informed through regular process updates. (2.7)</p> <p>Maintain strong practices around the accessibility of key documents via the PCSC website. (2.7)</p>	<p>PCSC staff remains committed to transparency and timely dissemination of information regarding high-stakes decisions made by the PCSC.</p>		
<p>Develop a well-structured renewal process aligned to the terms of the performance framework. (2.5)</p>	<p>Staff has begun the work of developing a renewal process. The introductory pages of the Performance Framework and recently overhauled oversight calendar reflect these efforts.</p> <p>Strong, clear policies and procedures guiding the renewal process will be critical to success. Schools must be given regular updates regarding their status, as well as opportunities to respond to performance framework results. Consistent standards and consequences for failure to meet them must be applied.</p> <p>Staff is concerned that the tight statutory timeline for the renewal process, combined with severe understaffing, will result in extreme difficulty if capacity is not increased prior to the initial renewal cycle in 2017. The statutory timeline cannot be lengthened due to practical considerations (such as audit preparation and enrollment lottery dates).</p>	<p>Develop renewal policies and processes.</p>	<p>1 for policy development</p>

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<p>Work toward public reporting that provides a comprehensible overview of portfolio performance as well as school-level performance. (2.7)</p>	<p>Staff is in the process of developing the annual reporting format in which performance framework results will be presented to schools, the PCSC, and the public.</p> <p>Portfolio performance reporting is also important and will be developed as capacity allows. This is likely to take the form of a dashboard using graphics to provide an overview of PCSC schools' performance.</p>	<p>Develop annual school reporting format.</p> <p>Develop annual portfolio reporting format.</p>	<p>1 for school reporting format</p> <p>3 for portfolio reporting format</p>
<p>Create comparative academic standards that assess charter school performance related to all peer schools. (3.1)</p>	<p>The NACSA evaluators note that high school specific measures in the framework are extremely limited. PCSC staff agrees with this assessment, but notes that data collected at the statewide level is similarly limited and expanded data collection in this area is presently unrealistic.</p> <p>The evaluators also note that the PCSC's framework does not set a higher bar for charters than for traditional schools. PCSC staff agrees with this assessment, but notes that the standard is based on legislative guidance. Conversation among Idaho's charter stakeholders in this regard would be warranted.</p>		

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<p>Adjust the performance framework so that mission-specific goals play a less-prominent role.</p>	<p>During the performance framework development process, staff invited extensive stakeholder collaboration. Staff initially proposed a lower percentage weight on mission-specific measures, while stakeholders proposed a higher percentage weight. The 40% weight represents a compromise made in the interest of buy-in and respect for schools' individuality. A safeguard was included to ensure that schools performing well on mission-specific measures but poorly on academic measures will not be considered in Good Standing.</p> <p>The NACSA evaluators' rationale for recommending a lower percentage weight on mission-specific measures is mostly based on the time-consuming nature of evaluating such measures. While PCSC staff shares this concern, it should be noted that the same amount of evaluation time would be required regardless of the weight placed on the measures. Time could only be saved by eliminating the mission-specific measures entirely, or by reducing the number of mission-specific measures allowed for each school.</p> <p>Staff suggests that increasing capacity would be the most appropriate means of mitigating this problem while maintaining the opportunity for schools to receive meaningful credit for their unique successes.</p>		
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<p>Implement a financial intervention ladder or monitoring policy that correlates to the financial performance indicators. (3.2)</p> <p>Create a financial reporting schedule that aligns with high-stakes decision making. (3.2)</p> <p>Determine follow up protocols as they relate to financial performance indicators. Establish what questions, reports, or information will be needed when standards are evaluated. (4.3)</p>	<p>Staff is presently working on the initial round of annual fiscal reporting using the performance framework. This process, in addition to recent experience with consideration of issuance of fiscal concern letters, will guide the development of policies related to fiscal intervention.</p> <p>The recently overhauled oversight calendar contemplates the most effective schedule on which to evaluate the financial status of portfolio schools. The calendar includes additional data collection leading up to timely decision-making with regard to schools exhibiting the potential for financial distress.</p> <p>Staff has recently completed revisions of budget reporting templates and anticipates that the improvements will assist with future fiscal monitoring. However, staff notes that the competency and willingness of schools' business managers to complete these templates correctly varies widely. Despite extensive staff guidance and direction, some schools may provide inaccurate budget actuals and projections; others may fail to make timely and thorough submissions.</p> <p>History indicates that the schools most unable or unwilling to provide financial details are often the schools that experience fiscal distress. For this reason, staff recommends that the PCSC consider policies that err on the side of caution (that is, protection of students and taxpayers) when accurate financial information cannot be obtained. <i>[continued next page]</i></p>	<p>Develop policy related to intervention resulting from fiscal concern.</p>	<p align="center">1</p>
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	<p>The same NACSA guidance that was used for development of the framework also provides recommendations for how to proceed when schools score poorly on certain indicators. These recommendations can help inform the development of PCSC policy regarding how what additional oversight should take place as fiscal concerns are identified.</p> <p>The fiscal letter of concern, unique to Idaho, is a tool the PCSC should be prepared to use in order to protect taxpayers. It should be noted that while the framework will identify a range of potential concerns, it is completed based on audits that take considerable time to prepare. The PCSC should be prepared to use other investigatory resources and act based on more updated information when appropriate.</p>		
<p>Develop and correlate to a system of intervention and decision making a definition of severe noncompliance. (3.3)</p>	<p>As noted by the NACSA evaluators, the performance framework differentiates between occasional/minor and persistent/severe non-compliance. However, the application of these terms is presently subjective and would benefit from additional clarification.</p>	<p>Develop definitions of "persistent" and "severe" non-compliance for purposes of the performance framework.</p>	<p align="center">1</p>
<p>Ensure alignment between performance expectations and high-stakes accountability decisions. (3.4)</p> <p>Create key message points related to high-stakes decision making. (3.4)</p>	<p>The renewal process creates an opportunity for the PCSC to establish and act upon clear, consistent quality standards. Much of this work has already been done via the collaborative performance framework development process. Next steps include development of policies regarding how the framework will be applied. Consistent adherence to these policies, once adopted, will be critical to authorizing success.</p>		
<p>Review and create policy focused on autonomies granted to schools. (4.1)</p>	<p>As noted by the NACSA evaluators, the performance framework explicitly states the autonomies that are afforded to PCSC-authorized schools. It appears that this recommendation was made in response to stakeholder input based on experiences that pre-date the PCSC's new oversight structure. However, the point stands that it will be necessary for the PCSC to consistently enforce its own policies and quality expectations.</p>		

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<p>Continue to move toward outcome-based accountability by establishing a correlation between standards and evaluation. (4.1)</p> <p>Align oversight to all high-stakes decision-making practices. (4.4)</p>	<p>This recommendation is not clearly phrased, but the analysis section provided indicates that it is intended to refer to a need for schools and the PCSC to understand exactly what information will be collected for evaluation, as well as when and why.</p> <p>Performance expectations for PCSC-authorized schools are clearly established in the performance framework. PCSC staff has recently overhauled the PCSC's oversight schedule (including reporting templates and due dates) to dovetail with statute and the performance certificate, ensuring that all data will be collected at the most appropriate times and considered on the most efficient schedule.</p> <p>Other sections of this document discuss differentiated oversight and clarification of how performance framework results will inform decision-making.</p>		
<p>Codify an amendment process that clarifies how to seek an amendment to a charter certificate and what eligibility requirements exist based on the educational performance of a school. (4.2)</p>	<p>In the past, the PCSC has not placed heavy weight on a school's academic prowess when evaluating charter amendment proposals. Often, this has been due not to lack of interest, but to lack of data.</p> <p>In light of the PCSC's new oversight structure, additional data will become available (increasingly over time) that will enable the PCSC to draw some clear expectations that must be met in order for certain types of amendments to succeed. For example, the PCSC could require that a school be in "good standing" or better on all sections of its performance framework in order to be eligible for enrollment expansion. Such standards are already contemplated on the introduction page of the performance framework; policy can be further developed based on this groundwork.</p> <p>Charter amendment procedures are clearly established in administrative rule. However, there are a few details that should be clarified in PCSC policy, mostly to manage workload and allow time for staff to provide individualized guidance to schools.</p>	<p>Develop/amend policy related to charter/performance certificate amendments, including eligibility for expansion.</p>	<p align="center">1</p>

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<p>Create an onboarding process for new commission members. (5.1)</p> <p>Ensure that all new PCSC members are oriented prior to being seated. (5.6)</p>	<p>Staff supports the importance of this recommendation and would appreciate PCSC input regarding what types of conversations and materials, and on what schedule, would have been most helpful to them as new commissioners.</p> <p>Staff capacity and, to lesser extent, budgetary capacity presently render the creation and implementation of a comprehensive onboarding process extremely difficult.</p>	<p>Develop onboarding process plan and materials for new commission members.</p>	<p align="center">4</p>
<p>Establish an annual strategic planning process. (5.1)</p> <p>Create a system to align strategic priorities and goals of commission and staff. (5.1)</p> <p>Provide ongoing training for PCSC members, including training on the philosophy that surrounds quality authorizing and current best practices. (5.6)</p>	<p>Staff believes the PCSC would benefit from additional access to authorizing education and work sessions designed for discussion that would guide philosophy, mission, goal-setting, prioritization, and future decision-making.</p> <p>This important recommendation is difficult to manage in the context of current capacity limitations. Staff simply does not have time to research and prepare additional agenda items. In the short term, however, staff invites PCSC input regarding priorities for the upcoming year.</p>	<p>Establish PCSC's top priorities for meeting the most urgent of NACSA's recommendations in the upcoming year.</p> <p>Implement a PCSC continuing education program.</p> <p>Implement an annual strategic planning session.</p>	<p align="center">1 for prioritization</p> <p align="center">4 for continuing education</p> <p align="center">3 for strategic planning</p>
<p>Conduct commission self-evaluation to ensure mission alignment and strategic priorities. (5.1)</p>	<p>This is another best practice limited by resources, both financial and in terms of staff time. The PCSC has benefitted from self-evaluations in the past and would likely gain additional benefit from periodic retreats or extended work sessions to focus on self-evaluation and strategic planning.</p>	<p>Implement an annual PCSC self-evaluation plan.</p>	<p align="center">4</p>

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<p>Work with the state board of education to determine additional funds for increased staff. (5.2)</p> <p>Explore staffing models that will allow efficiencies through distribution of labor or expertise. (5.2)</p> <p>Vigorously communicate the need for additional funding to the legislature and others who may be able to assist the PCSC in achieving a sustainable funding level. (5.5)</p>	<p>A legislative request for additional funding and 1.5 additional FTE will be presented during the 2015 legislative session. PCSC support and communication with legislators regarding the importance of increasing financial and staff resources will be important throughout this process. An expertise-based staffing model is presently under consideration.</p> <p>PCSC staff is no longer able to keep up with statutory requirements, let alone implementation of "optional" best practices. Even if the PCSC's portfolio ceased to expand, the shifting nature of oversight would result in an increased workload over the coming years. Meanwhile, petitions and expansion requests continue to arrive, and staff is often simply unable to complete the due diligence necessary to make thoroughly considered recommendations.</p>	<p>Work with legislature toward the success of the SBOE's budget proposal to increase PCSC capacity.</p>	<p align="center">1</p>
<p>Seek out external resources for training, capacity building, and professional development. (5.2)</p>	<p>Staff agrees with the sentiment and value of this recommendation, but has no additional time or funding to seek out training from additional resources. Although some such resources may ultimately be useful in mitigating workload, the up-front resources needed to effectively tap such resources are not available. Staff will pursue such opportunities when baseline capacity is increased.</p>		
<p>Create a system for communication between authorizing staff and PCSC members. (5.3)</p>	<p>Staff has observed a wide variation among commissioners regarding the frequency and nature of individualized staff support sought by different commissioners. PCSC thoughts regarding what types of additional communication would be most helpful are welcome, though additional capacity may need to be put in place before these requests can be met.</p>		



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<p>Develop and implement a strong conflict of interest policy containing clear language about how the PCSC attempts to avoid conflicts and will handle any conflicts that may inadvertently arise. (5.4)</p> <p>To the extent possible, share the conflict of interest policy with those making PCSC appointments and encourage them to consider its parameters when selecting future PCSC appointments. (5.4)</p>	<p>PCSC staff has asked legal counsel to research existing statutory or other state guidance that already applies to boards/commissions and their staffs. Such information can be presented to the PCSC as a springboard for future discussion and policy development.</p>		
<p>Examine the current PCSC budget and determine what amount and structure of funding would be necessary to support staffing at a level closer to national averages as the portfolio grows over time. (5.5)</p>	<p>While the proposal set to go before the legislature in 2015 represents an important first step, it is not adequate to bring PCSC capacity up to national levels. If successful, however, it should increase capacity sufficiently that existing, basic statutory requirements can again be met, and leadership will be able to move in the direction of implementing additional best practices.</p> <p>Examination of revised capacity in the light of the PCSC's strategic goals will help inform future expansion capacity requests.</p>		

December 11, 2014

August 21, 2014

# NACSA Authorizer Evaluation Report

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Authorizer

Idaho Public Charter School Commission

Board Chair

Alan Reed



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## Evaluation Scope

This evaluation is designed to provide authorizers a reflective, formative look at their current authorizing policies and practices in relation to NACSA's *Principles & Standards for Quality Charter School Authorizing*. The evaluation process and this report serve as an opportunity for an authorizer to reflect upon the strengths of its authorizing program and determine how best to focus time and energy on areas where the program could be improved.

Consistent with NACSA's *Principles & Standards for Quality Charter School Authorizing*, this evaluation focuses on and is organized according to the following five guiding questions:

1. Does the authorizer approve applications based on applicants' demonstrated preparation and capacity to open and operate a quality charter school?
2. Does the authorizer have effective systems for establishing and monitoring school performance expectations and holding schools accountable as necessary to protect student and public interests?
3. Does the authorizer have rigorous, appropriate standards by which it holds schools accountable for results? Are decisions made with the intent to maintain high standards and protect the students' and the public's interests?
4. Do schools have the autonomy to which they are entitled?
5. To what extent do the organizational structure and systems support quality authorizing practices and forward the authorizer's mission?

The contents of this report are a culmination of a process involving analysis of authorizer policy and practice. NACSA gathers evidence that informs our assessment through an extensive document review, surveys, interviews, and a site visit. We explore each guiding question in detail and present the authorizer with analysis of the applicable standards and recommended actions for strengthening the future work of the authorizing office.

### Rating Categories

Authorization quality is rated in two categories:

#### ***Established***

Refers to the authorizer’s practices as set out “on paper” whether by policy, protocol, or other means. It also addresses the way that the authorizer communicates information about its practices to relevant stakeholders within the authorizing agency and to schools. This category rates the authorizer based on what it plans to do.

#### ***Applied***

Refers to the authorizer’s practices as applied. This category rates the authorizer based on what it actually does, in practice.

Within each part of the evaluation, the rating categories are defined more specifically with respect to the authorizer’s responsibilities in that area.

### Rating System

For each category (established or applied), the authorizer receives a rating as follows:

#### Well-Developed

Commendable in that it meets or exceeds NACSA’s *Principles & Standards*.

#### Approaching Well-Developed

Fundamentally sound in that it contains most aspects of a well-developed practice but requires one or more material modifications to meet NACSA’s *Principles & Standards*.

#### Partially Developed

Incomplete in that it contains some aspects of a well-developed practice but is missing key components, is limited in its execution, or otherwise falls short of satisfying NACSA’s *Principles & Standards*.

#### Minimally Developed

Inadequate in that the authorizer has minimally undertaken the practice or is carrying it out in a way that falls far short of satisfying NACSA’s *Principles & Standards*.

#### Undeveloped

Wholly inadequate in that the authorizer has not undertaken the practice at all or is carrying it out in a way that is not recognizably connected to NACSA’s *Principles & Standards*.

## **About the Authorizer**

The Idaho Public Charter School Commission (PCSC) is an independent statewide commission whose mission is to ensure compliance with Idaho statute, protecting student and public interests by balancing high standards of accountability with respect for the autonomy of public charter schools and implementing best authorizing practices to ensure the excellence of public charter school options available to Idaho families. The PCSC is one of fourteen authorizers in the state and is the largest authorizer within Idaho. Other authorizers include a variety of districts with portfolio sizes ranging from one school to three schools. In the recent statutory amendment that was adopted in June 2013, the legislature granted universities the right to apply to become authorizers. Idaho currently has 50 charter schools, of which 35 are authorized by the PCSC. The PCSC's portfolio currently serves 11,700 students, which equates to 4 percent of the state's public school student population.

The PCSC was established in 2004 and is composed of seven members who are appointed by the governor, speaker, or pro tempore. The commission has no budget or direct staff but is supported through the Idaho State Board of Education office. The board of education (BOE) is responsible for oversight of all public education in Idaho but has no direct authority over the PCSC. The board does hear appeals of the commission's decisions.

When the PCSC was created in 2004, the BOE's executive director was designated to serve as secretary of the PCSC. Mike Rush is the current executive director of the BOE. In 2011, a PCSC director position was created to serve as the executive director's designee and act as secretary to the commission, as well as act on behalf of the PCSC to enforce the charter school statute. A program manager and a part-time administrative position (currently vacant) report to this director. Tamara Baysinger is the current director of the PCSC. The commission has approved three schools for fall 2014 and recently, in June, recommended one school for dissolution.

## Executive Summary

### Ratings Summary

	Established	Applied
1 Application Decision Making	Partially Developed	Minimally Developed
2 Performance Management Systems	Partially Developed	Partially Developed
3 Performance-Based Accountability	Approaching Well-Developed	Partially Developed
4 Autonomy	Approaching Well-Developed	Partially Developed
5 Organizational Capacity	Partially Developed	Partially Developed

### Key Facts and Findings and Recommended Actions

The PCSC has made significant strides in aligning itself to national best practices and improving the authorizing environment in Idaho. The June 2013 statutory amendment has enabled the PCSC to create a performance-based accountability system with a comprehensive performance framework and a detailed performance certificate. The newly created performance certificate has the potential to become the centerpiece of a strong, performance-driven authorizing program. The PCSC has begun the process of clearly delineating school and authorizer roles and responsibilities. The success of the performance management system will depend heavily on the PCSC’s ability to implement the certificate and framework with fidelity, as well as providing clear and ongoing communication to schools regarding expectations.

The PCSC has established academic framework standards that align with the state’s ESEA waiver and star rating system. Forty percent of the academic measures cover a school’s performance on a set of mission-specific measures. This represents a strong commitment to an individual school’s uniqueness, but also a great challenge for implementation. In addition, this is a heavy reliance on measures that are going to be difficult to track and validate, are challenging to use as comparative measures, and will likely be extremely time-consuming for an already limited staff to measure.

In addition, the amended law requires an authorizer to implement a renewal process as part of the charter life cycle. Thus, the PCSC should now focus on developing policies and practices for renewal that comprehensively evaluate charter schools and consistently and transparently maintain a high standard for school performance under its authority.

- **RECOMMENDATION:** Create and implement a comprehensive system for ongoing oversight, evaluation, and intervention that allows for accountability over the course of each charter’s term.
- **RECOMMENDATION:** Adjust the performance framework so that mission-specific goals play a less-prominent role.
- **RECOMMENDATION:** Staff should work to develop a well-structured renewal process aligned to the terms of their performance framework. As described in the NACSA *Principles & Standards*, components include:



- Clear, measurable, and attainable academic, financial, and organizational performance standards and targets that the school must meet as a condition of renewal. These should be aligned with the criteria in the performance certificate.
- A cumulative performance report that summarizes the school's performance record over the charter term and states the authorizer's summative findings.
- Requirement that any school seeking renewal apply for it through a renewal application, which provides the school a meaningful opportunity and reasonable time to respond to the cumulative report; to correct the record, if needed; and to present additional evidence regarding its performance.

The PCSC has the largest portfolio of schools authorized in Idaho. They continue to receive new applicants and great interest from those who seek to operate a charter school in the state. The PCSC has implemented a petition evaluation rubric (PER) to assess applicants' quality and capacity but has not yet developed a request for proposals (RFP) that is unique to them as an authorizer. This inherent disconnect creates challenges in terms of strategic authorizing, setting expectations for petitioners, requesting information in addition to statutory requirements, and conducting independent reviews. The current process outlined in statute requires an initial review by the state department of education and tends to be more compliance driven than quality driven. Due to the limited staff capacity as well as the nature of the commission's composition, applicants are led through the process with much handholding, leaving evaluators with lingering questions as to the capacity of the applicants being approved and taking an inordinate amount of time away from necessary authorizing functions—particularly troublesome given the office's limited staff.

- **RECOMMENDATION:** Address obstacles to running a quality petitioning process. This may involve legislative changes or collaboration with other authorizers and should result in the PCSC independently setting clear standards for quality that will increase new schools' chances for success and allow the PCSC to obtain the content needed for a quality application in a streamlined format.
  - Work to establish a clear and transparent petitioning process which includes: a detailed RFP, use of internal/external expert review teams, and an aligned rubric that indicates the expectation that the standard in each category be met.
  - Once clear standards for petition quality and content have been set through an aligned RFP process and PER, discontinue the practice of staff providing substantive technical assistance to petitioners.

The authorizer, despite limited resources, deploys resources effectively and efficiently toward achieving its mission and high-quality authorizing practices; however, many critical functions of authorizing are currently under-resourced. In order to maintain the momentum upon which the essential foundations of the authorizer are being built, the vacant administrative position needs to be filled and additional full-time employees need to be added. The authorizing staff does an excellent job of managing the multiple functions of authorizing and taking the office in an accountability-focused direction, but there are key practices and policies that are lacking in order to ensure a quality portfolio, and their creation and implementation will require resources beyond those currently available.

- **RECOMMENDATION:** Fill open positions and allocate additional staff resources to accountability and ongoing oversight and monitoring.

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## Application Decision Making

*Does the authorizer approve applications based on applicants' demonstrated preparation and capacity to open and operate a quality charter school?*

### Established:

 Partially Developed

### Applied:

 Minimally Developed

### Summary Assessment

In terms of established policy, PCSC authorizing staff have developed a detailed rubric for use in assessing applications (referred to as petitions) and, in some instances, communicating expectations to founding groups. Recent improvements to practice have also occurred in the form of a commission-adopted policy stating that no petitions will be approved unless they achieve a score of "2 – meets standards" on all petition evaluation rubric (PER) components. However, critical components of an established process, such as the employment of highly qualified petition review teams made up of internal and external evaluators and use of a formal request for proposals (RFP), are missing. In addition, parts of the PER could be better defined in order to set quality standards and establish clear expectations in all categories. While authorizing staff are generally aware of these shortcomings and cite a lack of financial resources and complications caused by the Idaho charter law (e.g., the PCSC must accept applications referred by traditional school districts), these obstacles prevent the PCSC from functioning at the level required by the NACSA *Principles & Standards* and must be addressed either through changes in policy at the state level or cooperation between all authorizers to establish acceptably high standards for petition review and approval.

As applied, the PCSC's record of application decision making appears weak at best, with a great majority of petitions approved—often despite significant shortcomings. While, as noted above, the PCSC recently adopted a policy to approve only petitions which meet standards on all rubric components, it bears noting that a similar policy had been in place in the past and was largely disregarded. Sample documents from this time period indicate that the commission at times went against its own policy, as well as staff recommendations and approved applications that did not meet standards on all PER components. This in turn caused staff to waive certain critical PER requirements, as the petition had been approved and they were no longer useful for decision making. In addition, PCSC staff spend a considerable amount of time reviewing petition documents and providing feedback and technical support to founding teams, absorbing time and resources that could be spent on other key authorizing functions. While a recently adopted policy to limit the number of opportunities for staff review and feedback is a move in the right direction, this type of in-depth assistance is a drain on staff time, limits the benefits of the petitioning process as a test of founding team capacity, and causes confusion and frustration for applicants who are

frequently uncertain about where the true standard lies. Furthermore, both PCSC staff and commission members recognize that this process has at times resulted in petitions that have been revised with the help of PCSC staff so as to appear fit for approval, despite the fact that the founding team remains ill-equipped to open and operate school. An important step in clarifying the petitioning process and reducing frustration for both PCSC authorizing staff and founding teams will be to develop and implement a request for proposals (RFP) that contains specific directions and quality standards.

### **Recommended Actions**

- Address external obstacles to running a quality petitioning process. This may involve legislative changes or collaboration with other authorizers to allow the PCSC independently to set clear standards for quality that will increase new schools' chances for success.
- Work to establish a clear and transparent petitioning process which includes: a detailed RFP to uniformly communicate standards to petitioners, use of internal/external expert review teams, and an aligned rubric that indicates the expectation that the standard in each category be met. See recent best practice examples such as the Indiana Charter School Board Application for New School Operators and/or Washington State Charter School Commission Request for Proposals.
- Follow adopted policies with regard to approving only those petitions that meet established standards for quality.

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### 1.1 Application Materials and Process

The authorizer provides clear guidance and requirements regarding application materials and submission requirements and runs a clear and well-structured application process with realistic timelines.

Established:

● Partially Developed

Applied:

● Partially Developed

### Analysis

ESTABLISHED: The PCSC has not adopted a formal RFP process. Staff note that the establishment of such a process has been hampered by the fact that most new charter applications, called petitions, are first sent to public school districts, and that the PCSC must review all petitions and thus does not intend to use an RFP to recruit specific types of schools. While an authorizer may use an RFP to state its strategic priorities—even while continuing to accept all petitions—perhaps the most important function of an RFP is, as set forth in NACSA’s *Principles & Standards*, to articulate “comprehensive application questions...and provide clear guidance and requirements regarding application content and format.” The authorizing environment is also somewhat unique in that the Idaho State Department of Education (SDE) must conduct a “sufficiency review” prior to the application being sent to any authorizer for potential approval. Applicants must look for information from both the PCSC and SDE in order to have the most complete picture of requirements, which causes not only confusion for petitioners, but inconsistencies throughout the review process.

At the present time the detailed PER serves as the PCSC’s primary point of written communication regarding requirements. Some components of the rubric are well developed and include phrasing that allows for judgment of quality (e.g., uses terms such as *clear*, *comprehensive*, *appropriate*, etc.); however, without defined RFP criteria, petitioners must rely on individual communications with staff to determine the level of depth and detail desired in each area.

APPLIED: Overall, the petitioning process as applied requires further written definition of quality standards and a removal of staff obligations to provide substantive assistance to founding teams. Petitions are accepted on a rolling basis but are subject to timelines set forth in law regarding speed of review as well as a reasonable minimum length of time from approval to opening. Due to a recent policy change staff will provide no more than two reviews per petition, a far more limited basis than used previously and a step in the right direction. However, as noted above, this practice of providing substantive feedback, combined with lack of definition around standards, constitutes a double blow to the petitioning process: falsely improving weak petitions while robbing the strongest of the ability to demonstrate their capacity to meet rigorous criteria.

#### RECOMMENDATIONS

- Review and revise rubric language around quality expectations.
- Develop a clear RFP process and quality expectations.
- If sufficiency review requirements remain in place, work with the SDE to ensure that communication is clear. This may include creating a graphic depiction, posting links to SDE information on the PCSC webpage, etc.

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## 1.2 Educational Program

The authorizer has thorough requirements and rigorous evaluation criteria for the proposed educational program, including the vision and mission statements, educational philosophy, curriculum and instruction, teaching skills and experience, calendar and daily schedule, target population, enrollment, and plans for educating students with special needs.

Established:

 Approaching Well-Developed

Applied:

 Minimally Developed

## Analysis

**ESTABLISHED:** As noted above, the PCSC requirements and evaluation criteria are formally communicated through the use of a detailed PER. As an RFP has not yet been created, the language of the charter school law and provisions of the evaluation rubric stand as the sole identifiers of quality standards. The rubric addresses: Educational Philosophy, Educational Program Goals, Educational Thoroughness Standards, Special Education Services, and Dual Enrollment, which collectively address all NACSA educational program requirements (listed at left). Most, but not all, educational program rubric sections include opportunities to evaluate quality through language such as, "goals reflect high standards," "includes specific strategies, appropriate plans," etc. However, in some areas rubric criteria around quality are required only to exceed the standard, while a school can be considered to be meeting the standard based simply on covering all required items.

**APPLIED:** Although individual educational program requirements are generally established in the PER, sample documents provided by PCSC authorizing staff indicate that proposed schools are not always held to the standards set forth in established materials. In the sample evaluation rubric for the Idaho College and Career Readiness Academy (IDCCRA) application, a number of items pertaining to the educational program were not met; however, rather than the application being denied in accordance with PCSC policy, the items were simply disregarded by the commission and the application was approved, counter to staff recommendations. This led staff to waive items as the rubric was no longer relevant to the decision making process. For example, despite the fact that the IDCCRA was unable to document sufficient interest in and demand for the school as required by the evaluation rubric, this section was left unscored with a note reading, "Though the 20 families gathered does not represent strong market interest, PCSC staff have designated this item as nonessential/not related to the approval conditions established by the PCSC." This uneven treatment of requirements sends mixed signals to schools and negates the useful nature of the evaluation rubric itself. Reluctance to set and hold schools to clear market interest and enrollment requirements appears to be having a material impact on the number of PCSC schools able to experience a healthy opening. At the recently observed June meeting of the PCSC, the commission members requested quarterly enrollment reports from several start-up and operational schools that are struggling with enrollment figures far below budgeted projections.

### RECOMMENDATIONS


- Establish and articulate minimum quality standards for all rubric criteria.
- Uniformly follow established policies and procedures to provide clarity for applying schools, uphold quality standards, and protect the PCSC from approving schools to open that are unlikely to succeed.

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### 1.3 Organizational Plan

The authorizer has thorough requirements and rigorous evaluation criteria for the proposed organizational plan including the effective governance and management structures and systems (including staffing); founding team members demonstrating diverse and necessary capabilities; and understanding of legal requirements related to opening and operating a charter school.

Established:

 Partially Developed

Applied:

 Minimally Developed

### Analysis

ESTABLISHED: The PCSC PER contains criteria pertaining to a number of organizational elements, including governance and management, staffing, and certain legal requirements such as articulating appropriate admissions policies. However, with regard to organizational plan elements, the rubric primarily focuses on the presence of required items, with little opportunity for PCSC staff or commission members to approve or deny petitions based on actual quality as long as items are included. An example can be found in the "meets standard" language around management that states, "Comprehensive management plan identifies roles and responsibilities of the board of directors, administration, business management, contractors, and support staff." As long as a plan is provided and includes the listed items, the school will be meeting the standard, even if the plan is nonsensical, poorly developed, or highly unlikely to result in a functional organization. While authorizers must exercise caution to avoid restricting application approvals to only those using familiar ideas and organizational concepts, an allowance for some degree of assessment around likely success is necessary in order to protect student and taxpayer interests.

The PER does not establish requirements around founding team memberships and capabilities but *does* require that board members reflect diverse experience and skills sets.

APPLIED: The sections of the PER related to the organizational plan had strengths and weaknesses that aligned to those of the educational program. In general, allowance for the evaluation process to add value by determining the likelihood of school success were inconsistent, as some rubric categories included opportunities to assess quality and others did not. Similarly, while the PCSC staff generally used the rubric as designed, in a number of instances, categories where the applicants did not meet the standard were designated "nonessential/not related to the approval conditions established by the PCSC." This treatment included a number of sections in the operational area, such as the plan for smooth transition from founding to governing board, as well as the plan for training students and parents in the use of hardware and software. The discounting of the latter item was of particular concern given that the school in question was a virtual school which would appear to make training on hardware/software especially germane. This issue speaks to the need for an increase in decision alignment and shared standards between PCSC commission members and staff as detailed in section 1.7, as these areas were waived by staff only *after* the commission had approved the petition.

### RECOMMENDATIONS

- Establish and articulate minimum quality standards for all rubric criteria.
- Uniformly follow established policies and procedures to provide clarity for applying schools, uphold quality standards, and protect the PCSC from opening schools that are unlikely to succeed.

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#### 1.4 Business/Financial Plan

The authorizer has thorough requirements and rigorous evaluation criteria for the proposed business plan including financial viability of the plan demonstrated through budget projections that are aligned with the proposed educational program.

Established:

 Approaching Well-Developed

Applied:

 Minimally Developed

#### Analysis

**ESTABLISHED:** The PCSC's business/financial plan requirements are consistent with the overall quality of the PER. Criteria as established are strong, with requirements for a "comprehensive marketing plan, including goals, tasks, timelines, expenses, and responsible individuals," annual external audit assurances, budget and assumptions for the first three years of operations, financial oversight policies, documentation of intended contract services and business partnerships, and more. In contrast to the educational and organizational sections described above, nearly all items related to the financial plan include quality criteria (e.g., realistic fund raising, demonstrated understanding of proper fiscal oversight, etc.). Despite not being contained in an RFP, the criteria and evaluation requirements overall are thorough and rigorous, although the budget and financial information requested could be more detailed. It is worth noting that although the business/financial plan is examined during the application process, this does not appear to correlate with strong outcomes as new schools are not held to their projected enrollment levels or financial plans.

**APPLIED:** While the business and financial sections of the evaluation rubric include strong requirements, application of these established parameters is compromised by issues similar to those cited in the educational and operational sections above. Sections are at times determined to be "nonessential/not related to the approval conditions established by the PCSC" without a clear justification. However, the item that most clearly poses a challenge to the true viability of new schools is the lack of appropriate linkage between a school's budgeted enrollment projections and what the founding team provides in terms of demonstrated interest from the school's target market. Without strong public interest, even the most professionally presented school budget may prove wildly inaccurate.

A review of decisions and observation during the June PCSC meeting indicated that requests for additional financial information are frequent and that the commission has directed staff to issue letters of concern regarding fiscal status for a number of schools, some within their initial years of operation. While a careful review of a school's financial and business plans cannot root out all potential causes of difficulty, it appears that linking the robust analysis of foundational financial policies and documents to a more thorough examination of the school's target market and demonstrated community support may help prevent weak schools from being approved only to falter upon opening. As the PCSC works to align its practices to the requirements of the newly adopted performance certificate and performance framework, also ensuring alignment between the application process and future school requirements will be critical.

#### RECOMMENDATIONS

- Uniformly follow established policies and procedures to provide clarity for applying schools, uphold quality standards, and protect the PCSC against accusations of favoritism.
- Strengthen the link between the assessment of financial and business plan documents and the data that will ultimately back them up (e.g., enrollment figures).

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### 1.5 Capacity

The authorizer has thorough requirements and rigorous criteria for evaluating the applicants' capacity to implement the school plan effectively, including but not limited to a substantive in-person capacity interview with all qualified applicants.

Established:

 Approaching Well-Developed

Applied:

 Minimally Developed

### Analysis

ESTABLISHED: The PCSC has formally adopted a helpful policy regarding the acceptance and review of new charter school petitions. The policy provides reasonable timelines for review (in compliance with I.C. § 33-5205) and notes that the PCSC will hold an initial hearing on a petition within 75 days of its receipt. Petitions are reviewed by PCSC staff using the PER which is currently the sole source of documentation regarding the PCSC's criteria/expectations for application quality. Authorizing staff review of petitions is conducted in advance of the commission's consideration. PCSC authorizing staff have also created a founder/board member interview template that includes questions on critical topics such as understanding of appropriate roles and responsibilities, background/expertise, financial literacy, and level of involvement with the proposal both in the past and planned. Every petitioner group receives an interview and a summary of results is provided to the PCSC members along with other relevant materials.

The PCSC's application review rubric is detailed and covers nearly all NACSA-indicated application sections. The only weakness in the tool itself is a failure to consistently articulate rigorous quality standards rather than simply checking to ensure items were covered in some form. Adopted PCSC policy dictates that only applications achieving a score of "2 – meets standards" or above in all areas will be approved.

APPLIED: As noted above, the PER is uniformly used to evaluate new school applications; however, at times critical flaws in petitions have been overlooked and petitions approved, even against staff recommendations. This practice greatly diminishes the value of the adopted policy and process and has at times led to the approval of proposals that were unlikely to succeed. Interviews with commission members and staff also indicated a degree of reluctance to establish and hold to rigorous quality standards in some areas (i.e., establishing minimum enrollment levels in line with schools' projected budgets) in an effort to avoid denying an applicant that *might* succeed. While it is critical for authorizers to allow for some degree of uncertainty, it is equally critical to protect the interest of students and taxpayers who will pay (in terms of learning or money) for schools that struggle. The role of the authorizer is to allow only those schools with a high likelihood of success to open—the burden of proving that likelihood must rest exclusively with founding teams.

Additional difficulties with applying rigorous quality standards include the fact that PCSC staff have historically been called upon to provide extensive technical assistance, frequently reviewing four or more iterations of a proposal, each time helping founders to improve the content of their application. While this was done knowing that the application would ultimately gain approval and become the charter, current changes to Idaho's charter law have opened the door to significant improvements in this area. In the future, it will be critical that applications are allowed to succeed or fail based on clearly established criteria and that staff spend as little time as possible 'coaching' founders. Commission decisions should reflect a measured examination of whether a petition is likely to result in a successful school.



RECOMMENDATIONS


- Minimize the time staff spend coaching founding teams.
- Ensure decision alignment with PCSC policy and quality standards.
- Engage external reviewers in the petition review process.

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### 1.6 Priorities and Application Adaptations

The authorizer adapts the “basic” application as necessary based on identified needs including specialized applicant types that are commonly received and/or desired program types.

Established:  
 Undeveloped

Applied:  
 Undeveloped

### Analysis

**ESTABLISHED:** The PCSC currently has no formal application/RFP and relies on the provisions established by statute, the SDE, and, to a lesser extent, traditional public school districts. The PCSC’s PER currently provides the only documentation of the commission’s specific expectations.

**APPLIED:** Given that no formal application exists, opportunities for adaptation and recognition of specialized applicant types do not exist. It is worth noting that the PER does make some adjustments/accommodations for applicants intending to contract with an education service provider (CMO/EMO) as well as applicants intending to start a virtual school.

### RECOMMENDATION

- Adopt an official application/RFP which can be adapted as needed based on specialized applicant types, programs, and PCSC priorities. Given the current provisions of Idaho’s charter law, this may need to be done in concert with legislative changes and/or collaboration with other authorizers.

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### 1.7 Decision Alignment

The authorizer makes application decisions that are informed by and align with documented evidence and analysis of the extent to which the plan satisfies approval criteria and the extent to which applicants demonstrate strong preparation and capacity to establish and operate a quality charter school.

Established:

 Approaching Well-Developed

Applied:

 Partially Developed

### Analysis

**ESTABLISHED:** As noted in the sections above, the PCSC has recently established a policy regarding the rubric score required for application approval (must meet standards in all areas) and the information to be provided to commissioners, including the petition itself, and completed PER. While the PCSC appropriately reserves the right to adjust PER scores if needed, the adoption of a policy stating that the commission will only approve applications which meet certain specifications is a strong step toward quality decision making.

**APPLIED:** PCSC staff go above and beyond to ensure commission members are informed regarding petition decisions. In addition to providing commissioners with the petition document and PER, staff also provide a carefully and clearly crafted recommendation document which includes a discussion of the application's strengths/weaknesses, impact of various decisions, staff comments, and proposed phrasing of motions for all potential decision options.

In practice, commission members appear to struggle with balancing the restrictions of the charter law with the need to establish the types of priorities and standards likely to produce successful schools. At present, it appears that PCSC authorizing staff lean toward aligning work to national standards of quality and best practice, while commission members favor an approach more focused on the current statewide context which tends to be softer and allow more variability in the quality of proposals. While many decision making bodies struggle with this juxtaposition, research and experience indicate that students are best served when only petitions with a high probability for success are approved and strong ready-to-open criteria are in place.

Interviews with the commission and staff indicate that substantial common ground does exist in terms of understanding the role of the authorizer as providing oversight rather than technical support or assistance, as well as the fact that communicating and utilizing clear review criteria will assist all parties by minimizing frustration and eliminating surprises for petitioners. It will be critical for staff and commission members jointly to identify a quality framework and philosophy to which they subscribe and establish decision-making points around items such as financial requirements and acceptable enrollment levels which appear to plague portfolio schools.

The commission's track record of decision making is uneven at best, with most schools (75 percent in the last three years) receiving approval—even if numerous hearings were required due to poor application quality. In several cases, petitions were denied following multiple hearings, only to be reconsidered and approved at a subsequent meeting. In many of these cases, approval decisions were made counter to staff recommendations and adopted policy, causing frustration for staff and mixed messages for schools.

#### RECOMMENDATIONS

- Explore areas where authorizers may use their judgment to develop policies and practices that best serve the community and are in keeping with legislative intent.
- Uphold established policies around application decision making.
- Examine the track record of approved schools versus their application and use the data to inform development of quality enrollment, founder capacity, etc.

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## 1.8 Transparency

The authorizer has transparent processes for both application evaluation and application decision making.

Established:

 Approaching Well-Developed

Applied:

 Approaching Well-Developed

## Analysis

**ESTABLISHED:** The processes in place for petition evaluation and decision making are publicly available and highly transparent. The PERs filled out by staff are made available to schools, commission members, and the general public through packets posted on the PCSC website. The established policy around application review and approval is also available on the PCSC website, along with the PER, and are thus accessible to all interested parties.

The primary challenge to transparency comes through the complications presented by the current iteration of the Idaho charter law, which requires a sufficiency review conducted by the SDE and makes it difficult for the PCSC to establish its own RFP process. Currently no clear, written documentation of the linkage between the SDE, school district, and PCSC processes is available to schools.

The extensive coaching/feedback discussions had between PCSC staff and founding teams may also be considered to reduce transparency, as outside parties would not always be able to access their content and ascertain their influence on the application and subsequent approval/denial.

**APPLIED:** The PCSC staff does an exceptional job of presenting application/evaluation materials in an accessible way via its website. Information from past PCSC meetings is archived online and remains available to the public for years after a decision is made.

The challenges to transparency described above mean that stakeholders must navigate a winding path in order to determine where the bar for application quality will be set. In the words of one leader, attempting to understand the application process was "horrible, not because of the people involved, but because there were some big holes in the process...[we] had to keep rewriting and coming back...there was lots of guesswork involved."

### RECOMMENDATIONS

- Remove barriers to establishing a clear PCSC RFP and/or work with district authorizers to promote a collaborative common application approach with shared standards for approval.
- Develop a graphic depicting the steps of the process and providing more direct links to useful portions of the SDE website and encourage the SDE to do the same for the PCSC.
- Continue the strong practices already in place with regard to providing information to the public.
- Minimize the time staff spend coaching founding teams.

## Performance Management Systems

*Does the authorizer have effective systems for establishing and monitoring school performance expectations and for holding schools accountable as necessary to protect student and public interests?*

### Established:

 Partially Developed

### Applied:

 Partially Developed

### Summary Assessment

The PCSC is in the midst of a major transition involving the implementation of statutory changes which will dramatically alter the amount, type, and schedule of information that will need to flow to PCSC authorizing staff. As the past year has been largely devoted to the herculean task of negotiating performance certificates (contracts) with all 35 portfolio schools, current monitoring and reporting systems remain largely the same as those from years past and will require significant changes in order to align with the requirements articulated in each school's performance certificate.

The PCSC's extremely low staff-to-school ratio impacts the office's ability to monitor schools effectively at every point in their life cycle. Current ready-to-open practices lack depth and clear standards around what constitutes acceptable preparation, and capacity constraints make it impossible for PCSC authorizing staff to conduct ready-to-open visits for all new schools. Similarly, while established closure protocols are well developed, the application of these protocols would be extremely difficult given their time-consuming nature. As noted above, systems for ongoing monitoring are ambitious but have not yet been developed and implemented. PCSC authorizing staff are clearly committed to holding schools to high standards and have plans to put in place a high-quality performance management system; however, evaluators are concerned about whether the ability to first create and then implement such a system will be realistically possible without addressing capacity issues.

### Recommended Actions

- Ensure that policies and procedures around document submission are clearly communicated and align with the needs of the newly adopted performance certificate and performance framework.
- Create and implement policies to address the needs of schools performing at the highest and lowest ends of the spectrum, including intervention and revocation policies to assist in communicating clearly with struggling schools, as well as policies around differentiated oversight to lift reporting burdens where possible for high-performing schools.

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## 2.1 Contracting

The authorizer executes a charter contract for each school that clearly articulates the rights and responsibilities of each party.

Established:

● Well-Developed

Applied:

⊕ Approaching Well-Developed

## Analysis

ESTABLISHED: The PCSC is in a unique situation given that changes to the Idaho charter school law in 2013 substantially altered the authorizer role and allowed the use of a formal contracting process for the first time. Over the past two years, the PCSC has implemented a contract, referred to as a performance certificate, for each school. As of the June 2014 commission meeting, all of the schools within the PCSC portfolio had signed contracts.

The performance certificate articulates the rights and responsibilities of both the authorizer and charter school and establishes parameters such as the contract term, preopening requirements, board composition, operational and financial requirements, governing board role and responsibilities, authorizer role and responsibilities, and more. The contract includes a section on the Educational Program which defines the essential design elements of the charter (which would require an amendment if changed), grades to be served, mission, and other key components. The contract also outlines provisions around termination, nonrenewal, and revocation, including a description of the required dissolution process. Specific academic, organizational, and financial expectations are set forth in the school performance framework, which is included as an appendix to the contract.

APPLIED: Discussions with PCSC staff, executive director of the Office of the State Board of Education, Mike Rush, as well as school leaders indicate that PCSC staff did an exceptional job of moving all 35 authorized schools through the process of understanding the contract and developing performance goals, taking the time to meet with each school on multiple occasions. School leaders stated that the process was "very helpful" and that being held accountable to the finished document is "what they [the charter] should be about," indicating a strong amount of buy-in. Despite opportunities to provide feedback, a few stakeholders indicated that they had remaining concerns about the financial framework and whether it would fit their school. Ongoing communication will be necessary, particularly during the initial implementation phase, to ensure that all authorized schools understand the rationale behind framework measures.

### RECOMMENDATION

- Moving forward, consider ways to streamline the contracting process and minimize the need for multiple meetings/calls with each school.

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## 2.2 School Opening

The authorizer ensures that approved schools are prepared adequately for opening.

Established:

● Partially Developed

Applied:

● Partially Developed

## Analysis

ESTABLISHED: Preopening requirements include some components of best practice but stop short of ensuring that new schools are prepared to open successfully. New charter schools authorized by the PCSC must follow the established preopening requirements for newly approved public charter schools, including attendance at SDE trainings, provision of enrollment, facilities, and calendar updates, a final one-year budget and cash flow document, policy manual, and special education assurances among other things.

The PCSC also requires that schools include a preopening timeline as part of their petitioning process and update the timeline by May 31st of their opening year. However, the level of detail required of the founders in meeting the timeline expectations is minimal and intended to be filled in entirely by the founding team, and aside from the May 31st update, the PCSC does not conduct monitoring check-ins. Developing schools are expected to provide a preopening update, including many of the documents noted above, as well as a completed charter school dashboard and prepared presentation for the PCSC during a commission meeting.

Due to lack of staff capacity, no provision is made for visiting new school sites prior to opening or for preventing a new school from opening if enrollment is insufficient or there appears to be a lack of preparation. The performance certificate does make clear that the authorizer may prevent an unprepared school from opening by acting on or before July 20th. Given concerns about the quality of some approved applications noted in section 1, exercising additional oversight in this area is critical to ensuring that only schools with a high probability of success are able to open.

APPLIED: The PCSC's staff members faithfully implement the school opening procedures adopted by the commission. Discussions with PCSC staff indicate that they are aware of the minimal nature of timeline requirements, but at the current juncture they are relying, in part, on the start-up timeline provided by the SDE to provide a level of quality control. Staff appeared open to the idea of ready-to-open visits but recognized that at the present level of staffing such visits are simply not feasible. Staff also noted that they have discussed the idea of establishing cut-points for key issues such as enrollment but currently determine ability to open on a case-by-case basis. Given the number of PCSC schools currently struggling with enrollment issues, it is clear that a firm, evidence-based enrollment policy is necessary.

### RECOMMENDATIONS

- Develop quality standards and deadlines around key start-up activities, such as achieving adequate enrollment levels, securing facilities, and other items that have a high correlation to a school's ability to open successfully.
- Align PCSC start-up timeline requirements with those of the SDE and national best practices.
- Consider ways in which information about new schools' start-up processes can flow more frequently without creating a burden for schools or PCSC staff.

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### 2.3 Ongoing Monitoring

The authorizer has an effective process for monitoring education, financial, and organizational performance of the schools it authorizes.

Established:

 Partially Developed

Applied:

 Partially Developed

### Analysis

ESTABLISHED: Given the PCSC's current two-member staff, the monitoring strategy the office plans to deploy is ambitious; however, also worth noting, opportunities for close, proactive monitoring within the office's current structure are extremely limited.

As noted above, changes to Idaho's charter school law in 2013 have dramatically altered the way in which authorizers do their work. As a part of moving to meet the requirements of the updated law, the PCSC adopted formal, performance-based contracts with each of its schools, and as a result, some established policies and procedures are in flux.

As stated in the Authorizer Monitoring Process and Required School Reporting document, due to "operating under new statutory requirements, actual policies and procedures have not yet been developed." However, the PCSC plans to:

- Conduct annual site visits to each school,
- Review annual reports from each school (including academic, financial, and organizational information),
- Assess each school against its performance certificate,
- Examine each school's annual audit, SDE reports, and board membership changes, and
- Review additional information from schools as needed.

In addition, staff intend to continue having schools give an annual update presentation to the PCSC and will be developing further ongoing monitoring processes to align with yet-to-be-developed renewal policy and procedures. It is unclear whether the submission of additional financial documents will be required.

APPLIED: The PCSC finalized its last round of performance certificates in June 2014 and thus is only beginning to implement planned monitoring activities. Staff note that they often feel as if they are "operating in triage mode" and have limited opportunities to conduct the type of ongoing monitoring necessary to proactively catch and address issues. Staff also expressed some concern over whether the planned monitoring cycle would prove realistic given their extremely low staff-to-school ratio (currently 2:35). Further, much work remains to be done as most components of the ongoing monitoring system have yet to be updated to align with performance certificate requirements. This issue is examined in greater detail throughout section 3: Performance-Based Accountability.

#### RECOMMENDATIONS

- Create a differentiated oversight and monitoring plan aligned to performance-based accountability measures. Such a plan would allow for closer monitoring of struggling schools (perhaps including additional touch-points or report submissions), while allowing high performers an additional degree of earned autonomy (which would be removed if performance levels are not maintained).
- Develop monitoring policies and procedures, including a submission calendar that will optimize staff ability to conduct oversight in a timely, proactive fashion.
- Work with SDE and schools to streamline data formatting and collection in order to reduce staff time requirements.



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## 2.4 School Intervention/Revocation

The authorizer has effective policies and practices for school intervention and revocation and conducts merit-based interventions, including revocation where appropriate, in response to clearly identified deficiencies in the school's record of educational, organizational, and/or financial performance.

Established:  
 Undeveloped

Applied:  
 Partially Developed

## Analysis

**ESTABLISHED:** At the present time, no formal intervention policy or revocation guidelines exist. In the past, Idaho charter law required authorizers, including the PCSC, to issue notices of deficiency for any deviation from the charter as established in the accepted petition. However, after recent changes to the law the PCSC is no longer required to follow this policy.

The PCSC's contracts and accompanying attachments specify that schools will be held accountable for outcomes and may be closed for underperformance but do not include specific information on how schools can expect to be notified of subpar performance.

**APPLIED:** While the PCSC has not adopted a formal intervention policy and no longer uses the Notice of Defect process formerly required by law, it has begun issuing letters of concern to schools with serious deficiencies. However, given that these notices are not connected with guidelines for when they will be issued or what must be done in order for such a letter to be lifted, room for confusion remains. Over time, schools may question why one organization received a letter for a violation (which may have justifiably been viewed as more serious by the PCSC) and another did not. Articulating, to the extent possible, the process by which the PCSC intends to exercise judgment in such matters may help build schools' trust and dispel any rumors of unequal treatment.

Similarly, with regard to revocation, the PCSC has only begun using its newly adopted performance framework and has not had the opportunity to communicate fully how/when deficiencies may lead to revocation. At its June 2014 board meeting, the PCSC voted to issue a notice of intent to revoke based on a school's failure to achieve accreditation as required by the performance certificate. This was a critical step but did not leverage the performance framework criteria to the fullest extent, as noted in section 3.4 below. The PCSC staff wasted no time in posting a frequently asked questions document providing information to any interested parties regarding the rationale for the decision and anticipated next steps. While not a formal policy, this practice of providing timely information to stakeholders is to be commended and will assist the remaining PCSC schools in understanding how the performance certificate is being implemented.

## RECOMMENDATIONS

- Create intervention and revocation policies.
- Continue the practice of providing transparent and timely information to all stakeholders when a revocation decision is made.

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## 2.5 Renewal

The authorizer runs a well-structured renewal process including clear requirements, a meaningful opportunity for the school to present information and respond to the authorizer's findings, clear communication, and prompt notification of decisions.

Established:  
⊕ Undeveloped

Applied:  
⊕ Undeveloped

## Analysis

ESTABLISHED: As noted in the PCSC's Authorizer Data Summary, "between July 2004 and July 2013, Idaho's charter school statute did not require or permit renewals. Recently adopted statute now requires renewals. Initial renewal decisions for all existing schools must be made between 2016 and 2019. PCSC schools will be considered for renewal between 2017 and 2019 due to standardized testing changes that will result in lack of data for the 2014–15 school year."

At the present time, PCSC staff have not yet developed the renewal process, in part due to the fact that other substantial changes to the law—such as the requirement to implement performance certificates—demanded more immediate attention.

APPLIED: As noted above, the process does not yet exist and thus has not been applied.

## RECOMMENDATION

- Staff should work to develop a well-structured renewal process aligned to the terms of their performance framework. As described in the NACSA *Principles & Standards* components include:
  - Clear, measurable, and attainable academic, financial, and organizational performance standards and targets that the school must meet as a condition of renewal. These should be aligned with the criteria in the performance certificate.
  - A cumulative performance report that summarizes the school's performance record over the charter term and states the authorizer's summative findings.
  - Requirement that any school seeking renewal apply for it through a renewal application, which provides the school a meaningful opportunity and reasonable time to respond to the cumulative report; to correct the record, if needed; and to present additional evidence regarding its performance.

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## 2.6 Closure

Following nonrenewal, revocation, or voluntary return of the charter, the authorizer has an effective plan for and ensures orderly closure of schools.

Established:

● Well-Developed

Applied:

● Partially Developed

## Analysis

ESTABLISHED: The contracts recently adopted for all PCSC authorized schools include basic information regarding closure in cases of nonrenewal, termination, and revocation. The contract also makes clear that while the board of the charter school has the authority and responsibility to conduct the winding up of school affairs, it is expected that any closing school "shall work with the Authorizer to ensure a smooth and orderly closure and transition for students and parents."

Embedded in the contract as appendix I is the Idaho Public Charter School Commission Closure Protocol finalized in August 2013. The protocol is comprehensive and provides board members with a wealth of information on the necessary steps to take in the event of school closure. A school following the closure protocol would successfully wind down operations while also easing the transition for families and keeping the authorizer abreast of progress.

APPLIED: Given that performance certificates for PCSC schools were only adopted over the course of the past year, and that the closure protocol was finalized less than one year ago, it is unsurprising that these new policies and procedures have not yet been utilized. Staff appear prepared to make appropriate use of the closure protocol, though as noted in other areas, due to limited capacity it is anticipated that the time-intensive work of overseeing a closing school will place a strain on already full schedules.

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## 2.7 Transparency

The authorizer communicates to schools and the public clearly and consistently regarding expectations for and status of school performance including formal reporting on school performance and status at least annually.

Established:

Approaching Well-Developed

Applied:

Approaching Well-Developed

## Analysis

ESTABLISHED: PCSC staff have shown a commitment to transparency in this area through their adopted policies and intended implementation. The performance certificates include a statement indicating that "the school shall be subject to a formal review of its academic, mission-specific, operational, and financial performance at least annually." Discussion with PCSC staff indicates that this requirement will be fulfilled by filling out the performance framework annually and sharing results with both schools and commission members. As the commission is subject to open meeting law, these reports will become public information at the time they are brought before the board.

At this time, not all elements of the framework for conducting these annual performance reviews has been established, thus it is difficult to determine whether the timeline, format, and context supplied will be sufficient to keep the public and schools fully informed. It is worth noting that the PCSC has a track record of posting its board meeting materials, including supporting documents, in a way that is easily accessible, searchable, and sensibly organized for interested members of the public.

The PCSC does not currently provide information on a portfolio level and does not presently have established systems in place for formally communicating with the full portfolio of schools on a regular basis.

APPLIED: School leaders who had participated in the development of their schools' performance frameworks and contracts indicated that there were ample opportunities to review the documents in their draft form and provide feedback. PCSC staff also noted that dialogue with the schools during this time was explicitly designed to be transparent and build buy-in.

As noted above, the PCSC has a strong track record of presenting documents to the public in a clear and transparent manner but could develop further in terms of consolidating information for public consumption. School leaders noted some degree of confusion around the implementation of processes/timelines for collecting and inputting information pertaining to performance frameworks. While this is likely due to the fact that staff are still working to develop this information, ensuring that schools are aware of progress and anticipated completion timelines is critical to supporting an accurate understanding of expectations.

### RECOMMENDATIONS

- Particularly during this time of transition and development of new policies and procedures, work to keep schools informed through regular progress updates.
- Maintain strong practices around the accessibility of key documents via the PCSC website.
- Work toward public reporting that provides a comprehensible overview of portfolio performance as well as school-level performance.

## Performance-Based Accountability

*Does the authorizer have rigorous, appropriate standards by which it holds schools accountable for results? Are decisions made with the intent to maintain high standards and protect the students' and the public's interests?*

### Established:

 Approaching Well-Developed

### Applied:

 Partially Developed

### Summary Assessment

The performance certificate process has been a challenge for all involved stakeholders, including the commission members, authorizing staff, school leaders, and board members. The development included numerous opportunities for stakeholder buy-in and was driven by a need to define roles and responsibilities for both the schools and the authorizer. Interviews with school staff demonstrated that the process led to higher engagement and a deeper understanding of the performance expectations but that questions remain about implementation and expectations. Amidst the questions and concerns in the field, the PCSC set precedent in the recent June commission meeting by making a key decision based on a school's failure to meet the conditions within its own performance contract. The PCSC's recent decision to begin the revocation process for Odyssey Charter School demonstrates a commitment to utilizing the performance certificate process and the commission's own accountability system to guide high-stakes decisions.

With the recently amended state statute and rules, the PCSC is in the process of developing related policy and procedures. The PCSC has recently adopted a performance framework to guide its performance management and accountability decision-making process. As established in law, the PCSC is required to use the goals established in the performance framework and codified in each school's performance certificate to guide renewal and revocation decisions. At this time, although performance certificates have been adopted for all schools, it remains to be tested how high-stakes decisions will be made and whether or not the PCSC will adhere to the established metrics and measures. There are positive signs that the PCSC is starting to apply the performance certificate requirements when making high-stakes decisions. As exemplified by the Odyssey Charter School intent-to-revoke process, the PCSC in June 2014 took the formal steps to proceed with revocation for the school's failure to comply with material terms of the performance certificate. In doing so, the PCSC demonstrated a keen ability to follow an established condition dictated by law and policy and make a challenging decision that not only establishes a precedent, but also demonstrates a commitment to accountability-driven practices.

The performance framework does establish educational, organizational, and fiscal performance standards by which it intends to hold schools accountable. Sixty percent of the total score is accounted for using the same academic metrics that apply to all Idaho public schools. The remaining 40 percent is based on a school's performance on a set of mission-specific measures. This represents both a strong commitment to an individual school's uniqueness but also a great challenge for implementation. The PCSC has established academic framework standards that align with the state's ESEA waiver and star rating system. In addition, this is a heavy reliance on measures that are going to be difficult to track and validate, are challenging to use as comparative measures, and will likely be extremely time-consuming for an already limited staff to measure. Because the implementation is new and has yet to be utilized to make any high-stakes decisions, an evaluation could not be completed as to the alignment of standards and actions.

### **Recommended Actions**

- Create a performance framework report that is appropriate for all schools, transparent for all stakeholders, and a guide for high-stakes decisions.
- Adjust the performance framework so that mission-specific goals play a less-prominent role.

### 3.1 Educational Performance

The authorizer holds schools accountable for academic performance using objective and verifiable measures, established in the charter contract or performance framework, that address, at a minimum, student achievement, student growth, and postsecondary success as the primary measures of school quality.

Established:

 Approaching Well-Developed

Applied:

 Partially Developed

### Analysis

**ESTABLISHED:** The PCSC has established academic framework standards that align with the state's ESEA waiver and star rating system. Sixty percent of the total score is made up of metrics that apply to all Idaho public schools. The remaining 40 percent is based on a school's performance on a set of mission-specific measures. This represents both a strong commitment to an individual school's uniqueness and a great challenge for implementation. The PCSC provides mission-specific goal guidance, and schools are left with a lot of flexibility to develop and adopt these particular measures. The PCSC spends time negotiating with each individual school when developing these metrics, and it is unclear how the mission-specific goals are aligned to the larger framework and accountability system. In addition, this is a heavy reliance on measures that are going to be difficult to track and validate, are challenging to use as comparative measures, and will likely be extremely time-consuming for an already limited staff to measure.

While the PCSC does have quantitative educational standards related to measures of absolute proficiency, growth, college and career readiness, and comparative performance, the framework is limited in terms of its charter-specific accountability system. The performance framework does have comparative academic standards that track charter performance vs. traditional public schools, as NACSA would recommend. The standards, aligned to statewide metrics, do not set a higher bar for charter schools, and high school-specific measures are extremely limited.

**APPLIED:** In practice, it is unclear how the PCSC will use the academic measures and metrics within the framework to make high-stakes decisions and what the implications will be for schools meeting academic measures but failing mission-specific measures. Although there is a clear percentage weighting associated with these categories, the 40% distribution for mission specific measures demonstrates an over reliance on these factors as compared to academic performance data. Commission members see data regarding the schools in their portfolio, but it is not evident how this data is used to drive decision making. It was evident to evaluators that there needs to be a well-developed system for collecting and analyzing the educational performance data at both the staff and commission levels in order to evaluate the performance framework and make high-stakes decisions (see section 2 for more detail).

As noted in section 2, evaluators found that PCSC has not yet utilized the academic framework to guide high-stakes decisions. While the academic measures do correlate to a scoring system, intervention policies or related closure or revocation guidance has not been created. The performance framework and performance certificate have the potential to cause confusion and anxiety among stakeholders if it is not made explicit how the standards will be applied and how the measures will be integrated into the monitoring system.

#### RECOMMENDATIONS

- Create comparative academic standards that assess charter school performance related to all peer schools.
- Adjust the performance framework so that mission-specific goals play a less-prominent role.

### 3.2 Financial Performance

The authorizer holds schools accountable for financial performance using appropriate near-term and sustainability measures, established in the charter contract or performance framework, as the primary indicators of a school's financial viability.

Established:

 Approaching Well-Developed

Applied:

 Partially Developed

### Analysis

**ESTABLISHED:** The PCSC's financial performance indicators are clearly delineated within the performance framework. The performance framework aligns with national best practices and includes key ratios such as current ratio, unrestricted days cash, debt to asset ratio, and debt service coverage ratio. The financial performance indicators measure both near-term and sustainability metrics. The performance certificate requires annual audits and appropriate financial controls.

Idaho state law grants authorizers the authority to not renew a charter school based on a violation of any part of its performance certificate. It further enables an authorizer to refer to the SDE a school that appears to be in danger of not remaining fiscally viable for further review and payment schedule modification. SDE can modify a school's payment schedule so that funding can be dispersed in installments rather than a one-time, front-loaded schedule. This check and balance accounts for monitoring and financial oversight of taxpayer dollars when notices of concern are issued. Further policies and procedures need to be developed to enable all stakeholders to understand how these determinations would be made and how financial stability will be monitored and evaluated.

In the absence of a clear policy relating to measures that call for PCSC action for issues related to financial viability, the PCSC runs the risk of reacting to schools' financial problems when they become dire, as opposed to proactively holding them accountable through standards to prevent financial instability and demonstrate fiscal viability.

**APPLIED:** It is unclear to evaluators how the PCSC will collect and analyze the financial information for each school. While the PCSC does provide a three-year budget template for existing schools to submit at the time of the annual review, it doesn't align to a renewal cycle or charter term. Details and a review process are lacking. In addition, the PCSC does not have consistent financial reports that are collected, reviewed, and analyzed. Evaluators witnessed a commission meeting that looked at the preopening financial health of multiple schools, and with each school, requests were made for financial reports without specificity and without clarity of purpose.

Schools are unclear about the implications of the financial performance indicators and how they will be applied to a monitoring and oversight process. Schools do not know what is expected of them in terms of financial reporting requirements nor any potential interventions related to the financial measures.

#### RECOMMENDATIONS

- Implement a financial intervention ladder or monitoring policy that correlates to the financial performance indicators.
- Create a financial reporting schedule that aligns with high-stakes decision making.



### 3.3 Organizational Performance

The authorizer holds schools accountable for compliance with organizational performance requirements established in the charter contract or the performance framework, including educational program requirements, governance and reporting, financial management and oversight, and operational requirements related to students, employees, and the school environment.

Established:

 Approaching Well-Developed

Applied:

 Partially Developed

### Analysis

**ESTABLISHED:** PCSC's new performance framework incorporates various and appropriate measures to effectively examine organizational performance which are aligned to NACSA's *Principles & Standards*. The PCSC's performance framework addresses expected components related to organizational performance through evaluating the educational program, financial management and oversight, governance and reporting, student and employee rights, the school environment, and a catchall for any additional obligations. The performance certificate further outlines additional annual requirements for all schools as related to enrollment, facilities, attendance, etc. The performance certificate gives ample latitude for the PCSC to request and require reports related to the governance and operations of the school, yet it does not clearly delineate specific required reports or how the reports will be used to determine the operational and organizational health of a school.

**APPLIED:** As applied, the PCSC does not yet have a comprehensive system for monitoring the organizational performance and compliance with the required measures, and thus it is difficult to determine whether and how the information collected will ultimately be used by the commission. Evaluators found evidence that commission members have historically collected, reviewed, and considered synopsis reports from both staff and outside school evaluators. Because high-stakes decisions have not yet been made, it is difficult to ascertain whether or not the information found in the reports and collected were critically assessed or used to guide challenging decisions. As such, with the performance certificate process, the commission members have an opportunity to use predefined data points to guide decisions.

While the performance framework does indicate that the operational indicators comprise a secondary element of review during the renewal process, the PCSC has yet to develop a clear definition of severe or systemic noncompliance. In addition, it has not yet correlated these standards to their system of intervention or high-stakes decision making.

#### RECOMMENDATION


- Develop and correlate to a system of intervention and decision making a definition of severe noncompliance.

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### 3.4 Decision Alignment

Authorizer makes accountability decisions that are informed by and align with documented evidence and analysis of the extent to which the school satisfies performance expectations. The analysis presented to decision makers is of high quality and the merits of the decisions themselves show decision making is based on thoughtful analysis, ensuring that only the charter schools that meet or exceed expectations are in operation. (Note: this section focuses on decisions by the authorizer other than the application, which is addressed in 2.7.)

Established:

 Partially Developed

Applied:

 Partially Developed

### Analysis

**ESTABLISHED:** Limited evidence exists demonstrating the alignment between accountability decisions and performance expectations. Between 2004 and July 2013, Idaho law did not permit or require renewals. While there were school closures, schools closed for reasons that were not related to the current performance-based accountability system. As such, the commission has not yet used performance measures for high-stakes decisions.

A clear intervention, renewal, or revocation policy has not yet been developed. There are no standards describing the process that will occur if the performance certificate or performance framework standards are not met. As described in sections 3.1, 3.2, and 3.3 above, this needs to take place for the academic, organizational, and fiscal requirements.

**APPLIED:** In practice, the PCSC is starting to apply the performance certificate requirements when making high-stakes decisions. As exemplified by the Odyssey Charter School intent-to-revoke process, the PCSC in June 2014 took the formal steps to proceed with revocation for the school's failure to comply with material terms of the performance certificate. In doing so, the PCSC demonstrated a keen ability to follow an established condition dictated by law and policy and make a challenging decision that not only establishes a precedent but also demonstrates a commitment to accountability-driven practices. This decision also demonstrated a commitment to using the accountability system to guide decisions. While this is a clear best practice, it will be essential to convey the decision to all stakeholders and frame it in a way that connects to the larger performance-based accountability discussion. In addition, the PCSC needs to ensure that all stakeholders understand what standards Odyssey failed to meet, what other factors indicated an at-risk assessment, and what due process and procedural rights were afforded to the school.

#### RECOMMENDATIONS

- Ensure alignment between performance expectations and high-stakes accountability decisions.
- Create key message points related to high-stakes decision making.

## Autonomy

*Do schools have the autonomy to which they are entitled?*

### Established:

 Approaching Well-Developed

### Applied:

 Partially Developed

### Summary Assessment

The PCSC fundamentally understands its role as authorizer and believes that it is tasked with affording its schools the autonomy to which they are entitled while holding them accountable based on the law and the terms of their contract. The PCSC roots its actions in law and has worked diligently to create a system that focuses on outcomes, allowing the schools the maximum flexibility with inputs. In interviews with the director, commission members, and several school administrators and board members, evaluators heard that upholding autonomy is being discussed more frequently and openly since they began instituting performance certificates. Idaho charter school law is clear in the autonomies afforded to charter schools and clearly delineates the laws and regulations all charters must follow. The PCSC has evolved over time from being an authorizer who was overly compliance driven, to a commission that dialogues about, engages in, and strives for a balance between autonomy and accountability. Oversight remains integral to the authorizing practice, but there is an evident shift away from a self-recognized tendency to be nitpicky toward a system focused on performance management.

The implementation of the performance framework and the performance certificates indicates a move toward a structured accountability system, but the system is new and not yet fully established. All of the schools as of the June 2014 commission meeting are operating under a performance certificate, but as they are not yet fully implemented, it is difficult to ascertain whether or not the autonomies granted by law to schools will be upheld by the authorizer and how the accountability designations will affect and correlate to high-stakes decision making.

### Recommended Actions

- Continue to move toward outcome-based accountability by establishing a correlation between standards and evaluation.
- Create an amendment process aligned to the accountability designations.
- Align oversight to all high-stakes decision-making practices.

## Detailed Analysis

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### 4.1 Autonomy

The authorizer defines and respects the autonomies to which the schools are entitled based on statute, waiver, or authorizer policy. The authorizer does not reduce school autonomy unless there is a compelling reason to do so.

Established:

 Partially Developed

Applied:

 Partially Developed

### Analysis

**ESTABLISHED:** The performance certificate signed by PCSC authorized schools explicitly states the autonomies afforded it by the Idaho charter school law. Stakeholders do not feel that there is a unified system or a concrete set of rules and expectations around compliance with the expectations. Although it was evident to the evaluators that the authorizing staff read and understood all of the information they received, it was similarly clear that adjustments to the submission system will be necessary in order to align with collection needs under the new performance framework. In addition, it was not evident that all the commission members were aware of what information was required, when and why, and what information needed to be reviewed prior to PCSC commission meetings. Clarity regarding what is required of all schools and on what timetable will be critical to bolstering understanding between schools, PCSC staff, and commission members.

As demonstrated in the performance certificate, the PCSC has committed to "the extent possible...not request[ing] reports from the School that are otherwise available through student information systems or other data sources reasonably available to the Authorizer." By making this promise, they will be responding to stakeholder feedback regarding reporting confusion and redundancy and further defining expectations.

Both commission members and authorizing staff talk about earned autonomy and an outcomes-based evaluation system, but it is not yet clear how this will work in practice. Information needs to be codified and expectations need to be clear so that all stakeholders understand the relationship between meeting the standards and earned flexibility, as well as failing to meet the standards and established consequences.

**APPLIED:** The PCSC members define autonomy broadly in terms of setting expectations from the time of application submission. Commission members indicated that they struggled with finding a balance between evaluated capacity and possible success. For example, although the petition and performance certificate define enrollment maximums, an enrollment threshold for opening (either preopening or year to year) does not exist. Schools stray from achieving their projected enrollment, creating possible budgetary and financial viability issues, and the PCSC does not have clear policies related to enrollment variances. While commission members and staff refer to this as an issue of autonomy for schools, evaluators found that it actually created systemic problems throughout the portfolio. By establishing clear autonomies and clear standards, all stakeholders will be more focused on overall school success.

### RECOMMENDATIONS

- Review and create policy focused on autonomies granted to schools.
- Continue to move toward outcome-based accountability by establishing a correlation between standards and evaluation.

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## 4.2 Educational Program

The authorizer defines and respects school autonomy over the educational program.

Established:

 Approaching Well-Developed

Applied:

 Partially Developed

## Analysis

**ESTABLISHED:** The PCSC appropriately respects a school's ultimate control over its educational programs. The authorizer intends to evaluate a school's programs largely based on outputs and whether it is achieving the goals set forth in its performance certificate. At this time, PCSC does not identify any priorities for educational programs at the time of approval.

The performance certificate is well done in that it clearly indicates, for each school, a section defining the key components of the educational program. It defines the items that are nonnegotiable, yet gives 40 percent of the weight within the academic framework toward mission-specific goals. The PCSC has committed to academic testing standards as well as goals related to the unique nature of each school's program. As discussed in section 3.1, this 40 percent focus on mission-specific goals is difficult to manage, validate, and monitor. While it demonstrates a commitment to assessing schools based on their individual missions, it will also create implementation challenges for the authorizer. The PCSC will need to create a system that accounts for a balance between these two output systems in order to fully establish a system for respecting school autonomy within agreed upon measures of success.

**APPLIED:** In practice, it is unclear how the ongoing monitoring and evaluation of the schools will respect the autonomy schools have to execute their individualized educational programs. In order to maintain the balance between autonomy and accountability, site visit processes and protocols should be developed, formalized, connected to the performance framework, and conveyed to the schools so that expectations are clear and established.

Evaluators were unable to find clear information related to the amendment process as it pertains to school eligibility. Information about submission requirements exists, but the process is not tied to outcomes or performance. Materials show that schools are able to request an amendment to their charter throughout their life cycle, from preopening to existing schools. A lack of guidance and alignment to the performance framework, and specifically to educational performance, make it difficult for PCSC staff to manage the process and for schools to know how and when to make appropriate requests.

### RECOMMENDATION

- Codify an amendment process that clarifies how to seek an amendment to a charter certificate and what eligibility requirements exist based on the educational performance of a school.

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### 4.3 Financial Management

The authorizer defines and respects school autonomy over financial operations.

Established:

 Approaching Well-Developed

Applied:

 Partially Developed

### Analysis

**ESTABLISHED:** As established, the PCSC's new performance framework accounts for best practice ratios of near-term and sustainability indicators. Through the framework, the authorizer is seeking information that will assess the school's financial health and viability and is not requiring information that limits a school's financial autonomy.

The processes, as established by the PCSC for financial oversight, are in line with their authority and preserve the school's autonomy to make budgetary decisions and changes as needed. As demonstrated in the June commission meeting, the PCSC does not prescribe budgetary percentages or advised fund allocations related to individual school programming. Schools' budgets were reviewed on an individual basis without a presupposed format or assumptions.

**APPLIED:** The PCSC demonstrates a need to gain additional in-house expertise regarding financial oversight. Interviews with schools showed that they are unclear as to what the authorizer role is in relation to fiscal oversight and if it is anything more than submitting reports. In addition, schools are still uncertain why PCSC's reports differ from those that they are required to submit to the SDE and what the purpose of the various reporting requirements are. Although the fiscal ratios within the framework are a starting point for monitoring fiscal health, the criteria for and application of these tools remains unclear.

#### RECOMMENDATION

- Determine follow up protocols as they relate to financial performance indicators. Establish what questions, reports, or information will be needed when standards are evaluated.

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#### 4.4 Differentiated Oversight

The authorizer periodically reviews compliance requirements and evaluates the potential to differentiate school oversight based on flexibility in the law, demonstrated school performance, and other considerations.

Established:

 Partially Developed

Applied:

 Partially Developed

#### Analysis

**ESTABLISHED:** At this time, as established, the evaluators were not able to ascertain whether or not the performance framework and certificate process will yield differentiated oversight of schools. There is a continued desire among commission members and PCSC staff to move beyond compliance as the measure of success and toward an accountability system that will create maximum flexibility and oversight aligned to a school's performance. The performance framework is based upon a weighted scoring system that should result in a rating system of honor, good standing, remediation, or critical accountability designations. The system has been developed to encourage oversight practices and high-stakes decision making like renewal and revocation, as referenced in the performance framework.

**APPLIED:** At this time, the performance framework and certificate process have not yet been applied or used as the basis for evaluation. As such, the evaluators did not find that there is a clear or well-defined path to differentiated oversight. The PCSC needs to establish criteria and metrics to dictate an oversight policy based on the accountability designations within the performance framework. These designations need to be correlated to renewal practices, reporting, expansion and amendment decisions, and any additional autonomies granted by law.

#### RECOMMENDATIONS

- Create a differentiated oversight policy based on the accountability designations within the performance framework.
- Align oversight to all high-stakes decision-making practices.

5

## Organizational Capacity

*To what extent do the organizational structure and systems support quality authorizing practices and forward the authorizer's mission?*

### Established:

 Partially Developed

### Applied:

 Partially Developed

### Summary Assessment

The PCSC is committed to being a nationally recognized authorizer of excellence. The commission members and authorizing staff commonly use and reference NACSA's *Principles & Standards* and discuss their roles and responsibilities in terms of doing high-level authorizing work. The PCSC meets regularly, strives to operate effectively, uses committees, and continuously evaluates practice and policy in order to improve its authorizing functions.

Overall, the PCSC deploys the limited resources it has effectively and efficiently toward achieving its mission and goals. All stakeholders point to a marked improvement in practice, communication, openness, and responsiveness.

The organizational implications of being an authorizer with an appointed commission and a small but dedicated staff are significant. State board of education policies and protocols control many aspects of the authorizing staff's operations, while the political appointments and the connected complexities of the commission members' roles create a sometimes symbiotic approach and a sometimes juxtaposed operating context. Despite this challenging landscape, the director and board chair continue to strive to maximize many aspects of the revised statute and organizational capacity. In order to operate effectively and develop the necessary policies, procedures, and protocols, additional resources are needed to address the gaps in the key authorizing functions and oversight necessities.

### Recommended Actions

- Create and publish a strategic plan to engage stakeholders and to ensure alignment between the PCSC and authorizing staff.
- Fill the vacant positions and advocate for additional staff members and resources.



## Detailed Analysis

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### 5.1 Strategic Planning

The authorizer plans well for the future in a way that aligns with NACSA's *Principles & Standards*. The authorizer uses quality authorizing to forward its mission.

Established:

 Approaching Well-Developed

Applied:

 Partially Developed

### Analysis

**ESTABLISHED:** The PCSC does not have an established strategic planning process or a process for ongoing development. The PCSC does, however, have a clear mission, an evident commitment to improving its authorizing practices, and an aligned state board of education, commission, and authorizing staff that seek to continuously improve themselves as well as their portfolio. Evaluators found evidence of training that was aligned to national authorizing practices, board training that referenced NACSA updates and landscape changes, and a director who is keenly connected to and aware of national dialogues, networks, and resources.

**APPLIED:** With the current structure of the authorizing staff, there is no real time for investment in strategic planning. The current staff is clearly dedicated and committed to a cycle of continuous development and improvement, but the day-to-day responsibilities and duties make it very difficult to plan for increased workload or strategic growth. Commission members seemed overwhelmed with the meeting materials, even with the current guidance on required submission deadlines, demonstrating that the volunteer nature of the work, while vital and important to all members, makes it difficult to find the balance to forward its mission. In addition, commission members indicated that a key piece of their role, as appointed members, is to maintain an understanding of the current administration's interpretation of law and policy while making decisions based on policy and practice. The PCSC members need to communicate with, dialogue about, and strategize how to maintain a commitment to their mission, an alignment to their staff's recommendations and hard work, and a neutrality within the political landscape.

Currently, there is no training or onboarding for new commission members.

#### RECOMMENDATIONS

- Create an onboarding process for new commission members.
- Establish an annual strategic planning process.
- Conduct commission self-evaluation to ensure mission alignment and strategic priorities.
- Create a system to align strategic priorities and goals of commission and staff.

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## 5.2 Organizational Structure Analysis

The authorizer purposefully and economically staffs its office to effectively carry out its authorizing duties. Staff positions are clearly defined both in policy and in practice.

Established:

 Partially Developed

Applied:

 Minimally Developed

**ESTABLISHED:** The PCSC implements an organizational structure that is committed to, but struggles with, the capacity to complete key duties related to high-quality authorizing. The executive director of the office of the state board of education delegates his authority to the director of the PCSC, and the director acts at the direction of the commission. As of enactment of the July 2013 statutory amendment, the PCSC receives a minimal authorizing fee. With this fee and the allotted 2.5 FTE staff, it is extremely difficult to carry out the essential authorizing functions effectively. The PCSC staff is dependent on the state board of education for budgetary purposes, making it challenging to advocate for and receive the necessary resources to oversee the largest portfolio in the state. It is evident to evaluators that the current staff members are committed and dedicated to their jobs, to the work, and to the 11,700 students they serve. While law and policy establish a clear role for the PCSC and staff, there is no correlation between the vast roles and responsibilities afforded to these individuals and the resources available to carry out their duties effectively.

**APPLIED:** In practice, it is clear that there is not enough staff capacity to effectively implement the key authorizing functions. The PCSC thoughtfully utilizes and respects the staff members who are focused on core authorizing functions. Staff members are overwhelmed by the growing portfolio and the need to align their newly established performance management system with clear policies, practices, and procedures. With a notable and continued shift to an outcome-based rather than compliance-based approach, commission members and staff need to continue to work together to mitigate capacity constraints. School leaders and board members are concerned that the recent autonomies afforded to them and the shift from compliance to oversight will revert back if resources are not allocated appropriately.

Evaluators are fearful that the performance management system currently being created will be ineffective if not implemented with fidelity, and with the current staffing structure, it appears doubtful that this can occur. Additional resources are needed to effectively evaluate applications, create a specific PCSC application process, analyze data, monitor schools, create a renewal process, implement a monitoring and intervention protocol, and strategically move the program forward. Expertise needs to be developed or acquired in the realm of academic and financial analysis. Without increasing staff capacity, the necessary and tough decisions will not get made.

### RECOMMENDATIONS

- Work with the state board of education to determine additional funds for increased staff.
- Fill the vacant administrative assistant position or, if additional FTEs become available, explore staffing models that will allow efficiencies through distribution of labor (one person assigned to a group of schools) or expertise (hiring a designated financial expert, academic expert, etc.).
- Seek out external resources for training, capacity building, and professional development.

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### 5.3 Human Capital Processes and Systems

The authorizer has systems necessary for building and maintaining a strong workforce and implements them with fidelity.

Established:

 Approaching Well-Developed

Applied:

 Partially Developed

### Analysis

**ESTABLISHED:** Due to the small nature of the authorizing staff, it is clear how the director works with and evaluates the performance of the program manager. Both staff members have been with the PCSC for multiple years and have created a working relationship that is professional, effective, and balanced.

The executive director of the office of the state board of education evaluates the PCSC director's performance via a 360-type approach. He is clear in his role, in the responsibility he has designated to the director, and in the importance of connecting with both commission and staff members to ensure that the director is leading the work with a commitment to the mission and a focus on authorizing best practices.

While commission members cite a self-evaluation conducted in the past, it is not a regular or established process. Currently, there is no board evaluation, nor any charter-specific professional development taking place.

**APPLIED:** Despite the limitations and difficulties of hiring, there is a strong culture that supports the PCSC's mission and goals. All authorizing staff and commission members describe a shared commitment to an outcome-based culture and cite the director's leadership, commitment, and drive to enforce authorizing best practices.

While open and easy communication between authorizing staff and PCSC members was apparent, it was also evident that there is not a predetermined schedule of communication between staff and the commission. Relationships guide the dialogue, and while the connections were strong and respectful, it would be advantageous to implement a consistent, planned, and targeted approach to engagement.

### RECOMMENDATION

- Create a system for communication between authorizing staff and PCSC members.

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#### 5.4 Conflict of Interest

The authorizer operates free from conflicts of interest.

Established:  
 Undeveloped

Applied:  
 Partially Developed

#### Analysis

ESTABLISHED: At the present time, the PCSC has no established conflict of interest policy for either staff or commission members. As commission members are appointed, and influence over appointments is extremely limited, the lack of checks on member conflicts is problematic. Currently, several members have potential conflicts which are unable to be addressed through an appropriate screening/handling protocol.

APPLIED: While the board currently has members with potential conflicts of interest, interviews with PCSC staff, commission members, and legal counsel indicate that such conflicts are actively addressed. For example, in the case of a member who works with several authorized schools, the member always recuses herself from votes pertaining to the relevant schools and even has a practice of stepping out of the meeting room to promote open conversation. The attorney general assigned to work with the PCSC is a valuable resource in mitigating conflicts and makes herself available for counsel when conflict of interest questions arise from either PCSC staff or commission members.

While it is clear that the PCSC does not take conflicts of interest lightly, the lack of a firm policy indicating the commission's commitment to operating free from conflicts leaves open the possibility of actual or perceived harm.

#### RECOMMENDATIONS

- Develop and implement a strong conflict of interest policy containing clear language about how the PCSC attempts to avoid conflicts and will handle any conflicts that may inadvertently arise.
- To the extent possible, share the conflict of interest policy with those making PCSC appointments and encourage them to consider its parameters when selecting future PCSC appointments.

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## 5.5 Organizational Budget

The authorizer's budget allows for organizational effectiveness and stability. The budget is aligned with the strategic goals and supports quality authorizing practice.

Established:

 Approaching Well-Developed

Applied:

 Minimally Developed

## Analysis

**ESTABLISHED:** The PCSC receives funding through a formula in state law (I.C. § 33-5208(8)) which results in between \$3,000 and \$13,000 flowing to the commission for each authorized school. This funding amount is low by national averages, a challenge that is exacerbated by the fact that, under the PCSC's current structure, funds not expended do not roll over from year to year and thus no cushion can be built up to assist in covering any unexpected costs.

At the present time, the PCSC budget is a part of the larger state board of education budget but receives its own line item which is controlled, and appropriately allocated, by the PCSC director.

**APPLIED:** Despite the fact that the potential for complications exists in the PCSC's budgeting structure, the current arrangement of the budget as a specific line item within the larger SBOE budget appears to work well for all involved and is not viewed as problematic by PCSC authorizing staff or SBOE's executive director. The PCSC is fortunate in that the SBOE's current leadership understands and values its work and has at times assisted the office in covering some limited costs.

At this time, the most pressing concern with regard to the budget is not its structure or ability to be aligned with current strategic goals, but rather its size. At present, particularly in light of recent changes to Idaho laws which strengthened and broadened the scope of the authorizer role, it is clear that the funds available through school fees are far from sufficient to support the type of staffing structure needed to implement quality authorizing practices. This insufficiency appears poised to grow worse as the office's portfolio continues to grow and staff are stretched increasingly thin.

Interviews with PCSC staff and SBOE leadership indicated that the office's budget constraints are keenly felt but that concerns regarding the adequacy of funding for charter schools make a simple raising of the authorizer fee unattractive.

### RECOMMENDATIONS

- Examine the current PCSC budget and determine what amount and structure of funding would be necessary to support staffing at a level closer to national averages as the portfolio grows over time.
- Vigorously communicate the need for additional funding to the legislature and others who may be able to assist the PCSC in achieving a sustainable funding level.

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### 5.6 Leadership and Decision-Making Body

The authorizer leadership and decision-making body understand their roles and responsibilities; are invested in the mission, vision, and strategic plan of authorizing; and have the expertise necessary to make well-informed decisions that support the tenets of a high-quality authorizer.

Established:

 Approaching Well-Developed

Applied:

 Approaching Well-Developed

### Analysis

**ESTABLISHED:** PCSC members and authorizing staff understand the authorizing role and are invested in making well-informed decisions. PCSC members are committed to operating in a manner consistent with the law and aligned to the needs of Idaho's students. Commission members make the high-stakes decisions related to applications and revocations, and will soon be making decisions related to renewal or nonrenewal. Commission members work closely with authorizing staff and continue to create policy and improve practice to ensure not only mission alignment but decision-making alignment. Commission members and authorizing staff remain committed to improving their own practices and are committed to NACSA's *Principles & Standards*.

**APPLIED:** In practice, commission members are engaged in the authorizing role. In meetings, it is evident that materials have been prepared and organized and that the chairman is a great authority as it relates to meeting law and etiquette. There is a reliance on the authorizing staff as well as the attorney general for certain actions and motions, demonstrating that there remains a need for onboarding and ongoing training. Authorizing staff meaningfully engage in the substance of authorizing functions, have strong relationships with the schools, work well with SDE staff, and connect to national level networks and resources. Commission members and authorizing staff need to continue to develop their practice and codify their intentions into well-defined practices and procedures, as well as ensure that the commission's annual calendar includes built-in times for training in order to promote a shared commission-staff understanding of the PCSC's role and purpose. A greater alignment of understanding will assist in minimizing the occasions on which staff recommendations and PCSC decisions differ.

### RECOMMENDATIONS

- Ensure that all new PCSC members are oriented prior to being seated.
- Provide ongoing training for PCSC members, including training on the philosophy that surrounds quality authorizing and current best practices.

## Sources

### **Background and Organizational Capacity**

Charter Legislation, Statutes, and Rules 2013  
Commissioner Biographies  
Organizational Chart  
Organizational Planning Documents  
Commissioner Biographies

### **Application Decision Making**

Three (3) Year Record of Application Decisions  
Petition Review Documents  
Facility Guidelines  
Budget Template  
Capacity Interview Materials  
Petition Evaluation Rubric

### **Monitoring Operations**

Fiscal Monitoring Documents  
General Monitoring Policies and Guidance  
Site Visit Protocol Documents  
School Closure Protocol and Policies  
School Reporting Schedule  
Preopening Policies

### **Performance-Based Accountability**

Performance Framework  
Performance Framework for Alternative Schools  
Mission Development Guidelines  
Performance Certificate Template  
Record of Accountability Decisions

### **School Histories**

Charter Applications  
Renewal Reports and Applications  
Petition Review Documents  
Annual Reports and Audited Financials  
Charter School Correspondence  
Programmatic Audits

## Biographies

Molly McGraw Healy serves as the director of charter school authorizing for the University of St. Thomas in St. Paul, Minnesota, providing oversight to a mid-sized portfolio of charter schools in conjunction with St. Thomas's Charter Accountability Board. Molly earned her BA in English literature and education at St. Olaf College. In 2010, she earned her MPP, with an emphasis on education and charter school policy, from the Hubert H. Humphrey Institute of Public Affairs. Formerly, Molly was the senior manager of the charter school program at Volunteers of America and has also worked as an education policy researcher for the Minnesota House of Representatives' Research Department.

Amy Ruck Kagan is the director of the Office of Charter Schools for the state of New Jersey Department of Education, where she oversees a portfolio of 87 schools. Amy has a strong background in building accountability and performance management systems. Before coming to the NJDOE, Amy worked in New York City and Washington, DC, developing charter schools for a nonprofit organization. Before that she worked for the New York City Charter School Center doing new school development and operations work. Amy started her career as a teacher and remains committed and passionate about doing the hard work focused on the students.