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2016–19 CALIFORNIA PUBLIC CHARTER SCHOOLS GRANT PROGRAM

PROJECT NARRATIVE

California's great regional diversity is reflected in the myriad of available charter school choice options across the diverse demographics and geography of the state. The majority of California charter schools are authorized by local school districts that must evaluate new charter petitions and a renewal requests, according to clear state-defined criteria. County boards of education and the State Board Education may authorize a charter in limited circumstances, but are primarily appellant bodies for locally denied petitions and renewals. Once approved, a charter school is held accountable to its charter, but is otherwise largely exempt from most other laws that apply to school districts.

The state provides most funding to charter schools and schools districts according to the state's weighted pupil formula, known as the Local Control Funding Formula (LCFF). Enacted in 2013, the LCFF provides base funding per pupil with additional funding for high need pupils. Since charter schools are funded in the same manner as school districts, LCFF has resulted in significant improvement in funding equity between charter and traditional public schools.

Linked to the LCFF is the Local Control Accountability Plan, a new standards based tool that each district and charter school must complete and update annually. For charter schools, the LCAP must also be aligned with the goal and outcomes identified in the schools charter, and with state defined academic priorities and standards, and is used as a tool in oversight. Charters that fail to show improvement may not be renewed or may be revoked.

California’s public education system is in the midst of system-wide transformation designed to narrow the achievement gap and elevate low achieving students to be ready for college and career success. New standards, improved assessments, increased funding, more local control, and greater investments in social programs that influence achievement are all part of California’s new educational landscape.

Absolute Priority 1. Periodic Review and Evaluation

Review and Evaluate Every Five Years

California law includes several mechanisms by which a chartering authority provides periodic review and evaluation of each charter school. According to California *Education Code (EC)* Section 47607, a new charter school may only be granted “for a period not to exceed five years,” and then it may receive subsequent five-year renewals under specified conditions. Charter authorities are required to review and evaluate the charter school’s performance at the end of each term. A charter may not be renewed unless the school meets a least one of the renewal criteria specified in law. Pupil academic achievement for all groups of pupils served by the charter school must be the most important factor in determining whether to grant a charter renewal. Charter schools are also held accountable for meeting the outcomes and program descriptions established in the school’s charter. California’s renewal criteria meet or exceed the definition of “high-quality charter school” in the Federal Register.

Ensuring Authorizer Review

By law, charter authorizers must review the performance of their charter schools, take action to approve or deny the continued operation of the charter school, and communicate all renewal or denial decisions to the California Department of Education

(CDE). Renewal verification is a condition of continued funding. *EC* Section 47604.32, requires authorizers to provide timely notice to CDE of any change in charter school status related to renewal, revocation, or ceasing to operate for any reason. Since charter schools must be reviewed and renewed by their authorizers in order to receive funding, California ensures authorizer review as a condition of funding.

At the start of each fiscal year, CDE tracks charter terms and makes an annual notification at the start of each fiscal year to authorizing agencies and those charter schools with terms expiring the following June. The CDE sends a notice to the charter school and the authorizing agency as a reminder to begin the review and renewal process.

Annual Reviews

EC Section 47604.32 identifies required oversight duties of all authorizing agencies and specifies that all authorizers will, at minimum, complete one annual site visit and ensure charter schools comply with all required reports.

Charter schools are also required to report progress on charter goals and outcomes annually. California restructured its public education funding model in 2013. The new funding model, Local Control Funding Formula (LCFF), is accompanied by a locally driven accountability plan. Charter school petitions align goals and outcomes addressing the state priorities articulated in statute. The Local Control and Accountability Plan (LCAP) articulates how funding will be used to support the goals of a charter and provides a basis for ongoing oversight of a charter school. The LCAP is an important component of the LCFF as it describes how a school intends to meet annual goals for all students and groups of students, with specific activities to address

state and local priorities identified pursuant to *EC* Section 52060(d), including conditions of learning, pupil engagement and achievement, and school climate. Both the charter petition and LCAP must describe goals and specific actions to achieve those goals, as well as measurable pupil outcomes (MPOs), for all pupils and each subgroup of pupils identified, including pupils with disabilities, for each of the state priorities that apply to the grade levels served and the nature of the charter school program. *EC* Section 47606.5 also requires charter schools to complete an annual update to the goals and annual actions aligned with the goals identified in a charter petition. The annual update is submitted to the authorizer and the county superintendent of schools. Statute requires charter schools consult with teachers, administrators, school personnel, parents, and pupils during the evaluation of the charter school's progress in achieving goals for each of the MPOs aligned with the state priorities.

Charter schools are required to submit quarterly fiscal reports and an annual independent audit, so the authorizer must review the school's fiscal condition on an ongoing basis. The LCAP, annual update, measurable pupil outcomes in the charter petition, fiscal reports and independent audits, enable, support and strengthen authorizers' annual review and ongoing oversight of charter schools.

Charter Revocation

California *EC* section 47607 gives charter authorizers the authority to inspect or observe any part of a charter school at any time. It provides the explicit authority for a chartering authority to revoke a charter at any time for failure to meet or pursue the measurable pupil outcomes identified in a charter; for violation of a charter's conditions, standards, or procedures; for fiscal mismanagement; or violation of any

provision of law. County superintendents may also independently investigate any reports of wrongdoings by a charter school.

The State Board of Education (SBE) may also revoke a charter whether or not the SBE is the chartering authority. *EC* Section 47604.5 allows the SBE to take appropriate action, including, but not limited to, revocation of a school's charter when the SBE finds gross financial mismanagement, improper use of charter school funds, or substantial and sustained departure from successful educational practices.

Absolute Priority 2. Charter School Oversight

Contractual Charter Petition

California statute and regulations clearly outline the process for approval, oversight, reauthorization, and revocation of a charter school. *EC* Section 47605 articulates the requirements and process for submitting a charter school petition and describes the required content of a charter petition. A charter petition must contain 16 specific elements that describe virtually all aspects of a school's operations, including descriptions of the educational program, goals and outcomes for pupil achievement and how they will be measured, staff qualifications, school governance, health and safety plans, the means by which the school will achieve racial and ethnic balance among students, and admission requirements. A charter petition must describe audit procedures, expulsion policies, dispute resolution, employee rights, and closure policies. An approved petition is a legally binding contract by which the school is monitored and held accountable. A charter may be revoked for failing to pursue or achieve the outcomes articulated in its charter, or for any violation of the terms in a charter petition. The law allows a charter school and its authorizer to enter into separate

agreements for administrative and other services not specifically related to charter oversight. A memorandum of understanding may be drafted to establish financial services, facility agreements, or special education service agreements. These memorandum of understanding are binding contracts. If a charter school wants to make a substantive change to its petition, a material revision of the charter petition is required and must be approved by the authorizer prior to implementing the change.

Annual Charter Audits and Oversight

California *EC* Section 47604.32 articulates the ongoing responsibilities of oversight by the authorizing agency. At a minimum, these responsibilities include an annual site visit, compliance with quarterly fiscal reports, and monitoring the fiscal condition of a charter school. *EC* Section 47604.33 provides dates for each fiscal report to be submitted. The authorizer is responsible for evaluating a charter petition and performance for renewal at least every five years.

As per *EC* sections 47604.33 and 47606.5, a charter school also must complete and submit to its authorizing agency and the county superintendent of schools, an annual update to its goals and annual actions to achieve goals identified in the school's charter petition and state defined priorities. Charter goals must be aligned with the local control accountability plan (LCAP) and ensure the charter school is addressing specific state performance priorities such as academic achievement and school climate.

Charter schools must submit an annual independent financial audit to their authorizers and the state. Audits must be conducted by an independent audit firm that is registered with the California State Controller, in accordance with Generally Accepted

Auditing Standards, and by procedures adopted by the Education Audit Appeals Panel in the Annual Education Audit Guide.

Increased Student Achievement as Renewal/Revocation Criteria

EC Section 47607 demonstrates that California exceeds the federal requirement for authorizing agencies to consider academic achievement when renewing or revoking a charter. Pupil academic achievement for all groups of pupils served by the charter school must be considered as the most important factor in determining whether to grant a charter renewal. The law applies similar language to ensure academic achievement and subgroup growth is the most important factor in a revocation decision as well. A school that fails to meet subgroup growth targets may be referred for intervention, but if it still does not improve, the charter may be revoked.

Competitive Preference Priority 1. High-Quality Authorizing and Monitoring Processes

Clear Criteria for Evaluating Charter Applications

California supports the development of high-quality charter schools throughout the state; statute provides the framework and *California Code of Regulations*, Title 5 (5 *CCR*) provides processes for performance evaluations. Authorizing agencies are required to review charter petitions using the stringent criteria outlined in *EC* Section 47605, and grant those charters that are consistent with sound educational practice. This statute provides specific criteria that all charter petitions must meet to be approved including descriptions of the educational program, goals and outcomes for pupil achievement and how they will be measured, staff qualifications, school governance, health and safety plans, the means by which the school will achieve racial and ethnic

balance among students, and admission requirements. A charter may be denied by an authorizing agency if it finds a charter petition does not present a sound educational program, the petitioners are not likely to succeed, or if the contents of a charter petition are not reasonably comprehensive. These criteria ensure that only high-quality charters are approved by chartering authorities and provide the legal basis by which low-quality charter petitions may be denied.

A charter petition must also describe the annual goals and specific actions to achieve these goals for all students and for each subgroup of students, to be achieved in the state priorities. California's state priorities are defined in *EC* Section 52060, and include student outcomes such as test scores and graduation rates, conditions of learning, such as teacher qualifications, the adequacy of facilities and instructional materials, and engagement metrics such as attendance rates, suspension rates, and parental involvement levels. Progress toward goals and specific actions in a charter petition must be reported annually. This ensures that authorizers are provided with performance measures and proof that the charter school is fulfilling the rigorous performance expectations articulated by the petitioner. The annual review ties together the details of operational performance with the fiscal management and ensures equitable support and allocation of resources for all students and each subgroup of students by specifically linking resources to proposed achievements.

An authorizing agency must also evaluate the quality of a charter petition through elements that identify the measurable pupil outcomes (MPOs) and provide for a description of the method by which students' progress will be measured. Statute requires that the student outcomes address increases in student academic achievement

both school wide and for all subgroups of students. Statute allows a charter petition to identify MPOs that meet a local need in addition to those required by state priorities. A charter school is held accountable to meet or exceed all goals identified in a charter petition and to adhere to each element in an approved charter petition, including the operation and fiscal components. A charter may be revoked or recommended for corrective action at any time, or denied renewal, for failure to meet any of the outcomes, terms, and conditions of a charter petition.

Multi-tiered Review Process

California *EC* Section 47605(j)(1) identifies the three tiers of authorizing entities in California that may approve initial charter petitions. School districts are the primary authorizers in the state, however, county boards of education and the SBE may also grant first approval in specified circumstances. By law, chartering authorities cannot deny a petition for the establishment of a charter school unless it makes written factual findings, as identified in *EC* sections 47605(b)(1) through (5).

County boards of education have the authority under *EC* sections 47605.5 and 47605.6 to approve charter petitions that serve specific populations (e.g., adjudicated, pregnant/parenting, and other high-need youth) and/or meet unique countywide needs. These charter petitions are submitted directly to a county board of education. The SBE has the authority to authorize a statewide benefit charter petition pursuant to *EC* Section 47605.8 to provide instructional services that cannot be provided by a charter school operating in only one school district or county. Statewide benefit charter schools adhere to all charter laws with the exception of geographic limitations.

California also has a multi-tiered appeal process. If a charter petition is denied by a local school district, California law provides a clear appeal process through a County Office of Education (COE). If denied by a county board of education, a school may appeal to the SBE. A county board of education and the SBE may consider the circumstances of a local denial in its deliberation, but each appellant body makes an independent assessment of the charter petition. If approved, either a county board of education or the SBE becomes the authorizing agency with oversight responsibilities.

The process of submitting a charter petition to an authorizing agency is also multi-tiered. As per *EC* Section 47605, this process includes requiring the petitioners to obtain evidence of community support through parent or teacher petition signatures after the opportunity is provided to review a charter petition. Once a charter petition, signatures, and assurances have been submitted, an authorizing agency may request addendums or amendments to ensure a charter petition will become a high-quality charter school. In the second tier of the review, a mandatory public hearing is held to establish community interest for the charter school. Authorizing entities conduct various levels of interviews to establish a petitioner's capacity to deliver a high-quality charter school for the community. After the public hearing, in the third tier, an authorizing agency must approve a charter petition or deny a charter petition with written factual findings within five specific areas in statute pursuant to *EC* Section 47605(b).

Once an authorizing agency has approved a charter petition, the petitioners must complete a series of applications for CDE establishing a charter school as an entity. Each application must be reviewed and signed by an authorizing agency certifying adherence to applicable laws. An authorizing agency will verify initial enrollment

information prior to a new charter school's receipt of any advance apportionment funding and may also have conditions that must be met prior to opening, such as a pre-operating facility inspection that must be satisfied prior to the charter school's opening.

Differentiated Petition Review

If a petitioner has an established record of operating a high quality charter school, the authorizing agency may elect to differentiate the review process for approval of their charter petition. An authorizer may establish differentiated processes as deemed appropriate. *EC* Section 47605 requires an authorizing agency to consider the likelihood of a petitioner's success when reviewing a charter for approval. 5 *CCR* Section 11966.4 allows an authorizing agency to consider past performance, including finances and operations when reviewing a new charter, a replication of a successful model, or the renewal of a charter petition.

Standards to Benchmark Performance

California holds the authorizer accountable for student performance that is measured, benchmarked, and disseminated. California charter schools are expected to "provide vigorous competition within the public school system to stimulate continual improvements in all public schools" under *EC* Section 47601. Therefore, charter school authorizers carefully scrutinize the performance of their portfolios of charter schools and compare their outcomes and performance data against district and state performance data. Charter schools are required to "meet all statewide standards" (*EC* Section 47605(c)), implement all statewide assessments required of all public schools, and are held to the same data reporting requirements as other public schools. Districts are required to make performance data publicly available.

When renewing a charter petition, an authorizer must provide supporting documentation and a narrative summary of the basis for any determination made in its decision to renew. The authorizer must consider if pupil academic achievement for all groups of pupils served by the charter is at least equal to the public school that the pupils would otherwise have attended, and the academic performance of the schools in the school district in which the charter school is located, considering the composition of the pupil population served at the charter school.

California schools, charter and traditional, create an annual report known as the School Accountability Report Card (SARC). The purpose of the SARC is to provide information to the community annually for the purpose of public comparison of a school's student achievement, environment, resources and demographics. All California public schools, including charter schools, must establish annual goals, school wide, by subgroup, relative to the eight state priorities in an annual LCAP. These common goals, combined with a statewide evaluation rubric, allow both authorizers and the general public to evaluate and benchmark the performance of all public schools, including charter schools.

Competitive Preference Priority 2. One Authorizing Public Chartering Agency Other than a Local Educational Agency (LEA), or an Appeals Process Two Non-District Authorizing Public Agencies

In addition to school districts, California's charter law allows for two other types of public charter authorizing agencies, including (1) county boards of education and (2) the SBE. Data demonstrates that all three levels are active in California. According to the National Association of Charter School Authorizers (NACSA), approximately 88

percent of charter schools in California are authorized by local school districts.

However, California allows county boards of education and the SBE to approve charter petitions, both as an initial authorizer, and as an appellant body for local denials.

Each of the 58 county boards of education have the authority under *EC* sections 47605.5 and 47605.6 to approve charter petitions that meet unique countywide needs. An approved countywide benefit charter petition need not obtain approval of individual school districts within the county in order to operate.

Process for Appeals

Statute provides a process for appealing any local charter denial. The appeal process includes a public hearing and either a charter petition approval or written factual findings for a denial. California allows two opportunities to appeal a denial or revocation. A charter petition denied by a local school district may appeal the district's decision to the county board of education. If the county also denies the charter petition, a petitioner may make a final appeal to the SBE. Each appellant body makes an independent assessment of the charter petition. If either the county board of education or the SBE approves the charter petition on appeal, then the approving entity becomes the authorizer with oversight and monitoring responsibilities. All three tiers of authorizing agencies have the authority to authorize a high-quality charter school to operate under their oversight.

Invitational Priority. Public Reporting of Charter School Demographics

California collects, analyzes, and makes publicly accessible data that can be disaggregated by student subgroup, and further analyzed to determine charter school performance. The California Longitudinal Pupil Achievement Data System (CALPADS)

has been operational since 2009 and is the foundation of California’s K–12 education data system, comprising student demographic, program participation, grade level, enrollment, course enrollment and completion, discipline, and statewide assessment data. The student-level, longitudinal data in CALPADS enables facilitation of program evaluation, assessment of student achievement over time, calculation of more accurate dropout and graduation rates, efficient creation of reports to meet state and federal reporting requirements, and the ability to create ad hoc reports and responses to relevant questions. CALPADS provides local educational agencies (LEAs) with access to longitudinal data and reports on their own students, and it gives LEAs immediate access to information on new students, enabling the LEAs to place students appropriately and to determine whether any assessments are necessary.

In accordance with student data reporting requirements by state law, the district office (or charter school office) maintains and submits student data to CALPADS. All CALPADS data are maintained in compliance with state and federal privacy laws, including the Family Educational Rights and Privacy Act (FERPA).

School performance reports and demographic data are easily accessible on the DataQuest and Ed-Data Web sites. DataQuest is an online data reporting system developed and maintained by the CDE, and Ed-Data is a partnership of the CDE, EdSource and the Fiscal Crisis & Management Assistance Team/California School Information Services (FCMAT/CSIS) designed to offer educators, policymakers, the Legislature, parents, and the public quick access to timely and comprehensive data about K-12 education in California. Links to DataQuest and Ed-Data are made available to the public through the CDE web site.

Selection Criteria

Educationally Disadvantaged Students

California law explicitly states that one of the intents of the Charter Schools Act is to increase learning opportunities for students who are identified as academically low achieving. All charter schools are required to seek and serve students with disabilities and English learners (ELs) pursuant to Federal and state laws. California law also requires an open public lottery for admissions and requires a charter petition to describe how the school will attract a student population reflective of the community it serves. The local control funding formula (LCFF) emphasizes California's priority of increasing or improving services to low income, foster youth and ELs, and provides additional funding to meet this state priority. Services may include, but are not limited to, services associated with the delivery of instruction, administration, facilities, student support services, technology, and other general infrastructure necessary to operate and deliver educational instruction and related services. LCFF will ensure continuity of purpose and targeted resources beyond the grant period. Each charter school is required to articulate and evaluate academic goals and outcomes by pupil subgroup to assure progress toward closing the achievement gap.

California collects demographic data identifying socioeconomically disadvantaged students, foster youth, homeless, migrant, ELs, and students with disabilities that will enable CSP sub-grant funds to be allocated to new charter schools that align with California's priorities, and supports the intent and the objectives of the CSP grant.

The CSP grant is critical to building operational, organizational, and instructional capacity that is required to sustain a high performing charter school and improve the

academic achievement of educationally disadvantaged students. As part of the 2016–19 CSP sub-grant Request for Applications (RFA), applicants will need to address how the charter school will attract, recruit, admit, enroll, serve, and retain educationally disadvantaged students as part of the “Proposed Strategies for Improving Educational Outcomes” narrative element. Activities described in this narrative element of the RFA must reflect the needs of the authorizing agency’s community. The RFA narrative responses will require that the applicant provide a plan for using CSP funds to retain educationally disadvantaged students and report progress made in the Annual Progress Report (APR) submitted to CDE program staff.

CSP applicants will be required to provide a description of the targeted student population; an education plan that details how student achievement will be measured; goals of professional development and teacher training programs; how data will inform instruction, program evaluation, and instructional strategies that will be used to engage all students; and how formative and summative assessments will be implemented. State law, under *EC* Section 47601 codifies legislative intent that charter schools have the flexibility to design innovative instruction and delivery methods to meet the wide variety of learning modalities and student needs.

CSP funds will support rigorous and innovative instruction designed to meet the needs of educationally disadvantaged students and transform learning opportunities to improve student achievement. This approach to teaching requires highly trained teachers and instructional materials that support innovative instructional models. The external evaluation of California’s 2010–15 CSP grant program conducted by SRI International reports that 59 percent of the total sub-grant awards were budgeted for

books and instructional materials, with 21 percent of grant funds budgeted for services and operations which included staff and teacher professional development to build the capacity of the instructional staff to effectively use the materials. Instructional materials purchased ranged from textbooks and classroom libraries to online instructional programs and resources. The CSP funds were critical to funding innovative teaching models because these types of materials have to be purchased in addition to the standard textbooks. Alternative textbooks and resources are necessary to support instructional practices targeted to increase achievement among educationally disadvantaged students, such as ELs. In the same report, sub-grantees reported using CSP grant funds to purchase technology and software that supported rigorous and innovative instructional models, supported the collection and use of student data to inform and strengthen instruction, and helped teachers build student assessments, all of which are requirements of California's CSP sub-grant application.

All CSP sub-grantees are required to report annually on progress toward achieving the academic goals as described in the CSP grant application. Sub-grantees are required to provide a comprehensive program review at the end of the grant period that summarizes the effectiveness of their implementation activities and how CSP funds were used to support the implementation of the school. CSP sub-grantees are required to submit for approval on grant expenditures and will be eligible for additional CSP funding, after the first year of their grant term, based on the percentage of educationally disadvantaged students that are being served in their charter school.

California expects that by the end of the 2016–19 CSP grant period, a majority of new charter schools in the State will report continuous improvement in closing the

achievement gaps of educationally disadvantaged students. This will be evidenced through the activity and performance measures under the project objective for improving education outcomes. The statutory requirement that charter schools provide an updated LCAP that must include actual annual measurable outcomes and a statement of changes in goals, actions, services, and expenditures to be made as a result of the annual review of past progress, will also track continuous improvement.

Every year, charter schools, along with every public school in California must identify the needs of their enrolled student population, and articulate goals and activities that will close the achievement gaps of the educationally disadvantaged students it serves. These goals and activities must be tied to the expenditure of funds.

Vision for Growth and Accountability

Ambitiousness of High-Quality Growth

California's 2016–19 CSP grant application requests funding to support financial and programmatic assistance for the planning and implementation for up to 150 new charter schools during the three-year grant period. California currently has 1,208 charter schools. Funding up to 150 new charter schools aligns with recent charter school growth in California which has funded approximately 67 percent of new charter schools that opened in the past five years under the CSP grant. A rigorous technical assistance plan will be necessary to support continued growth in the number high quality charter schools that can support an increase in student enrollments. As the past performance of California indicates, the plan for opening up to 150 additional high quality charter schools is feasible and permitted under state law which allows for growth in charter schools.

The objectives of California’s plan to support the continued growth and creation of high-quality charter schools will require collaboration on the part of the CDE grant program staff, charter associations, Alameda County Office of Education’s Charter Authorizers Regional Support Network (CARNet) program, COEs, local communities and charter school developers. California has a geographical challenge in size and diversity that necessitates a technical assistance plan that is as broad and diverse. This will require a collaborative effort among all organizations to create a statewide support network for charter growth and sustainability. CDE program staff, in collaboration with other CDE program offices, will lead activities to increase the quality and quantity of fundable CSP sub-grant applicants by offering technical assistance on topics including, but not limited to: writing effective charter petitions, writing effective grant applications, understanding Special Education requirements, LCAP development, and working with student performance data. Technical assistance on sustainability and continuous educational improvement for educationally disadvantaged students will be targeted in collaboration with other CDE program offices, the California Charter Schools Association (CCSA), and the Charter Schools Development Center. CDE will facilitate training workshops to include, but not limited to, Education leadership development, understanding charter laws, governance and fiscal management, best practices on school discipline and school climate, authorizing and oversight responsibilities, LCAP implementation and updates, implementing the Smarter Balanced Assessment System, and best practices for serving educationally disadvantaged students. Technical assistance will be in the form of in person trainings, workshops, conferences, and webinars and will be timed to correspond to petition submissions, RFA release dates,

and non contracted time for school administrators and teachers to increase participation. The CDE staff will also increase outreach to underserved areas within the state with application assistance through in person workshops and webinars offered statewide. The objective of the technical assistance will be to create communities of charter schools developers to inform and share best practices, provide current and relevant information to assist developers, create networks for charter schools to collaborate with each other, and to increase capacity and sustainability, so new charter schools can become a high quality school of choice for educationally disadvantaged students.

Ambitiousness of Closing Poor Performing Schools

California already has an ambitious plan for ensuring poor performing charter schools do not continue to operate. As outlined in statute, there are multiple levels of support for poor performing charter schools, but at the end of the five-year period, if progress is not evident, statute calls for non-renewal. At any point within the five-year term, statute provides for revocation if necessary. Statute provides the framework for revocation of a charter in *EC* Section 47607(c). This statute specifies that through a showing of substantial evidence, an authorizing agency may revoke a charter for committing a material violation of any of the conditions, standards, or procedures set forth in a charter petition, failing to meet or pursue any of the measurable pupil outcomes identified in a charter petition, failing to meet generally accepted accounting principles, engaging in fiscal mismanagement, or any violation of the law.

The second part of this statute reiterates that increases in academic achievement are the most important factor in determining whether to revoke a charter. *EC* Section

47607(d) and (e) continue with a specific process that must be followed prior to a charter school revocation. The requirements include a Notice of Violation, providing opportunity to remedy, Notice of Revocation, and a public hearing prior to action. Specific details for this process are described in 5 CCR Section 11968.5.2.

Third, charter schools that fail to meet the performance goals specified in the LCAP for three or more years must receive technical assistance from their authorizer and either the authorizer or state officials may refer the school to a state level intervention team.

California statute outlines the process for charter school closure and the disbursement of assets. Data confirms that California's laws and practice encourage the closure of poor performing schools. Between 2010 and 2015, 163 charter schools voluntarily closed, 16 petitions were not renewed by the authorizer, and 8 charter school petitions were reported as being revoked by the authorizer.

Past Performance of Charter Schools

Increases in High-Quality Charter Schools

California currently has more charter schools and the largest number of charter students of all states. Evidence over the past five years indicates the public has never been more supportive of charter schools based on growth in charter school enrollments, waiting list numbers, and polling data. The CDE made significant progress towards meeting the 2010–15 CSP grant project objective to increase the number of high quality charter schools in California. To date, 1,208 charter schools are currently operating in California with another 32 charter schools scheduled to open in the fall of 2016. Of the 645 charter schools that opened in 2010–2016, 430 received CSP funds under the

2010–15 CSP grant, including the 2015–16 awards granted under California’s No Cost Extension period.

The CDE also awarded 16 Dissemination grants to high-performing charter schools to develop and implement best practices to disseminate to charter and non-charter public schools. The Dissemination sub-grantees reported collaborative relationships with over 75 beneficiary schools that were on the receiving end of content expertise, materials, and resources to help develop successful and sustainable practices at their own schools.

Over the past five years, high quality charter schools have made significant gains in closing achievement gaps, and increasing student academic achievement and attainment for historically disadvantage students including minority, low income, and first-generation college students. The CCSA issued a full report in April, 2016, titled “A Step Up” that reflects the academic gains of high performing charter schools in comparison to traditional public schools in relation to college preparation and admittance. The findings were based on data collected by the CDE and institutes of higher education in California. The findings include that charter schools have a seen a growth in graduation rates in all major subgroups in the past five years as outlined in Table 1. Graduation data is based on schools that are currently three years or older, are not Alternative schools, and have at least 30 valid test takers.

Table 1. Charter School Graduation Rates

	2010	2011	2012	2013	2014
All	62%	64%	66%	69%	70%
English Learners	53%	56%	55%	59%	61%
Socioeconomically Disadvantaged	60%	61%	64%	67%	68%
Asian	62%	66%	66%	70%	71%
Latino	60%	60%	63%	67%	68%
African American	55%	60%	61%	64%	66%
White	63%	66%	68%	68%	70%

The data also indicates that A-G completion rates have been consistently higher in the Latino and African American subgroups for charter schools when compared to the state. The A-G class requirements are college preparatory classes required in high school in order to be eligible for admission to a University of California, or California State University school. Classes approved as A-G in California are academically challenging, involve substantial reading, writing, problems and laboratory work, and show serious attention to analytical thinking, factual content and developing students' oral and listening skills. Table 2 and Table 3 outlines the A-G completion rates for both groups:

Table 2. African American A-G Completion Rates

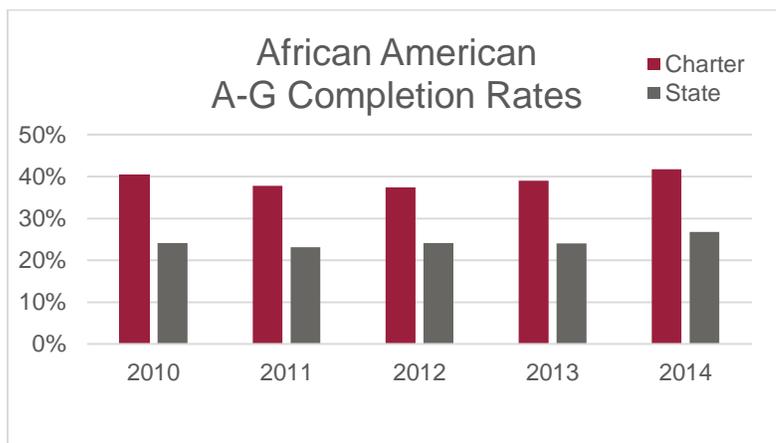
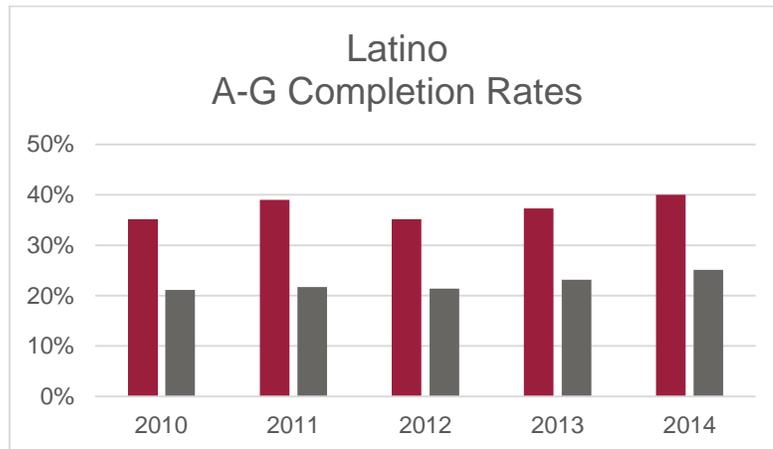


Table 3. Latino A-G Completion Rates



The A-G course completion rates are indicators of higher educational attainment, and the CCSA report indicates charter schools are closing the achievement gap by providing all charter school students access to higher education:

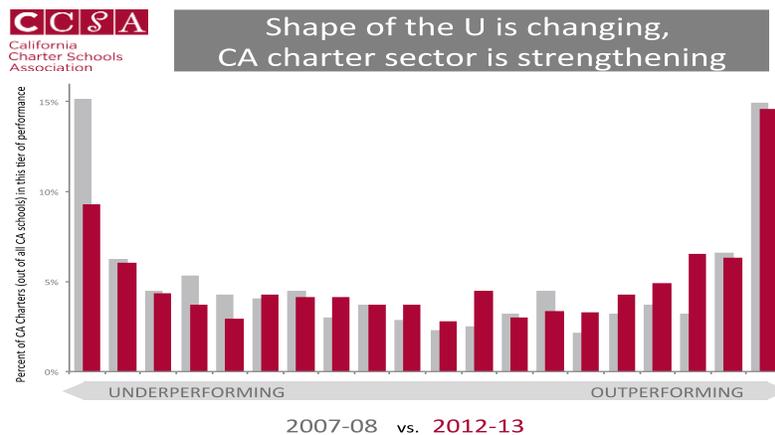
- Charter schools compose only 17 percent of public schools in California with a 12th grade, but make up 81 percent of schools where nearly all graduates complete A-G requirements.
- Of the charter students that apply to the University of California system, 69 percent are low income and 60 percent are first generation college students.
- 20 percent of charter graduates are accepted into University of California schools where only 14 percent of graduates are accepted from traditional public schools in California.
- Of all African-American and Latino charter school graduates, 19 percent are accepted to University of California Schools, nearly twice that of traditional public school students at 11 percent.

- The average charter school sends 7 percent of its graduates to a UC (vs 5 percent for traditional public schools) and 9 percent% of its graduates to a California State University school.

The CCSA report attributes the success of charter schools in helping disadvantaged student gain higher educational attainment to the flexibility and autonomy charter schools have to provide rigorous and innovative interventions, to develop and adapt college prep delivery models for the students that they serve, and to create a “college-going culture” in the school (2016).

Closure of Underperforming Charter Schools

California's charter school sector is going through a period of great academic strengthening. The CCSA released a publication titled “Portrait of the Movement,” demonstrating California has reduced the percentage of underperforming schools while increasing the percentage of high performing charter schools.



In 2007–08, California charter schools were more likely to be at the far ends of the performance spectrum, which represents a gray U-shape on the graph. Five years later, that picture changed substantially, and is statistically significant, for the better. Over the past five years, California has essentially held constant the percent of schools

performing in the top tenth, reduced by nearly one-third the percent of schools performing in the bottom tenth, and has seen improvement throughout the distribution in performance.

Nearly 40,000 students attend charter schools in the top 5 percent of all schools statewide. When looking at the five year change over time, while the number of charter students has almost doubled, the percentage of students in the bottom quartile of schools has been reduced by nearly twenty percent. Moreover, the number of students attending schools in the top tenth of schools has increased by over 16 percent.

California is approaching the point where twice as many charter school students attend schools performing in the top quartile, 37.1 percent, as the bottom quartile, 20.7 percent. This kind of progress represents a shift of approximately 50,000 students from the bottom quartile to the top quartile over the past five years.

Between 2010 and 2015, 187 charter schools closed. This is the annual breakdown of charter school closures: 1 in 2010; 30 in 2011, 29 in 2012; 47 in 2013; 43 in 2014; and 38 in 2015. CCSA uses state level data to rank charter school performance. CCSA analysis shows that between 2008 and 2013, 25% of the closed charter schools ranked in the bottom 5th percentile; 70% of the closed charter school were in the bottom 50th percentile.

Project Design

California will post the 2016–19 Planning and Implementation (P/I) RFA and announce the CSP grant opportunities upon confirmation of its CSP award. California will ensure the widest range of potential charter school developers are aware that federal funds are available to assist in the planning and initial implementation of a

charter school and ensure that funds will be made available on an equitable and fair basis as described in California's grant application. Encompassing the requirements of Section 427 of the ED General Education Provisions Act, California will use a variety of venues to announce the availability of CSP sub-grant funds to parents, teachers, and communities throughout California. California will continue to use press releases by the State Superintendent of Public Instruction (SSPI), posts to the CDE Web site homepage and funding page, and notices to our charter support partners. The CDE will also notify the Parent Teacher Association of available CSP funding opportunities.

The CDE will provide a link to access the P/I RFA which contains relevant information about eligibility for sub-grant funding, levels of funding, federal goals, state objectives, requirements, important application dates, and available technical assistance. The P/I RFA will be available in the fall of each award year, and can be downloaded from the CDE Web site by any interested party to be submitted by the posted due date. A second RFA may be posted in the spring contingent on the availability of funds. The peer review process will conclude within 30 days from the due date of the applications. Peer review results are communicated to the applicants within 14 days from the conclusion of the peer review process.

In California, charter developers may submit a charter petition for approval to authorizing entities throughout the year. To accommodate the flexible year-round authorization process, CDE will allow CSP sub-grant applicants to submit applications on a competitive basis by the posted RFA due date, but will hold the Grant Award Notification (GAN) letters until the applicant provides CDE with an approved charter petition from an authorizing agency.

The application screening process is outlined in detail in the RFA and includes reviewing an application against a checklist of eligibility factors. This review by CDE program staff ensures that a school has non-profit status, is highly autonomous, meets the federal definition of a charter school, includes the public random lottery description that meets state and federal standards, provides a complete application, and all other RFA requirements are met in preparation for the peer review process.

The second phase of the grant approval process is Peer Review. External peer reviewers are recruited from charter school developers, governing board members, operators, and authorizers. Reviewers are required to recuse themselves from the evaluation of any application for which they have a perceived or real conflict of interest.

California implemented a comprehensive peer review process using a standard scoring rubric approved by the SBE in 2012 to ensure that although a high number of applicants will apply for CSP startup funds, only new schools with sound financial plans, rigorous education programs, and long term plans for continuous improvement will receive funding.

Each application will be reviewed by two outside peer reviewers, and scored on a scale of 1 to 4, one being “Inadequate” and 4 being “Advanced”. Any application that receives a 1 in any narrative element will not be eligible for CSP funds because all elements of the application are necessary for a quality school. The scores from both peer reviewers are combined to equal one score. All applications are ranked from high score to low, and a cut score will be implemented to ensure only highest quality applications are funded. CDE will continue to offer technical assistance to charter school developers to increase the number of quality applications, leading to a higher

number of new schools being awarded CSP funds, without compromising the rigorous peer review process.

All applications that pass peer review are scrutinized during the budget review process to ensure expenditures are allowable, allocable, and reasonable. Revisions will be requested from the applicant until the budget and expenditures can be approved by CDE program staff. Once the applicant has an approved budget on file with CDE, the GAN will be processed. An initial payment to the applicant school will follow the GAN in approximately 6-10 weeks.

The CSP Dissemination RFA will be posted to the CDE website no later than winter of 2017 to fund up to 10 Dissemination grants that will be awarded for up to 24 months. Communication will also reach the field via press releases by the SSPI, posts to the CDE Web site homepage and funding page, charter support partners, and district offices. Charter schools currently in operation for more than three years will be encouraged to apply via a CDE list serv message, and will receive a “save the date” notification in the fall of 2017 of availability of funds.

The process for evaluating the Dissemination RFA applications is the same as the P/I applications, including an outside peer review, scoring process, and timelines, however, the scoring rubric for Dissemination grants is based on a rigorous three-point scale where a “1” in any area disqualifies the application. The rubric requires a description of a quality project, rationale for the project, beneficiaries of the project, statewide dissemination activities, and a description of the program evaluation completed after the grant ends. To maximize statewide dissemination that supports the

objectives of the CSP grant and the eight state priorities, the sub-grant RFA will also offer priority points for projects based on the following:

- Demonstrated best practices related to student discipline and school climate
- Demonstrated successful education leadership development and practices
- Successful models for college and career readiness
- Geographic distribution of dissemination activities that include underserved areas

The peer review score will be added to the priority points for one total score. All dissemination applications will be ranked highest to lowest in the event there are insufficient funds for all applicants that submit a viable plan to disseminate best practices. The CDE will take into consideration geographical diversity when awarding Dissemination grants to ensure statewide distribution of best practices.

Year-by-Year Estimate

California's 2016–19 CSP grant application requests funding for the ability to provide financial and programmatic assistance for the planning and implementation of up to 150 charter schools, and up to 10 charter schools to disseminate best and promising practices, during the three-year grant period. At this funding level, California anticipates being able to provide startup funds to approximately 65 percent of charter schools that receive charter petition approval which closely aligns to past performance. This estimate is based on historical data that demonstrates the number of charter petitions that are reasonably expected to be approved during the 2016–19 grant cycle. All autonomous, non-profit charters schools that receive an approved charter petition will be eligible to apply for CSP funds. Table 4, below, identifies the estimated number of new charter schools for funding.

Table 4. Estimated Number of Charter Schools to be Funded in 2016–19

Project Year 1 2016–17	Project Year 2 2017–18	Project Year 3 2018–19
Up to 50 new P/I sub-grants	Up to 50 new P/I sub-grants Up to \$2 Million for Dissemination sub-grants	Up to 50 new P/I sub-grants
\$21,575,000	\$23,575,000	\$21,575,000

Eligible Applicants from Previous CSP Grants

In 2010, California was awarded approximately \$290 million in CSP funds for five years to award Planning and Implementation grants, as well as up to 20 Dissemination grants. Table 5 identifies the number of new charter schools that were funded during the 2010–15 CSP grant cycle, minus the continuous sub-grantees from the 2007–10 CSP grant cycle. The 2015–16 FY was funded under California’s NCE period. The implementation of a rigorous scoring rubric and peer review process in 2012 had a measurable impact on the number of applications that received funding in relation to the number of schools that applied. The overall quality of applications that were funded is evident through comparison in the closure rates of sub-grantees and non sub-grantees. Only 4 percent of 2010–15 CSP sub-grantees experienced a school closure, compared to 14 percent of newly opened non sub-grantee recipients. The funded sub-grantees had a viable capacity and sustainability plan as one of the requirements of California’s RFA. Although high numbers of new schools submitted applications for CSP funds, only the charter school applicants that were autonomous, passed the eligibility screening, passed the peer review and were granted an approved charter petition were funded.

Table 5: Number of New Charter Schools Funded in 2010–15

Fiscal Year	Number of Charter Schools that Applied	Number of Charter Schools Funded	Percentage of Charter Schools Funded
2010–11	42	30	71 percent
2011–12	65	63	97 percent
2012–13	115	64	56 percent
2013–14	167	67	40 percent
2014–15	141	55	39 percent
2015-16	133	44	33 percent

Funding Structure

To develop a fair and equitable funding structure for California’s 2016–19 CSP grant, the CDE met with stakeholders to establish the sub-grant funding levels needed to support the development of up to 150 new charter schools over the next three years. A sub-grant award structure was developed offering higher award amounts to applicants serving educationally disadvantaged students. A copy of the funding model can be found in Appendix E.

The funding structure requires that a school reach an enrollment of 50 or more students within the first academic year that the school is open to qualify for P/I sub-grant funds. This enrollment level was determined to be the threshold level needed to sustain operations when the P/I sub-grant ends. Sub-grantees that fail to meet this requirement will not be eligible for additional CSP funds, and the grants may be terminated prior to the end date on the Grant Award Notification.

The funding structure will allow CDE to issue base awards to each sub-grantee corresponding to the overall passing score of the CSP sub-grant application as determined in the peer review process. Base awards will be \$475,000, with the opportunity to request up to \$575,000 based on the number of educationally disadvantaged students. Virtual or Online charter schools, as defined by *EC* Section 11963.5, as providing at least 80 percent of teaching and student interaction via the internet, will have a maximum award of \$175,000. Applicants will be ranked from highest to lowest score in the event there are insufficient funds available for all applicants that pass peer review. Funding above the base award of \$475,000, not to exceed \$575,000, may be awarded after the first year of operation based on the consideration of the following factors:

- Enrollment percentage of educationally disadvantaged students as verified on CALPADS certified for each school
- Total enrollment of the school
- The charter school has met all program accountability and monitoring criteria as outlined in the RFA
- Availability of funds

The CDE anticipates that the majority of CSP sub-grantees will request and qualify for the additional funding after the first year of operation. The CDE also assumes the majority of grant applicants will be classroom-based; therefore, in the budget calculations, virtual or online charter schools make up less than ten percent of applicants.

The CDE will award up to ten dissemination grants for amounts up to \$200,000 for a term not to exceed 24 months. Dissemination applicants will also be ranked from highest to lowest score in the event there are insufficient funds available for all applicants that pass peer review.

The Process for Monitoring Sub-grantees

CDE will maintain contact with each CSP sub-grantee to ensure progress is made toward sub-grant benchmarks, accountability, and reporting requirements. CDE program staff review and approve sub-grantee's budgets and expense reports, tracking alignment to the application, for each funded charter school. Due to the size and the number of sub-grantees, California is divided into six regions to streamline the monitoring capabilities and provide personalized assistance to each funded charter school. During the 2010–15 CSP grant cycle, CDE developed and implemented a monitoring risk criteria and a standardized monitoring instrument for P/I sub-grant site visits and desk reviews. Each sub-grantee is measured against standard risk criteria. Sub-grantees that meet at least three of the ten risk criteria are identified for either a site visit or a desk review based on the risk identified.

On the standardized site-monitoring instrument that CDE uses, there are 12 indicators the school must meet to be considered in compliance on the site-monitoring visit. Failure to pass any of the 12 indicators will result in a Corrective Action Plan (CAP), shared with the authorizing agency, which outlines the criteria and timeline for the corrective actions to be submitted to the CDE. Failure to demonstrate progress towards corrections may result in the cancellation of the grant, and the return of

misused or unspent funds. All site visits and desk reviews will be completed after the first year of implementation, or within one year after the end date of the grant.

As part of the grant award process, CDE staff will work with the school to ensure CSP grant expenditures are in alignment with the program goals and requirements. CDE staff require sub-grantees to allocate CSP funds towards staff training in areas including, but not limited to, governance and fiscal management, leadership training, and professional development training for teachers on effectively identifying and implementing strategies to improve educational outcomes for educationally disadvantaged students. Meeting these requirements will be accessed and reported annually in the performance measures.

Dissemination sub-grantees are subject to all the same quarterly and annual reports, and to school site monitoring visits or desk reviews similar to the P/I sub-grantees. The Dissemination site monitoring visit instrument has 10 indicators the school must meet to be considered in compliance and the failure to pass any of the 10 indicators will result in a CAP. Failure to demonstrate progress towards corrections may result in the cancellation of the grant, and the return of misused or unspent funds. In addition, Dissemination sub-grantees are required to provide evidence of at least one public presentation each year of the grant and post best practice to My Digital Chalkboard, a web-based community of best practices developed by California.

CDE also provides ongoing technical assistance for all sub-grantees by phone, e-mail, in-person workshops, and webinars to ensure fidelity to the program goals, and to ensure all accountability and reporting requirements are met.

Dissemination of Information and Best Practices

State Leadership in Dissemination

State Administrative funds designated for outreach activities will focus on charter development, replication of successful practices, and building a statewide network of support for authorizing agencies. In collaboration with COEs, charter organizations, and CDE program staff, California will host and/or facilitate technical assistance workshops to assist charter developers draft high-quality CSP sub-grant applications, assist authorizers with dissemination of best practices for approval processes and oversight responsibilities, and strategies to sustain high-quality charter schools. Technical assistance workshops will also include topics that support the state level strategy, including, but not limited to, best practices for serving educationally disadvantaged students including, special education and ELs, LCAP implementation and updates, California Assessment of Student Progress and Performance (CAASPP) System (state mandated testing), student discipline and school climate, and education leadership training.

Technical assistance will be offered throughout the state for CSP sub-grant applicants and awardees that will include rigorous and sustainable education plans for addressing the needs of educationally disadvantaged students. CDE program staff technical assistance will include webinars and in-person training workshops, post peer review next steps processes, and detailed instructions for meeting all accountability and reporting requirements of the 2016–19 CSP grant.

California has identified school climate as one of the eight key indicators that contributes to the educational outcome for educationally disadvantaged students. *EC* Section 52060(d)(6) identifies school climate as one of the state priorities that is

reviewed annually in the LCAP for progress by a charter school community. California continuously updates training materials and guidance easily accessible on the CDE website to assist schools in developing and updating the LCAP goals. Because school climate is a high priority for the state, as well as the U.S. Department of Education (USDOE), California will emphasize this as a priority in dissemination grants to ensure best practices are identified, documented, and shared broadly. California will promote dissemination of best practices for improving school climate and discipline practices through priority points built into the Dissemination sub-grant RFA. Funded applicants awarded priority points will be required to present their best practice findings and project deliverables at a minimum, two times during the term of the grant to charter school teachers and operators, district and county offices, parent organizations and/or charter school developers. CDE will support the dissemination efforts by inviting presentations to regional and statewide trainings. Funded applicants will also be required to post project deliverables to My Digital Chalkboard for free statewide access.

During the 2010–15 CSP grant cycle, California developed a Web-based community of best practices called My Digital Chalkboard, which will be utilized for disseminating best practices through the 2016–19 CSP grant cycle. My Digital Chalkboard is an online education tool that features teaching resources, professional development opportunities, and provides a collaborative forum with an online community of teaching professionals. My Digital Chalkboard portal provides a robust platform for sharing of products and materials, and it provides specific support to charter authorizers, charter developers, and charter communities to implement best and promising practices.

California will also collaborate with Alameda County Office of Education's CARSNet Program to support dissemination of best practices specific to small authorizing agencies. The work of this project is funded through the Charter School Program National Leadership Activities grant to improve the quality of practice of small charter school authorizers and increase charter school accountability. In addition, California will work with the recently-established professional association, California Charter Authorizing Professionals (CCAP) to connect with staff members of authorizing agencies throughout the state. CCAP was formed with the support of the National Association of Charter School Authorizers and is committed to improving the quality of charter school authorizing in the state.

In addition to Web-based distribution of best practices, California will disseminate best and promising practices to authorizing agencies, charter schools, non-charter public schools, and charter school developers through the following activities:

- Extended regional in-person trainings and broadcast of TA Webinars on a variety of topics made publically available on the CDE Web site.
- Participation by California's representatives on the CARSNet Program Advisory Board Team in regional in-person trainings for authorizers to help ensure that resources are transparent, flexible, and replicable.
- Provision of information/data to charter associations and research firms for analysis of efficacy and impact of dissemination activities.
- Facilitation of presentations by COEs and charter school associations emphasizing best and promising practices to address student safety, discipline and school climate challenges at statewide conferences.

- Collaboration across CDE Divisions for data and best practices specific to academic performance of students, school culture, discipline, special education, English language development, and successful strategies that meet the needs of California's racial and ethnic diverse student populations.
- Award of up to ten CSP Dissemination grants to charter schools that will be required to disseminate best and promising practices statewide at least twice during the grant, measuring participant satisfaction at the conclusion, and through postings and group discussions on the My Digital Chalkboard web portal throughout the term of their grant.

California will measure and report the impact of these activities through quarterly and annual data collection which includes, but is not limited to, an increase in awareness and knowledge of charter school best practices, a year-to-year increase of funded charter schools and high levels of satisfaction with technical assistance as reported on participant surveys. With TA targeting the quality of charter petitions and authorizing practices, there will be a positive impact on the amount and quality of resources available to stakeholders to increase the quality of charter petitions, consequently, increasing the number of petitions approved. This will increase the number of high quality charter schools that can offer more school choices to an increasing number of students wishing to enroll in charter schools.

Oversight of Authorized Public Chartering Agencies

Oversight and Accountability of Authorizing Agencies

California has processes in place to monitor, evaluate, assist, and hold accountable authorizing agencies across the state in several ways. Communication

between the CDE and the public, charter school administrators, teachers, and directly with authorizing agencies helps to inform CDE and the SBE of issues requiring attention or monitoring.

A county superintendent of schools has the authority to monitor and investigate charter schools within the county based on written complaints by parents/guardians or other information that justifies an investigation. The authority of a county superintendent, per *EC* Section 47604.4, provides an additional level of accountability for authorizing agencies. As described in the Absolute Priority 1, the SBE has the authority to revoke a charter school regardless of the entity that authorized the school which provides accountability against an authorizer that may be reluctant to close a failing charter school.

California's appeal process for locally denied charters at both the county and state level holds authorizing agencies accountable. The SBE and CDE are actively involved in the appeal process where actions to deny either an initial approval or renewal by a local and/or county authorizing agency are reviewed. The CDE evaluates and recommends an action to be taken by the SBE. In this process, local authorizing agencies have the opportunity to justify actions and their input is taken into consideration, but the SBE makes an independent decision on an appeal. The SBE has the authority to authorize a charter school presented through the appeal process for either initial charter approval, or a non-renewal, brought forth on appeal. This process allows California to hold authorizing agencies accountable for the decisions made at the local level, as authorizers know an unjustified denial may be overturned.

Charter Petitions Exhibiting Evidence-Based Models

California has held constant the intent behind the Charter Schools Act of 1992. Charter schools are intended to increase learning opportunities for pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving. Further intent is stated to encourage the use of rigorous and innovative teaching models, expanding choices in the types of educational instruction, and to provide vigorous competition within the public school system to stimulate continual improvements in all public schools. An authorizer must ensure that a charter petition provides a comprehensive description of its educational program model and must address in that description how they will incorporate the California curriculum standards, how they will serve ELs, Special Education students, low achieving students, high achieving students, and how the education program plans to serve and support diverse learners. The educational program model must also include an evidence based plan for intensive intervention for students performing two or more years below grade level based on multiple measures, and a description of how they will address school climate and discipline through an evidence based model such as restorative justice, building effective school models, and positive behavioral interventions and support (PBIS). The CDE provides all schools in California with resources on how to incorporate evidence based program models that align to the eight state priorities into their school model. All charter school petitions must meet the same state standards regardless of the instructional model designated, and all the academic requirements must happen within the school day. These provisions provide assurance that authorizers make decisions that result in high quality charter schools because a charter petition that does not describe a sound education program will be denied.

Measurable Performance Expectations

California has established measurable academic and operational performance expectations for all charter schools through the requirement in the petition to identify the MPOs and the means by which each will be measured. These goals and outcome measures must be disaggregated by pupil subgroup and align with state performance priorities. Charter schools may also elect to establish MPOs in addition to addressing the required state priorities. This autonomy allows a charter school to demonstrate growth for rigorous and targeted programs that may not necessarily be captured through high stakes test scores or the state metrics. Progress toward charter outcomes are evaluated and updated annually through the submission of the LCAP, using the LCAP and Annual Update template adopted by the SBE, as stated in 5 CCR Section 15497.5. There are no waivers or exemptions to this requirement. A charter that fails to meet its goals, as specified, may be referred for state assistance or revocation.

Annual Reporting

Public information about the demographics and performance of a charter school is available on an annual basis. All charter schools are required to report to the state and the data is made available to the public on the CDE website. The primary source of this information is the required annual update and evaluation of the LCAP which is provided to the authorizer. This document reports progress on the specific goals and outcomes articulated in the charter petition through a public process which involves community input. The LCAP annual update must include actual annual measurable outcomes; estimated actual annual expenditures; and a statement of changes in goals,

actions, services, and expenditures to be made as a result of the annual review of past progress.

California also requires charter schools to produce and publish an annual School Accountability Report Card which provides performance data to the public. The CDE posts standardized test data annually for the state's charter schools on the department's website. Charter schools must have an annual independent audit in accordance with Generally Accepted Accounting Principles (GAAP), following the State's K-12 Audit Guide. The audit must be submitted to the authorizer, the county superintendent, and the state. California will also have a new accountability system that will provide publicly available annual reports. The system will likely be fully operational during the grant period. The law addresses how charter schools are to be evaluated in the interim. Other reports, such as an authorizer's monitoring reports are also public documents.

Autonomy

California statute demonstrates the intent for charter schools to have complete autonomy with regard to educational programs, budgets, expenditures, staffing, and curriculum choice. *EC* Section 47601 states, "It is the intent of the Legislature ... to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure..." In addition, *EC* Section 47605(a)(2) provides that any one or more persons seeking to establish a charter school may circulate a petition to start a charter school. Charter schools are exempt from virtually all laws that govern school districts except some safety laws and the state accountability and testing system. Otherwise,

they are held accountable to the terms and provisions of their charter. The law establishes specific criteria for renewal and revocation of charter schools that violate the law, the terms of their charter, or failure to meet academic targets.

Although school districts and COEs are permitted to develop charter schools, the CSP sub-grant application will require that only highly autonomous charter schools with non-profit status will receive CSP funds. While autonomy is high for California charter schools, they are also held to high accountability standards and oversight to ensure school quality.

Seeking and Approving Charter Petitions

Local authorizing agencies are required to follow statute as previously described when approving a charter school for operation. The law states that in reviewing charter petitions “the chartering authority shall be guided by the intent of the legislature that charter schools are and should become an integral part of the educational system and that the establishment of charter schools should be encouraged”. This statute requires a comprehensive description of 16 elements to be considered a high-quality charter school. The charter petition elements include a description of the educational program, the annual goals for all students and subgroup of students aligned to state priorities, specific annual actions to achieve these goals, identification of MPOs, the method by which student progress is to be measured, the governance structure, audit procedures, employee rights and qualifications, health and safety procedures, admissions and lottery process, discipline policies, closure procedures, and dispute resolution process. An authorizer may deny a charter petition if it finds an educational program is unsound, a charter petition is not reasonably comprehensive, or the petitioners are not likely to

succeed in implementing the program. A charter school developer that meets these criteria would likely receive local approval to open a high-quality charter school, or be approved on appeal.

Annual Monitoring

The oversight responsibilities in statute, as described in Absolute Priority 1, Periodic Review and Evaluation, provide evidence that California requires authorizing agencies to annually monitor a charter school's LCAP progress and fiscal condition. Charters must submit an annual independent fiscal audit to their authorizer. Authorizers must also perform an annual site visit to their charter schools. Annual monitoring is necessary because an authorizer may intervene at any time to require corrective action of serious deficiencies up to and including revocation of a charter school. Authorizers also provide in-depth review to ensure program fidelity, fiscal responsibility, increased academic progress, and compliance at least once every five years when a charter is renewed. Statute established minimum academic criteria for renewal and requires that the most important factor when considering renewal or revocation of a charter school is increases in student academic achievement for all groups of pupils served by the charter school.

Clear Criteria for Renewal and Revocation

California statute also provides the renewal framework and process for charter schools deemed to be high-quality. Even though the assessment and accountability is changing, California has passed statute for the interim period that specifies accountability criteria that must be achieved for a charter school to meet the renewal threshold. The MPOs identified in a charter petition are the renewal criteria authorizing

agencies use to verify increases in student academic achievement of students school wide and among significant subgroups. The law requires a charter petition's goals, outcomes, and metrics be aligned with defined state priorities to ensure appropriate rigor. Through these criteria, a charter school must demonstrate fidelity to the terms of the charter.

An authorizing agency shall consider increases in pupil academic achievement for all groups of pupils served by a charter school, as defined in statute, to be the most important factor in determining whether to grant a charter renewal. Statute provides the framework for revocation of a charter in *EC* Section 47607(c). This statute specifies that through a showing of substantial evidence, an authorizing agency may revoke a charter for committing a material violation of any of the conditions, standards, or procedures set forth in a charter petition, failing to meet or pursue any of the MPOs identified in a charter petition, failing to meet GAAP, engaging in fiscal mismanagement, or any violation of the law.

The second part of this statute reiterates that the most important factor in determining whether to revoke a charter is to consider increases in academic achievement for all groups of students. *EC* sections 47607(d) and (e) continue with a specific process that must be followed prior to a charter school revocation. The requirements include a Notice of Violation, providing opportunity to remedy, a Notice of Revocation, and a public hearing prior to action. Specific details for this process are described in 5 *CCR* Section 11968.5.2.

As described in Absolute Priority 1, California *EC* Section 47604.5 also authorizes the SBE to revoke a charter whether or not it is the authority that granted the

charter under specified conditions including gross fiscal mismanagement or sustained departure from successful academic processes. Additionally, a charter school may be referred to the California Collaborative for Educational Excellence (CCEE) for assistance if it fails to improve outcomes for three or more student subgroups, in one or more state or school priorities, in three out of four consecutive school years. An authorizing entity is required to consider revocation for any charter school provided advice and assistance by CCEE if the charter school failed, or is unable, to implement CCEE's recommendations or if performance concerns of the charter school are so persistent or so acute as to require revocation of the charter.

Continued Accountability

California's approach to transitioning the state assessments and accountability system is to implement one change at a time, over time, with overlapping activities that began in 2010 when California developed the Common Core State Standards (CCSS). CCSS established consistent and clear standards for English language arts and mathematics designed to prepare students for success in college, career and the competitive global economy. The CCSS, which were adopted by the SBE in 2010, are the foundation for the transition to a new way of assessing and measuring the academic progress of California students. The transition to the new state testing system began in 2012. Activities included small scale trials, pilot testing, and field testing which led up to full implementation of the Smarter Balanced Assessment System in 2015. The LCAPs were required beginning in 2014 under *EC* Section 52060 and were required to be for a period of three years with annual updates due every July. A copy of the LCAP template can be found in Appendix E. All charter schools are required to continue administering

and reporting statewide assessments as required by *EC* Section 52060 through the transition and until full implementation of the new statewide student assessment system is complete. The SSPI also introduced the career readiness initiative in 2012 which included state standards for career readiness practice, and focused on 21 key objectives to support, sustain and strengthen Career and Technical Education in the State. New college and career readiness metrics and standards are scheduled to be approved by the SBE next fall. California has also completed the alignment of English Language Development (ELD) standards to the English Language Arts, Math, and Science standards in CCSS, and the LCAP rubric will be adopted by the SBE in September of 2016. All new CSP sub-grantees in California will have a comprehensive accountability system in place for implementation of their new school.

Policy Context for Charter Schools

Flexibility and Autonomy

California's charter school law provides a maximum amount of flexibility and autonomy to charter schools, which allows the necessary latitude to create and operate effective and rigorous educational programs. *EC* Section 47610, known as the "mega-waiver", states that charter schools shall comply with all charter school laws and the provisions set forth in its charter petition, but is otherwise exempt from the laws governing school districts.

Charter schools have significant funding flexibility. They may use the general apportionment funds for any purpose that furthers the educational mission. Charter schools have full autonomy over budget, staffing, and other operational decisions. Under California's LCFF, a weighted student formula, schools generate supplemental

state funds based on the number and concentration of educationally disadvantaged students. Schools must use the additional funding for activities designed to improve academic outcomes for the population served. A charter school has the flexibility to determine what activities would benefit their students.

State law requires a charter school be held accountable for meeting the state academic content standards; however, charter schools have maximum flexibility in the methodology and instructional resources used to meet the needs of the targeted student population. State law, under *EC* Section 47601 codifies legislative intent that charter schools have the flexibility to design innovative instruction and delivery methods to meet the wide variety of learning modalities and student needs. Charter schools are required to participate in all state assessment systems and are held to the same or higher accountability standards as other public schools.

California statute demonstrates the intent for charter schools to have complete autonomy with regard to educational programs, budgets, expenditures, staffing, and curriculum choice. *EC* Section 47601 states in part that,

“It is the intent of the Legislature, in enacting this part, to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure,...hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.”

California charter schools may choose to be deemed a LEA for funding purposes, federal funding and special education, offering optimal autonomy in virtually

all operations and decision making that is afforded every other LEA. California will only fund CSP charter school applicants that are highly autonomous.

Information on Federal and State Funding Opportunities

California is committed to ensuring that every new charter school in the state is informed about various federal funding opportunities and programs in which a charter school may participate. Upon notification of a charter approval, the CDE notifies the charter school of:

- State funding information, including the pupil count reports, timing for initial LCFF allocations, and state categorical funding
- Federal funding information, including information about CSP sub-grants and how charter schools can access federal program funds such as Title I, II, III, and Individuals with Disabilities Education Act (IDEA) funds

The CDE also uploads this information on the CDE's Web, notifies charter organizations, and regularly presents at charter conferences to ensure a wide-dissemination of funds. A charter school that has elected to be its own LEA for funding purposes applies and complies with federal programs independently.

CDE will announce the availability of CSP sub-grant funds to parents, teachers, and communities throughout California through press releases by the SSPI, posts to the CDE Web site homepage and funding page, statewide list serv messages and emails to charter developers, parent organizations, and through regular notices to our charter support partners. This ensures potential charter school developers are aware of federal funds available to assist in the planning and initial implementation of a charter school, and to ensure that funds will be made available on an equitable and fair basis,

encompassing the requirements of Section 427 of the USDOE General Education Provisions Act.

Ensuring Commensurate Share and Timing of Funds

California established several funding mechanisms for charter schools to help ensure equitable funding. *EC* Section 47630 states that “It is the intent of the Legislature that each charter school be provided with operational funding that is equal to the total funding that would be available to a similar school district serving a similar pupil population...” To this end, and in accordance with the provisions of Public Law 105–278 and its implementing regulations (34 Code of Federal Regulations, [CFR] Part 76), the CDE ensures that each charter school in the state receives its commensurate share of the federal funds that are allocated by formula each year. To access federal program funds that are allocated by formula, direct funded charter schools are deemed independent LEAs and must submit a California’s Consolidated Application (ConApp) indicating their intent to participate in federal programs. Charter schools that are locally funded participate in federal programs as a school of their authorizing LEA, pursuant to *EC* section 47634.4(a) and (b). Charter schools are required to submit a LEA plan to access federal program funds, and to describe how funds received will be used. The ConApp is used by the CDE to distribute categorical funds from various state and federal programs to COEs, school districts, and direct-funded charter schools throughout California. Twice annually, in May and January, each LEA submits the application to document participation in these programs and provide assurances of compliance with the legal requirements of each program. The winter release of the application is submitted in January of each year and contains the entitlements for each

funded program. Newly approved charter schools, as well as significantly expanding charter schools, are included in the federal program entitlement calculations for that fiscal year's funding using estimated data collected annually.

New and expanding charter schools are also eligible to receive special advance funding of state operational funds through the LCFF and certain state and federal categorical programs such as Title I. The advances are based on estimates of a school's upcoming enrollment, average daily attendance, and pupil demographic data and are subject to review by the authorizing entity. The data estimates are submitted in the Pupil Estimates for New or Significantly Expanding Charters (PENSEC) report. PENSEC state aid LCFF entitlement advance payments are made in one warrant around September 30th, and 20 Day State Aid LCFF entitlement advance payments are made in one warrant around December 31st. For most state and federal programs, PENSEC entitlements will be revised, and allocations adjusted, when actual counts are reported. Most state and federal program funding is managed, and payments are administered by the CDE's School Fiscal Services Division.

California statute ensures that charter schools that are considered to be LEAs, pursuant to *EC* Section 47641(a), will comply with the IDEA; 20 United States Code (U.S.C.) sections 1400 et seq. Additional assurances, required in the charter school petition and the 2016–19 CSP sub-grant RFA, will require that charter schools comply with the Age Discrimination Act of 1975 (42 U.S.C. 6101, et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

Disseminating Best Practices

California's plan to disseminate best and promising practices is outlined in the Dissemination of Information and Best Practice section.

Federal funds and Programs

Refer to Information on Federal and State Funding Opportunities in California's Policy Context Section.

IDEA Compliance

Both federal law and *EC* Section 47646 require LEAs to serve children with disabilities who attend charter schools in the same manner and to the same extent as they serve children with disabilities in traditional public schools. IDEA provides clear requirements of services for eligible students with disabilities. Charter schools are required to follow mandated special education responsibilities with regard to students with disabilities, and parents/guardians retain all rights guaranteed under IDEA (34 CFR Section 300.209[a]).

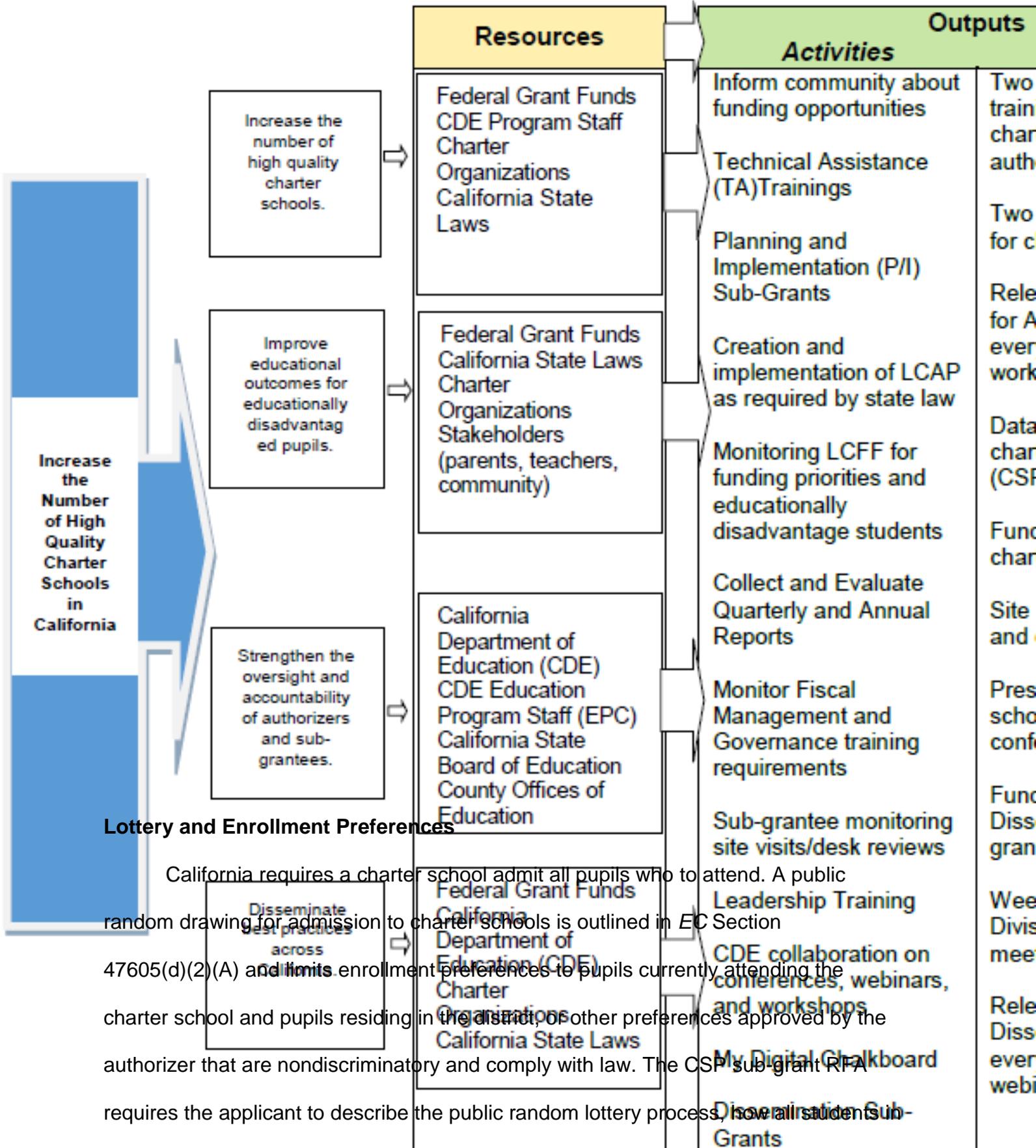
California charter schools may elect to be deemed an independent LEA, or they may affiliate with their authorizer to coordinate special education programs and services. A charter school that is its own LEA for special education is subject to all the requirements and monitoring that applies to all other LEAs in the state. A charter school, as an LEA, must ensure that children with disabilities are provided a full range of placement and special service options. *EC* Section 47640 requires that a charter school LEA must comply with all IDEA regulations. Charter schools are entitled to participate in state and federal funding for special education in the same manner as any other public school.

A charter petition's description of the educational program must address how the charter school will meet the needs of students with disabilities. In addition, a charter petition must specify the school's special education plan, including, but not limited to, the means by which the charter school will comply with the process to be used to identify students who qualify for special education programs and services; how the school will provide or access special education programs and services; the school's understanding of its responsibilities under the law for special education pupils; and how the school intends to meet those responsibilities.

Logic Model

California's strength is in the size and scope of resources available to the charter school community. Through collaboration with the CDE and the charter school community, and targeted technical assistance, the CDE will see an increase in the number of high quality charter schools and an increase in the academic performance of educationally disadvantaged students. California has identified four objectives for the 2016–19 CSP grant that are in alignment with the eight state priorities identified by California and the objectives of the CSP grant. The logic model demonstrates California's capacity to meet these objectives and have a long term impact on the number and performance of charter schools. All performance measures have been aligned to the short and long term outcomes in the logic model.

California Charter Schools Program



Lottery and Enrollment Preferences

California requires a charter school admit all pupils who to attend. A public random drawing for admission to charter schools is outlined in EC Section 47605(d)(2)(A) and limits enrollment preferences to pupils currently attending the charter school and pupils residing in the district, or other preferences approved by the authorizer that are nondiscriminatory and comply with law. The CSP sub grant RFA requires the applicant to describe the public random lottery process, how all students in

the community will be informed about the charter school, and how students will be given an equal opportunity to attend the charter school. This is a scored element in the RFA and applicants that provide an inadequate response on how they will be compliant with state law and provide equal opportunity to attend the charter school will not receive CSP funds.

Applicants are also required to sign the general assurances that they will remain compliant with *EC* Section 47605(d) throughout the term of the grant. CDE ensures compliance by requiring schools to submit evidence of any lotteries, and evidence that they are in compliance with state and federal laws. These documents are reviewed and monitored as part of the grant monitoring process.

Objectives

California has identified four objectives for the charter schools grant program:

Objective 1: Increase the number of high-quality charter schools

Objective 2: Improve academic outcomes for educationally disadvantaged students

Objective 3: Dissemination of best practices

Objective 4: Strengthen accountability and oversight of authorizers and CSP sub-grantees

Our outreach efforts to inform teachers, parents, and communities about the charter school program and the availability of funds will include press releases by the SSPI, posts to the CDE Web site homepage and funding page, and through email notices to district and COEs, and charter support partners. The CDE will also notify the Parent Teacher Association, and the CCSA parent advocacy group of CSP funding

opportunities. The CDE will send out a “save the date” email notification of our intent to release another RFA upon confirmation of a 2016–19 CSP award.

Revolving Loan Fund

California will not seek CSP grant funds for a revolving loan fund.

Waivers

California will not seek to waive any portion of the CSP grant in this application.

Performance Measures

California transitioned from the Standardized Testing and Reporting System to the CAASPP System in 2015–16. CAASPP includes a number of assessments, but the most widely given are the Smarter Balance Summative Assessments, which evaluates student progress on the California Standards in mathematics and English language arts/literacy. Since 2015 was the first year of the new tests, these results will serve as the baseline data from which to measure progress. These performance measures will allow CDE to measure improvement for CSP funded charter schools to align with California’s objective to improve academic outcomes for educationally disadvantaged students, and is in alignment with the performance measures established for the CSP program. The California Longitudinal Pupil Achievement Data System will be used to report on the performance measures aligned to increasing the number of high performing charter schools and improving academic achievement for educationally disadvantaged students on the annual reports. Additional performance measures have been included that are specific to developing new schools, monitoring existing charter schools, and disseminating best practices from successful charter schools throughout the state which supports California’s objectives, as well as the objectives of the CSP

grant. The data for these performance measure will be collected on the quarterly and annual reports required from all sub-grantees.

The performance targets are ambitious because they require the charter schools to demonstrate continuous improvement toward achieving the goals outlined in their education plan, requires frequent student assessment and related program adjustments, and a high level of academic and fiscal accountability. The performance measures will also allow CDE to identify areas requiring intervention strategies and TA. Table 6 below describes the 2016–19 Project Objectives and Performance Measures. Performance measures are designated as GPRA, measures established for reporting to Congress under the Government Performance and Results Act, Program which designates measures established by the program office, and Project are performance measures that CDE has included in the RFA grant application. All performance measure can be collected and reported annually.

Table 6: Project Objectives and Performance Measures

Objective 1: Increase the number of high-quality charter schools				
#	Performance Measure	GPRA/Project or Program	Baseline Data	Performance Target
1a	A year-to-year increase in the number of high-quality charter schools in California.	Program	1,208	Increase up to 50 each year
1b	A year to year increase in the number of students enrolled in CA charter schools	Program	2015–16 enrollment data	Year to Year increase
1b	90 percent of CSP sub-grantees will complete education leadership training within the first year of the grant.	Program	90% of sub-grantees	Up to 45 annually
1c	The annual percentage of charter school students who are performing at or above public schools in the authorizing district on the CAASPP system.	GPRA	2015–16 CAASPP baseline	Year to Year increase

1d	Annual percentage of CSP funded charter schools receiving LCFF supplemental or concentration add-on funding to serve educationally disadvantaged students.	Program	2014–15 FY	Year to Year increase
Objective 2: Improve academic outcomes for educationally disadvantaged students				
#	Performance Measure	GPRA/Project or Program	Baseline Data	Performance Target
2a	Annual percentage of fourth-grade charter school students who met or exceeded achievement level in mathematics on the CAASPP.	GPRA	2015–16 CAASPP baseline	Year to Year increase
2b	Annual percentage of fourth-grade charter school students who met or exceeded achievement level in reading/language arts on the CAASPP.	GPRA	2015–16 CAASPP baseline	Year to Year increase
2c	Annual percentage of eighth-grade charter school students who met or exceeded achievement level in mathematics on the CAASPP.	GPRA	2015–16 CAASPP baseline	Year to Year increase
2d	Annual percentage of eighth-grade charter school students who met or exceeded achievement level in reading/language arts on the CAASPP.	GPRA	2015–16 CAASPP baseline	Year to Year increase
2e	ELs in charter schools reclassified at equal or higher rates than the schools located within the authorizing school district on the California English Language Development Test.	GPRA	2015–16 CAASPP baseline	Year to Year increase
Objective 3: Dissemination of Best Practices				
#	Performance Measure	GPRA/Project or Program	Baseline	Performance Target
3a	100 percent of CSP dissemination sub-grantees will post best practice deliverables on Digital Chalkboard each year of the grant.	Project	10 Grants	10
3b	90 percent of CSP dissemination sub-grantees will make at least one public presentation about their dissemination project at a meeting, conference, or other education related training during the first year of implementation.	Project	90% of 10 Sub-grantees	9

3c	90 percent of CSP dissemination sub-grantees will make at least one public presentation about their dissemination project at a meeting, conference, or other education related training during the second year of implementation.	Project	90% of 10 Sub-grantees	9
3d	Each year during the grant period, 80 percent of the participants in dissemination grant activities will report an increase in awareness and knowledge of charter schools best practices through a survey administered by the sub-grantee.	Project	90% of 10 Sub-grantees	9
3e	90 percent of CSP charter schools personnel that attend TA training will report a high level of satisfaction with the training in a survey to all attendees.	Project	Number of attendees signed in	90%

Objective 4: Strengthen accountability and oversight of authorizers and sub-grantees

#	Performance Measure	GPRA/Project or Program	Baseline	Performance Target
4a	90 percent of CSP sub-grantees will submit annual progress reports.	Project	90% of sub-grantees	Up to 45 annually
4b	90 percent of CSP funded charter schools will complete governance training by the end of year one of implementation.	Project	90% of sub-grantees	Up to 45 annually
4c	90 percent of CSP funded charter schools will complete fiscal management training by the end of year one of implementation.	Project	90% of sub-grantees	Up to 45 annually
4d	90 percent of CSP funded charter schools will report annually that services received from its charter authorizer, including facilities, are satisfactory.	Project	90% of sub-grantees	Up to 45 annually
4e	90 percent of governing boards representing funded charter schools will comply with all state and federal regulations and demonstrate fiscal health as measured by adequate reserves and ending balances on audit reports assessed each year.	GPRA	90% of sub-grantees	Up to 45 annually