

State Board Rule 6A-1.099827 - Charter School CAPs & SIPs

Effective October 17, 2017

This rule discusses the requirement of charter schools corrective action and school improvement plans.

<https://www.flrules.org/gateway/RuleNo.asp?title=FINANCE%20AND%20ADMINISTRATION&ID=6A-1.099827>

6A-1.099827 Charter School Corrective Action and School Improvement Plans.

(1) Required Plans.

(a) A charter school that receives a school grade of “D” or “F” pursuant to Section 1008.34(2), F.S., must develop and submit a school improvement plan to its sponsor.

(b) A charter school that earns three (3) consecutive grades below a “C” must submit to its sponsor a school improvement plan that includes one of the corrective actions listed in subsection (6), of this rule.

(2) Notifications.

(a) Upon release of school grades the Department of Education will publish a list of charter schools that meet the criteria in subsection (1), of this rule. The list will be published at <http://www.fldoe.org/schools/schools-choice/charter-schools/>. Upon publication of the list by the Department of Education, a sponsor shall notify, in writing, each charter school in its district that is required to appear before the sponsor and submit a school improvement plan pursuant to subsection (1), of this rule. The notification shall include the following:

1. The date, time, and location of the publicly noticed meeting that the director and a representative of the Charter School Governing Board shall appear before the sponsor. For the purposes of this rule the term “Director” shall mean charter school director, principal, chief executive officer or other management personnel with similar authority. The appearance shall be no earlier than thirty (30) calendar days and no later than ninety (90) calendar days after notification is received by the school,
2. The date by which the school must submit its proposed school improvement plan to sponsor staff for review which shall be no earlier than thirty (30) calendar days after notification is received by school; and,
3. Whether the school is required to select a corrective action pursuant to paragraph (1)(b), of this rule.

(b) Notifications may be delivered electronically with proof of receipt.

(3) Appearances.

(a) Upon receipt of notification pursuant to subsection (2), of this rule, the director and a representative of the governing board shall appear before the sponsor at the publicly noticed meeting.

(b) The director and governing board representative shall present to the sponsor a school improvement plan that includes, at a minimum, the components identified in subsection (4), of this rule.

(4) School Improvement Plans.

(a) A charter school that receives a school grade of “D” or “F”, but is not subject to corrective action pursuant to paragraph (1)(b), of this rule shall submit to its sponsor a school improvement plan that includes, at a minimum, the following components:

1. Mission statement of school,
2. Academic data for most recent three (3) years, if available,
3. Student achievement objectives included in the charter contract or most recent sponsor approved school improvement plan,
4. Analysis of student performance data including academic performance by each subgroup,
5. Detailed plan for addressing each identified deficiency in student performance, including specific actions, person responsible, resources needed, and timeline,
6. Identification of each component of school’s approved educational program that has not been implemented as described in the school’s approved charter application or charter contract,
7. Detailed plan for addressing each identified deficiency noted in subparagraph (4)(a)6., of this rule, including specific actions, person responsible, resources needed, and timeline,
8. Identification of other barriers to student success, with a detailed plan for addressing each barrier including specific actions, person responsible, resources needed, and timeline; and,
9. Specific student achievement outcomes to be achieved.

(b) A charter school that is subject to corrective action pursuant to paragraph (1)(b), of this rule, shall submit to its sponsor a school improvement plan that includes, at a minimum, each of the components listed in paragraph (4)(a), of this rule, and the following:

1. Governing board resolution selecting one of the corrective action options pursuant to subsection (6), of this rule,
2. A detailed implementation timeline; and,
3. A charter school may submit as part of its school improvement plan a request to waive the requirement to implement a corrective action. The waiver request must include information that demonstrates that the school is likely to improve a letter grade if additional time is provided to implement the strategies included in the school improvement plan.

(5) Approvals.

(a) A sponsor shall approve or deny a school improvement plan submitted pursuant to subsection (4), of this rule. The sponsor shall notify the charter school in writing within ten (10) calendar days of its decision to approve or deny the school improvement plan.

(b) A sponsor may deny a school improvement plan if it does not comply with subsection (4), of this rule. If denied, the sponsor shall provide the charter school, in writing, the specific reasons for denial and the timeline for resubmission.

(c) A charter school or sponsor may request mediation pursuant to Section 1002.33(6), F.S., if the parties cannot agree on a school improvement plan.

(6) Corrective Actions.

(a) Upon meeting one of the conditions in paragraph (1)(b), of this rule, and receiving notification pursuant to subsection (2), of this rule, a charter school governing board shall select one of the following corrective actions for implementation the following school year:

1. Contract for educational services to be provided directly to students, instructional personnel, and school administrators. The charter school may select an Education Management Organization or Academic Management Organization to provide services to charter school students, teachers, and administrators, including services such as, but not limited to, instructional coaching, curriculum review and alignment, and data literacy,
2. Contract with an outside entity that has a demonstrated record of effectiveness to operate the school,
3. Reorganize the school under a new director or principal who is authorized to hire new staff,
4. Voluntarily close.

(b) The selection of the corrective action shall be made by the governing board and is not subject to sponsor approval.

(c) A charter school is no longer required to implement a corrective action if it improves to a "C" or higher, but must continue to implement the strategies identified in the school improvement plan.

(d) A charter school implementing a corrective action that does not improve to a "C" or higher after two (2) full school years of implementation must select a different corrective action to be implemented in the next school year unless the sponsor determines that the charter school is likely to improve a letter grade if additional time is provided.

(7) Monitoring.

(a) Sponsors shall monitor the implementation of school improvement plans.

(b) Annually, the sponsor shall notify, in writing, each charter school implementing a school improvement plan of the requirement to appear before the sponsor to present information regarding the progress of the approved school improvement plan. The notification shall include the date, time, and location of the publicly noticed meeting at which the director and a representative of the charter school shall appear.

(8) Waivers of Termination.

(a) The State Board of Education may waive termination for a charter school that has received two (2) consecutive grades of "F" if the charter school demonstrates that the learning gains of its students on statewide assessments are comparable to or better than the learning gains of similarly situated students enrolled in nearby district public schools. The waiver is valid for one (1) year and may only be granted once.

(b) No later than fifteen (15) days after the Department's official release of school grades, the governing board of a charter school that has received two (2) consecutive grades of "F" may submit a request to the State Board of Education for a waiver of termination. Charter schools that have been in operation for more than five (5) years are not eligible for a waiver.

- (c) The charter school shall submit ten (10) hard copies of the waiver request to the Agency Clerk for the Department of Education, 325 West Gaines Street, Room 1520, Tallahassee, Florida 32399-0400.
- (d) The charter school shall certify that it has provided the district school board a copy of the waiver request as provided herein by filing a certificate of service with the Agency Clerk stating the person and address to which the copy was provided and the date of mailing or other transmittal.
- (e) The waiver request shall not exceed five (5) pages. Information provided beyond the five (5) page maximum will not be discussed nor considered by the State Board of Education. The waiver request shall be on 8 1/2 x 11 inch paper, double spaced, except quoted material and footnotes. Typewritten text, including footnotes must be no smaller than ten (10) pitch spacing, and there must be no more than twenty-six (26) lines of text per paper. Margins shall be no less than one (1) inch at the top, bottom, left and right.
- (f) The waiver request must include the name of the school, the Master School Identification Number, and the physical address of the school. The waiver request must be signed by the chair of the charter school governing board and include a certification that the governing board voted at a duly noticed public meeting to support the submission of the waiver request.
- (g) In determining whether to grant a waiver the State Board of Education shall review student achievement data provided by the Department of Education and shall provide such data to the charter school and the sponsor no later than seven (7) calendar days prior to the State Board meeting at which the waiver request is to be considered. Analysis of student learning gains data must be based on comparisons between students enrolled in the charter school and similarly situated students enrolled in nearby district public schools and may include such factors as prior performance on state assessments, disability status, and English language learner status. Nearby district public schools shall include the three (3) geographically closest district public schools with similarly situated students. If three such schools do not exist within the school district the comparison may include less than three.
- (h) The State Board of Education shall approve or deny the request.
- (i) The filing of a timely waiver request under this rule that complies with the requirements in paragraphs (8)(b), (d) and (f), of this rule, shall automatically stay any pending termination of the charter school requesting the waiver until such time as the State Board of Education has ruled on the waiver request.