

**U.S. Department of Education - EDCAPS  
G5-Technical Review Form (New)**

Status: Submitted

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## Technical Review Coversheet

Applicant: Florida Department of Education (U282A160012)

Reader #1: \*\*\*\*\*

	Points Possible	Points Scored
<b>Questions</b>		
<b>Selection Criteria</b>		
<b>Educationally Disadvantaged Students</b>		
1. Ed. Dis. Students	15	12
<b>Vision for Growth and Accountability</b>		
1. Growth and Accountability	10	8
<b>Past Performance</b>		
1. Past Performance	15	10
<b>Project Design</b>		
1. Project Design	20	18
<b>Dissemination of Information and Best Practices</b>		
1. Dissemination	10	8
<b>Oversight of Authorized Public Chartering Agencies</b>		
1. Oversight of Authorizers	25	22
<b>Policy Context for Charter Schools</b>		
1. Policy Context	5	5
<b>Priority Questions</b>		
<b>Competitive Preference Priority</b>		
<b>High-Quality Authorizing and Monitoring Processes</b>		
1. CPP 1a	5	5
2. CPP 1b	5	5
3. CPP 1c	5	4
<b>Authorizer other than LEA or Appeals Process</b>		
1. CPP 2	5	5
<b>Total</b>	<b>120</b>	<b>102</b>

# Technical Review Form

Panel #3 - State Educational Agencies - 3: 84.282A

Reader #1: \*\*\*\*\*

Applicant: Florida Department of Education (U282A160012)

## Questions

### Selection Criteria - Educationally Disadvantaged Students

1. The Secretary considers the contribution that the charter schools grant program will make to assisting educationally disadvantaged and other students in meeting State academic content standards and State student academic achievement standards.

#### Strengths:

The applicant describes on page 12 its approach for selecting the highest quality operators. This approach appears strong because it is rigorous, highly selective and focused on past performance. On page 17, the applicant describes how it will report on the performance of authorizers. Adding a report card of authorizers is a best practice in charter evaluation. On page 19, the applicant describes that it has partnered with the Charter Schools Growth Fund to open new seats in high need areas. the applicant also provides data in section c of the application that shows the applicant is capable of assisting educationally disadvantaged students and other students in meeting State academic content standards and State student academic achievement standards. The applicant shares that in order to be classified as a high performing charter school; the school must be designated as an A or B on the school rating system and have good financial records. The applicant shares on page 27 the number of high performing charter schools in the state have increased. The applicant also shows on page 29 that for all subgroups, including educationally disadvantaged subgroups that charter schools have been higher performing than traditional public schools.

#### Weaknesses:

The definition of low performing requires that the charter school be in the bottom 5% for two consecutive years before any penalties are assessed or any potential sanctions. There are a very small number of charters that are low performing two years in a row. Although this appears to be true in the data, it is possible that these charters have barely made it above the cut point, but are still performing poorly, which shows the limitations of their academic programs.

Reader's Score: 12

### Selection Criteria - Vision for Growth and Accountability

1. The Secretary determines the quality of the statewide vision, including the role of the SEA, for charter school growth and accountability. In determining the quality of the statewide vision, the Secretary considers the following factors:

1) The ambitiousness, quality of vision, and feasibility of the SEA's plan (including key actions) to support the creation of high-quality charter schools during the project period, including a reasonable estimate of the number of high-quality charter schools in the State at both the beginning and the end of the project period; and

2) The ambitiousness, quality of vision, and feasibility of the SEA's plan (including key actions) to support the closure of academically poor-performing charter schools in the State (i.e., through revocation, non-renewal, or voluntary termination of a charter) during the project period.

**Strengths:**

On page 20, the applicant indicates that it plans to open 200 new charter schools in the five years and close low performing charter schools. Currently over 650 charter schools are operating and have been growing rapidly. Therefore adding 200 schools is consistent with past practice. The applicant explains on page 22 that during the last 5 years, they averaged 90 CSP applications per year and approved 49 and based on the definition and the use of the model application, these schools considered to be high quality. Therefore, the goal of 200 seems reasonable and appropriate based on the past years of awarding subgrants.

The applicant explains on page 24, that it has an automatic closure provision, where a charter school that receives a failing score 2 years in a row will be closed. Automatic closure provisions help to ensure that failing charter schools are closed early in the lifecycle of the charter school.

**Weaknesses:**

Although the application states that the SEA will close underperforming charter schools, there was not a detailed plan for how these charter schools would be closed. Given that the criteria for automatic closure will only effect a small number of charter schools and that charter schools will be allowed a one-year reprieve under numerous circumstances, this provision has limited value.

**Reader's Score: 8**

**Selection Criteria - Past Performance**

- 1. The Secretary considers the past performance of charter schools in a State that enacted a charter school law for the first time five or more years before submission of its application. In determining the past performance of charter schools in such a State, the Secretary considers the following factors:**
  - 1) The extent to which there has been a demonstrated increase, for each of the past five years, in the number and percentage of high-quality charter schools (as defined in this notice) in the State; and**
  - 2) The extent to which there has been a demonstrated reduction, for each of the past five years, in the number and percentage of academically poor-performing charter schools (as defined in this notice) in the State.**

**Strengths:**

The applicant explains on page 25 its SEA definition of a high performing charter school, which is based on academic and financial criteria that aligns with the notice. Based on this definition, the applicant shares on page 27, that the number of high performing charter schools has increased in each of the last 5 years. The performance of students on NAEP scores show that the schools are performing well overall.

The applicant also describes that the reduction in the number of charter schools in the bottom 5 percent of all schools has decreased. Identifying the bottom 5 percent of schools is the definition the applicant used to define low performing.

**Weaknesses:**

Although the number of charter schools in the bottom 5 percent has been reduced, there was a lack of clear information in the application that described the reduction in the number of academically poor performing charter schools in the state. Only focusing on the bottom 5 percent of schools is a very narrow definition of poor performing. There are a significant number of charter schools that are still in low performing categories. A school could still remain in the bottom decile of performance and still remain open.

There has been a reduction in the number of schools that in the bottom 5%, however, the default closure law requires a

school to be in the bottom 5% for 2 or 3 years before closure. If a school makes some improvements and moves into 6%, but then falls back under 5% the following year, it is not subject to closure.

Further, the applicant does not indicate that the percentage of high quality charters has increased. It shares that the numbers have increased over time, but not the percentage. Based on the information from page 21, the state has added over 200 charter schools per year and the percentage of charters that are high performing has declined. For example, in 2010, there were 459 charters and 116 were high performing (25%) and in 15-16 there were 652 charters and 165 were high performing (25%)

**Reader's Score: 10**

### **Selection Criteria - Project Design**

- 1. The Secretary considers the quality of the design of the SEA's charter school subgrant program, including the extent to which the project design furthers the SEA's overall strategy for increasing the number of high-quality charter schools in the State and improving student academic achievement. In determining the quality of the project design, the Secretary considers the following factors:**

**Reader's Score: 18**

#### **Sub Question**

- 1. 1) The quality of the SEA's process for awarding subgrants for planning, program design, and initial implementation and, if applicable, for dissemination, including --**
  - i. The subgrant application and peer review process, timelines for these processes, and how the SEA intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-quality charter schools; and**
  - ii. A reasonable year-by-year estimate, with supporting evidence, of**
    - a) the number of subgrants the SEA expects to award during the project period and the average size of those subgrants, including an explanation of any assumptions upon which the estimates are based; and**
    - b) if the SEA has previously received a CSP grant, the percentage of eligible applicants that were awarded subgrants and how this percentage related to the overall quality of the applicant pool.**

#### **Strengths:**

The applicant described a thorough and externally validated peer review process for both start-up funds and dissemination grant activities. The applicant has explained that it will work with external evaluators as part of the peer review process. On page 33 of the application they share information about WestEd's favorable evaluation of their SEA subgrant review process. An externally validated peer review program is a significant strength. The applicant also explains that it has revised its application to rely on model applications from national leaders and given its history is likely to implement the process.

As the applicant has received a grant previously, and based on its past performance this application includes a reasonable timeline, number of subgrants compared to previous grant awards.

**Sub Question**

**Weaknesses:**

The applicant does not describe specifically what has been included in the new process or how the improvements to the process will result in improvement in student outcomes.

**Reader's Score: 9**

**2. 2) The process for monitoring CSP subgrantees.**

**Strengths:**

On page 39, the applicant describes their proposed organizational structure for monitoring grantees of start up funds. The process appears to be thorough and complete including oversight by the charter schools office centrally as well as on site reviews. They also share that they will conduct budget reviews and a pre-grant review process which are also best practices.

**Weaknesses:**

The applicant did not note how it would monitor subgrantees of the dissemination grant activities.

**Reader's Score: 9**

**Selection Criteria - Dissemination of Information and Best Practices**

- 1. The Secretary considers the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools to each LEA in the State as well as to charter schools, other public schools, and charter school developers (20 U.S.C. 7221b(b)(2)(C) and 7221(c)(f)(6)). If an SEA proposes to use a portion of its grant funds for dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221c(f)(6)(B)), the SEA should incorporate these subgrants into the overall plan for dissemination. In determining the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools, the Secretary considers the following factors:**

**Reader's Score: 8**

**Sub Question**

- 1. 1) The extent to which the SEA will serve as a leader in the State for identifying and disseminating information and research (which may include, but is not limited to, providing technical assistance) about best or promising practices in successful charter schools, including how the SEA will use measures of efficacy and data in identifying such practices and assessing the impact of its dissemination activities.**

**Strengths:**

The applicant indicates that it will fund 3 dissemination subgrants about teacher quality, governance and discipline practices. By focusing on information about teacher quality and governance the applicant has identified key areas that have been known to effect charter school performance. The applicant indicates that it will be asking its subgrantees to share information at its annual charter schools conference. The applicant also shares that it will share information with the district charter collaborative to share these best practices.

The applicant describes a robust cycle of peer review in order to award the dissemination grants. On page 46, they explain that the peer reviewers will be from inside and outside the state government and will be content experts. This process of peer review has been externally validated and will help to ensure that only the best applications are funded.

Sub Question

**Weaknesses:**

None noted

Reader's Score: 7

2. 2) The quality of the SEA's plan for disseminating information and research on best or promising practices in charter schools related to student discipline and school climate.

**Strengths:**

In its description of its dissemination grants on page 45, the applicant has indicated that it will fund one dissemination grant aimed at spreading the best practices of a school.

**Weaknesses:**

Although learning about a single school might have some use, a single report does not seem adequate for disseminating information and research on best or promising practices in charter schools related to student discipline and school climate. An evaluation of a single site is generally too limited of scope for a thorough evaluation. The applicant does not share any information about what are current best practices and why those have been effective.

Reader's Score: 1

**Selection Criteria - Oversight of Authorized Public Chartering Agencies**

Reader's Score: 22

Sub Question

1. 1) The Secretary considers the quality of the SEA's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA's plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA's plan will ensure that authorized public chartering agencies are ?

a. Approving charter school petitions with design elements that incorporate evidence-based school models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies with respect to educationally disadvantaged students, consistent with applicable law;

b. Establishing measurable academic and operational performance expectations for all charter schools (including alternative charter schools, virtual charter schools, and charter schools that include pre-kindergarten, if such schools exist in the State) that are consistent with the definition of high-quality charter school as defined in this notice;

c. Providing, on an annual basis, public reports on the performance of their portfolios of charter schools, including the performance of each individual charter school with respect to meeting the terms of, and expectations set forth in, the school's charter or performance contract; and

## Sub Question

### **d. Supporting charter school autonomy while holding charter schools accountable for results and meeting the terms of their charters or performance contracts.**

#### **Strengths:**

On page 49, the applicant describes its process of utilizing a model charter school application in order to apply for a charter. The application includes a thorough explanation of the requirements for the schools to be evidence based and ensure racial and ethnic diversity.

The model application also requires the charter petitioner to describe measurable outcomes. The applicant describes that the charter authorizers are responsible for ensuring that the charter school meet the objectives.

Charter schools are required to report on their performance to their authorizer on an annual basis.

The applicant shared on page 57 that it has exemptions for charter schools from many education codes which helps to preserve charter school autonomy.

#### **Weaknesses:**

There was no requirement that the charter authorizers make annual reporting of their portfolio of schools. On page 56, the applicant describes that the state must provide an annual report and the charter schools must make an annual report, but there is no requirements that the authorizers make any sort of annual report.

**Reader's Score: 18**

2. **2) The Secretary considers the quality of the SEA's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA's plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA's plan will ensure that authorized public chartering agencies are --**

**a. Seeking and approving charter school petitions from developers that have the capacity to create charter schools that can become high-quality charter schools;**

**b. Monitoring their charter schools on at least an annual basis, including conducting an in-depth review of each charter school at least once every five years, to ensure that charter schools are meeting the terms of their charter or performance contracts and complying with applicable State and Federal laws;**

**c. Using increases in student academic achievement as one of the most important factors in renewal decisions; basing renewal decisions on a comprehensive set of criteria, which are set forth in the charter or performance contract; and revoking, not renewing, or encouraging the voluntary termination of charters held by academically poor-performing charter schools;**

**d. Ensuring the continued accountability of charter schools during any transition to new State assessments or accountability systems, including those based on college- and career-ready standards.**

#### **Strengths:**

The authorizers are required to monitor their charter schools regularly and to ensure that the charter schools produce an annual report. Regular reporting by the schools is a key way for an authorizer to ensure charter schools are complying with regulations and providing excellent academic outcomes for students.

The applicant indicates on page 59, that an authorizer shall make student academic achievement the primary factor when renewing a charter which is required in the notice.

The accountability system described by the applicant on page 59 indicates that it is based on new standards and

**Sub Question**

assessments which is required in the notice.

**Weaknesses:**

This reviewer was unable to locate any discussion that the SEA will be seeking high quality authorizers through any of its practices or policies. There was also no evidence about the number of charters that have been closed or voluntarily terminated. A more robust description would have included the numbers of schools that had been closed.

**Reader's Score: 4**

**Selection Criteria - Policy Context for Charter Schools**

**1. The Secretary considers the policy context for charter schools under the proposed project. In determining the policy context for charter schools under the proposed project, the Secretary considers the following factors:**

**1) The degree of flexibility afforded to charter schools under the State's charter school law, including:**

**i. The extent to which charter schools in the State are exempt from State or local rules that inhibit the flexible operation and management of public schools; and**

**ii. The extent to which charter schools in the State have a high degree of autonomy, including autonomy over the charter school's budget, expenditures, staffing, procurement, and curriculum; and**

**2) The quality of the SEA's plan to ensure that charter schools that are considered to be LEA's under State law and LEA's in which charter schools are located will comply with sections 613(a)(5) and 613(e)(1)(B) of IDEA (20 U.S.C. 1400, et seq.), 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).**

**Strengths:**

On page 60, the applicant describes that charter schools are exempt from most of the education provisions in state law. This will allow the charter schools flexible operation and management. The charter is the contract under which the school must operate, which through this approach allows the charter most flexibility in order to operate and manage its program. The applicant also shared examples of longer charter terms (up to 15 years) when the quality of the school is high which will allow the highest quality schools to remain in operation for longer periods of time with more flexibility to operate their successful programs.

These legal flexibilities extend to governance as well as budgets and curriculum which ensure the charters can operate their program with flexibility to make management decisions.

On page 62, the applicant indicates that the charter schools are considered LEAs as required in the notice.

**Weaknesses:**

none noted.

**Reader's Score: 5**

**Priority Questions**

## Competitive Preference Priority - High-Quality Authorizing and Monitoring Processes

1. To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

a) Authorizing processes that establish clear criteria for evaluating charter applications and include a multi-tiered clearance or review of a charter school, including a final review immediately before the school opens for its first operational year.

### Strengths:

The process described by the applicant on page 4-7 indicates that they follow a multitiered clearance approach and conduct a final review immediately before the school opens. The differential review allows the charter petitioner to describe their past performance when replicating a school. A high-performing charter school can replicate using a streamlined process. The SEA does a robust preexisting check of the operators.

### Weaknesses:

None noted.

Reader's Score: 5

2. To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

b) Authorizing processes that include differentiated review of charter petitions to assess whether, and the extent to which, the charter school developer has been successful (as determined by the authorized public chartering agency) in establishing and operating one or more high-quality charter schools.

### Strengths:

On Page 8, the applicant indicates that state law provides for a differentiated review for high quality charter schools allowing a streamlined review. The applicant has also explained that it conducts a review of previous schools operated by the operator to ensure that they have the capacity. These reviews will ensure that high quality operators will be given an opportunity to succeed. Reviewing past practices is a good indicator future performance.

### Weaknesses:

None noted

Reader's Score: 5

3. To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

c) Clear and specific standards and formalized processes that measure and benchmark the performance of the authorized public chartering agency or agencies, including the performance of its portfolio of charter schools, and provide for the annual dissemination of information on such performance.

### Strengths:

The applicant describes on page 9 that it is required to produce an annual report on authorizer activity from around the state. The applicant also describes that it intends to create an authorizer report card to be able to evaluate authorizer performance.

**Weaknesses:**

Although an authorizer report card is described, the specifics of the report card are not detailed, therefore it is unclear if what elements will be included.

**Reader's Score: 4**

**Competitive Preference Priority - Authorizer other than LEA or Appeals Process**

**1. To meet this priority, the applicant must demonstrate that the State--**

**a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or**

**b) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.**

**Strengths:**

On page 10 of the application, the appeals process is described. The State Board of Education is the final arbiter of appeals and can overturn a decision to deny a charter school by an LEA which will allow charter schools a fair hearing by an uninterested body if the LEA has denied the petition.

**Weaknesses:**

None noted

**Reader's Score: 5**

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## Technical Review Coversheet

Applicant: Florida Department of Education (U282A160012)

Reader #2: \*\*\*\*\*

	Points Possible	Points Scored
<b>Questions</b>		
<b>Selection Criteria</b>		
<b>Educationally Disadvantaged Students</b>		
1. Ed. Dis. Students	15	12
<b>Vision for Growth and Accountability</b>		
1. Growth and Accountability	10	8
<b>Past Performance</b>		
1. Past Performance	15	11
<b>Project Design</b>		
1. Project Design	20	17
<b>Dissemination of Information and Best Practices</b>		
1. Dissemination	10	8
<b>Oversight of Authorized Public Chartering Agencies</b>		
1. Oversight of Authorizers	25	21
<b>Policy Context for Charter Schools</b>		
1. Policy Context	5	5
<b>Priority Questions</b>		
<b>Competitive Preference Priority</b>		
<b>High-Quality Authorizing and Monitoring Processes</b>		
1. CPP 1a	5	5
2. CPP 1b	5	5
3. CPP 1c	5	4
<b>Authorizer other than LEA or Appeals Process</b>		
1. CPP 2	5	5
<b>Total</b>	<b>120</b>	<b>101</b>

# Technical Review Form

Panel #3 - State Educational Agencies - 3: 84.282A

Reader #2: \*\*\*\*\*

Applicant: Florida Department of Education (U282A160012)

## Questions

### Selection Criteria - Educationally Disadvantaged Students

- 1. The Secretary considers the contribution that the charter schools grant program will make to assisting educationally disadvantaged and other students in meeting State academic content standards and State student academic achievement standards.**

#### Strengths:

The applicant satisfactorily and clearly demonstrates three guiding goals that will "drive, support and sustain the continued evolution of Florida's charter school sector into a high-impact system that dramatically improves opportunities and outcomes for educationally disadvantaged students" (e25). With the support of the CSP grant, the applicant will provide financial support for new, high-quality charters and implement a number of new initiatives focused on authorizing, leadership, and accountability as means of systemic reform. The applicant has meticulously detailed its strategic plan for assisting educationally disadvantaged students and others, exemplified strong legislative and local support for this plan, and illustrated a proven-track record of successfully implementing CSP-grant funded initiatives.

#### Weaknesses:

The applicant does not hint at the actual percentage of educationally disadvantaged students being served throughout the state. This information would have been helpful to put their overall goals in further context. Likewise, it is unclear how impactful the applicant expects their goals to be on closing gaps for the intended subgroups; this correlation would have also helped to put the larger goals in context.

Reader's Score: 12

### Selection Criteria - Vision for Growth and Accountability

- 1. The Secretary determines the quality of the statewide vision, including the role of the SEA, for charter school growth and accountability. In determining the quality of the statewide vision, the Secretary considers the following factors:**

**1) The ambitiousness, quality of vision, and feasibility of the SEA's plan (including key actions) to support the creation of high-quality charter schools during the project period, including a reasonable estimate of the number of high-quality charter schools in the State at both the beginning and the end of the project period; and**

**2) The ambitiousness, quality of vision, and feasibility of the SEA's plan (including key actions) to support the closure of academically poor-performing charter schools in the State (i.e., through revocation, non-renewal, or voluntary termination of a charter) during the project period.**

#### Strengths:

The applicant wants to assist in creating 200 new high-quality charter schools over the next five years (e34) and will do so through awarding 40 CSP sub-grants each of those years. In the past CSP sub-grants have strongly supported charter school growth throughout the state (on average approving 49 out of 90 sub-grants applications a year) (e36). The applicant clearly demonstrates there is a growing demand for charter schools (over 1,300 petitions submitted since 2010), with 135,000 students on waiting lists. To help address this demand and other concerns like teacher workforce, charter

school governance, and disciplinary and truancy best practices (e57), the applicant proposes decreasing the number of CSP sub-grants to "strategically" align resources.

The SEA's plan to create 200 new high-quality charter schools is ambitious. While opening 40 new charter schools a year appears to be on par with charter school growth in the state (440 schools approved since 2010) (e35), it does not exactly reflect a pace indicative of the current number of "high-performing charters" which is 184 in SY15-16 (e41). It is worth noting a change in state assessments, standards, and metrics pose obvious problems for true year-to-year comparisons, and Florida is no exception (e40). In light of this the applicant does a sufficient job explaining the safeguards, support, and innovative measures it will implement through this grant to increase the number of quality seats across the state.

The applicant explains the State exercises a "default closure policy" (e38) that requires any school receiving two consecutive F's must be closed. There are exceptions to this policy (mainly in cases of turnaround, previously failing districts, and/or comparable learning gains), but it is evident there is strong support, policies, and procedures in place to assist in the closure of schools.

#### **Weaknesses:**

The applicant believes 80% of CSP sub-grantees "will receive an A or B" school grading by Year 3 of operation, which increases to 90% of sub-grantees by Year 5 (e37). The applicant does not provide much rationalization for these ambitious projections. The applicant has not provided any strong statistical basis or a realistic explanation, especially in the context that less than 60% of schools statewide receiving an A or B (e37).

The applicant has not provided succinct detail on the default closure process: who is involved, how long is the duration of the process, etc.

**Reader's Score: 8**

#### **Selection Criteria - Past Performance**

**1. The Secretary considers the past performance of charter schools in a State that enacted a charter school law for the first time five or more years before submission of its application. In determining the past performance of charter schools in such a State, the Secretary considers the following factors:**

**1) The extent to which there has been a demonstrated increase, for each of the past five years, in the number and percentage of high-quality charter schools (as defined in this notice) in the State; and**

**2) The extent to which there has been a demonstrated reduction, for each of the past five years, in the number and percentage of academically poor-performing charter schools (as defined in this notice) in the State.**

#### **Strengths:**

Over the past 5 years, the state of Florida has experienced a steady growth of "high-performing" charter schools (HQCS), from 116 in 2011-2012 to 184 in 2015-2016 (e41). The HQCS designation is given to any charter with two consecutive overall "A" grades, no school grade lower than a "B" over the previous three years, and 3 years of clean audits (e39). This demonstrated increase in high-quality schools equates to approximately 17 schools per year.

The applicant has seen a decrease in the number of charters performing in the lowest 5% across the state. In SY12-13 there were 47 charters in the lowest 5%, which decreased to 35 in SY14-15 (e41). This progress is further substantiated by the fact Florida is leading or at the top in most NAEP metrics (e43-46).

**Weaknesses:**

The applicant includes data that shows charters are performing better than their traditional counterparts in 1. proficiency and growth and 2. closing the achievement gap (e.43), but this data does not indicate a substantial jump in the number of charters outperforming across the years. The number of charters outperforming its counterparts is relatively the same from year-to-year across any given demographic.

The applicant has not described any sanctions or correction action geared towards school who are persistently poor-performing. Though there is a default closure process in place for schools who receive consecutive "F" ratings, there is no mention of a policy to address schools who fluctuate between low rankings from year to year and don't necessarily fall within the bottom 5% (e.g. "F" to "D" to "F").

**Reader's Score:** 11

**Selection Criteria - Project Design**

**The Secretary considers the quality of the design of the SEA's charter school subgrant program, including the extent to which the project design furthers the SEA's overall strategy for increasing the number of high-quality charter schools in the State and improving student academic achievement. In determining the quality of the project design, the Secretary considers the following factors:**

**Reader's Score:** 17

**Sub Question**

1. 1) **The quality of the SEA's process for awarding subgrants for planning, program design, and initial implementation and, if applicable, for dissemination, including --**
  - i. **The subgrant application and peer review process, timelines for these processes, and how the SEA intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-quality charter schools; and**
  - ii. **A reasonable year-by-year estimate, with supporting evidence, of**
    - a) **the number of subgrants the SEA expects to award during the project period and the average size of those subgrants, including an explanation of any assumptions upon which the estimates are based; and**
    - b) **if the SEA has previously received a CSP grant, the percentage of eligible applicants that were awarded subgrants and how this percentage related to the overall quality of the applicant pool.**

**Strengths:**

The applicant believes the driving force behind improving student academic achievement is the creation of more high-quality charter schools. To help facilitate this, the SEA has created a multi-tiered application and review process for potential CSP sub-grantees. By using the existing "Model Charter School Application" and "Evaluation Instrument" (e48) as the base application and review method, the SEA will streamline the sub-grant process. By using the "Model Charter School Application" and "Evaluation Instrument" the SEA is using well-vetted tools that have been formally adopted by legislation and created with the input of charter school industry leaders. Likewise, to reinforce the importance for high-quality schools serving educationally disadvantaged students, the sub-grant process will award increased funding for applicants proposing schools in high-need areas serving high-need

## Sub Question

populations.

To ensure CSP sub-grants are being awarded to the most qualified applicants, the SEA will implement a peer review process that includes an interview for new operators and an applicant history worksheet plus academic and financial worksheet for established operators. Noting it will collaborate with the National Association of Charter School Authorizers to identify peer reviewers, the SEA is validating its commitment to a thorough and complete sub-grant process (e50-51).

The applicant states it has previously received approximately 90 CSP sub-grant applications a year, ultimately awarding 49 (e36). For this project they've reasonably estimated awarding 40 per year, an apparent decrease so they can "strategically" focus funding on other initiatives they have detailed in the application (e57). This estimate also aligns with being able to support all 200 charter schools the applicant wants to open over the next five years.

The applicant has also created and implemented a peer review process for dissemination grants that has been praised as a model for other CSP awardees to follow (e59). Structured as a group of 5 peer reviewers, both internal to the SEA and external, the applicant understands the importance of presenting a balanced and unbiased review.

In previous years the SEA has funded 6 dissemination grants and proposes funding 3 for this grant cycle (e57). Though the SEA will cut the number of grants in half, it does not appear to be scaling back its efforts and will continue to share the results and evidence gleaned from its previous dissemination grants.

### Weaknesses:

While the applicant states established operators must convey its history, in addition to its academic and financial successes, it is unclear why they will not require an in-person interview or other peer-level review by an external group (e51-52).

The applicant does not provide any explanation for why only 54% of CSP sub-grant applicants (during its current grant period 2011-2016) received awards (e36; e53).

Since the applicant has already been implementing its peer review process for dissemination grants, a broader description of the 100-point rubric used would have helped to put the process in context.

**Reader's Score: 8**

## 2. 2) The process for monitoring CSP subgrantees.

### Strengths:

The SEA has identified the 3 levels of monitoring for sub-grantees which include oversight by the Charter Schools Office, a web-based tracking system, and onsite monitoring (e53). All staff members identified to oversee the subgrantees, in general, have relevant experience in the Department of Education, charter school industry, public policy, grant monitoring, business, and education fields. This wide-range of relevant knowledge and experience exemplified by the CSO personnel, will ensure seamless monitoring for the proposed grant duration. Furthermore, the applicant will guarantee an additional layer of monitoring and accountability by requiring all CSP-subgrantee budgets be reviewed by members of the CSO and the Federal Programs Office.

The use of a web-based portal to track all subgrantee compliance documentation (e.g. proof of non-profit status, GEPA plan, school policies, charter contract, etc. e54-55), including regular expenditure reports and inventory reports, is a convenient and effective monitoring tool.

Using a "risk-assessment protocol" (algorithm), the CSO will monitor approximately 50% of all subgrantees onsite

**Sub Question**

with a standard rubric and corrective action as needed (e56).

**Weaknesses:**

The applicant has not detailed any monitoring activities for dissemination subgrants.

**Reader's Score:** 9

**Selection Criteria - Dissemination of Information and Best Practices**

- 1. The Secretary considers the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools to each LEA in the State as well as to charter schools, other public schools, and charter school developers (20 U.S.C. 7221b(b)(2)(C) and 7221(c)(f)(6)). If an SEA proposes to use a portion of its grant funds for dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221c(f)(6)(B)), the SEA should incorporate these subgrants into the overall plan for dissemination. In determining the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools, the Secretary considers the following factors:**

**Reader's Score:** 8

**Sub Question**

- 1. 1) The extent to which the SEA will serve as a leader in the State for identifying and disseminating information and research (which may include, but is not limited to, providing technical assistance) about best or promising practices in successful charter schools, including how the SEA will use measures of efficacy and data in identifying such practices and assessing the impact of its dissemination activities.**

**Strengths:**

The SEA has identified 3 of the most pertinent qualities of high-performing charter schools: the ability to recruit, prepare, and retain highly-effective teachers; strong charter school boards; and, successful approaches to decreasing disciplinary and truancy issues. In their effort to scope these best practices and disseminate the information across the state, the SEA has detailed 3 well-defined action steps: leverage legislation that allows schools to develop their own Professional Educator Competencies program and Professional Development systems (e58); building the capacities of strong governing Boards to expand their schools and potentially become their own CMOs (e58); and identifying school practices that have been successful in lowering disciplinary and truancy rates for students.

The SEA has positioned itself as the leader in the state for identifying and disseminating research and best practices, through a number of activities like webinars, regional open houses for Principals, an online database of peer-reviewed lesson plans and mapping tools, an annual charter school conference, and the "District-Charter Collaborative Compact" that brings together a district and a "high-impact charter school organization" to serve neighborhoods with majority of educationally disadvantaged students (e60).

These activities are noteworthy because each boasts a sizeable participation rate, including 69 webinars with 2,000 people participating live and another 1,200 reviewing them, 40 schools participating in the regional open houses, 7,000 members joined the online database, just under 1,000 participants in the annual conference, and the fourth-largest school district in the country participating in the DCCC (e61-62).

**Sub Question**

**Weaknesses:**

No weaknesses noted.

**Reader's Score:** 7

**2. 2) The quality of the SEA's plan for disseminating information and research on best or promising practices in charter schools related to student discipline and school climate.**

**Strengths:**

The applicant has identified 1 dissemination grant "aimed at spreading the practices of a school that has implemented policies and procedures that have been successful in lowering the number of disciplinary actions, particularly among students with disabilities and educationally disadvantaged students" (e59).

**Weaknesses:**

The applicant does an insufficient job explaining how their dissemination grant tailored to gleaning best and promising practices around student discipline and school climate will benefit the state. The applicant does not give any examples of the current discipline or school climate landscape in the state, what initiatives are being implemented, how one dissemination grant will prove effective, etc.

**Reader's Score:** 1

**Selection Criteria - Oversight of Authorized Public Chartering Agencies**

**Reader's Score:** 21

**Sub Question**

**1. 1) The Secretary considers the quality of the SEA's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA's plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA's plan will ensure that authorized public chartering agencies are ?**

**a. Approving charter school petitions with design elements that incorporate evidence-based school models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies with respect to educationally disadvantaged students, consistent with applicable law;**

**b. Establishing measurable academic and operational performance expectations for all charter schools (including alternative charter schools, virtual charter schools, and charter schools that include pre-kindergarten, if such schools exist in the State) that are consistent with the definition of high-quality charter school as defined in this notice;**

**c. Providing, on an annual basis, public reports on the performance of their portfolios of charter schools, including the performance of each individual charter school with respect to meeting the terms of, and expectations set forth in, the school's charter or performance contract; and**

**d. Supporting charter school autonomy while holding charter schools accountable for results and meeting the terms of their charters or performance contracts.**

## Sub Question

### Strengths:

The applicant has presented a solid plan to enhance the capacity and oversight of charter authorizers. Specifically, the applicant intends to do this through formalizing authorizer standards and principles (e66), providing targeted training and support around the model application and evaluation tool (e67), creating a leadership program, and creating an authorizer report card.

In a state with 67 school districts serving as the charter authorizers, Florida has shown in this application how serious they take authorizer oversight and accountability. The State has a strong statutory and regulatory framework already in place that governs authorizers accordingly. Additionally, all applicants must use the department-developed model charter application. This application requires all potential operators to detail their target population and student body by explaining how they will “achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other local public schools in accordance with section 1002.33(7)(a)8., F.S.” (e144). This effort helps to ensure authorizers are approving applicants dedicated to providing high-quality opportunities to diverse student bodies. Likewise, established operators must describe the academic, financial, and operational history of any school they previously operated, reiterating the various layers of accountability the SEA has in place.

The model charter application and resulting charter contract once a school is approved ensures that each operator and authorizer are clear on the specific indicators and metrics that examine academic performance, academic growth, and achievement gaps in proficiency and subgroups, etc. (e23).

Every charter is responsible for reporting annually to its authorizer, as statute requires. Each report then becomes public. In return, the Department is also required to annually report on charters in comparison to their traditional school counterparts (e71).

Florida statute allows charter "blanket" exemption from state education code in exchange for increased accountability measures, best exemplified by the legally binding charter contract each school must enter upon being approved (and renewed) (e24-25). School success is also measured by the statewide grading system annually.

### Weaknesses:

While charters have to report on their performance to their authorizers and the state also reports on the performance of charters, it does not appear that authorizers have to report on the performance of their portfolio.

**Reader's Score: 18**

2. **2) The Secretary considers the quality of the SEA’s plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA’s plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA’s plan will ensure that authorized public chartering agencies are --**
  - a. **Seeking and approving charter school petitions from developers that have the capacity to create charter schools that can become high-quality charter schools;**
  - b. **Monitoring their charter schools on at least an annual basis, including conducting an in-depth review of each charter school at least once every five years, to ensure that charter schools are meeting the terms of their charter or performance contracts and complying with applicable State and Federal laws;**
  - c. **Using increases in student academic achievement as one of the most important factors in renewal decisions; basing renewal decisions on a comprehensive set of criteria, which are set forth in the charter or performance contract; and revoking, not renewing, or encouraging the voluntary termination of charters held by academically poor-performing charter schools;**

## Sub Question

**d. Ensuring the continued accountability of charter schools during any transition to new State assessments or accountability systems, including those based on college- and career-ready standards.**

### **Strengths:**

Florida implements a multi-tiered process for creating new charters, including application submission, review, authorizer recommendation and decision, contract negotiation and execution, and a pre-opening review (e18). This process, in addition to the fact only elected school boards may authorize charter schools through the State Board of Education reserves the right to overturn any decision to deny an application, ensure that high-quality applicants are being well-vetted.

Florida has transitioned to new standards and assessments. While charters were not exempt from closure during this period, a school could not close solely based on data solely from the transition year. The applicant considers its accountability system to be "fully operational" now and has done an adequate job in this application explaining how it will further enhance its firm accountability system (e74).

Statute states that authorizers must consider academic achievement as the most important factor when determining renewal or termination (e73).

### **Weaknesses:**

Though charters are required to submit an annual report to authorizers, outlining their academic, operational, and financial updates, the applicant has not referenced any in-depth review of a charter's contract at the end of its term (e70; e208; e214).

**Reader's Score: 3**

## **Selection Criteria - Policy Context for Charter Schools**

**1. The Secretary considers the policy context for charter schools under the proposed project. In determining the policy context for charter schools under the proposed project, the Secretary considers the following factors:**

**1) The degree of flexibility afforded to charter schools under the State's charter school law, including:**

**i. The extent to which charter schools in the State are exempt from State or local rules that inhibit the flexible operation and management of public schools; and**

**ii. The extent to which charter schools in the State have a high degree of autonomy, including autonomy over the charter school's budget, expenditures, staffing, procurement, and curriculum; and**

**2) The quality of the SEA's plan to ensure that charter schools that are considered to be LEA's under State law and LEA's in which charter schools are located will comply with sections 613(a)(5) and 613(e)(1)(B) of IDEA (20 U.S.C. 1400, et seq.), 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).**

### **Strengths:**

Florida statute allows charters "blanket" exemption from the Florida education code, except "provisions dealing with civil rights, discrimination, health safety welfare, services to students with disabilities, and the state assessment and accountability system (Section 1002.33(16), F.S.)" (e71). Compliance with such laws are ensured through the legally-binding performance contract each school has with its authorizer (e74).

Charter school autonomy is a priority in Florida and is balanced by strong accountability measures, most evident by

Florida's law being voted in the Top 10 "Model Law and State Rankings" (National Alliance for Public Charter Schools) and number 2 in the Center for Education Reform "Parent Power Index" (e75). Charters have the flexibility to choose their own staffs, curriculums, budgets, etc. (e71). Likewise, consistently high-performing charters may expand their enrollment and/or grade levels, as well as modify their charter to 15 years.

**Weaknesses:**

No weaknesses noted.

**Reader's Score: 5**

**Priority Questions**

**Competitive Preference Priority - High-Quality Authorizing and Monitoring Processes**

**1. To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:**

**a) Authorizing processes that establish clear criteria for evaluating charter applications and include a multi-tiered clearance or review of a charter school, including a final review immediately before the school opens for its first operational year.**

**Strengths:**

All potential charter operators in the state of Florida use the "Model Charter Application". Developed in conjunction with charter industry leaders, this application has 110 questions ranging across 85 specific criteria in 3 sections (educational plan, organizational plan, and business plan). This uniformity is replicated on the authorizer level with the "Model Evaluation Instrument." Florida statute requires this multi-step process for creating new charters, including contract negotiations execution, as well as a pre-opening review (e18).

**Weaknesses:**

No weakness noted.

**Reader's Score: 5**

**2. To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:**

**b) Authorizing processes that include differentiated review of charter petitions to assess whether, and the extent to which, the charter school developer has been successful (as determined by the authorized public chartering agency) in establishing and operating one or more high-quality charter schools.**

**Strengths:**

The "Model Charter Application" varies if the potential operator is replicating an existing school or using a management company (e20). In addition to the timetable, performance contract, pre-opening list, and all other required compliance documents, current operators must list their current or previously operated schools, including 5 years of academic and financial data, as required by law. The replication version of the "Model Charter Application" also asks how the school design is effective.

**Weaknesses:**

No weaknesses noted.

**Reader's Score:** 5

3. To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

c) Clear and specific standards and formalized processes that measure and benchmark the performance of the authorized public chartering agency or agencies, including the performance of its portfolio of charter schools, and provide for the annual dissemination of information on such performance.

**Strengths:**

The Department is required by law to annually report on authorizers throughout the state (e23). The Department uses the "Florida Principles & Standards of Quality Authorizing" as its guide when reporting on authorizers, which was developed in collaboration with national charter industry leaders.

**Weaknesses:**

The applicant has not explained the "Authorizer Report Card" criteria to exemplify how authorizer performance will be measured.

**Reader's Score:** 4

**Competitive Preference Priority - Authorizer other than LEA or Appeals Process**

1. To meet this priority, the applicant must demonstrate that the State--

a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

b) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

**Strengths:**

Only LEAs serve as authorizers in the state of Florida, but any potential operator can appeal a denial to the Charter School Appeal Commission, who after a thorough review process (including oral testimony from both parties), issues a recommendation to the State Board of Education who makes the final decision (e24).

**Weaknesses:**

No weaknesses noted.

**Reader's Score:** 5

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**Status:** Submitted  
**Last Updated:** 06/27/2016 04:58 PM



Status: Submitted

Last Updated: 06/27/2016 04:58 PM

## Technical Review Coversheet

Applicant: Florida Department of Education (U282A160012)

Reader #3: \*\*\*\*\*

	Points Possible	Points Scored
<b>Questions</b>		
<b>Selection Criteria</b>		
<b>Educationally Disadvantaged Students</b>		
1. Ed. Dis. Students	15	12
<b>Vision for Growth and Accountability</b>		
1. Growth and Accountability	10	8
<b>Past Performance</b>		
1. Past Performance	15	9
<b>Project Design</b>		
1. Project Design	20	18
<b>Dissemination of Information and Best Practices</b>		
1. Dissemination	10	7
<b>Oversight of Authorized Public Chartering Agencies</b>		
1. Oversight of Authorizers	25	22
<b>Policy Context for Charter Schools</b>		
1. Policy Context	5	5
<b>Priority Questions</b>		
<b>Competitive Preference Priority</b>		
<b>High-Quality Authorizing and Monitoring Processes</b>		
1. CPP 1a	5	5
2. CPP 1b	5	5
3. CPP 1c	5	4
<b>Authorizer other than LEA or Appeals Process</b>		
1. CPP 2	5	5
<b>Total</b>	<b>120</b>	<b>100</b>

# Technical Review Form

## Panel #3 - State Educational Agencies - 3: 84.282A

Reader #3: \*\*\*\*\*

Applicant: Florida Department of Education (U282A160012)

### Questions

#### Selection Criteria - Educationally Disadvantaged Students

1. **The Secretary considers the contribution that the charter schools grant program will make to assisting educationally disadvantaged and other students in meeting State academic content standards and State student academic achievement standards.**

#### Strengths:

The proposal has identified appropriate strategies that preserve the authorizer role and school autonomy in order to indirectly influence improved student outcomes for educationally disadvantaged students. With a focus on quality authorizing, leadership development at the authorizing and school governance levels, and transparent and regular accountability reporting, and aligned policy efforts, the Department demonstrates a strong vision and action plan for improving the ecosystem of the charter sector. It is also a strong statement that goals in this are measurable, tangible, and tied directly to student outcomes, rather than evaluating implementation of a process only.

Policy efforts have yielded recent victories for Florida in elevating equitable service and support for educationally disadvantaged students (pg. e31). This includes increased funding for schools that serve high proportions of students eligible for free or reduced-price meals and students with disabilities, as well as explicit support for recruiting and retaining high performing national charter operators that focus on school development for these target populations.

Data were provided that support historical CSP grants, including the fact that charter schools awarded that were located in high-needs areas were four times more likely to receive a school grade of "A" or "B" than nearby schools that students might otherwise have attended (pg. e33). This information supports the historical selection process and selected strategies for promoting service to educationally disadvantaged students.

#### Weaknesses:

The CSP goals are quantifiable, and measures are identified, but the specific quantification of those measures (short and long-term) were not included in the proposal target narrative. As metrics are a derivative of the identified measures, it may be difficult to assess the magnitude of impact in their effort (or even control for changes in sample size or confounding variables in performance) without defined targets. For example, if one target is to decrease the achievement gap (pg. e26), it is unclear which student groups are included in this target, as well as what level the decrease would need to be before it would be decided the outcome meets or surpasses the target.

While supports and leadership opportunities were mentioned as a strategy for promoting high-quality authorizing, it is unclear from narrative in this section what intervention or sanction points exist if a) authorizers do not adopt the drafted principles and standards and b) are found to be noncompliant with these practices. The notion of support and improvement is strong, but the concept of removing bad behavior and poor practice is undeveloped.

Additionally, while the detailed strategies around targeted training, improving authorizer quality, and creating a pipeline for governing boards are indirect methods for improving the charter ecosystem (pg. e15), specific alignment to emphasizing or improving service to educationally disadvantaged students within each strategy was lacking. Many of the specific strategies do not mention how a focus on educationally disadvantaged students would be integrated or accentuated.

While impressive data outlining relative gains made 3 and 5 years ago in closing the achievement gap were included in

the narrative (pg. e35), more recent data were not included (which could have also highlighted charter school performance specifically, rather than just the state of Florida). Even understanding the service profile of the charter sector in Florida against traditional public schools would have augmented the purpose and goals detailed in this section of the narrative.

**Reader's Score:** 12

### **Selection Criteria - Vision for Growth and Accountability**

**1. The Secretary determines the quality of the statewide vision, including the role of the SEA, for charter school growth and accountability. In determining the quality of the statewide vision, the Secretary considers the following factors:**

**1) The ambitiousness, quality of vision, and feasibility of the SEA's plan (including key actions) to support the creation of high-quality charter schools during the project period, including a reasonable estimate of the number of high-quality charter schools in the State at both the beginning and the end of the project period; and**

**2) The ambitiousness, quality of vision, and feasibility of the SEA's plan (including key actions) to support the closure of academically poor-performing charter schools in the State (i.e., through revocation, non-renewal, or voluntary termination of a charter) during the project period.**

#### **Strengths:**

The application narrative supports the proposed vision of adding 200 charter schools to the sector over the course of the next 5 years. Over the past 5 years, 1300 charter school applications were submitted to 46 authorizers, with an average of 65 being approved each year. It is unclear from the estimation how many students are expected to be enrolled in the 200 schools. However, with 135,000 students on the waiting list, and comparable growth historically upon adding 200 schools (an increase of ~95,000 students), it can be assumed that the projection accommodates the need and is not unrealistic (pg. e21).

The plan appropriately accounts for a decrease in the number of anticipated awardees (from 49 to an anticipated number of 40 awardees per yr). This was done with intention to ensure higher levels of quality in school selection, greater levels of rigor in competitive evaluation, and an increase in the amount of funds going towards the awardees (pg. e22).

Florida has an automatic closure policy, requiring closure of charter schools that receive consecutive years of an F rating.

#### **Weaknesses:**

The Department projects that 80% of selected schools will receive a state school grade of "A" or "B" by their third year of operation, and 90% by their 5th year of operation. In the most recent year that grades were reported (2014-2015), less than 60% of charter schools received an "A" or "B." While this does demonstrate the ambitiousness of Florida's plan, it does not include historical rates, and makes it unclear whether the target is realistic. (it was previously mentioned that grantees were 4x more likely to receive an A or B in high needs cities than their geographic counterparts, but not what the rate actually was for awardees) This overall figure also does not speak well to quality of the overall sector in supporting closure, revocation, non-renewal or voluntary termination.

Florida requires a contractual provision that charters not making reasonable progress towards agreed upon objectives could see cancellation of their charter. Although an available provision, it was unclear whether (and how frequently) this has been utilized (and whether the appeal process applies to this contract condition, and how/whether the State Board upholds authorizer decision-making in this area--the intentions, materials, processes are there; it is unclear whether the evidence supports the effectiveness of these).

Because the F rating encompasses a small band of only 5% of schools statewide (pg. e27), it is unclear whether this is a large enough band to impart change and effect quality in the charter sector. These schools also have a one-time pass based on additional criteria anytime in their first 5 years of being open.

**Reader's Score:** 8

### **Selection Criteria - Past Performance**

**1. The Secretary considers the past performance of charter schools in a State that enacted a charter school law for the first time five or more years before submission of its application. In determining the past performance of charter schools in such a State, the Secretary considers the following factors:**

**1) The extent to which there has been a demonstrated increase, for each of the past five years, in the number and percentage of high-quality charter schools (as defined in this notice) in the State; and**

**2) The extent to which there has been a demonstrated reduction, for each of the past five years, in the number and percentage of academically poor-performing charter schools (as defined in this notice) in the State.**

#### **Strengths:**

Florida created a designation of high quality for schools that consistently earn an A rating and demonstrate continuous fiscal and operational health. This label can be revoked by the Commissioner for failure to maintain performance expectations, and also serves as a lever to potentially reduce bureaucratic burdens and streamline or incentivize expansion/replication.

Comparisons of NAEP scores for students eligible for free and reduced-price meals against charter schools in some other states reveal Florida is finding success in service to educationally disadvantaged student groups (pg. e31).

#### **Weaknesses:**

Poor performing charters were defined in this application as only those operating for at least 3 years and falling within the bottom 5%. This does three concerning things:

- It conflicts with CREDO statistics around initial performance being a strong predictor of future performance, essentially giving a pass to schools through a majority of their initial charter term.
- It essentially defines acceptable performance to be at levels that fall within the bottom quartile or even bottom 6% of all schools statewide. This is particularly disturbing considering the high quality band includes 36% of schools in the state. The odds of being categorized as high quality versus poor performing are incredibly skewed.
- It neglects to consider financial and operational indicators of success—criteria that are used to supplement the definition of “high quality” in other areas of the application. It is unclear if the intention is to incorporate these measures being developed (pg. e30) into the letter rating system used to determine state-driven interventions.

Evidence to support progress in low performing schools simply stated that this number decreased between 13-14 and 14-15 from 47 to 35 (pg. e41). It is unclear whether those that moved were actually closed, whether they were reconstituted (allowing for a delay in sanction), or whether they are sitting instead at a letter grade of D. Additionally, this figure still implies that 5-6% of the sector is failing in absolute terms (with likely another proportion performing only marginally better).

The comparison of the number of charter schools performing better than their counterparts is incomplete. It is not a weighted average, meaning it could be confounded by school size. It also does not imply whether the comparative analyses performed were aligned to the generic indicators reported of achievement and growth (averaging can't be done

with percentiles, for example). This sort of table also does not report on magnitude of disparity between the charter variable and the comparison variable. Assigning a rating of 'better' could indicate an observable difference that is not statistically significant (again, due to something like sample size).

**Reader's Score: 9**

### **Selection Criteria - Project Design**

- 1. The Secretary considers the quality of the design of the SEA's charter school subgrant program, including the extent to which the project design furthers the SEA's overall strategy for increasing the number of high-quality charter schools in the State and improving student academic achievement. In determining the quality of the project design, the Secretary considers the following factors:**

**Reader's Score: 18**

#### **Sub Question**

- 1. 1) The quality of the SEA's process for awarding subgrants for planning, program design, and initial implementation and, if applicable, for dissemination, including --**

- i. The subgrant application and peer review process, timelines for these processes, and how the SEA intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-quality charter schools; and**

- ii. A reasonable year-by-year estimate, with supporting evidence, of**

- a) the number of subgrants the SEA expects to award during the project period and the average size of those subgrants, including an explanation of any assumptions upon which the estimates are based; and**

- b) if the SEA has previously received a CSP grant, the percentage of eligible applicants that were awarded subgrants and how this percentage related to the overall quality of the applicant pool.**

#### **Strengths:**

The Department plans to award both implementation and dissemination subgrants, utilizing revised application materials that have been edited through collaboration with NACSA to ensure increased rigor and incorporation of applicant history.

The opportunity exists for developers to submit applications simultaneously to the authorizer and the Department, streamlining applicant efforts. Additionally, separate and distinct review processes exist between these entities. This prevents bias and influence on review, knowing purpose and priorities are distinct between the reviews of an authorizer and those of the CSP review team.

Efforts are made to ensure awards are reflective of application type statewide (so for example, if 60% of new charter schools are opened by new operators, 60% of CSP grants will be made to new operators). This alignment preserves consistency and transparency to the process, and combats arguments against equality in distribution of funds.

## Sub Question

### Weaknesses:

The number of expected subgrants and applications were submitted as an annual average, rather than year-by-year estimations with supporting evidence as the rubric designated. Utilizing an average does not allow for the Department to convey alignment between expected staffing and resource allocation year-over-year if the actual numbers vary significantly from the average.

**Reader's Score:** 9

## 2. 2) The process for monitoring CSP subgrantees.

### Strengths:

The application describes the process for monitoring implementation grants (pg. e41) that includes confirmation of status as a nonprofit, record of affiliated board or CMO representation, and budget review. These pre-award compliance checks ensure the release of public funds is merited.

The Department has the structure, staffing, software and systems necessary to implement its proposed monitoring plan with a likelihood of success. The graduated process steps of monitoring compliance span finance and budgeting to site visits and identification of risk in schools, with regular feedback loops and documentation review conducted by CSP-specific Department staff. Corrective action requirements are utilized through an automated project management system to record and monitor noncompliance.

### Weaknesses:

Monitoring activities did reference a variety of standards, but there seems to be slight misalignment between the focus during selection (quality outcomes) and monitoring (quality processes). It is unclear how success will be determined if monitoring efforts find high quality processes in place in a subgrantee review, but see no long-term improvements in tangible outcomes or school performance.

Although the process allows for suspension or termination of the grant for persistent noncompliance, it is unclear whether this has ever been enacted.

Specific to dissemination grants, the Department aims to measure efficacy by recording the number of schools or personnel that employ the identified practices (pg. e57). It is unclear how self-reporting from schools around whether practices are being utilized captures quality of implementation or corresponds to improved student or school outcomes.

**Reader's Score:** 9

## Selection Criteria - Dissemination of Information and Best Practices

**The Secretary considers the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools to each LEA in the State as well as to charter schools, other public schools, and charter school developers (20 U.S.C. 7221b(b)(2)(C) and 7221(c)(f)(6)). If an SEA proposes to use a portion of its grant funds for dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221c(f)(6)(B)), the SEA should incorporate these subgrants into the overall plan for dissemination. In determining the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools, the Secretary considers the following factors:**

Sub Question

- 1) **The extent to which the SEA will serve as a leader in the State for identifying and disseminating information and research (which may include, but is not limited to, providing technical assistance) about best or promising practices in successful charter schools, including how the SEA will use measures of efficacy and data in identifying such practices and assessing the impact of its dissemination activities.**

**Strengths:**

Narrowing the focus to three priority areas (teacher instruction, discipline and climate, and governance) of information dissemination is a stronger and more manageable approach than simply desiring to make generic best practice resources available through a variety of methods (pg. e57).

These areas of focus follow significant efforts in prior cycles not only to disseminate needed resources and materials, but that pursued peer-to-peer facilitation, technology integration, and tangible toolkits that could be used in the classroom. It is clear the Department is responding to identified need and being intentional in funding efforts.

**Weaknesses:**

While creative in purpose, it is unclear how the Department will identify dissemination subgrant awardees in the area of high-quality teacher recruitment/retention and effective governance outside of providing an overview of a peer review process. For example, it is unclear how high-quality teacher recruitment and retention will be defined, or what criteria will be used to select a school with effective governance. It isn't well-defined how they will know the selected subgrantee reflects high quality teacher recruitment and retention strategies, or whether change/improvements in this area translates to increased outcomes in school performance.

The identification process is also lacking in considering applicability of single subgrantee selections. A one school case study may be difficult to replicate when the context changes, including student population, location, and resources.

The how of dissemination was also sometimes unclear—whether the resources being generated from the selected schools would simply be available resources, presentations at local conferences/workshops, or translated into more impactful, meaningful outputs.

- 2) **The quality of the SEA's plan for disseminating information and research on best or promising practices in charter schools related to student discipline and school climate.**

**Strengths:**

The Department proposed to fund one dissemination grant that focuses on student discipline and school climate (pg. e59). The objective of this subgrant is explicit, with the aim to reduce truancy rates and expand resources dedicated to improving classroom behavior.

**Weaknesses:**

The weakness of the plan is in the lack of data and information around identification and selection of the model/best practice information that will be disseminated. Similarly, plans to track effectiveness of this effort were minimal. Data that would be expected to improve sector wide (such as student engagement and safety/discipline reporting) were not detailed.

They will identify a single school as the source for (pg. e59) best practice in school discipline and climate. It is unclear how this case study approach will ensure the sharing of best practice in a representative way that fosters

**Sub Question**

replication across student composition, school model, and location.

**Reader's Score:** 1

**Selection Criteria - Oversight of Authorized Public Chartering Agencies**

**Reader's Score:** 22

**Sub Question**

1. 1) The Secretary considers the quality of the SEA's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA's plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA's plan will ensure that authorized public chartering agencies are ?

a. Approving charter school petitions with design elements that incorporate evidence-based school models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies with respect to educationally disadvantaged students, consistent with applicable law;

b. Establishing measurable academic and operational performance expectations for all charter schools (including alternative charter schools, virtual charter schools, and charter schools that include pre-kindergarten, if such schools exist in the State) that are consistent with the definition of high-quality charter school as defined in this notice;

c. Providing, on an annual basis, public reports on the performance of their portfolios of charter schools, including the performance of each individual charter school with respect to meeting the terms of, and expectations set forth in, the school's charter or performance contract; and

d. Supporting charter school autonomy while holding charter schools accountable for results and meeting the terms of their charters or performance contracts.

**Strengths:**

This section of the application expands on prior sections of the application, giving more detail to the strong review process and affiliated materials developed by the Department.

Statutory requirements serve as the foundation for driving process and materials (such as measurable objectives, annual reports, and charter school approval), but the Department works well to include other state and national stakeholders in their development in order to ensure the application of best practice.

Through the standardization of the model materials, the SEA ensures consistency in expectations along academic, operational, and fiscal standards that correspond to a likelihood of opening a charter school in Florida with a likelihood of success. For example, the contract requires every school contract to include a detailed description of how baseline data will be established, evaluated over time, and assessed against comparative groups (pg. e69).

The existing processes and materials prescribed for charter school approval outline importance on serving ethnically and racially diverse populations.

## Sub Question

### Weaknesses:

There wasn't any requirement around portfolio wide performance, a required criteria from the rubric. While there is required reporting at the school and state levels, the mechanism for satisfying portfolio reporting is lacking. An authorizer scorecard and system for reporting authorizer performance is in process.

Some of the sample materials, such as the application questions, are not necessarily tied to evidence-based criteria. For one example, asking an applicant to describe the primary instructional strategies and why these are appropriate for the anticipated population is different than asking an applicant to describe the strategies and how you know they are appropriate for the anticipated student population. This distinction threatens the goal of having only evidence-based charter applications approved.

Reader's Score: 18

**2. 2) The Secretary considers the quality of the SEA's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA's plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA's plan will ensure that authorized public chartering agencies are --**

**a. Seeking and approving charter school petitions from developers that have the capacity to create charter schools that can become high-quality charter schools;**

**b. Monitoring their charter schools on at least an annual basis, including conducting an in-depth review of each charter school at least once every five years, to ensure that charter schools are meeting the terms of their charter or performance contracts and complying with applicable State and Federal laws;**

**c. Using increases in student academic achievement as one of the most important factors in renewal decisions; basing renewal decisions on a comprehensive set of criteria, which are set forth in the charter or performance contract; and revoking, not renewing, or encouraging the voluntary termination of charters held by academically poor-performing charter schools;**

**d. Ensuring the continued accountability of charter schools during any transition to new State assessments or accountability systems, including those based on college- and career-ready standards.**

### Strengths:

Florida law specifically requires academic achievement to be the primary driver of renewal conversations and decision-making. This emphasizes and reinforces the importance of student performance in defining school performance. Although a robust set of criteria are considered for renewal decision-making, this approach stresses the significant weight of expectations state and sector wide for improving student achievement.

Despite evolution in the transition of state standards and assessments, the Department still issued an annual report. Decision-making also continued during this transition, with assurances that baseline data could not be used alone as a basis for closure. This preserved the necessary oversight and accountability for which charter schools are founded on, and establishes a precedence that the state will continue to maintain their system of accountability if additional assessment transition occurs.

Because the state grading system is the primary driver of performance expectations, college- and career-ready standards are incorporated into the system, and have continued to be reporting on during the shift in primary and secondary assessments.

## Sub Question

### Weaknesses:

Although the application provides ample evidence around the process for selecting quality applicants, the application lacks information around seeking or trying to incent quality applicants for submission of new or replication charter applications.

Much of the information in this section focused on legal requirements related to monitoring processes and decision-making criteria, but did not expand on the practice of these across the authorizing landscape (or the effectiveness thereof). Ultimately, the design was detailed throughout the application, but lacked expansion into descriptions of implementation and success with designed practices.

Reader's Score: 4

## Selection Criteria - Policy Context for Charter Schools

1. The Secretary considers the policy context for charter schools under the proposed project. In determining the policy context for charter schools under the proposed project, the Secretary considers the following factors:

1) The degree of flexibility afforded to charter schools under the State's charter school law, including:

i. The extent to which charter schools in the State are exempt from State or local rules that inhibit the flexible operation and management of public schools; and

ii. The extent to which charter schools in the State have a high degree of autonomy, including autonomy over the charter school's budget, expenditures, staffing, procurement, and curriculum; and

2) The quality of the SEA's plan to ensure that charter schools that are considered to be LEA's under State law and LEA's in which charter schools are located will comply with sections 613(a)(5) and 613(e)(1)(B) of IDEA (20 U.S.C. 1400, et seq.), 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).

### Strengths:

Florida charter school law intentionally preserves the autonomy in charter schools by offering exemption from several statutory chapters (pg. e74). These waivers grant flexibility in curriculum, budgeting, and numerous other inputs-based endeavors in school design, implementation, and operation. Exceptions to these automatic flexibilities from law are in the necessary areas of accountability (such as assessment and implications of low performance)--these still promote the tenants of the charter bargain, which is to inherently exchange an increase in autonomy for an increase in accountability.

### Weaknesses:

No weaknesses cited.

Reader's Score: 5

## Priority Questions

### Competitive Preference Priority - High-Quality Authorizing and Monitoring Processes

1. To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

a) Authorizing processes that establish clear criteria for evaluating charter applications and include a

**multi-tiered clearance or review of a charter school, including a final review immediately before the school opens for its first operational year.**

**Strengths:**

The Department of Education has a strong statutory influence on establishing minimum criteria for charter application review and processes (pg. e13). While this doesn't include a graduated, multi-tiered clearance approach, there are multiple points of review from the point of application submission—this includes a pre-opening review to determine readiness for opening on-time with a likelihood of success.

The Department has established a model application, evaluation tool, and model contract to form the basis for authorizer/school negotiations (pg. e18). These tools are continuously revised to align to changes in law and evolution of best practice. Specifically in the past year, the Department worked with NACSA on the most recent iteration.

The process includes a robust history check on potential founders and management companies, seeking academic and financial performance data for the organizations affiliated with the Applicant (pg. e20). This emphasizes the importance of the existing body of evidence and supports the notion of due diligence in the administration and oversight of public dollars.

**Weaknesses:**

No weaknesses.

**Reader's Score: 5**

**2. To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:**

**b) Authorizing processes that include differentiated review of charter petitions to assess whether, and the extent to which, the charter school developer has been successful (as determined by the authorized public chartering agency) in establishing and operating one or more high-quality charter schools.**

**Strengths:**

Differentiation of review is specific to application type, including evaluating evidence of success for existing operators in a way that is distinct from information collected that would specifically assess proposals aimed at replicating high performing schools (pg. e21).

Rather than supplanting some new school criteria in light of existing performance data, the differentiation of review is focused on adding criteria to assess during the process. However, to compensate for this approach, a streamlined process of submission and review was implemented to incentivize high performing operators/management companies to expand, replicate, or seek new charters in Florida.

**Weaknesses:**

No weaknesses identified.

**Reader's Score: 5**

**3. To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:**

**c) Clear and specific standards and formalized processes that measure and benchmark the performance of the authorized public chartering agency or agencies, including the performance of its portfolio of charter schools, and provide for the annual dissemination of information on such performance.**

**Strengths:**

The Department, in conjunction with Florida authorizers and operators, as well as national experts in authorizing, recently established Florida-specific principles and standards for authorizing that have driven efforts in transparency of standards, annual reporting, and even more formalized efforts to evaluate authorizers in an annual report card.

The law establishes requirements around annual reporting that includes objective measures in portfolio performance in the areas of academics, finance, and operations.

**Weaknesses:**

While the specific standards are clear and were collaboratively developed, the primary focus is on assessing inputs and processes and materials—something that will require expertise in evaluation, and something that Florida may struggle to validate with quantitative data.

Having some supportive data around application approval rates, pre-opening review outcomes, and Year 1 outcomes would have helped to solidify the effectiveness of the established materials and processes utilized by Florida. It was also unclear what flexibility authorizers have in building upon the standard templates and requirements to assess indicators that might be deemed more high stakes to individual authorizers based on authorizer mission, resources, or structure.

**Reader's Score: 4**

**Competitive Preference Priority - Authorizer other than LEA or Appeals Process**

**1. To meet this priority, the applicant must demonstrate that the State--**

**a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or**

**b) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.**

**Strengths:**

While Florida law prohibits the establishment of a non-LEA, statewide authorizer, an appeal process has been established to protect charter schools against bias or hostility in review and authorizer negotiation (pg. e24).

**Weaknesses:**

No weaknesses identified.

**Reader's Score: 5**

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