

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

Status: Submitted

Last Updated: 06/27/2016 05:00 PM

Technical Review Coversheet

Applicant: Massachusetts Department of Elementary & Secondary Education (U282A160013)

Reader #1: *****

	Points Possible	Points Scored
Questions		
Selection Criteria		
Educationally Disadvantaged Students		
1. Ed. Dis. Students	15	11
Vision for Growth and Accountability		
1. Growth and Accountability	10	8
Past Performance		
1. Past Performance	15	13
Project Design		
1. Project Design	20	18
Dissemination of Information and Best Practices		
1. Dissemination	10	9
Oversight of Authorized Public Chartering Agencies		
1. Oversight of Authorizers	25	22
Policy Context for Charter Schools		
1. Policy Context	5	5
Priority Questions		
Competitive Preference Priority		
High-Quality Authorizing and Monitoring Processes		
1. CPP 1a	5	5
2. CPP 1b	5	4
3. CPP 1c	5	3
Authorizer other than LEA or Appeals Process		
1. CPP 2	5	5
Total	120	103

Technical Review Form

Panel #4 - State Educational Agencies - 4: 84.282A

Reader #1: *****

Applicant: Massachusetts Department of Elementary & Secondary Education (U282A160013)

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 provided an adequate response regarding assisting educationally disadvantaged students through the grant in the project design (p. e40). ESE proposes to provide additional CSP grant funding to those charter schools that either demonstrate commitment to backfilling all vacancies, ELLs, or off-track for high school graduation (p.e41). An Immediate High Impact increment is designed as an incentive to expand opportunities for educationally disadvantaged students to attend high-quality charter schools. The applicant provided solid data evidence to demonstrate that overall charter schools enroll more disadvantaged students than non-charter schools. Disadvantaged students enrolled in charter schools outperformed statewide average on the state assessment (pp.e27-29). The applicant provided a well developed response to address this criterion.

Weaknesses:

Though the applicant proposed to provide additional funding as Immediate High Impact increments to those charter schools that quickly provide new, high-quality educational seats to communities, the process and details are not evident in regards to how the additional funding can be utilized to support the needs of educationally disadvantaged students.

Reader's Score: 11

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 demonstrated a sound growth plan of maintaining high expectations for all charter applicants, outreaching strong and proven charter developers, and providing continuous support throughout the life cycle of a charter school (p. e31). Soliciting and approving 25 high-quality charter schools or expansions during a five-year project period is reasonable and feasible with the support of MA Charter Public School Association (MCPSA). The MCPSA builds the pipeline to recruit high-quality potential charter developers as well as encouraging replication and expansion exiting high-

quality charter schools (p.e33). To support the closure of poor-performing schools, the plan is embedded in the accountability system (p.e34). The comprehensive charter application reviewing and authorizing process ensure that only those who demonstrate capacity and a strong likelihood of establishing high-quality charter schools can get approved. With these safe guards, the number of failing schools is limited. In addition, the applicant developed charter school closing procedures with a checklist to support the closure of poor-performing schools (p.e492-497). The applicant provided well developed response under this criterion.

Weaknesses:

The checklist included in the application is a list of action items for the charter school to complete after the authorizer votes its intent to non-renew, revoke, or suspend the charter of a charter school (p.e492). It does not clarify how the SEA would assist the charter school in completing the action items in the list. The applicant did not describe the role of the SEA and its key actions during the closure process.

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 provided data evidence that for the past five years, the number of charter schools has increased from 60-96; charter school students have outperformed their non-charter peers in ELA and Math every year (pp.35-36). The data submitted served as supportive evidence to demonstrate the applicant's success. Due to the comprehensive reviewing and authorizing process, only high-quality charter applications can get approved. For the past five years, only 5 schools were closed out of 96 operating schools. Comparing to 17 schools closed since 1995, the number of closing schools has dropped significantly (p.e36). It is due to the efforts of enforcing high standards and approving only high-quality charter school applications.

Weaknesses:

Though the number of charter school has been increased for the past five years, the number and percentage of high-quality charter schools is absent in the application. In addition, although charter schools students have outperformed the statewide average (p.e35), it is unclear whether the student performance is due to the high quality of charter schools. With the absence of the above information, it is ambiguous about the past performance of high-quality charter schools.

Reader's Score: 13

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 established a differentiated review process with different purposes for new developers, existing operators, and those who seek to open charter schools in one of the state's lowest performing districts. Though the processes are differentiated, a common goal is shared to ensure the quality and capacity of applicants to open high-quality charter schools (p.e38-39). Such practice provides safe guards to ensure awarding subgrants to eligible applicants. The peer review process and monthly timeline are specified with activities to be accomplished evident in Figure 12 (p.e39). Figure 13 provided detailed description, projected number of subgrants with specific award amount, and types of subgrant. Additional explanation is provided for differentiating baseline planning and implementation grants including dissemination grants. Figure 14 demonstrated, in the past five years, the past subgrantees secured better student achievements on the state assessment (p.e42).

Weaknesses:

Figure 9 indicated that 6 new schools are projected to open in FY 19 and FY 21 respectively (p.e32). Figure 13 indicated otherwise that 5 new schools are projected to open in FY 19 and FY 21 respectively (p.e40). Inconsistent information was presented in the application.

Reader's Score: 9

2. 2) The process for monitoring CSP subgrantees.

Strengths:

The applicant developed a comprehensive accountability process in which a team of ESE professionals oversee the progress and performance of charter schools in the areas of accountability, finance and data oversight, etc. A financial audit is conducted. Policy and procedures are developed to guide the monitoring process evident in the attached documents of "Accountability Plan Guidelines", "Guide to Charter School Accountability", and "Charter School Site Visit Protocol". (p.e78). It is evident that all charter schools undergo comprehensive reviews and are

Sub Question

monitored per standardized protocols and procedures.

Weaknesses:

Though all charter schools undergo comprehensive reviews, it is not specified how the CSP subgrantees are monitored such as how subgrant funds are utilized, etc.

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: 9

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 addressed this criterion by presenting a strategic plan of identifying best practices, disseminating best practices, and evaluating the impact. Detailed explanations are provided when explaining each stage of the plan (pp. e44-49). For example, both quantitative and qualitative school performance data are collected to identify strong candidates for dissemination (p. e44). Information disseminations include various approaches such as media, virtual events, in-person events, etc. Areas of further development are also identified (p.e48). In addition, a High-Impact Dissemination Subgrant Competition will be conducted as a part of dissemination activities. The applicant provided well developed responses to address this criterion using a variety of dissemination strategies.

Weaknesses:

The applicant proposed to integrate charter school best practices into ESE's Strategic Priorities of District and Turnaround. The applicant described how to identify dissemination partners as either receivers or development providers, but how the partnership collaborate to support the dissemination activities was not discussed in the application.

Reader's Score: 6

- 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.**

Sub Question

Strengths:

The state has implemented the state's new discipline law. With the recent establishment of Center for Educational Options, the applicant is better positioned to identify and disseminate best practices of student discipline and school climate. By partnering with MIT's School Effectiveness and Inequality Initiative, research will be conducted to generate valid and reliable findings for dissemination (p.e33). The applicant has clearly identified the steps to disseminate information about student discipline and school climate.

Weaknesses:

No weaknesses noted.

Reader's Score: 3

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:

The evidence of the applicant ensuring charter developers to incorporate evidenced-based school models and practices can be found in the charter application process and the accountability system (p.e50). The charter application requires developers to include explicit research citations to support their proposed educational programs resulting in high academic outcomes for the educationally disadvantaged students (p.e50). In addition, developers are required to submit a student recruitment and retention policy that must include educationally disadvantaged students (p.e51). To ensure implementation fidelity, the accountability system is aligned with these elements in the application process (p.e51). The applicant established clear and measurable performance expectations for all charter schools evident in the accountability system documented in ESE's "Accountability Plan Guidelines" (pp.

Sub Question

e376-401) as well as "Guide to Charter School Accountability" (pp.e402-408). All schools are assessed and ranked using 5 accountability and assistance levels including alternative schools (p.e52), which indicates that all charter schools undergo comprehensive monitoring and review processes. The portfolios and performance of charter schools are displayed on the ESE's website using report card and financial dashboard. The online "Charter Analysis Review Tool" provides multi-school, multi-year demographic comparison data evident in Figure 16 (p.e54). The report card displays comprehensive data including student enrollment and teacher qualifications, absolute student achievement, academic growth, graduation rates, dropout rates, and each school's progress toward narrowing proficiency gaps for various subgroups of students. A sample report card and dashboard report are evident and attached in the application (pp.e398-401). Charter school autonomy is supported by Mass. Gen. Laws stating that "all of the powers necessary or desirable for carrying out its charter programs" confirming that MA charters fully exercises these statutory autonomies such as controlling funds, designing academic programs, exempt from public procurement laws and granted protections in certain lawsuits, etc. (p.e62).

Weaknesses:

It is vaguely described how the authorizing agency ensures to approve charter school petition with design elements that incorporate best practices targeting racially and ethnically diverse students. More elaboration is necessary.

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 applicant demonstrated a plan including 5 strategies to seek and approve quality charter school petitions which is comprehensive and executable. For example, the charter application approving process demonstrated the applicant's efforts in encouraging applications from developers with a track record of success, demonstrating capacity and a strong likelihood of establishing high-quality charter schools. Partnering with national organizations to support charter developers is another example of increasing their capacity to design and operate high-quality charter schools (p.e38). It is stated that charter schools are monitored annually and an in-depth review is conducted at least every five years evident in the attached document of "Guide to Charter School Accountability" (pp.e402-408) and "Charter School Site Visit Protocol" (pp.e409-438). Figure 17 of performance criteria and Figure 18 of the rating scale clearly presented the performance of charter schools (pp.e57-58). MA General Law states "when deciding on charter renewal, the board shall consider progress... make in student academic achievement..." It is also

Sub Question

evident in the attached "Considerations for Charter School Renewal" that "increases in student academic achievement for all groups of students ...as the most important factor when determining to renew or revoke a school's charter". The Charter School Closing Procedures served as another evidence of using increasing student academic achievement as the most important factor when closing schools (pp. e62). The applicant provided a well-developed response by stating that the state's charter statute and regulations mandate that charter school accountability decisions must continue; ESE will continue to offer PD opportunities and technical assistance to ensure a successful shift to new assessment system (p.e62).

Weaknesses:

Though the applicant proposed to continue offering PD opportunities to ensure a successful shift to the new assessment system, the application would have been improved by having a detailed PD strategic plan in place to help in assisting the shift more effectively.

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:

MA General Law states that "all of the powers necessary or desirable for carrying out its charter program" and the applicant confirms that charter schools can fully exercise these statutory autonomies. For example, charter schools have autonomies in controlling funds, legal and business power necessary to operate independently, academic program designing, exempt from public procurement laws and granted protections in certain lawsuits (p.63). MA General Law requires all charter schools to comply with all federal laws evident in the charter school application. In addition, charter schools are required to submit extensive policies and procedures to demonstrate its compliance with state and federal laws before opening evident in the Opening Procedures Handbook (pp.e65-66). The response is complete meeting the requirement under this criterion.

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:

The applicant provided a thorough response under this criterion. The sole authorizer uses the process and criteria evident in the attached document of "Charter School Application Criteria" (pp.e241-262) when authorizing charter schools. The charter application process includes two stages for new operators. Only applicants who demonstrate capacity and a strong likelihood of establishing a high-quality charter school are invited to submit a full final application, after a careful preliminary review by the Department of Elementary and Secondary (ESE) staff and peer experts (p.e21). Each charter school undergoes a comprehensive opening procedures process per Opening Procedures Handbook, which requires each charter school to meet requirements in the areas of sufficient student enrollment, financial resources, human capital, and compliance with state and federal laws and regulations before school opening (p.e22). This serves as evidence that the applicant meets the expectation of having a multi-tiered clearance or review as well as a final review before the school opens.

Weaknesses:

No weaknesses 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 applicant implements a differentiated review process for new, current operators, and those who seek to establish schools in the state's lowest performing districts (p.e22). It is evident in the attached documents of "Commonwealth and Horace Mann Charter School Application" (pp. e178-240) and "Application for Renewal of a Public School Charter" (pp. e469-491), which indicates two different review processes with different purposes. The two-stage process enables ESE assesses the capacity of new charter applicant and its likelihood of establish a high-quality charter school; the one-stage process enables the current operator to demonstrate a track record of success. In addition, pursuing a new charter school in the state's lowest performing district must demonstrate a track record of success serving educationally disadvantaged students (p.e23). The applicant provided well developed response to meet the requirement of this criterion.

Weaknesses:

Even though the success of a charter operator's past performance will be reviewed during renewal process, clear criteria have not been included in terms of to what extent of the success is considered during authorizing.

Reader's Score: 4

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 performance of the sole authorizer, the Board of Elementary and Secondary Education (BESE), is reported in several ways. The MA charter school law requires the authorizer to submit an annual report to the legislature; periodically external review monitors and evaluates authorizing activities; it is evaluated as a part of the ESE strategic plan measuring its progress towards year-end goals (p.24). Each charter school is required to submit an Annual Report to ESE and posted on school websites. Charter school performance as part of its statewide "report card" is publicized on ESE's website including its financial performance and demographic data (p.e24). It meets the criterion of providing and disseminating charter school performance under this priority.

Weaknesses:

Though the performance of the sole authorizer is monitored and reported using a formalized process, clear and specific standards to measure its performance are not evident in this application.

Reader's Score: 3

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:

MA has one authorized public chartering agency that is MA Board of Elementary and Secondary Education. The requirement of this criterion is met.

Weaknesses:

No weakness noted.

Reader's Score: 5

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Applicant: Massachusetts Department of Elementary & Secondary Education (U282A160013)

Reader #2: *****

	Points Possible	Points Scored
Questions		
Selection Criteria		
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1. Ed. Dis. Students	15	8
Vision for Growth and Accountability		
1. Growth and Accountability	10	9
Past Performance		
1. Past Performance	15	12
Project Design		
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1. Oversight of Authorizers	25	22
Policy Context for Charter Schools		
1. Policy Context	5	4
Priority Questions		
Competitive Preference Priority		
High-Quality Authorizing and Monitoring Processes		
1. CPP 1a	5	4
2. CPP 1b	5	4
3. CPP 1c	5	3
Authorizer other than LEA or Appeals Process		
1. CPP 2	5	5
Total	120	98

Technical Review Form

Panel #4 - State Educational Agencies - 4: 84.282A

Reader #2: *****

Applicant: Massachusetts Department of Elementary & Secondary Education (U282A160013)

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:

On the bottom of page 9, the applicant discusses the contribution the grant will make to support the creation and expansion of high quality charter schools that serve academically disadvantaged students. On page 10 they discuss at length how charter schools enroll a significantly higher percentage of educationally disadvantaged pupils than non-charter schools which is attributable to the state's charter school statute requiring that access to charter school options be prioritized for educationally disadvantaged students. They further state that more than three-quarters of charters are located in urban areas where students would otherwise be attending schools that are not meeting state academic standards. On page 29, the application provides data showing that all charter schools' educationally disadvantaged students have outperformed statewide averages.

Weaknesses:

The applicant is unclear about the link between the charter schools grant and its direct contribution to helping serve educationally disadvantaged students, merely stating that it will make a contribution and then discussing at length how charter schools serve these students. Although the application provides incentives for schools serving educationally disadvantaged pupils, they do not discuss why this extra amount of funds will help or what they expect to do. Since this section looks to the contribution of the CSP grant, the application is lacking as it does not address the contribution of the grant at all regarding this factor.

Reader's Score: 8

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 gives a well-supported estimate for charter school growth that takes into account the waitlist for charters in the state, detailing what that growth will look like over a five-year period. The applicant provides extensive evidence of

what they used to come up with this estimate and specifically discusses the role of the SEA in ensuring they have high quality charter school applications, including developing and maintaining relationships with philanthropic, nonprofit, and other community leaders to leverage additional resources.

The applicant provides evidence that they have been rigorous regarding closure of charter schools in the past, closing 17 charter schools since 1994 due to poor academic performance and includes a graduated system of intervention prior to closure (page 17).

Weaknesses:

The application states that their plan for closing poor-performing charters is founded in its rigorous enforcement of its accountability system, but the plan is unclear and gives facts about the number closed in the past but no discussion of the process or standards by which they will close the schools or how the SEA will be involved in the decision making process that leads to intervention. This gives only a partial picture of the role of the SEA in the closure because they do not discuss the process for the decisions regarding closure (pages 17-18).

Reader's Score: 9

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 demonstrates well that there has been an increase in the number of high quality charter schools in the state in the past five years, with an increase from 60-96 (page 18). Figure 9 on page 15 shows this has been a steady growth over the past seven years and Figure 10 on page 16 shows that enrollment in charters has grown steadily as well. The applicant also demonstrates that charter schools, in the aggregate, outperform statewide averages as measured by the CPI (Page 18). Further, the application clearly lays out how students are measured by CPI or SGP, and shows clear data that the CPI percent of students in charters regularly stays slightly above the statewide average (Figure 11, Page 19).

The application provides a definition of what is considered to be "low performing" which is a definition more rigorous than the federal definition (page 19). They also provide a clear description of the consequences a charter school can face if they are low-performing, including conditions or probations, revocation, non-renewal, or asking the school to voluntarily close (page 19), also providing that five poor-performing schools have closed since 2011 (page 19).

Weaknesses:

The application states that they believe that their process for filtering applications leads to the creation of high quality charter schools, proven by the fact that so few have closed due to poor performance. However, they also state that 17 charters have closed in the history of charters in the state, out of 99 total, which is a little under 20%, providing fairly insufficient evidence that they have successfully filtered out all but high quality applications (page 17).

Reader's Score: 12

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 provides an extensive description of the subgrant application and peer review process which is integrated into the charter application process and results in every new charter school receiving a subgrant. On Page 21 the applicant describes the extensive requirements for proof of capacity, especially when proposing to serve an educationally disadvantaged student population, with a great deal of emphasis placed on prior charter experience. Further, the application discusses their plan to grant CSP subgrants for substantial expansions where the charter school is proposing to grow by 2 or more grades or at least a 50% increase (page 22).

The quality of the plan is strong as it includes two types of subgrants they plan to allocate: 1. Baseline planning and implementation grants for new schools and substantial expansions and 2. Targeted incremental grants. On pages 24-25 the applicant describes these in detail, giving evidence of their plan to maximize the grants and incentivize the development of high quality charter schools that are designed to provide access to and better meet the needs of educationally disadvantaged students. The application is detailed in that it provides the amount of grants for each type, as well as the factors they will take into consideration. For example, a replication of an existing model would receive a grant of up to \$300,000, less than for a new school, because they would have already established curriculum and the educational model (page 24).

The application provides thoughtful detail regarding the dissemination grants, including the idea of a waiver to extend the project period to three years to ensure more meaningful dissemination that substantively and sustainably changes educator practice (page 30).

Sub Question

Weaknesses:

Although the application gives a reasonable year-by-year estimate of growth, there are some inconsistencies with prior information. Specifically, the estimate for 2020-21 is five (page 23), when previously they stated that six schools would open that year (page 15). This inconsistency is the same for the 2018-19 numbers (pages 23 & 15). Since they stated that every charter application will receive a subgrant, these numbers should match. Further, in their 2016-17 estimate, the applicant provides for expansion grants but does not provide for those in the latter years – aligning the number of subgrants with the number of new schools they believe will open.

The application is lacking in thorough detail around the dissemination subgrant application and review process. On pages 25-26, the applicant discusses previous dissemination projects funded through dissemination subgrants, but never touches on how they have or plan to review dissemination applications. Although the application provides thorough details on their dissemination activities on pages 28-32, there is no detail about a dissemination subgrant application or the process by which they review dissemination subgrant applicants.

Reader's Score: 9

2. 2) The process for monitoring CSP subgrantees.

Strengths:

The application provides a detailed description of the subgrant monitoring process, including listing out the expertise they employ in order to review and monitor charters and support dissemination of best practices. They provide details about the AUP report required for all subgrantees, which is ever-changing and enhanced from their experience (page 26). The application provides further details regarding the dissemination grants, including a 0.25 FTE staff member committed to dissemination activities and conducting evaluations of funded dissemination projects and student outcomes in the fifth year of the grant period (pages 28 & 30).

Weaknesses:

Although the applicant states that they conduct standard subgrant-specific monitoring of budgets, expenditures, and compliance, and requires corrective action as appropriate, they do not go into detail about what this entails and that leaves the description incomplete. Further, the application does not mention whether the AUP process is the same for dissemination and start-up sub grants (pages 26-27).

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: 9

Sub Question

Sub Question

1.

Strengths:

The application provides a unique and thorough overview of the SEA's role and plan for dissemination of best practices. For example, they provide an extensive overview of the process not only for identification of practices for dissemination but also many strategies that they use to disseminate that information (pages 27-29). The applicant clearly makes the link between the SEA and the identification of charter schools who exhibit clear indicators of success and therefore could be successful disseminators, providing a detailed description of the characteristics they will use in making that determination.

Further, the application gives specific examples of the action they will take to use the dissemination of best practices, including supporting turnaround of the lowest performing schools and school districts, publishing high quality professional development case studies on their website (including a number goal), and facilitating online and in-person professional development activities. (Page 29)

The application provides a clear plan to host a regular event to showcase the best practices of high quality schools working in the design/redesign space, including the format they plan to use. (Page 29-30)

The application also provides a thoughtful description of their plan for assessing the effectiveness of their dissemination activities, even using a third party for this assessment (page 32).

Weaknesses:

The plan for partnering schools for turnaround is unclear around what factors they take into consideration, outside of the fact that one school is high-quality and the other is poor-performing – they do not consider other factors such as population served (Pages 28-29).

Reader's Score: 6

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 application provides a clear link between the role of the SEA and the plan to disseminate information about student discipline and school climate. Specifically discussing the resources they have at their disposal, such as the work with the Office of Student and Family Support, the application provides a thorough plan to leverage this and previous research done in the area of student discipline in order to ensure that they are focusing on the social, emotional, and health needs of students and families. (pages 32-33). The application makes it clear that their broader plan to disseminate best practices will include those around student discipline and school climate (page 33).

Weaknesses:

No weaknesses to note

Reader's Score: 3

Selection Criteria - Oversight of Authorized Public Chartering Agencies

Reader's Score: 22

Sub Question

1.

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:

The application describes the self-monitoring procedures – an annual audit and a report to the legislature on the demographics of charter schools. (Page 34) The application provides an extensive overview of the charter application process which requires the inclusion of research that demonstrates that the educational program will result in increased student achievement (Page 33-34).

The application provides a comprehensive overview of how the authorizer establishes measurable performance expectations for their charters, including academic program success, organization viability, and faithfulness to their charter. (Page 35) The description includes an overview of the accountability plans required of schools by their second year of operation in which each charter school must develop objectives and measures for demonstrating achievement of its mission and key design elements. They also provide an explanation of their differentiated standards for schools that serve a drop-out population (Page 36).

The applicant further provides a thorough description of their annual reporting of charter school performance which includes a publicly available annual report card which summarizes the academic performance and financial health of a school and helps the public compare charter schools to other schools. (Page 36)

The application provides convincing evidence of the support for charter school autonomy, for example, charters have the freedom to organize around a core mission, curriculum, and educational program. They also have the freedom to control their own budgets, size, and grades served as well as set their own rules of governance and staffing (pages 37-38).

Sub Question

Weaknesses:

Although the application provides extensive detail about practices already in place to meet this criteria, they do not show proof that their practices are working and how that will affect their plan for using the CSP grant this round.

Further, the application is lacking in evidence that the authorizer plans to approve charter applications with a focus on racial and ethnic diversity. On page 34, the application mentions that the authorizer must submit a report annually to the legislature on the race and ethnic make-up of the student enrollment of each charter school but there is no description of how this report is used or how they plan to incorporate this data into their decisions regarding charter applications.

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 application provides convincing evidence that the ESE, as the sole authorizer in the state, is seeking and approving high quality charter schools through several strategies, including targeted recruitment, training, supporting partnerships between schools, and a rigorous application process. Further, they limit charter schools in one of the 29 lowest districts to applicants with "proven provider status" ensuring that schools serving the most at need students are guaranteed to be high quality. (Page 39)

The application provides sufficient evidence that their current strategies and practices meet the requirements of monitoring and conducting in-depth reviews of charters every five years, based on the renewal process, regular evaluation of each school against Charter School Performance Criteria which results in a ranking, and annual evaluation of schools' academic performance, financial health, faithfulness to the charter, and access and equity policy adherence. (Page 39-41)

One of the strengths of the application is that the school gives a thorough description of how they use increases in student academic achievement as one of the most important factors in renewal decisions. Further, the application describes at length the different options the authorizer has when making these decisions up to and including

Sub Question

revocation or non-renewal of the charter (page 43).

Weaknesses:

The application contains a guarantee that charter schools will not be affected by the transition to a new state accountability system because that is required under law and regulations, but the application is lacking in description of strategies to ensure that is the case. They merely state that they will continue to offer professional learning opportunities for all schools, including charters. (Page 45) Further, the application provides no mention of the use of college and career readiness standards in the plan. (Page 45).

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:

The application provides a comprehensive description of the autonomy afforded to charter schools under state law, including the complete autonomy to control their funds and day-to-day management, giving them the legal and business powers necessary to operate independently (i.e. the ability to contract for services and to acquire or lease real estate), and the freedom to negotiate staff contracts. Further, the applicant describes the autonomy afforded to charter schools as they are their own LEA's without restrictions that are found at traditional public schools. (Page 46)

The application is very strong in this factor as it gives evidence that all charter schools in the state are LEAs and describes the level of required compliance with all federal laws (pages 46 & 48).

Weaknesses:

The application does not provide examples or processes of these flexibilities and autonomies or detail about how they improve or assist charter school innovation. (Pages 45-46).

Reader's Score: 4

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 application provides an extensive description of a multi-tiered review of charter applications which includes a preliminary application for new operators, after which they receive targeted feedback prior to the submission of the final application (page 3). The applicant gives a complete description of the review of the final application, including using reviewers they have compiled from experts in the field, a public comment period with a public hearing and capacity interviews, and a report to the Commissioner with a recommendation (page 4). Further, the applicant states that they do a final review of the charter prior to opening which can lead to serious consequences (delayed opening, probation, or revocation of the charter) for the school if they do not demonstrate readiness and includes the handbook in appendix 8 (page 4).

Weaknesses:

It was unclear whether the multi-stage review laid out in the application leads to charters not being approved if they are not ready after the preliminary steps and how many schools do not complete the pre-opening requirements.

Reader's Score: 4

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:

One of the strengths of the application is that they describe the two different versions of the charter school application – one version for charter operators with experience and one for new operators. They provide the factors that they use to determine whether the charter applicant can go through the streamlined application process on page 6.

Weaknesses:

The application was confusing, stating in one place that there are two different versions of the charter application on page 6, with a two-stage review process for new operators versus a one-stage review process for current boards of trustees applying for additional charters. It is unclear what exactly the application is like for these current boards of trustees – whether it is a streamlined version of the same application, or a different application altogether or in which stage of the application process that is considered.

Reader's Score: 4

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 provides an extensive list of the ways that the BESE and ESE monitor their own authorization activities in order to improve, including legislative reporting, outside evaluation by experts, benchmarks in ESE's delivery plan to take stock of progress towards year-end goals, and public reporting on the performance of charter schools in their portfolio. The description of public reporting on charter performance is extensive, including statewide academic report cards where the public can find accountability data for charter school progress towards closing achievement gaps (pages 6-8).

Further, the application provides a thoughtful description of the dissemination the authorizer on the charter schools in their portfolio, including posting information on school websites and through inclusion in ESE's academic report card website (page 7).

Weaknesses:

Although the applicant provides a list of the ways that the sole authorizer monitors itself, they do not give any information on what standards are used or what actions are taken if any of the reporting finds they are not meeting goals. The application needs to give a more detailed description of how the monitoring and assessment efforts do actually hold them accountable as an authorizer (pages 6-8).

Reader's Score: 3

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:

The applicant proves that they meet this priority because the BESE is the sole public charter authorizing agency in the state and they are not an LEA.

Weaknesses:

The applicant has no weaknesses in this area as they meet (a).

Reader's Score: 5

Status: Submitted
Last Updated: 06/27/2016 05:00 PM

Status: Submitted

Last Updated: 06/27/2016 05:00 PM

Technical Review Coversheet

Applicant: Massachusetts Department of Elementary & Secondary Education (U282A160013)

Reader #3: *****

	Points Possible	Points Scored
Questions		
Selection Criteria		
Educationally Disadvantaged Students		
1. Ed. Dis. Students	15	7
Vision for Growth and Accountability		
1. Growth and Accountability	10	8
Past Performance		
1. Past Performance	15	12
Project Design		
1. Project Design	20	18
Dissemination of Information and Best Practices		
1. Dissemination	10	8
Oversight of Authorized Public Chartering Agencies		
1. Oversight of Authorizers	25	21
Policy Context for Charter Schools		
1. Policy Context	5	4
Priority Questions		
Competitive Preference Priority		
High-Quality Authorizing and Monitoring Processes		
1. CPP 1a	5	4
2. CPP 1b	5	4
3. CPP 1c	5	2
Authorizer other than LEA or Appeals Process		
1. CPP 2	5	5
Total	120	93

Technical Review Form

Panel #4 - State Educational Agencies - 4: 84.282A

Reader #3: *****

Applicant: Massachusetts Department of Elementary & Secondary Education (U282A160013)

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 application outlines important policy work that has been done to ensure prioritization of educationally disadvantaged students in enrollment and lottery allowances and requirements. It also denotes the recognition that Massachusetts has received nationwide for efforts in service to educationally disadvantaged students by national research and policy organizations, such as CREDO.

The application narrative and Project Design section (pg. e27) provide for ample opportunities to incent increased service to educationally disadvantaged students. This is operationalized ultimately through increased funding opportunities beyond the standard grant awarded to all approved charter schools.

Materials also include compelling data around service to educationally disadvantaged students relative to traditional public schools. With the exception of students with disabilities, charter schools in Massachusetts on average serve higher proportions of traditionally underserved populations (pg. e27).

The reported student growth percentiles are particularly compelling in evidence of the success of the charter sector in the state (pg. e30). On average, the typical student is producing raw levels of growth that surpass a majority of their statewide academic peers (or students with similar testing histories). This is significantly higher than the statewide medians, which reflect typical growth across the board (and fall below what most Growth Models categorize as one year's growth in one year's time).

Similar to the reported Student Growth Percentile information the graduation data are also compelling data points that support service to educationally disadvantaged students (pg. e30).

Weaknesses:

While the demographic data are compelling against statewide figures, it is curious that the application notes $\frac{3}{4}$ of charters sit in identified urban areas. It would have made a stronger case if demographic information was aligned to urban figures. If the urban 75% of charter schools do not mirror urban traditional schools, this may be a comparison of apples to oranges.

Urban districts serves a much higher proportion than the reported charter figures: ~50%FRL, ~20%IEP, ~48%Fist Lang not English, ~30%ELL. These are all significantly higher than the charter sector, making it unclear whether charters (as a whole) are reflective of the communities they serve within.

The data are also presented at a school level, rather than looking at an individual seat level—it would be a stronger argument to note how many charter student seats are urban. Again, the data could be skewed if the non-urban schools are larger and contributing more individual-level performance data to the weighted aggregate.

It is also unclear based on the provided methodology whether the disparities in service to and success with educationally disadvantaged groups is statistically significant. While the numbers reported display observable differences (for some groups—students with disabilities and students identified for English language acquisition), it cannot be determined from the information provided whether these are truly significant, the result of sample size, or confounded by a third, moderating variable. (note: this is particularly true using the CPI assignments that is designed intentionally with less sensitivity)

Lastly, and most importantly, this section of the application focused upon past performance, rather than emphasizing what would be done to assist or ensure the needs of educationally disadvantaged students would be met. While this is referenced in pieces of the Program Design (and readers are directed by the materials that this section will specifically describe their project targeting these students using grant funds), detail and emphasis is limited outside of process plans. The rationale for selected incentives or the outcomes anticipated were not included (pg. e31).

Graduation data presented (pg. e30) could be more compelling if it was supplemented by readiness indicators, such as college enrollment, remediation rates, or readiness benchmarking on college or work-ready assessments. Completion of a program does not always equate to readiness or success.

Reader's Score: 7

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 supports the creation of high quality schools through both externally and internally facing strategies. Through efforts of the state association, the state sees the support of development work with a pipeline of potential applications. From an internally-facing strategy, ESE implements a strong two-stage system for review and selection (pg. e31).

Massachusetts has a history of closing chronically low-performing charter schools, with 17 schools being closed to date (pg. e34). Assuming the addition of the current number of charters reported plus these 17 yields a closure rate around 15%. Prior to closure, the State implements a graduated system of intervention, ranging from contractual conditions to probation; these are enacted prior to closure. In closure situations, ESE has developed materials and processes that assist the school in a way that prioritizes and supports student transition and protection of public funds (pg. e34).

Weaknesses:

While the stated growth goals are based on historical projections in the number of schools, the number of students anticipated does not necessarily correspond in rate to student growth over the past several years (pg. e31). The stated growth goals of 25 schools and 17,500 students equates to schools that each serve approximately 700 students each. In an effort to derive this figure, it wasn't clear whether ESE assessed its sector to determine whether size has an impact on school performance (evaluating further for size against grades served, demographic composition, school type, etc.). If not, or if size has a negative correlation, ESE may consider modifying one of the two targets to best align with success found in the Massachusetts sector, or add some specificity to seats targeted to expansion/replication as opposed to the vision for 25 new schools.

Evidence of the ESE role in enacting school intervention, revocation or closure from the process lens is not provided; only information on historical closure counts is included in the application (pg. e34).

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:

Data were provided to demonstrate an increase in both the number of charter schools comprising the sector in the last 5 years (pg. e35), as well as the quality of the sector over time. In addition to growing the sector by nearly 50%, performance has remained consistently higher than state averages. The State of Massachusetts utilizes a larger band of performance to determine low performing categorization than most other states. This cut point of 20% reflects advanced rigor and supports the maintenance of quality in the sector (pg. e36).

Weaknesses:

While the disparities between the sector and the state were evaluated, analysis was not conducted to evaluate performance over time—this would have solidified the concept that charter growth was equating to an increase in high quality seats. Additionally, it is unclear again if comparison to statewide figures is the best comparison.

Historical performance information echoes information provided in the section for educationally disadvantaged students. Figure 11 denotes statistical significance between CPI scores and growth percentiles. Different analyses need to be conducted for nonparametric analyses such as growth percentiles, so these may not be statistically significant (in fact, an MGP of 52 compared to 50 is often not reflective of significant differences in raw scores underlying the percentile due to variance in individual scores around that median). A reader cannot discern from the application what analyses were conducted (pg. e36).

Alternative education campuses seem to simply be removed from data (pg. e36), conversations about performance, and even alleviated of some process requirements (such as new school application criteria). This seems like it has the potential to be a loophole in accountability practices and potential sector wide success. If this subset of the sector is large (or growing), effort must be given to appropriate standards and accountability for these charter schools as well.

Reader's Score: 12

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.
 - 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:

ESE is proposing to award subgrants to new applicants, replications of high performing operators, as well as emphasizing subgrants for substantial expansion (pg. e22). In addition to the planning and implementation grants, Massachusetts has also proposed to award up to 4 subgrants for dissemination, noting the success of historical efforts in this area through description of two schools, Conservatory Lab Charter School and Salem Public School.

The process outlined in the project design is extremely evidence-based. Track records of success are sought at the developer, board of trustees, and charter proposal level (pg. e37). The timeline and sub grant estimates were reasonable and aligned to the growth vision section of the application.

The Applicant provided compelling evidence around prior subgrantee performance against their geographic districts (where students would likely otherwise attend)—reflecting staggeringly higher CPI scores in both ELA and Math (pg. e42). This evidence supports the effectiveness of the selection process to date.

Here, information is provided around the use of targeted incremental grants that support service to and success with economically disadvantaged students. The application requires not only a focus on recruitment and enrollment, but also in retention of these student groups. Additionally, ESE intends to incentivize service to these students by awarding additional funds to grantees that commit to backfilling vacancies in a way that emphasizes equity and/or adopts a mission specific to English Language Learners or overage/under credited.

Sub Question

Weaknesses:

The process does not well support grassroots efforts of charter school start-up or the genesis of new and innovative charter models due to the capacity requirement of the developer having a 'current or former role at a high-quality school.'

There are inconsistencies in the number of anticipated subgrantees and the number of reported charter schools opening reported between sections of the application (pg. e32 and pg. e40). Despite differences in the year type reported (award year and fiscal year), the discrepancy cannot be accounted for.

Reader's Score: 9

2. 2) The process for monitoring CSP subgrantees.

Strengths:

The primary method for monitoring is linked to a team of varying expertise that are dispelled periodically in the field to review progress and provide training across content (pg. e43). Financial compliance and monitoring, in particular, is robust and annually refined to respond to changes in requirements, evolution of best practice, and third party feedback.

Weaknesses:

The holistic approach to progress monitoring is well intentioned, but may lack elements of measurability. While awardees demonstrate high performance, this may be a function of selection, rather than monitoring. ESE should consider evaluating its own processes for impact. For example, corrective action is discussed (pg. e43), but what this looks like, how it is used, and how it has effected success in charter school compliance or performance over time was not detailed.

While the application includes a robust process for evaluating charter schools (pg. e409-e438), specific monitoring related to subgrant objectives and criteria were not discussed or distinguished from standard charter review practices that ESE performs as an authorizer pg. e43).

Additionally, the application lacks specificity in this area related to dissemination subgrants. While the application denotes 10% of its funds will be allocated towards dissemination subgrant work, it is unclear how this specific construct of grant type will be monitored for process effectiveness or grant success (pg. e43).

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:

Reader's Score: 8

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:

As a state agency and authorizer, ESE is positioned well to implement its identified plan for dissemination information and research. ESE owns data needed to drive evidence-based decision-making and has access to many state-level resources. This practice of dissemination is also a statutory mandate required of the Commissioner, allowing for multi-unit department wide efforts in this area.

The plan for identifying third party disseminators preserves the autonomy of the charter school by focusing on facilitating potential partnerships and funding opportunities, as opposed to mandating particular inputs, changes, or trainings (pg. e43). Although some elements of the plan (educator effectiveness case studies/videos) push the boundaries of facilitation and resource referral versus direct support, ESE appears to be taking intentional steps to prevent their role from being too embedded in school decision-making.

Weaknesses:

The dissemination plan for partnership may not fully consider all variables in potential partnerships, such as location and demographic composition, which may inhibit some potential partnerships if only performance is considered in potential pairings for identified disseminators. Additional information was lacking.

For materials that often focus on data, the emphasis on proving success of the state's turnaround work was lacking. It is also unclear how a showcase forum of information booths and poster galleries that may include charter developers in the future translates to effecting change in the turnaround space.

Reader's Score: 6

- 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 application outlines a plan for allocating attention and resources towards disseminating information around best practice in school climate and student discipline (pg. e45). This long-term objective is to fold this work into the larger, overall dissemination plan.

Weaknesses:

Distinctions between how the applicant will define and operationalize school climate and school discipline were not clear in the application (pg. e45). References are made to discipline data that will be tracked by ESE, but clear and explicit definitions as to what these constructs independently mean to ESE were not included.

While the project design section discusses the overlay of between the subgrant opportunities and these construct priorities, this section of the application did not explicitly connect the proposed efforts in student discipline and climate work to the subgrant plan.

Sub Question

The plan related to disseminating information on student discipline and school climate relies upon resources outside of the charter unit. No tangible strategies or timelines for implementing this were identified; rather, the Applicant mentioned it was a priority, named a potential support office, and a plan to identify schools that currently do this well. A differential and comparative analysis of student discipline was mentioned, but followed by a “plan to plan” statement around future efforts to name and use these possible disseminators, and fold that work into the overall dissemination plan. It is ultimately unclear how school climate is operationalized or what current performance looks like, what problems of practice ESE is aiming to improve upon, or in what tangible ways climate and discipline will be improved in the state (pg. e49).

Reader's Score: 2

Selection Criteria - Oversight of Authorized Public Chartering Agencies

Reader's Score: 21

Sub Question

1.

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:

ESE is the sole authorizer in the state. This section was therefore explicit in describing the application criteria and process for approval, focusing on the requirements related to recruitment and retention of educationally disadvantaged students at both initial approval and renewal. When schools are not meeting expectations in this area, they are placed on probation or receive contract conditions, which are published on the ESE website until corrected as a method for ensuring public transparency and accountability.

The state utilizes a robust accountability system, with tiered outcomes and interventions affiliated with school performance. This encompasses the charter sector, where distinct reporting mechanisms for sector wide performance exist within the Department of Education. Charter schools all create, submit, and utilize a School

Sub Question

Accountability Plan, which contains measurable objectives that ESE uses in formation of the school's annual report.

ESE provides public reports in all areas of charter accountability—academic performance (including specific reporting on progress with achievement gaps), financial performance (including financial dashboards that exceed statutory requirements), and legal compliance reports.

Additionally, Massachusetts has received national recognition for its prioritization and preservation of charter school autonomy, including receipt of the highest score in fiscal and legal autonomy in a recent Alliance report.

Efforts are taken to emphasize racial and ethnic diversity through ensuring racial comparability to the geographic district of location, as well as accentuating a focus on recruitment and retention of at-risk populations (pg. e51).

Weaknesses:

The measurable progress for alternative education campuses was not explicit anywhere in the application. One reference was made to consideration of alternative measures for these potential schools during the new school evaluation cycle, but not following incorporation. Equating mission-specific measures in the school's accountability plan does not get at the fact that AEC populations are typically not reflective of the overall population in composition (they are essentially outliers in most normed data sets), and therefore, traditional norms/cut points/measures are not effective in measuring their success and impact (pg. e53).

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 Applicant reports on school performance on an annual basis, with in-depth evaluation occurring every 5 years (pg. e53). The renewal process focuses on increases in student achievement in alignment with the state's accountability system. The state's system of accountability inherently applies a smoothing technique (a statistical method for giving more weight to data from recent years), meaning progress over time in academics is a factor in annual reporting and decision-making.

The renewal process incorporates continuous review of marketing plans to recruit and retain students (pg. e59),

Sub Question

with potential conditions and probations resulting from deficiencies in this area, further emphasizing the importance of equitable access and service at the state level. Additionally, due to the intervention levers prescribed in statute, ESE and the Commissioner have the authority to enact a variety of pathways to incent increased compliance or performance, such as probation, revocation, or even encouraging relinquishment of the charter. Policy also mandates that despite changes in assessment measures, accountability decisions must continue.

Weaknesses:

Regarding the recruitment of successful operators, the process for who is recruited and how recruitment occurs was unclear (pg. e55). The Applicant did not identify strategies to recruit and retain high quality charter schools beyond a short mention of outreach to school operators with a history of success. Since Massachusetts serves as an authorizer and state agency, there should be efforts around advertising a Request for Proposal/Call for Applications that is reflective of identified need and supports more than replication or efforts with charter management or service providers.

The application touches on increasing capacity in charter developers through a mention of partnerships with 'numerous national organizations' (pg. e55). Specification of who these partners were, how they supported ESE efforts, or the formalization of those partnerships was not referenced.

While postsecondary readiness was more explicit in application materials, ensuring continuity of progress against college and career-ready standards was not addressed (pg. e62). Reference specifically to workforce readiness through standards and or assessments (Work Keys, TABE, etc.) were not referenced in other materials overall.

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:

Schools have significant legal autonomies afforded through state law. They have flexibility in budgeting, legal liabilities, school design and educational programming development.

Assurances were provided that schools are required to comply with non-waivable portions of the law, such as IDEA and civil rights laws (pg. e65).

Weaknesses:

While the application states that schools are free (and encouraged) to innovate (pg. e63), examples or processes fostering this were not included throughout the application.

Reader's Score: 4

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 Applicant establishes clear criteria for evaluating charter applications (pg. e20), and denotes accessibility on the ESE website that correspond to supporting documents and guidance for new and unfamiliar readers.

The Applicant has a thorough process for linking a demonstrated understanding of the target population explicitly with community need (pg. e21). The second phase of application review includes a formal opportunity for public comment and a less formal requirement of hosting a public meeting in the community the operator intends to serve. This lends itself well to less quantitative (but incredibly telling) measures of engagement and involvement (in design and support) by the community for the charter school. This can also serve to validate community efforts described in the new school application and even support claims of local leadership buy-in, soft funding intentions, and enrollment projections.

Weaknesses:

The Applicant has implemented a multi-tiered process for reviewing applications. This includes a prospectus phase that serves as a pre-screening for an operator's readiness to open the proposed school with a likelihood of success. While the Applicant describes the robustness in review process and review team composition of the prospectus phase, the objective threshold for determining advancement was unclear. Additionally, applications that are not selected to proceed are invited to apply in a subsequent cycle after further revision and consultation with ESE staff (pg. e22). Without further detail, the component of consultation with ESE staff seems as though it could yield a conflict of interest in future evaluation—if the ESE team itself supports further development of a denied application, and works with Applicants around revision and preparedness, it is unclear how then an Applicant would demonstrate the capacity to autonomously implement the proposed program in the future. This particular phase of the process may not best preserve the very essence of the charter bargain—exchanging autonomy for accountability. It was unclear whether ESE, also the authorizer in this case, could encourage third party support of reapplication, rather than internal support. This could be an advocacy body, such as the state's Charter Association, a local or national foundation, or incubator.

Similar to other phases of the process, the described pre-opening safeguards, procedures and review satisfy the grant requirement in design. However, the Applicant lacks evidence that would demonstrate the effectiveness of these particular processes. It is unclear what proportion of approved schools complete all requirements prior to opening (what trends might look like or how compliance might improve), or what the performance level of new schools in Year 1 (academically, fiscally, operationally). It seems the SEA is focused on inputs, and lacking the reflection necessary to ensure resources are allocated effectively at this oversight level.

While the identified design elements within the application are detailed, evidence was not submitted to ensure the long list

of criteria have historically corresponded to high quality seats in new schools. It seems that further analysis could be done to weight evaluation in alignment with highest stakes criterion, drive existing feedback loops, inform pre-opening onboarding activities or evaluations, and impact future iterations of application content.

Reader's Score: 4

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 Applicant does establish distinct evaluation pathways within two application scenarios: replication of high performers and service within one of the 29 lowest performing districts (pg. e22-23). The former requires an element of review of existing performance and the latter requires an element of review against regulatory standards for serving within these identified communities. These differentiated pathways ensure focus on the Applicant's emphasized service priorities and mission-critical endeavors.

Weaknesses:

It is unclear whether the differentiated process technically establishes the extent to which a developer has been successful. It utilizes dichotomous measures that satisfy the rubric metric of 'whether' the developer has been successful (all or nothing benchmarks of renewal and compliance), but does not capture the 'extent to which' success has been seen (particularly when considered against the transition in assessments and variation in accountability measures and methods used).

Additionally, in the differentiated scenario of serving within the lowest performing districts, a new operator may only be considered if partnered with an organization or individual who has achieved the required track record with identified student groups. It is unclear how an "arranged marriage" like this guarantees success for students, particularly if the partner organization has found success in other geographic areas with varying composition, resources, and community involvement. It is also unclear whether a forced arrangement like this dilutes innovation when a new operator risks a fundamental change in model or program because of this forced collaboration within existing agencies and bureaucracies.

Reader's Score: 4

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:

As a sole authorizer, ESE is at a disadvantage when it comes to some of the self-policing, regulating, or evaluating that other states are able to do. The State leverages a variety of mechanisms to reflect upon authorizing practice (pg. e23-24), albeit in a non-uniform or cohesive way—ranging from legislative and public reporting on charter performance to outside evaluation. This leads to improvement planning and long-term refinement of procedures and processes.

Weaknesses:

The identified monitoring and assessment efforts do not evaluate against formalized standards or benchmarks for authorizer performance (pg. e23-24). The efforts do not seem intentional, but rather, are simply a collection of things done as part of other efforts or requirements that are independent of 'ensuring authorizer quality.' This section of the grant application serves only to highlight reports about individual charter school performance, roll up of charter school goals into a unit strategic plan, and annual reporting to the public or legislature (in the cited example, this is around accessibility to charter schools, rather than academic performance of the charter sector or authorizer as a whole, pg. e24). This does not at all capture the authorizer's performance relative to other authorizers (even those similar in structure that may be located in other states) or against national best practice standards. It lacks data and evidence, even in the cited reports. Additionally, while NACSA is a thought leader in the principles and standards of evaluation, it must also be remembered that they are a membership organization, and ultimately serve the needs of members—including the Applicant.

Reader's Score: 2**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:

LEAs cannot authorize in the State of Massachusetts, marking BESE as the sole authorizer in the state. This satisfies the rubric requirement.

Weaknesses:

No weaknesses.

Reader's Score: 5

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