

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

Status: Submitted  
Last Updated: 06/26/2017 12:41 PM

## **Technical Review Coversheet**

**Applicant:** Maryland State Department of Education (U282A170022)

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

	<b>Points Possible</b>	<b>Points Scored</b>
<b>Questions</b>		
<b>Selection criteria</b>		
<b>Flexibility</b>		
1. Flexibility	10	7
	<b>Sub Total</b>	10
		7
<b>Selection Criteria</b>		
<b>Objectives</b>		
1. Objectives	15	14
<b>Quality of Eligible Subgrant Applicants</b>		
1. Quality of Subgrant	15	15
<b>State Plan</b>		
1. State Plan	20	18
<b>Parent and Community Involvement</b>		
1. Involvement	10	6
<b>Quality of Project Design</b>		
1. Project Design	15	13
<b>Quality of the Management Plan, Theory of Action</b>		
1. Management Plan	15	15
	<b>Sub Total</b>	90
		81
<b>Priority Questions</b>		
<b>Competitive Preference Priority 1</b>		
<b>Periodic Review and Evaluation</b>		
1. Review and Evaluation	5	0
	<b>Sub Total</b>	5
		0
<b>Competitive Preference Priority 2</b>		
<b>Charter School Oversight</b>		
1. Charter School Oversight	5	5
	<b>Sub Total</b>	5
		5
<b>Competitive Preference Priority 3</b>		
<b>Authorizer other than LEA or Appeal Process</b>		
1. Authorizer other than LEA	2	2
	<b>Sub Total</b>	2
		2

**Competitive Preference Priority 4****Equitable Financing**

1. Equitable Financing	2	1
	<b>Sub Total</b>	2

**Competitive Preference Priority 5****Charter School Facilities**

1. Charter School Facilities	2	0
	<b>Sub Total</b>	2

**Competitive Preference Priority 6****Best Practices to Improve Struggling Schools/LEAs**

1. Struggling Schools	2	0
	<b>Sub Total</b>	2

**Competitive Preference Priority 7****Serving At-Risk Students**

1. Serving At-Risk Students	2	1
	<b>Sub Total</b>	2

**Competitive Preference Priority 8****Best Practices for Charter School Authorizing**

1. Best Practices	5	2
	<b>Sub Total</b>	5

**Total**      125      99

## Technical Review Form

Panel #14 - Panel 14 - Maryland - 1: 84.282A

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

**Applicant:** Maryland State Department of Education (U282A170022)

### Questions

#### Selection criteria - Flexibility

- 1. The degree of flexibility afforded by the State's charter school law and how the State entity will work to maximize the flexibility provided to charter schools under such law.**

##### **Strengths:**

Charter schools in Maryland are exempt from state and local rules regarding curriculum, fiscal management and staff selection (pg. e32). The flexibility that Maryland charter schools enjoy is not automatic but the applicant demonstrated there is more flexibility than the traditional public schools have within the state.

##### **Weaknesses:**

The proposal calls for the creation of the Charter School Advisory Group to review these anomalies; however, the role of the Charter School Advisory Group is unclear because the decisions are not binding.

Although there is a great deal of flexibility afforded to Maryland charter schools, some of its laws allow for questionable levels of flexibility. For example, the Maryland Attorney General's office has concluded that charter schools are not subject to the state's open meetings law (pg. e79). As a public entity, it is a best practice for the public and stakeholders to have direct access to public information because the entity receives public funds for the sake of transparency.

**Reader's Score:** 7

#### Selection Criteria - Objectives

- 1. The ambitiousness of the State entity's objectives for the quality charter school program carried out under this program.**

##### **Strengths:**

The objectives of the proposal are clear including the identification of relevant costs and scope of the work for technical assistance to be sought from local and national partnering organizations (pg. e47).

The applicant has an ambitious goal of expanding the number of charter school seats by more than 10,000 over a five year period (pg. e34) – a total of 21 subgrant awards. This is a huge undertaking that would require an increase in infrastructure to support such an expansion which the applicant succinctly addresses by proposing adding a project director, contracting with a Technical Assistance Lead, and hiring additional peer reviewers (pg. e63).

##### **Weaknesses:**

The applicant failed to address the opening of new schools in its readiness plans; the focus is only on “the operators of 17 public charter schools out of 37 with five or more years of operation” (pg. e34).

### Selection Criteria - Quality of Eligible Subgrant Applicants

#### 1. The likelihood that the eligible applicants receiving subgrants under the program will meet those objectives and improve educational results for students.

##### Strengths:

The identification of a nonprofit entity to assist in its implementation efforts is commendable. By utilizing the Technical Assistance (pg. e37)" which is intended to work with the MSDE to identify currently operating high-quality charter schools and to provide support and assistance to these entities throughout all stages of development.

The applicant notes that there are 17 of the 37 currently operating charter schools that the applicant has identified that potentially could be good candidates for expansion or replication (pg. e39). This suggests that the applicant has done its diligence in assessing the feasibility of one of the major tenants of its proposal for the CSP grant which is the intent to "award 21 grants leading to new, replicated and expanded charter schools" (pg. e16). A statewide conference to network and share best practices will also contribute to charter schools improving educational practices and results. (p.e36)

The applicant outlines the Charter School Incubator program, an original program designed to identify potential subgrant applicants, to help these groups assess their readiness to develop a charter school plan (pg. e41). A list of model schools with evidence of high academic performance is provided. (p. e39)

##### Weaknesses:

No weaknesses noted.

### Selection Criteria - State Plan

#### 1. The State entity's plan to--

- 1) Adequately monitor the eligible applicants receiving subgrants under the State entity's program;
- 2) Work with the authorized public chartering agencies involved to avoid duplication of work for the charter schools and authorized public chartering agencies; and
- 3) Provide technical assistance and support for--
  - i. The eligible applicants receiving subgrants under the State entity's program; and
  - ii. Quality authorizing efforts in the State.

##### Strengths:

The applicant's plan entails three strategies – create, strengthen and share. The applicant demonstrates through its plan that it has accounted for the necessary adjustments that it must make to effectively implement its plan, including the hiring of additional staff to provide the necessary professional development to make the expansive growth not only attainable but also sustainable.

Quarterly Advisory group meetings will review progress toward objectives and a review of policies. All stakeholders included in these groups. (p. e44)

All subgrantees are required to participate in technical assistance activities and risk assessments.

A detailed chart including quarterly monitoring activity is provided.(e46)

To avoid duplication, the technical assistance lead and the authorizers will create a crosswalk of the subgrant application and the charter school approval to "sync" the applications for use in both processes. (p. e46)

The applicant's provides evidence of their plan to identify, vet and utilize the compensated services of professional peer reviewers who will "score applications and then meet to review and rank applicants" (pg. 59) allows for the objective

selection of subgrantees.

**Weaknesses:**

The applicant references the consultation with an unidentified national expert (pg.e43) but fails to provide a thorough discussion of the selection criteria or what skills the expert would need to fulfill this requirement.

The applicant does not make clear why the activities of the proposal suggest that the authorizing practices will be consistently up for review (pg. e76). For example, the state will review its authorizing practice in collaboration with the LEA Authorizers" and subsequently the Charter School Advisory Group will review the results (of the review) and submit recommendations to the Superintendent and the Board so that best practices can be codified and improved in policy, guidance and regulation" (pg. e76). While this is a minor weakness noted in the state plan, it identifies the unnecessary duplication of services.

**Reader's Score:** 18

**Selection Criteria - Parent and Community Involvement**

- 1. The State entity's plan to solicit and consider input from parents and other members of the community on the implementation and operation of charter schools in the State.**

**Strengths:**

A strength of the proposal is that the applicant requires that subgrantees include parent and community engagement in their proposals (pg. e57).

The proposal does include the involvement of a Technical Assistance Lead, which "will include parent and community involvement in the needs assessment" (pg. e53). "The Technical Assistance Lead will be a nonprofit organization..."(pg. e37) hired to "serve as a curator and manager of technical assistance activity in collaboration with the MSDE.

Applicants are required to provide outreach strategies to engage parents and community. The will detail a parent involvement strategy and state how parents will be included in school governance. (p. e52)

**Weaknesses:**

The applicant does not put emphasis on its own efforts to engage parents and address community involvement in its proposal but rather requires that subgrantees engage parents once the charter schools have been authorized (pg. e52). Beyond the technical assistance lead position, there does not appear to be a formal mechanism in place to solicit information, ideas, complaints, inquiries, etc. from parents or the community (pg. e43).

**Reader's Score:** 6

**Selection Criteria - Quality of Project Design**

- 1. The Secretary considers the quality of the design of the State entity's charter school subgrant program, including the extent to which the project design furthers the State entity'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 quality of the State entity's process for awarding subgrants for planning, program design, and initial implementation including--**

- 1) The subgrant application and peer review process, timelines for these processes, and how the State entity intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-**

**charter schools; and**  
**2) A reasonable year-by-year estimate, with supporting evidence, of (i) the number of subgrants the State entity 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 (ii) if the State entity 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 effectively addresses a comprehensive plan for soliciting subgrantees beginning with the strategy for selecting subgrantee recipients. The applicant has identified a potential pool of subgrant applicants (pg. e61) and has based its projections for a successful outcome on these projections.

The applicant differentiates the application process for new school applicants from replication and expansion efforts (pg. e54). Also, the applicant will select peer reviewers who have been vetted for their expertise and will compensate them (pg. e54).

The applicant's plan also calls for providing effective monitoring and oversight as well as for providing technical assistance to the LEA authorizers. This is demonstrated through a thorough and comprehensive timeline that accounts for most of the anticipated challenges (pp. e54-59). Subgrantees must submit quarterly progress reports detailing the amount of progress that has been made toward their objectives and anticipating goals for the next quarter (pp. e45-46).

The applicant will also publish updates on the success and performance of all subgrant results and share best practices among charter schools. With the support of the Technical Assistance Lead, the applicant will seek and secure and provide any relevant professional development activities to ensure the effective administration of grant deliverables (pg. e47).

**Weaknesses:**

The role of the advisory group could create a litany of conflicts of interest because the constituents, although volunteers, would presumably come from the same group who would likely benefit from the subgrants. For example, participation on the Charter School Advisory Group "will include LEAs, Charter School operators, MSDE staff, teachers, parents and community members" (pg. e44) and yet these individuals "will review the rankings and recommendations of the peer reviewers and ask for clarification on the recommendations" (pg. e59). There should be an arms-length between those receiving public funding and those making the decisions on who gets it. In addition, the advisory committee will assume the responsibility of overseeing "the annual production of performance dashboards" (pg. e70) which is a major administrative tasks that is being passed along to volunteers.

It is not clear how the applicant will strengthen a statewide system of support "by contracting out management of the technical assistance" (pg. e 77). The applicant states that doing so "will build capacity in the nonprofit sector for charter schools" (pg. e77) but never demonstrates or makes an effective argument for how this will be accomplished through the implementation of this project.

The applicant does not adequately explain the rationale for giving competitive priority to high schools (pg. e76).

**Reader's Score: 13**

**Selection Criteria - Quality of the Management Plan, Theory of Action**

**1. The Secretary considers the quality of the management plan and the project's theory of action. In determining the quality of the management plan and the project's theory of action, the Secretary considers the following factors:**

- 1) The quality, including the cohesiveness and strength of reasoning, of the "logic model" (as defined in this notice), and the extent to which it addresses the role of the grant in promoting the State-level strategy for using charter schools to improve educational outcomes for students through CSP subgrants for planning, program design, and initial implementation and other strategies;**
- 2) The extent to which the State entity's project-specific performance measures, including any measures required**

the Department, support the logic model; and

3) The adequacy of the management plan to--

- i. Achieve the objectives of the proposed project on time and within budget, including the existence of clearly defined responsibilities, timelines, and milestones for accomplishing project tasks; and
- ii. Address any compliance issues or findings related to the CSP that are identified in an audit or other monitoring review.

**Strengths:**

The quality of the management plan is fully developed; it's also comprehensive, thorough and plausible. The plan encompasses three phases: 1) administrative launch of the plan; awarding of subgrants to recipients; and dissemination which continues after the grant period.

The applicant provides an in-depth discussion of each of the phases (pg. e69). The management of the project will be led by a Director and supported by a Coordinator who are the key staff members responsible for its implementation. The resumes of the presumed individuals who will spearhead the project demonstrates that each has a wealth of experiences that should serve them well in implementing the objectives of the project (pg. e82-83).

The applicant clearly addresses the project activities over the life of the grant in an easy-to-follow manner. The performance measures demonstrate the applicant's understanding of the long-term and short-term implications of its various outputs (pg. e66) such that the growth estimates in the number of schools (10% each year) and the academic progress measures (2% increase each year) are not only achievable but also maintain the required consistency toward meeting the goal of creating additional high-quality charter schools (pg. e66).

In addition, the applicant has addressed the sustainability of the initiative after the grant ends by assigning no grant funds to the Director position whereas the Coordinator will be a contracted position who will ensure the day to day implementation activities and other logistics are properly managed (pg. e137).

The logic model sufficiently addresses the important aspects of the state entity's intent of increasing the number of high quality charter schools in the state over the 5-year period (pg. e65).

**Weaknesses:**

No weaknesses noted.

**Reader's Score:**      15

**Priority Questions**

**Competitive Preference Priority 1 - Periodic Review and Evaluation**

1. To meet this priority, an applicant must demonstrate that the State provides for periodic review and evaluation by the authorized public chartering agency of each charter school at least once every five years, unless required more frequently by State law, and takes steps to ensure that such reviews take place. The review and evaluation must serve to determine whether the charter school is meeting the terms of the school's charter and meeting or exceeding the student academic achievement requirements and goals for charter schools as set forth in the school's charter or under State law, a State regulation, or a State policy, provided that the student academic achievement requirements and goals for charter schools established by that policy meet or exceed those set forth under applicable State law or State regulation. This periodic review and evaluation must include an opportunity for the authorized public chartering agency to take appropriate action or impose meaningful consequences on the charter school, if necessary.

**Strengths:**

No strengths noted.

**Weaknesses:**

The applicant asserts that periodic reviews and evaluations of all charter schools in the state take place; however, the reviews do not appear to be mandated by statute. The narrative does not speak to the specific form of the reviews and because there is no mention of any statutory requirement to do standardized reviews, each of the 5 LEAs apparently have their own rubric and/or metrics for how programmatic reviews and evaluations of schools are conducted (pg. e22).

Although the narrative does not explicitly address state-mandated annual reviews or evaluations, there is value in having intermittent programmatic reviews of schools to ensure that academic standards and goals that were set forth in the original application remain relevant. The applicant needs to be more specific in explaining from what framework the LEAs are taking their directions in requiring that charter schools submit to periodic reviews and evaluations.

**Reader's Score:** 0

**Competitive Preference Priority 2 - Charter School Oversight****1. To meet this priority, an application must demonstrate that State law, regulations, or other policies in the State where the applicant is located require the following:****a) That each charter school in the State--**

1. Operates under a legally binding charter or performance contract between itself and the school's authorized public chartering agency that describes the rights and responsibilities of the school and the authorized public chartering agency;
2. Conducts annual, timely, and independent audits of the school's financial statements that are filed with the school's authorized public chartering agency; and
3. Demonstrates improved student academic achievement; and

**b) That all authorized public chartering agencies in the State use increases in student academic achievement for all groups of students described in section 1111(c)(2) of the ESEA (20 U.S.C. 6311(c)(2)) as one of the most important factors when determining whether to renew or revoke a school's charter.****Strengths:**

The applicant provided sufficient details to demonstrate that charter schools operate under contracts from their respective LEA (pg. e23). The applicant also demonstrates that at the point of renewal, charter schools must demonstrate that they have met or exceeded the goals set forth in their original application which includes an accountability plan and that "each LEA uses academic achievement as one of the most important factors when determining whether to renew or revoke a school's charter" (pg. e23). LEAs in Maryland receives guidance and takes suggestions from the state which the applicant states "has produced guidance documents" for LEAs, such as site reviews that include academic performance and include students as part of the review process. School review rubrics that include academic performance and growth. a charter school model application, produced (pg. e23). The applicant provides a detailed chart indicating compliance with all elements of this criteria. (pp. e23)

In addition, "each LEA requires the submission of an annual independent audit of the charter school operator's finances with a management letter, which is reviewed as part of the renewal process" (pg. e23).

**Weaknesses:**

No weaknesses noted.

**Reader's Score:** 5

**Competitive Preference Priority 3 - Authorizer other than LEA or Appeal 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.

**Note: In order to meet this priority under paragraph (b) above, the entity hearing appeal must have the authority to approve the charter application over the objections of the LEA.**

**Strengths:**

There are 24 LEAs in Maryland and the 49 charter schools operate out of five of the LEAs (pg. e22). The Maryland State Board of Education is the appeal if an application is denied (pg. e25). The state Board of Education has the authority to direct an LEA to grant a charter or remand the decision for reconsideration (pg. e25). The applicant noted that there have been 28 appeals in the past eight years. Of the appeals, 18 were remanded back to the LEAs for review – four of them ultimately withdrew and six received charter contracts after a second review (pg. e25).

**Weaknesses:**

No weaknesses noted.

**Reader's Score:** 2

**Competitive Preference Priority 4 - Equitable Financing**

**1. To receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located ensures equitable financing, as compared to traditional public schools, for charter schools and students in a prompt manner.**

**Strengths:**

The applicant provided adequate examples to show that funding in the state is equitable. a 2016 study commissioned by the Maryland State Board of Education and conducted by the American Institutes of Research (AIR) (pg. e25): Relying on three years of data, the study found that from each of the states' 24 LEAs, charter schools receive funding proportionate to the traditional public schools. The proposal also cites evidence in the Maryland law that requires that "funding to public charter schools is commensurate with that expended on behalf of traditional public schools" (pg. e73).

**Weaknesses:**

The applicant provided inconsistent information in city the same study by the American Institutes of Research which found "inconsistencies in the implementation of the charter school funding formula" in Maryland (pg. e33).

**Reader's Score:** 1

**Competitive Preference Priority 5 - Charter School Facilities**

**1. To receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located provides charter schools one or more of the following:**

- a) Funding for facilities;
- b) Assistance with facilities acquisition;
- c) Access to public facilities;
- d) The ability to share in bonds or mill levies;
- e) The right of first refusal to purchase public school buildings; or
- f) Low- or no-cost leasing privileges.

**Strengths:**

There is evidence that Maryland law provides charter schools with some support for facilities. The applicant states that there are 17 charter schools currently operating in a city-owned facilities in Baltimore (pg. e27). In addition, the applicant notes that "charter operators pay rent, which is below market rate" (pg. e27).

**Weaknesses:**

Although State law directs local school superintendents to make sites for school purposes available to charter schools, this has only occurring in Baltimore City schools because the applicant was not able to make the case that the practice is widespread throughout the state.

Maryland law does not provide direct facilities funding for charter schools through a facilities allowance per student (pg. e27) and "Direct financial support for facilities is not provided" (pg. e73).

**Reader's Score:** 0

**Competitive Preference Priority 6 - Best Practices to Improve Struggling Schools/LEAs**

- 1. To receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located uses best practices from charter schools to help improve struggling schools and local educational**

**Strengths:**

No strengths noted.

**Weaknesses:**

The applicant does not demonstrate the major implications and potential lessons to be gleaned from innovative charter school designs and practices such as conversion schools which are only alluded to in the narrative (pg. e28). The applicant did not discuss how best practices are shared and utilized within the state to improve struggling schools and to promote the sharing of effective strategies among all public schools in the state.

**Reader's Score:** 0

**Competitive Preference Priority 7 - Serving At-Risk Students**

- 1. To receive points under this priority, an applicant must demonstrate the extent to which it supports charter schools that serve at-risk students through activities such as dropout prevention, dropout recovery, or comprehensive career counseling services.**

**Strengths:**

The applicant states, "Maryland charter schools receive targeted local funding for dropout prevention activities to the same extent as all traditional public schools" (pg. e28). Further, "Maryland charter schools serve all students which includes students who are eligible for free and reduced price meals, students with disabilities and English language learners" (pg. e28).

If approved, the applicant intends to offer competitive priorities for charter schools focused on supporting at risk-students in the subgrant application process (pg. e30).

**Weaknesses:**

The narrative suggests that the percentages of at-risk students in charter schools are higher than the representation in the traditional public school population (pg. e29). The applicant merely lists the demographic data related to at-risk students in charter schools but provides no thorough discussion on the academic performance of charter school students over traditional public school students.

**Reader's Score:** 1

**Competitive Preference Priority 8 - Best Practices for Charter School Authorizing**

- 1. To receive points under this priority, an applicant must demonstrate the extent to which it has taken steps to ensure that all authorized public chartering agencies implement best practices for charter school authorizing.**

**Strengths:**

The applicant has demonstrated that it has taken some steps to ensure that its five LEAs implement best practices in charter school authorizing. For example, the applicant has committed to strengthening its authoring “through alignment of Maryland practice with the standards of the National Association of Charter School Authorizer” (pg. e30). The applicant has also committed to pursuing the development of a Performance Framework to strengthen its authorizing practices among all of its charter school authorizing LEAs (pg. e30). The state requires such common best authorizing practices as requiring “a final review before the school begins its first operational year” (pg. e31) and “processes such as reporting of achievement and attendance data” (pg. e31). In addition, the applicant’s Office of School Innovations “meets six times a year with the LEA Charter Liaisons” (pg. e31) to “advise each other on best practices with guidance” from the state.

**Weaknesses:**

The applicant states that “Maryland has taken steps to ensure that all public chartering agencies are implementing best practices for authorizing charter schools” (pg. e30); however, the examples of steps toward implementing best practices have either come about because of “declaratory rulings in cases of appeals of charter applications” (pg. e30) or have occurred at the LEA-level and the state gave its permission to proceed

**Reader's Score:** 2

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**Status:** Submitted

**Last Updated:** 06/26/2017 12:41 PM

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## **Technical Review Coversheet**

**Applicant:** Maryland State Department of Education (U282A170022)

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

	<b>Points Possible</b>	<b>Points Scored</b>
<b>Questions</b>		
<b>Selection criteria</b>		
<b>Flexibility</b>		
1. Flexibility	10	7
	<b>Sub Total</b>	10
		7
<b>Selection Criteria</b>		
<b>Objectives</b>		
1. Objectives	15	14
<b>Quality of Eligible Subgrant Applicants</b>		
1. Quality of Subgrant	15	15
<b>State Plan</b>		
1. State Plan	20	18
<b>Parent and Community Involvement</b>		
1. Involvement	10	6
<b>Quality of Project Design</b>		
1. Project Design	15	15
<b>Quality of the Management Plan, Theory of Action</b>		
1. Management Plan	15	15
	<b>Sub Total</b>	90
		83
<b>Priority Questions</b>		
<b>Competitive Preference Priority 1</b>		
<b>Periodic Review and Evaluation</b>		
1. Review and Evaluation	5	0
	<b>Sub Total</b>	5
		0
<b>Competitive Preference Priority 2</b>		
<b>Charter School Oversight</b>		
1. Charter School Oversight	5	0
	<b>Sub Total</b>	5
		0
<b>Competitive Preference Priority 3</b>		
<b>Authorizer other than LEA or Appeal Process</b>		
1. Authorizer other than LEA	2	2
	<b>Sub Total</b>	2
		2

**Competitive Preference Priority 4****Equitable Financing**

1. Equitable Financing	2	1
	<b>Sub Total</b>	2

**Competitive Preference Priority 5****Charter School Facilities**

1. Charter School Facilities	2	1
	<b>Sub Total</b>	2

**Competitive Preference Priority 6****Best Practices to Improve Struggling Schools/LEAs**

1. Struggling Schools	2	0
	<b>Sub Total</b>	2

**Competitive Preference Priority 7****Serving At-Risk Students**

1. Serving At-Risk Students	2	1
	<b>Sub Total</b>	2

**Competitive Preference Priority 8****Best Practices for Charter School Authorizing**

1. Best Practices	5	1
	<b>Sub Total</b>	5

**Total**      125      96

## Technical Review Form

Panel #14 - Panel 14 - Maryland - 1: 84.282A

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

**Applicant:** Maryland State Department of Education (U282A170022)

### Questions

#### Selection criteria - Flexibility

- 1. The degree of flexibility afforded by the State's charter school law and how the State entity will work to maximize the flexibility provided to charter schools under such law.**

##### **Strengths:**

The autonomy afforded Maryland charter includes budgeting, staffing selection, procurement and curriculum choice. The autonomy cited has spawned a number of innovative schools. The applicant refers to a recent study conducted by the American Institutes of Research (AIR) (p.e32) for recommendations concerning funding flexibility which provides a foundation to drive improved practices by sharing this information with both LEAS and charter school operators.

##### **Weaknesses:**

Optimum flexibility, as intended by this criterion, is restrained by the necessity for waivers from law and policy, which are not automatic (p.e32). The application did not provide a strong case on how, specifically, it would work to maximize the flexibility ideally provided under a revised state law.

**Reader's Score:** 7

#### Selection Criteria - Objectives

- 1. The ambitiousness of the State entity's objectives for the quality charter school program carried out under this program.**

##### **Strengths:**

The proposal represents a sound and feasible set of objectives for this project. For example, the strategy to create high quality public charter schools consists of detailed objectives with a description of readiness of 46 percent of current charters to achieve those objectives and clearly stated performance measures (pp. e34-e35). This well-organized approach is applied to designing strategies that strengthen authorizing oversight and sharing outcomes and lessons learned to increase collaboration (pp. e35-e36).

Notably, also, is the logic model which links objectives to short and long range outcomes and to performance measures.

**Weaknesses:**

There is ambiguity between the main performance measures opening new charter schools vs.. expanding existing ones (p. e35).

**Reader's Score:** 14

**Selection Criteria - Quality of Eligible Subgrant Applicants**

- 1. The likelihood that the eligible applicants receiving subgrants under the program will meet those objectives and improve educational results for students.**

**Strengths:**

The likelihood the eligible candidate will result in receiving subgrants under this program is assisted by the applicant's detailed research and documentation of current operating charter schools and new developers. For example, the proposal has already identified a sizable number of current operating charter schools that would benefit from expansion and replication based on a set of rigorous criteria explicitly detailed (pp. e28-e40). Similarly, The applicant will encourage promising new school developers to apply for planning and implementation grants (pp.e41-e42). The Technical Assistance Lead, a position in the project design, will build a Charter School Incubator whose main purpose is to address the concrete planning challenges for a successful school, based on the experiential knowledge of charter school operators (p.e42).

**Weaknesses:**

The application shows no evidence of weaknesses relative to the quality of subgrant applicants.

**Reader's Score:** 15

**Selection Criteria - State Plan**

- 1. The State entity's plan to--**

- 1) Adequately monitor the eligible applicants receiving subgrants under the State entity's program;**
- 2) Work with the authorized public chartering agencies involved to avoid duplication of work for the charter schools and authorized public chartering agencies; and**
- 3) Provide technical assistance and support for--**
  - i. The eligible applicants receiving subgrants under the State entity's program; and**
  - ii. Quality authorizing efforts in the State.**

**Strengths:**

The state plan proposed adequately addresses each component for the criteria. For example, each objective – create, strengthen and share has a set of detailed strategies. The process of monitoring eligible subgrant applicants uses measurable goals. Moreover, a risk management plan to ensure effective delivery of program services is richly described for both grantees with and without a track record as successful operators. The monitoring activities and requirements are detailed and appropriate (pp.e43-46).

In order to avoid duplication the Maryland State Department of Education (MSDE) and authorizers will create a differentiated review process for the charter school application which will eventually be standardized and codified. It was helpful to know that this product would be based on the experience of existing operators. Additionally, the charter and subgrant application will be synchronized so that some section will serve both application processes (p. e 46).

The technical assistance plans effectively address supporting applicants and quality authorizing efforts in a number of ways. The MSDE will solicit a number of charter school support and technical assistance organizations and experts for

proposals to meet a specific scope of work aligned with the charter incubator series and replication/expansion technical assistance offerings (pp.e47-48). This is also a well-developed plan to foster collaboration between charter schools and eligible applicants.

Finally, the technical assistance plan thoughtfully supports quality authorizing by conducting an in-depth review of current authorizing based on a pre-selected sample of critical authorizing topics, the result of which would aim to stipulate, for the first time, specific common standards for quality authorizing (p.e51).

#### **Weaknesses:**

The application states that "the Technical Assistance Lead's work will include a charge to foster collaboration between charter schools and eligible applicants, and between charter schools and other charter and/ or traditional schools"(p. e49) This could become problematic and an obstacle to the technical assistance delivery to subgrant recipients. The proposal provided no evidence to avoid the potential obstacles that the fee based service presents to technical assistance delivery.

**Reader's Score:** 18

#### **Selection Criteria - Parent and Community Involvement**

- 1. The State entity's plan to solicit and consider input from parents and other members of the community on the implementation and operation of charter schools in the State.**

#### **Strengths:**

The basis of parent and community involvement is the requirement of subgrant applicants to "describe community outreach to build support for the school..." (p. e52). The needs assessment conducted by the Technical Assistance Lead will also include parent and community involvement and the Charter School Advisory group will include representation from parents (p. e53).

#### **Weaknesses:**

The project's plan for this criteria does not sufficiently address how both parents and community members' input would be solicited and considered for the implementation and operation of charter schools in the state. For example, participation based on whether and how parents will be engaged in school governance or representation on an advisory committee (p. e34) does not itself provide adequate assurances that parents and other community members can systematically contribute to a better understanding regarding the implementation and operation of charter schools.

**Reader's Score:** 6

#### **Selection Criteria - Quality of Project Design**

- 1. The Secretary considers the quality of the design of the State entity's charter school subgrant program, including the extent to which the project design furthers the State entity'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 quality of the State entity's process for awarding subgrants for planning, program design, and initial implementation including--**

- 1) The subgrant application and peer review process, timelines for these processes, and how the State entity intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-**

charter schools; and  
2) A reasonable year-by-year estimate, with supporting evidence, of (i) the number of subgrants the State entity 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 (ii) if the State entity 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 project design's strengths are aligned with its objectives and strategies, and have a reasonable long term impact in promoting policy improvements and authorizing based on national standards. The subgrant application and peer review process, for example, is presented (pp. e54-e58) with substantial detail as a means of illustrating assurances of creating (1) high quality schools and (2) improving student academic achievement. Eligible subgrant applicants for both new and expanding/replicating charter schools have been thoughtfully forecasts with a description of known state operators (p. e60). The peer review selection has specific standards and credentials (p.e58).

The number of new (11) and replicated (5) schools over the grant period is reasonable and the timelines achievable. Further, LEA Authorizers are projected to have a model process for expedited review of charter school applications from existing operators by April 2018 (p.e61), an important milestone.

The Maryland State Department of Education (MSDE) has been a successful recipient and administrator of a previous CSP grant with 76 percent of all charter schools now operating because of this foundation of support (p.e62).

**Weaknesses:**

The application shows no evidence of weaknesses relative to the quality of project design.

**Reader's Score:** 15

**Selection Criteria - Quality of the Management Plan, Theory of Action**

1. The Secretary considers the quality of the management plan and the project's theory of action. In determining the quality of the management plan and the project's theory of action, the Secretary considers the following factors:

- 1) The quality, including the cohesiveness and strength of reasoning, of the "logic model" (as defined in this notice), and the extent to which it addresses the role of the grant in promoting the State-level strategy for using charter schools to improve educational outcomes for students through CSP subgrants for planning, program design, and initial implementation and other strategies;
- 2) The extent to which the State entity's project-specific performance measures, including any measures required by the Department, support the logic model; and
- 3) The adequacy of the management plan to--
  - i. Achieve the objectives of the proposed project on time and within budget, including the existence of clearly defined responsibilities, timelines, and milestones for accomplishing project tasks; and
  - ii. Address any compliance issues or findings related to the CSP that are identified in an audit or other monitoring review.

**Strengths:**

The quality of the management plan is cohesive with the objectives and strategies. The logic model (p. e65) is thorough and executes a clear understanding of resources, activities, outputs, short and long outcomes and performance measures. The performance measures are aligned with the State Plan and strategies to improve educational outcomes for students. The grant year targets extend over three overlapping phases. Project-specific performance measures, in particular (including GPRA measures) support the logic model.

Key grant implementation positions and responsibilities have been adequately identified. For example, a new hire, a

coordinator, will assist the Director of the Office of New Initiatives will lead the project. A qualified contractor will be engaged to design and implement technical assistance (p.e52).

A compliance issue related to lottery practices and unallowable expenses in sub-grant budgets has been adequately addressed by the State (p. e57).

#### **Weaknesses:**

The application shows no evidence of weaknesses relative to the quality of project design.

**Reader's Score:** 15

#### **Priority Questions**

##### **Competitive Preference Priority 1 - Periodic Review and Evaluation**

- 1. To meet this priority, an applicant must demonstrate that the State provides for periodic review and evaluation by the authorized public chartering agency of each charter school at least once every five years, unless required more frequently by State law, and takes steps to ensure that such reviews take place. The review and evaluation must serve to determine whether the charter school is meeting the terms of the school's charter and meeting or exceeding the student academic achievement requirements and goals for charter schools as set forth in the school's charter or under State law, a State regulation, or a State policy, provided that the student academic achievement requirements and goals for charter schools established by that policy meet or exceed those set forth under applicable State law or State regulation. This periodic review and evaluation must include an opportunity for the authorized public chartering agency to take appropriate action or impose meaningful consequences on the charter school, if necessary.**

#### **Strengths:**

The periodic review and evaluation is conducted separately by school district LEA authorizers based on their state approved policies. Currently five districts have authorized 49 charter schools and conduct their own protocols for review and evaluation in either three or five year cycles. The review process, therefore, improves the probability that charter schools are meeting the terms of the school's charter and , more importantly, are meeting or exceeding student academic requirements

#### **Weaknesses:**

While the state must approve the protocol for review and evaluation, there is a lack of uniformity because no state law or regulation is codified to provide clarity and direction (p.23). This void produces vagaries on how fair and effective charters are expected to perform, especially in matters of meeting or exceeding the student academic achievement requirements based on state and local standards.

**Reader's Score:** 0

##### **Competitive Preference Priority 2 - Charter School Oversight**

**1. To meet this priority, an application must demonstrate that State law, regulations, or other policies in the State where the applicant is located require the following:**

**a) That each charter school in the State--**

- 1. Operates under a legally binding charter or performance contract between itself and the school's authorized public chartering agency that describes the rights and responsibilities of the school and the authorized public chartering agency;**
- 2. Conducts annual, timely, and independent audits of the school's financial statements that are filed with the school's authorized public chartering agency; and**
- 3. Demonstrates improved student academic achievement; and**

**b) That all authorized public chartering agencies in the State use increases in student academic achievement for all groups of students described in section 1111(c)(2) of the ESEA (20 U.S.C. 6311(c)(2)) as one of the most important factors when determining whether to renew or revoke a school's charter.**

**Strengths:**

The Maryland State Department of Education (MSDE) provides a guidance document utilized by respective LEA's to implement State law and local policies requiring a legally binding performance contract between the LEA and charter schools (p.3. Student academic performance is used in all contracts as a critical indicator for determining whether to renew or revoke a school's charter. Past revocations document this practice. These strengths satisfactorily address priorities 1 and 3.

An annual independent financial audit is also conducted and filed with the authorizer.

**Weaknesses:**

Wide variation in LEA oversight, policies and practices currently exist. For example, one LEA, Anne Arundel, requires an accountability plan in the contract while another LEA, Prince George, uses a procurement contract. Similarly, each LEA uses a different standard when assessing progress in student academic achievement for all groups of students, inviting inconsistencies in overall charter school performance (p.24)

The application, also, does not address that all authorized public chartering agencies in the State use increases in student academic achievement for all groups of students as one of the most important factors when determining whether to renew or revoke a school's charter.

**Reader's Score: 0**

**Competitive Preference Priority 3 - Authorizer other than LEA or Appeal 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.**

**Note: In order to meet this priority under paragraph (b) above, the entity hearing appeal must have the authority to approve the charter application over the objections of the LEA.**

**Strengths:**

LEAS's are the only authorizer for charter schools in Maryland. The State Board of Education allows for appeals for denied applications and has the authority to approve the charter application over the objections of the LEA.

**Weaknesses:**

There are no weaknesses.

**Reader's Score:** 2

**Competitive Preference Priority 4 - Equitable Financing**

1. To receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located ensures equitable financing, as compared to traditional public schools, for charter schools and students in a prompt manner.

**Strengths:**

Based on a study and report by the American Institutes of Research commissioned by the MSDE, charter schools receive a commensurable degree of funding according to the applicant(p.6).

**Weaknesses:**

There is no reference to State law or regulations that would ensure equal funding, increasing the potential for contentious disputes and wide variation in funding.

**Reader's Score:** 1

**Competitive Preference Priority 5 - Charter School Facilities**

1. To receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located provides charter schools one or more of the following:

- a) Funding for facilities;
- b) Assistance with facilities acquisition;
- c) Access to public facilities;
- d) The ability to share in bonds or mill levies;
- e) The right of first refusal to purchase public school buildings; or
- f) Low- or no-cost leasing privileges.

**Strengths:**

While there is some evidence of assistance with facilities acquisition (p. e27), there is little to no evidence in the proposal that this priority is adequately met.

**Weaknesses:**

Despite the fact that Maryland law directs local school superintendents to make school sites or buildings no longer needed for school purposes available to charter schools, there are no assurances that charter schools have access to facilities. This can only be accomplished through state legislative action.

Reader's Score: 1

**Competitive Preference Priority 6 - Best Practices to Improve Struggling Schools/LEAs**

- 1. To receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located uses best practices from charter schools to help improve struggling schools and local educational**

**Strengths:**

There is no evidence of strengths in this competitive priority.

**Weaknesses:**

There is no evidence provided that the applicant has any systematic approach to utilize the best practices or the charter school model to help improve struggling schools and local educational agencies. While Baltimore City is represented as a case study of using best practices from charter schools to help improve struggling schools (p.e27), it is only the result of local initiatives rather than the state involvement to help improve struggling schools and LEAs

Reader's Score: 0

**Competitive Preference Priority 7 - Serving At-Risk Students**

- 1. To receive points under this priority, an applicant must demonstrate the extent to which it supports charter schools that serve at-risk students through activities such as dropout prevention, dropout recovery, or comprehensive career counseling services.**

**Strengths:**

Targeted funding to charter schools is provided to the same extent as all public schools in the areas of dropout prevention. Subgrant competition, according to the proposal (p.e28), will offer priorities for applicants that are focused on educationally disadvantaged students.

**Weaknesses:**

There is insufficient information to demonstrate that the applicant is committed to support charter schools that serve at-risk students through activities such as dropout prevention, dropout recovery, or comprehensive career counseling services.

For example, the three school districts cited with charter schools performing at high levels with disadvantaged students having historic achievement gaps (p.e29) are not identified for replication and expansion.

**Reader's Score:** 1

#### **Competitive Preference Priority 8 - Best Practices for Charter School Authorizing**

- 1. To receive points under this priority, an applicant must demonstrate the extent to which it has taken steps to ensure that all authorized public chartering agencies implement best practices for charter school authorizing.**

##### **Strengths:**

The applicant asserts that all public authorizing agencies utilize clear criteria that outline expectations before the school begins its first operational year (p. e31).

##### **Weaknesses:**

There is little evidence that the applicant is proactive in systematically developing and disseminating best practices for charter school authorizing. Rather the evidence has been reactive to declaratory rulings due to litigation. While Maryland State Department of Education (MSDE) has made a commitment to strengthening authorization practices by alignment with the standards of the National Association of Charter School Authorizers and the creation of Maryland standards (p. e27), the application does not provide evidence that steps have been taken to ensure that all authorized public chartering agencies demonstrate best practices for charter school authorizing.

**Reader's Score:** 1

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**Status:** Submitted

**Last Updated:** 06/26/2017 12:41 PM

Status: Submitted  
Last Updated: 06/26/2017 12:41 PM

## **Technical Review Coversheet**

**Applicant:** Maryland State Department of Education (U282A170022)

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

	<b>Points Possible</b>	<b>Points Scored</b>
<b>Questions</b>		
<b>Selection criteria</b>		
<b>Flexibility</b>		
1. Flexibility	10	7
	<b>Sub Total</b>	10
		7
<b>Selection Criteria</b>		
<b>Objectives</b>		
1. Objectives	15	11
<b>Quality of Eligible Subgrant Applicants</b>		
1. Quality of Subgrant	15	15
<b>State Plan</b>		
1. State Plan	20	18
<b>Parent and Community Involvement</b>		
1. Involvement	10	7
<b>Quality of Project Design</b>		
1. Project Design	15	14
<b>Quality of the Management Plan, Theory of Action</b>		
1. Management Plan	15	15
	<b>Sub Total</b>	90
		80
<b>Priority Questions</b>		
<b>Competitive Preference Priority 1</b>		
<b>Periodic Review and Evaluation</b>		
1. Review and Evaluation	5	0
	<b>Sub Total</b>	5
		0
<b>Competitive Preference Priority 2</b>		
<b>Charter School Oversight</b>		
1. Charter School Oversight	5	5
	<b>Sub Total</b>	5
		5
<b>Competitive Preference Priority 3</b>		
<b>Authorizer other than LEA or Appeal Process</b>		
1. Authorizer other than LEA	2	2
	<b>Sub Total</b>	2
		2

**Competitive Preference Priority 4****Equitable Financing**

1. Equitable Financing	2	0
	<b>Sub Total</b>	2

**Competitive Preference Priority 5****Charter School Facilities**

1. Charter School Facilities	2	1
	<b>Sub Total</b>	2

**Competitive Preference Priority 6****Best Practices to Improve Struggling Schools/LEAs**

1. Struggling Schools	2	0
	<b>Sub Total</b>	2

**Competitive Preference Priority 7****Serving At-Risk Students**

1. Serving At-Risk Students	2	1
	<b>Sub Total</b>	2

**Competitive Preference Priority 8****Best Practices for Charter School Authorizing**

1. Best Practices	5	2
	<b>Sub Total</b>	5

**Total**      125      98

## Technical Review Form

Panel #14 - Panel 14 - Maryland - 1: 84.282A

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

**Applicant:** Maryland State Department of Education (U282A170022)

### Questions

#### Selection criteria - Flexibility

1. **The degree of flexibility afforded by the State's charter school law and how the State entity will work to maximize the flexibility provided to charter schools under such law.**

##### **Strengths:**

The State clearly summarizes the flexibility provided to charter schools. The State outlines that charter schools are exempt from state and local requirements relating to curriculum choice, fiscal management and staff selection (pg. e 32). The State also clearly demonstrates that charter schools have autonomy over budgets and expenditures (pg. e32).

##### **Weaknesses:**

The State does not demonstrate how it will work to maximize the flexibility provided to charter schools even though it is creating a Charter School Advisory Group (pg. e33). The State references the "Study of Funding Provided to Public Schools and Public Charter Schools in Maryland" but does not indicate how the State will maximize flexibility (pg. e33).

**Reader's Score:** 7

#### Selection Criteria - Objectives

1. **The ambitiousness of the State entity's objectives for the quality charter school program carried out under this program.**

##### **Strengths:**

The State satisfies this objective by demonstrating three objectives: creating high quality charter schools; strengthening authorizing and oversight and increase collaboration and dissemination of best practices (pg. e34-37). The first strategy is to create high quality public charter schools using a peer review application process for planning and implementation of new, expansion and replication schools (pg. e34) The State will provide technical assistance to support quality applications. The State's objective to issue 21 subgrants for new, expansion or replicated schools will add 10,000 new seats in high quality schools (pg. e34). This strategy is ambitious with demonstrable performance measures (pg. e34-36).

The second strategy is to strengthen authorizing and oversight using a national expert (pg. e35) The State will develop different applications for new, expansion and/or replication schools (pg. e35). The State will develop policy recommendations from the technical assistance activities (pg. e35). The Charter School Advisory Group will convene local education agencies, charter schools, Department of Education staff, statewide charter school organization and teachers, parents and community members (pg. e35). This strategy is ambitious with demonstrable performance measures (pg. e35-36).

The third strategy is to share outcomes and lessons learned and increase collaboration through publishing an annual report on charter schools and authorizers, creating and publishing dashboards on school performance and portfolio performance for each local education agency authorizer (pg. e36). The State will host quarterly Charter School Advisory Group meetings to review grant objectives and policy recommendation (pg. e36). The State will also calculate a federal cost per student (pg. e36). This strategy is ambitious with demonstrable performance measures (pg. e37).

**Weaknesses:**

The State's strategy to create high quality public charter schools does not clearly explain its readiness to open new schools (pg. e34). The State explains that there has been an increase in charter schools from 2004 through 2013 but does not demonstrate how this correlates to the State's readiness to open new schools (pg. e33).

**Reader's Score:** 11

**Selection Criteria - Quality of Eligible Subgrant Applicants**

- 1. The likelihood that the eligible applicants receiving subgrants under the program will meet those objectives and improve educational results for students.**

**Strengths:**

The State will identify a nonprofit as a Technical Assistance Lead based on a competitive request for proposal process (pg. e37). The Technical Assistance Lead will create the Charter School Incubator to develop training opportunities for existing charter schools (pg. e38). The State will also identify charter school operators well suited for expansion or replication (pg. e38-40). The subgrant application requirements work to ensure that the subgrantees are high quality and will improve education results for students.

**Weaknesses:**

No identified weaknesses

**Reader's Score:** 15

**Selection Criteria - State Plan**

- 1. The State entity's plan to--**

- 1) Adequately monitor the eligible applicants receiving subgrants under the State entity's program;**
- 2) Work with the authorized public chartering agencies involved to avoid duplication of work for the charter schools and authorized public chartering agencies; and**
- 3) Provide technical assistance and support for--**
  - i. The eligible applicants receiving subgrants under the State entity's program; and**
  - ii. Quality authorizing efforts in the State.**

**Strengths:**

The State has a sufficient plan to monitor subgrantees programmatic and financial activities that are clearly aligned with the project period and type of grant (pg. e45). The State has detailed monitoring opportunities with ongoing monitoring timelines following awards of subgrants (pg. e44-45).

The local education agencies have a demonstrated process to avoid duplication of work for existing operators by creating a differentiated review process for existing operators (pg. e46). The State, technical lead and authorizers will synch the subgrant application with the application for charter school approval in order to allow certain sections to be used for both applications in order to minimize duplication of work for the charter schools and authorized public chartering agencies (pg. e46).

The State has a well-developed plan to foster coordination between local education agency authorizers and charter schools by offering webinars and in-person training sessions and a new statewide conference (pg. e47). The State will conduct a request for proposals for a technical assistance lead to develop a charter incubator series focusing on new school development and readiness for growth, technical assistance projects, managing a statewide conference and documentation and reporting (pg. e47).

The State Board of Education will work with the technical assistance lead to develop meaningful training for local education agency authorizers through in-person trainings on a menu of topics developed in consultation with local education agency authorizers (pg. e51).

#### **Weaknesses:**

The State does not identify the technical assistance lead nor does it explain the standard or best practices it will use to identify the technical lead (pg. e47).

**Reader's Score:** 18

#### **Selection Criteria - Parent and Community Involvement**

- 1. The State entity's plan to solicit and consider input from parents and other members of the community on the implementation and operation of charter schools in the State.**

#### **Strengths:**

The State somewhat satisfies this requirement by requiring that charter schools must explain its community outreach and parent involvement, including how parents will participate in school governance in their subgrant applications(pg. e52). The State also demonstrates that the Charter School Advisory Group will include parent representation (pg. e53).

#### **Weaknesses:**

The State does not sufficiently explain the strategy for community engagement. The State does not clearly explain how parent and community engagement and input will be measured after the subgrant is awarded. The State does not explain how parents and community members can provide input nor does it demonstrate how that input is considered by the State (pg. e52-53).

**Reader's Score:** 7

#### **Selection Criteria - Quality of Project Design**

- 1. The Secretary considers the quality of the design of the State entity's charter school subgrant program, including the extent to which the project design furthers the State entity'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 quality of the State entity's process for awarding subgrants for planning, program design, and initial implementation including--**

- 1) The subgrant application and peer review process, timelines for these processes, and how the State entity intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-quality charter schools; and**
- 2) A reasonable year-by-year estimate, with supporting evidence, of (i) the number of subgrants the State entity 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 (ii) if the State entity has previously received a CSP**

**percentage of eligible applicants that were awarded subgrants and how this percentage related to the overall quality of the applicant pool.**

**Strengths:**

The State has a clear and consistent grant application and review process that demonstrates a clear strategy to increase the number of high quality charter schools and improve student academic achievement. The State also has established a clear grant application with a clear timeline and has established a reasonable peer review structure and detailed peer review ratings (pg. e54).

The State clearly outlines the total grants it intends to distribute during the five year grant term as well as the amount of subgrants awarded on year-by-year basis (pg. e59-60). The State has identified the grant range of the subgrants as well as the grant amount of all planning grants (pg. e59-60).

Under its 2007 CSP grant, approximately 53% of grant applications were funded (pg. e62). The high-quality charter schools that would be candidates for replication and/or expansion were funded through the 2007 grant (pg. e62).

**Weaknesses:**

The State does not explain how the subgrantees that received previous awarded subgrants related to the overall quality of the applicant pool.

**Reader's Score:** 14

**Selection Criteria - Quality of the Management Plan, Theory of Action**

**1. The Secretary considers the quality of the management plan and the project's theory of action. In determining the quality of the management plan and the project's theory of action, the Secretary considers the following factors:**

- 1) The quality, including the cohesiveness and strength of reasoning, of the "logic model" (as defined in this notice), and the extent to which it addresses the role of the grant in promoting the State-level strategy for using charter schools to improve educational outcomes for students through CSP subgrants for planning, program design, and initial implementation and other strategies;**
- 2) The extent to which the State entity's project-specific performance measures, including any measures required by the Department, support the logic model; and**
- 3) The adequacy of the management plan to--**
  - i. Achieve the objectives of the proposed project on time and within budget, including the existence of clearly defined responsibilities, timelines, and milestones for accomplishing project tasks; and**
  - ii. Address any compliance issues or findings related to the CSP that are identified in an audit or other monitoring review.**

**Strengths:**

The management plan satisfies the selection criteria. The logic model assumptions are well reasoned (p. e63) and the logic model demonstrates a clear understanding of applicable resources, activities, outputs and short, mid and long range outcomes (pg. e65). The performance measurers directly align to and support the logic model. The management plan is aligned to achieve the objectives within budget constraints and time milestones and each objective has clear responsibilities, timing and milestones (pg. e65-68).

Compliance issues related to insufficient guidance regarding lottery practices and unallowable expenses in sub-grant budgets have been adequately addressed by the State which demonstrates that the management plan adequately addresses compliance issues or findings identified in an audit or other monitoring review (pg. e57).

**Weaknesses:**

No identified weaknesses

Reader's Score: 15

**Priority Questions****Competitive Preference Priority 1 - Periodic Review and Evaluation**

1. To meet this priority, an applicant must demonstrate that the State provides for periodic review and evaluation by the authorized public chartering agency of each charter school at least once every five years, unless required more frequently by State law, and takes steps to ensure that such reviews take place. The review and evaluation must serve to determine whether the charter school is meeting the terms of the school's charter and meeting or exceeding the student academic achievement requirements and goals for charter schools as set forth in the school's charter or under State law, a State regulation, or a State policy, provided that the student academic achievement requirements and goals for charter schools established by that policy meet or exceed those set forth under applicable State law or State regulation. This periodic review and evaluation must include an opportunity for the authorized public chartering agency to take appropriate action or impose meaningful consequences on the charter school, if necessary.

**Strengths:**

There are five local education charter authorizers in Maryland. Each local education agency permits charter terms that range from 3-5 years. All authorizers use a clear charter renewal protocol and thorough performance review (pg. e22 for renewal or revocation (pg. e22-23). In addition, Anne Arundel LEA conducts a yearly site visit (pg. e22), St. Mary's LEA conducts an annual review of academic data and site visits three times a year (pg. e23).

**Weaknesses:**

The State does not have standardized requirements for the periodic review and evaluation of charters, which creates inconsistency among authorizers. As a result the charter terms differ among local education agencies. Each local education agency grants different renewal periods to charter schools and there are inconsistencies in the frequency of site visits among local education agencies (pg. e22).

Reader's Score: 0

**Competitive Preference Priority 2 - Charter School Oversight**

1. To meet this priority, an application must demonstrate that State law, regulations, or other policies in the State where the applicant is located require the following:
  - a) That each charter school in the State--
    1. Operates under a legally binding charter or performance contract between itself and the school's authorized public chartering agency that describes the rights and responsibilities of the school and the authorized public chartering agency;
    2. Conducts annual, timely, and independent audits of the school's financial statements that are filed with the school's authorized public chartering agency; and
    3. Demonstrates improved student academic achievement; and
  - b) That all authorized public chartering agencies in the State use increases in student academic achievement for all groups of students described in section 1111(c)(2) of the ESEA (20 U.S.C. 6311(c)(2)) as one of the most important factors when determining whether to renew or revoke a school's charter.

**Strengths:**

The State requires that each charter school operate under an agreement with their respective local education agency outlining rights and obligations of the charter school using guidance documents prepared by the Maryland Department of Education (pg. e23). Each local education agency requires an annual independent audit of the charter school's finances

with management letters (pg. e23). The State demonstrates that Maryland law requires annual independent audit requirements (pg. e21). The State demonstrates that three of the five local education agencies require an accountability plan (e23-24). The State demonstrates that each local education agency utilizes academic achievement as one of the most important factors in deciding to revoke or renew a charter (pg. e23).

**Weaknesses:**

No identified weaknesses

**Reader's Score:** 5

**Competitive Preference Priority 3 - Authorizer other than LEA or Appeal 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.

**Note: In order to meet this priority under paragraph (b) above, the entity hearing appeal must have the authority to approve the charter application over the objections of the LEA.**

**Strengths:**

The State demonstrates that this priority is adequately satisfied because local education agencies are the only authorized chartering agencies (pg. e24). The State demonstrates that applicants can appeal the denial of an application to the Maryland Department of Education, which can direct the local agency to approve the application or remand the decision to the local education agency for reconsideration (pg. e25).

**Weaknesses:**

No identified weaknesses.

**Reader's Score:** 2

**Competitive Preference Priority 4 - Equitable Financing**

**1. To receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located ensures equitable financing, as compared to traditional public schools, for charter schools and students in a prompt manner.**

**Strengths:**

The State demonstrates charter schools receive equitable federal funding (pg. e26).

**Weaknesses:**

The applicant does not demonstrate an equitable per pupil state allocation. The State favorably cites the "Study of Funding Provided to Public Charter Schools in Maryland" as support of equitable financing. This Study is informative but does not demonstrate that the state funding is equitable among charter schools and district schools (pg. e25). In addition, the State explains that charter schools receive "other funds" that are distributed equitably but do not clearly explain what these other funds can be used for or any restrictions (pg. e73). The State does not explain whether charter school aid is distributed promptly.

Reader's Score: 0

#### **Competitive Preference Priority 5 - Charter School Facilities**

**1. To receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located provides charter schools one or more of the following:**

- a) Funding for facilities;
- b) Assistance with facilities acquisition;
- c) Access to public facilities;
- d) The ability to share in bonds or mill levies;
- e) The right of first refusal to purchase public school buildings; or
- f) Low- or no-cost leasing privileges.

**Strengths:**

The State demonstrates that Maryland law requires that local school districts make unused school space available to charter schools (pg. e27).

**Weaknesses:**

The State does not ensure uniformity among local education agencies allowing charter schools to access unused school because Baltimore City appears to be the only local education agency that is providing significant unused space to charter schools (pg. e27).

Reader's Score: 1

#### **Competitive Preference Priority 6 - Best Practices to Improve Struggling Schools/LEAs**

**1. To receive points under this priority, an applicant must demonstrate the extent to which the State in which it is located uses best practices from charter schools to help improve struggling schools and local educational**

**Strengths:**

The State satisfies this priority in part because it provides an example of the State permitting a charter school to take over a Title I Priority School that had low academic performance and provides additional examples of a charter schools that have taken over operations of a priority school and/or traditional schools (pg. e27).

**Weaknesses:**

The State does not clearly demonstrate how the State and authorizing local education agencies are using best practices from charter schools to help improve struggling schools and local educational agencies (pg. e28). The State does not demonstrate a uniform method to disseminate best practices and lessons learned to improve struggling charter schools and local education agencies. The State does not explain how local education agencies are using best practices from charter schools.

Reader's Score: 0

#### **Competitive Preference Priority 7 - Serving At-Risk Students**

**1. To receive points under this priority, an applicant must demonstrate the extent to which it supports charter schools that serve at-risk students through activities such as dropout prevention, dropout recovery, or comprehensive career counseling services.**

**Strengths:**

The State satisfies this priority because it demonstrates that charter schools receive local funding for dropout prevention services at the same level as traditional schools (pg. e28). The State also provides examples of charter schools that have demonstrated significant academic achievement among educationally disadvantaged students (pg. e29).

**Weaknesses:**

Although the State provides examples of charter schools that demonstrated significant academic achievement, the State does not clearly demonstrate a uniform plan to serve at-risk students who are not students in those specific schools and does not identify a comprehensive strategy to serve at-risk students throughout the State (pg. e29).

**Reader's Score:** 1

**Competitive Preference Priority 8 - Best Practices for Charter School Authorizing**

1. To receive points under this priority, an applicant must demonstrate the extent to which it has taken steps to ensure that all authorized public chartering agencies implement best practices for charter school authorizing.

**Strengths:**

The State demonstrates standards for local education agencies to ensure rigor, timeliness and transparency in the charter application process (pg. e30). The Department of Education Office of School Innovations meets six times a year with the LEA Charter Liaisons to discuss best practices for charter school authorizing (pg. e31).

**Weaknesses:**

The State does not demonstrate the systematic steps that local education agencies have taken to implement best practices for charter school authorizing (pg. e31). The State explains that the Board has established standards for review through declaratory rulings in appeals of charter school denials; however the State does not explain whether this results in best practices for charter school authorizers (pg. e30).

**Reader's Score:** 2

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**Status:** Submitted

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