

# The Organizational Performance Framework

The Organizational Performance Framework intends to serve as the means by which the Commission addresses one of an authorizer’s core responsibilities: protecting the public interest. The framework ensures that charter schools meet all applicable federal, state, and local laws and regulations as well as contractual requirements.

The Commission pledges to exercise its best efforts to meet NACSA’s standards on performance evaluation and compliance monitoring by implementing an accountability system that effectively streamlines federal, state, and local performance expectations and compliance requirements while protecting schools’ legally entitled autonomy and minimizing school’s administrative and reporting burdens.

## INDICATORS AND RATINGS

Three indicators comprise the framework: Access and Equity, Compliance, and Governance. All three indicators will be equally considered within the framework. Evaluations will be conducted on an annual basis; for the purpose of this framework, the fiscal year calendar will be used<sup>1</sup>.

For each indicator, the school will earn a rating of “**meets the standard**” or “**does not meet the standard**”; the criteria to determine the ratings are provided in each section below. Performance on each of the three indicators determines a school’s Annual Overall Rating for the Organizational Performance Framework as described below.

<b>Annual Overall Rating for Organizational Performance Framework</b>	
<b>Meets the Standard</b>	School has earned a “Meets Standard” rating on two or more of the following indicators: <ul style="list-style-type: none"><li><input type="checkbox"/> Access and Equity</li><li><input type="checkbox"/> Compliance</li><li><input type="checkbox"/> Governance</li></ul>
<b>Does Not Meet the Standard</b>	School has earned a “Does Not Meet Standard” Rating on two or more of the following indicators: <ul style="list-style-type: none"><li><input type="checkbox"/> Access and Equity</li><li><input type="checkbox"/> Compliance</li><li><input type="checkbox"/> Governance</li></ul>

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<sup>1</sup> For this framework, the fiscal year will run from July 1 through June 30 of the year.

## Indicator One: Access and Equity

The school demonstrates a commitment to serving and meeting the needs of all students, including high need students requiring special education services, English Learners, students who qualify for free or reduced priced lunch or other underserved or at-risk populations.

### CRITERIA:

- ❑ The school makes student admissions decisions in a nondiscriminatory manner without regard to race, color, ethnicity, national origin, religion, gender, sexual orientation, income level, disability, lack of proficiency in the English language, need for special education services, or academic or athletic ability<sup>2</sup>;
- ❑ The school's admissions and enrollment policies and practices, including the admissions application and lottery, are in compliance with state and federal laws, meet Charter Contract requirements, and demonstrate a commitment to serving all students;
- ❑ The school's student conduct and discipline practices and procedures align with state laws and regulations, include due process protections, and meet Charter Contract requirements;
- ❑ The school complies with all applicable federal and state laws, rules, policies, procedures, and directives regarding the education of students with disabilities; and
- ❑ The school complies with the ESSA requirements for English Learners, including but not limited to proper steps to identify students in need of EL services, appropriate and equitable delivery of services, and ongoing monitoring of students who receive services and who exit the EL program.

### RATING:

- **Meets the Standard**- the school met the criteria identified in Indicator One and has earned three or fewer Notices of Concern and no Notices of Deficiency on this indicator in a single fiscal year.
- **Does Not Meet the Standard**- the school did not meet one or more criteria identified in Indicator One and/or earned four or more Notices of Concern and/or a Notice of Deficiency in a single fiscal year.

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<sup>2</sup> As provided in Section 302D-34, Hawaii Revised Statutes.

## Indicator 2: Compliance

The school has the capacity to conduct its operations in compliance with applicable local, state, and federal laws and regulations. This measure also evaluates the school's ability to function as a state entity and within all applicable processes and practices associated with Hawaii's public school system.

### CRITERIA:

- ❑ The school has an on-time submission rate of 85% or more for required information collected through the Commission's compliance management system<sup>3</sup>.
- ❑ The school complies with all facilities, health, and safety requirements;
- ❑ The school meets all applicable charter school employee-related statutory and contractual requirements, including, but not limited to: collective bargaining, criminal background checks, and state teacher licensure.
- ❑ The school complies with all applicable policies and practices of the Board of Education and all requirements pertinent to the public school system as a whole; and
- ❑ The school complies with the policies and practices associated with the Family Educational Rights and Privacy Act.

### RATING:

- **Meets the Standard**- the school meets the criteria identified in Indicator 2 and has earned three or fewer Notices of Concern and no Notices of Deficiency in a single fiscal year.
- **Does Not Meet the Standard**- the school did not meet one or more criteria identified in Indicator 2 and/or earned four or more Notices of Concern and/or a Notice of Deficiency in a single fiscal year.

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<sup>3</sup> Items counted for the on-time review will be assigned through the Commission's compliance management system and identified by the Commission no later than June 30 of each calendar year.

## Indicator Three: Governance

A charter school governing board must practice sound governance in order to meet its duties, responsibilities, and statutory obligation as the independent governing body of the school. This indicator sets the expectations for charter school governing boards in the areas of capacity and compliance. The Commission will be engaging with governing boards directly in order to evaluate this indicator.

### CRITERIA:

- The board has a process to ensure the board’s continual oversight over the financial, organizational, and academic vitality of the school;
- The board has adopted and adheres to policies and procedures for recruiting members which provide for consideration of persons who:
  - Provide the governing board with a diversity of perspective and a level of objectivity that accurately represent the interests of the charter school students and the surrounding community;
  - Demonstrate an understanding of best practices of nonprofit governance; and
  - Possess strong financial and academic management and oversight abilities, as well as human resource and fundraising experience<sup>4</sup>;
- The board has developed and adheres to a process which evaluates the school leader(s) and associated educational service provider or charter management organization (if applicable) on an annual basis and holds these individuals accountable for meeting specified goals;
- The board has developed and adheres to a process which allows the board to determine whether the school maintains accurate and comprehensive financial records, operates in accordance with Generally Accepted Accounting Principles, and uses funds in a fiscally responsible manner<sup>5</sup>;
- Board members have adopted and adhered to a conflict of interest policy, which is consistent with the State Code of Ethics and readily accessible from the school’s website or school office;
- The board has adopted and adhered to the policies and procedures set in the board’s by-laws, which are readily accessible from the school’s website or school office;
- The board is compliant with the provisions of Section 302D-12, Hawaii Revised Statutes, pertaining to the composition of the governing board; and

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<sup>4</sup> Per Section 302D-12(b), HRS

<sup>5</sup> Based on the NACSA Core Performance and Framework and Guidance, March 2013

- The board is compliant with the public meeting requirements provided in Section 302D-12, Hawaii Revised Statutes.

**RATING:**

- **Meets the Standard**- the school governing board meets the criteria identified in Indicator 3 and has earned three or fewer Notices of Concern and no Notices of Deficiency in a single fiscal year.
- **Does Not Meet the Standard**- the school governing board did not meet one or more criteria identified in Indicator 3 and/or earned four or more Notices of Concern and/or a Notice of Deficiency in a single fiscal year.

## **OVERSIGHT AND EVALUATION PROCESS**

Schools will be evaluated on the indicators by submitting information through the Commission's compliance management system and through the collection of written documentation and evidence. The Commission will strive to identify and schedule all compliance requirements prior to the start of each new fiscal year, with the understanding that changes in local, state, or federal laws and regulations may result in additional, unforeseen requirements.

The evaluation process will include at least one school site visit during the term of the Charter Contract. The site visit will not be considered an additional indicator; rather, the site visit will allow the opportunity for a more in-depth review and evaluation of the three indicators between the school and Commission staff.

Within the first quarter of the fiscal year, the Commission will provide an annual Organizational Framework Report to all charter schools that covers the previous year and includes the school's annual overall rating and a synopsis of the criteria of the three indicators that comprise the framework.

Depending on a school's status as determined by the annual overall rating, charter schools may receive varied oversight during the term of the Charter Contract. For example, charter schools that receive an overall annual rating of "does not meet" for the framework or recurring Notices of Concern and/or Deficiency for one or more of the indicators may be subject to a comprehensive evaluation of its operations through monitoring and additional site visits. Charter schools that consistently earn a "meets standard" may be eligible for more flexibility in reporting and submitting compliance requirements.

Regardless of a school's performance on the framework, schools are required to meet the criteria within each indicator and comply with all relevant laws and regulations at all times.