

EVALUATION REPORT

A Review of the Maine Charter School Commission's Recent Development Work

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Introduction

In 2017 the Maine Charter School Commission (MCSC) requested the National Association of Charter School Authorizers (NACSA) to conduct an independent review and evaluation of Maine's Charter School Commission policies and procedures used in governing Maine's public charter schools. In late-2017 NACSA completed its work and submitted an evaluation report. NACA applauded the work of the MCSC, and summarized their findings in the report as follows:

The Maine Charter School Commission (MCSC) has taken a thoughtful approach to establishing a quality charter school authorizing program that will help promote a thriving charter school sector focused on school performance and meeting the educational needs of the state. Constantly reflective, MCSC works with a singular vision of quality charter school options for Maine's students. MCSC actively sought a formative evaluation, and Commissioners and staff alike have continually reflected on the Commission's progress since the first charter school opened in 2012. This focus on continuous improvement will ensure the Commission remains at the forefront of the sector as its portfolio continues to mature (p.7).

In addition to applauding the Commission, the report included some 40+ recommendations NACSA offered for continuing the refinement and improvement of the work of MCSC. The Commission accepted and reviewed the report and its recommendations, and the Commission and its staff have spent considerable time, thought, and resources in implementing many of the NACSA recommendations.

In 2019, and in keeping with NACSA's assessment of the Commission's thoughtful approach to continuous improvement, MCSC contracted with Silver Analytics Consulting Associates, LLC (SACA) to conduct an independent review and assessment of steps the Commission has taken in implementing the NACSA recommendations. SACA is a Maine-based company focused on providing a variety of clients research and evaluation services.

Review Approach

The review SACA was undertaken in two phases. In Phase I, we examined and assessed all the new and/or revised documents developed by the Commission and its staff in response to NACSA recommendations. Old and new documents were examined and the reviewers consulted with Commission staff for clarifications and explanations, when appropriate.

Phase II consisted of a series of interviews with a sample of charter school personnel, charter school board members, and Commissioners. The purpose of these interviews was to ascertain the interviewees' firsthand assessment of the revised documents and subsequent procedures used by the Commission and its staff in implementing the changes. In total, 18 interviews were conducted over the course of 30+ hours.

We wish to thank Commission members, Commission staff, and charter school personnel for their time and assistance to us as we conducted this review. We would like to particularly recognize Ms. Gina Post for the invaluable assistance she provided us with the collection of multiple documents, and the time she spent answering our many questions.

What follows in this report is the SACA reviewers' assessments of MCSC's response to the NACSA report recommendations. The NACSA recommendations are *italicized* in the text and clustered around topics, followed by the our assessments including evidence from interviews, where appropriate.

Assessments and Evidence

A. NACSA Academic Performance Recommendations Cluster

- *Consider requiring one single supplemental assessment or offering options but paying for only one so as to incentivize charter school to use the same assessment and provide ease of performance analysis, accountability decision-making and reporting to the public.*

- *Adjust the performance framework guidance to include weighting and roll-up methodology.*

With regard to a supplemental assessment, the Commission now purchases the NWEA MAP test and Skills locator for all of the 10 charter schools. All charter schools are required to use the NWEA twice-per year assessments, and more recently a new requirement of a mid-year assessment has been added.

The required use of this supplemental assessment has been well received by the schools. All Heads of Schools interviewed and most Board Chairs report satisfaction on multiple levels. They believe that the assessment criteria and its tie to Maine's Learning Standards provides a legitimate measure of student learning in a standards-based curriculum where individual student growth over time is seen as a more appropriate measure of value-added instruction. In addition, a majority of those interviewed indicated that the resulting performance reports, both for the individual student and the school overall, provide a more trusted report for parents

The Commission has also purchased professional development programs as part of the NWEA annual assessments. Interviewees indicated that they thought the professional development that is tied to both the analysis of student level data and suggested instructional strategies has led to improved instruction.

The Commission has not adopted the recommendation regarding the use of weighting and roll-up methodology in the academic performance guidance. We concur with the decision. Weighting and roll-up methodology are complex endeavors and are highly dependent upon the assumptions used. Additionally, they can lead to too simplistic conclusion if not carefully interpreted.

B. NACSA Accountability and Transparency Recommendations Cluster

- *Develop a public annual report of school performance to present to the public the status of charter school academic performance in Maine and to support accountability decision-making, transparency, and access to quality school options for parents.*
- *Establish minimum expectations of proficiency for schoolwide and subgroup ratings, regardless of first-year performance. Consider using a similar schools*

comparison measure or the state-established priority school threshold to establish the standard.

- *Simplify the annual report for quick and easy consumption of critical performance data and school information, and provide standards or comparative data, aligned with contractual performance expectations, so that the reports are meaningful. Post the annual, more prominently on the Commission's website.*

In the case of a public annual report, work has begun on developing this report, and a prototype was developed for the 2017-18 report. We have reviewed this prototype and we find that it is clear, concise, and accessible to a wide range of individuals and stakeholders. Thus, we encourage the Commission to continue the development of this type of annual report.

In so doing, we recommend consideration be given to the following modifications and additions. The tables that provide a performance framework profile for each charter school are very helpful in presenting an overall summary picture of how each school is performing relative to the charter school performance framework. We think these tables would be enhanced if brief explanations were provided for those areas where a charter school has only Partially Met an indicator. This type of explanation would provide readers with a better context for understanding the performance of the school.

Secondly, the NACSA recommendation emphasized the importance that should be given in the annual report to the academic performance of the charter schools. The prototype report does provide summary assessments regarding academic performance, but we encourage the Commission to provide additional information in this area. More specifically, we recommend adding specific performance data for state assessments and the NWEA assessments.

With regard to establishing minimum expectations for proficiency for schoolwide and subgroups, the Commission has established expectations for each charter school using the four categories of Exceeds, Meets, Partially Meets, and Does Not Meet. We think these categories are appropriate and helpful in assessing the academic progress of the individual charter schools. And although we believe it is important to monitor subgroup performance, we caution the use of this data.

Enrollment by subgroups is very small for most charter schools, so changes in the performance of 1-2 students may significantly skew results. Thus, we believe it is important to unpack the data carefully by subgroup in order to better understand changes from year to year.

The Commission has also taken steps to revise the individual charter school annual monitoring report, and based the reporting on the new performance framework. We believe this revised format increases the readability and clarity of the individual reports. And we found that our assessment was reinforced by interviewees. Heads of Schools and Board Chairs both reported that the new report was a great improvement. It allowed the governing board, the staff, and the Commission to review a clear, and they believe, a fairer report. The school leaders also feel the report better reflects the school's performance relative to the district public schools in the area, which would be helpful to both present and potential future parents.

Finally, in this cluster of recommendations, the NACSA report recommended that a similar schools comparison measure be used and added into the annual reports. We understand the rationale for this recommendation, but we do not share the opinion expressed in the NACSA report. Because the charter schools are small, it is very difficult to identify comparison schools that are appropriate. As stated in the summary of the recently completed external evaluation of the charter schools, The Impact of Charter Schools on Maine's Education System;

Charter schools serve a different population than traditional public schools making direct comparisons of outcomes challenging. Many students are drawn to charter schools because of their increased flexibility or customized curriculum and these may be students who would be challenged by chronic absenteeism, adhering to four-year graduation requirements or academic subject areas. The assignment of students to charter schools is not random, and therefore comparison of the outcomes for charter and non-charter schools should be interpreted with caution.(p.2)

We concur with this assessment in the external evaluation report, and recommend a great deal of caution be taken in any undertaking of the development of a comparison schools methodology and measure.

C. NACSA Financial Recommendations Cluster

- *Collect, analyze, and publicly report financial performance data of MCSC charter schools, aligned with established financial performance standards.*
- *Require applicant to submit five-year budgets.*
- *Strengthen application reviews to assess critical financial stability risks.*
- *Establish financial performance framework guidance to hold schools accountable for near- and long-term financial health.*
- *Build capacity in the area of financial knowledge and expertise to support application reviews, monitoring and accountability.*
- *Set clear financial performance requirements and build capacity to monitor schools against expectations.*

We believe the Commission has made significant and impactful progress in responding to these series of financial recommendations, and evidence from the interviews indicated the schools are pleased with the work in this area. The Commission adopted and implemented a more robust financial performance framework and hired a financial consultant to assist in analyzing and reviewing financial data from the schools.

Changes here have had a widespread effect within the oversight role of school governing boards. Interviewees report that they are paying closer attention to finances and are feeling more accountability to the Commission on their monthly reports in this area. Schools appear to be pleased. In at least one instance, it appears that the financial performance data may have been helpful to the governing board as they investigated and addressed some financial mismanagement issues. In at least two other cases, interviewees reported that the required financial reporting has highlighted deficiencies in either their business model or weaknesses in their own board's ability to maintain strong enough financial controls.

Additionally, the Commission adopted the use of Epicenter for the collection of data. Implementation of this program and processes appear to be seen as an improvement. Interviewees report that it is going smoothly. Schools report that it is

helpful that their CFOs are able to directly access the required parts of Epicenter portal and enter data. Data is entered more quickly with less errors.

D. NACSA Student Accessibility Recommendations Cluster

- *Analyze re-enrollment rates by subgroup, especially special education and gender, to ensure that all students feel welcome once fully enrolled.*
- *Monitor withdrawals for all students by subgroup and publish the findings annually.*
- *Disaggregate discipline data by subgroup to ensure that there is no evidence of one group being excluded at higher rates than another.*
- *Ensure that schools are proactive in making charters accessible to English learners and ensure they are ready to serve this population well.*
- *Interview withdrawn students to understand if transportation is a contributing factor to withdrawing and incorporate analysis of access to transportation in MCSC's climate survey to better understand whether transportation is a true barrier to enrollment.*
- *Continue the partnership with DOE in monitoring special education compliance but communicate concerns proactively and consider MCSC action if schools are not in compliance and do not address deficiencies in a timely manner.*

The NACSA report included several recommendations that were designed to address student accessibility. We believe the enumeration of these recommendations is very appropriate. The Commission and staff have instituted procedures to ensure that each charter school is addressing accessibility issues, where appropriate. These include procedures for monthly monitoring in some areas, revised exit interview protocols, and a review of LAU plans by the Maine Department of Education (MDOE) that was requested by the Commission.

While in most cases it is inappropriate to report the results from implementation of these procedures because of the small sample sizes and the need to protect students' confidentiality, interviews we conducted with charter school personnel and the Commission staff, convinced us that the Commission is closely monitoring student accessibility. For example, while it may not have been reported

publicly, the schools have definitely begun to track their student withdrawals and re-enrollment data more closely, as required by the Commission. Several interviewees described having developed better internal monitoring of absenteeism in order to intervene more quickly and improve attendance and re-enrollment.

Another example is that a majority of the interviewees acknowledged that they had undergone extensive reviews of their special education programs, and as a result of including a MDOE Special Education member as part of the annual review, that the resulting reports were helpful in making changes. One school reported that they were required to make extensive changes to their special education staffing and program as a result of the review, and that they deemed these changes as appropriate.

E. NACSA Review and Monitoring Cluster Recommendations

- *Strengthen application reviews to include more detail and context to support the stated ratings and recommendations.*
- *Streamline the site visit protocol and monitoring visits to align directly to the performance framework guidance and charter contract, and ensure reviewers are trained on the authorizer and charter school board roles and responsibilities to avoid infringing on autonomy.*
- *Select and train reviewers to conduct comprehensive analyses of applications; broaden review teams beyond Commissioners to address growing capacity challenges; incorporate external reviewers.*
- *Incorporate into the pre-opening and first-year monitoring protocols expectations to more closely monitor pre-operational and first year schools' financial performance.*
- *Assign monitoring activities to authorized staff to allow the consistent and efficient communication of operations.*
- *Develop differentiated monitoring practices and communicate thresholds of performance that schools must reach to receive modified monitoring.*
- *Build systems to streamline data collection requests and mitigate ad hoc requests throughout the year.*

- *Develop an intervention protocol based on performance expectations and communicate expectations for performance to the charter schools.*

The Commission has taken a considerable number of steps in response to these NACSA recommendations. These include revising protocols, and creating four categories on most performance indicators (Exceeds, Meets, Partially Meets, Does Not Meet) in order to provide schools clearer and more consistent yearly assessments. In addition, the Commission revised the RFP and developed a process for including more detail and context for the review ratings and recommendations.

The Commission is now using Epicenter as the primary data collection system and has limited ad hoc data requests of schools. These steps have been appreciated by the schools.

EpiCenter is universally acclaimed as an effective vehicle for data collection by all interviewees. The Commission staff was frequently cited by the schools as having used Epicenter as a vehicle for helping schools submit data required by MDOE and aligning the same data to fit Commission requirements, eliminating much of the duplication and confusion that existed in earlier years.

No respondent interviewed voiced any concern about the ad hoc requests for data outside the scheduled reporting periods. Any new or additional data collected by Commission staff and shared across schools during the early days of the pandemic were regarded as helpful by the schools.

A review of the Site Visit Manual revealed that the Commission now differentiates monitoring practices for different schools, but still maintains greater consistency in monitoring the schools against the overall Performance Framework. Additionally, the Commission has hired consultants, as needed, and trained reviewers for use in conducting annual monitoring of schools.

The Commission has developed more detailed intervention procedures and protocols. We find that these provide a process for clearly identifying and resolving issues that may arise during the monitoring process, and in so doing support the continued development of the charter schools.

We applaud these actions. We believe they provide for the monitoring of the charter schools in a fairer and more consistent manner, and provide clearer evidence for any recommendations for corrective actions on the part of schools.

Most individuals interviewed made a point of expressing particular satisfaction with changes made in the monitoring site visits. These changes have been greeted by the schools as improvements. The consistency of having the same staff and the same consultants has made it easier for the school to address performance targets from one year to the next.

However, in a very few instances, interviewees did express a concern that the consultants have, in some cases, been stretched quite thin, and as a result that on-site visits were not as comprehensive as they would like them to be.

A few Board Chairs also indicated that while they felt that the revised procedures and site visit protocol were significant improvements, they would like Commission members to maintain continued contact with the schools, in part because they expressed disappointment that the reduced contact with Commission members might lead to a lack of appreciation of the more intangible academic and social attributes of the school. We agree and encourage the Commission to consider continuing a policy of assigning a Commission member as a liaison to one or more charter schools.

We believe all these steps have led to significant improvements in the ongoing monitoring process of the charter schools. In addition to these steps, we encourage the Commission to consider developing policies and procedures for the systematic external evaluation of the charter schools, possibly on a 5-year cycle. We believe this process may further enhance the development of the charter schools, increase transparency, and may over time help garner greater support for the work of the Commission and the charter schools.

F. NACSA Charter and School Autonomy Recommendations Cluster

- *Avoid encroaching on school autonomy in areas that are not material to the terms of the charter or that are more appropriately managed by school leadership and/or the charter board, such as vendor agreements.*

- *Clearly define material terms of the charter contract with an eye to autonomy and limit charter amendments to material terms. Leave non-material decisions to the school governing boards.*
- *Avoid applying programmatic restrictions on charter schools as a condition of approval.*
- *Remove the charter application as an attachment to the charter contract.*
- *Include page limits for the charter application to avoid excessively long applications.*
- *Ensure that Commissioners are able to make objective charter school decisions, free of actual or potential conflicts of interest.*

The Commission has made significant strides in this area. The contract has been revised and the same contract applies to all the charter schools. The revised contract is much clearer and takes significant steps in spelling out the requirements and responsibilities of the Commission and charter schools. In so doing, it is now clearer to both the Commission and schools what constitutes material issues that require Commission involvement and what actions may be taken at the school level without Commission review and action. This has resulted in substantial improvements in distinguishing what is within the purview of school autonomy and what requires Commission oversight.

As a result of these changes, it is noteworthy that none of the individuals interviewed cited problems in this area. Thus, the Commission is to be commended for their actions. We encourage as new members join the Commission that steps be taken to insure that the strides made in this area are institutionalized and maintained as standard practice.

G. NACSA Expansion and Closure Recommendations Cluster

- *Develop clear, measureable criteria for schools to demonstrate success before applying for expansion. Such criteria could include student proficiency and growth levels on state assessments, re-enrollment rates, waiting lists, and other clear marks of high quality.*

- *Develop a differentiated policy to handle the many types of expansions requests, including adding additional students to a current campus, expanding grade levels at a current campus, or adding an additional campus.*
- *Establish a closure plan and guide to clarify closure responsibilities for MSCS, the governing board, and school leadership. Within this guide, establish clear expectations for charter-developed closure plans.*

We find that the Commission has taken steps to refine processes and procedures in the areas recommended in the NACSA report. While differentiated policies have already been in place for some years, the Commission has taken steps to clarify roles and responsibilities in charter school closures. Although, to date, these processes and procedures have not had to be used, we find that they will, if necessary, provide for the systematic and orderly closure of a charter school, while protecting students' wellbeing.

The Commission has also taken steps to revise and implement new expansion application protocols. We believe these provide better guidance to schools in requesting expansions, and greater clarity about the conditions the Commission will take into consideration in reviewing expansion requests.

Having said that, we also think greater attention should be given to evaluating the academic performance of schools seeking MC expansions. We agree with the NACSA recommendation that clear, measureable criteria should be developed in this area, and we believe that expansion requests should not be approved until and unless these criteria are met.

H. NACSA Renewal Recommendations Cluster

- *Align renewal standards with clearly established performance expectations. Revise the renewal application and process to ensure charter schools earn renewal based on a track of success, not promises of future performance.*
- *Delegate management of the renewal process to MCSC staff and implement a standardized process for all schools when undergoing renewal.*

The Commission has revised the renewal protocols and more clearly articulated performance expectations for approving renewals. Interviews indicated

that everyone understands and accepts these new expectations. Some acknowledge that these expectations are still difficult to meet. However, evidence from the interviews indicate that those interviewed report that the NWEA, along with the instructional program development tools that are contained in the NWEA package of services, provides resources that for the most part the schools feel are helpful and welcomed.

In the case of the management of the renewal process, this has been the responsibility of the MCSC staff for several years. Interviewees report that this continues to go well. All applauded the consistency of having staff conduct the process and use predictable protocols and criteria. However, some of those interviewed would like to see processes put into place for the schools to have some continued direct contact between Commissioners and the school, as they miss the opportunity to have Commissioners directly meet students, parents and teachers.

I. NACSA Commission and MCSC Staff Recommendations Cluster

The NACSA report included a few recommendations that do not fit neatly into one of the previously identified clusters, but are, nevertheless, important to the continued development of the charter school program in Maine. These are:

- *Transfer development of the strategic plan to the executive director. Refocus the work of Commissioners on planning. Policies, and decision-making.*
- *Ask for full-time positions in the budgeting process or identify other creative solutions to create highly capable, stable staff environment.*
- *Clarify and confirm the roles of the Commissioners and staff; revisit all tasks currently completed by staff and Commissioners, and assign tasks based on defined roles.*
- *Before determining whether to return funds to schools, evaluate the organization's budget to ensure execution of mission and core authorizing responsibilities*

The Commission has taken steps to more clearly articulate roles and responsibilities of the Commission and staff, by means of a Consensus document.

The Commissioners interviewed believe that the role distinctions between the Commission and Commission staff are now clearer and the tasks assigned each are better defined. We agree, and believe additional steps should be taken, if necessary, to codify the Consensus document and incorporate the Consensus decisions into job descriptions.

Further, we recommend that a plan be developed and put in place for moving the current contracted staff positions into budgeted position in MCSC. We understand this is difficult and requires careful thought, but we believe this is an important step in institutionalizing the public charter school program in Maine.

Although the development of a strategic plan was included in the NACSA report, to date it does not appear that the Commission has acted on this recommendation. We think that is unfortunate. A strong, detailed strategic plan will provide a clear roadmap for near-term, short-term, and long-term actions that can solidify, institutionalize activities and programs, and lead to the long range further development and enhancement of the public charter school program in Maine. Further, we believe this plan should include steps for creating fulltime positions within the MCSC budget. In addition to strengthening the status and long-term stability for the staff positions, the strategic plan can serve to further clarify any remaining ambiguity in the distinctions between the staff roles and the role of Commission members as policy makers and charter authorizers.

Conclusion

In conclusion, we commend the Commission and Commission staff for the development work they have completed in recent years. It clearly demonstrates the Commission's commitment to the continuous development and improvement of the public charter program in Maine. Our review of the new and/or revised documents developed in response to the NACSA report, and interviews with stakeholders, has shown that the Commission has addressed a majority of the recommendations in the report. In several areas we have offered suggestions that we believe will further enhance the charter school program here in Maine. We do wish to re-emphasize our

belief that the new executive director should undertake and lead the development of a strategic plan. Such a plan will provide a framework that will reinforce the significant changes that have been made following the NACSA report and provide ongoing direction for the MCSC as it fills its responsibility to maintain clear and consistent standards for accountability and integrity in its role as the charter school authorizer for Maine.

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