

# ORGANIZATIONAL PERFORMANCE - BALL STATE UNIVERSITY

November 2012

## 1. EDUCATION PROGRAM

**1.a. Is the school implementing the essential terms of the education program as defined in the current charter agreement?**

***Meets Standard:***

The school implemented the essential terms of the education program in all material respects and the education program in operation reflects the essential terms as defined in the charter contract, or the school has gained approval for a charter modification to the essential terms.

***Does Not Meet Standard:***

The school has failed to implement the program in the manner described above; the failure(s) were material, and the board has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

***Falls Far Below Standard:***

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school, or regardless of the severity of the failure(s), the board has not instituted remedies that have resulted in prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

**1.b. Is the school complying with applicable education requirements?**

***Meets Standard:***

The school materially complies with applicable laws, rules, regulations, and provisions of the charter agreement relating to education requirements, including but not limited to:

- Instructional days or minutes requirements
- Graduation and promotion requirements
- Content standards, including Common Core
- State assessments
- Implementation of mandated programming as a result of state or federal funding

***Does Not Meet Standard:***

The school has failed to implement the program in the manner described above; the failure(s) were material, and the board has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

***Falls Far Below Standard:***

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school, or regardless of the severity of the failure(s), the board has not instituted remedies that have resulted in prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

**1.c. Is the school protecting the rights of students with disabilities?**

***Meets Standard:***

Consistent with the school's status and responsibilities as either a Local Education Agency (LEA) or school in a district LEA, the school materially complies with applicable laws, rules, regulations, and provisions of the charter agreement (including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act) relating to the treatment of students with identified disabilities and those suspected of having a disability, including but not limited to:

- Identification and referral
- Operational compliance including the academic program, assessments, and all other aspects of the school's program and responsibilities
- Discipline, including due process protections, manifestation determinations, and behavioral intervention plans
- Appropriately carrying out student Individualized Education Plans and Section 504 plans
- Access to the school's facility and program to students and parents in a lawful manner and consistent with students' abilities
- Securing of all applicable funding

***Does Not Meet Standard:***

The school has failed to implement the program in the manner described above; the failure(s) were material, and the board has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

***Falls Far Below Standard:***

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school, or regardless of the severity of the failure(s), the board has not instituted remedies that have resulted in prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

**1.d. Is the school protecting the rights of English Language Learner (ELL) students?**

***Meets Standard:***

The school materially complies with applicable laws, rules, regulations, and provisions of the charter agreement (including Title III of the Elementary and Secondary Education Act (ESEA) and US Department of Education authorities) relating to English Language Learner requirements, including but not limited to:

- Required policies related to the service of ELL students
- Proper steps for identification of students in need of ELL services
- Appropriate and equitable delivery of services to identified students
- Appropriate accommodations on assessments
- Exiting of students from ELL services
- Ongoing monitoring of exited students

***Does Not Meet Standard:***

The school has failed to implement the program in the manner described above; the failure(s) were material, and the board has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

***Falls Far Below Standard:***

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school, or regardless of the severity of the failure(s), the board has not instituted remedies that have resulted in prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

## 2. FINANCIAL MANAGEMENT AND OVERSIGHT

### 2.a. Is the school meeting financial reporting and compliance requirements?

***Meets Standard:***

The school materially complies with applicable laws, rules, regulations and provisions of the charter agreement relating to financial reporting requirements, including but not limited to:

- Complete and on-time submission of financial reports, including annual budget, revised budgets (if applicable), periodic financial reports as required by the authorizer, and any reporting requirements if the board contracts with an education service provider
- On-time submission and completion of the annual independent audit and corrective action plans, if applicable
- All reporting requirements related to the use of public funds

***Does Not Meet Standard:***

The school has failed to implement the program in the manner described above; the failure(s) were material, and the board has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

***Falls Far Below Standard:***

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school, or regardless of the severity of the failure(s), the board has not instituted remedies that have resulted in prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

### 2.b. Is the school following Generally Accepted Accounting Principles?

***Meets Standard:***

The school materially complies with applicable laws, rules, regulations and provisions of the charter agreement relating to financial management and oversight expectations as evidenced by an annual independent audit, including but not limited to:

- An unqualified audit opinion
- An audit devoid of significant findings and conditions, material weaknesses, or significant internal control weaknesses
- An audit that does not include a going concern disclosure in the notes or an explanatory paragraph within the audit report

***Does Not Meet Standard:***

The school has failed to implement the program in the manner described above; the failure(s) were material, and the board has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

***Falls Far Below Standard:***

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school, or regardless of the severity of the failure(s), the board has not instituted remedies that have resulted in prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

### 3. GOVERNANCE AND REPORTING

#### 3.a. Is the school complying with governance requirements?

***Meets Standard:***

The school materially complies with applicable laws, rules, regulations and provisions of the charter agreement relating to governance by its board including but not limited to:

- Board policies, including those related to oversight of an education service provider, if applicable
- Board by laws
- State open meetings law
- Code of ethics
- Conflicts of interest
- Board composition and/or membership rules (*e.g.* requisite number of qualified teachers; ban on employees or contractors serving on the board, etc.)
- Compensation for attendance at meetings

***Does Not Meet Standard:***

The school has failed to implement the program in the manner described above; the failure(s) were material, and the board has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

***Falls Far Below Standard:***

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school, or regardless of the severity of the failure(s), the board has not instituted remedies that have resulted in prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

#### 3.b. Is the school holding management accountable?

***Meets Standard:***

The school materially complies with applicable laws, rules, regulations and provisions of the charter agreement relating to oversight of school management, including but not limited to:

- (For Education Service Providers) maintaining authority over management, holding it accountable for performance as agreed under a written performance agreement, and requiring annual financial reports of the education service provider
- (For Others) oversight of management that includes holding it accountable for performance expectations which may or may not be agreed to under a written performance agreement

***Does Not Meet Standard:***

The school has failed to implement the program in the manner described above; the failure(s) were material, and the board has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

***Falls Far Below Standard:***

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school, or regardless of the severity of the failure(s), the board has not instituted remedies that have resulted in prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

### 3.c. Is the school complying with reporting requirements?

**Meets Standard:**

The school materially complies with applicable laws, rules, regulations and provisions of the charter agreement relating to relevant reporting requirements to the school's authorizer, state education agency, district education department, and/or federal authorities, including but not limited to:

- Accountability tracking
- Attendance and enrollment reporting
- Compliance and oversight
- Additional information requested by the authorizer

**Does Not Meet Standard:**

The school has failed to implement the program in the manner described above; the failure(s) were material, and the board has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

**Falls Far Below Standard:**

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school, or regardless of the severity of the failure(s), the board has not instituted remedies that have resulted in prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

## 4. STUDENTS AND EMPLOYEES

### 4.a. Is the school protecting the rights of all students?

**Meets Standard:**

The school materially complies with applicable laws, rules, regulations, and provisions of the charter agreement relating to the rights of students, including but not limited to:

- Policies and practices related to admissions, lottery, waiting lists, fair and open recruitment, and enrollment (including rights to enroll or maintain enrollment)
- The collection and protection of student information (that could be used in discriminatory ways or otherwise contrary to law)
- Due process protections, privacy, civil rights and student liberties requirements, including 1<sup>st</sup> Amendment protections and the Establishment Clause restrictions prohibiting public schools from engaging in religious instruction
- Conduct of discipline (discipline hearings and suspension and expulsion policies and practices. Note: Proper handling of discipline processes for students with disabilities is addressed more specifically in Section 1.c)

**Does Not Meet Standard:**

The school has failed to implement the program in the manner described above; the failure(s) were material, and the board has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

**Falls Far Below Standard:**

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school, or regardless of the severity of the failure(s), the board has not instituted remedies that have resulted in prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

### 4.b. Is the school meeting attendance goals?

**Meets Standard:**

The school materially complies with applicable laws, rules, regulations, and provisions of the charter agreement relating to attendance goals.

**Does Not Meet Standard:**

The school failed to meet the school wide attendance goals in the manner described above.

**Falls Far Below Standard:**

The school failed to meet the school wide attendance goals in the manner described above and its attendance rates were more than 10 percentage points below the state's attendance rates.

#### 4.c. Is the school meeting teacher and other staff credentialing requirements?

*Meets Standard:*

The school materially complies with applicable laws, rules, regulations, and provisions of the charter agreement (including the federal Highly Qualified Teacher and Paraprofessional requirements within Title II of the ESEA) relating to state certification requirements.

*Does Not Meet Standard:*

The school has failed to implement the program in the manner described above; the failure(s) were material, and the board has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

*Falls Far Below Standard:*

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school, or regardless of the severity of the failure(s), the board has not instituted remedies that have resulted in prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

#### 4.d. Is the school respecting employee rights?

*Meets Standard:*

The school materially complies with applicable laws, rules, regulations and provisions of the charter agreement relating to employment considerations, including those relating to the Family Medical Leave Act, the Americans with Disabilities Act and employment contracts. The school does not interfere with employees' rights to organize collectively or otherwise violate staff collective bargaining rights.

*Does Not Meet Standard:*

The school has failed to implement the program in the manner described above; the failure(s) were material, and the board has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

*Falls Far Below Standard:*

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school, or regardless of the severity of the failure(s), the board has not instituted remedies that have resulted in prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

#### 4.e. Is the school completing required background checks?

*Meets Standard:*

The school materially complies with applicable laws, rules, regulations, and provisions of the charter agreement relating to background checks of all applicable individuals (including staff and members of the charter community, where applicable).

*Does Not Meet Standard:*

The school has failed to implement the program in the manner described above; the failure(s) were material, and the board has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

*Falls Far Below Standard:*

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school, or regardless of the severity of the failure(s), the board has not instituted remedies that have resulted in prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

## 5. SCHOOL ENVIRONMENT

### 5.a. Is the school complying with facilities and transportation requirements?

***Meets Standard:***

The school materially complies with applicable laws, rules, regulations and provisions of the charter agreement relating to the school facilities, grounds, and transportation, including but not limited to:

- Fire inspections and related records
- Viable certificate of occupancy or other required building use authorization
- Documentation of requisite insurance coverage
- Student transportation

***Does Not Meet Standard:***

The school has failed to implement the program in the manner described above; the failure(s) were material, and the board has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

***Falls Far Below Standard:***

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school, or regardless of the severity of the failure(s), the board has not instituted remedies that have resulted in prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

### 5.b. Is the school complying with health and safety requirements?

***Meets Standard:***

The school materially complies with applicable laws, rules, regulations and provisions of the charter agreement relating to safety and the provision of health related services, including but not limited to:

- Appropriate nursing services and dispensing of pharmaceuticals
- Food services requirements
- Other district resources, if applicable

***Does Not Meet Standard:***

The school has failed to implement the program in the manner described above; the failure(s) were material, and the board has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

***Falls Far Below Standard:***

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school, or regardless of the severity of the failure(s), the board has not instituted remedies that have resulted in prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

### 5.c. Is the school handling information appropriately?

***Meets Standard:***

The school materially complies with applicable laws, rules, regulations and provisions of the charter agreement relating to security, including but not limited to:

- Maintain the security of and provide access to student records under the Family Educational Rights and Privacy Act and other applicable authorities
- Access to documents maintained by the school under the state's freedom of information law and other applicable authorities
- Transfer of student records
- Proper and secure maintenance of testing materials

***Does Not Meet Standard:***

The school has failed to implement the program in the manner described above; the failure(s) were material, and the board has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

***Falls Far Below Standard:***

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school, or regardless of the severity of the failure(s), the board has not instituted remedies that have resulted in prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

## 6. ADDITIONAL OBLIGATIONS

### 6.a. Is the school complying with all other obligations?

***Meets Standard:***

The school materially complies with all other legal, statutory, regulatory, or contractual requirements contained in its charter agreement that are not otherwise explicitly stated herein, including but not limited to requirements from the following sources:

- Revisions to state charter law
- Consent decrees
- Intervention requirements by the authorizer
- Requirements by other entities to which the charter school is accountable (e.g. state education agency)

***Does Not Meet Standard:***

The school has failed to implement the program in the manner described above; the failure(s) were material, and the board has instituted remedies that have resulted in compliance or prompt and sufficient movement toward compliance to the satisfaction of the authorizer.

***Falls Far Below Standard:***

The school failed to implement the program in the manner described above; the failure(s) were material and significant to the viability of the school, or regardless of the severity of the failure(s), the board has not instituted remedies that have resulted in prompt and sufficient movement toward compliance to the satisfaction of the authorizer.