

Organizational Performance Framework

1. EDUCATION PROGRAM

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

Meets Standard

The school implemented the material terms of the education program in all material respects, and the education program in operation reflects the material terms as defined in the charter contract, or amendments thereto.

Does Not Meet 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.

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

Meets Standard

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

- Providing a basic education including instruction in the essential academic learning requirements. RCW 28A.710.040 (2)(b); RCW 28A.150.210; RCW 28A.655.070; Spokane School District Charter Authorizing Policy No. 4197, Sec. IV.B.a; SPS 2015 Sample Charter School Contract Sec. 6.B.2.
- Cooperation in development of and compliance with non-academic components of annual performance targets. RCW 28A.655.110
- Instructional days or minutes requirements, as applicable. RCW 28A.150.220
- Graduation requirements. RCW 28A.230.090; WAC 180.51.067; SPS 2015 Sample Charter School Contract Sec. 6.B.7 and 6.D
- Participation in state assessments developed under RCW 28A.655.070, RCW 28A.710.040(2)(b); Spokane School District Charter Authorizing Policies No. 4197, Sec. IV.B.b. and No. 4421; SPS 2015 Sample Charter School Contract Sec. 6.B.2, 6.G, AND 9.B
- Implementation of mandated programming as a result of state or federal funding (e.g. IDEA, McKinney - Vento Homeless Assistance Act, Title III)

Does Not Meet 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.

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

Meets Standard

Consistent with the school's status as a Local Education Agency (LEA) for purposes of special education, the school materially complies with applicable state and federal laws, rules, regulations, and provisions of the charter contract (including but not limited to the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act, RCW 28A.155, RCW 28A.710.040, Spokane School District Charter Authorizing Policy No. 4197, Sec. IV.B.a, SPS 2015 Sample Charter School Contract Sec. 6.I and 9.B, and the school's local policies and procedures governing the education of students with disabilities, as approved by OSPI) relating to the treatment of students with identified disabilities and those suspected of having a disability. Areas for compliance include but are not limited to:

- Equitable access and opportunity to enroll
- Identification and referral
- Appropriate development and implementation of Individualized Education Plans and Section 504 plans
- Operational compliance, including provision of services in the least restrictive environment and appropriate inclusion in the school's academic program, assessments (with appropriate accommodations), and extracurricular activities
- Discipline, including due process protections, manifestation determinations, and behavioral intervention plans
- Access to the school's facility and program to students in a lawful manner and consistent with students' IEPs or Section 504 plans
- Appropriate use of all available, applicable funding

Does Not Meet 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.

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

Meets Standard

The school materially complies with applicable state and federal laws, rules, regulations, and provisions of the charter contract (including but not limited to Title III of the Elementary and Secondary Education Act [ESEA] as amended by the No Child Left Behind Act, U.S. Department of Education authorities, Title VI of the Civil Rights Act of 1964, the Equal Educational Opportunities Act of 1974 (EEOA), RCW 28A.180, Spokane School District Charter Authorizing Policy No. 4197, Sec. IV.B.a, and SPS 2015 Sample Charter School Contract Sec. 6.H and 9.B) relating to requirements regarding English Language Learners (ELLs). Areas for compliance include but are not limited to:

- Equitable access and opportunity to enroll
- Required policies related to the service of ELL students
- Compliance with native-language communication requirements
- Proper steps for identification of students in need of ELL services, including administering the Washington English Language Proficiency Test

- 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 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

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

Meets Standard

The school materially complies with applicable state and federal laws, rules, regulations, and provisions of the charter contract relating to financial reporting and compliance requirements (e.g., submits reports on time or within a reasonable grace period), as required by RCW 28A.710.040 (2)(e) and SPS 2015 Sample Charter School Contract Sec. 15 and 16, including but not limited to:

- Complete and on-time submission of financial reports, including annual budget, revised budgets (if applicable), quarterly or other periodic financial reports as required by the authorizer, and any reporting requirements if the board contracts with an Education Service Provider. WAC 108-30-040 (1)(c) and (3)-(4); Spokane School District Policies beginning at 6000; SPS 2015 Sample Charter School Contract Sec. 15.A, 15.D., 15.E., 15.H, and 15.K
- Appropriate financial controls, (e.g., internal control procedures for cash receipts, cash disbursements, and purchases). Spokane School District Policy No. 6020; SPS 2015 Sample Charter School Contract Sec. 15.B
- On-time submission and completion of the annual independent audit and corrective action plans, if applicable. RCW 28A.710.180(4); SPS 2015 Sample Charter School Contract Sec. 15.C
- On-time submission and completion of the state auditor's office audit and corrective action plans, if applicable. RCW 28A.710.180(4); SPS 2015 Sample Charter School Contract Sec. 15.H
- All policies and requirements issued by the Office of Superintendent of Public Instruction and Washington State Auditor's office concerning accounting for public school districts in the state of Washington. SPS 2015 Sample Charter School Contract Sec. 15.F
- The public school budget and accounting requirements, the Accounting Manual for School Districts, and the Administrative Budgeting and Financial Reporting Handbook. Spokane School District Policy Nos. 6000 and following; SPS 2015 Sample Charter School Contract Sec. 15.F
- Annual inventory of current assets. SPS 2015 Sample Charter School Contract Sec. 4.J

Does Not Meet Standard

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2b. *Is the school following Generally Accepted Accounting Principles (GAAP)?*

Meets Standard

The school materially complies with applicable state and federal laws, rules, regulations, and provisions of the charter contract relating to financial management and oversight expectations (including but not limited to RCW 28A.710.040 (2)(e), Spokane School District Policy No. 4197, Sec. IV.B.e, and No. 6020, and SPS 2015 Sample Charter School Contract Sec. 4.F, 15.A, and 15.F) as evidenced by an annual independent audit, including but not limited to:

- An audit devoid of significant findings and conditions, material weaknesses, or significant internal control weakness⁸
- An audit that does not include a going concern disclosure in the notes or an explanatory paragraph within the audit report⁹

Does Not Meet 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

3a. *Is the school governing board complying with governance requirements?*

Meets Standard

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

- Board policies, including those related to oversight of an Education Service Provider (ESP), if applicable. SPS 2015 Sample Charter School Contract Sec. 4.A, 5.B, and 9.I
- Board bylaws. SPS 2015 Sample Charter School Contract Sec. 4.B
- Open meetings laws. RCW 28A.710.040 (2)(h); RCW 42.30; Spokane School District Charter Authorizing Policy No. 4197, Sec. IV.B.h; SPS 2015 Sample Charter School Contract Sec. 4.K, 9.B and 9.D
- Maintenance of public records. RCW 28A.710.040 (2)(h); RCW 42.56; Spokane School District Charter Authorizing Policy No. 4197, Sec. IV.B.h; SPS 2015 Sample Charter School Contract Sec. 4.H and 9.B
- Contracting for services. Spokane School District Policy Nos. 6112 and 6210; SPS 2015 Sample Charter School Contract Sec. 5.A, 5.B and 9.I
- Code of ethics, including conflicts of interest. SPS 2015 Sample Charter School Contract Sec. 4.B, 4.E, 4.G, 9.B. and 9.I
- Board composition and/or membership rules. SPS 2015 Sample Charter School Contract Sec. 4.C
- Appropriate managerial procedures (e.g., a checking account, adequate payroll procedures, and an organizational chart). SPS 2015 Sample Charter School Contract Sec. 4.F
- Required Statement of Assurances

Does Not Meet 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.

3b. *Is the governing board holding the school management team accountable?*

Meets Standard

The governing board materially complies with applicable state and federal laws, rules, regulations, and provisions of the charter contract relating to oversight of the school management team, including but not limited to:

- (For schools contracting with education service providers [ESPs]) the school governing board is maintaining authority over management, holding it accountable for performance as agreed under a written performance agreement, and requiring annual financial reports of the ESP. SPS 2015 Sample Charter School Contract Sec. 5.B
- (For schools not contracting with ESPs) the school governing board is conducting oversight of the school management team that includes holding it accountable for performance expectations that may or may not be agreed to under a written performance agreement. WAC 108-30-020 (5)(d)
- (For all schools) the school governing board's willingness and skill in identifying issues with the school management team, taking corrective action, and implementing any corrective actions imposed by the authorizer. WAC 108-30-020 (5)(d)

Does Not Meet 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.

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

Meets Standard

The school materially complies with applicable state and federal laws, rules, regulations, and provisions of the charter contract relating to relevant reporting requirements to SPS, state, and/or federal authorities (e.g. Spokane School District Charter Authorizing Policy No. 4197, Sec. IV.B. and SPS 2015 Sample Charter School Contract Sec. 9.B), including but not limited to:

- Annual performance report. RCW 28A.710.040 (2)(f); RCW 28A.655.110; WAC 108-30-040 (1); Spokane School District Charter Authorizing Policy No. 4197 Sec. IV.B.f; SPS 2015 Sample Charter School Contract Sec. 8.B
- Data, documentation, or other evidence to establish compliance with the performance framework and terms of the charter contract. WAC 108-30-040 (1); SPS 2015 Sample Charter School Contract Sec. 9.O
- Attendance and enrollment reporting. RCW 28A.710.220 (1); Spokane School District Policy No. 3120; SPS 2015 Sample Charter School Contract Sec. 11.F
- Compliance and oversight. 26 U.S.C. 501(c)(3); WAC 108-30-040 (1); SPS 2015 Sample Charter School Contract Sec. 9.N and 9.O
- Notification of crisis situations. SPS 2015 Sample Charter School Contract Sec. 9.M
- Corrective action plans if applicable. WAC 108-30-040 (1)
- Additional information required by the authorizer. WAC 108-30-040 (1), (3) and (5); SPS 2015 Sample Charter School Contract Sec. 9.O and 20

Does Not Meet Standard

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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, PARENTS, AND EMPLOYEES

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

Meets Standard

The school materially complies with applicable state and federal laws, rules, regulations, and provisions of the charter contract 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). RCW 28A.710.050; WAC 108-30-020 (5)(b); Spokane School District Policy No. 3120; SPS 2015 Sample Charter School Contract Sec. 11.A
- Appropriate handling of student information that could be used in discriminatory ways or otherwise contrary to law. FERPA, 20 U.S.C. 1232(g); RCW 28A.710.040 (2)(a); WAC 108-30-020 (5)(b); SPS 2015 Sample Charter School Contract Sec. 4.I and 9.B
- Due process protections, privacy, civil rights, and student liberties requirements, including First Amendment protections and the Establishment Clause restrictions prohibiting public schools from engaging in religious instruction. RCW 28A.710.040(2)(a); WAC 392-400-215; Spokane School District Charter Authorizing Policy No. 4197.IV.B; SPS 2015 Sample Charter School Contract Sec. 9.B and 9.C
- McKinney - Vento Homeless Assistance Act.¹⁰ 42 U.S.C. §§11431 through 11435; SPS 2015 Sample Charter School Contract Sec. 9.B
- State nondiscrimination laws,¹¹ including RCW 49.60, (general prohibition on discrimination); RCW 28A.642 (prohibition of discrimination in public schools); WAC 392-190 (Equal Education Opportunity); RCW 28A.640 (sexual equality) Spokane School District Charter Authorizing Policy No. 4197. IV.B.a; SPS 2015 Sample Charter School Contract Sec. 9.B and 9.E
- Conduct of discipline (discipline hearings and suspension and expulsion policies and practices). WAC 108-30-020 (5)(c); SPS 2015 Sample Charter School Contract Sec. 6.J

Note: Proper handling of discipline processes for students with disabilities is addressed more specifically in Section 1c.

Does Not Meet 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.

4b. *Does the school's recurrent enrollment rate indicate equitable access to the school?*

Meets Standard

The school materially complies with applicable state and federal laws, rules, regulations, and provisions of the charter contract relating to state certification requirements as required. Recurrent enrollment rates are not significantly lower than the SPS average.

Does Not Meet 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.

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

Meets Standard

The school materially complies with applicable state and federal laws, rules, regulations, and provisions of the charter contract relating to state certification requirements as required in RCW 28A.410.025 (with exceptions specified in RCW 28A.150.203(7)) including, but not limited to, RCW 28A.710.040(2)(c), Spokane School District Charter Authorizing Policy No. 4197, Sec. IV.B.c, SPS 2015 Sample Charter School Contract Sec. 6.E, and Title II of the No Child Left Behind Act.

Does Not Meet 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.

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

Meets Standard

The school materially complies with applicable state and federal laws, rules, regulations, and provisions of the charter contract relating to employment considerations, including but not limited to the Family Medical Leave Act, the Americans with Disabilities Act, employment contracts, Title VII of the Civil Rights Act of 1964, and chapter RCW 28A.642 and 640, RCW 28A.710.040 (1)(a), Spokane School District Charter Authorizing Policy No. 4197, Sec. IV.B.a, SPS 2015 Sample Charter School Contract Sec. 9.E, 18.C. and 18.E.

Does Not Meet 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.

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

Meets Standard

The school materially complies with applicable state and federal laws, rules, regulations, and provisions of the charter contract, including but not limited to RCW 28A.400.303, relating to background checks of all applicable individuals (including staff and members of the charter community, where applicable). RCW 28A.710.040 (2)(d), RCW 28A.400.303; Spokane School District Charter Authorizing Policy No. 4197, Sec. IV.B.d; SPS 2015 Sample Charter School Contract Sec. 9.J and 15.D.

Does Not Meet 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

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

Meets Standard

The school materially complies with applicable state and federal laws, rules, regulations, and provisions of the charter contract relating to the school facilities, grounds, and transportation (e.g. SPS 2015 Sample Charter School Contract Sec. 13), including but not limited to:

- Transportation. RCW 28A.160; RCW 46.61.380; WAC 392-141; WAC 392-142 through 392-145; SPS 2015 Sample Charter School Contract Sec. 9.L
- Title II of the Americans with Disabilities Act. 42 U.S.C. 12131; SPS 2015 Sample Charter School Contract Sec. 11.B and 11.H
- Viable certificate of occupancy or other required building use authorization.
- Health code, safety code, and fire code requirements. WAC 246-366 (health and safety code); WAC 51-54A (building and fire code); SPS 2015 Sample Charter School Contract Sec. 11.H
- Maintaining and documenting requisite insurance coverage. Spokane School District Policy No. 6530; SPS 2015 Sample Charter School Contract Sec. 22

Does Not Meet 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.

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

Meets Standard

The school materially complies with applicable state and federal laws, rules, regulations, and provisions of the charter contract relating to safety and the provision of health-related services (RCW 28A.710.040 (2)(a), Spokane School District Charter Authorizing Policy No. 4197 Sec. IV.B.a, and SPS 2015 Sample Charter School Contract Sec. 9.B, 9.J, and 9.K) including but not limited to:

- Unsafe conditions and potential hazards. WAC 246-366-140¹²
- Health and screening requirements. RCW 28A.210
- Immunization. WAC 392-380
- Reporting of child abuse. RCW 26.44.030; SPS 2015 Sample Charter School Contract Sec. 9.J
- Accident prevention.
- Notification of criminal conduct to law enforcement. SPS 2015 Sample Charter School Contract Sec 9.K, 9.M, and 18.D
- School Safety plans (crisis management and response plans). RCW 28A.320.125; SPS 2015 Sample Charter School Contract Sec. 9.J
- Appropriate nursing services and dispensing of pharmaceuticals, if applicable.¹³
- Food service requirements, if applicable. WAC 246-366-130
- Other district services, if applicable

Does Not Meet 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.

5c. *Is the school maintaining and handling information appropriately?*

Meets Standard

The school materially complies with applicable state and federal laws, rules, regulations, and provisions of the charter contract relating to the maintaining and handling of information, (e.g., RCW 42.56 and SPS 2015 Sample Charter School Contract Sec. 4.i).

- Proper and secure maintenance of education records. FERPA, 20 U.S.C. 1232(g); 34 C.F.R. §99.33; RCW 42.56; RCW 28A.710.040 (2)(a); RCW 28A.605.030; WAC 108-30-020(5)(b); WAC 392-500; WAC 392-415-050 and the following provisions; Spokane School District Policy No. 3400; SPSPS 2015 Sample Charter School Contract Sec. 9.B and 9.G.
- Compliance with Public Records Act. RCW 42.56; RCW 28A.710.040 (2)(h); Spokane School District Charter Authorizing Policy No. 4197, Sec. IV.B.h and No. 6802; SPS 2015 Sample Charter School Contract Sec. 4.H and 9.B
- Transferring of student records. RCW 28A.195.070; RCW 28A.225.330; WAC 392-415-100; Spokane School District Policy No. 3400; SPS 2015 Sample Charter School Contract Sec. 9.G and 11.D
- Proper and secure maintenance of testing material. RCW 28A.635.040; WAC 181-87-060; SPS 2015 Sample Charter School Contract Sec. 9.B

Does Not Meet 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

6a. *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 contract that are not otherwise explicitly stated herein, including but not limited to requirements from the following sources:

- Mission specific goals that the school agreed to in its charter contract. WAC 108-30-020(3)(f) and (5)(a); WAC 108-30-020 (5)(f)
- Intervention requirements by the authorizer. RCW 28A.710.180; WAC 108-30-040(1)(e) and (3)-(5)
- Revisions to federal or state laws, state regulations, or WSCSC policy. RCW 28A.710.040 (2)(i) and (3); WAC 108-30-020 (5)(g); SPS 2015 Sample Charter School Contract Sec. 8.D and 9.A.
- Court orders and consent decrees, if applicable

Does Not Meet 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.