

# **The State of Charter Schools in Colorado 2004-05:**

*The Characteristics, Status, and  
Performance Record of  
Colorado Charter Schools*



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**Colorado Department of Education**

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*STATE OF CHARTER SCHOOLS  
IN COLORADO: 2004-05  
EXECUTIVE SUMMARY*

*Charter School Figures*

*The State of Charter Schools in Colorado: 2004-05* presents and analyzes data from the 2004-05 school year related to the characteristics of charter schools including student achievement and school performance.

There were 107 operating charter schools enrolling 36,872 students during the 2004-05 school year. This enrollment figure is equivalent to the fifth largest school district in the state. Since the last Charter School Study (2001-02), charter school student enrollment has increased by 49.5%. Today, there are 25,195 students on a charter school waiting list and 75.7% of responding charter schools have a waiting list.

*CSAP and Academic Achievement*

The Colorado Charter Schools Act specifically mandates CSAP examination of charter schools. Within the 2004-05 school year, charter school students outscored non-charter students on the CSAP reading and writing assessments in the early academic years (grades 3-5). Charter school students outscored non-charter students in 4<sup>th</sup> grade math. Charter and non-charter students scored similarly within the middle school years in reading (grades 6-8) and math (grades 3, 5-8). Charter school students performed below non-charter school students in writing (grades 6-10) and reading and math in the high school years (grades 9-10).

These CSAP results reflect two trends occurring within the charter school community. First being the type of students the charters serve. The majority of elementary school charters are attracting and serving high achieving students while the majority of high school charters are attracting and serving students who have struggled within the traditional academic system. Many of the high school charters enroll students who are drop-outs, who are academically challenged or are low-income and considered to be at-risk students.

The second trend accounting for the high achieving elementary school charters and the low achieving high school charters is extra curricular offerings. Within several of the successful schools who do offer K-8/9 grades, many students choose to leave the charter school and enroll in the traditional neighborhood school due to the extra curricular activities available only at the traditional school leaving behind students who are less academically flexible. Even within these successful charter schools, their CSAP at or above proficiency rates decline in the middle and high school years.

In the fall of 2005, the first group of “Gain-Maker” schools were recognized for having increased the percent of students scoring proficient and advanced on CSAP by 20% or more on average in a Reading, Writing, Math and Science over the past three academic years of 2003-2005. Charter schools represented 9% of Colorado’s Gain Maker schools for Reading, 9% of Colorado’s Gain Maker schools for Writing, 11% of Colorado’s Gain Maker schools for Math and 12.5% of Colorado’s Gain Maker schools for Science.

In addition, the first group of “Accomplished” schools were recognized for having consistently 90% or more of their students scoring proficient and advanced on CSAP in a subject area over the three academic years of 2003-2005. Charter schools represented 22% of Colorado’s Accomplished schools for Reading, 36% of Colorado’s Accomplished schools for Writing, 20% of Colorado’s Accomplished schools for Math and 66% of Colorado’s Accomplished schools for Science.

### ***Colorado Charter Schools Figures***

- ◆ Student enrollment - 36,872 students.
- ◆ Number of charter schools – 107.
- ◆ 6.2% of all Colorado Public Schools;
- ◆ 4.9% of total public school enrollment;
- ◆ Equivalent enrollment of the fifth largest school district in the state;
- ◆ 49.5% increase in enrollment since the 2001-02 Charter School Study; and
- ◆ 1.7% increase from the fall 2003.

### ***Charter School Characteristics***

#### *Size*

- ◆ Average enrollment - 344 students.
- ◆ 39% of Colorado’s charter schools enroll less than 200 students - that figure is down from 42% in the fall of 2001 and down from 52% in the fall of 2000.
- ◆ Range - 5 to 2,366 students.

#### *Grade Level Configuration*

73% of charter schools operating in 2004-05 fell out of traditional grade level configuration. These charter schools offered a program that served students continuously from elementary through middle school, or from middle school through secondary school, or throughout their public school experience. Of these schools:

- ◆ 14% (15 schools) served the elementary grades. Eight of those schools offered Pre-K, while the remaining seven schools served Kindergarten through the elementary through the elementary grades;
- ◆ 40.2% (43 schools) served elementary and middle school grades. Thirty-eight of those schools offered Kindergarten and the remaining five schools offered Pre-K;
- ◆ 4.7% (5 schools) served the middle school grades;
- ◆ 8.4% (9 schools) served the middle and high school grades;
- ◆ 15.9% (17 schools) served the high school grades;
- ◆ 11.2% (12 schools) served elementary, middle and high school grade levels; and
- ◆ 5.6% (6 schools) could not be categorized into any of the above. Examples of the student populations they serve are: 3-12th, K-10th, and students ages 16-20.

#### *Waiting List*

Of the responding charter schools:

- ◆ 75.7% have a waiting list;
- ◆ Number of Colorado students on a charter school waiting list - 25,195;
- ◆ Average waiting list size - 286 students; and
- ◆ Range - 2 to 5,657 students.



◆ *Authorizing Districts*

Of the state's 181 school districts:

- ◆ 24.7% have authorized charter schools; and
- ◆ 11 have authorized 3 or more charter schools.

*Creation Status of Charter Schools*

- ◆ 87% of charter schools were newly created schools.
- ◆ 8.6% of the charter schools were public school conversions.
- ◆ 4.3% of charter schools were formerly private schools.

*Mandatory Conversion*

- ◆ Cole Middle School is only school in Colorado to have undergone mandatory conversion. Denver Public Schools and KIPP entered into a contract for the operation through 2009.

*Enrollment Stability*

- ◆ Average rate of enrollment stability - 91.4%.
- ◆ Median rate - 94.8%.
- ◆ Range - 54.1% to 100%.

*Student Teacher Ratio*

- ◆ Average - 15.6 students per teacher.
- ◆ Median - 14.75 students per teacher.

*Educational Program*

77.5% of Colorado charter schools used a comprehensive national reform model as the foundation of their educational program. Of these schools:

- ◆ 53% used a comprehensive national reform model or 41% of the total cohort of schools operating in 2004-05 used Core Knowledge;
- ◆ 6% used reform model or 4% of the total cohort of schools operating in 2004-05 used Montessori;
- ◆ 10.8% used a comprehensive national reform model or 8.4% of the total cohort of schools operating in 2004-05 used Expeditionary Learning/Outward Bound;
- ◆ 4% used a reform model or 3% of the total cohort of schools operating in 2004-05 were affiliated with The Edison Project;
- ◆ Twenty-four charter schools implemented "homegrown" curricula, meaning the curriculum was developed by people within the school, often using a variety of curricula to fit their student population needs;
- ◆ Five charter schools operating in 2004-05 were implementing college prep curricula;
- ◆ Five implemented place based curricula; and

- ◆ Additional programs operating in Colorado charter schools: White Hat, KIPP, K-12, Mosaica, Small School, and William Glasser's Quality School Network.

#### *Assessment Tools*

Of the responding charters:

- ◆ 44.2% administered norm-referenced tests.
- ◆ 50.5% administered criterion-referenced tests.
- ◆ 72.6% administered performance assessments.
- ◆ 27.3% administered some other type of assessment.

### ***Characteristics of Charter School Students***

#### *Racial/Ethnic Students*

- ◆ 11,888 racial/ethnic minority students were enrolled in a charter school.
- ◆ This represents 32.2% of the total charter school enrollment.
- ◆ This percent has increased up from 27% in the fall of 2001.

#### *Student Eligibility for Free and Reduced-Price Lunch*

- ◆ 20.3% of charter students were eligible.
- ◆ Range - 0% to 100%.

#### *Students with Disabilities*

- ◆ Charter schools served 2,510 students with disabilities. This represents 6.8% of the total enrollment.

### ***Charter School Performance***

#### *CSAP*

The Colorado Charter Schools Act specifically directs that this report “shall compare the performance of charter school pupils with the performance of ethnically and economically comparable groups of pupils in other public schools who are enrolled in academically comparable courses.” To respond to this mandate, all students were placed into one of three free/reduced lunch eligibility bands:

- ◆ 0-33% eligible for free/reduced-price lunch;
- ◆ 33.1-66% eligible for free/reduced-price lunch; and
- ◆ 66.1-100% eligible for free/reduced-price lunch.

Within those three bands, students were then placed into one of two minority bands:

- ◆ 0-50% minority; and
  - ◆ 50.1-100% minority.
- ◆ Reading: Charter school students scored better than non-charter school students in reading in grades 3-5 and did as well as non charter students in grades 6-8. Non-charter school students performed better in grades 9 and 10.
  - ◆ Writing: Charter school students scored better than non-charter school students in grades 3-5. In grades 6-10, non-charter school students scored better.

- ◆ Math: In grades 3, 5, 6, 7 and 8, both charter and non-charter students scored similarly. In grade 4, charter school students performed better than non-charter students and in grades 9 and 10, non-charter school students performed better than charter school students.
- ◆ Science: Non-charter school students scored better than charter school students.

### *School Accountability Reports*

The 2003 SAR were used in this report. The 97 charter schools that were operating in 2002-03 issued 169 SARs:

- ◆ 22% received an “Excellent” rating;
- ◆ 22% received a “High” rating;
- ◆ 30% received an “Average” rating;
- ◆ 18% received a “Low” rating;
- ◆ 2% received an “Unsatisfactory” rating; and
- ◆ 6% received “No rating.”

### *Gain Maker Schools*

In the fall of 2005, “Gain-Maker” schools were recognized for having increased the percent of students scoring proficient and advanced on CSAP by 20% or more on average in Reading, Writing, Math and Science over the past three academic years of 2003-2005.

- ◆ Charter schools represented 9% of Colorado’s Gain Maker schools for Reading.
- ◆ Charter schools represented 9% of Colorado’s Gain Maker schools for Writing.
- ◆ Charter schools represented 11% of Colorado’s Gain Maker schools for Math.
- ◆ Charter schools represented 12.5% of Colorado’s Gain Maker schools for Science.

### *Accomplished Schools*

“Accomplished” schools were recognized for having consistently 90% or more of their students scoring proficient and advanced on CSAP in a subject area over the three academic years of 2003-2005.

- ◆ Charter schools represented 22% of Colorado’s Accomplished schools for Reading.
- ◆ Charter schools represented 36% of Colorado’s Accomplished schools for Writing.
- ◆ Charter schools represented 20% of Colorado’s Accomplished schools for Math.
- ◆ Charter schools represented 66% of Colorado’s Accomplished schools for Science.

## ***Colorado Charter School Teachers and Administrators***

### *Teacher Salaries*

The data reported under “Average Teacher Salary” in the 2003-04 SARs for several Jefferson County schools is questionable. For instance, one charter school reported average teacher salary as \$1,496. A second reported the Average Teacher Salary as \$9,342. While clarification from Jefferson County School District was sought, no response was provided. The questionable data impacts the following statistics and should therefore be used with caution.

- ◆ The average teacher salary of the charter schools was \$29,266.

- ◆ The average teacher salary in individual charter schools ranged from \$1,496 to \$43,385.
- ◆ The median salary was \$29,889.
- ◆ The average teacher salary in charter schools in 2003-04 was 32% less than the state average salary of \$43,319.

#### *Teacher Experience*

- ◆ Average experience - 6.1 years.
- ◆ Median - 6.0 years.
- ◆ Range - No experience to 17 years.

#### *Highly Qualified Teachers*

Data is based on the 2003-04 SAR and available for 52 of the charter schools and their sponsoring district.

- ◆ Average - 44% of teachers teaching the subject in which they received their degree.
- ◆ Range - 0% to 100% of teachers teaching the subject in which they received their degree.

#### *Tenure*

Data on the number of teachers employed by charter schools with tenure and without tenure were available for 96 charter schools.

- ◆ 88% of the teachers employed did not have tenure.
- ◆ 12% of the teachers employed did have tenure.
- ◆ The percentage of both teachers with and without tenure has not changed since 2001 (88% and 12% respectively).

#### *Number of Professional Development Days*

Data on the number of professional development days were available for 96 charter schools.

- ◆ Average - 7.6 days.
- ◆ Median - 6.0 days.
- ◆ Range - 2 to 26 days.

#### *Percent Teachers' Days Absent from School*

Data on the percentage of days charter school teachers were absent were available for 96 charter schools.

- ◆ Average - 2.8%.
- ◆ Median - 2.7%.
- ◆ Range - 0% to 10.5%.

#### *Charter School Administrator Salaries*

Data on administrator salaries were available for 87 of the 96 charter schools that reported data for the 2003-04 SAR.

- ◆ Average salary - \$57,883.
- ◆ Median - \$59,101.
- ◆ Range - \$16,570 to \$102,577.

Of the 87 schools for which data were available:

- ◆ 9.1% (8 schools) had average administrator salaries of less than \$40,000;
- ◆ 21.8% (19 schools) had average administrator salaries of \$40,000 - \$50,000;
- ◆ 36.8% (32 schools) had average administrator salaries of \$50,001 - \$65,000; and
- ◆ 32.3% (28 schools) had salaries of over \$65,000.

### ***Administration of Colorado Charter Schools***

#### *Governing Board Composition*

98 charter schools provided information about the composition of their governing boards during that year. Of these schools:

- ◆ 24% (23 schools) had a governing board comprised of parents, school staff (teachers and administrators, or teachers or administrators) and community members;
- ◆ 33% (32 schools) had a board comprised of parents and community members;
- ◆ 16% (16 schools) had a board comprised of parents only;
- ◆ 11% (11 schools) had a board comprised of parents and school staff (teachers and administrators or teachers or administrators);
- ◆ 8% (8 schools) had a board comprised of community members only;
- ◆ 2% (2 schools) had a governing board comprised of administrators or administrators and teachers; and
- ◆ 6% (6 schools) had a governing board comprised of community members and school staff.

#### *Board Policy Manual*

83.8% of responding charter schools maintained policy manuals. Of those charter schools:

- ◆ 84.6% kept a master copy of the policies in the office for review;
- ◆ 2.81% provided copies of board policies to the public upon request, free of charge;
- ◆ 14.1% provided copies of board policies to the public upon request, for a copying fee; and
- ◆ 24.3% made board policies available on the school website.

#### *Parent Involvement in Colorado Charter Schools*

Research has shown that parental involvement has a profound effect on student achievement. Students whose parents are involved in their education are more enthusiastic and confident learners and achieve at higher levels. In Colorado:

- ◆ 58% of the charter schools tracked parent participation.
- ◆ 88% of the charter schools regularly administered a parent satisfaction survey.
- ◆ 44% of the charter schools used a required parent contract to spell out the school's expectations of parents related to their involvement in the school and in their children's education.

### *Indicators of School Environment*

Data is based on School Accountability Reports. Comparisons among schools of the total number of disciplinary incidents can be misleading because the charter schools vary in size so dramatically. To adjust for school size, the total number of disciplinary incidents reported in each school's SAR was divided by the school's enrollment to produce a rate of disciplinary incidences.

- ◆ Average rate - 14.6%.
- ◆ Median - 5.7%.
- ◆ Range - 0 to 266%.

These indicators for school environment suggest an increase in charter school safety. The 2001-02 average rate of disciplinary incidents was 18.7%. The disciplinary incident rate ranged from 0% to 470% and the median rate was 5.7%.

### ***Renewals and Closures***

#### *Renewals*

Of the 98 charter schools who responded to the survey 72% (n=70) have completed a renewal process of their initial charter applications. Of these 70 schools, 63 provided information about the term of the renewal.

- ◆ 35% (22 schools) renewed their charter in 2005;
- ◆ 24% (15 schools) renewed their charter in 2004;
- ◆ 16% (10 schools) renewed their charter in 2003; and
- ◆ 26% (16 schools) renewed their charter in between 1999-2002.

#### *Closures*

- ◆ Colorado's charter school closure rate increased from 4% to 9% since 2001.
- ◆ Over half of these closures were voluntary.

### ***Selected Operational Issues***

#### *Facilities*

A Colorado Department of Education report found that while charter schools have been able to make the facilities work for their purposes, the space is usually no where near the quality of the traditional school space.

Of the 95 schools that reported data about their facilities:

- ◆ 41% leased or rented their facilities;
- ◆ 31% owned their own facilities; and
- ◆ 9% used facilities owned by the chartering district or made available for use by another organization.

74 schools provided data about the percentage of their total budget that was allocated to facility expenses (excluding regular maintenance).

- ◆ Average - 15.7% of their total budget.
- ◆ Range - 1% to 68% of their total budget.

### *Purchase of Services*

#### *From third party:*

- ◆ 60% purchased legal services;
- ◆ 54% purchased professional development services; and
- ◆ 50% purchased insurance services.

#### *From chartering district:*

- ◆ 69% purchased special education services;
- ◆ 53% purchased student assessment services;
- ◆ 47% purchased insurance services; and
- ◆ 46% purchased transportation services.

#### *Provided in-house:*

- ◆ 66% provided professional development services;
- ◆ 63% provided human resources services; and
- ◆ 55% provided custodial/building maintenance services.

#### *Services not provided:*

- ◆ 26% of the charter schools did not provide food services.

### *Transportation*

Of the 98 schools that responded to the question:

- ◆ 19% (18 schools) owned a 15 passenger vans used to transport students.
- ◆ Of that 19%, 83% (15 schools) had an agreement with the authorizing school district to maintain the vehicles.
- ◆ 53% of all charter schools had an agreement with the authorizing district to provide transportation for activity trips or route operations.

### *Federal Funds*

- ◆ 59% received Title II, High Quality Teachers and Technology;
- ◆ 56% received Title V, Schools of Choice funds;
- ◆ 43% received Title IV, Safe and Drug Free Schools and 21st Century Schools;
- ◆ 18% received Title I, Aid to High Poverty Schools;
- ◆ 7% received Title III, Limited English Proficiency funds; and
- ◆ 1% received Title X, Homeless Education funds.

### ***Charter Schools: Then and Now***

Thirteen people were interviewed. Their names were provided by the Colorado Department of Education. Seven of the interviewees represent the “old school.” The other six interviewees represent “today.”

#### *Initial Charter School Vision: 1991*

- ◆ For those who were proponents, choice was needed at a larger level. For those opposed to choice, the charter school legislation was an acceptable alternative to vouchers.
- ◆ During the early years, many of the school districts opening charters did not see charter schools as a threat. It was considered a sidebar program that served some niche school and political needs.
- ◆ As for parents, it was evident that they wanted some, any, school choice.

- ◆ Most interviewees never anticipated the demand charter schools would have in Colorado.

#### *Charter School Vision: 2005*

- ◆ Charter schools have come a long way since 1991. There are notable increments of success and setbacks.
- ◆ Some interviewees felt that the schools and districts have learned to work with the charter school idea.
- ◆ Other interviewees felt that the movement continues to face resistance from the school districts, special interest groups and certain legislators.
- ◆ Several interviewees praised their school district and community members for welcoming the educational reform.

#### *Accountability*

- ◆ The philosophy behind charter schools is to weave the many definitions and layers of accountability into a single mission that will result in academic success, and to also embed the layered accountability into the professional culture of the school.
- ◆ While most interviewees agreed that back in the early 1990's charters had limited accountability to themselves or the school districts, several stated that they felt they were being held accountable for standards the school district itself could not meet.
- ◆ Today, accountability is rigorous for both the schools and the districts. Charter schools are required to undergo yearly financial audits. They are required to submit data to the district and the state on matters such as enrollment, attendance, safety and discipline, teacher qualifications, tenure and student performance (information found on SAR). School funding (PPR) will be withheld if charter schools do not submit reports in timely manner.

#### *Finances*

- ◆ The original law stated that charter schools would receive 80% of the PPOR (per pupil operating revenue). However, many spoke of charges in addition to the 80%.
- ◆ Today the law allows charter schools to keep 100% PPR less up to 5% for district administrative services.
- ◆ While most believe the law is helpful, there are concerns about what school districts are charging under that 5%.
- ◆ Although the law requires the school district to be accountable for the 5%, few districts disclose the figures.
- ◆ Overwhelmingly, interviewees stated that challenging the district's use of the 5% can be dangerous for the charter school.
- ◆ Charter Schools must include financial operations as essential to what is considered prior to opening the schools' doors.

#### *Facilities*

- ◆ While, the philosophy behind facilities has changed over the past 10 years, it continues to be the biggest issue facing charter schools.
- ◆ A facility is one of the key factors to a charter school's success.

#### *Data Management / Data-Driven Decision Making*

- ◆ As charters mature, they find themselves caught up in the whirlwind of NCLB complexity around data.
- ◆ Tracking data can be a challenge. National data management programs are expensive.
- ◆ Several charters have been charged to use the districts data management system.



- ◆ Other charters follow unique data management programs, often created within the school.
- ◆ The challenges may prove to be worth the trouble. Several schools saw data management as a benefit to their school.

#### *Future Challenges*

- ◆ Many of the future challenges, addressed in this study, have been present in the charter community for years, but they played second fiddle to the start-up challenges.

#### *Future Challenges: Teacher Experience*

- ◆ Several interviewees expressed their concern about teacher qualification. Within charter schools, employing Highly Qualified Teachers can be difficult because of diverse educational philosophies.

#### *Future Challenges: Charter School Leader Experience*

- ◆ In the early years few charter schools have had the luxury of employing both education and business leader directors.
- ◆ There is the concern about the dwindling supply of both education and business applicants who are willing and capable to step into the leadership role.

#### *Future Challenges: Accountability for Authorizers*

- ◆ Today, the central role of the authorizer has become clear and it is now attracting the support and attention it requires.
- ◆ Reflecting on the experience, several interviewees spoke of the lack of accountability for authorizers.
- ◆ Interviewees suggested that CDE take a heavier hand against any unruly authorizers. However, Colorado is a local control state. While CDE agrees that there are unruly authorizers, it is not and can not be CDE's role to oversee each school district.
- ◆ An effective authorizer model for Colorado is still under development.

#### *Future Challenges: Mandatory Conversion Law*

- ◆ As stated in No Child Left Behind and Colorado law, schools that are in corrective status and continue to not make Adequately Yearly Progress (AYP) can be converted into a charter school.
- ◆ Most interviewees felt this law was unjust.
- ◆ Several interviewees provided alternative solutions to the failing traditional schools.

#### *Future Challenges: Mom and Pop vs. EMO/CMO*

- ◆ Ten years ago all charter schools were founded by parents and/or local grassroots efforts hoping to make a change to their local educational community. Today, Educational Management Organizations (EMO) and Charter Management Organizations (CMO) are growing and are being accepted as part of Colorado's educational community. Many EMOs and CMOs are for profit firms that provide educational services to public schools, most commonly charter schools.
- ◆ Support for EMOs is mixed.

#### *What Do the Next 10 Years Look Like?*

All interviewees felt that charters would continue to be part of the educational landscape. While some felt very optimistic, others expressed more caution.

### *Recommendations*

Recommendations have been clustered into one of three categories. System recommendations are for the state, legislators and the educational system as a whole. Authorizer recommendations are for school districts and charter recommendations are for individual charter schools.

#### *System Recommendations*

- ◆ Universities need to create programs for charter school leaders. These programs need to educate future leaders in business and education. Such programs should include: accounting, personnel, marketing, education and teaching skills.
- ◆ Examine ways to provide competitive wages to both teachers and leaders.
- ◆ Implement more on the job training. Create funding for such training.

#### *Authorizer Recommendations*

- ◆ School districts should become better aware of charter school best practice or have someone represent the district during such times.
- ◆ Charter liaisons working for the school district are not adequately trained or have had the charter schools dropped on their lap as an additional job description. There should be some type of training in best practices for these folks.
- ◆ Because data is so important and accountability is such an issue, there is the concern that charter schools are not getting adequate information from their District Assessment Coordinators (DAC).
- ◆ It is essential that all DACs be in contact and collaboratively work with the charter schools.
- ◆ There should be such an organization as an authorizers network - together authorizers can establish common best practices and be uniform.
- ◆ Many suggested that all districts should operate under one calendar and reports due should be formatted similarly.
- ◆ There needs to be better clarification of what districts can and can not charge under the 5%.

#### *Charter Recommendations*

- ◆ It is concerning how many interviewees were not familiar with their District Assessment Coordinators. Charters should know and work with their DAC.
- ◆ Charters should examine the 5% the district keeps and if questions and/or discrepancies arise, charters should not fear retribution.
- ◆ There needs to be consistency in record keeping for achievement and financial data.
- ◆ “Pick your battles. Know which issue is worth the fight and which issue to let go of.”

# ***PART ONE: INTRODUCTION***

## ***Purpose***

*The State of Charter Schools in Colorado: 2004-05* presents and analyzes data from the 2004-05 school year related to:

- ▶ The characteristics of charter schools, their students and teachers/administrators;
- ▶ Student achievement and school performance in charter schools;
- ▶ The governance and administration of charter schools;
- ▶ Charter school renewals and closures;
- ▶ Selected operational issues in charter schools; and
- ▶ A look at the charter school movement in Colorado 10 years after the Charter Schools Act passed.

## ***Methodology***

This descriptive evaluation rests on a review of student and school data maintained by the Colorado Department of Education (CDE) and/or individual charter schools. The evaluation did not involve site visits to the schools and did not require supplemental data collection by the schools.

The data analyzed in this report originated from the following sources:

- ▶ Charter school administrators completed a data request, in the form of an online survey, to provide information on various aspects of the school's program and operations for the 2004-05 school year. A copy of the data request is attached to this report as Appendix A.
- ▶ The Colorado Department of Education, Research and Evaluation Unit provided data regarding student enrollment; school demographics; administrator salary, education and experience; teacher salary, education and experience; and all data items reported in the 2003-04 School Accountability Reports (SARs).
- ▶ The Colorado Department of Education, Assessment Unit provided data related to the performance of charter school students and non-charter school students on the Colorado Student Assessment Program (CSAP).

The analysis of CSAP results in Part Six of this report was conducted using the Statistical Program for the Social Sciences (SPSS). The significance test used to determine statistical significance was a  $\chi^2$  test of association. This test has minimal assumptions, one being that at least five cases are expected in each "cell" in the analysis (e.g., charter school students who were proficient/advanced in grade 3 would constitute one cell). The purpose of this test is to detect whether there is an association between two categorical variables. In the analyses applied for this study, the two categorical variables were (1) charter or non-charter school and (2) proficient/advanced or unsatisfactory/partially proficient performance level on the relevant CSAP assessment. A conservative approach (association at  $p < .01$ ) was applied to declaring differences statistically significant between the performance of charter school students and non-charter school students on the various CSAP assessments administered during the 2004-05 school year. Comparisons were only made in instances where the sample of charter school students was 15 or greater.

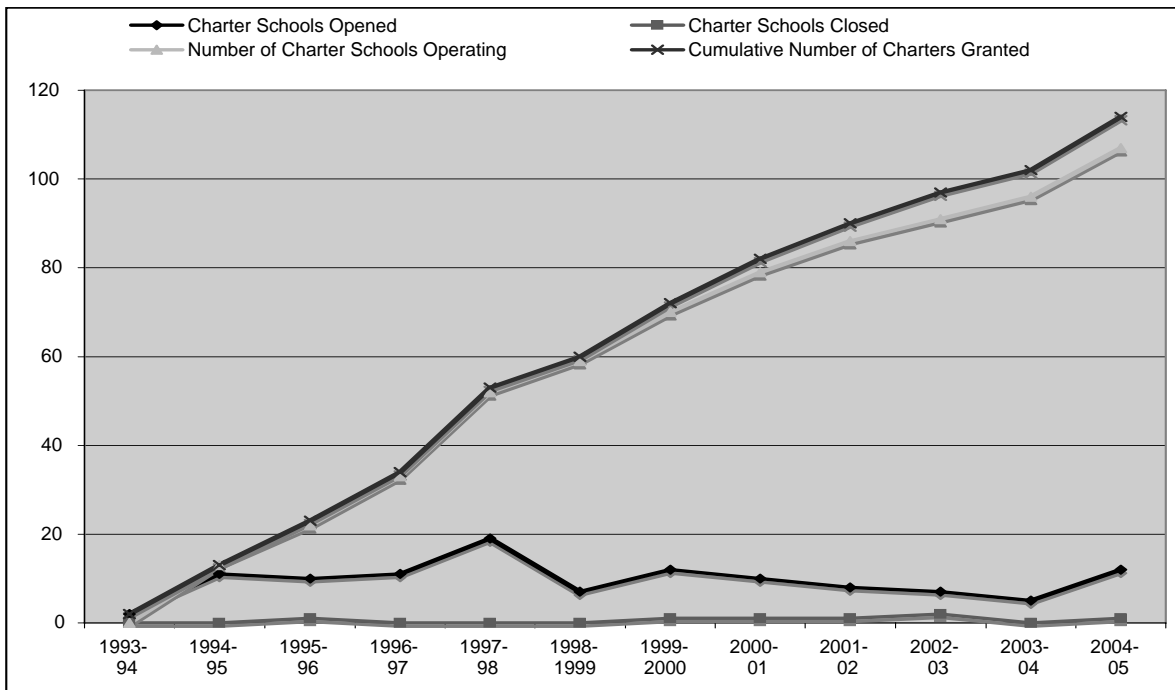
## Growth of Charter Schools in Colorado

As shown in Table 1, the number of charter schools operating in Colorado has increased steadily since the General Assembly enacted the Colorado Charter Schools Act.

**Table 1 - The Number of Charter Schools in Colorado by School Year**

Status of Charter Schools	1993-94	1994-95	1995-96	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05
Charter Schools Opened	2	11	10	11	19	7	12	10	8	7	5	12
Charter Schools Closed			1				1	1	1	2		1
Number of Charter Schools Operating		13	22	33	52	59	70	79	86	91	96	107
Cumulative Number of Charters Granted	2	13	23	34	53	60	72	82	90	97	102	114

**Figure 1 - Status of Charter Schools**



## ***Charter Schools That Operated in 2004-05***

During the 2004-05 school year, 107 charter schools operated in the state of Colorado. These schools served 36,872 students, an of 16.95 % from the total number of (31,529) served in the fall of 2003.

Charter school enrollment in 2004-05 represented 4.9 % of the total public school enrollment. Charter schools represented 6.2 Colorado public schools. If all of the charter were combined into an imaginary district, enrollment of that district would be the fifth in the state (Figure 2).

Jefferson County R-1		increase students
Denver County 1		
Cherry Creek 5		% of all schools the largest
Douglas County Re-1		
Charter Schools		
Adams 12		

### ***Charter schools operating in 2004-05, their authorizer and the year they opened***

- Academy Charter School (Douglas County School District, 1993)
- Academy of Charter Schools (Northglenn Thornton School District 12, 1994)
- Alta Vista Charter School (Lamar School District, 1998)
- Aspen Community School (Roaring Fork School District, 1995)
- Aurora Academy Charter School (Adams-Arapahoe School District 28J, 2000)
- Battle Rock Charter School (Montezuma-Cortez School District, 1994)
- Belle Creek Charter School (Brighton School District, 2003)
- Boulder Preparatory High School (Boulder Valley School District, 1999)
- Brighton Charter School (Brighton School District, 1998)
- Bromley East Charter School (Brighton School District, 2001)
- Carbondale Community Charter (Roaring Fork School District, 2002)
- Cardinal Community Academy (Keenesburg School District RE3J, 1999)
- Center for Discovery Learning (Jefferson County School District, 1994)
- Cesar Chavez Academy (Pueblo School District 60, 2001)
- Challenge to Excellence (Douglas County School District, 2002)
- Challenges, Choices and Images Learning Academy (Denver Public Schools, 2000)
- Cherry Creek Academy (Cherry Creek School District, 1995)
- Cheyenne Mountain Charter Academy (Cheyenne Mountain School District, 1995)
- CIVA Charter High School (Colorado Springs District 11, 1997)
- The Classical Academy (Academy School District 20, 1997)
- Collegiate Academy of Colorado (Jefferson County School District, 1994)

Colorado High School (Denver Public Schools, 1998)  
Colorado Virtual Academy (Northglenn-Thornton 12, 2003)  
Community Challenge School (Denver Public Schools, 2000)  
Community Prep Charter School (Colorado Springs District 11, 1995)  
Compass Montessori School (Jefferson County School District, 1998)  
Compass Montessori Secondary School (Jefferson County School District, 2000)  
The Connect School (Pueblo School District 70, 1993)  
Core Knowledge Charter School – Parker (Douglas County School District, 1994)  
Corridor Community Academy (Bennett 29 J, 2004)  
Crestone Charter School (Moffat County RE-2, 1995)  
Crown Pointe Academy (Westminster District 50, 1997)  
DCS Montessori Charter School (Douglas County School District, 1997)  
Deep River Charter School (Mesa CO Valley 51, 2004)  
Denver Arts and Technology Academy (Denver Public Schools, 2000)  
Denver School of Science & Technology Charter School (Denver Public Schools, 2004)  
Dinosaur Community Charter School (Moffat County RE-1, 2004)  
Dolores Huerta Preparatory High (Pueblo 60, 2004)  
Eagle County Charter Academy (Eagle County School District, 1994)  
Elbert County Charter School (Elizabeth School District, 1997)  
Excel Academy (Jefferson County School District, 1995)  
The EXCEL School (Durango School District 9-R, 1994)  
Free Horizon Montessori (Jefferson County School District, 2002)  
Frontier Academy (Greeley School District 6, 1997)  
Frontier Charter Academy (Calhan RJ-1 School District, 2001)  
GLOBE Charter School (Colorado Springs District 11, 1995)  
Guffey Community Charter School (Park County RE-2, 1999)  
Highline Academy (Denver Public Schools, 2004)  
Horizons K-8 Alternative School (Boulder Valley School District, 1997)  
Indian Peaks Charter School (East Grand School District 2, 2000)  
James Irwin Charter High School (Harrison School District 2, 2000)  
James Irwin Charter Middle School (Harrison School District 2, 2003)  
Jefferson Academy Elementary School (Jefferson County School District, 1994)  
Jefferson Academy Junior High School (Jefferson County School District, 1996)  
Jefferson Academy Senior High School (Jefferson County School District, 1999)  
KIPP: Sunshine Peak Academy (Denver Public Schools, 2002)  
Knowledge Quest Academy (Johnstown-Milliken RE 5, 2002)  
Lake George Charter School (Park School District RE-2, 1996)

Liberty Common School (Poudre School District, 1997)  
Life Skills Center of Colorado Springs (Colorado Springs 11, 2004)  
Life Skills Center of Denver (Denver Public Schools, 2003)  
Lincoln Academy Charter School (Jefferson County School District, 1997)  
Littleton Academy (Littleton School District, 1996)  
Littleton Preparatory Charter School (Littleton School District, 1998)  
Marble Charter School (Gunnison-Watershed School District, 1995)  
Model Charter School (Strasburg 31 J, 2004)  
Montessori Peaks Academy (Jefferson County School District, 1997)  
Monument Charter Academy (Lewis Palmer School District, 1996)  
Mountain View Core Knowledge School (Canon City School District, 1996)  
New America School (Adams 14, 2004)  
North Routt Community Charter School (Steamboat Springs School District, 2001)  
Northeast Academy (Denver Public Schools, 2004)  
The Odyssey School (Denver Public Schools, 1998)  
Omar D. Blair School (Denver Public Schools, 2004)  
Paradox Valley School (West End School District RE-2, 1999)  
Passage Charter School (Montrose County School District, 1997)  
Peak to Peak Charter School (Boulder Valley School District, 1999)  
Pikes Peak School of Expeditionary Learning (Falcon 49, 2004)  
Pinnacle Charter School (Northglenn Thornton School District 12, 1997)  
Pioneer Charter School (Denver Public Schools, 1997)  
Pioneer School for Expeditionary Learning (Poudre School District, 2001)  
Platte River Academy (Douglas County School District, 1997)  
Prairie Creeks Charter School (Strasburg School District, 1997)  
P.S. 1 (Denver Public Schools, 1995)  
Pueblo School for the Arts & Sciences (Pueblo School District 60, 1994)  
Ridge View Academy (Denver Public Schools, 2001)  
Ridgeview Classical School (Poudre School District, 2001)  
Rocky Mountain Academy of Evergreen (Jefferson County School District, 2001)  
Rocky Mountain Deaf School (Jefferson County School District, 1997)  
Roosevelt/Edison Charter School (Colorado Springs School District 11, 1996)  
Shivers Academy of Art, Science and Technology (Harrison 2, 1999)  
Skyland Community High School (Denver Public Schools, 2003)  
Southwest Early College Charter School (Denver Public Schools, 2004)  
Southwest Open School (Montezuma-Cortez School District, 1999)  
Stargate Charter School (Northglenn Thornton School District 12, 1994)  
Summit Middle Charter School (Boulder Valley School District, 1996)



Swallows Charter Academy (Pueblo School District 70, 1996)  
Twin Peaks Charter Academy (St. Vrain School District, 1997)  
Union Colony Preparatory School (Greeley School District 6, 1997)  
University Schools (Greeley School District 6, 1999)  
Ute Creek Secondary Academy (St. Vrain School District, 2000)  
Vista Charter School (Montrose County RE 1J, 2004)  
West End Learning Center Alternative School (West End School District, 1999)  
Windsor Charter Academy (Windsor School District RE4, 2000)  
Woodrow Wilson Academy (Jefferson County School District, 2000)  
Wyatt-Edison Charter School (Denver Public Schools, 1998)  
Youth & Family Academy (Pueblo School District 60, 1997)

All (100 %) of the charter schools that operated during the 2004-05 school year provided data for use in this report. However, not all schools filed a complete response to the request for data issued in connection with this study. Additionally, the Colorado Department of Education database did not contain data for every charter school on all the issues discussed in this report. Therefore, the number of schools reporting with respect to specific characteristics or performance issues varies depending on the source of the data and the response rate of the charter schools.



# ***PART TWO: COLORADO CHARTER SCHOOLS ACT***

## ***Overview of Colorado Charter School Laws***

Several statutes, described in detail below, govern the creation, operation and financing of charter schools in Colorado. The basic statute, the Colorado Charter Schools Act, Colorado Revised Statutes (C.R.S.) §§ 22-30.5-101 *et seq.*, sets forth the legislature’s purpose in establishing charter schools; establishes regulations for operating charter schools; sets forth procedures for applying for a charter from a local school district; provides for the required contents of charter school contracts; establishes a process for appealing adverse decisions of the local board of education to the State Board of Education (also referred to as the “State Board”); states the standard for revoking and renewing charter school contracts; and establishes the procedures pursuant to which local districts provide funding to their charter schools.

The Independent Charter Schools Act, C.R.S. §§ 22-30.5-301 *et seq.*, establishes the procedures for creating an independent charter school to assume the operation of public schools that receive “unsatisfactory” performance ratings for an extended period of time.

The legislature passed C.R.S. § 22-54-124 to establish a means for providing state aid to charter schools for their capital construction needs. The Colorado Cultural and Educational Facilities Authority Act, C.R.S. §§ 23-15-101 *et seq.*, enables the Authority to issue tax exempt bonds on behalf of Colorado charter schools, and the Charter School Capital Facilities Financing Act, C.R.S. §§ 22-30.5-401 *et seq.*, provides mechanisms for enhancing the credit of Colorado charter schools by (a) establishing a system for the state treasurer to pay directly to bond trustees the principal and interest on Colorado charter school bonds; (b) establishing a bond reserve fund to secure charter school bond obligations; and (c) extending the “moral obligation” of the state of Colorado to back the bonds of certain charter schools that have investment grade credit ratings. The Act also provides a means for charter schools to participate in school district bond or mill levy override elections.

The Institute Charter Schools Act, C.R.S. §§ 22-30.5-401 *et seq.*, establishes the Colorado Charter School Institute as an alternative chartering authority for charter schools in districts that do not retain exclusive chartering authority. The Act provides procedures for the State Board to review, grant and revoke exclusive chartering authority status to school districts; establishes the Institute’s board of directors; sets forth the Institute’s mission, powers and duties; establishes procedures for the operation of Institute charter schools and the process for applying for an Institute charter; creates a process for appealing adverse decisions of the Institute to the State Board; and provides for the funding of Institute charter schools.

## ***The Charter Schools Act***

### ***Purpose***

The Charter Schools Act declares that:

- ▶ The citizens of the state have an obligation to create schools that have high expectations.
- ▶ The best education decisions are made by those who know the students best, and therefore educators and parents have a right and responsibility to participate in the education institutions that serve them.

- ▶ Different students learn differently (rejecting the “one size fits all” approach to education).<sup>1</sup>

Based upon these findings, the legislature declared that its purpose in enacting the statute is to:

- ▶ Improve learning by creating schools with high, rigorous standards.
- ▶ Increase learning opportunities for all students, especially low-achieving students.
- ▶ Encourage diverse approaches to learning and the use of different, innovative, research-based or proven teaching methods. The Act makes it clear that a charter school need not have a new or innovative approach to education and encourages the formation of research-based and proven methods as much as different or innovative methods.
- ▶ Promote the development of longitudinal analysis of student progress in addition to participation in the CSAP.
- ▶ Create new employment options for educators, including the opportunity to be directly responsible for student achievement.
- ▶ Give parents expanded educational choices for their children.
- ▶ Encourage parental and community involvement with public schools.
- ▶ Address the formation of research-based schools with proven programs.
- ▶ Hold charter schools accountable for the progress of their students.
- ▶ Provide an avenue for citizens to participate in the educational process.
- ▶ Provide citizens with multiple avenues to obtain authorization for a charter school.<sup>2</sup>

### ***General Provisions***

A charter school is a public, nonsectarian, nonreligious, non-home-based school that operates as part of the district that grants its charter. Except for online schools, a majority of the school’s students must live in the chartering district or in contiguous districts. Each charter school is accountable to its local board of education. Charter schools are subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special educational services and must be open to any child who resides within the school district. However, charter schools are not required to alter the structure or arrangement of their facilities except as required by state or federal law. Enrollment decisions must be made in a non-discriminatory manner, as specified in the charter school application.<sup>3</sup>

Each charter school is administered by a governing body in a manner agreed to in its contract with its chartering district. Charter schools may organize as nonprofit corporations while retaining their status as public schools, but are not required to do so. Each charter school must obtain an annual audit. The legislature has declared that charter schools shall be considered “governmental entities” for purposes of tax-exempt financing; however, under federal law Colorado charter schools are not eligible to issue tax-exempt bonds and must access tax-exempt financing through other means. Financial obligations of a charter school are not obligations of its chartering district.<sup>4</sup>

Charter schools may not charge tuition for K-12 programs and services, but may charge for before and after school services, extended day kindergarten, or pre-kindergarten classes.<sup>5</sup>

Charter schools operate free from school district policies and state laws and regulations as specified in their charter contracts. Local boards of education may waive the application of their regulations without seeking approval of the State Board of Education. The State Board of Education may waive state statutory requirements and rules promulgated by the State Board, except those related to the state assessment program and the School Finance Act. The State Board of Education is required to promulgate rules giving charter schools automatic exemptions from certain state laws, and each school and its chartering district may request waivers for other state laws that are not automatically waived.<sup>6</sup>

Charter schools are responsible for their own operations, including preparation of budgets, contracting for services, facilities and personnel matters. Charter schools may, at their discretion, contract with their authorizing districts for the purchase of district services. Authorizing districts are required to provide such services to the charter school at cost. Authorizing districts may not charge charter schools rent for district facilities deemed available as negotiated by contract. A charter school may offer any educational program that a school district may offer. Charter schools have standing to sue and be sued in their own name for purposes of enforcing any contract.<sup>7</sup>

Charter schools, like all public schools, are not subject to local zoning and building regulations. Charter schools must make all decisions regarding the planning, siting and inspection of charter school facilities in accordance with the provisions of C.R.S. § 22-32-124(1.5). This statute requires a charter school to advise the local planning department of its plan to construct a facility. The planning department then has 10 days to request a site development plan from the charter school. The planning department then has 30 days to review the plan and comment on it. If the planning department is not satisfied with the charter school's responses to its comments, it may request a hearing before the charter school's authorizing district. The local board must hold a hearing within 30 days and make a final decision on whether the charter may proceed to construct its facility. Building inspections for charter schools are performed by the Colorado Department of Labor's Division of Oil and Public Safety.

### ***Charter School Applications and Contracts***

A charter school application must specify:

- ▶ A mission statement, goals, objectives and performance goals for students in the school;
- ▶ Evidence that an adequate number of parents, teachers and students support the formation of the charter school;
- ▶ A detailed description of the school's research-based and proven educational program, pupil performance standards, and measurable annual achievement goals that are based upon state accreditation indicators;
- ▶ A description of the manner in which the charter school will collect and use longitudinal assessment data;
- ▶ A description of the charter school's procedures for taking corrective action in the event pupil performance falls below goals;
- ▶ Evidence that the charter school's plan is economically sound, a proposed budget and a description of the annual audit process;
- ▶ A description of the governance and operation of the charter school;
- ▶ An explanation of the relationships that will exist between the proposed charter school and its employees;
- ▶ The employment policies of the school;
- ▶ A proposal regarding the parties' respective legal liability and applicable insurance coverage;
- ▶ A description of how the charter school plans to meet the transportation needs of its students;

- ▶ A description of the school’s enrollment policy; and
- ▶ A third-party dispute resolution process to resolve disputes that may arise concerning the implementation of the charter contract.<sup>8</sup>

Private or nonpublic home-based educational programs cannot be converted into public schools.<sup>9</sup>

A charter applicant is not required to provide personal identifying information concerning any prospective parent, teacher or pupil prior to the approval of the charter and the actual hiring of the teacher or enrollment of the student.<sup>10</sup>

The Act contains specific timelines for submission and review of charter applications, which the charter applicant and the chartering district may waive by mutual agreement. Local boards of education may determine the date (between August 15 and October 1) by which charter applications must be submitted. No application fee may be charged. If an application is incomplete, the board will request the necessary information from the charter applicant and give the applicant a reasonable opportunity to provide the requested information. The school district’s accountability committee must review each application before the board of education considers it.<sup>11</sup>

The accountability committee must include one person with demonstrated knowledge of charter schools and one parent or guardian of a child enrolled in a charter school in the district. The local board is required to hold at least two community meetings on the proposed charter and must rule on the application within 75 days of the time it is filed. The charter school and the school district must finalize their contract within 90 days of the time the board of education approves an application. If the local board denies the application or imposes unacceptable conditions on the application, the applicant may appeal to the State Board of Education.<sup>12</sup>

An approved charter application serves as the basis for the contract between the charter school and the chartering district. The contract shall reflect all agreements regarding waivers of district policies and shall include a statement regarding how the charter school will comply with the intent of district policies and state laws that are waived. The contract must reflect how the charter school plans to spend the one percent increase in funding mandated by Amendment 23 (i.e., section 17 of Article IX of the Colorado Constitution).

The charter school contract must specify:

- ▶ The manner in which the district will support start-up facilities needs for new charters and long-term facilities needs for established charters;
- ▶ How the charter can take advantage of access to district bond questions or separate mill levy questions at the next bond election; and
- ▶ The financial information the school must provide the district and the deadlines for providing it and the circumstances under which the district may withhold part of the school’s payment pursuant to C.R.S. § 22-30.5-112(8).

The contract between the charter school and the district must reflect all agreements regarding the waiver of school district policies and requests for waivers from state regulations and statutes. Within 10 days after the local board of education approves the contract, the local school board will deliver any request for release from state statutes and regulations to the State Board. Within 45 days after receiving a request, the State Board will grant or deny the request in writing. The board must make any denials in writing. If

the local board of education and the charter school do not receive notice of the State Board's decision within 45 days after submittal of the request for release, the request is deemed granted.

Material revisions of the terms of the contract can be made only with the approval of the local school board. A charter school cannot be forced to waive its right to receive the financing to which it is entitled under the Act, and any contract provision that purports to do so is void as against public policy.<sup>13</sup>

A chartering authority may not impose an enrollment cap on the charter school. However, the chartering authority and the school may negotiate and agree to an enrollment cap necessary to facilitate the success of the school's students, facilitate the school's other goals and objectives, or ensure that enrollment does not exceed the capacity of the school's facility.<sup>14</sup>

The Charter Schools Act requires each charter school and its chartering district to agree on a neutral third-party dispute resolution process to resolve disagreements that may arise concerning implementation of the charter contract. Either party may appeal the decision of the third party to the State Board of Education.<sup>15</sup>

### ***The Appeal Process***

The State Board of Education may review decisions of any local board of education concerning charter schools upon receipt of a notice of appeal or upon its own motion.<sup>16</sup>

Under the Act's appeal procedures, the decision of a local board of education to deny, to refuse to renew, to revoke a charter or to unilaterally impose conditions that are unacceptable to the charter school or charter applicant, must be appealed by filing a written notice with the State Board of Education within 30 days of the decision. Within 60 days of receipt of the notice of appeal, the State Board is required to hold a public hearing to review the decision of the local board and make findings. If the State Board finds the local board's decision was contrary to the best interest of the pupils, school district or community, it must remand the decision to the local board with written instructions to reconsider.

The local board must reconsider its decision within 30 days of the remand and make a final decision. If the local board's decision is still adverse, a charter applicant or operator may file a second appeal within 30 days of the final decision by the local board. Within 30 days of the receipt of the second notice of appeal, the State Board is required to hold a second hearing and determine whether the local board's decision was contrary to the best interests of the pupils, school district or community. If such a finding is made, the State Board must remand the local board's final decision with instructions to approve the charter application. The State Board's decision is final and not subject to appeal.<sup>17</sup>

Instead of the first appeal to the State Board, the parties may agree to facilitation. Within 30 days after denial, non-renewal or revocation, the parties may file a notice of facilitation with the State Board. Facilitation will continue as long as both parties agree to its use. If one party substantially rejects facilitation, the local board of education will make a final decision and the charter applicant may file an appeal to the State Board.<sup>18</sup>

### ***Charter Term, Revocation and Renewal***

New applications shall be approved by the local school district for a term of at least three years and the charter may be renewed for successive periods. The charter school must submit a renewal application to the local board no later than December 1 of the year prior to the academic year in which a charter will expire. The local board of education is required to rule on the renewal application no later than the following February 1 or a mutually agreed upon date. A renewal application must contain a progress

report on the charter school and a financial statement that discloses the costs of operating the charter school.<sup>19</sup>

The local board of education may revoke or not renew a charter for the following reasons:

- ▶ The charter school committed a material violation of the conditions, standards or procedures in the charter application;
- ▶ The charter school failed to make reasonable progress toward achieving the content or pupil performance standards set forth in its application;
- ▶ The charter school failed to meet generally accepted standards of fiscal management; and
- ▶ The charter school violated any provision of law from which the charter school was not specifically exempted.<sup>20</sup>

The local board's decision must state its reasons for revoking or not renewing a charter. Any decision not to renew a charter is subject to appeal.<sup>21</sup>

### ***Employee Options***

A teacher employed by a chartering district who is hired by a charter school is considered to be on a one-year leave of absence from the chartering district. The teacher and the district may agree to renew the leave for two additional one-year periods. At the end of this period, the district has the authority to determine the relationship between it and the teacher and provide notice to the teacher. The local board of education also has the authority to determine the status of school district employees who worked in charter schools and later seek re-employment with the district. Employees of charter schools are members of the Colorado Public Employee Retirement Association or the Denver Public Schools' Retirement Association.<sup>22</sup>

### ***Transportation Plan***

If a charter school's contract includes a provision for transportation services by the authorizing district, the charter school and the district are required to collaborate in developing a transportation plan to use school district equipment to transport students enrolled in the charter school to and from school and any extracurricular activities. The plan may include development of bus routes and plans for sharing the use of school district equipment for the benefit of students enrolled in charter schools of the district and students enrolled in other schools of the district.<sup>23</sup>

### ***Finance Issues***

Pupils enrolled in a charter school are included in the pupil enrollment, the on-line pupil enrollment and the preschool enrollment of the chartering school district. The chartering district is required to report its charter enrollment to the Colorado Department of Education and identify each charter school eligible for state aid for capital expenditures.<sup>24</sup>

The Act requires the charter school to negotiate funding levels with its chartering district as part of their contract. The charter school is entitled to a minimum of one hundred percent of per pupil revenues (or per pupil on-line funding for on-line charter schools). The district may choose to retain the actual amount of the charter school's per pupil share of central administrative overhead costs for services actually provided to charter schools, up to five percent of the district per pupil revenue.<sup>25</sup> The Act specifically defines the cost items that can be included in overhead.<sup>26</sup> Each charter school is required to transfer a specified amount for each student enrolled into funds that the school can use only for capital reserve or risk management purposes.<sup>27</sup>



Within 90 days after the end of each fiscal year, each school district shall provide each charter school within its district an itemized accounting of its central administrative overhead costs and the actual cost of district provided services. Any difference between the amount initially charged to the charter school and the actual costs will be reconciled and paid to the owed party. Either party may request a third-party review of the itemized accounting at the requesting party's expense. The Colorado Department of Education will conduct the review and its determination will be final.<sup>28</sup>

Each school district must provide federally required educational services to students enrolled in charter schools on the same basis as such services are provided to students enrolled in other public schools in the district. Unless the charter school and the chartering district negotiate an alternate arrangement, the charter school will reimburse the school district (on a per pupil basis) for the costs incurred by the district in providing federally required educational services.<sup>29</sup>

The funding for a charter school shall be reduced by the amount paid on behalf of the charter school to pay principal and interest on the charter school's bonds by the state treasurer or the local district under the "direct pay" provision of C.R.S. § 22-30.5-406.<sup>30</sup>

The charter school may, at its discretion, contract with the school district for direct purchase of district services in addition to those included in central administrative overhead. The costs of these services are to be determined by dividing the district's cost by its total enrollment and multiplying this rate by the enrollment of the charter school.<sup>31</sup>

The charter school and the district shall negotiate the "direct costs" incurred by the district. "Direct costs" means the costs of reviewing the charter application, negotiating with the school and providing oversight. The district may not withhold monies from the school if it does not agree on the amount of direct costs. The district must provide the school with an itemized accounting of direct costs.<sup>32</sup>

If the charter school has contracted to provide federally required educational services, it is entitled to a proportionate share of federal and state monies received by the district for these services. The charter school is entitled to its proportionate share of other categorical aid programs.<sup>33</sup>

The governing body of the charter school is entitled to accept gifts and donations. Monies remaining in the charter school's account at the end of a budget year remain the property of the charter school and do not revert back to the district.<sup>34</sup>

Charter schools are required to comply with all the same financial and budget rules with which the chartering district must comply. Under certain circumstances the district may withhold the charter school's funding for failure to comply with financial reporting requirements. The district may withhold the payment only until the charter school complies with the financial reporting requirement.<sup>35</sup>

A charter school may seek a determination from the State Board concerning whether the district improperly withheld any amount due to the charter school under the financing guidelines. A charter school may also seek a determination from the State Board that a district has failed to pay excess costs for educating a child with a disability.<sup>36</sup>

## ***Independent Charter Schools and Mandatory Conversions***

In 2000 the legislature enacted amendments to the accountability provisions of the Colorado Education Code. The statute requires the State Board of Education to notify the local board of education with authority over any school that receives an “unsatisfactory” performance rating on its school accountability report and require the local board to adopt a school improvement plan for the school.<sup>37</sup> If the school still receives an “unsatisfactory” rating after the second year of operation under the school improvement plan, the State Board of Education is required to recommend that the school be converted into an “independent charter school” pursuant to the provisions of C.R.S. §§ 33-30.5-301 *et seq.* However, under certain conditions where the school has shown improvement, the school is entitled to an additional year of operation under the school improvement plan.<sup>38</sup>

When a mandatory charter conversion becomes necessary, the State Board is required to issue a request for proposals on or before January 15 of the year in which the independent charter school is to be organized, soliciting proposals from parties interested in forming a school.

A proposal to form an independent charter school shall include, at a minimum:

- ▶ Evidence that the applicant has prior experience improving student performance;
- ▶ The goals, objectives, and student performance standards to be achieved by the school;
- ▶ A description of the proposed school’s education program and curriculum;
- ▶ A plan for evaluating student performance and taking corrective action;
- ▶ Evidence that the applicant is economically sound;
- ▶ A list of rules and statutory requirements for which the proposed school seeks waivers;
- ▶ A description of the governance and operation of the proposed school;
- ▶ A description of the relationship between the proposed school and its employees and its employment policies;
- ▶ A proposal for dealing with legal liability and insurance issues;
- ▶ A plan for transporting students; and
- ▶ The school’s enrollment policy.<sup>39</sup>

The Commissioner of Education is responsible for establishing a committee to review the proposals submitted in response to the request for proposals. The committee consists of the commissioner or his designee, a member of the local board of education involved, a licensed professional from the school, two parents from the school’s advisory council, a school principal and a teacher from schools that have received “excellent” ratings, and a business representative from the neighborhood of the school. The committee shall make a recommendation to the State Board regarding each proposal received, and the State Board shall designate an applicant to the local board of education. The designee is then required to enter into a charter contract with the local board before May 30 of the year in which the school is to begin operations.<sup>40</sup>

The response to the request for proposals is considered a charter application. The contract between the local district and the State Board’s designee may vary from the application, but the designee shall have the right to use the existing school’s facility. The independent charter school’s contract shall have a four year term.<sup>41</sup> If the independent charter school’s performance rating during the third year of its operation is “low” or “unsatisfactory,” the State Board is required to issue a request for proposals for a new independent charter school to operate the school. If the school’s rating is above “low,” the parents of the students at the school are entitled to vote whether to continue as a charter school or to return to regular school status.<sup>42</sup>



## ***Facility Financing***

### ***Generally***

Charter schools generally fund their facility needs from the revenues they receive from their chartering authority. These revenues include “mandatory transfer” amounts that may be allocated to the charter school’s capital reserve fund for the purpose of funding facility costs.

### ***State Aid***

State aid for capital needs comes in the form of a 2001 amendment to the School Finance Act. Pursuant to this amendment, a qualified charter school is entitled to receive from its district monies for capital construction in an amount equal to the percentage of the district’s certified charter school pupil enrollment that is attributable to pupils expected to be enrolled in the qualified charter school multiplied by the total amount of state education fund monies distributed to the district pursuant to C.R.S. § 22-54-124.<sup>43</sup> For the 2004-05 budget year qualified charter schools received \$171.06 per student to help defray their capital construction costs.

### ***CECFA Bonds***

In 1998 the legislature amended the statute authorizing the Colorado Postsecondary Educational Facilities Authority.<sup>44</sup> The new law changed the name of the Authority to the Colorado Educational and Cultural Facilities Authority (CECFA) and authorized the Authority to issue tax exempt bonds on behalf of Colorado charter schools. Several charter schools have taken advantage of this law to gain access to the tax exempt bond market to finance land acquisition and building construction. CECFA is not financially liable for any of the bonds it issues on behalf of charter schools. Bondholders look solely to the credit of individual charter schools and the security provided by a mortgage on the financed facility for payment of principal and interest on the bonds. Charter schools pay principal and interest using their general operating funds, capital reserve funds, and any capital assistance funds provided by the state.

In 2002 the legislature enacted the Charter School Capital Facilities Financing Act to help Colorado charter schools meet their facility financing needs. The Financing Act has three key provisions that enhance the creditworthiness of Colorado charter schools (thereby reducing borrowing costs) when they access the bond market. The first provision is the “direct payment” provision, pursuant to which payments to bondholders are diverted by the state treasurer directly to the bond trustee. This provision ensures bondholders that their principal and interest payments will come directly from the State of Colorado without passing through the accounts of the charter authorizer or the charter school.

The second provision establishes a debt reserve fund to enhance CECFA bonds issued for charter schools. If a qualified charter school defaults on its bonds, the state treasurer is authorized to pay principal and interest on the defaulted bonds from the reserve fund.

The third provision establishes a so-called “moral obligation” on the part of the state to replenish the debt reserve fund of any qualified charter school that has defaulted on its bonds. To qualify for participation in this program a charter school must have a stand-alone credit rating of at least investment grade by a nationally recognized credit agency. While this provision does not create a legally enforceable obligation on the part of the state, it gives bondholders additional assurance that the state intends to appropriate funds to cure bond defaults by qualified charter schools. This moral obligation provision has allowed

qualified Colorado charter schools to obtain very favorable ratings from bond rating agencies, which allows them to lower their borrowing costs substantially.<sup>45</sup>

### ***Participation in District Bond and Mill Levy Override Elections***

The Charter School Capital Facilities Financing Act also contains provisions allowing charter schools to petition their authorizing districts to include them in their bond and mill levy override elections.<sup>46</sup>

A charter school seeking to participate in a district ballot question must submit a capital construction plan to the board of education of the local district. The board of education is required to review the plan and make a determination concerning whether the charter school has established a need to fund its capital construction through bonded indebtedness or a mill levy override. If the board determines that the charter school has established a need, it may include the charter school in the bond question or submit a special mill levy override question on behalf of the charter school. If the board rejects the charter school's plan, it need not include the school in its bond question. However, if the charter school requests and agrees to pay its share of expenses, the board must submit a special mill levy question to the voters on behalf of the charter school.

### ***Bond Proceeds Allocation by Districts***

Some Colorado districts have worked voluntarily with their charter schools to allocate a portion of the proceeds of their bonds to charter school capital needs.

## ***Colorado Charter School Institute***

### ***General Provisions***

In 2004 the legislature established the State Charter School Institute to provide charter school applicants an alternative venue for obtaining approval of their charter school. The Institute is authorized to receive charter school applications; to convert certain school district charter schools into Institute charter schools; to approve or deny charter school applications; to revoke, renew, or refuse to renew Institute charter school contracts; and to monitor the operations of Institute charter schools.<sup>47</sup>

For purposes of federal law, the Institute is considered the "local education agency" for purposes of special education issues,<sup>48</sup> and the Institute is considered an "administrative unit" for purposes of the Exceptional Children's Educational Act.<sup>49</sup>

The Institute is responsible for monitoring the fiscal management of each Institute charter school. Each school is required to obtain a report from an independent auditor each fiscal year. The Institute is required to report financial information to the State Board in the same manner as local school districts. The Institute and schools chartered through it are deemed part of the thorough and uniform system of free public schools established by the state constitution.<sup>50</sup>

### ***Exclusive Chartering Authority***

The Institute may grant charters only to schools that are located in districts that have not retained exclusive chartering authority pursuant to the Act. In districts that have not retained exclusive chartering authority, the district and the Institute shall have concurrent chartering authority.<sup>51</sup>

To retain exclusive chartering authority a local board of education must submit on or before March 1 of each year a resolution indicating its intent to retain such authority. The State Board is required to grant exclusive chartering authority to a local district if the board finds after notice and a hearing that the district has provided “fair and equitable” treatment to charter schools during the previous four years. To obtain this certification the local district must demonstrate that it has complied with the Charter Schools Act, which at a minimum means:

- ▶ The district has complied with the laws concerning charging “central administrative overhead.”
- ▶ The district has complied with the provision of the Charter Schools Act allowing charter schools to purchase services from the district at cost.
- ▶ The district has not imposed a charter school moratorium or district-wide charter school enrollment limit.
- ▶ The district has complied with all valid orders of the State Board.
- ▶ The district has demonstrated any combination of (a) sharing in district mill levy overrides; (b) allowing charter schools to participate in district bond elections or otherwise providing facilities for charter schools comparable to other public schools; (c) distributing to charter schools a pro rata share of state and federal grants; (d) providing adequate staff and other resources to serve charter schools authorized by the district; (e) not imposing enrollment caps on individual charter schools; or (f) providing an adequate number of choice programs to serve students exercising the right to transfer under the “No Child Left Behind Act,” and having a history of approving charter schools that serve at-risk students.<sup>52</sup>

The State Board is required to grant exclusive chartering authority to: (a) all districts with fewer than 3,000 students; (b) certain districts with a high percentage of at risk students; and (c) districts in which the percentage of charter school students district-wide exceeds the statewide average by three percentage points.<sup>53</sup>

A grant of exclusive chartering authority by the State Board shall continue so long as the district continues to treat charter schools in a fair and equitable manner as defined in the statute.<sup>54</sup>

Even if a district has obtained exclusive chartering authority, it may still permit, at its discretion, the establishment of an Institute school within its boundaries.<sup>55</sup>

A party may challenge the State Board’s grant of exclusive chartering authority by filing a challenge any time within 30 days of the time the State Board grants such authority. The State Board must hold a hearing to determine the validity of the challenge within 60 days.<sup>56</sup>

### ***The Institute Board***

The board of directors of the Institute consists of nine members, no more than five of whom may be members of the same political party. Seven of the members are appointed by the governor with the consent of the Senate, and two of the members are appointed by the Commissioner of the Colorado Department of Education. Members of the Institute board must have experience in at least one of the following areas (a) charter school board member or founder; (b) public school administrator who has worked with charter schools; (c) financial management; (d) detailed knowledge of the charter law; (e) other board or public service; (e) a public school teacher; (f) on-line education; (g) special education; (h)

curriculum and assessment. Members of the Institute board serve staggered three year terms up to six years. Members may be removed for cause.<sup>57</sup>

### ***Mission of the Institute Board***

The mission of the Institute board is to foster high-quality public education choices through Institute schools.

The Institute is required to:

- ▶ Act as a model of best practices in authorizing charter schools;
- ▶ Hold each Institute school accountable for meeting its goals and objectives;
- ▶ Obtain longitudinal data on Institute charter school student performance; and
- ▶ Measure success on the basis of performance, not process.<sup>58</sup>

### ***Powers and Duties of the Institute Board***

The Institute board has the following powers: (a) have a seal; (b) sue and be sued in its own name; (c) incur debts; (d) contract with the state and federal government and apply for grants; (e) own real property; (f) hire employees and agents to help it perform its duties; (g) reimburse board members for their expenses; (h) keep accounts and budgets; (i) act as a public entity under the Governmental Immunity Act; and (j) promulgate rules and regulations.<sup>59</sup>

The Institute is required to ensure that Institute schools comply with Colorado educational accountability statutes and prepare a school accountability report. All Institute schools are required to adopt content standards in the same manner as school districts and address expulsion and suspension issues consistent with Colorado law. The Institute may solicit applications for schools to serve at-risk students. The Institute is required to review each Institute charter school's accomplishments at least annually.<sup>60</sup>

### ***Institute Charter Schools***

Like district charter schools authorized under the Charter Schools Act, Institute charter schools are public, nonsectarian, nonreligious and non-home-based schools. However, Institute charter schools are unaffiliated with any school district and are accountable only to the Institute.<sup>61</sup> Enrollment criteria, governance, statutory waivers, operations and citing issues for Institute charter schools are for the most part the same as for district charter schools described above.<sup>62</sup> The requirements of charter applications and required contract terms are also the same as for district charter schools.<sup>63</sup>

The term of a charter contract for an Institute charter school must be at least three years and no more than five years, unless a longer term is required for enhancing the terms of bond or lease financing.<sup>64</sup> Each Institute charter school is required to submit an annual progress report to the Institute board.<sup>65</sup>

The Institute board may revoke or deny renewal of a charter if any of the following has occurred:

- ▶ The school has committed a material violation of its contract.
- ▶ The school has failed to achieve or make reasonable progress toward achieving the content standards or pupil performance standards in its contract.
- ▶ The school is recommended for conversion pursuant to C.R.S. § 22-7-609.
- ▶ The school failed to meet generally accepted standards of fiscal management.
- ▶ The school violated the law.
- ▶ The Institute board has determined that it is not in the best interests of the school's students for the school to continue to operate.<sup>66</sup>

### ***Institute Application Process***

An existing district charter school may apply to convert to an Institute school. If the Institute grants the application, the school is still required to fulfill any contractual obligations it has to the district. However, the district is not entitled to treat the conversion as a dissolution for the purposes of winding down the affairs of the school or disposing of its assets.<sup>67</sup> All Institute applicants are required to notify their local board of education and district accountability committee, and the local board and accountability committee are entitled to submit comments to the Institute board concerning the application.<sup>68</sup>

Applications to form a new Institute charter school are submitted to the Institute board and reviewed in accordance with rules and regulations established by the board.<sup>69</sup> Unless waived by the parties, applications must be ruled upon within 60 days, and contract negotiations for approved schools must be concluded within 45 days.<sup>70</sup> Applicants may appeal adverse decisions of the Institute to the State Board of Education. After notice and a hearing the State Board must rule on the appeal within 60 days. If the State Board finds the Institute board's decision was "arbitrary or capricious" (or contrary to the best interests of the students in the case of a non-renewal) it is required to remand the matter back to the Institute board with instructions to issue the charter.<sup>71</sup>

### ***Funding Institute Charter Schools***

An Institute charter school is funded at a minimum of 95% of the per pupil funding of the local district in which the school is geographically located. The Institute may retain from a charter school's funding the school's pro-rata cost of Institute administrative expenses up to three percent of per pupil revenue.<sup>72</sup> Each year the Institute is required to reconcile the actual cost of its administrative expenses and the services it provides to charter schools to the holdback and fees charged, and any difference must be paid to the owed party.<sup>73</sup>

Each Institute charter school must pay its pro rata share of federally required educational services, including those required for special education, and the Institute is entitled to negotiate a reserve of five percent of its total budget for these expenses.<sup>74</sup>

The Institute is required annually to report enrollment figures to the Department of Education. For purposes of the School Finance Act, students attending Institute charter schools are considered enrolled in the district in which the school is geographically located.<sup>75</sup> The Department of Education withholds 100% of the per pupil revenues associated with Institute students from the local districts to which the funds would otherwise go and forwards those funds to the Institute less a 2% deduction for the department's costs of administration. The Institute then allocates the funds to the various charter schools. Otherwise the funding of Institute schools is similar to that of district charter schools.<sup>76</sup>

## ***PART THREE: STATE BOARD OF EDUCATION***

### ***Disposition of Appeals***

The provisions of the Colorado Charter Schools Act concerning appeal of the decisions of local boards of education and the board of the Charter School Institute are described in the previous section of this report. In *Board of Education School District No. 1 v. Booth*,<sup>77</sup> the Colorado Supreme Court upheld these appeal provisions. In that case the Denver Public Schools challenged the appeal procedure on the grounds that it violated local control of education guaranteed in the Colorado Constitution. The Supreme Court rejected the district’s position, holding that the appeal provision is constitutional pursuant to the supervisory powers delegated to the State Board of Education by the Colorado Constitution.

In House Bill 99-1274, the General Assembly clarified its intent that the State Board of Education has the authority to make a final decision on contract disputes between charter schools and their school districts.

As of April 30, 2005, the State Board of Education had made 118 decisions on appeals under the Colorado Charter Schools Act. Table 2 shows the nature of these various proceedings and their resolution.

**Table 2 - Disposition of Charter School Appeals by State Board of Education**

<b>Resolution</b>	<b>Inception -- 2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>Total Inception- 4/30/2005</b>
Upheld local board decision	32	3	2	2	1	7	47
Remanded decision back to local board of education for reconsideration	21	3	2	1	2	3	32
Ordered the establishment of a charter school after the second appeal of a local board’s decision	3	1		1		1	6
Overtured a local board’s decision to revoke a charter	1						1
Dismissed the appeal because the parties settled the issues in dispute	5						5
Dismissed the appeal because of legal defects in the appeal	22	4					26
Pending						1	1
Total	84	11	4	4	3	12	118

*Data Source: Colorado Department of Education, Office of the State Board*

In *Academy of Charter Schools v. Adams County School District No. 12*,<sup>78</sup> the Colorado Supreme Court resolved questions related to final dispute resolution between charter schools and their authorizing district. The decision clarified the ability of charter schools to enforce specific aspects of their contracts with their authorizing districts. The court distinguished between two types of contract disputes – those involving “service agreements” and those involving “governing policy agreements.” Service agreements are voluntary contractual provisions entered pursuant to C.R.S. § 22-30.5-105, and may be enforced judicially. The balance of the charter contract between the charter school and the authorizing district,

containing those contractual elements required by law, are “governing policy agreements,” and the State Board has complete statutory authority to hear disputes arising from implementation of governing policy provisions of the contract.

## ***Exclusive Chartering Districts***

**Table 3 - Chartering Districts**

1. Districts under 3,000 students granted exclusive chartering authority by the State Board.

Agate 300	Fort Lupton RE-8
Aguilar Reorganized 6	Fort Morgan RE-3
Akron R-1	Fowler R-4J
Alamosa RE-11J	Frenchman RE-3
Archuleta County 50 JT	Garfield 16 (Parachute)
Arickaree R-2	Genoa-Hugo C113
Arriba-Flagler C-20	Gilpin County RE-1
Aspen 1	Granada RE-1
Ault-Highlands RE-9	Gunnison-Watershed RE1J
Bennett 29J	Hanover 28
Bethune R-5	Haxtun RE-2J
Big Sandy 100J	Hayden RE-1
Branson 82	Hinsdale County RE 1
Briggsdale RE-10	Hi-Plains R-23
Brush RE-2 (J)	Hoehne Reorg. 3
Buena Vista R-31	Holly RE-3
Buffalo RE-4	Holyoke RE-1J
Burlington RE-6J	Huerfano RE-1
Byers 32J	Idalia RJ-3
Calhan RJ-1	Ignacio 11 JT
Campo RE-6	Johnstown-Milliken RE-5J
Centennial R-1	Keenesburg RE-3(J)
Center 26 JT	Kim Reorganized 88
Cheraw 31	Kiowa C-2
Clear Creek RE-1	Kit Carson R-1
Cotopaxi RE-3	La Veta RE-2
Creede Consolidated 1	Lake County R-1
Cripple Creek-Victor RE-1	Lamar RE-2
Crowley County RE-1-J	Las Animas RE-1
Custer C-1	Liberty J-4
De Beque 49JT	Limon RE-4J
Deer Trail 26J	Lone Star 101
Del Norte C-7	Mancos RE-6
Dolores County RE No. 2	Manitou Springs 14
Dolores RE-4A	Manzanola 3J
Eads RE-1	McClave RE-2
East Grand 2	Meeker RE1
East Otero R-1	Miami-Yoder 60 JT
Eaton RE-2	Moffat 2
Edison 54 JT	Moffat County RE No. 1
Elbert 200	Monte Vista C-8
Elizabeth C-1	Mountain Valley RE 1
Ellicott 22	North Conejos RE-1J
Florence RE-2	North Park R-1



Norwood R-2J	South Conejos RE-10
Otis R-3	South Routt RE 3
Ouray R-1	Springfield RE-4
Park (Estes Park) R-3	Steamboat Springs RE-1
Park County RE-2	Strasburg 31J
Pawnee RE-12	Stratton R-4
Peyton 23 JT	Summit RE-1
Plainview RE-2	Swink 33
Plateau RE-5	Telluride R-1
Plateau Valley 50	Trinidad 1
Platte Canyon 1	Valley RE-1
Platte Valley RE-3	Vilas RE-5
Platte Valley RE-7	Walsh RE-1
Prairie RE-11	Weld County RE-1 (Gilcrest)
Pritchett RE-3	Weldon Valley RE-20(J)
Rangely RE-4	West End RE-2
Ridgway R-2	West Grand 1-JT
Rocky Ford R-2	Wiggins RE-50 (J)
Salida R-32	Wiley RE-13 JT
Sanford 6J	Windsor RE-4
Sangre de Cristo RE-22J	Woodland Park RE-2
Sargent RE-33J	Woodlin R-104
Sheridan 2	Wray RD-2
Silverton 1	Yuma 1

2. Districts under 3,000 without exclusive chartering authority.

Bayfield 10 JT-R	Karval RE-23
Cheyenne County RE-5	Primero Reorganized 2
Julesburg RE-1	Sierra Grande R-30

3. Districts over 3,000 students granted exclusive chartering authority by the State Board.

Academy 20	Garfield RE-2
Adams County 14	Greeley 6
Adams-Arapahoe 28J	Harrison 2
Boulder Valley RE 2	Jefferson County R-1
Canon City RE-1	Lewis-Palmer 38
Cherry Creek 5	Littleton 6
Cheyenne Mountain 12	Mapleton 1
Colorado Springs 11	Montezuma-Cortez RE-1
Delta County 50(J)	Montrose County RE-1J
Denver County 1	Pueblo 60
Douglas County RE 1	Pueblo County Rural 70
Durango 9-R	St Vrain Valley RE-1J
Englewood 1	Thompson R-2J
Five Star (Adams 12)	Westminster 50
Fountain 8	Widfield 3

4. Districts over 3,000 students without exclusive chartering authority.

Brighton 27J	Mesa County Valley 51
Eagle County RE 50	Poudre R-1
Falcon 49	Roaring Fork RE-1



## ***Automatic Waivers***

Pursuant to C.R.S. § 22-30.5-104(b), the State Board of Education is required to promulgate rules identifying state statutes that are automatically waived for all charter schools. In 2005 the State Board adopted a rule providing automatic waivers for the following statutes:

1. 22-9-106, C.R.S. Local board duties concerning performance evaluations for licensed personnel;
2. 22-32-109 (1)(f), C.R.S. Local board duties concerning selection of personnel and pay;
3. 22-32-110 (1)(h), C.R.S. Local board powers concerning employment termination of school personnel;
4. 22-32-126, C.R.S. Employment and authority of principals;
5. 22-63-201, C.R.S. Teacher employment, compensation and dismissal act of 1990; employment license required – exception;
6. 22-63-202, C.R.S. Teacher employment, compensation and dismissal act of 1990; contracts in writing – duration – damage provision;
7. 22-63-203, C.R.S. Teacher employment, compensation and dismissal act of 1990; probationary teachers – renewal and non-renewal of employment contract;
8. 22-63-206, C.R.S. Teacher employment, compensation and dismissal act of 1990; transfer of teachers – compensation;
9. 22-63-301, C.R.S. Teacher employment, compensation and dismissal act of 1990; grounds for dismissal;
10. 22-63-302, C.R.S. Teacher employment, compensation and dismissal act of 1990; procedures for dismissal of teachers and judicial review;
11. 22-63-401, C.R.S. Teacher employment, compensation and dismissal act of 1990; teachers subject to adopted salary schedule;
12. 22-63-402, C.R.S. Teacher employment, compensation and dismissal act of 1990; license, authorization or residency required in order to pay teachers; and
13. 22-63-403, C.R.S. Teacher employment, compensation and dismissal act of 1990; payment of salaries.

## ***Waivers Secured by Charter Schools***

Currently, 107 charter schools have been granted 1,771 waivers from state statutes. This represents an average of approximately 17 waivers granted per school. The number of waivers granted to each charter school ranges from one to 33. In an effort to limit this study to the most relevant information, the complete report documenting individual charter school waivers may be found at:

<http://www.cde.state.co.us/cdechart/download/CharterWaivers.pdf>.

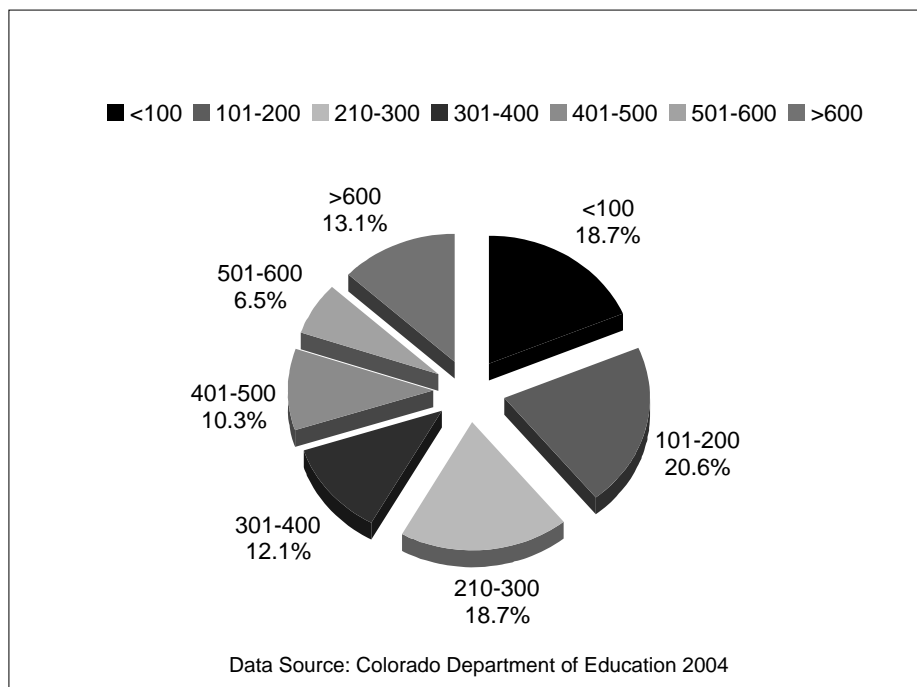
## ***PART FOUR: CHARACTERISTICS OF COLORADO CHARTER SCHOOLS***

This section of the report looks at key characteristics of Colorado charter schools and the students and families they served. These data present an overall picture of the charter school program in Colorado during the 2004-05 school year.

### ***Charter School Size***

The charter schools included in this study ranged widely in size, depending on their location, the grade levels served and educational philosophy. Of the 107 schools in this report:

**Figure 3 - Enrollment of Charter Schools, 2004-05**



- ▶ 18.7% (20 schools) served under 100 students;
- ▶ 20.6% (22 schools) served between 101 and 200 students;
- ▶ 18.7% (20 schools) served between 201 and 300 students;
- ▶ 12.1% (13 schools) served between 301 and 400 students;
- ▶ 10.3% (11 schools) served between 401 and 500 students;
- ▶ 6.5% (7 schools) served between 501 and 600 students; and
- ▶ 13.1% (14 schools) served over 600 students.

Fifty-eight percent of the charter schools enroll less than 300 students. While the mean enrollment was 344 students, this figure is somewhat misleading due to four K-12 charter schools enrolling over one thousand students. Since the last Colorado Charter School study (2002) there has been a 49.5 % increase in the amount of students attending charter schools.

In the fall of 2004, 39 % of the charter schools enrolled 200 students or less, down from 42 % in 2001, down from 52 % in 2000 and down from 72.5 % in fall 1996. At the other end of the enrollment spectrum, there was no increase in the amount of charter schools operating with over 600 students. In

2004-05, 13 % of the operating charter schools enrolled over 600 students; in 2001-02, 13 % of the operating charter schools enrolled over 600 students; in 2000-01, 11 % operated with over 600 students, while in 1996-97, only 4 % operated with over 600 students.

The number of students enrolled in 2004-05 by charter schools ranged from five students (West End Learning Center, West End RE-2) to 2,366 students (The Classical Academy, Academy 20). Enrollment of the largest charter school in Colorado continues to increase over time. In the fall of 1996, the largest charter school was 783 (Academy of Charter Schools, Northglenn-Thornton School District 12); in the fall of 2002 the largest charter school was 1,294 students (Academy of Charter Schools, Northglenn-Thornton School District 12). Today, that number is almost double.

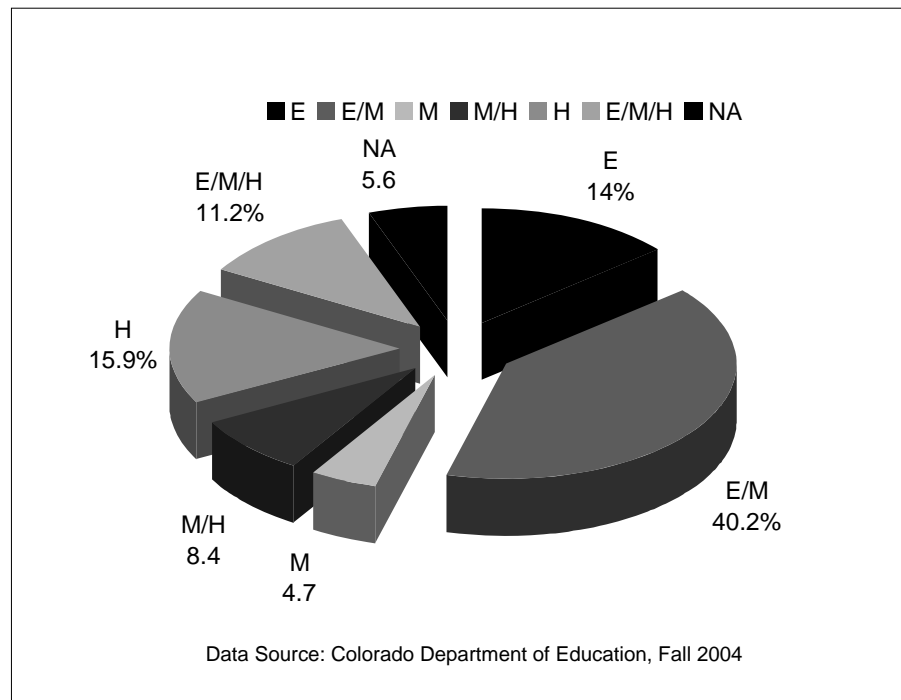
## Grade Level Configuration

Nearly 73 % of the charter schools that operated in 2004-05 (78 of 107 schools) fell outside of the traditional grade-level configuration of elementary, middle or high schools. These charter schools offered a program that served students continuously from elementary through middle school, or from middle school through secondary school, or throughout their public school experience.

**Figure 4 - Grade Level Configuration of Charter Schools, 2004-05**

Of the 107 charter school operating in 2004-05:

- ▶ 14% (15 schools) served the elementary grades - 8 of those schools offered Pre K and the remaining 7 were Kindergarten and elementary;
- ▶ 40.2% (43 schools) served elementary and middle school grades - 38 of those schools offered Kindergarten and the remaining 5 offered Pre K;
- ▶ 4.7% (5 schools) served the middle school grades;
- ▶ 8.4% (9 schools) served the middle and high school grades;
- ▶ 15.9% (17 schools) served the high school grades;
- ▶ 11.2% (12 schools) served elementary, middle and high school grade levels; and
- ▶ 5.6% (6 schools) could not be categorized into any of the above. Examples of the student populations they serve are: 3-12<sup>th</sup> grade, K-10<sup>th</sup>, and students ages 16-20.



The proportions of grade levels served have remained relatively stable over time. In fall 1997, the 32 schools covered in the study of charter schools included 12 % - 4 elementary schools, 41 % - 13 elementary/middle schools, 16 % - 5 middle schools, 12 % - 4 middle/high schools, 3 % - one high school

and 16 % - 5 K-12 schools. In the last report, 2001-02, the 86 charter schools covered in the study of charter schools included 15 % - 13 elementary schools, 38 % - 33 elementary/middle schools, 6 % - 5 middle schools, 12 % - 10 middle/high schools, 12 % - 10 high schools and 17 % - 15 K-12 schools.

### ***Waiting List / Lottery Pool***

Of the 95 charter schools who responded to the survey, 75.7 % of charter schools (72) stated there was a waiting list/lottery pool for their school. The average waiting list size was 286 students. The waiting lists/lottery pools ranged from two to 5,657 students.

In the 2004-05 school year, there were 25,195 students on a charter school waiting list. While this number may seem impressive, it is important to note that an individual student may be on several different waiting lists, inflating the number.

Nationally, in 2002-03, 39% of charter schools reported having a waiting list. The average waiting list size was 135 students.

### ***Authorizing Districts***

In 2004-05, 45 of the state's 181 school districts (24.7 %) authorized charter schools. Of those 45 districts, 11 had authorized three or more charter schools. The combined charter school enrollment of these 11 sponsoring districts was 67 charters, or 63 % of the total charter school enrollment in fall 2004.

The following table shows the number of charter schools authorized by these 11 districts, their total charter enrollment, their total district enrollment, and the percentage that charter school enrollment constitutes of their total enrollment.

**Table 4 – Enrollment of School Districts with Three or More Charter Schools in 2004-05**

<b>District</b>	<b>Number of Charter Schools</b>	<b>Total Charter Enrollment 2004</b>	<b>Total District Enrollment 2004</b>	<b>Charter Enrollment % of total</b>
Boulder Valley RE2	4	1884	27926	6.75%
Brighton 27J	3	1884	9256	20.35%
Colorado Springs 11	5	1833	31421	5.83
Denver County 1	17	5228	72412	7.22%
Douglas County	5	2397	44761	5.36%
Greeley 6	3	1985	17985	11.04%
Harrison 2	3	675	10707	6.30%
Jefferson County R1	14	4380	86877	5.04%
Northglenn-Thornton 12	4	4814	36360	13.24%
Poudre R1	3	1308	25000	5.23%
Pueblo 60	4	1251	17600	7.11%

### ***Charter School Institute***

In 2004, The Charter School Institute was created under a new state law, HB 1362. The legislation was sponsored by Rep. Terrance Carroll (D-Denver) and Sen. Peter Groff (D-Denver). The bill authorizes the Institute to "assist school districts in utilizing best practices for chartering schools and to approve and oversee charter schools in districts not desiring to do so themselves." The mission of the Charter School Institute is to foster high-quality public school choices offered through Institute charter schools, particularly schools for at-risk students.

The Institute shall:

- ▶ Act as a model of best practices in authorizing charter schools.
- ▶ Use state and federal systems for ensuring the accountability of each institute charter school in meeting the obligations and goals set forth in its contract.
- ▶ Measure the academic success of each Institute charter school student through longitudinal indices.
- ▶ Measure the academic success of each Institute charter school through performance-based means.

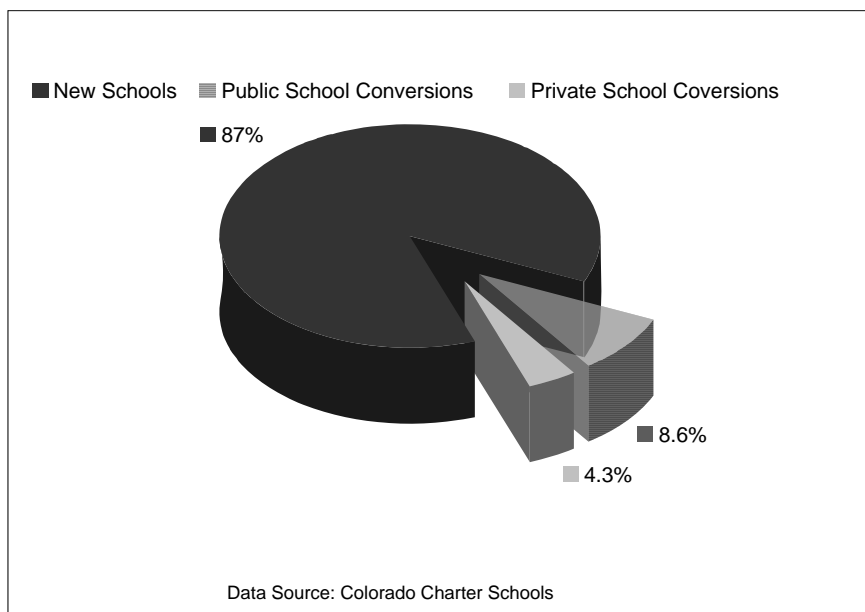
Extensive information on the Institute is provided in Part Two: Colorado Charter Schools Act.

The Charter School Institute opened its first two schools in the fall of 2005: Ross Montessori (Carbondale School District) and Colorado Springs Charter Academy (Colorado Springs 11).

**Figure 5 - Creation Status of Colorado Charter Schools, 1991-2005**

### ***Creation Status of Charter Schools***

Of the 107 schools operating in the 2004-05 school year, 93 schools provided information about their creation status. Eighty-seven percent of the schools (81) were newly created schools, 8.6 % of the schools (8) were public school conversions, and 4.3 % of the schools (4) were formerly private schools now operating as charter schools.



On a national level, approximately 77 % of all charter schools are newly created schools, 16 % are public conversion schools and 7 % are private conversion schools.

### ***Mandatory Conversion***

Under the No Child Left Behind Act (NCLB) of 2001, states and school districts are required to make annual Adequate Yearly Progress (AYP). The ultimate goal of AYP is to have all students proficient in reading and math by the year 2014. The Colorado Department of Education and Local Educational Agencies (LEA) are required to intervene in schools that persistently do not meet these targets. These progressively more comprehensive interventions are identified as “School Improvement,” “Corrective Action,” and “Restructuring.” Under Restructuring, the LEA must prepare a restructuring plan to implement at least one of the following actions:

1. Replace all or most of the school staff, which may include the principal, who are relevant to the school’s inability to make adequate progress;

2. Enter into a contract with an entity, such as a private management company, with a demonstrated record of effectiveness, to operate the school as a public school;
3. Turn the operation of the school over to the SEA if this action is permitted under state law and the state agrees;
4. Re-open the school as a public charter school; or
5. Implement any other major restructuring of the school's governance that is consistent with the principles of restructuring.

As of 2005, there has only been one school to undergo mandatory conversion. In the spring of 2005, Denver Public Schools and KIPP entered into a contract for the operation of Cole Middle School through 2009. Extensive information on mandatory conversions is provided in Part Two: Colorado Charter Schools Act.

## ***Enrollment Stability***

The following data is based on the 2003-04 school year. At the time of creation and publication, the 2004-05 data for the School Accountability Reports (SAR) was not available.

Data about enrollment stability was available for the 96 charter schools that operated in 2003-04. Of these schools, the average rate of enrollment stability was 91.4 %. The median rate was 94.8 %. The rate of enrollment stability ranged in individual charter schools from a low of 54.1 % to a high of 100 %.

## ***Student-to-Teacher Ratio***

The following data is based on the 2003-04 school year. At the time of creation and publication the 2004-05 data for the School Accountability Reports (SAR) was not available.

Student to teacher ratio was determined by adding up the number of full and part-time teachers in the charter school and dividing by the student enrollment. SAR data was available for 95 of the 96 charter schools that reported information for the SAR in 2003-04. Of these schools, the average student to teacher ratio was 15.6 students per teacher. The median was 14.75.

On the national average, the student to teacher ratio is lower in charter schools (16.0 to 1) than in district public schools (17.2 to 1).

On the national average, the student to teacher ratio is lower in charter schools (16.0 to 1) than in district public schools (17.2 to 1). RPP International.<sup>79</sup>

## ***Educational Program***

During the 2004-05 school year, 83 of the 107 charter schools (77.5 %) used a comprehensive national reform model as the foundation of their educational program.

**Core Knowledge.** Forty-four schools (53 % of the schools that used a comprehensive national reform model and 41 % of the total cohort of schools operating in 2004-05) were Core Knowledge schools. The dominance of the Core Knowledge reform model among charter schools in Colorado has been sustained for some time. Core Knowledge schools have represented about 40 % of the total cohort of charter schools operating in the state for each of the last several years.



*Core Knowledge* is an approach to curriculum based on the work of E.D. Hirsch, Jr. The focus of the Core Knowledge approach is on teaching a common core of concepts, skills and knowledge that characterize a “culturally literate” and educated individual. Core Knowledge is based on the principle that the grasp of a specific and shared body of knowledge will help students establish strong foundations for higher levels of learning. Developed through research examining successful national and local core curricula and through consultation with education experts in each subject area, the *Core Knowledge Sequence* provides a consensus-based model of specific content guidelines for students in the elementary grades. It offers a progression of detailed grade-by-grade topics of knowledge in history, geography, mathematics, science, language arts, and fine arts, so that students build on knowledge from year to year in grades K-8. Instructional strategies are left to the discretion of teachers. The Core Knowledge sequence typically comprises 50 % of the curriculum. The other 50 % is used by schools to meet state and local requirements. Parent involvement and consensus building contribute to the success of the *Core Knowledge Sequence*.<sup>80</sup>

Nationally, 14 percent of charter schools utilize the Core Knowledge curriculum. 13 percent are college prep, 13 percent are science/math prep, 13 percent utilize the direct instruction curriculum, 12 percent utilize thematic instruction and 9 percent are back to basics.

**Montessori.** Five schools (six percent of the schools that used a reform model and four percent of the total cohort of schools operating in 2004-05) were Montessori schools. *Montessori* is a comprehensive educational approach from birth through adolescence based on the observation of children’s needs. It incorporates an understanding of children’s natural learning tendencies as they unfold in “prepared environments” for multi-age groups (0-3, 3-6, 3-9, 9-12 and 12-14). The Montessori environment contains specially designed manipulative “materials for development” that invite children to engage in learning activities of their own individual choice. Under the guidance of a trained teacher, children learn by making discoveries with the materials, thus cultivating concentration, motivation, self-discipline and love of learning. The curriculum is interdisciplinary and interactive. In a Montessori classroom, independent activity constitutes about 80 % of the work while teacher-directed activity accounts for the remaining 20 %. The special environments also offer practical occasions for development of social relationships through free interaction. The materials themselves invite activity and are self-correcting. The child solves problems independently, building self-confidence, analytical thinking and the satisfaction that comes from accomplishment. Parent involvement is encouraged through parent orientations, discussion groups, open houses, observations and publications.<sup>81</sup>

**Expeditionary Learning/Outward Bound.** Nine schools (eleven percent of the schools that used a comprehensive national reform model and nine percent of the total cohort of schools operating in 2004-05) were Expeditionary Learning schools. *Expeditionary Learning* is organized on the principles of Outward Bound. Curriculum, instruction, assessment, school culture and school structures are organized around producing high quality student work in learning expeditions- long term, in-depth investigations of themes or topics that engage students in the classroom and in the wider world through authentic projects, fieldwork and services. These learning expeditions have clear learning goals that are aligned with district and state standards. Ongoing assessment is woven throughout each learning expedition, pushing students to higher levels of performance. Teachers work collaboratively in teams, with regular common planning time to plan interdisciplinary expeditions, review each other’s expedition plans and reflect on student work and teacher practices to improve curriculum and instruction. To strengthen relationships in the classroom, students stay with the same teacher or team of teachers for more than one year. Teachers and school leaders participate in a sequence of professional development activities.<sup>82</sup>



**The Edison Project.** Three schools (four percent of the schools that used a reform model and three percent of the total cohort of schools operating in 2004-05) are affiliated with The Edison Project. *The Edison Project* is a privately sponsored effort to create innovative schools that operate at current public school spending levels and that provide all students with an education that is rooted in democratic values, that is academically excellent and that prepares them for productive lives. The design is composed of 10 integral parts:

1. Schools Organized for Every Student's Success: small schools within schools;
2. Better Use of Time: longer school day and year;
3. Rich and Challenging Curriculum: world-class standards; education in humanities and arts, mathematics and science, ethics and practical skills, health and fitness (Edison uses the University of Chicago School Mathematics Program and the Success for All reading program).
4. Teaching Methods that Motivate: multiple instruction techniques;
5. Careful Assessment that Provides Real Accountability: tied to standards; multiple assessment tools;
6. A Professional Environment for Teachers : a portable computer for every teacher; extensive professional development;
7. Technology for an Information Age: a computer in every student's home; highly equipped schools;
8. New Partnership with Parents: regular communication between teachers and parents;
9. Schools Tailored to the Community: curriculum tailored to meet local needs; and
10. Backed by a System That Serves: support, guidance and resources from the Edison national headquarters.<sup>83</sup>

Twenty-four charter schools implemented "homegrown" curricula, meaning their curricula were developed by people within the school, often using a variety of curricula to fit their student population needs.

Five charter schools operating in 2004-05 were implementing college prep curricula, five implemented place-based curricula and an additional five implemented the Montessori curriculum. Two charter schools implemented White Hat. One charter school implemented each of the following reform models: KIPP, K-12, Mosaica, Small School, and William Glasser's Quality School Network.

Nationally, 14 % of charter schools utilize the Core Knowledge curriculum. 13 % are college prep, 13 % are science/math prep, 13 % utilize the direct instruction curriculum, 12 % utilize thematic instruction and nine percent are back to basics schools<sup>84</sup>.

## ***Assessment Tools Used by Charter Schools***

As public schools, all charter schools were required to administer the Colorado Student Assessment Program (CSAP) in the appropriate content areas and grades. Analysis of the CSAPs will be presented in Part Six: Charter School Performance.

This section examined additional assessments administered by the charter schools during the 2004-05 school year. Which assessment is selected often depends on the school's educational approach and performance goals and the requirements of the chartering district. Assessment experts agree that an assessment program should use an array of tests to measure different dimensions of student learning. While many charter schools rely on formative assessments and administer limited summative assessments, an examination of the formative techniques was beyond the scope of this report. Charter schools were asked to indicate which types of assessments are administered at the school: norm referenced, criterion referenced and/or performance assessment.

Of the 95 charter schools who responded to the question:

- ▶ 44.2% (42 schools) administered norm-referenced tests (tests that measure the relative performance of the individual or group by comparison with the performance of other individuals or groups taking the same test).
- ▶ 50.5% (48 schools) administered criterion-referenced tests (tests whose scores are interpreted by reference to well-defined domains of content or behaviors, rather than by reference to the performance of some other group).
- ▶ 72.6% (69 schools) administered performance assessments (tests that measure ability by assessing open-ended responses or by asking the respondent to complete a task, produce a response or demonstrate a skill).
- ▶ 27.3% (26 schools) administered some other type of assessment such as Core Knowledge assessments, ACT, PSAT, QRI and NWEA.

The percentage of charter schools administering norm-referenced and criterion-referenced tests continues to decline since the 2000 charter school evaluation. This could be attributed to the expansion of the Colorado Student Assessment Program over the same period. Roughly 95 % of the charter schools operating in 2001-02 reported using more than one assessment in addition to the CSAP to monitor student performance. In the 2004 – 05 evaluation over 87 % of the charter schools reported using more than one assessment in addition to the CSAP:

- ▶ 38.9% (37 schools) administer two of the above assessments.
- ▶ 39.6% (38 schools) administer three of the above assessments.
- ▶ 8.4% (8 schools) administer all four types of assessments.

## ***PART FIVE: CHARACTERISTICS OF COLORADO CHARTER SCHOOL STUDENTS***

The charter schools operating in 2004-05, as a cohort group, were more racially and economically diverse than in prior years, but continued to serve a smaller percentage of racial/ethnic minority students and students eligible for free/reduced-price lunch than the state public school average.

### ***Racial/Ethnic Minority Students***

The 107 charter schools operating in 2004-05 served 11,888 racial/ethnic minority students, representing 32.2% of the total charter school enrollment (36,872). The state average was 37.5%.

The percent of racial/ethnic minority students enrolled in charter schools in 2004-05 has increased substantially over time (up from 27% in the fall of 2001), but still trails the state average, which is also increasing (up from 33% in the fall of 2001). In considering these data, it is important to note that the racial/ethnic composition of charter schools tends to reflect the communities in which they are located. The location of charter schools, in turn, depended on the willingness of school districts to welcome, or at least permit, charter schools to operate in their boundaries.

### ***Student Eligibility for Free and Reduced-Price Lunch***

The 107 charter schools operating in 2004-05 served 7,470 students who were eligible for free or reduced-price lunch, representing 20.3% of the total enrollment (36,872) of the schools. This rate reflects minimal growth since 2001 (17.8%). Despite the steady increase in the number of students eligible for free and reduced lunch services in charter schools, it is still below the state average of 32.1% for the fall of 2004 and 28% for the fall of 2001.

The percent of students eligible for free or reduced-price lunch served by the charter schools in fall 2004 ranged from 0% to 100%. Despite efforts on the part of CDE to encourage charter schools to report data related to student eligibility for free and reduced-price lunch, there

is reason to believe these data continue to be underreported by charter schools as a cohort group. In October 2004, fourteen charter schools reported 0% for free/reduced-price lunch eligibility. It is likely that in several of these 14 schools, the 0% figure resulted from the schools not collecting the data, rather than from a determination that none of the students served in the schools would have been eligible for the free /reduced-price lunch program. Exacerbating data collection issues, not all charter schools offer school lunch programs and these schools must report 0% to CDE.

**Nationally, charter schools enroll higher portions of students eligible for free and reduced lunch prices compared to district public schools.**

Nationally, charter schools enroll higher portions of students eligible for free and reduced lunch prices compared to district public schools<sup>85</sup>.

**Table 5 - Charter School Student Characteristics, 2004-05**

School District	Charter School	% of Students Eligible for Free/Reduced Lunch	% Racial/Ethnicity Minority Students
<b>State Of Colorado</b>		<b>32.1%</b>	<b>37.5%</b>
<b>All Charter Schools in 2004-05</b>		<b>27.6%</b>	<b>32.2%</b>
Academy School District 20	Classical Academy, The	0.6%	10.3%
Adams 14	New America School	16.1%	100.0%
Adams-Arapahoe 28J	Aurora Academy	4.2%	44.2%
Aspen 1	Aspen Community	0.0%	5.2%
Bennett 29J	Corridor Community Academy	0.0%	12.2%
Boulder Valley RE2	Boulder Preparatory High School	65.9%	49.5%
	Horizons K-8 Alternative School	4.8%	11.0%
	Peak to Peak Charter School	4.9%	18.9%
	Summit Middle School	0.3%	12.3%
Brighton 27J	Belle Creek Charter School	26.4%	42.9%
	Brighton Charter School	0.9%	41.4%
	Bromley East Charter School	19.5%	33.7%
Calhan RJ1	Frontier Charter Academy	22.2%	0.0%
Canon City RE1	Mountain View Core Knowledge Schl	20.3%	10.4%
Cherry Creek 5	Cherry Creek Academy	0.4%	15.5%
Cheyenne Mountain 12	Cheyenne Mountain Charter Academy	15.6%	25.9%
Colorado Springs 11	CIVA Charter School	31.0%	17.5%
	Community Prep Charter School	56.1%	41.5%
	GLOBE Charter School	49.5%	30.0%
	Life Skills Center of Colorado Springs	27.1%	54.2%
	Roosevelt/Emerson Edison Charter Schl	83.3%	73.3%
Denver County 1	Challenges Choices and Images	54.1%	99.0%
	Colorado High School	59.3%	79.7%
	Community Challenge School	89.0%	95.9%
	Denver Arts and Technology Academy	62.9%	80.3%
	Denver School of Science and Tech	41.9%	67.9%
	Highline Academy	37.5%	49.5%
	KIPP Sunshine Peak Academy	91.0%	92.3%
	Life Skills Center of Denver	32.5%	86.3%
	Northeast Academy	58.9%	97.5%
	Odyssey School, The	24.8%	51.4%
	Omar Blair School	33.6%	78.9%
	P.S. 1 (Urban Learning Center)	34.1%	63.6%
	Pioneer Charter School	92.9%	100.0%

	Ridge View Academy	100.0%	NA
	Skyland Community High School	43.2%	84.2%
	Southwest Early College Charter School	68.9%	77.9%
	Wyatt-Edison Charter School	87.3%	98.2%
Douglas County RE1	Academy Charter School	1.3%	9.9%
	Challenge To Excellence	0.0%	13.5%
	Core Knowledge Charter School	0.0%	6.8%
	DCS Montessori School	3.4%	8.7%
	Platte River Academy	0.0%	10.7%
Durango 9R	Excel Charter School	34.3%	13.9%
Eagle County RE50	Eagle County Charter Academy	0.0%	4.8%
East Grand 2	Indian Peaks Charter School	0.0%	0.0%
Elizabeth C1	Elbert County Charter School	7.7%	9.1%
Falcon 49	Pikes Peak School of Expeditionary Lrng	0.0%	9.2%
Greeley 6	Frontier Academy	6.8%	16.5%
	Union Colony Preparatory School	1.1%	20.8%
	University Schools	11.5%	28.8%
Gunnison-Watershed RE1J	Marble Charter School	13.8%	10.7%
Harrison 2	James Irwin Charter High School	18.6%	28.4%
	James Irwin Charter Middle School	28.6%	42.2%
	Shivers Acad of Art, Science and Tech	55.1%	95.9%
Jefferson County R1	Center for Discovery Learning	41.3%	35.7%
	Collegiate Academy of Colorado	12.5%	15.0%
	Compass Montessori Elem School	10.9%	12.2%
	Compass Montessori Sec School	14.9%	15.3%
	Excel Academy	17.6%	16.0%
	Free Horizon Montessori	8.1%	18.1%
	Jefferson Academy Elementary School	3.9%	8.3%
	Jefferson Academy High School	4.4%	11.1%
	Jefferson Academy Junior High School	11.5%	12.2%
	Lincoln Academy	9.1%	14.8%
	Montessori Peaks Academy	28.0%	13.7%
	Rocky Mountain Academy of Evergreen	1.6%	4.7%
	Rocky Mountain Deaf School	35.4%	0.0%
	Woodrow Wilson Academy	8.1%	13.6%
Johnstown-Milliken RE5J	Knowledge Quest Academy	0.0%	20.7%
Keenesburg RE3J	Cardinal Community Academy	18.2%	4.0%
Lamar R2	Alta Vista Charter School	41.4%	28.3%
Lewis-Palmer 38	Monument Academy	1.5%	12.5%
Littleton 6	Littleton Academy	0.0%	12.6%
	Littleton Prep Charter School	0.0%	30.2%
Mesa Co Valley 51	Deep River Charter School	21.3%	10.7%

Moffat 2	Crestone Charter School	27.8%	18.0%
Moffat County RE No 1	Dinosaur Community Charter School	0.0%	0.0%
Montezuma-Cortez RE1	Battle Rock Charter School	61.2%	12.9%
	Southwest Open School	63.9%	53.8%
Montrose County RE1J	Passage Charter School	76.9%	69.2%
	Vista Charter School	55.0%	37.0%
Northglenn-Thornton 12	Academy of Charter Schools	22.6%	34.3%
	Colorado Virtual Academy	24.7%	11.0%
	Pinnacle Charter School	10.1%	43.2%
	Stargate School	1.1%	24.8%
Park County RE2	Guffey Community Charter School	53.7%	6.5%
	Lake George Charter School	43.6%	8.8%
Poudre R1	Liberty Common School	5.6%	14.7%
	Pioneer School for Expeditionary Learning	19.7%	14.3%
	Ridgeview Classical Schools	8.0%	17.0%
Pueblo City 60	Cesar Chavez Academy	63.4%	74.2%
	Dolores Huerta Preparatory High	67.6%	74.3%
	Pueblo School for Arts and Sciences	69.9%	53.6%
	Youth & Family Academy Charter School	84.8%	79.5%
Pueblo Rural 70	Connect School, The	5.5%	24.1%
	Swallows Charter Academy	7.6%	30.2%
Roaring Fork RE1	Carbondale Community	17.1%	15.4%
St. Vrain Valley RE1J	Twin Peaks Charter School	5.8%	14.8%
	Ute Creek Secondary Academy	10.9%	32.1%
Steamboat Springs RE2	North Routt Community Charter School	0.0%	0.0%
Strasburg 31J	Model Charter School	28.6%	14.3%
	Prairie Creeks Charter School	0.0%	44.4%
West End RE2	Paradox Valley School	86.6%	15.8%
	West End Learning Center	100.0%	0.0%
Westminster 50	Crown Pointe Academy	21.8%	31.6%
Windsor RE4	Windsor Charter Academy	10.2%	10.9%

## ***Students with Disabilities***

The 107 charter schools operating in 2004-05 served 2,510 students with disabilities. This represents 6.8% of the total enrollment (36,872) of the charter schools. The state average was 11.1%. The charter school figure has remained relatively constant over the past several years: in the fall of 2001 it was 6.4% and in the fall 1997, students with disabilities were 6.0% of the total charter school enrollment.

## ***Charter School Special Education Advisory Committee***

In 2002 the Colorado Department of Education's Special Education Services Unit (SESU) and the Charter Schools Unit collaborated on an initiative to facilitate staff development, resource development and technical assistance to charter schools and their chartering districts. The committee is comprised of CDE personnel, rural and urban charter school administrators and special education directors, a parent of a child with a disability, a parent advocate, and representatives of the Colorado League of Charter Schools, the Charter Friends National Network, higher education and the Office for Civil Rights.

- ▶ CDE developed the following technical assistance resources: Colorado Charter Schools Special Education Guidebook, Special Education Guidelines for Negotiating a Charter Contract, and Sample Special Education Compliance Plan. These resources may be accessed through CDE's Charter Schools webpage at: <http://www.cde.state.co.us/cdechart/guidebook/sped/index.htm>. This guidebook is scheduled to be updated in January 2006.
- ▶ In March 2002 a report on Special Education services in charter schools was released. Results of the study suggest that the number of students and the proportion of students with individualized education programs have increased in charter schools, causing a strain on both the charter schools and the support provided by the districts. A copy of the report may be accessed through CDE's Charter Schools webpage: <http://www.cde.state.co.us/cdechart/guidebook/sped/pdf/charterSpedreport.pdf>.



## ***PART SIX: CHARTER SCHOOL PERFORMANCE***

The Colorado Student Assessment Program (CSAP) is a statewide assessment, aligned with the state model content standards. During the 2004-05 academic year, CSAP tests were administered in reading, writing and mathematics in grades 3-10 and in science in grade 8.

CSAP reports student performance using four levels:

- ▶ Unsatisfactory;
- ▶ Partially proficient – does not meet the standards;
- ▶ Proficient - meets the standards; and
- ▶ Advanced - exceeds the standards.

The CSAP results produced for past evaluation studies of Colorado charter schools were reported at the school level. This required schools with fewer than 16 students reporting test scores to be excluded from the analysis for confidentiality reasons. Data for this 2004-05 evaluation study were provided at the student level, with any information that potentially identified individual students omitted from the data file. This approach supported a more complete analysis of CSAP results for all Colorado charter schools.

The Colorado Charter Schools Act specifically directs that this report “shall compare the performance of charter school pupils with the performance of ethnically and economically comparable groups of pupils in other public schools who are enrolled in academically comparable courses.” To respond to this mandate, all students were placed into one of three free/reduced lunch eligibility bands:

- ▶ 0-33% eligible for free/reduced-price lunch;
- ▶ 33.1-66% eligible for free/reduced-price lunch; and
- ▶ 66.1-100% eligible for free/reduced-price lunch.

Within those three bands, students were then placed into one of two minority bands:

- ▶ 0-50% minority, or
- ▶ 50.1-100% minority

While CSAP data were reported at the student level, the appended information about the percentage of students in that school who were in a racial/ethnic minority group and the percentage eligible for free/reduced-price lunch are reported at the school level and reflect the 2004-05 data.

Once all students free/reduced lunch eligibility and minority scores were determined, the CSAP scores of charter school and non-charter school students were “matched” within the identified bands.

It bears repeating in this context that data related to student eligibility for free and reduced-price lunch may have been underreported by charter schools as a cohort group (refer to Part Five).

In order for the differences between the performance of charter school students and non-charter school students on the CSAP assessments to be considered statistically significant, the number of cases (either charter or non-charter students) had to be sufficiently high and the pattern of differences sufficiently diverse that the observed values were unlikely to have occurred by chance. In some cases, the observed values were quite different but were based on too few students for the difference to be considered reliable or statistically significant. In other cases, there were an adequate number of cases to support a comparison, but the difference was not striking enough to be found statistically significant. The approach applied to declaring differences for purposes of this report was conservative, using an association at  $p < .01$ . In sum, only differences based on sufficient numbers with sufficiently striking patterns were declared significant.

Statistically significant performance differences are noted with an asterisk (\*) in the following tables. The same performance difference (e.g., 15 percentage points) can be statistically significant in one comparison (where the sample size is large and the distribution predictable) but not statistically significant in a different comparison (where the sample size is small and the distribution is less predictable).

While noting performance differences between charter school students and non-charter school students, this report does not attribute such differences to the distinctive educational programs offered by charter schools and non-charter schools. Disparities in student performance may reflect other differences among charter school and non-charter school students.

## CSAP Reading Assessment

There were 21,661 students from charter schools reporting CSAP reading scores for the 2004-05 school year, compared to 437,284 students in non-charter schools. A comparison of the two cohorts (charter school students and non-charter school students) showed that:

- ▶ The percent of students eligible for free/reduced lunch was lower for students in charter schools than for students in non-charter schools at grades 3-8 but not grades 9 and 10.
- ▶ The percent of minority students was lower for students in charter schools than for students in non-charter schools at grades 3-8 and 10 but not grade 9.

Table 6 shows the percent of charter school and non-charter school students scoring at the proficient and advanced level in each grade. N represents the number of students that reported scores. Charter school students scored better than non-charter school students in reading in grades 3-5 and did as well as non charter students in grades 6-8. Non-charter school students performed better in grades 9 and 10. **Readers should note that the groups being compared (charter students and non-charter students) in Table 6 overall serve different populations.**

**Table 6 - Charter and Non-Charter Students at Proficient Level or Above in Reading, 2004-05**

Grade	Charter % Proficient or Above	Non-Charter % Proficient or Above
3	84.3% (n=3138)*	81.9% (n=52,965)
4	82.4% (n=2938)*	77.7% (n=53,105)
5	79.4% (n=2804)*	77.3% (n=53,709)
6	76.9% (n=3216)	75.3% (n=54,507)
7	77.3% (n=2982)	75.9% (n=55,968)
8	74.9% (n=2853)	75.9% (n=55,834)
9	78.1% (n=2143)	84.1% (n=58,549)*
10	73.8% (n=1587)	77.4% (n=52,647)*

\*Association between type of school and percent significant at  $p < .01$

Tables 7-9 show the results of the matched comparisons. Table 7 shows the band with the lowest percentage of students eligible for free/reduced-price lunch (zero to 33 %). Charter school and non-charter school performed similarly on the CSAP reading assessment in grades 5-8. Within the low minority bands, charter school students scored better in grades 3 and 4 than non-charter students. Within the high minority bands, non-charter students scored better in grades 9 and 10 than charter school students.

**Table 7 - Percent Charter and Non-Charter Students Scoring at Proficient Level or Above in Reading, Matched by 0-33% Eligibility for Free/Reduced-Price Lunch (FRED) and 0-50.99% and 51-100% Ethnicity, 2004-05**

Grade			Charter School % Proficiency or Above	Non-charter School % Proficiency or Above
3	0-33% FRED	0-50.99% Minority	86.2% (n= 2521)*	78.8% (n=37545)
		51-100% Minority	93.3% (n=30)	82.4% (n=479)
4	0-33% FRED	0-50.99% Minority	84.4% (n=1984)*	81.7% (n=26002)
		51-100% Minority	85% (n=20)	76% (n=517)
5	0-33% FRED	0-50.99% Minority	79.9% (n=2218)	79.5% (n=26526)
		51-100% Minority	86.3% (n=22)	72.8% (n=350)
6	0-33% FRED	0-50.99% Minority	77.7% (n=2462)	76.7% (n=27800)
		51-100% Minority	73% (n=26)	80% (n=385)
7	0-33% FRED	0-50.99% Minority	79.3% (n=2362)	79.5% (n=30236)
		51-100% Minority	68% (n=25)	79% (n=416)
8	0-33% FRED	0-50.99% Minority	76.8% (n=2246)	79.1% (n=29806)
		51-100% Minority	73.6% (n=19)	75.9% (n=444)
9	0-33% FRED	0-50.99% Minority	85.8% (n=1065)	87.5% (n=39988)
		51-100% Minority	22.7% (n=158)	78.2% (n=2642)*
10	0-33% FRED	0-50.99% Minority	81.2% (n=912)	78.8% (n=37545)
		51-100% Minority	29.5% (n=98)	72.5% (n=2172)*

\*Association between type of school and percent significant at p<.01

Table 8 presents the band with moderate number of students eligible for free/reduced-price lunch (33.1 to 66 %). The difference in performance between charter and non-charter school students was only significant at 10<sup>th</sup> grade within the high minority population (50-100%).

**Table 8 - Percent Charter and Non-Charter Students Scoring at Proficient Level or Above in Reading, Matched by 33.1-66% Eligibility for Free/Reduced-Price Lunch (FRED) and 0-50.99% and 51-100% Ethnicity, 2004-05**

Grade			Charter School % Proficiency or Above	Non-charter School % Proficiency or Above
3	33.1-66% FRED	0-50.99% Minority	74.7% (n=95)	83.3% (n=9860)
		51-100% Minority	78.8% (n=255)	78.6% (n=5810)
4	33.1-66% FRED	0-50.99% Minority	77.7% (n=99)	79.5% (n=9949)
		51-100% Minority	77.2% (n=215)	73.7% (n=5671)
5	33.1-66% FRED	0-50.99% Minority	75.3% (n=73)	79.9% (n=10060)
		51-100% Minority	79.6% (n=216)	76% (n=5658)
6	33.1-66% FRED	0-50.99% Minority	71.8% (n=96)	79% (n=10846)
		51-100% Minority	79.8% (n=288)	73.2% (n=6446)
7	33.1-66% FRED	0-50.99% Minority	72.3% (n=47)	77.8% (n=10639)
		51-100% Minority	69.6% (n=231)	70.7% (n=6840)
8	33.1-66% FRED	0-50.99% Minority	73.3% (n=90)	78.4% (n=10479)
		51-100% Minority	70.4% (n=213)	71.4% (n=6711)
9	33.1-66% FRED	0-50.99% Minority	82.4% (n=108)	84.7% (n=5771)
		51-100% Minority	73.4% (n=331)	74.7% (n=8567)
10	33.1-66% FRED	0-50.99% Minority	74.8% (n=167)	80.3% (n=4939)
		51-100% Minority	58.7% (n=216)	71.4% (n=6950)*

\*Association between type of school and percent significant at p<.01

Table 9 presents the data for the students enrolled in schools with high numbers of students eligible for free/reduced-price lunch (66.1 to 100 %). The differences in performance between charter and non-charter school students were only significant at 9<sup>th</sup> and 10<sup>th</sup> grade within the high minority population (50 to 100 %). In both cases, charter school students performed better than non-charter students on the Reading CSAP.

**Table 9 - Percent Charter and Non-Charter Students Scoring at Proficient Level or Above in Reading, Matched by 66.1-100% Eligibility for Free/Reduced-Price Lunch (FRED) and 0-50.99% and 51-100% Ethnicity, 2004-05**

Grade			Charter School % Proficiency or Above	Non-charter School % Proficiency or Above
3	66.1-100% FRED	0-50.99% Minority	n<15	80.9% (n=1241)
		51-100% Minority	72.8% (n=232)	76.2% (n=9911)
4	66.1-100% FRED	0-50.99% Minority	n<15	78.2% (n=1263)
		51-100% Minority	68.9% (n=251)	67.7% (n=9703)
5	66.1-100% FRED	0-50.99% Minority	n<15	79.2% (n=1171)
		51-100% Minority	76.1% (n=273)	69.6% (n=9949)
6	66.1-100% FRED	0-50.99% Minority	n<15	82.2% (n=344)
		51-100% Minority	70.3% (n=341)	67.2% (n=8686)
7	66.1-100% FRED	0-50.99% Minority	n<15	80.5% (n=201)
		51-100% Minority	69.3% (n=313)	63.7% (n=8052)
8	66.1-100% FRED	0-50.99% Minority	n<15	83.4% (n=217)
		51-100% Minority	63.2% (n=283)*	64.8% (n=8177)
9	66.1-100% FRED	0-50.99% Minority	n<15	81.5% (n=38)
		51-100% Minority	81.4% (n=480)*	55.1% (n=1534)
10	66.1-100% FRED	0-50.99% Minority	n<15	94.4% (n=18)
		51-100% Minority	77.3% (n=194)	62.7% (n=1023)

\*Association between type of school and percent significant at p<.01

## ***CSAP Writing Assessment***

There were 21,649 students reporting CSAP writing scores in charter schools and 437,310 students in non-charter schools. A comparison of the two cohorts (charter school students and non-charter school students) showed that:

- The percent of students eligible for free/reduced lunch was lower for students in charter schools than for students in non-charter schools at grades 3-8 but not in grades 9 and 10.

- ▶ The percent of minority students was lower for students in charter schools than for students in non-charter schools at grades 3-8 but not in grades 9 and 10.

Table 10 shows the percent of charter school and non-charter school students scoring at the proficient and advanced level in each grade. Within writing, charter school students scored better than non-charter school students in grades 3-5. In grades 6-10, non-charter school students scored better. **Readers should note that the groups being compared (charter students and non-charter students) in Table 10 overall serve different populations.**

**Table 10 - Percent of Charter and Non-Charter Students at Proficient Level or Above in Writing, 2004-05**

Grade	Charter % Proficient or Above	Non-Charter % Proficient or Above
3	85.1% (n=3126)*	83.3% (n=52,991)
4	83.9% (n=2938)*	80.8% (n=53,105)
5	85.1% (n=2804)*	83.3% (n=53,709)
6	78.2% (n=3216)	81.4% (n=54,507)*
7	76.1% (n=2982)	80.4% (n=55,968)*
8	80.5% (n=2853)	83.5% (n=55,834)*
9	78.6% (n=2143)	83.2% (n=58,549)*
10	77.3% (n=1587)	81.6% (n=52,647)*

\*Association between type of school and percent significant at  $p < .01$

Tables 11 through 13 show the results of the matched comparisons. Table 11 presents the data for the students enrolled in schools with low numbers of students eligible for free/reduced-price lunch (zero to 33 %). Within the lower minority band (zero to 50%) charter school students did better than non-charter school students in grades 3-5. Within the high minority bands, (50.1 to 100 %) non-charter school students did better in grades 6, 7, 9 and 10. In 8<sup>th</sup> grade all students performed similarly on the CSAP writing assessment.

**Table 11 - Percent Charter and Non-Charter Students Scoring at Proficient Level or Above in Writing, Matched by 0-33% Eligibility for Free/Reduced-Price Lunch (FRED) and 0-50.99% and 51-100% Ethnicity, 2004-05**

Grade			Charter School % Proficiency or Above	Non-charter School % Proficiency or Above
3	0-33% FRED	0-50.99% Minority	86.3% (n=2506)*	83.7% (n=25659)
		51-100% Minority	90% (n=30)	83.3% (n=480)
4	0-33% FRED	0-50.99% Minority	85.7% (n=2349)*	82.5% (n=26002)
		51-100% Minority	80% (n=20)	79% (n=463)
5	0-33% FRED	0-50.99% Minority	84.5% (n=2218)*	82.3% (n=26526)
		51-100% Minority	86.3% (n=22)	79.1% (n=350)
6	0-33% FRED	0-50.99% Minority	76.5% (n=2462)	80% (n=27800)*
		51-100% Minority	80.7% (n=26)	86.2% (n=385)
7	0-33% FRED	0-50.99% Minority	75.7% (n=2362)	79.2% (n=29820)*
		51-100% Minority	88% (n=25)	82.2% (n=416)
8	0-33% FRED	0-50.99% Minority	81.7% (n=2271)	83.4% (n=30250)
		51-100% Minority	84.2% (n=19)	85.1% (n=444)
9	0-33% FRED	0-50.99% Minority	86.8% (n=1099)	84.3% (n=39988)
		51-100% Minority	30.2% (n=235)	81% (n=2642)*
10	0-33% FRED	0-50.99% Minority	85% (n=952)	83.1% (n=37545)
		51-100% Minority	37.6% (n=186)	77.3% (n=2172)*

\*Association between type of school and percent significant at  $p < .01$

Table 12 below, presents the data for the students enrolled in schools with moderate numbers of students eligible for free/reduced-price lunch (33.1 to 66 %). Within the low minority bands, there was significant difference in scores at grade 4. Within the high minority bands, there was significance at grades 7 and 8. In all three examinations, non-charter school students performed better than charter students.



**Table 12 - Percent Charter and Non-Charter Students Scoring at Proficient Level or Above in Writing, Matched by 33.1-66% Eligibility for Free/Reduced-Price Lunch (FRED) and 0-50.99% and 51-100% Ethnicity, 2004-05**

Grade			Charter School % Proficiency or Above	Non-charter School % Proficiency or Above
3	33.1-66% FRED	0-50.99% Minority	80.2% (n=96)	86.5% (n=9853)
		51-100% Minority	81.4% (n=254)	81.9% (n=5835)
4	33.1-66% FRED	0-50.99% Minority	75.5% (n=215)	83.5% (n=9949)*
		51-100% Minority	78.7% (n=99)	79.1% (n=5725)
5	33.1-66% FRED	0-50.99% Minority	84.9% (n=73)	86.5% (n=10060)
		51-100% Minority	84.7% (n=216)	84.3% (n=5658)
6	33.1-66% FRED	0-50.99% Minority	81.2% (n=96)	85.3% (n=10846)
		51-100% Minority	85.4% (n=288)	81.8% (n=6446)
7	33.1-66% FRED	0-50.99% Minority	78.7% (n=47)	82.8% (n=10639)
		51-100% Minority	69.6% (n=231)	82.3% (n=6840)*
8	33.1-66% FRED	0-50.99% Minority	76.9% (n=65)	85.4% (n=10479)
		51-100% Minority	67.6% (n=213)	83.6% (n=6711)*
9	33.1-66% FRED	0-50.99% Minority	79.7% (n=74)	85% (n=5771)
		51-100% Minority	78.3% (n=254)	80.3% (n=8567)
10	33.1-66% FRED	0-50.99% Minority	76.3% (n=127)	83.3% (n=4939)
		51-100% Minority	74.2% (n=128)	75.6% (n=6950)

\*Association between type of school and percent significant at  $p < .01$

Table 13 below, presents the data for the students enrolled in schools with high numbers of students eligible for free/reduced-price lunch (66.1 to 100%). There were too few charter school students within the low minority band (0 to 50 %) for any meaningful examination. Within the high minority band, there was significance between the scores at grades 5, 9 and 10. In all three of these bands, charter school students performed better than non-charter students.

**Table 13 - Percent Charter and Non-Charter Students Scoring at Proficient Level or Above in Writing, Matched by 66.1-100% Eligibility for Free/Reduced-Price Lunch (FRED) and 0-50.99% and 51-100% Ethnicity, 2004-05**

Grade			Charter School % Proficiency or Above	Non-charter School % Proficiency or Above
3	66.1-100% FRED	0-50.99% Minority	n<15	85.5% (n=1250)
		51-100% Minority	77.8% (n=235)	79.6% (n=9914)
4	66.1-100% FRED	0-50.99% Minority	n<15	85% (n=1263)
		51-100% Minority	75% (n=251)	73.6% (n=9703)
5	66.1-100% FRED	0-50.99% Minority	n<15	85.5% (n=1171)
		51-100% Minority	90.1% (n=273)*	81.8% (n=9944)
6	66.1-100% FRED	0-50.99% Minority	n<15	88.9% (n=344)
		51-100% Minority	83.8% (n=341)	80% (n=8686)
7	66.1-100% FRED	0-50.99% Minority	n<15	83% (n=201)
		51-100% Minority	83.3% (n=313)	79.7% (n=8052)
8	66.1-100% FRED	0-50.99% Minority	n<15	92.6% (n=217)
		51-100% Minority	80.5% (n=283)	81% (n=8177)
9	66.1-100% FRED	0-50.99% Minority	n<15	81.5% (n=38)
		51-100% Minority	83.3% (n=480)*	66.7% (n=1534)
10	66.1-100% FRED	0-50.99% Minority	n<15	88.8% (n=18)
		51-100% Minority	79.3% (n=194)*	66.2% (n=1019)

\*Association between type of school and percent significant at p<.01

## CSAP Mathematics Assessment

During the 2004-05 school year, 21,639 charter school students reported CSAP mathematics scores as did 437,085 students in non-charter schools. A comparison of the two cohorts (charter school students and non-charter school students) showed that:

- ▶ The percent of students eligible for free/reduced lunch was lower for students in charter schools than for students in non-charter schools at grades 3-8 but not in grades 9 and 10.
- ▶ The percent of minority students was lower for students in charter schools than for students in non-charter schools at grades 3-8 but not in grades 9 and 10.

Table 14 shows the percent of charter school and non-charter school students scoring at the proficient and advanced level in each grade. N represents the number of students that reported scores. In grades 3, 5, 6, 7 and 8, both charter and non-charter students scored similarly. In grade 4, charter school students performed better than non-charter students and in grades 9 and 10, non-charter school students performed better than charter school students. **Readers should note that the groups being compared (charter students and non-charter students) in Table 13 overall serve different populations.**

**Table 14 - Percent of Charter and Non-Charter Students Proficient or Above in Mathematics, 2004-05**

Grade	Charter % Proficient or Above	Non-Charter % Proficient or Above
3	67.5% (n=3,128)	66.4% (n=52,974)
4	69.5% (n=2,938)*	66.8% (n=53,042)
5	63.4% (n=2,802)	61.2% (n=53,673)
6	61.8% (n=3,214)	62.2% (n=54,490)
7	64.0% (n=2,983)	63.5% (n=55,950)
8	58.6% (n=2,853)	59.4% (n=55,802)
9	44.1% (n=2,134)	52.9% (n=58,516)*
10	47.1% (n=1,587)	59.6% (n=52,638)*

\*Association between type of school and percent significant at  $p < .01$

Tables 15 through 17 show the results of the matched comparisons. Table 15 shows the band with the lowest percentage of students who were eligible for free/reduced-price lunch (0 to 33 %). Within the low minority band (0 to 50 %) charter school students performed better than non-charter school students in grades 3, 4, and 5. Within the high minority band, charter school students performed better in grade 4, while non-charter school students performed better in grades 9 and 10. Within all other bands, students performed similarly

**Table 15 - Percent Charter and Non-Charter Students Scoring at Proficient Level or Above in Math, Matched by 0-33% Eligibility for Free/Reduced-Price Lunch (FRED) and 0-50.99% and 51-100% Ethnicity, 2004-05**

Grade			Charter School % Proficiency or Above	Non-charter School % Proficiency or Above
3	0-33% FRED	0-50.99% Minority	68.3% (n=2507)*	60.6% (n= 15571)
		51-100% Minority	76.6% (n=30)	67.9% (n= 480)
4	0-33% FRED	0-50.99% Minority	69.2% (n=1628)*	62.7% (n= 25989)
		51-100% Minority	95% (n=20)*	67.4% (n= 461)
5	0-33% FRED	0-50.99% Minority	62.8% (n=2216)*	56.4% (n= 26495)
		51-100% Minority	81.8% (n=22)	61.6% (n= 349)
6	0-33% FRED	0-50.99% Minority	61% (n=2488)	59.7% (n= 27803)
		51-100% Minority	53.8% (n=26)	70.6% (n= 385)
7	0-33% FRED	0-50.99% Minority	64.5% (n=2362)	63.9% (n= 29818)
		51-100% Minority	72% (n=25)	67.7% (n= 416)
8	0-33% FRED	0-50.99% Minority	61.8% (n=2272)	63.4% (n= 29807)
		51-100% Minority	57.8% (n=19)	53.8% (n= 444)
9	0-33% FRED	0-50.99% Minority	59.2% (n=1099)	59.2% (n= 39985)
		51-100% Minority	29.9% (n=234)	39.7% (n= 2642)*
10	0-33% FRED	0-50.99% Minority	64% (n=954)	65.7% (n= 37536)
		51-100% Minority	7% (n=185)	43.5% (n= 2173)*

\*Association between type of school and percent significant at p<.01

Table 16 shows the band with the moderate percentage of students who were eligible for free/reduced-price lunch (33.1 to 66 %). All students scored similarly within the low minority bands (0 to 50 %). Within the high minority bands, non-charter school students performed better than charter school students in grades 3, 8, and 10.

**Table 16 - Percent Charter and Non-Charter Students Scoring at Proficient Level or Above in Math, Matched by 33.1-66% Eligibility for Free/Reduced-Price Lunch (FRED) and 0-50.99% and 51-100% Ethnicity, 2004-05**

Grade			Charter School % Proficiency or Above	Non-charter School % Proficiency or Above
3	33.1-66% FRED	0-50.99% Minority	70.8% (n=96)	71.8% (n= 9842)
		51-100% Minority	54.9% (n=255)	71.5% (n=5835)*
4	33.1-66% FRED	0-50.99% Minority	73.7% (n=99)	72.3% (n= 9948)
		51-100% Minority	71% (n=214)	70.8% (n= 5710)
5	33.1-66% FRED	0-50.99% Minority	67.1% (n=73)	67.2% (n= 10053)
		51-100% Minority	59.7% (n=216)	65.3% (n= 5655)
6	33.1-66% FRED	0-50.99% Minority	62.1% (n=95)	67.8% (n= 10834)
		51-100% Minority	68% (n=288)	63.9% (n= 6443)
7	33.1-66% FRED	0-50.99% Minority	59.5% (n=47)	67.1% (n= 10635)
		51-100% Minority	65.8% (n=231)	62.7% (n= 6832)
8	33.1-66% FRED	0-50.99% Minority	43% (n=65)	62.5% (n= 10451)
		51-100% Minority	39.1% (n=212)	53.6% (n= 6706)*
9	33.1-66% FRED	0-50.99% Minority	28.3% (n=53)	52.5% (n= 5773)
		51-100% Minority	36.2% (n=251)	34.1% (n= 8565)
10	33.1-66% FRED	0-50.99% Minority	26.7% (n=127)	57% (n= 4941)
		51-100% Minority	19.8% (n=126)	38.2% (n= 6954)*

\*Association between type of school and percent significant at  $p < .01$

Table 17 shows the band with the highest percentage of students who were eligible for free/reduced-price lunch (66 to 100 %). There were too few students for meaningful analysis within the low minority bands (0 to 50 %). Within the high minority bands, charter school students performed better than non-charter school students in grades 9 and 10.

**Table 17 - Percent Charter and Non-Charter Students Scoring at Proficient Level or Above in Math, Matched by 66.1-100% Eligibility for Free/Reduced-Price Lunch (FRED) and 0-50.99% and 51-100% Ethnicity, 2004-05**

Grade			Charter School % Proficiency or Above	Non-charter School % Proficiency or Above
3	66.1-100% FRED	0-50.99% Minority	n<15	76.6% (n= 1247)
		51-100% Minority	70.2% (n=235)	71.6% (n= 9903)
4	66.1-100% FRED	0-50.99% Minority	n<15	74.7% (n= 1248)
		51-100% Minority	66.9% (n=251)	68.4% (n= 9686)
5	66.1-100% FRED	0-50.99% Minority	n<15	68% (n= 1168)
		51-100% Minority	68.4% (n=273)	64.5% (n= 9953)
6	66.1-100% FRED	0-50.99% Minority	n<15	73.7% (n= 343)
		51-100% Minority	61.8% (n=341)	60.6% (n= 8682)
7	66.1-100% FRED	0-50.99% Minority	n<15	76.1% (n= 201)
		51-100% Minority	58.2% (n=314)	57% (n= 8048)
8	66.1-100% FRED	0-50.99% Minority	n<15	67.7% (n= 217)
		51-100% Minority	50.8% (n=283)	45.1% (n= 8177)
9	66.1-100% FRED	0-50.99% Minority	n<15	42.1% (n= 38)
		51-100% Minority	36% (n=475)*	16% (n= 1504)
10	66.1-100% FRED	0-50.99% Minority	n<15	72.2% (n= 18)
		51-100% Minority	33.3%(n=195)*	20.8% (n= 1012)

\*Association between type of school and percent significant at p<.01

## ***CSAP Science Assessment***

There were 2,845 students reporting 2004-05 CSAP science scores in charter schools and 55,813 students in non-charter schools.

A comparison of the two cohorts showed that:

- ▶ The percent of students eligible for free/reduced lunch and the percent minority was lower for students in charter schools than for students in non-charter schools.

Table 18 shows the percent of charter school and non-charter school students scoring at the proficient and advanced level at 8<sup>th</sup> grade, the only grade in which the CSAP science assessment was administered. N represents the number of students that reported scores. Non-charter school students scored better than charter school students on the CSAP science assessment. **Readers should note that the groups being compared serve different populations.**

**Table 18 - Percent of Charter and Non-Charter Students at Proficient Level or Above in Science, 2004-05**

Grade	Charter % Proficient or Above	Non-Charter % Proficient or Above
8	70.1% (n=2845)	70.2% (n=55,813)*

\*Association between type of school and percent significant at p<.01

Table 19 shows the percent of charter and non charter school students eligible for free/reduced lunch across all three bands. Non-charter school students scored better in the moderate free and reduced band (33.1 to 66 %) than charter school students. In the remaining two free and reduced lunch eligibility bands, student scores were similar.

**Table 19 - Percent Charter and Non-Charter Students Scoring at Proficient Level or Above in Math, Matched by 0-33%, 33.1-66% and 66.1-100% Eligibility for Free/Reduced-Price Lunch (FRED) and 0-50.99% and 51-100% Ethnicity, 2004-05**

Grade			Charter School % Proficiency or Above	Non-charter School % Proficiency or Above
8	0-33% FRED	0-50.99% Minority	75.0% (n=2271)	77% (n=29800)
		51-100% Minority	89.4% (n=19)	66.1% (n=443)
	33.1-66% FRED	0-50.99% Minority	57.5% (n=66)	72.1% (n=10475)*
		51-100% Minority	48.5% (n=210)	60.9% (n=6710)*
	66.1-100% FRED	0-50.99% Minority	n<15	79.7% (n=217)
		51-100% Minority	47.1% (n=278)	50.2% (n=8168)

\*Association between type of school and percent significant at p<.01

## ***School Accountability Reports***

The 2003 Colorado School Accountability Reports (SAR) rated the academic performance of public schools based on their Overall Standardized Weighted Total Score. The Overall Standardized Weighted Score is an average of the individual Area Standardized Scores for CSAP reading, CSAP mathematics, and CSAP writing. In high schools, scores for ACT reading, ACT writing and ACT mathematics also were included in the average. CDE statistically combined the percentages of students achieving various levels of proficiency at each grade level to calculate a score for each academic assessment. Schools that served multiple grade levels (elementary, middle and high) received separate accountability reports for each grade level. Separating out these grade levels allowed CDE to compare the academic performance of schools to schools of the same level. In other words, elementary schools were compared to other elementary schools, middle schools to other middle schools, and high schools to other high schools. As a result, a charter school with a K-12 program would have published three separate SARs, one for elementary school (grades 1-6), one for middle schools (grades 7-8) and one for high school (grades 9-12).

The school accountability reporting process applies five ratings of overall academic performance: Excellent, High, Average, Low and Unsatisfactory. For the baseline year (2000-01), the percent of schools at each rating was preset by the state based on a curve rather than a straight standard. These preset percents for the ratings reflected logical cut-off points within the standardized normal distribution 8% Excellent rating, 25% High rating, 40% Average rating, 25% Low rating and 2% Unsatisfactory rating. In 2001 (the baseline year) CDE did not rate a small number of public schools, including some



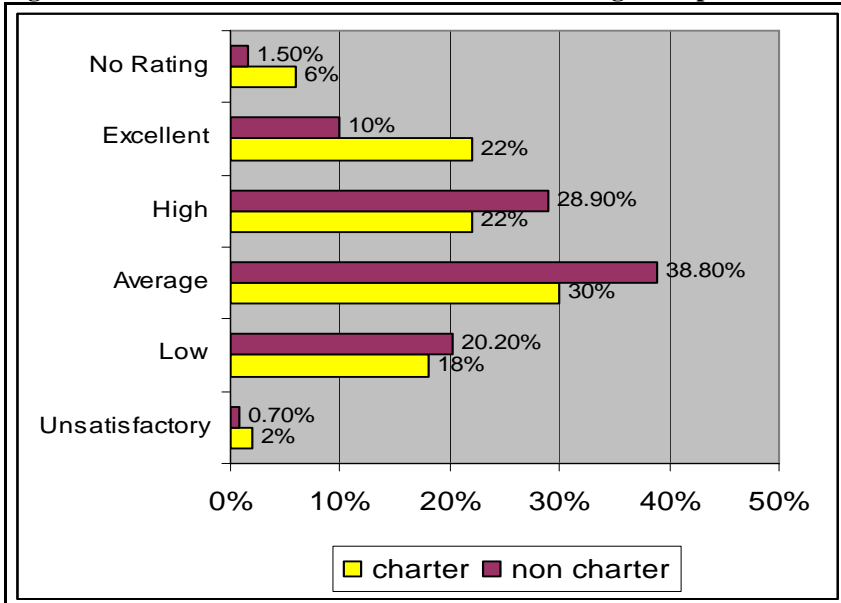
charter schools. Against the baseline ratings of overall academic performance established in the 2001 SARs, the 2003 SARs recognized the change in schools' performance – improvement or decline – from the previous years.

The 2003 SAR were used in this report. The 97 charter schools that were operating in 2002-03 issued 169 SARs, reflecting the fact that many charter schools served students at more than one grade level (elementary, middle, high). Two charter schools, Life Skills Center of Colorado Springs and Rocky Mountain School for the Deaf, did not publish SARs. Of the 169 charter schools that issued SARs in the fall 2003:

- ▶ 22% (37 schools) received an “Excellent” rating;
- ▶ 22% (37 schools) received a “High” rating;
- ▶ 30% (51 schools) received an “Average” rating;
- ▶ 18% (30 schools) received a “Low” rating; and
- ▶ 2% (4 schools) received an “Unsatisfactory” rating.
- ▶ 6% (10 schools) received “No rating.”

The ten “No Rating” schools were excused due to the challenging population they serve. The four “Unsatisfactory” ratings were received by three charter schools (one school received two SARs). One of these three schools – Tutmose Academy Charter – was expressly created as an intervention school to serve specific high-risk populations. The two remaining schools that received an “Unsatisfactory” rating - P.S.1 Charter School (reflected in two SARs) and Center for Discovery Learning were created to offer alternative educational programs targeted to students who had not been successful in more traditional public schools. Center for Discovery Learning closed its doors at the end of the 2004 school year.

Figure 6 - Distribution of Charter Schools SAR Ratings Compared to Non-Charter School.



### Gain Maker Schools

In the fall of 2005, “Gain-Maker” schools were recognized for having increased the percent of students scoring proficient and advanced on CSAP by 20 % or more on average in a Reading, Writing, Math and Science over the past three academic years of 2003, 2004, and 2005.

Table 20 - Schools that Received over 20% Gains Over Three Years in Reading  
Schools that Received 20% Gains Over Three Years  
Reading

SCHOOL	DISTRICT	GRADE(S)	% FRL
Brighton Charter School	Brighton 27 J	8	1.0%
Bromley East Charter School	Brighton 27 J	4	19.5%
Cesar Chavez Academy	Pueblo City 60	4 & 5	63.4%
Compass Secondary Montessori Charter School	Jefferson County R 1	7	15.0%
Globe Charter School	Colorado Springs 11	7	49.5%
Knowledge Quest Academy	Johnstown Milliken R E 5 J	4	0.0%
Littleton Prep Charter School	Littleton 6	6	0.0%
Pioneer Charter School	Denver Public Schools	5	92.9%
Swallows Charter Academy	Pueblo County Rural 70	6	7.6%

Windsor Charter Academy	Windsor RE 4	4	10.2%
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State-wide there were a total of 113 schools that were recognized as “Gain Makers” for Reading. Charter schools represented 10 of those schools (nine percent).

**Table 21 - Schools that Received over 20% Gains Over Three Years in Writing**  
**Schools that Received 20% Gains Over Three Years**  
**Writing**

SCHOOL	DISTRICT	GRADE(S)	% FRL
Academy of Charter Schools	Adams 12	7	22.6%
Bromley East Charter School	Brighton 27 J	4	19.5%
Cesar Chavez Academy	Pueblo City 60	5 & 6	63.4%
Challenges, Choices, and Images Charter School	Denver Public Schools	3	54.1%
Community Prep Charter School	Colorado Springs 11	10	56.1%
Compass Secondary Montessori Charter School	Jefferson County R 1	7	14.9%
DCS Montessori School	Douglas CO RE 1	6	3.4%
Excel Academy Charter School	Jefferson County R 1	5	17.6%
Free Horizon Montessori Charter School	Jefferson County R 1	3 & 4	8.1%
Globe Charter School	Colorado Springs 11	7	49.5%
Horizons K-8 Alternative Charter School	Boulder Valley RE 2	4	4.9%
Knowledge Quest Academy	Johnstown Milliken R E 5 J	4	0.0%
Littleton Prep Charter School	Littleton 6	5 & 6	0.0%
Odyssey Charter Elementary School	Denver Public Schools	4	24.8%
Pioneer Charter School	Denver Public Schools	5	92.9%
Ridgeview Classical Charter Schools	Poudre R 1	3	8.0%
The Excel Charter School	Durango 9 R	8 & 10	34.3%

Twin Peaks Charter Academy	St. Vrain Valley R 1-J	6	5.8%
University Schools	Greeley 6	6 & 7	11.5%
Woodrow Wilson Charter Academy	Jefferson County R 1	3 & 7	8.2%

State-wide there were a total of 222 schools that were recognized as “Gain Makers” for Writing. Charter schools represented 20 of those schools (nine percent).

**Table 22 - Schools that Received over 20% Gains Over Three Years in Math**

Schools that Received 20% Gains Over Three Years			
Math			
SCHOOL	DISTRICT	GRADE(S)	% FRL
Academy of Charter Schools	Adams 12	7	22.6%
Cardinal Community Academy Charter School	Keensburg RE 3 (J)	6	18.3%
Cesar Chavez Academy	Pueblo City 60	6, 7 & 8	63.4%
Challenge to Excellence Charter School	Douglas County RE 1	8	0.0%
Challenges, Choices, and Images Charter School	Denver Public Schools	5 & 7	54.1%
Cherry Creek Charter Academy	Cherry Creek 5	6, 7 & 8	0.44%
Compass Secondary Montessori Charter School	Jefferson County R 1	7	14.9%
Crown Pointe Charter Academy	Westminster 50	6 & 7	21.8%
Eagle County Charter Academy	Eagle County RE 50	7	0.0%
Excel Academy Charter School	Jefferson County R 1	5	17.6%
Globe Charter School	Colorado Springs 11	7	49.5%
Jefferson Charter Academy Junior High School	Jefferson County R 1	7	11.51%
Jefferson Charter Academy Senior High School	Jefferson County R 1	10	4.4%
Littleton Prep Charter Academy	Littleton 6	6 & 8	0.0%
Monument Charter	Lewis Palmer 38	8	1.5%

Academy			
Odyssey Charter Elementary School	Denver Public Schools	5	24.8%
Peak to Peak Charter School	Boulder Valley R E 2	8	4.9%
Pioneer Charter School	Denver Public Schools	5	92.9%
Pueblo School for the Arts and Sciences	Pueblo City 60	5	69.9%
Ridgeview Classical Charter Schools	Poudre R 1	10	8.0%
University Schools	Greeley 6	6	11.5%
Windsor Charter Academy	Windsor RE 4	8	10.2%
Woodrow Wilson Charter Academy	Jefferson County R 1	7	8.2%
Wyatt-Edison Charter Elementary School	Denver Public Schools	5	87.3%

State-wide there were a total of 218 schools that were recognized as “Gain Makers” for Math. Charter schools represented 24 of those schools (11 %).

**Table 23 - Schools that Received over 20% Gains Over Three Years in Science**  
Schools that Received 20% Gains Over Three Years  
**Science**

SCHOOL	DISTRICT	GRADE(S)	% FRL
Union Colony Preparatory Academy	Greeley 6	8	1.1%
Windsor Charter Academy	Windsor RE 4	8	10.2%

State-wide there were a total of 16 schools that were recognized as “Gain Makers” for Science. Charter schools represented two of those schools (12.5 percent).

## ***Accomplished Schools***

“Accomplished” schools were recognized for having consistently 90 % or more of their students scoring proficient and advanced on CSAP in a subject area over the three academic years of 2003-05.

**Table 24 - Schools having 90% of their Students Receive Proficient and Advanced for 2003-05: Reading**  
**Schools Having 90% of Their Students Receive Proficient and Advanced for Each Year**  
**2003, 2004 and 2005**  
**Reading**

SCHOOL	DISTRICT	GRADE(S)	% FRL
Cherry Creek Charter Academy	Cherry Creek 5	3 & 8	0.4%
Cheyenne Mountain Charter Academy	Cheyenne Mountain 12	6, 7 & 8	15.6%
Core Knowledge Charter School	Douglas County RE 1	6, 7 & 8	0.0%
Eagle County Charter Academy	Eagle County RE 50	4 & 5	0.0%
Horizons K-8 Alternative Charter School	Boulder Valley RE 2	3, 6 & 8	4.9%
Littleton Academy	Littleton 6	3, 5, 6, 7 & 8	0.0%
Monument Charter Academy	Lewis Palmer 38	3 & 6	1.5%
Ridgeview Classical Charter Schools	Poudre R 1	6 & 9	8.0%
Rocky Mountain Academy of Evergreen	Jefferson County R1	6	1.6%
Stargate Charter School	Adams 12	3, 4, 5, 6, 7 & 8	
Summit Middle Charter School	Boulder Valley RE 2	6, 7 & 8	0.3%
The Classical Academy Charter	Academy 20	6, 9 & 10	0.6%
The Connect Charter School	Pueblo County Rural 70	6 & 7	2.5%

State-wide there were a total of 59 Accomplished schools for Reading. Charter schools represented 13 of those schools (22 %).

**Table 25 - Schools Having 90% of their Students Receive Proficient and Advanced for 2003-2005: Writing**  
 Schools Having 90% of Their Students Receive Proficient and Advanced for Each Year  
 2003, 2004 and 2005  
**Writing**

SCHOOL	DISTRICT	GRADE(S)	% FRL
Cheyenne Mountain Charter Academy	Cheyenne Mountain 12	6, 7 & 8	15.6%
Core Knowledge Charter School	Douglas County RE 1	7	0.0%
Liberty Common Charter School	Poudre R 1	6 & 9	5.66%
Littleton Academy	Littleton 6	6, 7 & 8	0.0%
Summit Middle Charter School	Boulder Valley RE 2	6, 7 & 8	0.3%

State-wide there were a total of 14 Accomplished schools for Writing. Charter schools represented five of those schools (36 %).

**Table 26 - Schools Having 90% of their Students Receive Proficient and Advanced for 2003-2005: Math**  
 Schools Having 90% of Their Students Receive Proficient and Advanced for Each Year  
 2003, 2004 and 2005  
**Math**

SCHOOL	DISTRICT	GRADE(S)	% FRL
Littleton Academy	Littleton 6	6	0.0%
Summit Middle Charter School	Boulder Valley RE 2	6	0.3%
The Connect Charter School	Pueblo Rural 70	6	0.03

State-wide there were a total of 15 Accomplished schools for Math. Charter schools represented three of those schools (20 %).

**Table 27 - Schools Having 90% of their Students Receive Proficient and Advanced for 2003-2005: Science**  
 Schools Having 90% of Their Students Receive Proficient and Advanced for Each Year  
 2003, 2004, and 2005  
**Science**

SCHOOL	DISTRICT	GRADE(S)	% FRL
Horizons K-8 Alternative Charter School	Boulder Valley RE 2	8	4.9%
Summit Middle Charter School	Boulder Valley RE 2	8	0.3%

State-wide there were a total of six Accomplished schools for science. Charter schools represented two of those six (33 %).



## ***PART SEVEN: COLORADO CHARTER SCHOOL TEACHERS AND ADMINISTRATORS***

The following data is based on the 2003-04 school year. At the time of the creation of this study, data for the 2004-05 School Accountability Reports (SAR) was not available.

The number of entries a school had in computing the following data reflects the number of charters a school has and not the number of SAR reports issued for the school. For example, Jefferson Academy (Jefferson County) has three separate charters: an elementary school, middle school and high school. All three of their School Accountability Reports (SARs) were used in the data analysis. Pinnacle Charter School (Adams 12) only has one charter even though they have three SARs available. Since the school only has one charter, only one SAR was used in data analysis.

### ***Charter School Teacher Salaries***

The data reported under “Average Teacher Salary” in the 2003-04 SARs for several Jefferson County schools is questionable. For instance, one charter school reported average teacher salary as \$1,496. A second reported the Average Teacher Salary as \$9,342. While clarification from Jefferson County School District was sought, no response was provided.

The questionable data impacts the following statistics and should therefore be used with caution.

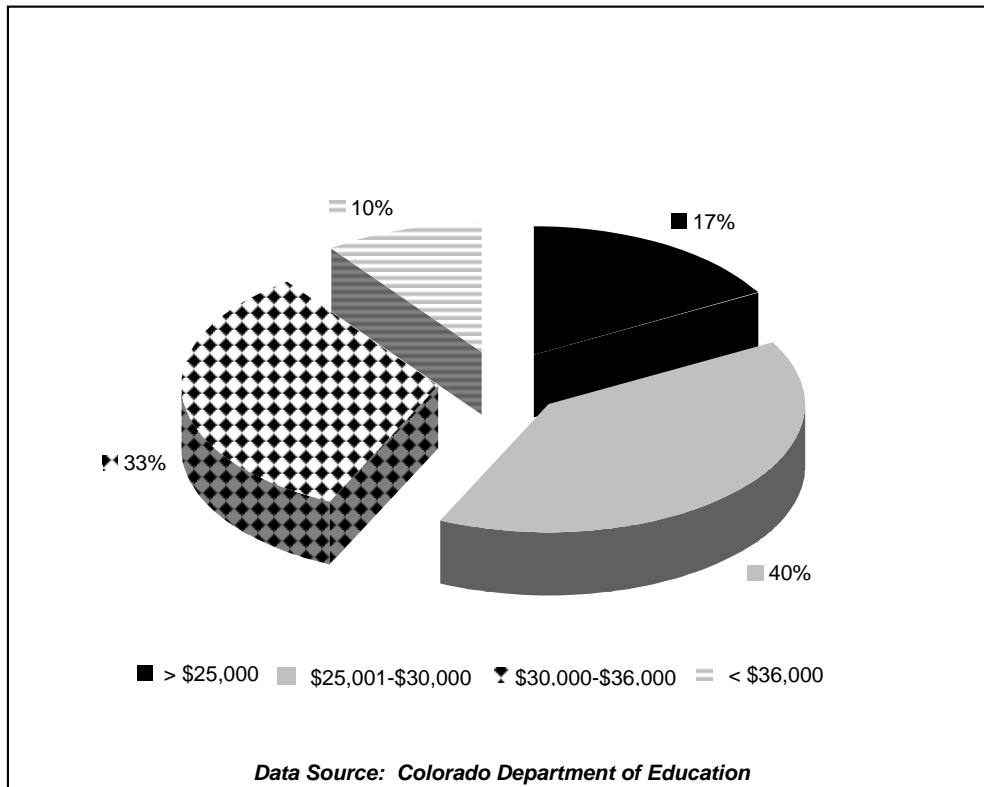
Data about enrollment stability was available for 95 of the 96 charter schools that operated in 2003-04. The average teacher salary of the charter schools was \$29,266. The average teacher salary in individual charter schools ranged from \$1,496 to \$43,385. The median salary was \$29,889.

The average teacher salary in charter schools in 2003-04 was 32 % less than the state average salary of \$43,319. This salary gap has grown slightly since 2001. In the last evaluation, the average salary for teachers in charter schools (\$29,601) was about 30 % less than the average teacher salary in the state of Colorado (\$40, 659). Once again, the questionable data from the Jefferson County School District impacts the following statistics and should therefore be used with caution.

Of the 95 charter schools for which teacher salary data were available:

- ▶ 20% (19 schools) had average teacher salaries of under \$25,000,
- ▶ 32.6% (31 schools) had average teacher salaries of between \$25,001 and \$30,000,
- ▶ 33.7% (32 schools) had average teacher salaries of between 30,001 and \$36,000, and
- ▶ 13.7% (13 schools) had average teacher salaries of over \$36,000.

**Figure 7 - Average Charter School Teacher Salary: 2004-05**



## ***Teacher Experience***

The following data is based on the 2003-04 school year. At the time of creation and publication the 2004-05 data for the School Accountability Reports (SAR) was not available.

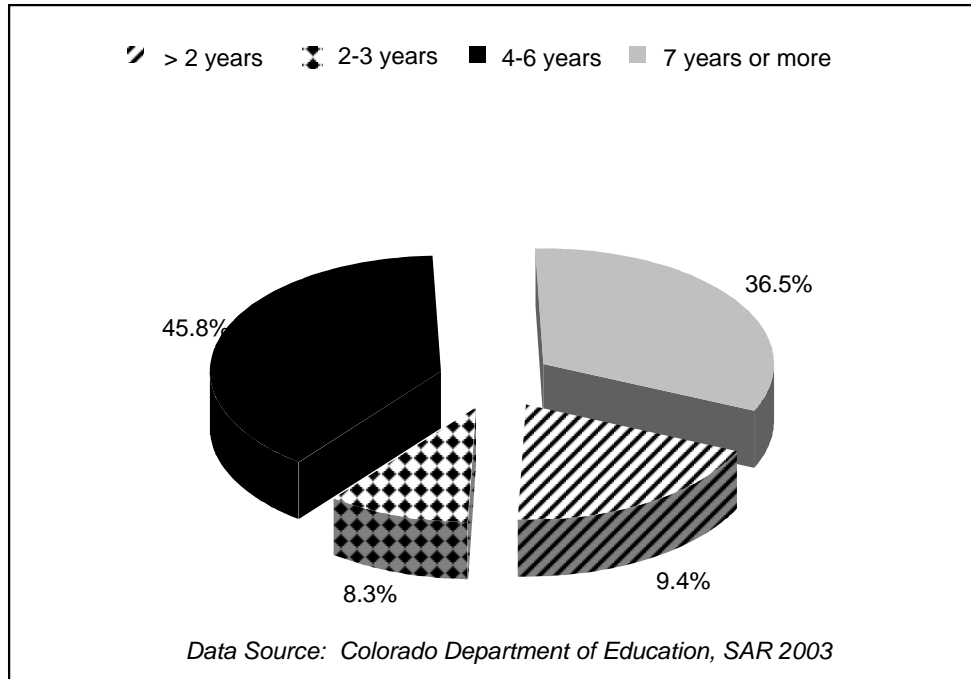
The average experience of teachers in Colorado charter schools was 6.1 years. The average experience ranged among individual charter schools from no experience to 17 years. The median experience of teachers in Colorado charter schools was 6.0 years.

The average teaching experience of all public classroom teachers in Colorado in fall of 2003 was 10.9 years. The average experience of teachers of the authorizing districts of the charter schools was 11.0. The average years of teaching experience of Colorado charter school teachers has stayed relatively constant over time. In 2001, charter school teachers, on average, had 5.2 years of teaching experience.

Of the 96 charter schools that reported data on teacher experience,

- ▶ 8.3% (8 schools) had a teaching staff with an average of less than two years experience;
- ▶ 9.4% (9 schools) had a teaching staff with an average of two to three years experience;
- ▶ 45.8% (44 schools) had a teaching staff with an average of four to six years of experience.
- ▶ 36.5% (35 schools) had a teaching staff with an average of seven or more years of teaching experience.

Figure 8 - Average Years of Experience of Teachers in Charter Schools, 2004-05



### Highly Qualified Teachers

Of the 96 charter schools with SARs in 2003-04, data regarding the percent of teachers teaching the subject in which they received their degree was available for 52 of the charter schools and their sponsoring district. The 52 charter schools ranged from 0% to 100 % of teachers teaching the subject in which they received their degree. The average was 44 %. The data for the 52 sponsoring districts ranged from 58 % to 100 % of teachers teaching the subject in which they received their degree. The average was 70 %.

Charter school teachers are more likely to have master’s degrees in fields like business, arts, and science (as opposed to education).<sup>86</sup>

Charter school teachers are more likely to have master’s degrees in fields like business, arts, and science (as opposed to education).

### Tenure in Charter Schools

Data on the number of teachers employed by charter schools with tenure and without tenure were available for 96 charter schools that operated during the 2003-04 school year. In these 96 charter schools, 1,743 (88%) of the teachers employed did not have tenure and 233 (12%) did have tenure. The percentage of both teachers with and without tenure has not changed since 2001 (88% and 12%, respectively).

As a point of comparison, 38% of the district teachers employed did not have tenure and 62% of the district teachers employed did have tenure.

Many charter schools sought and received a waiver from the state’s Teacher Employment, Compensation and Dismissal Act, which governs the granting of tenure in public schools. Pursuant to the adoption of

HB04-1141, the rules were amended to provide the automatic waiver of certain statutes; however, application for these automatic waivers must be documented. Additional information is available at the CDE Charter School website at: [http://www.cde.state.co.us/index\\_charter.htm](http://www.cde.state.co.us/index_charter.htm)

### ***Number of Professional Development Days***

Data on the number of professional development days provided by charter schools to their teachers during the 2003-04 school year were available for 96 of the charter schools that operated during that period. The professional development days ranged from a low of 2 days to a high of 26 days. The average number of professional development days was 7.6 and the median number of days was 6.0. These numbers did not change substantially from the fall of 2001.

As a point of comparison, the authorizing districts offered an average of 5.4 professional development days and a median number of 4.0 days.

### ***Percent Teachers' Days Absent from School***

Data related to the average percentage of days charter school teachers were absent during the 2003-04 school year were available for 96 of the charter schools that operated during that period. The average percentage of days absent ranged in individual charter schools from a low of 0% to a high of 10.5%. The average percentage of days teachers were absent for all charter school that operated in 2003-04 was 2.8% and the median was 2.7%. As a point of comparison, the average percentage of days teachers were absent in the cohort of authorizing districts was 5.1% and the median was 5.5%.

### ***Charter School Administrator Salaries***

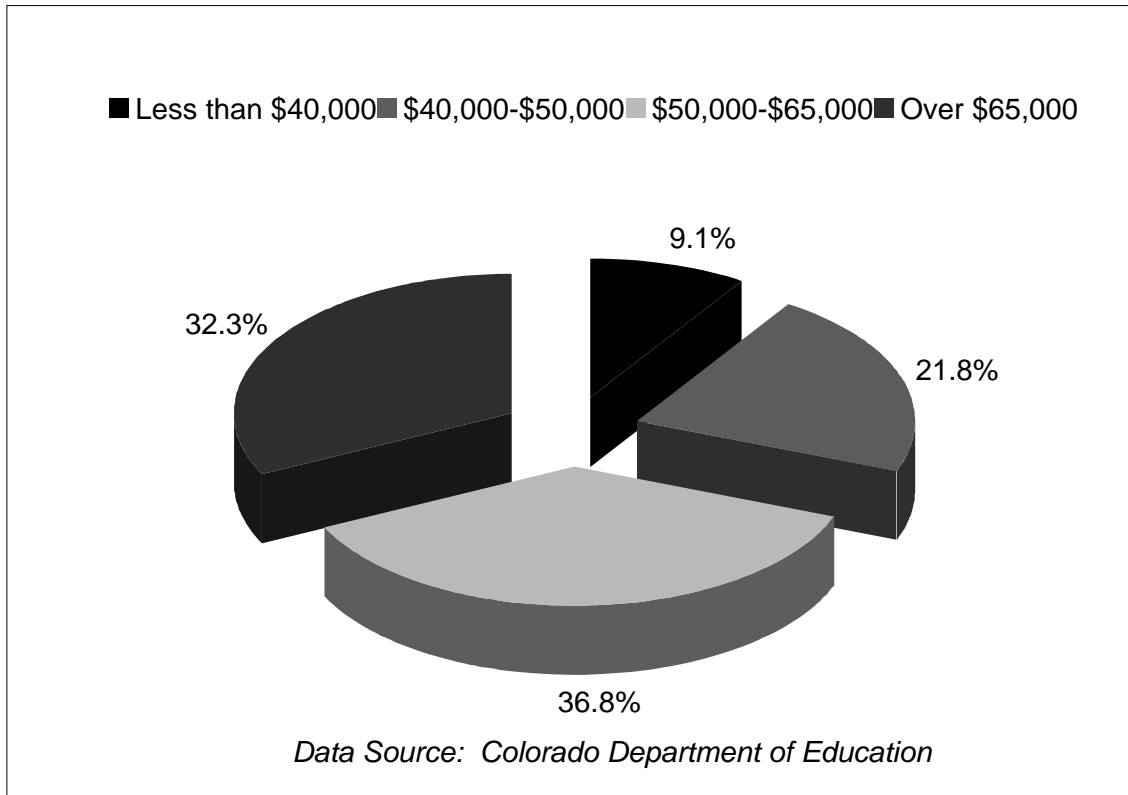
Data on administrator salaries were available for 87 of the 96 charter schools that reported data for the 2003-04 SAR. The average salary of charter school administrators in 2003-04 was \$57,883. The median salary was \$59,101. The average administrator salary in charter schools ranged from \$16,570 to \$102,577.

The average salary of authorizing district's school principals in 2003-04 was \$74,171, about 22% higher than the average salary of charter school principals. This salary gap has increased by 2% since 2001. The average salary of Colorado public school principal was \$73,500, about 21% higher than the average salary of charter school principals. This salary gap has stayed relatively constant since 2001.

Of the 87 schools for which data were available:

- ▶ 9.1% (8 schools) had average administrator salaries of less than \$40,000,
- ▶ 21.8% (19 schools) had average administrator salaries of \$40,000 - \$50,000,
- ▶ 36.8% (32 schools) had average administrator salaries of \$50,001 - \$65,000, and
- ▶ 32.3% (28 schools) had salaries of over \$65,000.

**Figure 9 - Average Salaries of Charter School Administrators, 2004-05**



## ***PART EIGHT: ADMINISTRATION OF CHARTER COLORADO CHARTER SCHOOLS***

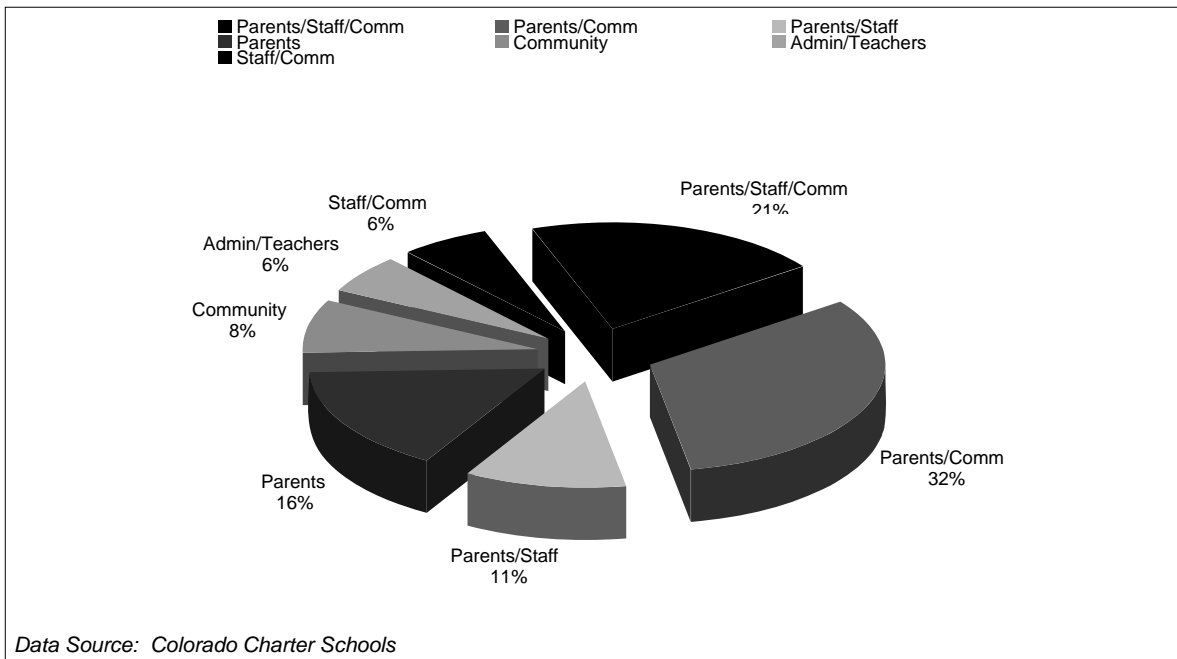
### ***Governing Board Composition***

The Colorado charter schools in this report were required to propose a governance structure in their charter applications. The chartering district approved this structure, either as submitted or as modified through negotiations, in the charter school contract. These charter school governing bodies had authority over curriculum, personnel, budget and other aspects of the school, under the terms and conditions of the charter contract with the chartering district. Almost all charter schools in the report employed an administrator (sometimes called dean, educational director, or lead teacher instead of principal) who was responsible for making day-to-day operational decisions.

Ninety-eight of the 107 charter schools operating in 2004 -05 provided information about the composition of their governing boards during that year. Of these schools:

- ◆ 24% (23 schools) had a governing board comprised of parents, school staff (teachers and administrators, or teachers or administrators) and community members;
- ◆ 33% (32 schools) had a board comprised of parents and community members;
- ◆ 16% (16 schools) had a board comprised of parents only;
- ◆ 11% (11 schools) had a board comprised of parents and school staff (teachers and administrators or teachers or administrators);
- ◆ 8% (8 schools) had a board comprised of community members only;
- ◆ 2% (2 schools) had a governing board comprised of administrators or administrators and teachers; and
- ◆ 6% (6 schools) had a governing board comprised of community members and school staff.

Figure 10 - Composition of Charter School Governing Boards, 2004-05



## Board Policy Manual

The charter school questionnaire asked schools to indicate whether they maintained a book or manual of board-approved policies that was separate from the employee handbook, the parent/student handbook and the original charter application.

Ninety-three of the charter schools operating in 2004-05 provided information related to this issue. Of that total, 78 schools (83.8 %) maintained such policy manuals. The schools that maintained a book of board policies made this book available to parents and other members of the public in the following ways:

- ▶ 66 schools (84.6%) kept a master copy of the policies in the office for review;
- ▶ 49 schools (24.3%) provided copies of board policies to the public upon request, free of charge;
- ▶ 11 schools (14.1%) provided copies of board policies to the public upon request, for a copying fee; and
- ▶ 19 of the schools (24.3%) made board policies available on the school website.

While there is not one best approach for creating a board, a good idea is to replicate boards of successful non-profit organizations.

While there is not one best approach for creating a board, a good idea is to replicate boards of successful non-profit organizations.<sup>87</sup>

Charter school governance is extremely important to the success of a charter school. The Colorado Department of Education provides sample and best practice governing documents at: <http://www.cde.state.co.us/cdechart/guidebook/gov/index.htm>



Ninety-three of the charter schools operating in 2004-05 responded to a question that asked whether the school has adopted a documented goal for making Adequate Yearly Progress under the provisions of the *No Child Left Behind Act*. Of those schools responding, 67 schools (72 %) had adopted such a goal.

## ***Parent Involvement in Colorado Charter Schools***

Charter schools must engage parents and parents must feel some ownership of the school. Some parents are there because this is the school they feel their child will academically flourish in. Others are there because they feel that this is their child's last chance. Whatever the reason, if parental involvement is not present, the charter school will experience turbulence in the future.

Charter schools must engage parents and parents must feel some ownership of the school....Whatever the reason, if parental involvement is not present, the charter school will experience turbulence in the future.

Research has shown that parental involvement has a profound effect on student achievement.

Students whose parents are involved in their education are more enthusiastic and confident learners and achieve at higher levels. Similarly,

schools with significant parental involvement are more effective at meeting the needs of all students.<sup>88</sup> In public schools generally, parent involvement tends to be higher in elementary schools than in middle and high schools and higher in schools that are not significantly impacted by poverty than in schools that are.<sup>89</sup> These general trends held across Colorado charter schools as well.

Fifty-seven (58 %) of the charter schools operating in 2004-05 tracked parent participation during the school year. Table 25 details the extent and depth of parent involvement in charter schools. The table shows the school's enrollment to provide a context for the number of volunteer hours contributed by parents or other family members. The table incorporates the two different measures charter schools used to track parent involvement: the total number of hours volunteered by parents or family members during the school year and the percentage of families in the school who volunteered. Some charter schools maintained data in both formats. The majority used one format or the other. Blank cells indicate that the schools did not provide data.

Eighty-eight (88 %) of the charter schools operating in 2004-05 regularly administered a parent satisfaction survey. This percentage has remained fairly constant as the number of charter schools operating in the state has grown.

Only 44 (44 %) of the charter schools operating in 2004-05 used a required parent contract to spell out the school's expectations of parents related to their involvement in the school and in their children's education. While this percentage has remained fairly constant over the years, this is a simple way to alleviate miscommunication between parents and school expectations, perhaps one of the biggest reasons why parents leave a charter school dissatisfied.

**Table 28 - Parent Involvement in Charter Schools – 2004-05**

<b>Charter School</b>	<b>Enrollment</b>	<b>Total Hours Volunteered</b>	<b>% of Families who Volunteered</b>
<b>Academy Charter School</b> (Douglas County)	619	10,472 hours	
<b>Academy of Charter Schools</b> (Adams 12 Five Star)	921	21,350 hours	83%
<b>Alta Vista Charter School</b> (Lamar School District)	99	2,450 hours	80%
<b>Aurora Academy</b> (Adams-Arapahoe 28J)	452	10,570 hours	97%
<b>Battle Rock Charter School</b> (Montezuma Cortez)	31	7,548 hours	75%
<b>Belle Creek</b> (Brighton School District)	515	2,702 hours	
<b>Boulder Preparatory Charter</b> (Boulder Valley)	91	5 hours	
<b>Cardinal Community Academy</b> (Keenesburg)	126	4,292 hours	
<b>Challenge to Excellence</b> (Douglas County)	422		
<b>Cherry Creek Academy</b> (Cherry Creek School District)	452	10,255 hours	
<b>CIVA Charter School</b> (Colorado Springs District 11)	200	5,500 hours	
<b>Classical Academy</b> (Academy School District)	2366	17,745 hours	
<b>Community Challenge Charter</b> (Denver Public Schools)	73	440 hours	20%
<b>Community Prep</b> (Colorado Springs District 11)	171	500 hours	
<b>Compass Montessori School</b> (Jefferson County)	245		
<b>Compass Montessori Secondary School</b> (Jefferson County)	287	3,587 hours	56%
<b>Core Knowledge Charter – Parker</b> (Douglas County)	395	8,209 hours	87%
<b>Corridor Community Academy</b> (Bennett 29 J)	82		
<b>Crown Pointe Charter School</b> (Westminster District 50)	225	8,695 hours	87%
<b>DCS Montessori Charter School</b> (Douglas County)	439		
<b>Dinosaur Community Charter School</b> (Moffat RE No 1)	15		
<b>Eagle County Charter School</b> (Eagle County School District)	289	13,500 hours	
<b>Elbert County Charter School</b> (Elizabeth School District)	350	8,693 hours	68%
<b>Excel Academy</b> (Jefferson County School District)	363		
<b>EXCEL School</b> (Durango 9-R School District)	108		
<b>Free Horizon Montessori</b> (Jefferson County School District)	182	3,600 hours	80%
<b>Frontier Academy</b> (Greeley School District 6)	869		
<b>GLOBE Charter School</b> (Colorado Springs District 11)	210	1,596 hours	50%
<b>Highline Academy</b> (Denver Public Schools)	291		

**Table 28 – Parent Involvement in Charter Schools – 2004-05 (Continued)**

Charter School	Enrollment	Total Hours Volunteered	% of Families who Volunteered
<b>Horizons Alternative School</b> (Boulder Valley School District)	309	5,000 hours	
<b>Indian Peaks Charter School</b> (East Grand School District)	43		60%
<b>James Irwin Charter Middle School</b> ( Harrison School District 2)	306		
<b>Jefferson Academy</b> (Jefferson County School District)	727		
<b>Knowledge Quest Academy</b> (Johnstown-Milliken RE 5)	150	2,500 hours	
<b>Lake George Charter School</b> (Park School District RE-2)	113	1,385 hours	66%
<b>Liberty Common School</b> (Poudre School District)	530		
<b>Lincoln Academy</b> (Jefferson County School District)	730	5,000 hours	80%
<b>Littleton Academy</b> (Littleton School District)	454		
<b>Littleton Prep Charter Academy</b> (Littleton School District)	451		
<b>Montessori Peaks Academy</b> (Jefferson County School District)	446		
<b>Monument Academy</b> (Lewis Palmer School District)	666		
<b>Northeast Academy</b> (Denver Public School District)	280		
<b>Odyssey, The School</b> (Denver Public School District)	218		
<b>Peak to Peak</b> (Boulder Valley School District)	1175		29%
<b>Pioneer School for Expeditionary Learning</b> (Poudre School District)	203	3,823 hours	50%
<b>Platte River Academy</b> (Douglas County School District)	522	15,680 hours	83%
<b>Ridgeview Classical Schools</b> (Poudre School District)	575		
<b>Rocky Mountain Academy of Evergreen</b> (Jefferson County)	256		
<b>Shivers Academy</b> (Harrison 2)	49		
<b>Stargate Charter School</b> (Adams 12 Five Star)	549		
<b>Summit Middle School</b> (Boulder Valley School District)	309		
<b>Swallows Charter Academy</b> (Pueblo School District 70)	172	818 hours	
<b>Twin Peaks Charter Academy</b> (St. Vrain School District)	433		
<b>Windsor Charter Academy</b> (Windsor School District RE-4)	221		
<b>Woodrow Wilson Charter Academy</b> (Jefferson County)	368		

Data Source: Colorado Charter Schools Survey 2004-05

## ***Indicators of School Environment***

The School Accountability Reports (SARs) provide information on six features that are associated with safe and orderly schools. Table 26 shows the percentage for the 96 charter schools operating in 2004-05 with available (SARs):

**Table 29: Charter Schools with Safe and Orderly School Features Listed in SARs,**

<b>Safe and Orderly School Features</b>	<b>Percentage of Charter Schools 2001-02</b>	<b>Percentage of Charter Schools 2004-05</b>
Allows after-school programs	83%	95%
Requires student uniforms	39%	45%
Encourages community programs in school building	93%	96%
Conducts home visits	54%	48%
Has a closed campus	90%	80%
Requires parent conferences	94%	93%

*Data Source: Colorado Department of Education*

Each charter school's SAR sets out the number and type of disciplinary incidents that occurred at the school during the year. The SAR also identifies the action taken in response to the incidents (e.g., in-school suspension, expulsion, referred to law enforcement). Comparisons among schools of the total number of disciplinary incidents can be misleading because the charter schools vary in size so dramatically. To adjust for school size, the total number of disciplinary incidents reported in each school's SAR was divided by the school's enrollment to produce a rate of disciplinary incidences. These data were available for 96 of the 107 charter schools operating during the 2004-05 school year. The 2004-05 average rate of disciplinary incidents was 14.6%. The disciplinary incident rate ranged from 0% to 266%. And the median rate was 5.7%. These indicators for school environment suggest an increase in charter school safety. The 2001-02 average rate of disciplinary incidents was 18.7%. The disciplinary incident rate ranged from 0% to 470% and the median rate was 5.7%.

# ***PART NINE: CHARTER SCHOOL RENEWALS AND CLOSURES***

## ***Renewals***

Under the Colorado Charter Schools Act, the renewal process is a significant tool to ensure accountability. A charter renewal signals the satisfaction of the chartering or authorizing district that the charter school is fulfilling the commitments spelled out in its charter contract.

The process used by chartering districts to consider the renewal of a charter varied on a district-by-district basis. The range of renewal activities completed by schools in this report included:

- ▶ Completion of a renewal application with a question and response format requiring extensive attachments.
- ▶ Negotiations with district officials.
- ▶ Public hearings.
- ▶ An outside educational audit.
- ▶ A site review by district review team.
- ▶ Completion of a renewal criteria checklist addressing five major areas: Academics, Goals and Objectives, Financial, Administration and Governance, and Accountability.

Of the 98 charter schools who responded to the survey 70 (72%) have completed a renewal process of their initial charter applications. Of these 70 schools, 63 provided information about the term of the renewal. Of these 63 schools:

- ▶ 35% (22 schools) renewed their charter in 2005
- ▶ 24% (15 schools) renewed their charter in 2004
- ▶ 16% (10 schools) renewed their charter in 2003
- ▶ 26% (16 schools) renewed their charter in between 1999-2002

Pursuant to Colorado law, the state accredits school districts and districts in turn accredit each of their schools. Many districts have merged their renewal criteria and process with this accreditation process.

## ***Closures***

While Colorado's charter school closure rate has increased from 4% to 9% over the past three years, over half of the Colorado closures were voluntary.

From the inception of the Colorado Charter Schools Act through the end of the 2004-05 school year, ten charter schools closed.

- ▶ The Clayton Charter School (Denver Public Schools) was closed voluntarily by the charter operator at the end of the 1996-97 school year after three years of operation. The discontinuation of the school

was prompted by the decision of the Denver Public Schools to establish its own charter school in the same service area.<sup>90</sup>

- ▶ In October 1999, the Alpine Charter School (Summit School District) closed because of declining enrollment. Concerns about its upcoming renewal process and the quality of its academic program apparently contributed to the school’s decision to close.
- ▶ In June 2000, the State Board of Education, after two hearings, upheld the decision of the Douglas County School District RE-1 Board of Education not to renew the charter contract of the Colorado Visionary Charter School. The State Board found that the decision of the local board of education was not contrary to the best interests of the pupils in the school district and community.
- ▶ Community of Learners Charter School in Durango School District R-9 closed at the end of the 2000-01 school year for financial reasons. The district assumed the school’s unpaid bills (mostly faculty and staff salaries) in exchange for the agreement of the Community of Learners’ board to surrender its charter.
- ▶ In June 2002, Colorado High School Greeley closed its doors due to fiscal constraints. It converted to a private school.
- ▶ In July 2002, the Renaissance Charter School converted to a magnet school. The board felt that the continuity of the program would flourish with the stated district support.
- ▶ In June 2003, Sojourner closed its doors due to low enrollment and an Unsatisfactory score on the School Accountability Report.
- ▶ In July 2004, Leadership Prep closed its doors due to governance and financial reasons.

While Colorado’s charter school closure rate has increased from 4% to 9% over the past three years, over half of the Colorado closures were voluntary.

Two charter schools included in this report closed *after the end of* the 2004-05 school year:

- ▶ Center for Discovery Learning’s charter was revoked. It now operates as a district choice school.
- ▶ West End Charter School closed its doors due to low enrollment.

A closure rate of 9% was calculated by dividing the number of closures (10) by the total number of charter schools that had operated from 1993 to the spring of 2005 (115).

Nationally, as of January 2004, there are 3,343 operating charter schools that have opened since 1992 and over 300 (9%) charter schools have closed.<sup>91</sup> This figure is up from 4% in 2002.

Why do charters close? According to a 2002-03 Government Accountability Office (GAO) survey, the majority are voluntary closures. The second leading reason for charter closures is because the charter was revoked or terminated, predominantly because of financial reasons. Very few charters have been revoked or terminated due to academic reasons.<sup>92</sup>

## ***PART TEN: SELECTED OPERATIONAL ISSUES IN COLORADO CHARTER SCHOOLS***

### ***Charter School Facilities***

A Colorado Department of Education report found that while charter schools have been able to make the facilities work for their purposes, the space is usually no where near the quality of the traditional school space.

Since inception of the charter school law, facilities have remained one of the biggest challenges for Colorado charter schools. In 2000, CDE published a report examining the challenges and opportunities surrounding the facility issue. The report found that while charter school administrators have been able to make the facilities work for their purposes, the space is usually no where near the quality of the traditional school space.<sup>93</sup> The report is available at:

<http://www.cde.state.co.us/cdechart/chcapfinance.htm>.

Four years later, however, this is still the status quo. In 2004-05 charter schools continue to locate in a wide variety of facilities including public schools, a museum, renovated churches, warehouses, office space, grocery stores, strip malls, industrial space, modular buildings, and others.

A Colorado Department of Education report found that while charter schools have been able to make the facilities work for their purposes, the space is usually no where near the quality of the traditional school space.

Of the 95 schools that reported data about their facilities, 41% (39) leased or rented their facilities, 31% (29) owned their own facilities, and 9% (8) used facilities owned by the chartering district or made available for use by another organization. Twelve percent of the charter schools utilized two options, most commonly renting and using facilities owned by the chartering district or renting and using facilities made available by another organization.

Seventy-four schools provided data about the percentage of their total budget that was allocated to facility expenses (excluding regular maintenance) during the 2004-05 school year. The average percentage among all charter schools was 15.7%. The percentage in individual charter schools ranged from a low of 1% to a high of 68%.

### ***Purchase of Services***

The Colorado Charter Schools Act allows charter schools to contract with the authorizing school district or with third parties for the purchase of services.

Table 30 shows the pattern of charter school purchases in 2004-05: which services were purchased from a third party, which from the chartering district, and which were provided in-house by the charter school. Each cell shows the percentage of charter schools operating in 2004-05 that purchased a particular service



from a particular provider. The total of the cells across service categories exceeds 100% because some charter schools obtained the service from two or more different providers.

The services charter schools most frequently purchased from third parties were legal services (60%), professional development services (54%), and insurance services (50%). The services charter schools most frequently purchased from their chartering district were special education services (69%), student assessment services (53%), insurance services (47%), and transportation services (46%). The services charter schools most frequently provided in-house were professional development services (66%), human resources services (63%) and custodial/building maintenance services (55%). Reflecting on the 2001 valuation the list of most frequently purchased services has not changed with the exception of the services provided in-house. In 2001-02 only 21% of the charter schools handled human resource services in-house, whereas in 2004-05, 63% of the charter schools handled this issue.

Over a quarter (26%) of the charter schools did not provide food services in 2004-05 and about a fifth (19%) did not provide transportation services.

Over a quarter (26%) of the charter schools did not provide food services in 2004-05 and about a fifth (19%) did not provide transportation services. These percentages are consistent with the prior evaluation (2001-02), in which 28% did not provide food services and 19% did not provide transportation services.

**Table 30 – Patterns of Services Purchased by Charter Schools, 2004-05**

Nature of Service	Purchased from Third Party	Purchased from Chartering District	Provided In-House by Charter School	Not Purchased
Insurance Services	50%	47%	5%	1%
Food Services	17%	39%	19%	26%
Custodial/Maintenance Services	37%	9%	52%	5%
Legal Services	60%	24%	17%	4%
Human Resources Services	20%	27%	63%	2%
Accounting Services	25%	36%	54%	0%
Professional Development	54%	29%	66%	1%
Transportation Services	20%	46%	28%	19%
Special Education Services	12%	69%	48%	0%
Student Assessment Services	29%	53%	51%	0%

Data Source: Colorado Charter Schools Survey 2004-05

## ***Transportation***

The 2004-05 Charter School Survey asked charter school administrators to provide information related to the kinds of vehicles they use in transporting their students and the maintenance of those vehicles. Of the 98 schools that responded to the question:

- ▶ Nineteen percent (18) of the schools owned a 15 passenger vans used to transport students.
- ▶ Of the 18 schools that owned a 15 passenger van, 83% (15 schools) had an agreement with the authorizing school district to maintain the vehicles.

- ▶ 53% of all charter schools (52) had an agreement with the authorizing district to provide transportation for activity tips or route operations.

## ***Use of Computers***

Charter schools were asked to provide information related to how they use computers in their school. Table 31 shows the results.

**Table 31: Use of Computers by Charter Schools, 2004-05**

<b>Use</b>	<b>Regularly</b>	<b>Occasionally</b>	<b>Rarely</b>	<b>Never</b>
Teacher-directed classroom instruction	55.3%	32%	10.6%	2.1%
Self-paced lessons for individuals or small groups	38.9%	42.2%	13.6%	5.3%
Student research projects/homework assignments	76.8%	16.9%	5.3%	1%
Student participation in distance learning courses	9.5%	10.5%	26.3%	53.7%
Curriculum development and lesson preparation	72.7%	23.1%	4.2%	0%
Teacher professional development activities	31.6%	38.9%	27.4%	2.1%
Communication with parents (website or e-mail)	6%	22.1%	1.6%	6.3%
Posting grades or assignments online	32.6%	16.9%	11.6%	38.9%
Communication among staff members	69.4%	17.9%	9.5%	3.2%

*Data Source: Colorado Charter Schools Survey 2004-05*

## ***Federal Funds***

Charter Schools were asked to identify the type of federal funds they received during the 2004-05 fiscal year. Fifty-nine percent received Title II, High Quality Teachers and Technology, 56% received Title V, Schools of Choice funds, 43% received Title IV, Safe and Drug Free Schools and 21<sup>st</sup> Century Schools, 18% received Title I, Aid to High Poverty Schools, 7% received Title III, Limited English Proficiency funds and 1% received Title X, Homeless Education funds.

## ***Federal Start-Up and Dissemination Grants***

The Colorado Department of Education – Schools of Choice Unit, administers the Colorado Public Charter Schools Grant Program, through a grant the state has received from the U.S. Department of Education. Colorado has received a three-year grant for \$17,050,000 to offer sub-grants for startup and implementation needs.

Startup and implementation grants are to assist developing or new charter schools in their first three years of operation; the grant is for a three-year period. The startup grant (year one) is competitive, but the implementation grants (years two and three) are not. Approximately \$150,000 is awarded in each of the three years of the grant. The Department no longer administers the dissemination grant program. The Request for Proposal (RFP) and grant award information is on CDE website at [http://www.cde.state.co.us/index\\_charter.htm](http://www.cde.state.co.us/index_charter.htm)

During the 2004-05 grant fiscal year, \$5,193,802 was awarded in startup and implementation grants. Twenty-eight charter schools received either a startup or an implementation grant.

## ***PART ELEVEN: CHARTER SCHOOLS THEN AND NOW***

### ***Introduction***

This section of the study reflects on the tenth anniversary of charter schools in Colorado. It examines four of the biggest issues facing charters then and now: accountability, finance, facility, and data management. It then identifies future challenges and makes recommendations for Colorado’s educators and legislators, authorizers and charter schools.

Thirteen people were interviewed, their names were provided by the Colorado Department of Education. Seven of the interviewees represent the “old school;” they were at the forefront of Colorado’s charter school movement in the early 1990’s. The other six interviewees represent “today;” they are relative newbies (six years or less) to Colorado’s charter movement. Their responses are blended into the replies below.

In 1992, now Governor Bill Owens (R) and Senator Peggy Kerns (D) introduced Colorado’s Charter School Act. In 1993, SB 93-183 was passed, signing the Colorado Charter School Act into law. The Charter School Act had two central goals: to provide charter schools with significant autonomy in order to promote innovation and effective practices and to hold the charter schools accountable for the results they achieve (CDE, 1999 p xi).

### ***Initial Charter School Vision: 1991***

Reflecting the origins of the charter school law, it is helpful to keep Otto von Bismark’s wisdom at hand: “Laws are like sausages,” he famously said, “It is better not to see them being made.” So it is with the charter school law, its origins are as complex as they are hopeful. Interviewees agreed that the charter school legislation was accepted by both proponents and opponents of charter schools, but for differing reasons.

For those who were proponents, choice was needed at a larger level.

- ▶ “The choice movement was strong in many states, and Colorado was an ideal state to continue the momentum.”
- ▶ “Parents were dissatisfied with the local school, its curriculum and delivery. They attended PTO meetings; they attended accountability meetings, met several times with school and district officials and despite their efforts still felt that the district was ignoring them. This legislation gave the parents a voice.”

For those opposed to choice, the charter school legislation was an acceptable alternative to vouchers.

- ▶ “Amendment 7 (voucher initiative) had just been defeated but it was clear to all, educators and legislators, that choice was wanted. Choice was needed. For the large school districts fighting the voucher movement, the charter legislation was advantageous.”

During the early years, many of the school districts opening charters did not see charter schools as a threat. It was considered a sidebar program that served some niche schools and political needs.

- ▶ “The initial school districts did not see charters as a long term threat. It was something to keep disgruntled parents quiet and it would be gone within two years.”
- ▶ “Some initial districts were open to the idea of alternative education. They too were curious to see if the idea of alternative curricula could work. It was an experiment that would be done within three years.”
- ▶ “I know that few people in my district knew what a charter school was. What they did know is that it was a compromise to vouchers.”

As for parents, it was evident that they wanted some, any, school choice.

- ▶ “The first charter schools were established to meet the specific needs of the surrounding neighborhoods.”
- ▶ “Parental involvement was evident from the beginning. During the legislative process the hearing rooms were full. There were plenty of parents concerned about their educational options.”
- ▶ “It gave the fanatical parents something to do. It took some of the pressure off the school district. For now their focus on changing the system was somewhere else rather than in the district classrooms.”
- ▶ “In several districts there were groups of dissatisfied parents. These parents now had the opportunity to go open their own schools.”
- ▶ Most interviewees never anticipated the demand charter schools would have in Colorado.
- ▶ “This was an experiment that was playing out at both the national and local level. No one anticipated such a demand.”
- ▶ “The original group of parents were concerned about their children and offering alternatives within their district. No one in the early 90’s saw this as a long term movement that would change the face of education.”
- ▶ “There were good educators that wanted to make changes to the system. The idea of autonomy was intriguing. This was akin to a private school but with tax dollars. Would it last? No one knew, but for me it was worth the try.”

### ***Charter School Vision: 2005***

Charter schools have come a long way since 1991, but there is no finish line to mark the end of the political disputes. There are notable increments of success and setbacks that, together, make every year hard earned. Some interviewees, for example, felt that the schools and districts have learned to work with the charter school idea.

- ▶ “Charters have been accepted at the state level- except by some specific special interest groups. The level of acceptance at the district level is inconsistent. Some districts work closely with their charters; other districts spend a great deal of energy fighting their charters.”
- ▶ “Some districts have come to see the charters as lifeboats for students who otherwise would not succeed in the traditional school.”

On the other hand, some interviewees felt that the movement continues to face resistance from the school districts, special interest groups and certain legislators.

- ▶ “Our district did everything in its power to make sure we did not receive information. To this day we have strained contact with our district.”
- ▶ “There are some organizations that have changed their minds regarding charters. They now see that charter schools are saviors for some students. There are other organizations who still do not see that. They spend so much time and effort fighting charters. I question whether they are truly there to support education or themselves.”

There is agreement on the fact that no one anticipated the demand there is today for charter schools. Over 75% of Colorado’s charter schools have a waiting list. The average number of students on the waiting list is 286.

Other interviewees praised their school district and community members for welcoming the educational reform. They provided examples of how several large schools districts have come to work with charter schools.

- ▶ “I think the district is proud to say that they have charter schools and welcome choice. By accepting us, it shows that they are truly committed to educating their community.”

## ***Accountability***

Accountability is a term that begs clarification. There is academic, curricular, financial and governing accountability, to mention a few sub categories. The philosophy behind charter schools is to weave these many layers of accountability into a single mission that will result in academic success and to also embed the layered accountability into the professional culture of the school. That, however, is easier said than done and hindsight reveals that accountability is a work in progress.

Interviewees agreed that, in the early 1990’s, charters had limited accountability to themselves or the school districts.

“The people who make decisions at charter schools must know that they are responsible for what happens with the students.”

- ▶ “Each school created its own system for tracking finances. Each school created its own way of tracking student attendance and their academic success. Grades were important, but prior to NCLB many felt that the CSAP results were meaningless for several reasons. First, for schools with high mobility, their prior CSAP scores could arrive at the charter school in January- weeks before the next CSAP administration. Second, most schools felt that tracking yearly progress on CSAP was a waste of time since the assessments were not created for longitudinal tracking.”
- ▶ “Charter schools were more interested on how students performed on their internal assessments, be they home made, norm referenced or criterion referenced.”
- ▶ “Accountability to the school district was loosely structured. We had to submit annual reports that documented ethnicity, attendance, etc. It looked like a glossy district report.”
- ▶ “Back in the early 90’s it was up to the individual charter schools to submit data/reports. Very few charter schools faced consequences for inaccurate data.”
- ▶ “Some early charters were not asked to prepare any type of reporting to the school districts.”

- ▶ “There needed to be more clarity about how to report, what to report and who to call if there were problems. It was not a clear path and it varied within each school district.”

While most interviewees agreed that back in the early 1990’s charters had limited accountability to themselves or the school districts, several stated that they felt they were being held accountable for standards the school district itself could not meet.

- ▶ “Initially we had to be accountable for everything - student information, teacher background, we were accountable for things the district did not even track or know about themselves.”
- ▶ “Accountability depended on the relationship between the school district and the charter. If it was a lousy relationship, accountability was a hassle. If it was a good, working relationship, accountability was not an issue.”

Today, accountability is rigorous for both the schools and the districts. Charter schools are required to undergo yearly financial audits. They are required to submit data to the district and the state on matters such as enrollment, attendance, safety and discipline, teacher qualifications, tenure and student performance (information found on SAR). School funding (PPR) will be withheld if charter schools do not submit reports in a timely manner.

- ▶ “Fiscal and academic accountability has gone from 0% to 1,000% in the last 10 years.”
- ▶ “While back in the 90’s school district and charter accountability was a hodgepodge, today we have Chart of Accounts. That’s a uniform system where districts electronically report their charter school data. While there is still room to fudge with numbers, this program has minimized it.”

Is this increase in accountability a bad thing? Most interviewees said no. Charters were created to be laboratories where new ideas and curricula could be tested. Interviewees strongly felt that charter schools should be transparent to all measures of accountability.

- ▶ “While it can be time consuming, accountability allows us to see what is working and what is not.”
- ▶ “The initial charter school philosophy was that we could do it better. Accountability is the only way to see if we are doing better.”
- ▶ “Accountability has created academic transparency and a need for data driven decision making. If a student is not succeeding we need to know that immediately and changes have to be made. If the changes are not made - it’s our fault.”

## ***Finances***

Funding continues to be one of the hottest topics for the charter school movement. Money does matter because it is hard to do more with less and it is draining to have to fight for every bit. As put by Checker Finn and Eric Osberg in their August 2005 report *Charter School Funding: Inequity’s Next Frontier*; “U.S. charter schools are being starved of needed funds in almost every community and state.”<sup>94</sup> That includes Colorado.

The original law stated that charter schools would receive 80% of the PPOR (per pupil operating revenue). However, many spoke of charges in addition to the 80%.

- ▶ “Many school districts had irregular charges and forced charter schools to inappropriately buy back certain services (nurses, psychologists).”



Today the law allows charter schools to keep 100% PPR less up to 5% for district services. Most interviewees agreed that the new law is helpful.

- ▶ “The additional money allows us to hire more teachers and address special education needs.”

One interviewee believed that this law is harmful. This charter school has a positive working relationship with its district and this law has strained the relationship.

- ▶ “Before the up to 5% law, I was supported by the district and was welcome to use many of the district resources. Now, after the up to 5% is deducted and the additional fees are deducted I get less money per student. Many of the charges that I now pay for were included before.”

While most believe the law is helpful, there are concerns about what school districts are charging under that 5%.

- ▶ “There are charges that I don’t see why we need to pay such as administration fees and salaries. There needs to be better clarification of what districts can and can not charge under the 5%.”

Although the law requires the school district to be accountable for the 5%, few districts disclose the figures.

- ▶ “Districts are required by law to provide charter schools with a report 90 days after the end of the fiscal year. I don’t know how many districts are diligent about the disclosure.”

What happens if a charter school does not see the report of challenges the district’s use of the 5%? Overwhelmingly, interviewees stated that can be dangerous for the charter school.

- ▶ “We challenged the district and as a result the district made it very difficult for the charter school.”
- ▶ “As a result of our challenge the district bullied the charter school and got away with it.”
- ▶ “We eventually saw the data, but it was a huge hassle and burned many bridges.”

Ten years ago some charter school operators considered having the school district operate the books for the first two years of the charters operation sound policy.

- ▶ “The entrepreneurs who started the charter school did not understand school finance. They knew curriculum and education.”
- ▶ After the school was established the charter would assume financial responsibility and operate its own books. Today, more is known regarding what is needed to operate a charter school.
- ▶ Charter Schools must include financial operations as essential to what is considered prior to opening the schools' doors.

## ***Facilities***

Start up costs and location was not a primary concern of the law (nor most charter school laws). In fact, it was not mentioned in the Colorado Charter School Act and that forced school operators to rummage their business resources. Entrepreneurship was the modus operandi of the early 90s, and charter school founders accepted most any facility and made due.

- ▶ “In the early years, locating the school in a run down strip mall was not uncommon.”



- ▶ “In the early years of the charter movement the common line of thinking was to open the charter school in a temporary building, establish itself, and during renewal address a permanent facility.”

While, the philosophy behind facilities has changed over the past ten years, it continues to be the biggest issue facing charter schools. As stated in Part Ten, Colorado charter schools spend on an average 15% of their budget on facilities.

- ▶ “Today, schools need to have a facility plan before opening its doors. Shortly after submitting the charter application to the school district, the charter school should have a tentative location. While the tentative location is not a requirement, it has been known to impact the results of the application process.”
- ▶ “Charters need to operate three years to obtain good credit history. This will allow them to finance a suitable facility.”
- ▶ “This is where discrepancy continues to lie: school districts receive money via property tax, mill levies and bonds, yet charter schools are not receiving an equitable amount. Charter schools continue to rely on PPR funding.”

How important is a charter school facility? The responses were unanimous.

- ▶ “Facilities are one of the key factors to a charter school’s success. Parents are hesitant to enroll their kids in a ratty building. Parents want their kids in buildings big enough to offer opportunity (i.e., gymnasium, auditorium, kitchen, art, music, science labs).”
- ▶ “The facility is a marketing issue. A restricted building hurts the charter school’s growth. The charter school can operate the first few years on the core start up of parents and community in a small strip mall space - however, it needs a facility to attract new parents.”

Several interviewees who were at the forefront of Colorado’s charter school movement in the early 1990’s believed that facilities would become a bigger issue in the coming years.

- ▶ “Due to the decrease in capital construction funding charters are going to have to find new funding sources.”
- ▶ “Foundations and other funding organizations have typically not been keen on funding facilities.”

## ***Data Management / Data Driven Decision Making***

As charters mature they find themselves caught up in the whirlwind of NCLB complexity around data. Data Driven Decision is a maxim that has become well known even if not welcomed. However, it is perceived, this new requirement has a hefty appetite that has rapidly expanded since the 1990s.

- ▶ “Data management was non existent in the early 90’s. It was impossible to keep track of student growth from grade to grade using the CSAP. You had to use different assessments, such as ITBS. For charter schools with high student mobility, it was impossible to know if any academic growth was made.”
- ▶ “The CSAPs were not aligned so you could not track student growth. Instead you used what the district used - however, districts changed their assessment tools regularly. One year it was ITBS the next Terra Nova. It was frustrating.”

Tracking data can be a challenge. National data management programs are expensive. Several charters have been charged to use the districts data management system. Other charters follow unique data

management programs, often created within the school.

- ▶ “We wanted to use the districts data system, but they refused. This year we were granted access, but they wanted to charge us \$100 per student. That’s roughly \$60,000 a year and we could only load the program on to one computer. We ended up buying a cheap program. It works, but I’m sure there are better out there.”
- ▶ “Data management can be difficult for both large and small charters because of issues like mobility.”
- ▶ “If the charter is not well connected to their District Assessment Coordinator, there is a lot of work that we have to do that traditional schools don’t have to.”
- ▶ Overall data management is a state mandate that is not adequately funded. This is not just a charter school issue, this is an educational issue.”

The challenges may prove to be worth the trouble. Several schools saw data management as a benefit to their school.

- ▶ “Coming from the private education world, I am used to having to show parents that their \$5,000 a year tuition is worth it. Parents want to see the results.”
- ▶ “It’s like reporting to your shareholders. Achievement data should not be viewed as a negative - it should be your positive - your asset.”
- ▶ “My school has relied on data management since the mid 90’s. It was a marketing decision. I needed data to show parents that what we were doing worked.”

## ***Future Challenges***

Many of the Future Challenges have been present in the charter community for years, but they played second fiddle to the start-up challenges. Now that the movement is a decade old and many of the start-up challenges exposed, these challenges are coming to the forefront.

### ***Teacher Experience***

Several interviewees expressed their concern about teacher qualification. Within charter schools employing Highly Qualified Teachers can be difficult. Some educational philosophies require teachers with diverse backgrounds (e.g., ELOB). Other charters enroll students who would otherwise not succeed in traditional schools; their teacher needs are quite different than those of a traditional school.

- ▶ “Several of today’s successful charter schools use out of the box approaches to educating the students and your typical teacher will not fit the mold. Finding teachers who get the school’s philosophy and can teach is a find.”
- ▶ “Many new teachers enter the field in a charter school. While their fervor for teaching is evident, there are concerns about their experience - or lack thereof.”

### ***Charter School Leader Experience***

In the early years, charter school leaders tended to be educationally minded entrepreneurs without a lot of business savvy. Others had business savvy but lacked education leadership. Few charter schools have had the luxury of employing both education and business leader directors, but that is exactly what is needed. There is, however, the concern about the dwindling supply of both education and business applicants willing – and capable – to step into the leadership role.

- ▶ “Running a charter school is similar to running a private school. You have to be business and educationally savvy. Colorado is simply not creating nor attracting these types of people.”

What can be done to address this need?

- ▶ “Universities need to create programs for charter school leaders. These programs need to educate future leaders in business and education.”
- ▶ “We have to be prepared to pay competitive wages to both teachers and leaders. We expect more but pay less than the state average.”
- ▶ “We need more on the job training. Leaders need to see experienced charter school leaders calm a parent down, prepare and present a report for the board, work with the accountant on budget. These are things that one can never learn from a book.”

### ***Accountability for Authorizers***

In the early days of the charter school movement the critical role of the authorizer was largely overlooked. Their responsibilities were unclear and their execution was often unreliable. They certainly did their best but they had to learn the trade under fire, taking on new duties as issues arose. Through all this, the central role of the authorizer has become clear and it is now attracting the support and attention it requires.

Reflecting on the experience, several interviewees spoke of the lack of accountability for authorizers.

- ▶ “There are several schools who have spoken up against their district and as a result there was retribution either during the renegotiation or some type of audit.”
- ▶ “A school district has no repercussion when it acts outrageously. There needs to be some downside for districts who behave this way.”
- ▶ “There is no one enforcing many of the laws and with out enforcement, the laws are meaningless.”

Interviewees suggested that CDE take a heavier hand against any unruly authorizers. However, Colorado is a local control state. While CDE agrees that there are unruly authorizers, it is not and cannot be CDE’s role to oversee each school district. An effective authorizer model for Colorado is still under development.

### ***Mandatory Conversion Law***

As stated in No Child Left Behind and Colorado law, schools that are in corrective status and continue to not make Adequately Yearly Progress (AYP) can be converted into a state charter school. Most interviewees felt this law was unjust.

- ▶ “This law hurts the charter movement. It’s making us take the punishment and there is a good chance that districts may say ‘Fine take that school, it was a mess anyway’ and then when it doesn’t succeed as a charter the district can say, ‘See?? We told you charters did not work.’”
- ▶ “This law will not help failing schools succeed. If you want to help the school succeed work with it – don’t just change its name.”

Several interviewees provided alternative solutions to the failing traditional schools.

- ▶ “The district should not be responsible for the conversion. The failing school should go to the Charter Institute or to a University.”

- ▶ “The term “charter” needs to be removed from Colorado’s legislation. We are not a punishment.”

### ***Mom and Pop vs. EMO/ CMO***

Ten years ago all charter schools were founded by parents and/or local grassroots efforts hoping to make a change to their local educational community. Today, Educational Management Organizations (EMO) and Charter Management Organizations (CMO) are growing and are being accepted as part of Colorado’s educational community. Many EMO and CMO are for profit firms that provide educational services to public schools, most commonly charter schools. The largest EMO is Edison Schools, which operate over 130 schools nationwide, three in Colorado. However, not all are for profit. Organizations such as KIPP assist schools in start up but do not have any control over the school once it is open and operating.

Support for EMO’s is mixed. Some of the interviewees support the philosophy behind EMOs. They agreed with the following comment:

- ▶ “Colorado has maximized its “parents who can and will” resources. While we still have some in the future, it will not to the degree we had them in the past. As a result, we need EMOs if we want to continue to open charter schools. In addition, EMOs bring skills that many of our parents could not provide, skills such as business operations, negotiations and educational knowledge. Finally, opening a charter school today requires more skill than the average group of parents can muster. Today’s political arena is more challenging and as a result requires professionals.”
- ▶ “EMOs have the ability to attract a large number of students, and that’s good for the charter movement.”
- ▶ “EMOs bring in the big picture, governance, formalized evaluations, curriculum assistance, data management and financial assistance. They can replicate because they have experience and best practices behind them. Many of the newly opened mom and pop charters still suffer from parents who lose the vision and become protective of the school. These schools suffer in the long run from the mentality of ‘I created this school, my child is in, this is the way it’s going to be,’ but these parents do not have the qualifications for such an attitude.”

Just as many were not supportive of EMOs and CMOs.

- ▶ “It’s unclear who’s best interest these organizations have in mind. Which is more important to the organization: fiscal gain or academic success? I am concerned that we may become the next Ohio.”

Several were unsure of the future of EMOs in Colorado.

- ▶ “EMOs and CMOs can only work in large cities. These organizations require a lot of money and large numbers of students. They cannot enter rural areas of the country and be successful. These organizations will be the ‘we’ll see if it’s a successful educational reform tool’ of the next ten years.”

Nationally, it is estimated that between 10% to 14% of all charter schools are operated by EMO’s.
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- ▶ “Not all cities are ready for the EMOs. Within Colorado, I suspect that cities like Pueblo and cities in the western slope will not embrace them like the metro area has. There is a reluctance to let these organizations in. These areas are still operating under the ‘homegrown’ philosophy and that works for them.”

### ***What Do the Next Ten Years Look Like?***

While several interviewees expressed sarcastic wonder with their progress, most interviewees were pleased with the progress Colorado's movement has made in the past ten years. Confronted with future prognostication, all interviewees took a thoughtful pause and then measured their answers.

All interviewees felt that charters would continue to be part of the educational landscape. Some felt very optimistic:

- ▶ "Charters will be 100% accepted and part of the educational mainstream."

Others expressed more caution:

- ▶ "School districts are slowly coming aboard. Eventually they will all accept the charter movement."
- ▶ "I am concerned about legislation. Legislatures need to make decisions on how to fund K-12 education appropriately."

Many believed that charters will continue to grow in popularity.

- ▶ "Many parents see charter schools are desirable. They may not know exactly what a charter school is and how it's different from a traditional school – but that's our job to educate. For now, at least there is a demand."
- ▶ "Today's parents want to be involved in their child's education. Charter schools welcome parents in and actively work with them. In the coming years with tighter accountability traditional schools may not be so welcoming and that in turn may increase the demand for charters."
- ▶ "More school districts will look to charters to fill gaps and address community needs."

Several interviewees felt that how charters are organized will change.

- ▶ "Technology is going to have a huge impact on the charter world. I would not be surprised to see a jump in the number of online charters."
- ▶ "I expect to see charter districts or charter school systems. These are a network of charters, on multiple campuses feeding into themselves."
- ▶ "I think charters will have more communication with each other – there will be less reinventing the wheels and more collaboration."
- ▶ "I see a consortium between charter schools as they address challenging issues such as special education and transportation."

### ***Recommendations***

Recommendations have been clustered into one of three categories. System recommendations are for the state, legislators and the educational system as a whole. Authorizer recommendations are for school districts and the Charter School Institute and charter recommendations are for individual charter schools.

#### ***System Recommendations***

- ▶ Universities need to create programs for charter school leaders. These programs need to educate future leaders in business and education. Such programs should include: accounting, personnel, marketing, education and teaching skills.
- ▶ Examine ways to provide competitive wages to both teachers and leaders.
- ▶ Implement more on the job training. Create funding for such training.

### ***Authorizer Recommendations***

- ▶ Best practices are available yet many districts are unaware of them and ask the charter do to things either in negotiation or after contracts that are in violation of best practice. School districts should become better aware of charter school best practices or have someone represent the district during such times.
- ▶ Charter liaisons working for the school district are not adequately trained or have had the charter schools dropped on their lap as an additional job description. There should be some type of training in best practices for these folks.
- ▶ Because data is so important and accountability is such an issue, there is the concern that charter schools are not getting adequate information from their District Assessment Coordinators (DAC).
- ▶ It is essential that all DACs be in contact and collaboratively work with the charter schools.
- ▶ Several interviewees suggested that there should be an organization such as an authorizer's network – together authorizers can establish common best practices and be uniform. This will become increasingly important as EMOs charter schools in different districts.
- ▶ Many suggested that all districts should operate under one calendar and reports due should be formatted similarly.
- ▶ There needs to be better clarification of what districts can and can not charge under the 5%.

### ***Charter Recommendations***

- ▶ It is concerning how many interviewees were not familiar with their District Assessment Coordinators. Charters should know and work with their DAC.
- ▶ Charters should examine the 5% the district keeps and if questions and or discrepancies arise, charters should not fear retribution.
- ▶ There needs to be consistency in record keeping for achievement and financial data. It's not uncommon for schools to have missing data and that's a dangerous practice.
- ▶ "Pick your battles. Know which issue is worth the fight and which issue to let go of."

## End Notes

- <sup>1</sup> Colo. Rev. Stat. § 22-30.5-102(1).
- <sup>2</sup> Colo. Rev. Stat. § 22-30.5-102(2).
- <sup>3</sup> Colo. Rev. Stat. § 22-30.5-104(1) - (3).
- <sup>4</sup> Colo. Rev. Stat. § 22-30.5-104(4)-(4.5)
- <sup>5</sup> Colo. Rev. Stat. § 22-30.5-104(5).
- <sup>6</sup> Colo. Rev. Stat. § 22-30.5-104(6).
- <sup>7</sup> Colo. Rev. Stat. § 22-30.5.106(7). The right of charter schools to sue their authorizing district was clarified by the Colorado Supreme Court in *Academy of Charter Schools v. Adams County School District No. 12*, 32 P.3d 456 (Colo. 2001).
- <sup>8</sup> Colo. Rev. Stat. § 22-30.5-106.
- <sup>9</sup> Colo. Rev. Stat. § 22-30.5-106(2). Despite this prohibition, as shown in Figure 5, several districts have authorized charter schools that were private school conversions.
- <sup>10</sup> Colo. Rev. Stat. § 22-30.5-106(3).
- <sup>11</sup> Colo. Rev. Stat. § 22-30.5-107(1).
- <sup>12</sup> Colo. Rev. Stat. § 22-30.5-107(2)-(5).
- <sup>13</sup> Colo. Rev. Stat. § 22-30.5-105.
- <sup>14</sup> Colo. Rev. Stat. § 22-30.5-109(7).
- <sup>15</sup> Colo. Rev. Stat. § 22-30.5-107.5.
- <sup>16</sup> Colo. Rev. Stat. § 22-30.5-108(1).
- <sup>17</sup> Colo. Rev. Stat. § 22-30.5-108(3).
- <sup>18</sup> Colo. Rev. Stat. § 22-30.5-108 (3.5)
- <sup>19</sup> Colo. Rev. Stat. §22-30.5-110(1) and (2).
- <sup>20</sup> Colo. Rev. Stat. § 22-30.5-110(3)
- <sup>21</sup> Colo. Rev. Stat. § 22-30.5-110(4.5) and (5).
- <sup>22</sup> Colo. Rev. Stat. § 22-30.5-111
- <sup>23</sup> Colo. Rev. Stat. § 22-30.5-112.5.
- <sup>24</sup> Colo. Rev. Stat. § 22-30.5-112(1).
- <sup>25</sup> Colo. Rev. Stat. § 22-30.5-112(2)(a)(III).
- <sup>26</sup> Colo. Rev. Stat. § 22-30.5-112(2)(a.5)(I).
- <sup>27</sup> Colo. Rev. Stat. § 22-30.5-112(2)(a.7).
- <sup>28</sup> Colo. Rev. Stat. § 22-30.5-112(2)(a.4).
- <sup>29</sup> Colo. Rev. Stat. § 22-30.5-112(2)(a.8).
- <sup>30</sup> Colo. Rev. Stat. § 22-30.5-112(2)(a.9).
- <sup>31</sup> Colo. Rev. Stat. § 22-30.5-112(2)(b).
- <sup>32</sup> Colo. Rev. Stat. § 22-30.5-112(2)(b.5).
- <sup>33</sup> Colo. Rev. Stat. § 22-30.5-112(3)(a).
- <sup>34</sup> Colo. Rev. Stat. § 22-30.5-112(4) and (4.5)
- <sup>35</sup> Colo. Rev. Stat. § 22-30.5-112(7) and (8).
- <sup>36</sup> Colo. Rev. Stat. § 22-30.5-112(9) and (10).
- <sup>37</sup> Colo. Rev. Stat. § 22-7-609(2).
- <sup>38</sup> Colo. Rev. Stat. § 22-7-609(5).
- <sup>39</sup> Colo. Rev. Stat. § 22-30.5-303(2).
- <sup>40</sup> Colo. Rev. Stat. § 22-30.5-304 and 305.
- <sup>41</sup> Colo. Rev. Stat. § 22-30.5-306.
- <sup>42</sup> Colo. Rev. Stat. § 22-30.5-307.
- <sup>43</sup> Colo. Rev. Stat. § 22-30.5-112.3.
- <sup>44</sup> Colo. Rev. Stat. § 23-15-101 *et seq.*
- <sup>45</sup> Colo. Rev. Stat. § 22-30.5-406 to 408.
- <sup>46</sup> Colo. Rev. Stat. § 22-30.5-404 and 405.
- <sup>47</sup> Colo. Rev. Stat. § 22-30.5-503(1)(b).
- <sup>48</sup> Colo. Rev. Stat. § 22-30.5-503(3).
- <sup>49</sup> Colo. Rev. Stat. § 22-30.5-503(4).



- <sup>50</sup> Colo. Rev. Stat. § 22-30.5-503(5) and (6).
- <sup>51</sup> Colo. Rev. Stat. § 22-30.5-504(2).
- <sup>52</sup> Colo. Rev. Stat. § 22-30.5-504(4)(a) and (5).
- <sup>53</sup> Colo. Rev. Stat. § 22-30.5-504(5)(b) and (9).
- <sup>54</sup> Colo. Rev. Stat. § 22-30.5-504(7).
- <sup>55</sup> Colo. Rev. Stat. § 22-30.5-504(8).
- <sup>56</sup> Colo. Rev. Stat. § 22-30.5-504(4)(b).
- <sup>57</sup> Colo. Rev. Stat. § 22-30.5-505(2).
- <sup>58</sup> Colo. Rev. Stat. § 22-30.5-505(3).
- <sup>59</sup> Colo. Rev. Stat. § 22-30.5-505(4).
- <sup>60</sup> Colo. Rev. Stat. § 22-30.5-505(7) through (11).
- <sup>61</sup> Colo. Rev. Stat. § 22-30.5-507(1) and (2).
- <sup>62</sup> Colo. Rev. Stat. § 22-30.5-507(3) though (8).
- <sup>63</sup> Colo. Rev. Stat. § 22-30.5-508 and 509.
- <sup>64</sup> Colo. Rev. Stat. § 22-30.5-511((1).
- <sup>65</sup> Colo. Rev. Stat. § 22-30.5-511(2).
- <sup>66</sup> Colo. Rev. Stat. § 22-30.5-511(3) and (4).
- <sup>67</sup> Colo. Rev. Stat. § 22-30.5-510(1)(a).
- <sup>68</sup> Colo. Rev. Stat. § 22-30.5-510(1)(c).
- <sup>69</sup> Colo. Rev. Stat. § 22-30.5-510(1)(b).
- <sup>70</sup> Colo. Rev. Stat. § 22-30.5-510(2) and (3).
- <sup>71</sup> Colo. Rev. Stat. § 22-30.5-510(4) and (5) and 511(5).
- <sup>72</sup> Colo. Rev. Stat. § 22-30.5-513(2)(b).
- <sup>73</sup> Colo. Rev. Stat. § 22-30.5-513(2)(d).
- <sup>74</sup> Colo. Rev. Stat. § 22-30.5-513(2)(c).
- <sup>75</sup> Colo. Rev. Stat. § 22-30.5-513(3).
- <sup>76</sup> Colo. Rev. Stat. § 22-30.5-513(4) through (7) and 514.
- <sup>77</sup> *Board of Education School District No. 1 v. Booth*, 984 P.2d 639 (Colo. 1999).
- <sup>78</sup> *Academy of Charter Schools v. Adams County School District No. 12*, 32 P.3d 456 (Colo. 2001).
- <sup>79</sup> RPP International, *The State of Charter Schools, 2000: Fourth Year Report*. U.S. Department of Education, 2000, 24.
- <sup>80</sup> *Catalog of School Reform Models*. (2001). Northwest Regional Educational Laboratory; [www.nwrel.org/scpa/catalog/modellist/asp](http://www.nwrel.org/scpa/catalog/modellist/asp).
- <sup>81</sup> *Catalog of School Reform Models*. (2001). Northwest Regional Educational Laboratory.
- <sup>82</sup> *Catalog of School Reform Models*. (2001). Northwest Regional Educational Laboratory.
- <sup>83</sup> *Catalog of School Reform Models*. (2001). Northwest Regional Educational Laboratory.
- <sup>84</sup> Vanourek, G. (2005). *State of the Charter Movement 2005: Trends, Issues and Indicators*. Charter School Leadership Council. Washington D.C.
- <sup>85</sup> *Policy and Program Studies Service*. (2004). *Evaluation of the Public Charter Schools Program: Final Report*. U.S. Department of Education.
- <sup>86</sup> Hoxby, C. (2002). *Would School Choice Change the Teaching Profession?* Harvard University.
- <sup>87</sup> Nathan, J. (1996) *Charter Schools: Creating Hope and Opportunity for American Education*. San Francisco. Joey-Bass.
- <sup>88</sup> Henderson, Ann T. and Karen Mapp. (2002). *A New Wave of Evidence: The Impact of School, Family and Community Connections on Student Achievement*. Southwest Educational Development Laboratory (SEDL).
- <sup>89</sup> *A New Wave of Evidence*.
- <sup>90</sup> The Center for Education Reform's national study of charter school closures characterized the Clayton Charter School as a district continuation rather than a closure.
- <sup>91</sup> Vanourek, G. (2005). *State of the Charter Movement 2005: Trends, Issues and Indicators* Washington, D.C.. Charter School Leadership Council.
- <sup>92</sup> U.S. Government Accounting Office, January 2005, 58.
- <sup>93</sup> Colorado Department of Education (2000). *Colorado Charter Schools Capital Finance Study: Challenges and Opportunities for the Future*. Denver, CO.



<sup>94</sup> Nathan, J. (1996). *Charter Schools: Creating Hope and Opportunity for American Education*. San Francisco. Jossey- Bass.

<sup>95</sup> Finn, C. and Osberg, E. (2005). *Charter Schools Funding: Inequity's Next Frontier*. Fordham Foundation.

**APPENDIX A:**

**COLORADO CHARTER SCHOOLS 2004-05 EVALUATION STUDY  
Request for Data**

**School Name:** (prepopulated field)

**Name of person completing the survey:** \_\_\_\_\_

. Composition of Governing Board in 2004-05 (check one)

- 1 Parents + Community Representatives + Teachers/Administrators
- 2 Parents + Teachers/Administrators
- 3 Parents + Community Representatives
- 4 Teachers/Administrators + Community Representatives
- 5 Teachers/Administrators Only
- 6 Parents only
- 7 Community Representatives Only
- 8 Other (please describe)

2. Did/will your school administer a parent survey to solicit feedback and input from parents during the 2004-05 school year?

1 Yes       0 No      -1= NULL or No Answer

3. Did your school use a required parent contract in 2004-05?

1 Yes       0 No      -1= NULL or No Answer

4. A. Did your school track parent volunteer hours in 2004-05?

1 Yes       0 No      -1= NULL or No Answer

B. If yes, please provide the relevant data in the form your school maintained it (e.g. total percentage of parents who volunteered, total number of volunteer hours contributed by parents/family members)

\_\_\_\_\_ **MEMO** \_\_\_\_\_

5. A. During the 2004-05 school year, did your school:

**Yes/No** own its facility

**Yes/No** rent/lease its facility

**Yes/No** use a district-owned facility

**Yes/No** other, please explain \_\_\_\_\_ **TEXT** \_\_\_\_\_

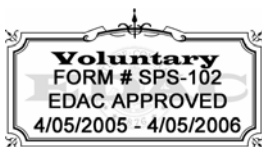
B. If applicable, what percentage of your school's total operating budget was spent on the facility, excluding regular maintenance, during the 2004-05 school year? \_\_\_\_\_ **NUMBER** \_\_\_\_\_

6. A. Does your school use 15 passenger vans to transport students for activity trips or route operations?

1 Yes       0 No      -1= NULL or No Answer

B. If yes, please state the number \_\_\_\_\_ **NUMBER** \_\_\_\_\_ of vehicles so used.

7. How does your school provide necessary transportation for activity trips or route operations? (mark all that apply)



own  
 lease  
 other (please state)

8. If you answered yes to question 6 or 7, does your school have an agreement with the authorizing school district to maintain the above vehicles?

1\_ Yes       0\_ No      -1= NULL or No Answer

9. Does your school have an agreement with the authorizing school district to provide transportation for activity trips or route operations?

1\_ Yes       0\_ No      -1= NULL or No Answer

10. Please indicate the types of assessments administered by your school in 2004-05 in addition to the Colorado Student Assessment Program:

**Yes/No** Norm-referenced tests (i.e. ITBS, Terra Nova)

**Yes/No** Criterion-referenced tests (i.e. district standards-based assessments)

**Yes/No** Performance Assessments (i.e. portfolios, student exhibitions)

Other  (please describe) \_\_\_\_\_

11. A. Has your school completed a renewal of its initial charter contract?

1\_ Yes       0\_ No      -1= NULL or No Answer

B. If yes, please list the years the charter was renewed \_\_\_\_\_

12. What is the term of the current charter? [Answer in years]

13. A. Does your charter school governing board have board-approved policies that are separate from the employee handbook, parent/student handbook and original charter application?

1\_ Yes       0\_ No      -1= NULL or No Answer

B. If yes, please check all the applicable ways these board policies are made available to parents or other members of the public: [may check more than one]

**Yes/No** school office keeps a master copy available for review

**Yes/No** board policies are available on the school website

**Yes/No** school office provides copies of board policies, upon request, free of charge.

**Yes/No** school office provides copies of board policies, upon request, for a copying fee.

14. Has your school adopted a documented goal for making Adequate Yearly Progress under the provisions of the *No Child Left Behind Act* that stipulates all students will be at least partially proficient in reading and math CSAP assessments by the year 2014?

1\_ Yes       0\_ No      -1= NULL or No Answer

15. Is your charter school best described as: [check one]

1\_ a newly created charter school

2\_ a public school conversion to charter, or

3\_ a formerly private school, now a charter school



16. How frequently are your school's computers used for the following activities? [check one on each line]

	Regularly	Occasionally	Rarely	Never
A. Teacher-directed classroom instruction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Self-paced lessons for individuals or small groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. Student research projects/homework assignments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. Student participation in distance learning courses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. Curriculum development and lesson preparation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. Teacher professional development activities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G. Communication with parents (website or e-mail)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Posting grades or assignments on-line	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I. Communication among staff members	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

17. A. Was there a waiting list/lottery pool for your charter school during the 2004-05 school year?  
 \_\_1\_\_ Yes      \_\_0\_\_ No      -1= NULL or No Answer

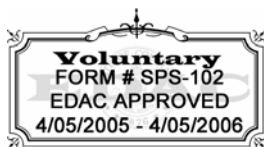
B. If yes, please provide the number of students on the waiting list/lottery pool NUMBER.

18. Please indicate whether, during the 2004-05 school year, your school purchased the following services from a third party or parties, from the authorizing school district, or provided them in-house with your own staff. If services were purchased from more than one source, please check all applicable columns.

<b>Service</b> <b>Yes/No for all</b>	Purchased from 3 <sup>rd</sup> party	Purchased from authorizing district	Provided in- house	Not provided
Insurance	Q18ins3rd	Q18insdist	Q18insinhouse	Q18insnone
Food Services	Q18food3rd	Q18fooddist	Q18foodinhouse	Q18foodnone
Custodial/building maintenance services	Q18maint3rd	Q18maintdist	Q18maintinhouse	Q18maintnone
Legal services	Q18legal3rd	Q18legaldist	Q18legalinhouse	Q18legalnone
Human Resources services – job postings, fingerprinting, references checks, etc.	Q18HR3rd	Q18HRdist	Q18HRinhouse	Q18HRnone
Accounting services	Q18accent3rd	Q18accentdist	Q18accentinhouse	Q18accentnone
Professional development services	Q18prof3rd	Q18profdist	Q18profinhouse	Q18profnone
Transportation services	Q18trans3rd	Q18transdist	Q18transinhouse	Q18transnone
Special education services for students with IEPs	Q18Sped3rd	Q18Speddist	Q18Spedinhouse	Q18Spednone
Student assessment services	Q18asses3rd	Q18assesdist	Q18assesdist	Q18assesnone

19. Which federal funds did your charter school receive or participate in during the 2004-05 fiscal year?  
 (check all that apply)

- Title I, Aid to High-poverty Schools
- Title II, High Quality Teachers and Technology
- Title III, Limited English Proficient



- Title IV, Safe & Drug Free Schools and 21<sup>st</sup> Century Schools
- Title V, Schools of Choice
- Title X, Homeless Education

20. List the type of data management software used at your school and rate whether it is meeting your school's needs. (text box for 3 responses)

A. \_\_\_\_\_

A. strongly agree  somewhat agree  neutral  somewhat disagree  strongly disagree   
not applicable

B. strongly agree  somewhat agree  neutral  somewhat disagree  strongly disagree   
not applicable

C. strongly agree  somewhat agree  neutral  somewhat disagree  strongly disagree   
not applicable

Is this data software meeting your needs?

- 1 strongly agree
- somewhat agree
- neutral
- somewhat disagree
- strongly disagree
- not applicable

B. \_\_\_\_\_

Is this data software meeting your needs?

- 1 strongly agree
- somewhat agree
- neutral
- somewhat disagree
- strongly disagree
- not applicable

C. \_\_\_\_\_

Is this data software meeting your needs?

- 1 strongly agree
- somewhat agree
- neutral
- somewhat disagree
- strongly disagree
- not applicable

21. A. Have you been notified of various opportunities available through your District / District Assessment Coordinator regarding administration of the CSAP? (check all that apply)

administration of CSAP [the response is either yes/no]

Yes  No



CSAP results [the response is either yes/no]

Yes  No

B. Not all charter schools have requested training, such as assessment training and data driven decision making training, as a part of their charter contract. Has your charter school contracted for these services?

Yes (if your response is yes, please complete Part C of this question)

No (if no, skip to item 22)

C. If your charter school has contracted for these trainings, has your DAC notified you of training opportunities related to:

assessment

Yes  No

data driven decision making

Yes  No

22. How satisfied are you with the information you receive from your District/ District Assessment Coordinator regarding the administration of the CSAP? (check one)

4 very satisfied

3 somewhat satisfied

2 not satisfied

1 we do not get any information from our District/ District Assessment Coordinator regarding CSAP results

0 NULL or No Answer

23. How satisfied are you with the information you receive from your District/ District Assessment Coordinator regarding CSAP results? (check one)

4 very satisfied

3 somewhat satisfied

2 not satisfied

1 we do not get any information from our District/ District Assessment Coordinator regarding CSAP results

0 NULL or No Answer

24. What type of curricular program is your school using?

Core Knowledge

Montessori

ELOB (Expeditionary Learning Outward Bound)

Edison

liberal arts/classical high school

independently created program

other (please specify) \_\_\_\_\_

