



## Non-Academic Accountability Principles and Process Frameworks

In September 2018, the Member Council adopted a Non-Academic Accountability Principles and Process Framework that provide guidelines for how and when CCSA will work with Member Council to respond to issue of concern related to operations, fiscal, and governance practices *in cases where authorizers are not providing oversight*. CCSA will not actively seek issues, nor review schools on an annual basis for the purpose of non-academic accountability. This process is designed to respond to the concerns that member schools or trusted partners raise with CCSA staff, or issues identified through other ongoing work.

Concerns that trigger the Non-Academic Accountability Process will be significant and suggest a sustained departure from acceptable practices related to one or more principles where current authorizer(s) or other appropriate oversight bodies are not intervening. **The intent of this process is to focus on ongoing, large-scale, intentional malfeasance related to fiscal, operational and governance standards of practice where no other regulatory body is acting.**

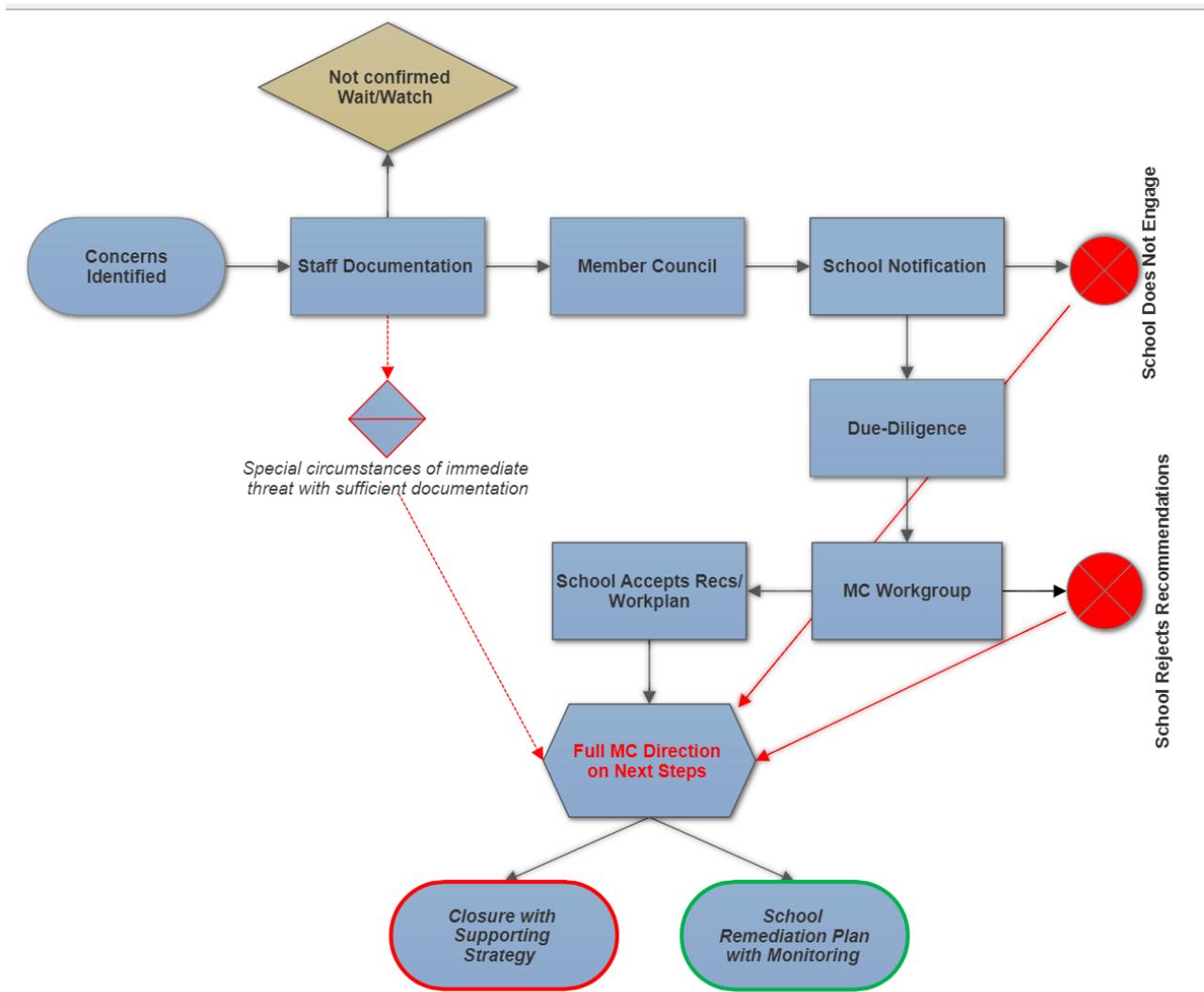
### Non-Academic Accountability Principles

For reported concerns that meets the limited and defined threshold for CCSA action, the principles provide general guideposts that lead CCSA’s research and should be thought of as the lenses through which staff and Member Council review concerns. Note that, by design, these are high-level principles and are not intended to be prescriptive. The review process, as described below, will help guide the peer-review and provide answers to the whether, and how specific school concerns meet a particular principle based on industry standard and commonly accepted practice.

Non-Academic Accountability Principles	
Fiscal	<b>Fiscal Health:</b> Charter budgets and fiscal practices should focus on and demonstrate long term stability.
	<b>Transparency and Practice:</b> Charters and related organizations should conduct all fiscal decisions and processes in a regular, transparent and consistent manner.
	<b>Legal Compliance:</b> Charters should follow all required statute and regulations with clear and documented accuracy.
	<b>Organizational Financial Literacy:</b> School Leaders and Board Members regularly review best practices and legal requirements to guide fiscal processes and procedures.
Governance	<b>Transparency and Practices:</b> Charter school governing boards and school leaders clearly communicate how, when, and why decisions are made.
	<b>Legal Compliance:</b> Charter school governing boards have adopted policies and practices that comply with the laws and regulations that govern charter schools.
	<b>Capacity:</b> Charter school boards and school leaders demonstrate the skills and expertise to meet their responsibility to ensure sustainability, viability, and to achieve core program goals.
Operations	<b>Health and Safety:</b> School operations and structures support the health and safety of the school community.
	<b>Sustainability:</b> School structures and resource-allocation are responsive, appropriate and aligned to the mission and goals of the program and needs of students.
	<b>Legal Compliance:</b> Charter schools have adopted policies and practices that comply with the applicable legal requirements and regulations related to school operations and student and staff management.

### Non-Academic Accountability Process Framework

The process framework provides guidance to how and when CCSA staff will address member concerns of ongoing, large-scale, intentional malfeasance that violate one or more of the fiscal, operational and governance Non-Academic Principles. The process provides assurance that CCSA staff will evaluate concerns, engage Member Council and the school in a timely manner. The intent of the process is to work in collaboration with the school to better understand the current practices related to the reported concern, and either annul the concern, or help address areas that need remediation, when needed. In instances where the school rejects remediation for substantiated concerns, or does not engage with CCSA in a due-diligence process, Member Council may recommend reporting the concern to appropriate regulatory bodies to determine if the charter should be revoked/non-renewed.



## Non-Academic Accountability Process Framework

### 1. Identification:

CCSA staff will flag concerning practices when discovered through other ongoing work, or when members or other trusted partners alert CCSA staff of concerns. Staff will *not* be actively reviewing schools on a yearly process. Identification will be ongoing and not held to a specific period of the year. However, any requests to state or county officials for revocation/non-renewal will be done on an annual cycle, unless issue requires immediate response due to the nature of the issue and/or severity.

All charters are subject to this process regardless of membership status, incorporation status (“dependency”), school structure, or program.

**Threshold for action:** Issues that trigger the Non-Academic Accountability Process will be significant and a sustained departure from acceptable practice on a foundational matter as outlined in the Non-Academic Principles (see above) where current authorizer(s) or other appropriate oversight bodies are not intervening. **The intent of this process is to focus on ongoing issues of large-scale, intentional malfeasance where no other regulatory body is acting.** The issues flagged will be systemic and a threat to the broader movement.

If CCSA is asked to take a stance on an authorizer-driven investigation of an issue, we would use this process. The documentation (step 2) would be the 3<sup>rd</sup> party validation that is already required as part of the 2014 Member Council policy.

### 2. CCSA Staff Documentation:

Within 30 days of receiving a report of concern that meets the Threshold for Action, staff will document concern and complete initial review process using publicly available information.

If the complexity of the issue requires more time for initial review, within 30 days staff will notify Member Council in writing about the concern and provide an update on current findings and a timeline for completing documentation.

The process will move as quickly as is reasonable, being responsive to the Members or concerned stakeholders who brought forth the complaint but ensuring the necessary confirmation and Due Diligence is completed before making claims against schools.

Staff will prepare a summary of the concern, background on the school, initial findings, and specify how and why the issue conflicts with our Non-Academic Accountability Principles for the Member Council.

If an authorizer is already acting on this school/issue, we will include a summary of that action in the Member Council materials.

If the severity (e.g. threat to safety or lasting landscape damages) requires immediate action and staff have sufficient documentation, then staff will bypass the full process and bring the concern and evidence directly to the Member Council.

Should staff be unable to confirm the initial concern, then staff will add the school to our Watch List. If new information is found, or is brought to our attention, then we will reopen this process.

The Watch List will be shared with Member Council, but otherwise kept confidential.

**3. Member Council Notification:**

If the initial staff review finds the concern credible, staff will notify Member Council *before* School Notification and CCSA Due Diligence process.

If timing does not allow for a regularly scheduled Member Council meeting, at a minimum, the Member Council Chair, Site-type and Regional Representatives will be included in the notification.

At this point, staff will also ask the Member Council to create a subcommittee and request recommendations for relevant content experts to join the Workgroup (see step 6).

**4. School Notification:**

After notifying Member Council, CCSA staff will notify the school, enumerating the concerns(s) and requesting a meeting to discuss the documented issue(s).

Staff will share with the school evidence and documentation, ask for school response/clarification, explain the Due Diligence process, and then ask school to engage in the Due Diligence process.

A timeline for the Due Diligence process will be provided in this notification and will be aligned to the concerns, complexity of required response documentation, and other case-specific details.

If the school does not respond, the staff proceeds to Member Council vote and final recommendations.

**5. CCSA Due Diligence:**

If the school agrees to the Due Diligence process, CCSA staff will work with the school to collect additional information and clarifications on the school concerning practice(s).

Modification to the Due Diligence timeline provided in the School Notification can be made when mutually agreed upon between CCSA and the school.

CCSA staff will compile this additional information to share with a Member Council subcommittee workgroup.

**6. Member Council Workgroup:**

CCSA staff will convene a subcommittee workgroup of the Member Council plus “content experts” to review and respond to the compiled concern brief and school documentation (i.e. the complete package of the initial issue(s), CCSA Due Diligence, and school response/clarification/documentation) and staff-drafted remediation plan.

The Workgroup will decide

- A. If the issue is still a concern and needs remediation; or
- B. If the practices and protocols currently held by the school are acceptable such that there is no longer a concern

Should the Workgroup determine that the concern needs remediation, they will provide recommendations, as needed, on the remediation plan and next steps for the school, along with a timeline for response.

Should the Workgroup determine that the concern is sufficiently addressed by the school’s current practices, then they can recommend that CCSA staff monitor the school for further issues but remove them from this Non-Academic Accountability process.

**7. Recommendations/Notice of Remediation:**

CCSA staff will take the Workgroup remediation recommendations back to the school and staff will work with the school to create a workplan to meet the expectations and set relevant progress benchmarks with timelines, specifying a due date for full remediation.

This remediation workplan will be shared with the whole Workgroup, should they be interested.

**8. Member Council Vote/Direction:**

Before any public action is taken, a vote of the Member Council must direct this work. Staff will bring a final recommendation to the Member Council as soon as possible, in accordance with the included steps and protocols. As stated under Staff Documentation, if the severity of the issue requires immediate action and staff have sufficient documentation, then staff will bypass the full process and bring the concern and evidence directly to the Member Council.

If timing or severity of the issue cannot wait for regularly scheduled Member Council meeting, a subcommittee can act in place of the Member Council and will include at a minimum, the site-type and regional representatives, and Member Council Chair.

If a school has engaged in all the steps listed above, the Member Council will receive a summary of each step, the outcomes of each step, and CCSA's recommendation(s) of possible action(s).

If the school has NOT engaged in the full process, either by nonresponse or rejection of the School Notice/Due Diligence process, or rejection of the remediation recommendations, then this will be documented and added to the initial framing of the issue(s) and CCSA's Due Diligence summary.

For each school, the Member Council will be asked to vote on next steps, including, but not limited to:

- A. That CCSA supports reporting the school to state authorities or its authorizer to determine if the charter should be revoked/non-renewed;
- B. That CCSA makes a public statement about the issue but does not take a stance against revocation/non-renewal.
- C. That CCSA does not make a public statement about the issue but takes "behind the scenes" action to force change.
- D. That CCSA is neutral/takes no public action and continues to monitor/support the school as it implements the agreed upon remediation plan.

CCSA may utilize partnerships and other leverage points to enact change and support the Member Council's directive. This may include the engagement of media, FCMAT, SBE, COE(s), and others, such as vendors, lenders, insurance providers and SELPAs, as well as other legal action and direct authorizer advocacy. Based on the individual case, staff will recommend the most applicable partnerships/leverage approaches to the Member Council.

If the Member Council recommendation is to advocate for revocation/non-renewal by reporting the school to state authorities or its authorizer, the school will be given the opportunity to self-close without CCSA taking public action.

All schools for which CCSA takes a stance to report to state authorities or its authorizer for possible revocation/non-renewal, and are not opting for self-closure, will be made public in a similar process to the current PCNR. This notification will cite reasons and evidence collected through the Non-Academic Accountability process.

If the Member Council feels that the concerns were addressed sufficiently through the remediation plan, then the school would not be reported to state authorities or its authorizers for revocation/non-renewal and instead be recommended for CCSA staff monitoring of the remediation plan.

**9. CCSA Staff Monitoring:**

For schools that have adopted remediation plans, CCSA will be following up with them and tracking to ensure they are following the agreed upon plans. If schools are not, this will be documented, and we would bring this issue back to Member Council under the prior steps of this process.