EVALUATION OF CHARTER SCHOOL MONITORING LOUISIANA DEPARTMENT OF EDUCATION



PERFORMANCE AUDIT SERVICES ISSUED OCTOBER 4, 2017

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October 4, 2017

The Honorable John A. Alario, Jr.,
President of the Senate
The Honorable Taylor F. Barras,
Speaker of the House of Representatives

Dear Senator Alario and Representative Barras:

This report provides the results of our audit of the Louisiana Department of Education's (LDE) monitoring of charter schools authorized by the Board of Elementary and Secondary Education. The report contains our findings, conclusions, and recommendations. Appendix A contains LDE management's response. I hope this report will benefit you in your legislative decision-making process.

We would like to express our appreciation to the management and staff of LDE for their assistance during this audit.

Sincerely,

Daryl G. Purpera, CPA, CFE

Legislative Auditor

DGP/ch

CHARTER SCHOOLS 2017

Louisiana Legislative Auditor

Daryl G. Purpera, CPA, CFE

Monitoring of Charter Schools Louisiana Department of Education



October 2017 Audit Control # 40160007

Introduction

This report provides the results of our performance audit of the Louisiana Department of Education's (LDE) monitoring of charter schools. The Louisiana Legislative Auditor's 2013 performance audit on LDE's monitoring of charter schools¹ authorized by the Board of Elementary and Secondary Education (BESE) recommended that LDE implement a more comprehensive process to annually assess charter schools' compliance with legal/contractual obligations (organizational performance).² In its response, LDE stated that its new Charter School Performance Compact (CSPC), which was created³ by LDE and approved by BESE in January 2013, would satisfy this recommendation. We evaluated LDE's use of the CSPC to monitor BESE-authorized charter schools' organizational performance.

BESE authorizes three of the six types of charter schools (types 2, 4, and 5). During the 2015-16 academic year, there were approximately 53,000 students in 98 BESE-authorized charter schools. These schools received approximately \$239 million in state general fund dollars (through the Minimum Foundation Program) and \$231 million in local funds for a total of

	Exhibit 1 BESE-Authorized Charter School Types* (Academic Year 2015-16)					
Charter Type	Description	Number of Schools	Number of Students			
Type 2	New or conversion charter school operated by a nonprofit corporation	35	20,228			
Type 4	New or conversion charter school operated by a local school board	1	383			
Type 5	Failing public school transferred to the Recovery School District (RSD) and operated as a charter school	62	32,429			
	Total	98	53,040			

^{*}This exhibit excludes type 1, 3, and 3B schools. We did not evaluate monitoring of these schools because they are authorized by local school boards instead of BESE.

Source: Prepared by legislative auditor's staff using charter law and information from LDE.

\$470 million. Exhibit 1 summarizes the three types of charter schools authorized by BESE.

¹ 2013 Monitoring of Charter Schools Report

² As required by Bulletin 126, which implements the requirements of Louisiana's Charter School Law (R.S. 17:3971 *et seq.*)

³ Per La. Admin Code. tit. 28, pt. CXXXIX, § 1101(C)

⁴ The amount received by the only type 4 school, the Louisiana School for the Agricultural Sciences, could not be determined using MFP data because type 4 schools are not their own Local Education Agencies like the other BESE-authorized charter schools are.

Oversight of charter schools is important because, according to charter school regulations, these schools are given more educational and operational autonomy than traditional public schools in exchange for performance accountability. LDE's monitoring of charter schools' organizational performance primarily includes the following activities:

- **CSPC Annual Organizational Performance Review** involves the review of seven organizational performance areas of each charter school that contain critical and non-critical performance indicators (i.e., indicators addressing enrollment, special education, discipline requirements, etc.). LDE awards schools points⁵ for each indicator for a possible maximum of 150 points. If a school receives at least 120 points, it will receive a "Meets Expectations" rating; if it receives between 90 and 119 points, it receives an "Approaches Expectations" rating; and if it receives less than 90 points, it receives a "Fails to Meet Expectations" rating.
- **CSPC Intervention Process** involves intervention procedures to be used when a school has adverse findings (violations) identified in the CSPC process. These procedures include different levels of action depending on the severity of the violation. The first two action levels include what a charter school must do to return to good standing, while the final level is a charter revocation review. Once a school addresses the violation, LDE may issue that school a Return to Good Standing letter.
- Complaint Process involves a process for citizens to voice any concerns they may have regarding BESE-authorized charter schools. LDE's procedures categorize the different types of complaints and provide timeframes for when LDE should begin investigating complaints.

Our audit objective was:

To evaluate LDE's monitoring of charter schools authorized by BESE.

The issues we identified are summarized on the next page and in detail in the remainder of the report. Appendix A includes LDE's response, and Appendix B outlines our scope and methodology. The report also includes these additional appendices:

- Appendix C Overview of the CSPC's organizational performance framework
- <u>Appendix D</u> Comprehensive list of all organizational performance indicators
- Appendix E At-risk enrollment requirements for type 2 and 4 charter schools
- Appendix F Overview of LDE's complaint process for type 5 charter schools
- <u>Appendix G</u> Comparison of current at-risk student enrollment requirements and a proposed alternative at-risk student enrollment requirement
- Appendix H Academic performance, organizational performance, and funding information for BESE-authorized charter schools that operated during the 2015-16 academic year

⁵ Each critical and non-critical indicator is worth four points, with the exception of one non-critical indicator that is worth six points.

Objective: To evaluate LDE's monitoring of charter schools authorized by BESE.

We found that LDE, through the CSPC, has implemented a more comprehensive process to annually monitor charter schools. However, we also identified areas where LDE's monitoring could be strengthened to enhance performance accountability. Specifically, we found:

- LDE conducted all required annual CSPC reviews from academic years 2013-14 to 2015-16. However, LDE weighs all critical and non-critical organizational performance indicators equally when determining a school's organizational performance rating. Weighting critical violations more than non-critical violations and deducting points for each critical issue would allow LDE to present information to BESE that better reflects the severity of violations and result in improved charter school accountability.
- LDE has not monitored two provisions of the charter school enrollment law, which may have contributed to some schools enrolling fewer at-risk students than they were statutorily and contractually required to enroll. Seven (19%) of the 36 type 2 and 4 charter schools in academic year 2015-16 failed to enroll the required number of at-risk students.
- LDE should consider conducting routine unannounced monitoring visits for charter schools in addition to its announced annual review visits.

 Unannounced visits would allow LDE the ability to proactively identify issues that may not be detected during announced visits.
- LDE should develop specific and consistent procedures on how to address concerns and violations at charter schools. Currently, LDE procedures do not specify when a school should receive a "Notice of Concern" letter and do not require them to send a "Return to Good Standing" letter once violations have been corrected.
- Although LDE has developed a complaint process for charter schools, it needs to better inform parents with students in type 2 or 4 charter schools of this process. We found that even though type 2 and 4 charter schools comprise 37% of the charter schools LDE oversees, only 53 (11%) of the 494 complaints filed were from a parent with a child in a type 2 or 4 charter school. This could indicate that these parents do not know where to go to file a complaint.

In addition, we identified an area for further study related to R.S. 17:3991(B), which establishes criteria on the minimum percentage of at-risk students that type 2 and 4 charter schools must enroll. These results are discussed in detail throughout the remainder of the report.

LDE conducted all required annual CSPC reviews from academic years 2013-14 to 2015-16. However, LDE weighs all critical and non-critical organizational performance indicators equally when determining a school's organizational performance rating. Equally weighting all violations does not reflect the severity of critical violations.

Between academic years 2013-14 and 2015-16, we found that LDE conducted all required annual reviews using the CSPC for 100 of the 105 type 2, 4, and 5 charter schools open during this time period. However, when LDE conducts the reviews, all critical and non-critical organizational performance indicators, with the exception of one non-critical indicator, are weighted equally (four points each) when determining if a school meets expectations. For example, the critical indicator on whether a school identifies high needs/at-risk students is weighted the same as the non-critical indicator on retention of students. Equally weighting all violations does not reflect the severity of critical violations and may result in schools with critical violations receiving the same score as schools with non-critical violations. Appendix D lists all critical and non-critical indicators and the points given for each indicator.

Charter schools receive a base renewal term length determined by their academic performance letter grade, but they may also receive additional years if they meet financial and organizational performance expectations. All 105 schools LDE monitored annually from the 2013-14 through 2015-16 school years received a "Meets Expectations" rating for organizational performance even though eight of these charter schools had critical violations. Under the current rating system, a type 2 or 4 charter school could violate seven of the 15 critical indicators and still receive a "Meets Expectations" rating if it had no other violations. Exhibit 2 summarizes the critical violation areas cited from academic years 2013-14 to 2015-16 and the schools that did not meet each one, but still received a "Meets Expectations" rating.

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⁶ According to LDE management, they did not conduct the last required annual review for one school in the 2014-15 academic year and four schools in the 2015-16 academic year because these schools were in their final year of operation before transferring to a local school district.

Exhibit 2 Critical Violations Cited Academic Years 2013-14 through 2015-16				
Area	School	Description of Critical Violations		
	Langston Hughes Charter Academy	The principal failed to provide formal documentation of an expulsion recommendation within the required timeframe and submitted a Safety Transfer Request for the student without the consent of the parent/guardian. The parent/guardian was inappropriately expected to find an alternate school placement for the student, and the student had not been provided due process or educational services outside of participating in LEAP test administration for more than a month.		
Enrollment		These schools inappropriately denied students enrollment by telling parents/guardians that there was a lack of seat availability. However,		
_	3. McDonogh #28 City Park Academy	these schools had active rosters in the relevant grades with fewer		
	4. Sophie B. Wright Learning Academy	students than the projected enrollment for those respective grades, meaning the students should not have been denied enrollment.		
	5. Pierre A. Capdau Learning Academy	The school inappropriately denied enrollment to two students who attempted to enroll after October 1. After this date, students enter the Round Robin process, and schools must admit these students unless exempted. The school had not received an exemption by the required date and should have enrolled the students.		
	6. G.W. Carver Collegiate Academy	A student with disabilities received a 24-day out-of-school suspension, 14 days more than allowed.		
SPED/At-Risk	7. ReNEW SciTech Academy at Laurel	(1) The school manipulated the required special education service minutes, (2) rushed students through the special education service identification process to inappropriately obtain additional funds, (3) failed to provide most students with their full scope and amount of special education services, and (4) inappropriately retained students based on their likelihood of passing tests in the next grade.		
Discipline	8. Paul Habans Elementary School	The school failed to conduct student suspensions and expulsions in accordance with the RSD's Manual for Disciplinary Procedures, resulting in a student unnecessarily missing 10 days of school.		
Source: Prepared	by legislative auditor's staff u	sing Annual Review Results and Notices of Breach provided by LDE.		

In addition, LDE does not deduct points for each critical violation. For example, ReNEW SciTech Academy at Laurel failed to comply with several special education critical indicators, as shown in Exhibit 2, but was only deducted four points. Weighting critical violations more than non-critical violations and deducting points for each critical issue would allow LDE to present information to BESE that better reflects the severity of violations and result in improved charter school accountability. According to LDE management, the agency is revising the CSPC to give more weight to critical organizational performance areas and expects to implement it for the 2018-19 academic year.

Recommendation 1: LDE should continue to work with BESE on revising the CSPC to give more weight to critical organizational performance areas than non-critical areas during performance reviews.

Recommendation 2: LDE should work with BESE to consider whether multiple violations identified under one performance indicator should result in multiple deductions from schools' organizational performance ratings.

Summary of Management's Response: LDE agrees with these recommendations and states that it will update the CSPC to ensure that serious offenses lead to real consequences for schools within the Annual Review framework. The updated CSPC and Annual Review being presented to BESE for approval in October address these concerns through a new scoring system that prevents a school from meeting expectations if one significant violation is identified. See Appendix A for LDE's full response.

LDE has not monitored two provisions of the charter school enrollment law, which may have contributed to some schools enrolling fewer at-risk students than they were statutorily and contractually required to enroll. Seven (19%) of the 36 type 2 and 4 charter schools in academic year 2015-16 failed to enroll the required number of at-risk students.

Both state law (R.S. 17:3991 (B)(1)) and charter contracts require that type 2 and 4⁷ charter schools' enrollment meet or exceed a certain percentage of at-risk students. LDE is responsible for ensuring schools comply with this mandate. Compliance is important because, according to state law, it is the legislature's intention that the *best interests of at-risk students* be the overriding consideration when charter school laws are implemented. For academic year 2015-16, seven (19%) of the 36 type 2 and 4 charter schools failed to enroll the required number of at-risk students. See Appendix E for details about this mandate.

State law (R.S. 17:3991(C)(1)(c)) also requires that if a charter school has more applicants than available seats, it must conduct enrollment lotteries in a manner that ensures compliance with the at-risk

At-Risk Student Definition

- ✓ Is eligible to participate in the federal Free and Reduced Price Lunch program
- ✓ Is under the age of twenty and has been withdrawn from school prior to graduation for not less than one semester or has failed to achieve the required score on any portion of the examination required for high school graduation
- ✓ Is in the eighth grade or below and is reading two or more grade levels below grade level
- ✓ Has been identified as a student with an exceptionality* (not including gifted and talented)
- ✓ Is the mother or father of a child

Source: Prepared by legislative auditor's staff using R.S. 17:3973.

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^{*}As defined in R.S. 17:1942

⁷ R.S. 17:3991(B)(1)(d) excludes type 5 charter schools from at-risk enrollment requirements.

⁸ R.S. 17:3972(A)

requirement, and it prohibits noncompliant schools from giving enrollment preference to siblings of current students until they come into compliance. LDE is responsible for ensuring compliance with these two legal requirements. However, we found that LDE failed to monitor these two requirements which, if enforced, may have helped ensure charter schools enrolled the required number of at-risk students.

LDE did not review schools' enrollment lottery processes to ensure that they give weight or preference to at-risk students, as required by law. According to state law, if the total number of eligible applicants exceeds the capacity of the program, class, grade level, or school, admission to the program must be based on an admission lottery conducted from among the total number of eligible applicants, and done in such a fashion as to assure compliance with at-risk enrollment requirements. We contacted each of the schools that failed to meet their at-risk enrollment requirement during the 2015-16 academic year, and the five schools that responded reported that they routinely have more enrollment demand than available seats. As a result, LDE should have determined whether these schools conducted enrollment lotteries in a manner that ensured compliance with the school's at-risk student enrollment requirement. LDE stated that it did not review these lotteries as required by the CSPC because, based on LDE's interpretation of the law, charter schools were not legally required to give preference to at-risk students in their enrollment lotteries.

LDE also allowed schools that failed to enroll the required number of at-risk students to give preferential admission to siblings of current students in violation of state law. State law¹⁰ allows a type 2 or 4 charter school to modify its enrollment procedures in order to give preference to students previously enrolled in the school and their siblings *provided the school is in compliance with the at-risk student enrollment mandate*. However, we surveyed all seven schools that did not enroll the required number of at-risk students for academic year 2015-16, and six stated they gave preferential enrollment to siblings. LDE's EnrollNOLA procedures also establish a preference for siblings over at-risk students for Lyceé Français de la Nouvelle-Orléans, a type 2 charter school that has failed to meet its at-risk enrollment mandate for at least three consecutive years.

By failing to enforce this law, LDE failed to implement what could have otherwise been a strong incentive for charter schools to make every effort to enroll the required number of at-risk students. Specifically, the sibling-preference policy is an appealing policy to parents with multiple school-aged children. If a school is not allowed to give preference to siblings, parents may instead choose to send their children to another school that can offer sibling preference. Exhibit 3 shows the sibling enrollment percentage for the schools that did not meet the at-risk enrollment requirements. For example, Lyceé Français de la Nouvelle-Orléans' student enrollment consists of 30% siblings, but the school missed the required at-risk enrollment percentage by 17%.

¹⁰ R.S. 17:3991(C)(1)(c)(iii)

⁹ R.S. 17:3991(C)(1)(c)

Exhibit 3 Charter Schools Not Meeting At-Risk Percentage Academic Year 2015-16							
Percent of Students with Siblings in Charter School Type Same School* Percent School Missed At-Risk Enrollment Requirement							
Acadiana Renaissance Charter Academy	2	44%	21%				
Lyceé Français de la Nouvelle-Orléans	2	30%	17%				
Avoyelles Public Charter School	2	54%	12%				
Delta Charter School	2	49%	9%				
The MAX	2	17%	9%				
Louisiana School for Agricultural Science	4	Data Not Available**	9%				
D'Arbonne Woods Charter School	D'Arbonne Woods Charter School 2 46% 2%						

^{*}The percentage of students with siblings in the same school is based on the 2014-15 academic year because this was the last year of data with address information included.

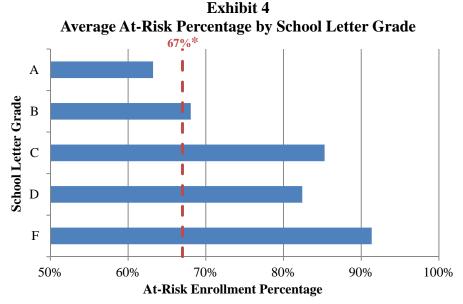
Charter contracts contradict state law regarding the sibling preference policy, and the CSPC does not specifically address whether charter schools are giving sibling preference before meeting these requirements. The CSPC contains an indicator that states, "School follows Recruitment and Enrollment Plan, Lottery," but does not give specific guidance for what laws LDE should ensure charter schools are meeting. Charter contracts also direct these schools to prioritize siblings over at-risk students even if a school is not meeting its at-risk percentage, which contradicts state law. We asked LDE about this requirement in early April after identifying the issue on a routine CSPC site visit while shadowing LDE staff. LDE stated that it approved this policy because it was the agency's understanding that a school could give preference to siblings even if it had not met its at-risk enrollment requirement, but it would seek further guidance from LDE's legal team. LDE's legal team agreed that a school must first meet its at-risk enrollment requirement before giving preference to siblings. As a result, LDE management stated the agency will instruct schools to prioritize at-risk applicants over siblings in future years if they fail to meet the at-risk enrollment requirement.

Enforcing these requirements is important because there could be an incentive for charter schools to reduce their at-risk enrollment percentage in an attempt to improve their performance. State law requires charter schools to show academic improvement of their students as a condition of renewal, and studies have shown that at-risk students tend to perform worse academically than non-at-risk students. Exhibit 4 on the following page shows the average at-risk percentage for the 36 type 2 and 4 charter schools, by their 2015-16 letter grades.

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^{**}Type 4 charter schools were not required to submit address information of its students during this time period. **Source:** Prepared by legislative auditor's staff using data from LDE.

¹¹ Selcuk R. Sirin, "Socioeconomic Status and Academic Achievement: A Meta-Analytic Review of Research," Review of Educational Research, Vol. 75 (2005) pp 417-453



*The required at-risk percentage for 31 of the 36 type 2 and 4 charter schools. **Source:** Prepared by legislative auditor's staff using information from LDE.

An analysis of all three years of annual review data showed that 12 (33%) out of 36 charter schools failed to enroll the required percentage of at-risk students during this period for at least one of the years, and four schools failed to enroll the required percentage all three years. Additional information provided by LDE also suggests that some of these schools may have failed to enroll the required number of at-risk students in years that pre-date the annual review data as well.

Recommendation 3: LDE should review the lottery practices of charter schools annually as required by the CSPC.

Summary of Management's Response: LDE management disagrees with this recommendation and states that they actually did monitor the lotteries of these seven schools. Based on the most recent report given to BESE (2015-16), schools that failed to meet the requirement were required to provide substantial documentation outlining how their lotteries were conducted, among other steps taken to come into compliance. Department staff reviewed those policies and lottery procedures and provided required actions to these schools, which included preferencing economically disadvantaged students in their next lottery. In addition, LDE states that it, "disagrees with the very premise that the law requires all schools to provide preference for at-risk students." See Appendix A for LDE's full response.

LLA Additional Comment: LDE could not provide any evidence that it determined whether lottery procedures were actually followed (such as reviewing the actual applicant pools). In addition, as mentioned in the report, state law (R.S. 17:3991(C)(1)(c)) requires that if a charter school has more applicants than available seats, it must conduct enrollment lotteries in a manner that ensures compliance with the at-risk requirement.

Recommendation 4: LDE should work with BESE to amend the contract requirement for type 2 and 4 charter schools that states, "...all charter schools must give lottery preference to siblings of students already enrolled in the charter school" to include an exception for schools failing to meet their at-risk enrollment requirement.

Summary of Management's Response: LDE neither agrees nor disagrees with this recommendation in its response. See Appendix A for LDE's full response.

Recommendation 5: LDE should review whether schools' enrollment processes ensure the schools meet at-risk enrollment requirements annually before allowing sibling preference, as required by the CSPC and state law.

Summary of Management's Response: LDE agrees with this recommendation and states that while sibling preference was not monitored in prior years, it was incorporated into the most recent year's oversight process. Schools that did not meet the required at-risk percentage based on the most recent report (2015-16) were sent a letter noting that future lotteries must not include a sibling preference until the new economically disadvantaged enrollment requirement is met or all economically disadvantaged applicants are admitted first. See Appendix A for LDE's full response.

LDE should consider conducting routine unannounced monitoring visits for charter schools in addition to its announced annual review visits.

As required by the CSPC, LDE notifies charter schools of their annual monitoring visits. According to LDE, this gives schools the opportunity to have the necessary staff at the school to complete the visit. LDE stated that it has also conducted some ad hoc visits when it receives parent concerns or formal complaints, such as students not receiving required special education services. However, visits based on known concerns indicate that a problem is already occurring, or at least suspected.

Unannounced monitoring visits may help LDE proactively identify and deter violations in critical areas. An unannounced visit may help LDE detect whether a school is appropriately addressing discipline issues, observe whether school staff are acting in a professional manner, and whether a school is offering required education services. These areas made up almost 50% of all complaints, as shown in Exhibit 6 on page 14 of this report. For example, special education services are monitored by LDE annually using the CSPC. Because LDE notifies the charter school of their annual monitoring visit, the charter school has time to ensure all special education requirements are in place, such as updating the individualized education program for each special education student.

Conducting unannounced monitoring visits could help LDE ensure charter schools are consistently following all charter school requirements and not just during the planned annual monitoring visit. According to LDE, it does not have the resources to conduct unannounced site

visits for each charter school annually. However, in addition to its ad hoc visits, LDE should consider conducting routine unannounced visits for at least a limited number of schools annually to proactively detect and deter violations that are difficult to detect or prevent without such visits.

Recommendation 6: LDE should consider expanding its practice of conducting unannounced site visit using a random approach to select charter schools.

Summary of Management's Response: LDE management disagrees with this recommendation and states that they do conduct some unannounced visits at schools, particularly to monitor state testing and when violations are suspected. However, given limited resources, the Department does not find that unannounced visits are particularly valuable in uncovering problems that lead to Department and BESE intervention in charter schools. Most of the major problems uncovered at schools have actually been revealed during announced visits, routine monitoring activities, and off-site data reviews. Department staff will continue to use unannounced visits in a manner that is limited and strategic but do not plan to incorporate them more broadly. See Appendix A for LDE's full response.

LLA Additional Comment: As stated in the report, expanding its practice of conducting unannounced site visits for at least a limited number of schools annually could help LDE proactively detect and deter violations that are difficult to detect or prevent without such visits.

LDE should develop specific and consistent procedures on how to address concerns and violations at charter schools. Currently, LDE procedures do not specify when a school should receive a "Notice of Concern" letter and do not require that LDE send a "Return to Good Standing" letter to the school once violations have been corrected.

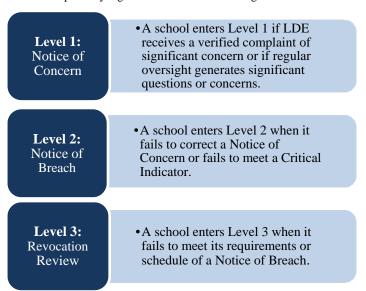
The CSPC describes an Intervention Ladder that schools enter when LDE identifies violations during monitoring. When a school enters the ladder at Level 1, the CSPC requires LDE to send a Notice of Concern. When a school enters Level 2, LDE must send a Notice of Breach. Both notices require specific remedial actions and dates for completion. Exhibit 5 on the following page summarizes the three intervention levels.

Although LDE specifically defines when to issue a Notice of Breach, its process for issuing a Notice of Concern is not specific or consistently applied. During academic years 2013-14 through 2015-16, LDE issued Notices of Breach to all eight schools with critical violations, as required. However, LDE procedures for issuing a Notice of Concern require the use of LDE's professional judgment to determine when a violation is of "significant concern." This presents a risk that schools with legal or contractual violations detected during an annual review may not receive a notice and does not allow LDE to adequately track all violations and concerns.

For example, we evaluated non-critical violations of legal and contractual requirements cited in annual reviews between academic years 2013-14 through 2015-16 and found that a Notice of Concern was not issued for 15 (54%) of 28 violations. The 15 violations were the result of schools failing to meet "student enrollment and at-risk percentage" requirements. LDE did issue eight Notices of Concern for this violation during the 2014-15 academic year, but it chose not to do so during the 2013-14 or 2015-16 academic years. According to LDE, Notices of Concern are not necessarily based on annual review results, and it

Exhibit 5 LDE's Violation Intervention Ladder Procedures

Source: Prepared by legislative auditor's staff using information from LDE.



prefers to have flexibility in deciding when to issue them. However, this could result in schools being treated inconsistently and increases the risk that violations are not corrected.

Although Notices of Concern and Breach are required by the CSPC and list the actions a school must implement to return to good standing, LDE does not consistently issue "Return to Good Standing" letters. LDE has sent some schools a Return to Good Standing letter when they have followed up with the school to ensure the violation(s) is corrected. However, of the 32 Notices of Concern or Breach sent to schools¹² between academic years 2013-14 and 2015-16, LDE did not issue 12 (38%) Return to Good Standing letters. According to LDE, the CSPC does not mandate that schools receive a letter or any written communication indicating that they have returned to good standing. As such, they did not issue letters for all Notices of Concern and Breach. In instances where Return to Good Standing letters were not sent, LDE claimed they informed schools of their return to good standing in other ways.

As a result, LDE was unable to demonstrate that it had followed up with these 12 schools to ensure they had fulfilled the requirements contained in their Notices of Concern or Breach. Of these 12 schools, three had received a Notice of Breach for reasons including not adhering to student enrollment procedures (i.e., schools inappropriately denied students admission to the school) and not providing the required special education classes. The other nine schools had received a Notice of Concern for reasons such as not meeting their required at-risk percentage (eight of the schools) and failure to comply with facility use policies. In this instance, a wedding took place at the facility. The school did not first request permission from the Recovery School District (RSD) to host the event, and alcohol was also served at the event even though an alcohol waiver was not requested.

¹² One of the 32 notices was sent to a charter management organization rather than a school.

Recommendation 7: LDE should develop procedures that identify what types of violations should result in a Notice of Concern so that these violations are adequately tracked and corrected.

Recommendation 8: LDE should update its procedures to require that Return to Good Standing letters are sent to all schools that receive a Notice of Concern or Breach to ensure that violations detected are addressed in a timely manner.

Summary of Management's Response: LDE agrees with these recommendations and states that it should have internal consistency on what type of violations lead to Notices of Concern or Breach. Additionally, it is a best practice to provide letters noting that schools return to Good Standing after completing the next steps in a Notice of Concern or Breach and will make it clear that this is standard practice within its communications to schools and the public. See Appendix A for LDE's full response.

Although LDE has developed a complaint process for charter schools, it needs to better inform parents with students in type 2 or 4 charter schools of this process.

Individuals with complaints about type 5 schools can go to the RSD website for instructions on LDE's process for submitting and addressing their concerns. However, this website is specific to type 5 charter schools only. Although a concerned individual with a child in a type 2 or 4 charter school can use the RSD complaint process, they may not know to go to the RSD website because their child's school is not within that district. LDE did state that it asks schools to "make it known" to parents that the RSD office is a resource for lodging a complaint but did not offer any support of this, and it is unclear if schools actually do inform parents. It is important that all parents know the process for filing a complaint because LDE relies, in part, on parent and community feedback to measure almost half of the 37 indicators in the CSPC, and complaints are supposed to be taken into consideration when BESE is considering a school for renewal.

From academic years 2013-14 through 2016-17 (as of February 2017), LDE received 494 complaints regarding charter schools. We found that even though type 2 and 4 charter schools comprised 37% of charter schools that LDE oversaw, ¹³ only 53 (11%) of the 494 complaints were from a parent with a child in a type 2 or 4 charter school. This could indicate that these individuals have minimum complaints about type 2 or 4 charter schools, but it could also indicate that they do not know where to go to file a complaint. Exhibit 6 summarizes the number and category of complaints, gives examples of the types of complaints, and explains which complaints directly relate to LDE's CSPC.

¹³ This is based on the number of charter schools for the 2015-16 academic year.

Exhibit 6						
P	Summary of Complaints Academic Years 2013-14 through 2016-17*					
Category (Categories in gray denote an indicator in CSPC)	Example	#	%			
Discipline	Incident of corporal punishment, frequent suspension, failure to resolve bully issue, failure to address discipline issues, was not provided reason why child was suspended, etc.	140	28%			
School Staff	Verbal disagreements with students, physical altercation with students, communication with parents, racial discrimination, unprofessional behavior, etc.	111	22%			
Other	School record transfers, lack of transparency with school funds, uniform compliance	49	10%			
Enrollment	Grade advancement, not allowing student back in school after extended absences, school assignment	47	9%			
Special Education Services	Lack of updates of IEP progress, not following IEP plan, not receiving IEP accommodations, etc.	47	9%			
Transportation	Bus stop far from child's home, no room on bus, inconsistent pick up times	42	8%			
Retention	Parent feels child is not progressing and as a result is having to repeat a grade, etc.	26	5%			
Physical Altercation	Student was hit on the bus, student "beat on" by school staff, teachers did not do anything when student was punched in the lip, etc.	24	5%			
Academic Preparedness/ Concern	Teachers not grading work, school not offering summer school, school not preparing student for testing, etc.	8	2%			
Total		494	100%			

*As of February 2017.

Note: Amounts may not sum to 100% due to rounding.

Source: Prepared by legislative auditor's staff using information from LDE.

Ensuring all parents know where to go to file a complaint, especially for type 2 and 4 charter schools, is important because several of the complaints LDE received can be tied to an indicator in the CSPC, and LDE should be using complaints when conducting its annual review on these types of schools. For example, there were 47 complaints regarding special education services, including multiple complaints about children not actually receiving recommended special education services. While not all complaints would necessarily result in a violation, this information could identify areas in need of further investigation.

In addition, LDE needs to better document when complaints are investigated and resolved. LDE's current procedures provide timeframes for when staff should begin investigating complaints. However, LDE's complaint tracking database does not capture when LDE starts investigating a complaint. In addition, LDE does not consistently record whether a complaint has been resolved. For example, 82 (17%) of the 494 complaints do not have a resolved date as of February 2017 and appear to have been open an average of 353 days. As a result, management cannot monitor whether complaint investigations are initiated in a timely

manner and ultimately resolved. Exhibit 7 shows examples of complaints that do have a resolve date.

Exhibit 7 Examples of Complaints With No Resolve Date Academic Years 2013-14 through 2016-17*		
Complaint Example	Type	Days Open
Parent expressing frustration that student has not received transportation. Parent stated he was told transportation was provided via a lottery system.	Type 2	548
Parent upset that another student brought a gun to school and showed it to their child. Parent also says principal backhand slapped her child in the face.	Type 5	400
Parent feels that student is not receiving special education services. Parent said they were told six weeks ago someone would be in touch with her to schedule the IEP meeting but has not heard from anyone at the school regarding a meeting.	Unknown	504
Principal told parent that they would only pass his/her child if he enrolled in another public school the following school year. Parent was unsure whether or not this was the correct way to handle the situation.	Type 2	645
Parent stated that their child is being bullied, and the school does not believe the allegations.	Type 5	441
*As of February 2017. Source: Prepared by legislative auditor's staff using information obtained from LDE.		

Recommendation 9: LDE should better inform parents with a child in a type 2 or 4 charter school of its complaint process. For example, LDE could include a page on its website directed to all charter schools, not just type 5 schools.

Summary of Management's Response: LDE agrees with this recommendation and states the Department could do more to ensure that parents are aware of the process of lodging a complaint and will take steps to better publicize this process. See Appendix A for LDE's full response.

Recommendation 10: LDE should include a field that captures when staff begin investigating complaints and when complaints are resolved.

Summary of Management's Response: LDE agrees with this recommendation and states that former staff members failed to enter dates for the closeout of parent complaints into the database where these incidents are tracked. Current procedure and practice is to immediately enter a complaint into the system upon receipt as well as enter a date of resolution. See Appendix A for LDE's full response.

Area for Further Study Regarding the Charter School At-Risk Enrollment Requirement

Although LDE's use of the statewide Free and Reduced Priced Lunch (FRL) percentage to determine each charter school's at-risk enrollment requirement does not conflict with state law, an alternative student-based formula may better serve at-risk students. R.S. 17:3991(B) states that the minimum percentage of at-risk students that type 2 charter schools must enroll should be based on the percentage of FRL students enrolled in the local public school districts from which the charter school "enrolls its students." The minimum at-risk enrollment requirement is important because it protects at-risk students, whose best interest should be the overriding consideration when charter school laws are implemented, as stated in R.S. 17:3972.

Approximately 99% of all students who attend type 2 charter schools with statewide enrollment zones live within 24 miles of the school. Most ¹⁴ type 2 schools have statewide enrollment zones, meaning they may enroll any student in the state, regardless of the student's district of residence. For this reason, BESE uses the statewide average of FRL students (approximately 67%) as the percentage of at-risk students that all of these schools must enroll. However, we calculated what the at-risk percentage would be for each statewide charter school if the percentage was based on the districts from which the school actually enrolls its students, which is similar to how MFP funds are allocated from local school districts to type 2 charter schools. We found that 99% of all students who attend these schools live within 24 miles of the school. In addition, we found that if LDE used the weighted average at-risk percentage of the districts where the students actually live who attend each type 2 charter school, 22 (76%) of the 29 type 2 charter schools with a statewide enrollment zone during academic year 2015-16 would have a greater at-risk enrollment requirement.

Appendix G provides greater detail including each school's 2015-16 at-risk percentage, its current at-risk enrollment requirement, and the at-risk enrollment requirement to consider based on where the school actually enrolls its students. Appendix H contains information regarding each BESE-approved charter school that was operating during academic year 2015-16.

In addition, LDE currently sets a statewide charter school's initial at-risk enrollment requirement based on the statewide average of FRL students that existed during the school year that the charter proposal was approved, and the requirement remains fixed for the entirety of the charter term. If LDE worked with the legislature to consider using the at-risk enrollment requirement based on where the school actually enrolls its students, LDE could instead estimate a school's enrollment from each district so that it can make a similar calculation for the school's first term. For subsequent terms, LDE could use actual enrollment data from the school's prior term to calculate the new requirement. Additionally, the

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¹⁴ Of the 35 type 2 charter schools for academic year 2015-16, two (Louisiana Virtual Charter Academy and Louisiana Connections Academy) were virtual schools, and four (Belle Chasse Academy, JS Clark Leadership Academy, Madison Preparatory Academy, and Northeast Claiborne Charter) did not have a statewide enrollment zone, so these schools were excluded from our analysis.

alternative student-based percentage could remain fixed for the duration of each charter term in the same way that the current statewide average remains fixed.

Recommendation 11: LDE may wish to work with the legislature to consider setting the required at-risk percentage for statewide charter schools based on where the charter school actually enrolls its students, rather than using the statewide at-risk percentage.

Summary of Management's Response: LDE will consider using this type of measurement for calculating schools' enrollment requirements, though at this time it conflicts with the understanding of type 2s as statewide schools and the definition of their enrollment zones within their contracts. See Appendix A for LDE's full response.

APPENDIX A: MANAGEMENT'S RESPONSE



LOUISIANA DEPARTMENT OF EDUCATION

September 13, 2017

Mr. Daryl G. Purpera, CPA, CFE Louisiana Legislative Auditor 1600 North Third Street Baton Rouge, LA 70804

Re: Charter School Oversight Report

Dear Mr. Purpera:

The Louisiana Department of Education (LDOE) appreciates the opportunity to submit an official response to the Louisiana Legislative Auditor (LLA) report on Charter School Oversight. The Department acknowledges receipt of the report, and would like to offer clarifications and comments regarding its findings.

1. LDE conducted all required annual CSPC reviews from academic years 2013-14 to 2015-16. However, LDE weighs all critical and non-critical organizational performance indicators equally when determining a school's organizational performance rating. Equally weighting all violations does not reflect the severity of critical violations.

Recommendation 1: LDE should continue to work with BESE on revising the CSPC to give more weight to critical organizational performance areas than non-critical areas during performance reviews.

Recommendation 2: LDE should work with BESE to consider whether multiple violations identified under one performance indicator should result in multiple deductions from schools' organizational performance ratings.

The Department agrees that there are improvements to be made to the CSPC to ensure that serious offenses lead to real consequences for schools within the Annual Review framework. The updated CSPC and Annual Review being presented to BESE for approval in October address these concerns through a new scoring system that prevents a school from meeting expectations if one significant violation is identified.

2. LDE has not monitored two provisions of the charter enrollment law which may have contributed to some schools enrolling less at-risk students than they were statutorily and contractually required to enroll.

Recommendation 3: LDE should review the lottery practices of charter schools annually as required by the charter school performance compact.

Recommendation 4: LDE should work with BESE to amend the contract requirement for types 2 and 4 charter schools that states, "...all charter schools must give lottery preference to siblings of students already enrolled in the charter school" to include an exception for schools failing to meet their at-risk enrollment requirement.

Recommendation 5: LDE should review whether schools' enrollment processes ensure the schools meet at-risk enrollment requirements annually before allowing sibling preference, as required by the CSPC and state law.

The Department does not agree that it failed to monitor the component of the law that the report claims requires all schools to provide a preference for at-risk students in their lotteries. The report states, "LDE did not review schools' enrollment lottery processes to ensure that they give weight or preference to at-risk students, as



required by law." The law the report is referencing, R.S. 17:3991(C)(1)(c), actually states, "If the total number of eligible applicants exceeds the capacity of a program, class, grade level, or school, admission to the program, class, grade level, or school shall be based on an admissions lottery conducted from among the total number of eligible applicants done in such a fashion as to assure compliance with Paragraph (B)(1) of this Section."

First, the Department disagrees with the very premise that the law requires all schools to provide preference for at-risk students. The law only requires that lotteries be done in a way that ensures compliance with the law, and there are other ways to operate a lottery in compliance with the at-risk portion of the law. While preferencing at-risk students within the lottery would be one way to come into compliance, it is not required by law.

In addition, any school already in compliance with the at-risk enrollment requirements can be said to already have a lottery that ensures compliance with the law which means that given the most recent data, only 7 schools would have had lotteries potentially out of compliance out of a total of 36 Type 2 or 4 charter schools.

Thirdly, the Department actually did monitor the lotteries of schools these 7 schools that were not in compliance with the at-risk component of this law. Based on the most recent report given to BESE (2015-16), schools that failed to meet the requirement were required to provide substantial documentation outlining how their lotteries were conducted, among other steps taken to come into compliance. Department staff reviewed those policies and lottery procedures and provided required actions to these schools, which included preferencing economically disadvantaged students in their next lottery.

Lastly, the report notes that the Department did not monitor compliance for the seven schools not meeting the at-risk requirement on the component of the larger law which states, "A charter school may modify its enrollment procedures in order to give preference to students previously enrolled in the school and their siblings and to give preference to siblings submitting their applications to enroll in the school for the first time, as long as there is compliance with the provisions of Paragraph (B)(1) of this Section." (R.S. 17:3991(C)(1)(c)(iii)).

While this was not monitored in prior years, it was incorporated into the most recent year's oversight process. Schools that did not meet the required at-risk percentage based on the most recent report (2015-16) were sent a letter noting that future lotteries must not include a sibling preference until the new economically disadvantaged enrollment requirement is met or all economically disadvantaged applicants are admitted first.

This finding claims that schools' failure to meet their required at-risk enrollment may have been due to the Department's monitoring procedures. The Department disagrees that the two are causally linked. Enrollment of siblings represents a very small proportion of new enrollees at any given school in any given year. Often, the reason a school does not meet their at-risk requirement has to do with policies linked to the ability of at-risk families to access the school including but not limited to the cost and availability of uniforms, availability of transportation, and participation in the National School Lunch Program.

3. LDE should consider conducting routine unannounced monitoring visits for charter schools in addition to its announced annual review visits.

Recommendation 6: LDE should consider expanding its practice of conducting unannounced site visit using a random approach to select charter schools.

The Department does conduct some unannounced visits at schools, particularly to monitor state testing and in instances where violations are suspected. However, given limited resources, the Department does not find that



unannounced visits are particularly valuable in uncovering problems that lead to Department and BESE intervention in charter schools. Most of the major problems uncovered at schools have actually been revealed during announced visits, routine monitoring activities, and off-site data reviews. Department staff will continue to use unannounced visits in a manner that is limited and strategic but do not plan to incorporate them more broadly.

4. LDE should develop specific and consistent procedures on how to address concerns and violations at charter schools. Currently, LDE procedures do not specify when a school should receive a "Notice of Concern" letter and do not require that LDE send a "Return to Good Standing" letter to the school once violations have been corrected.

Recommendation 7: LDE should develop procedures that identify what types of violations should result in a Notice of Concern so that these violations are adequately tracked and corrected.

Recommendation 8: LDE should update their procedures to require that Return to Good Standing letters are sent to all schools that receive a Notice of Concern or Breach to ensure that violations detected are addressed in a timely manner.

The Department agrees that it should have internal consistency on what type of violations lead to Notices of Concern of Breach. Additionally, it is a best practice to provide letters noting that schools return to Good Standing after completing the next steps in a Notice of Concern or Breach and will make it clear that this is standard practice within our communications to schools and the public.

However, it is worth noting that the Department ensured that schools completed all action steps required when a Notice was received, even in instances where a follow up letter noting return to Good Standing was not sent.

5. Although LDE has developed a complaint process for charter schools, it needs to better inform parents with students in type 2 or 4 charter schools to ensure they are aware of the process.

Recommendation 9: LDE should better inform parents with a child in a type 2 or 4 charter school of its complaint process. For example, LDE could include a page on its website directed to all charter schools, not just type 5 schools.

Recommendation 10: LDE should include a field that captures when staff begin investigating complaints and when complaints are resolved.

The Department disagrees that the reasons for the difference in the number of complaints received from Type 2 versus Type 5 schools is because of parent awareness. The Department and Recovery School District have a fundamentally different, and more intensive, relationship with most Type 5 schools that includes administration of their enrollment lotteries and the construction and repair of their school buildings. This expanded relationship leads to greater interaction with parents on related issues.

However, the Department does concur that former staff members failed to enter dates for the closeout of parent complaints into the database where these incidents are tracked. Current procedure and practice is to immediately enter a complaint into the system upon receipt as well as enter a date of resolution.

The Department could do more to ensure that parents are aware of the process of lodging a complaint and will take steps to better publicize this process.



6. Area of Further Study: Although LDE's use of the statewide Free and Reduced Priced Lunch (FRL) percentage to determine each charter school's at-risk enrollment requirement does not conflict with state law, an alternative student-based formula may better serve at-risk students.

Recommendation 11: LDE may wish to consider setting the required at-risk percentage for statewide charter schools based on where the charter school actually enrolls its students, rather than using the statewide at-risk percentage.

The Department will consider using this type of measurement for calculating schools' enrollment requirements, though at this time it conflicts with the understanding of Type 2s as statewide schools and the definition of their enrollment zones within their contracts.

Sincerely,

Jøhn White Superintenden

APPENDIX B: SCOPE AND METHODOLOGY

We conducted this performance audit under the provisions of Title 24 of the Louisiana Revised Statutes of 1950, as amended. We conducted this audit as a follow up on the Louisiana Department of Education's (LDE) progress in implementing recommendations from the Louisiana Legislative Auditor's 2013 performance audit on the monitoring of charter schools. Our audit focused on academic years 2013-14 through 2015-16. The audit objective was:

To evaluate LDE's monitoring of charter schools authorized by BESE.

We conducted this performance audit in accordance with generally accepted government auditing standards issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide reasonable basis for our findings and conclusions based on our audit objective. We believe the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective. To answer our objective, we reviewed internal controls relevant to the audit objective and performed the following audit steps:

- Researched Louisiana Revised Statutes and Administrative Code (including Bulletin 126) for laws and regulations regarding LDE's responsibilities for monitoring charter schools.
- Requested the Louisiana Board of Elementary and Secondary Education- (BESE) approved Charter School Performance Compact (CSPC) to determine LDE's monitoring requirements of charter schools.
- Met with various stakeholders to understand the risks associated with LDE's monitoring of charter schools.
- Reviewed charter school agreements to determine additional monitoring performance requirements and admission criteria.
- Interviewed LDE staff to determine the monitoring process for type 2, 4, and 5 charter schools.
- Conducted monitoring walkthroughs with LDE staff to determine relevant criteria and document processes for monitoring type 2, 4, and 5 charter schools.
- Obtained and analyzed actual CSPC results for academic years 2013-14 through 2015-16 from LDE and reviewed the results to determine schools with repeat violations, schools with critical violations, and each school's performance ratings.
- Reviewed LDE's report to BESE regarding charter school compliance with at-risk and special education enrollment requirements, as required by Act 467.

- Obtained and analyzed the enforcement letters and Return to Good Standing letters sent to schools between academic years 2013-14 and 2015-16.
- Obtained parent concern data and conducted a walkthrough of LDE's process of entering this data into SalesForce.
- Area for Further Study: used school enrollment data and each enrolled student's district of residence to find the average Free and Reduced Price Lunch student percentages for the districts from which the school actually enrolled its students, weighted by the proportion of students residing in each district. Enrolled student zip codes were also used to determine school's distance from student's home.
- Used Student Information System (SIS) data to determine the number of siblings in each type 2 charter school that did not meet their at-risk enrollment requirement.

APPENDIX C: OVERVIEW OF THE CHARTER SCHOOL PERFORMANCE COMPACT'S ORGANIZATIONAL PERFORMANCE FRAMEWORK

Each year, LDE rates charter schools' compliance with legal and contractual obligations (organizational performance) based on the seven performance indicator areas below:

Performance Indicator Area	Examples of Indicators	Points Possible
1. Enrollment	Meeting at-risk enrollment percentage, lottery procedures	20
2. Facilities	Meeting fire and life safety codes, sanitary codes	16
3. Discipline	Conducting suspensions and expulsions properly	16
4. SPED/At-Risk Populations	ions Identifies high-need and at-risk students, special education services are provided	
5. Health and Safety	Provides health services to students and has documentation of services	8
6. Governance	Board adheres to structure and ethics requirements	24
7. Compliance and Reporting	Conducts required background checks, timely submits required reports	
	Total	150*

^{*}A charter school "Meets Expectations" if the school scores between 120 points and 150 points, "Approaches Expectations" if it scores between 90 points and 119 points, and "Fails to Meet Expectations" if it scores less than 90 points.

Source: Prepared by legislative auditor's staff using information obtained in the CSPC.

The scale LDE uses to rate each school is:

Rating	Score
Meets Expectations	120-150
Approaches Expectations	90-119
Fails to Meet Expectations	0-89
Source: Prepared by legislative audi obtained in the CSPC.	tor's staff using information

APPENDIX D: ORGANIZATIONAL PERFORMANCE INDICATORS

Organizational Performance Score Indicators						
	A. Enrollment: Type 2 and 4 Schools					
Indicators	Points	Detail	Credit			
i. School Follows Non-discriminatory Admissions, Attendance Laws, Truancy Policy, and Timely Transfer of Records	4	Transfer of Records FAQ Truancy Policy FAQ Admissions process is non-discriminatory against students with disabilities	Critical Indicator			
ii. Student Enrollment and At-Risk Percentage	4		Enrollment data meets contract specifications			
iii. School Follows Recruitment and Enrollment Plan, Lottery	4		No more than 1 Notice of Concern No Notices of Breach			
iv. School Re-Enrolls High Percentage of Students	4	Percentage of students returning to school that aren't enrolled in a terminal grade	At least 80% of students return to school for the next year			
v. School Has Low Transfer Rates During the School Year	4	Percentage of students who transfer schools for reasons outside of residency issues or hardship waivers	School's transfer rate is at or below the average transfer rate of all Type 2, 4, and 5 charter schools			

A. Enrollment: Type 5 Charter Schools & Type 2 Charter Schools Participating in OneApp			
Indicators	Points	Detail	Credit
i. Student Enrollment	4	Follows all components of the One App Process including appropriate child welfare and truancy policies	Critical Indicator
ii. Non-Discriminatory Admissions	4	Admissions process is non-discriminatory against students with disabilities	
iii. School Follows Attendance Laws, Truancy Policy, and Timely Transfer of Records	4	<u>Transfer of Records FAQ</u>	No more than 1 Notice of Concern per Indicator
		<u>Truancy Policy FAQ</u>	No Notices of Breach per Indicator
iv. School Re-Enrolls High Percentage of Students	4	Percentage of students returning to school that aren't enrolled in a terminal grade	At least 80% of students return to school for the next year
v. School Retains Students During the School Year	4	Percentage of students who transfer schools between October 1 and the end of the school year for any issue except for moving or graduation	School's transfer rate is at or below the average transfer rate of all Type 2, 4, and 5 charter schools

B. Facilities				
Indicators	Points	Detail	Credit	
i. School Meets Local and State Fire and Life Safety Codes	4		Critical Indicator	
ii. School Meets Public Health Sanitary Codes	4			
iii. School Submits a compliant Emergency Operations Plan Annually	4		No more than 1 Notice of Concern per Indicator No Notices of Breach per Indicator	
iv. ADA requirements	4	ADA requirements FAQ		

C. Discipline				
Indicators	Points	Detail	Credit	
i. School adheres to BESE Model Master Discipline Plan	4	Model Master Discipline Plan FAQ	Critical Indicator	
ii. Suspensions and expulsions are conducted properly	4			
iii. Suspensions	4		School's suspension rate is at or below the average suspension rate of all Type 2, 4, and 5 charter schools	
iv. Expulsions	4		School's expulsion rate is at or below the average suspension rate of all Type 2, 4, and 5 charter schools	

D. Special Education, 504 Accommodations, and Other At-Risk Student Populations				
Indicators	Points	Detail	Credit	
i. Schools identify high-needs/ at-risk students	4	 School locates and/or identifies students who are eligible for special education services, homeless, ELL, and/or migrant services 		
ii. School Conducts Evaluations	4	 School conducts appropriate and timely evaluations, re-evaluations, and re-evaluation waivers. If school contracts with an external provider, it has established and implemented standards of practice for evaluators. 		
iii. School Writes Required IEPs	4	IEPs are appropriately developed, revised, and reviewed		
iv. School Provides Programming and Placement	4	 Special education services and related services are implemented Curricular modifications and accommodations are provided Section 504 plans are appropriately implemente School ensures provision of transition activites (age 16+) and access to programs that support diploma choices 	Critical Indicator	
v. School Follows Discipline Procedures	4	 School follows procedural safeguards for disciplining students with disabilities or students suspected of having a disability. 		
vi. Assessments	4	Students are administered appropriate state and local assessments Alternate assessments are provided for students, as required by law and policy		
vii. Special Education APR Determinations	6		Meets Requirements = 6 points Needs Assistance = 3 points Needs Intervention = 0 points Needs Substantial Intervention = 0 points	
viii. Enrollment	4	Enrollment of Students with disabilities meets or exceeds local average	No more than 1 Notice of Concern per Indicator No Notices of Breach per	
ix. Retention	4	• School maintains recurrent enrollment – term to term	Indicator	

E.	E. Health and Safety				
	Indicators	Points	Detail	Credit	
i.	School Provides Health Services to Students	4	Health & Safety FAQ		
ii.	School Follows Bus Safety Protocols	4	School Bus Safety FAQ	Documentation of services	

F. Governance			
Indicators	Points	Detail	Credit
i. Board Structure Meets Bulletin 126 Requiremen	nts 4	<u>Charter Board FAQ</u>	Review of bylaws Annual Ethics Disclosure Verification
ii. Board adheres to Louisian Code of Governmental Eth	4	<u>Charter Board FAQ</u>	
iii. Board adheres to Louisia Open Meetings Laws	na 4	Open Meetings FAQ	No more than 1 Notice of Concern per Indicator No Notices of Breach per Indicator
iv. Board Adheres to Public Records Act	4	Public Records FAQ	
v. Board follows Public Bid Laws	4	Public Bid Law	
vi. Board completes Ethics Training Anually	4		

G. Compliance and Reporting			
Indicators	Points	Detail	Credit
i. School complies with Louisiana Code of Governmental Ethics	4	Louisiana Code of Governmental Ethics	Critical Indicators
ii. School complies with all legal and contractual obligations regarding background checks	4	Background Check FAQ	
iii. School complies with all legal and contractual obligations regarding student transportation	4		
iv. All school employees complete required ethics training annually	4		
v. Timely and accurate reporting submissions	4	Required submissions are communicated through the LEADS and INSIGHT portal as well as the Weekly Charter Newsletter	No more than 1 Notice of Concern per Indicator No Notices of Breach per Indicator
vi. School complies with Act 837, Act 677, and all privacy laws	4	Act 837 Act 677	
vii. School complies with legal and contractual obligations (including facility lease with Charter Authorizer, if applicable).	4	Compliance with state and federal laws, BESE policy and the charter contract not expressly listed in the CSPC	

APPENDIX E: TYPE 2 AND 4 CHARTER SCHOOL AT-RISK ENROLLMENT REQUIREMENTS PER R.S. 17:3991(B)(1)(a) AND (b)

New Type 2 Charter Schools

A school's required at-risk percentage must at least equal the percent of at-risk students who qualify for Free and Reduced Price Lunch (FRL) or are economically disadvantaged in the district(s) from which the school enrolls its students.

85% of total at-risk requirement must be made up of students who qualify for FRL.

15% of total at-risk enrollment requirement may be made up of students who qualify as at-risk in other ways (see At-Risk Student Definition summary on page 6)

Type 4 Charter Schools*

Unless otherwise agreed to as part of the charter agreement, a school's required at-risk percentage must at least equal the percent of at-risk students who qualified for Free and Reduced Price Lunch (FRL) or were economically disadvantaged in the year prior to the establishment of the charter school.

*This also applies to conversion type 2 charter schools, but there are no conversion type 2 charter schools currently authorized.

Source: Prepared by legislative auditor's staff using state law.

APPENDIX F: LDE'S COMPLAINT PROCESS FOR TYPE 5 CHARTER SCHOOLS

Excellence. Equity. Community. Recovery School District

RSD Issue Resolution Process for Parents

This is the process RSD staff uses to make sure that the right person knows about any problems you are having, so that you can get an answer quickly. Your student should always keep attending school while problems are being solved.

1. Which type of problem am I having?

General Issues

- Disagreement with a teacher or another student
- Need student records, <u>except</u> if the school has closed
- Don't like a discpline decision, <u>except</u> if it could involve special education

Enrollment Issues

- · Confusion about enrollment
- Never received a school assignment
- I want to transfer my student to another school
- School said we should transfer
- School said my student isn't a good fit

Special Education Issues

 My student isn't getting the special education services he/she needs

Critical Issues

- My student has been expelled, or other serious discipline issues
- My student is in danger and the school hasn't responded
- Any serious <u>legal</u> or <u>safety</u> issues that the school has not addressed

2. Who is responsible for working with me to find a solution?

These issues are the responsibilty of the school. Unfortunately, the RSD can't fix these issues.

These issues can be fixed by the student enrollment office, and an RSD Family Center can help. These issues can be fixed by the Louisiana Department of Education (LDOE) in partnership with the school. For these issues, the contact for your school (on the back of this sheet) will work with you until it is addressed.

3. What steps need to happen to address my problem?

- ☐ <u>Today</u> someone in the parent center or your school will give you a way to contact the principal.
- Within 5 School Days you should hear a response
- After you've talked to the school you may not be happy with the decsion. Principal can make many decisions for their school, and RSD may not be able to fix the issue

FOR TRANSFERS

☐ Please meet with your school to begin the transfer process.

FOR OTHER ISSUES

- ☐ **Today** you may call the enrollment office at 877-343-4773
- ☐ Today the enrollment office will let you know the next steps to solve your issues
- ☐ <u>Today</u> you may contact the LDOE legal department
 - In writing: Ty Manieri P.O. Box 94064 Baton Rouge, LA tyrell.manieri@la.gov 225.342.1197 (fax)
- Or by phone: 877-453-2721
- The LDOE legal department
 will let you know that
 they've received your
 complaint and will walk you
 through the next steps.
 This process is thorough
 and may take up to 60 days.
- ☐Today find the name of your school's contact on the back of this sheet. Call and describe your problem to him/her.
- <u>Within 1 School Day</u> your contact will call back and give you an update.
- Within 2 School Days your contact will organize the people needed to get an answer and let the school know,

■Within 5 School Days

Your contact will let you know the plan to address your problem, if it's not already addressed.

get a written version of the plan, if needed.

4. What is my problem isn't fixed after I've done everything on the list?

If the school principal does not respond within 5 days, you can contact the school's board if it is a charter. Your school's contact person (on the back) can help you get in touch. Your student should <u>continue</u> <u>attending the school he/she</u> was assigned by One App.

If you believe the decision contains an error, you may request a reconsideration of findings in writing to the LDOE legal department within 10 days of receiving the report.

You will always be able to reach your contact. These issues may not be solved immediately, but your contact will make sure you know what's going on, and won't stop until we find an answer.

APPENDIX G:

ACADEMIC YEAR 2015-16 AT-RISK ENROLLMENT, CURRENT AT-RISK ENROLLMENT REQUIREMENT, AND ALTERNATIVE AT-RISK ENROLLMENT REQUIREMENT FOR STATEWIDE CHARTER SCHOOLS

School*	2015-16 At-Risk	Current At-Risk Requirement	Meet Current Requirement?	Alternative Requirement (weighted average of districts)
Acadiana Renaissance Academy	45.6%	66.9%	No	65.2%
Lyceé Français de la Nouvelle-Orléans	49.4%	66.2%	No	80.9%
3. Avoyelles Public Charter School	54.6%	66.9%	No	77.7%
4. Delta Charter School	57.2%	66.3%	No	72.5%
5. The MAX	57.9%	66.9%	No	66.1%
6. D'Arbonne Woods Charter School	65.4%	66.9%	No	75.4%
7. Delhi Charter School**	62.3%	61.5%	Yes	83.0%
8. International School of Louisiana**	67.1%	66.9%	Yes	80.6%
9. JCFA**	68.2%	66.3%	Yes	79.9%
10. Tangi Academy**	68.8%	66.9%	Yes	76.5%
11. New Orleans Military/Maritime Academy**	75.5%	66.2%	Yes	80.1%
12. International High School of New Orleans**	77.5%	66.9%	Yes	81.7%
13. Louisiana Key Academy	73.4%	66.3%	Yes	73.4%
14. Lafayette Renaissance Academy	75.5%	66.9%	Yes	66.9%
15. Lake Charles College Prep	77.9%	66.9%	Yes	64.7%
16. Lake Charles Charter Academy	79.0%	66.2%	Yes	64.7%
17. New Vision Learning Academy	81.9%	66.3%	Yes	74.8%
18. Glencoe Charter School	82.6%	66.9%	Yes	74.9%

School*	2015-16 At-Risk	Current At-Risk Requirement	Meet Current Requirement?	Alternative Requirement (weighted average of districts)
19. GEO Prep Academy	86.2%	66.9%	Yes	78.5%
20. Southwest Louisiana Charter School	86.6%	67.1%	Yes	64.7%
21. Impact Charter Elementary	87.4%	66.9%	Yes	81.1%
22. Northshore Charter School	90.0%	66.3%	Yes	86.7%
23. Baton Rouge Charter Academy	90.1%	66.3%	Yes	78.5%
24. Advantage Charter Academy	90.9%	66.9%	Yes	81.0%
25. Iberville Charter Academy	91.0%	66.9%	Yes	77.9%
26. Milestone Academy	91.4%	66.3%	Yes	81.2%
27. Vision Academy	91.6%	66.9%	Yes	78.4%
28. Willow Charter Academy	92.2%	66.9%	Yes	65.9%
29. Tallulah Charter School	92.5%	66.3%	Yes	91.8%

^{*}Of the 35 type 2 charter schools for academic year 2015-16, two (Louisiana Virtual Charter Academy and Louisiana Connections Academy) were virtual schools, and four (Belle Chasse Academy, JS Clark Leadership Academy, Madison Preparatory Academy, and Northeast Claiborne Charter) did not have a statewide enrollment zone, so these schools were excluded from our analysis.

^{**}School met the current requirement but would not have met the alternative requirement based on the weighted average at-risk percentage of the districts where the students actually live who attend each type 2 charter school. **Source:** Prepared by legislative auditor's staff using information contained in LDE's 2015-16 report to BESE on schools' compliance with at-risk enrollment requirements and student enrollment and zip code data provided by LDE.

APPENDIX H: CHARTER SCHOOLS OPERATING DURING THE 2015-2016 ACADEMIC YEAR

	Type 2 Charter Schools Operating During the 2015-16 Academic Year														
School	Location	Academic Performance				rganizatio Performan		Funding							
School	(District)	2014	2015	2016	Critical Violations	Non- Critical Violations	Complaints	State (millions)	Local (millions)	Total (millions)	Per Pupil				
Avoyelles Public Charter	Avoyelles	A	A	A		4	1	\$4.7		\$4.7	\$6,569				
Advantage Charter Academy	Baker School District		D	D		3	1	1.9	\$1.6	3.4	9,869				
Impact Charter	Baker School District		F	D		4	1	0.9	0.8	1.7	9,940				
Lake Charles Charter Academy	Calcasieu	С	С	С		1		4.0	4.2	8.2	9,531				
Lake Charles College Prep	Calcasieu		D	F		3		0.5	0.5	1.0	9,916				
Southwest LA Charter School	Calcasieu	С	D	С		6		4.2	4.3	8.5	9,612				
Northshore Charter School	City of Bogalusa		F	F		4	1	2.8	1.5	4.3	10,219				
New Vision Learning	City of Monroe	C	В	С		4		3.2		3.2	9,827				
Vision Academy	City of Monroe		F	F		6	1	1.0	0.9	1.8	10,486				
Delta Charter School	Concordia	С	В	В		4		2.2	1.1	3.3	8,709				
Baton Rouge Charter Academy	East Baton Rouge	F	F	F		7		2.4	4.2	6.6	11,215				
Louisiana Connections Academy (Virtual)	East Baton Rouge	C	C	C		5	6	8.2	7.5	15.7	8,729				
Louisiana Key Academy	East Baton Rouge		U	F		1	1	0.8	1.3	2.1	11,433				

	Type 2 Charter Schools Operating During the 2015-16 Academic Year														
School	Location	Academic Performance				rganizatio Performar		Funding							
	(District)	2014	2015	2016	Critical Violations	Critical Violations	Complaints	State (millions)	Local (millions)	Total (millions)	Per Pupil				
Louisiana Virtual Charter Academy (Virtual)	East Baton Rouge	С	D	D		6	3	\$9.0	\$7.7	\$16.7	\$8,704				
Madison Prep*	East Baton Rouge	C	В	C		2	1	1.4	2.4	3.8	11,177				
GEO Prep Academy**	East Baton Rouge			C		1		1.2	2.2	3.4	11,201				
Iberville Charter Academy	Iberville		F	F		4		0.9	3.0	3.8	14,091				
JCFA*	Jefferson	F	F	F		5		0.5	0.6	1.0	9,598				
Acadiana Renaissance	Lafayette		В	A		3		2.4	3.9	6.3	9,355				
Lafayette Renaissance	Lafayette		D	C		4	1	2.0	2.8	4.8	9,399				
Willow Charter Academy	Lafayette		F	F		5	1	1.8	2.5	4.4	9,597				
The MAX	Lafourche	D	D	D		2	1	1.1		1.1	9,828				
Tallulah Charter School	Madison	F	С	С		4		1.8	1.2	3.0	8,743				
International School of Louisiana	Orleans	A	A	A		3	6	8.9		8.9	9,857				
Lyceé Français de la Nouvelle-Orléans	Orleans	В	В	A		4	1	2.2	2.5	4.7	11,014				
Milestone Academy	Orleans	D	C	D		5	11	3.8		3.8	9,722				
New Orleans Military/ Maritime Academy	Orleans	C	A	В		3		2.1	3.0	5.2	9,827				
International High School of New Orleans	Orleans	С	В	С		3	10	2.2	2.8	5.0	9,411				
Belle Chasse Academy*	Plaquemines	A	A	A				11.2		11.2	11,999				
Delhi Charter School	Richland	В	В	В		3		6.8		6.8	8,224				
J.S. Clark Leadership Academy*	St. Landry	D	С	D		5	1	1.0	0.4	1.5	7,164				
Glencoe Charter School	St. Mary	A	В	A		4		3.3		3.3	8,979				
Tangi Academy**	Tangipahoa			D		3		\$1.1	\$0.5	\$1.6	\$7,893				

	Type 2 Charter Schools Operating During the 2015-16 Academic Year														
Academic Organizational Funding School Performance Performance															
School	(District)	2014	2015	2016	Critical Violations	Non- Critical Violations	Complaints	State (millions)	Local (millions)	Total (millions)	Per Pupil				
D'Arbonne Woods	Union	В	В	A		5	1	3.8	3.3	7.1	9,125				
Northeast Claiborne Charter*	I Union I F D I 2									1.3	9,230				
Total Type 2 Funding \$105.7 \$67.3 \$173.0															
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^{*}School did not have a statewide enrollment zone.

^{**}School's funding information is based on MFP projected counts.

	Type 5 Charter Schools Operating During the 2015-16 Academic Year														
	Location	Academic Performance				rganizatio Performan		Funding							
School	(District)	2014	2015	2016	Critical Violations	Non- Critical Violations	Complaints	State (millions)	Local (millions)	Total (millions)	Per Pupil				
Linwood Middle	Caddo	D	F	F		6	3	\$2.7	\$2.2	\$4.8	\$9,527				
Baton Rouge Bridge Academy	East Baton Rouge	*	*	*		1		0.5	0.7	1.2	10,315				
Baton Rouge College Prep	East Baton Rouge			C		4		0.5	0.7	1.2	10,315				
Baton Rouge University Prep	East Baton Rouge	*	*	*		3		0.3	0.5	0.9	10,315				
Capitol High School	East Baton Rouge		F	D		6	2	1.4	2.0	3.4	10,341				
Celerity Crestworth Charter School	East Baton Rouge		Т	Т		5	1	1.2	1.8	2.9	10,326				
Celerity Dalton Charter School	East Baton Rouge		F	F		3	1	1.5	2.3	3.8	10,315				

	Type 5 Charter Schools Operating During the 2015-16 Academic Year														
School	Location	Academic Performance				rganizatio Performan		Funding							
SCHOOL	(District)	2014	2015	2016	Critical Violations	Non- Critical Violations	Complaints	State (millions)	Local (millions)	Total (millions)	Per Pupil				
Celerity Lanier Charter School	East Baton Rouge		T	T		7		\$1.6	\$2.4	\$4.0	\$10,315				
Democracy Prep	East Baton Rouge			С		4		0.9	1.4	2.3	10,315				
Kenilworth Middle	East Baton Rouge	D	D	D		8	3	2.2	3.2	5.5	10,333				
Akili Academy of New Orleans	Orleans	С	С	D		2	16	2.2	2.6	4.8	9,537				
Algiers Technology Academy	Orleans	D	D	D		7	1	1.5	1.7	3.2	9,919				
Arise Academy	Orleans	D	D	F		5	10	1.9	2.6	4.4	10,246				
Arthur Ashe Charter	Orleans	C	C	C		1	1	3.0	3.6	6.5	9,598				
Cohen College Prep	Orleans	C	В	C		8	15	2.0	2.4	4.4	9,562				
Crescent Leadership Academy	Orleans	Т	F	F		10	2	0.6	1.0	1.6	9,656				
Crocker College Prep	Orleans	T	T	D		2	9	1.7	2.0	3.7	9,536				
Dwight D. Eisenhower	Orleans	D	C	D		2	2	3.3	4.1	7.4	9,479				
Edgar P. Harney Academy	Orleans	C	C	D		3	5	1.7	2.0	3.6	9,541				
Esperanza Charter School	Orleans	В	C	В			5	2.1	2.5	4.6	9,437				
Fannie C. Williams Charter School	Orleans	D	С	D		1	6	2.4	2.9	5.4	9,541				
G.W. Carver Collegiate Academy	Orleans	С	С	D	1	6	16	1.3	1.5	2.8	9,562				
G.W. Carver Prep Academy	Orleans	C	D	D		9	16	1.2	1.5	2.7	9,562				
Gentilly Terrace Elementary	Orleans	D	D	D		3	4	2.0	2.4	4.4	9,538				
Harriet Tubman Charter School	Orleans	D	С	С		4	12	2.3	2.7	5.0	9,531				
James M. Singleton Charter	Orleans	C	D	С		7	7	2.0	2.9	4.9	10,158				

	Type 5 Charter Schools Operating During the 2015-16 Academic Year														
School	Location		caden forma	-		rganizatio Performan			Fun	ding					
Senoor	(District)	2014	2015	2016	Critical Violations	Non- Critical Violations	Complaints	State (millions)	Local (millions)	Total (millions)	Per Pupil				
Phillis Wheatley Community School	Orleans	С	D	D		2	2	\$2.5	\$3.5	\$6.0	\$10,253				
Joseph A. Craig	Orleans	T	D	D		6	14	1.6	1.9	3.4	9,542				
Joseph Clark High	Orleans	F	D	D		6	2	1.8	2.2	4.0	9,562				
KIPP Believe College Prep	Orleans	C	C	C		4	13	3.4	4.2	7.6	9,439				
KIPP Central City Academy	Orleans	В	В	В		2	9	1.8	2.2	4.0	9,399				
KIPP Central City Primary	Orleans	C	C	C		1	5	2.2	2.7	5.0	9,522				
KIPP East Community Primary	Orleans	*	*	*		3		0.4	0.5	1.0	9,536				
KIPP McDonogh 15 School for the Creative Arts	Orleans	В	C	C		4	25	4.0	4.9	8.9	9,516				
KIPP New Orleans Leadership Academy	Orleans	D	D	С		3	25	3.6	4.3	7.9	9,533				
KIPP Renaissance High	Orleans	D	В	A		2	10	1.9	2.3	4.2	9,546				
Lafayette Academy	Orleans	C	В	C		1	23	3.9	4.7	8.6	9,568				
Lake Area New Tech Early College	Orleans	D	C	C		2	6	3.0	3.6	6.6	9,581				
Langston Hughes Academy	Orleans	С	D	D	1	3		3.5	4.2	7.8	9,542				
LB Landry-OP Walker College & Career Prep	Orleans	В	D	D		4	3	5.5	6.8	12.3	9,387				
Martin Behrman	Orleans	В	C	C		1		2.9	3.6	6.5	9,446				
Mary D. Coghill Accelerated	Orleans	С	С	C	1		2	2.7	3.3	6.0	9,514				
McDonogh #32 Elementary	Orleans	D	D	F		5	3	2.9	3.3	6.2	9,772				
McDonogh #42 Elementary Charter	Orleans	Т	D	F		8	22	1.9	2.6	4.5	10,257				

	Type 5 Charter Schools Operating During the 2015-16 Academic Year														
School	Location	Academic Performance				rganizatio Performan		Funding							
School	(District)	2014	2015	2016	Critical Violations	Non- Critical Violations	Complaints	State (millions)	Local (millions)	Total (millions)	Per Pupil				
Medard H. Nelson Elementary	Orleans	D	F	F		4	10	\$2.1	\$2.5	\$4.6	\$9,523				
Mildred Osborne Elementary	Orleans	D	D	D		5	15	1.9	2.3	4.2	9,540				
Morris Jeff Community School	Orleans	С	В	C			3	2.0	2.4	4.4	9,568				
Paul Habans Elementary	Orleans	F	F	D	1	5	6	1.8	2.2	4.0	9,523				
Pierre A. Capdau Learning Academy	Orleans	В	C	C	1	3	3	1.8	2.1	3.9	9,564				
ReNEW Accelerated High	Orleans	F	F	F		7	4	1.4	1.8	3.2	9,487				
ReNEW Cultural Arts Academy	Orleans	D	C	C		3	2	2.8	3.3	6.1	9,536				
ReNEW Delores T. Aaron Elementary	Orleans	D	C	C		1	1	3.2	3.8	7.0	9,539				
ReNEW McDonogh City Park Academy	Orleans			D		1	8	2.8	3.5	6.3	9,755				
ReNEW Schaumburg Elementary	Orleans	T	T	C		1	6	3.4	4.1	7.5	9,537				
ReNEW SciTech Academy	Orleans	C	В	C	1	3	1	2.9	3.5	6.4	9,541				
S.J. Green Charter	Orleans	C	C	C		2	1	2.3	2.7	5.0	9,548				
Sci Academy	Orleans	C	В	В		2	12	2.0	2.4	4.3	9,571				
Sophie B. Wright Learning Academy	Orleans	С	С	В	1	5	17	1.7	2.1	3.8	9,506				
Success Preparatory Academy	Orleans	C	D	C		3	4	2.3	2.8	5.0	9,525				
Sylvanie Williams College Prep	Orleans	D	D	D		2	3	1.5	1.9	3.4	9,412				
The NET Charter School	Orleans	F	F	F		7		0.7	1.0	1.7	10,290				

	Type 5 Charter Schools Operating During the 2015-16 Academic Year													
School Academic Organizational Funding Academic Performance Performance														
School	(District)	2014	2015	2016	Critical Violations	Non- Critical Violations	Complaints	State (millions)	Local (millions)	Total (millions)	Per Pupil			
William J. Fischer	Orleans	D	F	F		4		\$2.7	\$3.3	\$5.9	\$9,517			
Total Type 5 Funding	Total Type 5 Funding \$132.8 \$164.1 \$297.0													
*School was operating during the given academic year, but it did not have test-taking grade levels.														

Type 4 Charter School Operating During the 2015-16 Academic Year											
School	Location (District)	Academic Performance			Organizational Performance			Funding			
		2014	2015	2016	Critical Violations	Non- Critical Violations	Complaints	State (millions)	Local (millions)	Total (millions)	Per Pupil
Louisiana School for the Agricultural Sciences	Avoyelles	С	В	A	3			MFP information is combined with district.			
Source: Prepared by legislative auditor's staff using information from LDE.											