

# ORLEANS PARISH SCHOOL BOARD

(504) 304-3520 • OPSB.us • 3520 General DeGaulle Drive • Suite 5055 • New Orleans, Louisiana 70114



May 8<sup>th</sup>, 2017

Mr. Jamar McKneely, Chief Executive Officer  
InspireNOLA Charter Schools  
3520 General DeGualle Dr, Suite 4040  
New Orleans, Louisiana 70114

Re: Notice of Non-Compliance, Level 2

Dear Mr. McKneely:

I am writing to inform you that at this time it is the opinion of the Office of School Performance that Alice M. Harte Charter School is not in compliance with enrollment requirements as outlined in the OPSB Performance Framework and school charter contract.

Per Policy HB, OPSB has defined a common set of standards from which to hold schools accountable. The determination is that Alice M. Harte failed to comply with Organizational Performance Framework (OPF) – Measure 4a which requires that said Charter School comply with district policies and practices related to admissions and enrollment, ensuring a student’s right to a public education.

On May 5<sup>th</sup>, 2017, EnrollNOLA noted that you have denied, on behalf of Alice Harte, entry of a student assigned by the EnrollNOLA office. The events leading EnrollNOLA to make such a determination are summarized in Addendum A to this notice. In that, they provided you with a series of actions required to resolve the enrollment policy violation including:

- Immediately enroll student and issue an apology to the parent/guardian(s) of student, by 5/15/17.
- Written declaration of having read and understood EnrollNOLA policies and manual, by 5/31/17.

At this time, InspireNOLA’s actions regarding enrollment fall below OPSB’s expectations for charter operators. If InspireNOLA does not undertake the actions recommended by EnrollNOLA, Alice M. Harte will receive a “Falls Far Below” on its 2016-2017 Annual Review for OPF 4a. If InspireNOLA does follow the prescribed action, Alice M. Harte’s rating on its Annual Review will be improved to a “Does not Meet Standard”, given that the charter board has taken steps to remedy its non-compliance. Additional violations on enrollment or other organizational matters may negatively impact renewal recommendations for Alice M. Harte in the future. I have attached OPSB Policy HAB for further details on factors impacting charter school renewal, for your review as well.

We hope that this letter receives your prompt attention.

Sincerely,

Dina Hasiotis  
Executive Director of School Performance

CC: Henderson Lewis, Jr., Ph.D., OPSB Superintendent  
Wayne Crochet, InspireNOLA Charter Board Chair President



1615 Poydras Street, Suite 400 | New Orleans, LA 70112 | 1-877-343-4773

May 5, 2017  
Mr. Jamar McKneely  
InspireNOLA Charter Schools  
3520 General DeGaulle Drive, Suite 4040  
New Orleans, LA 70114

**RE: Enrollment Policy Violation – Denial of Entry to an Assigned Student**

Dear Mr. McKneely,

This letter serves as notice to the leadership of InspireNOLA of a violation of enrollment policy, regarding the denial of entry to a student who received a school assignment to Alice Harte Charter School (“Harte”). This letter summarizes the series of events leading up to this violation, as well as any corrective action required on the part of the school.

On April 26, 2017 EnrollNOLA assigned student [REDACTED] to Harte. Beth Olson sent an email to EnrollNOLA expressing a concern about accepting the student due to [REDACTED] [REDACTED] testing and stated that if there was a problem with that decision we should contact you. Later that day, you sent an email to me and Raymond Cwierniewicz stating that with 25 days remaining in the school year, you would not accept another student.

As of May 4, 2017, you continued to state that you would not accept the student. This is a violation of EnrollNOLA policy and constitutes the denial of the student’s right to a public education.

In order to resolve this Enrollment Violation, InspireNOLA administration, and staff responsible for student enrollment, as appropriate, shall complete the following:

1. Immediately enroll student [REDACTED] and issue an apology for the delay in enrollment to the parent/guardian(s) of student [REDACTED] by 5/15/17.
2. Written declaration of having read and understood EnrollNOLA policies and manual, by 5/31/17.
3. Additional action as identified by Harte’s authorizer.

Please do not hesitate to reach out to the Recovery School District or EnrollNOLA with questions. Thank you for your time.

Sincerely,

A handwritten signature in blue ink that reads "Gabriela Fighetti".

Gabriela Fighetti  
Assistant Superintendent of Student Enrollment

## CHARTER SCHOOL RENEWAL AND EXTENSIONS

At the conclusion of a charter school's operating agreement, the operator no longer has a continuing right to operate the school. Charter schools may apply for renewal, in accordance with the timelines and procedures established by the School Board. The School Board shall grant renewals and extensions to charter schools authorized by the School Board in accordance with the school's performance, as measured by the standards established in policy *HB, Charter School Evaluation*, and the *Charter School Performance Framework*. As student performance is the primary indicator of school quality, the School Board shall heavily factor a school's achievement on the academic performance standards in conducting evaluations, and when making charter extension and renewal decisions.

*Academic growth* shall be defined for the purposes of this policy to require demonstrated growth in student performance, as measured either by increase in School Performance Score (SPS) or, when a SPS is not available, by increases in other standardized test score(s). In accordance with La. Rev. Stat. Ann. §17:3992(2)(a), no charter shall be renewed unless the operator seeking renewal can demonstrate, using standardized test scores, improvement in the academic performance of pupils over the term of the charter school's existence.

Schools identified as *Academically Unacceptable* per the state accountability system (assigned state letter grade of F, or *Falls Far Below Standard* on OPSB *Academic Performance Framework Measure 1a*) in the year prior to the end of the school's current charter term shall not be eligible for renewal. Such schools shall be automatically recommended for closure, according to the process established in policy *HC, Charter School Monitoring, Intervention, and Closure*. The Superintendent may recommend a waiver of this provision for an individual charter school based on the Superintendent's determination that closure of the charter school would result in its students attending an academically lower-performing school. Approval of such waiver shall require a two-thirds majority vote of the membership of the school board. Upon approval of such waiver by the school board, the charter school shall be granted a probationary three-year renewal term according to conditions and timelines determined by the Superintendent. Such waiver and probationary renewal shall be recommended by the Superintendent no more than once for each charter school.

### RENEWAL PATHWAYS AND STANDARDS

Two renewal review pathways shall be available to charter schools; determinations regarding renewal pathway eligibility shall be made by the Superintendent based upon the most recently-available information pursuant to the school and district accountability system at the time the renewal application is issued:

1. Automatic Renewal:

In accordance with the provisions of Louisiana Charter School Law (La. Rev. Stat. Ann. §17:3992(A)(1)(c)), schools deemed to be high-performing based on the benchmarks established for them by the school and district accountability system, are eligible for automatic renewal.

For the purposes of this section, a *high-performing school* is defined as a school not in its initial charter term that meets all of the following criteria:

- A. Letter Grade of A or B, per the Louisiana School and District Accountability system, in the year prior to the end of the school's current charter term.
- B. Demonstrated growth in student academic achievement over the three (3) preceding years, as measured by School Performance Scores,

OR

Academic performance in the top five percent (5%) of all schools in the state in the three (3) preceding years, as measured by School Performance Scores.

- C. Acceptable performance on other *Performance Framework* measures, defined as the school not being subject to Intervention at higher than Tier 1, nor for more than one year during the preceding charter term.

2. Renewal Review:

Schools not meeting the standards for Automatic Renewals, as set forth above, shall be eligible for *Renewal Review* if they meet the following criteria:

- A. Meets Standard on OPSB *Academic Performance Framework Measure 1a* (State and District Accountability) in the year prior to the end of the school's current charter term.

- B. School has not been subject to Intervention

- (1) at Tier 2 or above during the preceding charter term,

OR

- (2) for more than two (2) years during current charter term, for any reason,

OR

- (3) for schools in their initial charter term, for more than one (1) year

during the current term.

Renewals for schools not meeting the standards set forth above shall be determined based on the recommendation of the Superintendent, and in accordance with the provisions of this Policy.

#### Renewal Application Timeline

Renewal applications for all schools not eligible for Automatic Renewal shall be issued by no later than September 1st of the final school year of a school's current charter agreement. Renewal applications shall be due in accordance with the timelines established by the Superintendent, but no later than November 15th.

Schools eligible for Automatic Renewal shall not be required to complete a renewal application, unless the school proposes a change to the terms of its existing operating agreement with the School Board. The length of any renewal recommendation for an eligible school shall be determined using the standards established in this policy.

All renewal recommendations shall be presented by the Superintendent to the School Board for approval by not later than the December School Board meeting of the final year of school's current charter term. The Superintendent may implement such recommendations once submitted, unless rejected by a two-thirds majority vote of the full membership of the School Board by not later than the Board's next meeting following the presentation of such recommendations. Final action on all charter renewal recommendations shall be completed by not later than January 31st of the final year of the school's current charter term, or as otherwise required by law.

#### Recommended and Maximum Renewal Lengths

In accordance with Louisiana Charter School law, the Superintendent may recommend charter renewals for a period not to exceed ten (10) years. In determining the length of charter renewals, the Superintendent shall follow the following standards, unless otherwise governed by law or policy:

<b>Letter Grade</b>	<b>Base Recommendation</b>	<b>Maximum Length</b>
<b>A</b>	8 years	10 years
<b>B</b>	6 years	9 years
<b>C</b>	4 years	7 years
<b>D</b>	3 years	4 years
<b>T</b>	3 years	5 years
<b>F</b>	Not eligible for renewal	

A charter school shall only be eligible for the renewal available for schools earning a letter grade of D once during the term of the school's existence. The Superintendent may

recommend a waiver of this provision for an individual charter school based on the Superintendent's determination that closure of the charter school would result in its students attending an academically lower-performing school. Approval of such waiver shall require a two-thirds majority vote of the membership of the school board. Upon approval of such waiver by the school board, the charter school shall be granted a probationary three-year renewal term according to conditions and timelines determined by the Superintendent.

In addition to the renewal length standards established above, the School Board shall provide for any combination of the following modifications to the base renewal lengths:

1. Growth Incentive:

An additional year shall be added to the base renewal recommendation for each letter grade of growth achieved by a school during its current charter term, provided that the total recommended renewal length shall not exceed the maximum length established in this policy.

- A. Schools earning a letter grade of A shall be eligible for this growth bonus for each year they either meet the state-established SPS growth goal for the school, or are ranked in the top five percent (5%) of all schools in the state by SPS.
- B. Schools eligible for Extension/Renewal Consideration III (Turnaround/ Takeover Schools), as defined in this policy, shall be eligible for this growth bonus for each year they meet the state-established SPS growth goal for the school, in addition to any other years to which they may otherwise be entitled.

2. Financial and Organizational Performance:

The Superintendent may modify the recommended renewal length for a school by up to two years (added or subtracted) from the base recommendation, based on assessment of the school's overall performance against the standards established in the OPSB *Financial and Organizational Performance Framework*, and provided that any such modification shall not exceed the maximum length established in this policy.

In determining any modifications, the Superintendent and staff shall clearly communicate the reasons for any proposed changes, and the school shall be afforded an opportunity to respond and address any identified concerns prior to the recommendation being forwarded to the School Board for consideration.

3. Intervention:

- A. A school subject to Intervention at Tier 2 (Intensive) for any reason during

its current charter term shall have one (1) year subtracted from the base renewal recommendation for each year the school was in such status.

- B. A school subject to Intervention at Tier 3 (Pre-Revocation) for any reason during its current charter term shall have the length of any renewal recommendation halved, with a maximum recommended length of five (5) years. Such school shall also be ineligible for any automatic or expedited renewal processes for the length of the renewal charter term.

### Automatic Replication

A school not in its initial charter term, and meeting the standards for Automatic Renewal as defined above, shall also be deemed eligible for automatic replication, as provided for in La. Rev. Stat. Ann. §17:3992(D) and BESE Bulletin 126, *Charter Schools*, §523. Schools eligible for Automatic Replication are not required to complete an application, unless the school proposes a material change to the terms of its existing operating agreement with the School Board.

Written notification of intent to replicate shall be provided to the School Board by January 1st of the school year prior to the replication. Once notification has been provided, the replicating charter school and the Superintendent shall present a new charter agreement to the School Board for approval by not later than April 1st.

The term of any new charter school created by this provision shall be set to equal the lesser of either five (5) years, or the remaining length of the charter agreement of the replicating school, in accordance with the provisions of this policy. The new (replicated) school shall be subject to the *Third Year Review and Extension* standards established in this policy.

### Extensions and Regular Reviews

1. Third Year Extension, for schools in initial charter term

Pursuant to Louisiana Charter School Law, a charter school in its initial term is authorized for an initial term of four (4) years, subject to review and extension to a maximum of five (5) years at the conclusion of the school's third (3<sup>rd</sup>) year of operation.

Third Year Reviews shall be conducted according to the standards set forth in policy *HB, Charter School Evaluation*, and the OPSB *Charter School Performance Framework*, as adopted by the School Board. The Superintendent shall make recommendations on all extensions, based on the results of the Third Year Review, by not later than June 30th following the conclusion of an eligible school's third year. The Superintendent may implement such recommendations once submitted, unless rejected by a two-thirds majority vote of the full membership of the School

Board by not later than the Board's next meeting following the presentation of such recommendations. The Superintendent shall recommend extensions according to the following standards:

A. Full Extension:

A school meeting the standards for full extension during its Third Year Review shall be granted an unconditional extension of two (2) years, to complete the maximum five (5) year initial charter term provided for under state law. Such school may also be eligible to apply for charter renewal during its fourth year of operation, if otherwise qualified under the standards set forth in this policy.

Full Extension Standards

- (1) School has met all *Academic Performance Framework* standards, as these are modified in policy *HB, Charter School Evaluation*, for schools in their initial charter term.
- (2) School has satisfactory performance on all *Financial and Organizational Performance Framework* standards. Satisfactory performance is defined as no material or repeated deficiencies, and no deficiencies on any indicators designated as "Critical Indicators" by the School Board.

B. Probationary Extension:

A school not meeting the standards for full extension during its Third Year Review may be granted a probationary extension of two (2) years, provided it meets the standards set forth below. Such school shall be eligible to apply for renewal during its fifth (5<sup>th</sup>) year of operation, and shall not be eligible for automatic renewal.

Probationary Extension Standards

- (1) School has demonstrated academic growth, using a combination of School Performance Scores, state-mandated assessments (both must be used, if available), or other standardized test scores.
- (2) School has met *Academic Performance Framework* standards, but fails to demonstrate satisfactory performance on *Financial and Organizational Performance Frameworks*. Satisfactory performance is defined as no material or repeated deficiencies, and no



deficiencies on any Critical Indicators, as designated in School Board policy.

C. Closure:

A school failing to meet the standards for Full or Probationary Extension shall be subject to closure at the end of the school's fourth (4th) year of operation, in accordance with the provisions of state law and School Board policy.

2. Mid-Term Review, for schools not in initial charter term

In accordance with state statutes and the National Association of Charter School Authorizers' (NACSA) *Principles and Standards for Quality Charter School Authorizing*, the School Board shall require a Mid-Term Review for all charter schools not in their initial charter term. For charter schools first authorized by the School Board prior to June 2014, the provisions of this section shall become effective upon renewal of the school's operating agreement.

Mid-Term Reviews shall be conducted according to the standards set forth in policy *HB, Charter School Evaluation*, and the *OPSB Charter School Performance Framework*, as adopted by the School Board. The Superintendent shall recommend actions, based on the results of the Mid-Term Review, by not later than June 30th of the school year following completion of one-half of the school's current charter agreement term.

The Superintendent shall recommend actions based on the following criteria:

A. Meets Expectations:

A school meeting the standards for full extension during its Mid-Term Review shall be granted an unconditional extension to complete the remainder of the charter term granted at the school's last renewal.

Meets Expectations Standards

- (1) School has met *Academic Performance Framework* Critical Indicator standards.
- (2) School has satisfactory performance, as previously defined, on *Financial and Organizational Performance Framework* Critical Indicator standards.

B. Probationary Period:

A school not meeting the standards for Meets Expectations during its Mid-

Term Review may be granted a Probationary Period, provided it meets the standards set forth below. A school may only be recommended for Probationary Period once during the duration of its current operating agreement.

#### Probationary Period Standards

- (1) School has demonstrated academic growth, using a combination of School Performance Scores, state-mandated assessments, or standardized test scores.
- (2) School has met *Academic Performance Framework* Critical Indicator standards, but *Does Not Meet Standard* on all *Financial and Organizational Performance Framework* Critical Indicator standards.

A school granted a Probationary Period shall be placed either Tier 1 or Tier 2 Intervention, as outlined in policy *HC, Charter School Monitoring, Intervention, and Closure*. The length of any Probationary Period, and the conditions required for the removal of probationary status, shall be established by the School Board at the time such Probationary Period is granted; such Probationary Period shall not exceed the greater of either 1) two (2) school years, or 2) the end of the school's fifth (5<sup>th</sup>) year of operation under its current charter agreement.

#### C. Intervention:

A school either rated *Falls Far Below Standard* at its Mid-Term Review, or failing to timely meet the conditions provided for in a Probationary Period, shall be immediately subject to Intervention at Tier 3, as provided for in School Board policy.

Termination of any school's Operating Agreement at its Mid-Term Review shall only be for reasons permitted by the provisions of La. Rev. Stat. §17:3992, policy *HC, Charter School Monitoring, Intervention, and Closure*, and/or the Revocation/Termination provisions of the school's Operating Agreement.

#### TRANSFER, RENEWAL AND EXTENSION CONSIDERATIONS

##### 1. Schools Transferring From the Jurisdiction of Another Authorizer (Type 3B)

The terms and length of any initial contract for a school transferring from the jurisdiction of another authorizer shall be set to equal the number of years remaining on such school's most recent charter contract with its prior authorizer, unless otherwise prohibited by state statute or BESE policy.

2. School Transformation, Whole-School Takeover/Turnaround, or Reconfiguration

The standards for renewal of any extension or renewal for a school engaged in transformation, whole-school turnaround/takeover, or reconfiguration shall be modified as follows:

A. Definitions:

Schools are eligible for these modifications if one or more of the following criteria apply:

- (1) Opening as a turnaround school, as defined in BESE Bulletin 111, *Louisiana School, District and State Accountability System*, §1105.
- (2) Conducting a full takeover (either merger or addition) of a program under an existing site code, that would otherwise meet the definition of turnaround school as defined in BESE Bulletin 111, *Louisiana School, District and State Accountability System*, §1105.
- (3) Opening as a reconfigured school, as defined in BESE Bulletin 111, *Louisiana School, District and State Accountability System*, §3303.

B. Schools eligible for these modifications, not otherwise qualified for renewal, and not earning a rating of *Falls Far Below Standard* (letter grade of F) on OPSB *Academic Performance Framework Measure 1a*, shall be eligible for renewal recommendation under the standards established for schools receiving a letter grade of T.

(1) Turnaround Bonus:

Existing schools meeting the criteria established in A(1) or A(2) above, and earning a rating of *Meets Standard* or *Exceeds Standard* on OPSB *Academic Performance Framework Measure 1a* shall be awarded an additional year at the time of renewal of the existing school, as recognition for the school's willingness to serve additional students.

(2) Growth Incentive:

Schools eligible for these modifications may receive a Growth Incentive, as established in this policy, for each year the school achieves the SPS growth standard established for it under the state accountability system.

- C. The modifications provided for under this section of policy may only be applied once during each renewal period. Such modifications shall not be construed to exempt a school receiving a letter grade of F from the revocation review process provided for in School Board policy.

3. Alternative Education Schools

The standards for renewal of any extension or renewal for an alternative education charter school, as defined by BESE and OPSB policies, shall be governed by the provisions of the school's operating agreement with the School Board. Unless otherwise provided for, renewal eligibility for such schools shall be modified as follows:

A. Definitions:

Alternative schools shall be eligible for these modifications if both of the following criteria apply:

- (1) Identification in the school's Operating Agreement as an alternative school,
- (2) Approval by BESE of the school's designation as an alternative education school, pursuant to BESE Bulletin 111, *Louisiana School, District and State Accountability System*, §3501 et seq.

B. The recommended base and maximum renewal lengths for alternative education schools eligible for this modification shall be determined as follows:

- (1) SPS less than 30: Not eligible for renewal, unless the charter school meets the standards set forth in the BESE *Performance Framework for Alternative Schools*.
- (2) SPS between 30 and 50: Three (3) year base renewal (maximum of four (4) years), provided the charter school meets the standard set forth in the BESE *Performance Framework for Alternative Schools*.
- (3) SPS greater than 50: either a three (3) year base renewal (maximum of five (5) years), or as provided for in School Board policy governing non-alternative schools, provided the charter school meets the standard set forth in the BESE *Performance Framework for Alternative Schools*.

C. Schools eligible for these modifications may receive a Growth Incentive, as established in this policy, for each year the school achieves the SPS growth

standard established for it under the state accountability system, or as otherwise provided for in the school's operating agreement. Such incentives shall not extend the length of a school's renewal recommendation beyond the maximum length set forth in this policy.

- D. Schools eligible for these modifications shall be eligible for Automatic Renewal and Automatic Replication, as these terms are defined in this policy, if they meet the renewal eligibility standards set forth above, and demonstrate three (3) consecutive years of academic growth. For such schools, academic growth may be demonstrated either by growth in the school's SPS, or by growth in student-level performance on standardized assessments as measured using a nationally norm-referenced assessment, or another similar individual student-level growth model approved by the OPSB Superintendent.

Ref: Charter School Demonstration Programs Law, La. Rev. Stat. Ann. §§17:3971 et seq.; La. Rev. Stat. Ann. §10.7.1; BESE Bulletin 126, *Charter Schools*; Bulletin 129, *The Recovery School District*.