



Dave Yost • Auditor of State

The State of Ohio, Auditor of State

Ohio Department of
Education's 2015
Charter School
Program
Application Report



Dave Yost • Auditor of State

To the members of the Ohio Board of Education and Superintendent DeMaria:

The Auditor of State (AOS) conducted a special audit of Ohio Department of Education's (ODE) Office of Quality School Choice and its July 16, 2015 competitive grant application for the Federal Charter School Program (CSP) under the authority of Ohio Rev. Code §117.11. Our audit period covered July 1, 2014 through December 31, 2016, based on the information ODE included in its 2015 CSP application.

AOS initiated this special audit in response to claims that an ODE employee manipulated sponsor performance evaluation ratings and may have knowingly incorporated inflated sponsor and community school ratings into ODE's 2015 CSP application to help secure a roughly \$71 million grant. As part of this audit, AOS inspected certain e-mails, documents, text messages, and other records to ascertain whether the information ODE included in the grant application was accurate, complete, and supported by appropriate evidentiary matter. Additionally, AOS audited ODE's 2015 CSP application for compliance with certain U.S. Department of Education's (USDE) terms and conditions, Ohio Rev. Code provisions, and internal ODE procedures governing federal grant applications and related requirements.

This report includes a summary of the results and findings of our special audit, including amendments thereto, explanation of the procedures performed, and corrective action recommendations for consideration by ODE. ODE is encouraged to use the results of this audit as a resource in the internal control structure within ODE and other departments of the State.

As explained in more detail in this report, ODE did not maintain effective written internal controls over its sponsor evaluation process or the 2015 CSP application to prevent and detect errors and omissions. More specifically, ODE did not comply with sponsor performance evaluation requirements prescribed by Ohio Rev. Code §3314.016 and did not maintain appropriate documentation to support information contained in its grant application, and amendments thereto. Additionally, current and past ODE employees had inconsistent recollections of past events. As a result, AOS was unable to determine whether ODE's errors in the sponsor performance evaluations and related misstatements to USDE in its grant application were the result of malicious intent or a lack of effective internal controls.

Additional copies of this report can be requested by calling the Clerk of the Bureau's office at (614) 466-2310 or toll free at (800) 282-0370. In addition, this report can be accessed online through the AOS website at <http://www.ohioauditor.gov> by choosing the "Audit Search" option.

Sincerely,

A handwritten signature in black ink that reads "Dave Yost".

Dave Yost
Auditor of State

November 16, 2018

88 East Broad Street, Fifth Floor, Columbus, Ohio 43215-3506

Phone: 614-466-4514 or 800-282-0370 Fax: 614-466-4490

www.ohioauditor.gov

This page intentionally left blank.

TABLE OF CONTENTS

1.	EXECUTIVE SUMMARY	5
2.	AOS PROJECT HISTORY	6
3.	2015 CHARTER SCHOOL PROGRAM (CSP) APPLICATION	12
3.1.	BACKGROUND	13
3.2.	USDE’S COMPETITIVE 2015 CSP AWARD SELECTION CRITERIA	17
3.3.	AMENDMENTS TO 2015 FEDERAL CSP APPLICATION	30
3.4.	2015 SPONSOR PERFORMANCE EVALUATIONS	33
3.5.	ODE INTERNAL INVESTIGATION INTO SPONSOR PERFORMANCE EVALUATIONS	42
4.	AUTO CLOSURE	83
4.1.	AOS REVIEW OF ODE’S APPLICATION OF THE AUTOMATIC CLOSURE LAW	85
4.2.	AUTOMATIC CLOSURE LAW RESULTS	89
5.	EDCHOICE SCHOLARSHIP	90
6.	OTHER INVESTIGATED MATTERS	93
7.	FINDINGS	94
8.	USE OF REPORTS AND OTHER DATA SOURCES	103
9.	CONCLUSION	103
10.	GLOSSARY	104
11.	APPENDIX – 2015 FEDERAL CSP APPLICATION AND AWARD	107
12.	APPENDIX – 2015 FEDERAL CSP AMENDMENTS AND USDE RESPONSES	108
13.	APPENDIX – 2015 USDE PEER TECHNICAL REVIEW FORMS	109
14.	APPENDIX – MARCH 7, 2014 JOINT E-SCHOOL LETTER TO ODE	110
15.	APPENDIX – OHIO EDUCATIONAL RESEARCH CENTER E-SCHOOLS STUDY	111
16.	APPENDIX – ODE 2015 SPONSOR PERFORMANCE EVALUATION LETTERS	112
17.	APPENDIX – PARTIAL MEMO SUBPOENAED FROM ODE AND DAS CISO	113

18. APPENDIX – “MISSING HEADER” EMAIL SAMPLES 114

19. APPENDIX – ODE JUNE 19, 2015 EMAIL RE: E-SCHOOL PUBLIC RECORDS REQUEST 115

20. APPENDIX – SUMMARIZED TRANSCRIPTS OF STATE BOARD OF EDUCATION MEETINGS
PERTINENT TO AOS SPECIAL AUDIT INVESTIGATION 116

21. APPENDIX – SUMMARIZED TRANSCRIPTS OF AOS INTERVIEWS 117

1. EXECUTIVE SUMMARY

The Auditor of State (AOS) conducted a special audit of the Ohio Department of Education's (ODE) Office of Quality School Choice and its July 16, 2015 competitive grant application for the Federal Charter School Program (CSP) under the authority of Ohio Revised Code §117.11. The audit period covered July 1, 2014 through December 31, 2016, based on the information ODE included in its 2015 CSP application.

As part of its inquiry, AOS interviewed the former Executive Director of Quality School Choice, David Hansen (Hansen) regarding the exclusion of e-schools from the academic component of the sponsor evaluations. The AOS also interviewed the former Superintendent of Public Instruction, Dr. Richard A. Ross (Dr. Ross); former Chief of Staff, Jimmy Sheppard (Sheppard); former Director of Legislative Affairs, Jessica Voltolini (Voltolini); former Assistant Legal Counsel, Donald Leming (Leming); Chief Operating Officer, Melissa Huffman (Huffman), and various other employees of ODE. Transcripts of these interviews are included in **Appendix 21** of this report.

Ohio law requires that sponsors be evaluated based on three criteria: i) academic performance of students enrolled in community schools sponsored by the entity, ii) adherence to quality practices, and iii) compliance with applicable laws and administrative rules. Regarding the academic component, Ohio law allows the exclusion of only two groups of schools: schools open for less than two years and schools which primarily serve students with disabilities.

During 2015, among other errors, ODE improperly excluded e-schools from the academic performance component of sponsor evaluations for two sponsors ODE evaluated between March and June of 2015. ODE's failure to calculate the sponsors' academic components in compliance with the law inappropriately inflated the ratings of these sponsors. These misstated sponsor rankings were included in the 2015 CSP application submitted to USDE on July 16, 2015. When ODE realized its error, it notified USDE on July 31, 2015 which led to the grant being classified as "high risk." Importantly, ODE submitted its original erroneous CSP application to USDE just two days after Hansen acknowledged to the State Board that he had omitted e-schools from the sponsor performance evaluations published between March and June 2015.

The stated rationale behind Hansen's improper omission of e-schools dates back to changes to the business rules for the Value-Added calculation in 2011-2012. These changes had a dramatic negative impact on e-school Value-Added scores, resulting in many of these schools being rated less than effective. Hansen was concerned that e-schools would have a disproportionate negative impact on the academic portion of a sponsor's evaluation, particularly because of the number of students served by e-schools and the business rule change. For this reason, according to Hansen, he chose to exclude e-schools from these first sponsor evaluations, with the intention of phasing in e-schools over two years with their full academic weight counting in the 2016-2017 school year. Hansen also feared the Value-Added business rule change, and its disproportionate negative impact on e-schools and their sponsors, would lead to a pendulum swing of future legislation changing the Value-Added formula for all schools or eliminating the evaluation of sponsors altogether. Hansen states that he relied on a legal opinion provided during a conversation with Leming, stating that omitting and then phasing in of e-schools in the rankings was permissible under Ohio law.

Hansen states he informed Dr. Ross on at least two occasions of his intention to exclude e-schools and then phase them in over time, an assertion Dr. Ross denies. Records obtained in this audit indicate that Hansen, in a June 19, 2015 email, informed Sheppard, Huffman, Voltolini, Leming, and other policy staff that he excluded e-schools from the academic measure of the performance evaluations, "due to the ODE business rule change". Hansen did not inform Dr. Ross of his actions in this particular email thread. Dr. Ross asserts that he was never informed of this action and only found out almost a month later, on July 14, 2015, when the actions came to light at a State Board meeting. Senior staff who were present at that

board meeting, though previously informed of the exclusion, state that they didn't understand the meaning of it until the board meeting.

On September 15, 2015, Dr. Ross told the State Board of Education Accountability Committee that senior leadership was unaware of the improper action prior to the July 14, 2015 State Board Meeting. These statements contradict the findings of this special audit. The evidence shows Hansen did inform senior staff of the decision to omit e-schools from the calculation of the academic component of the sponsor performance evaluation, prior to the July 14, 2015 State Board of Education meeting. It is unclear whether any of these individuals communicated their knowledge of Hansen's decision to Dr. Ross.

Additionally, Dr. Ross, during his interview with AOS, stated that he overheard a conversation between the new Chief Legal Counsel, Diane Lease (Lease) and then Board President, Tom Gunlock (Gunlock), which appears to support Hansen's statement that he had obtained a legal opinion from Leming stating that phasing e-schools in over time was permissible under Ohio law.

ODE staff has inconsistent recollections as to whether the subsequent inquiry into Hansen's actions was an internal investigation or simply an informal review. In any event, Sheppard indicated that the "review" was not sufficient to conclude Hansen acted alone. It is clear from interviews with multiple staff that members of ODE's administration directed Matt Williams (Williams), the Department of Administrative Services Chief Information Security Officer (CISO), to copy files off of Hansen's ODE-issued equipment and conduct a thorough search of email correspondence, after Hansen's actions came to light, to determine who knew what and when. Conversely, it is unclear why some of the "Sent" emails ODE provided to AOS as part of this audit did not include the "To" and "From" headers normally contained in emails and why Williams removed memory from Hansen's laptop while in his possession at ODE.

Based on an exhaustive review of ODE records and numerous interviews, Hansen's intent in improperly excluding e-schools is unclear. Additionally, while it is apparent that ODE administration members who were organizationally above Hansen had knowledge of his plan to omit e-schools from the academic component of the sponsor performance evaluations in 2015, the timing and degree of detail of the knowledge Dr. Ross had is unclear.

Ohio's sponsor evaluation system, in spite of the improper calculations contained in its initial evaluations, was a critical element in USDE's decision to award Ohio the CSP grant. At the time the application was submitted, ODE claimed it had evaluated seven sponsors when it had only evaluated four, and had done so improperly by omitting e-schools and including special education schools. As detailed in this report, the application was marred by errors and statements unsupported by documentation.

2. AOS PROJECT HISTORY

As required by Ohio Rev. Code §3314.016, ODE released results of certain sponsor performance evaluations between March and June 2015. Upon release, questions were raised about the accuracy of the evaluation results and, in particular, the exclusion of e-schools from ODE's calculation of the academic component of the sponsors' evaluation.

On July 14, 2015, various members of the Ohio State Board of Education and the Senate Liaison to Education, Senator Peggy Lehner (Senator), questioned the ODE Executive Director of Quality School Choice, David Hansen (Hansen) about the calculation of the academic component of the sponsor evaluations and the exclusion of e-schools. Hansen acknowledged to the State Board that e-schools were omitted from the academic measures for the 2015 sponsor evaluations.

On July 16, 2015, ODE submitted the 2015 CSP application to the U.S. Department of Education (USDE).

On July 18, 2015, David Hansen, ODE's Executive Director of Quality School Choice, resigned.

On July 31, 2015, in response to Hansen's resignation, the ODE Director of Community Schools, Joni Hoffman (Hoffman), emailed USDE and requested an opportunity for ODE to amend its ODE's 2015 CSP application and clarify the standing of the sponsor performance evaluations.

On August 9, 2015, ODE hired a new Chief Legal Counsel, Diane Lease (Lease), filling a void in that position that existed since June 2015.

On August 26, 2015, AOS requested documents from ODE related to the sponsor evaluation process.

On September 3, 2015, Lease provided AOS with the following records:

- A copy of a PowerPoint presentation Lease presented to ODE's independent sponsor evaluation task force panel;
- A hyperlink to the ODE Annual Community School report;
- An email outlining Ohio Admin. Code §3301-102-08 and Ohio Rev. Code §§3314.35, 3314.351 (permanent closure, closure of certain community schools) laws;
- A hyperlink for describing sponsor quality practices;
- The calendar of Dr. Richard A. Ross (Dr. Ross), the Superintendent of Public Instruction, from October 1, 2014 through July 22, 2015;
- Hansen's calendar from October 1, 2014 through July 22, 2015; and
- More than 100,000 pages of emails and other records responsive to the public records requests regarding the sponsor evaluation systems from August 12, 2013 through July 18, 2015. ODE redacted several of the records citing Ohio Rev. Code §149.43(A)(1)(v) as it relates to attorney-client privileged materials and Ohio Rev. Code §3319.311(a).

On September 4, 2015, AOS interviewed Joni Hoffman (Hoffman), the ODE Director of Community Schools.

On September 10, 2015, AOS clarified to ODE that AOS was not making a public records request, but asking for all records (emails, text messages, etc.) related to the sponsor evaluation process pursuant to AOS audit authority described in Ohio Rev. Code §117.11. Therefore, ODE could not apply the provisions of Ohio Rev. Code §3319.311(a) as an exemption to the AOS request.

On September 11, 2015, Lease concurred that ODE could not apply the provisions of Ohio Rev. Code §3319.311(a) to redact records responsive to the AOS request. ODE provided Hansen's employment application and indicated they would gather the remaining records, including those previously withheld or redacted, for the August 26, 2015 request.

On September 15, 2015, Dr. Ross informed the State Board of Education's Accountability Committee that he was confident based upon ODE's internal investigation that Hansen acted alone in his calculation of the academic component of the sponsor performance evaluations.

On September 24, 2015, ODE provided AOS with copies of its organizational charts.

On September 25, 2015, ODE provided two CDs to AOS. The first CD included the unredacted version of the staff emails and files from the ODE Office of Quality School Choice, including the Office of Community Schools and Data Managers that support those offices, related to the sponsor evaluations. The second CD included Hansen's other sponsor evaluation emails and certain human resources information.

On September 28, 2015, ODE allowed AOS to review documents, manuals, etc. that were physically present in Hansen's office. AOS reviewed these items for potential relevance.

Also on September 28, 2015, the AOS Special Audit Task Force (SATF) declared the audit of ODE's 2015 CSP application and sponsor evaluation process to be a special audit being done as part of the regularly-scheduled financial statement and compliance audit.

On October 2, 2015, AOS notified ODE that AOS would audit ODE's sponsor evaluation process and its 2015 CSP application under the authority of Ohio Rev. Code §117.11. As part of that communication, AOS asked ODE to waive attorney-client privilege for any communication between ODE's attorneys and all ODE officers and employees regarding the sponsor evaluation process. AOS wanted to evaluate whether employees of ODE acted against the advice of counsel and whether such communications explained how ODE officials and employees should have acted under law. Also, AOS informed ODE that it may be necessary to interview officers and employees of ODE as part of its review.

On October 6, 2015, ODE provided AOS with a copy of the 2015 CSP application as well as the copies of sponsor evaluation letters for the Thomas B. Fordham Foundation, Kids Count of Dayton, Ohio Council of Community Schools, Buckeye Community Hope Foundation, and Portage County Educational Service Center.

On October 7, 2015, AOS notified ODE that AOS was still waiting on ODE to provide certain records related to earlier requests and that AOS anticipated requesting additional records. As part of this communication, AOS notified ODE that the records of all current and former employees of the ODE (pertaining to the community school sponsor assessments and school choice section of ODE) must be preserved, in electronic and/or paper format.

Also on October 7, 2015, Thomas Gunlock (Gunlock), State Board of Education President, sent AOS a letter indicating that ODE would not waive its attorney-client privilege in response to the earlier AOS records request.

On October 14, 2015, AOS met with Brian Jones (Jones), ODE Finance Director; Donna Jackson (Jackson), ODE Internal Auditor; and other ODE employees to offer consultation services with regard to ODE's administration of CSP subgrants to eligible community schools and developers. ODE declined these services.

On October 15, 2015, ODE provided a description of the items excluded from Hansen's hard drive. ODE explained these items were removed due to privacy laws and attorney-client privilege.

On October 16, 2015, AOS sent a letter to Dr. Ross, repeating the offer to provide consultation and technical services.

On October 23, 2015, Dr. Ross sent a letter to Auditor Yost indicating that ODE staff did not decline the AOS offer for consultation services, but rather indicated they needed to consult with AOS and USDE before accepting such offer.

On October 26, 2015, AOS received notice from USDE that the USDE Charter School Program Office, Director Stephen Huh (Huh), would be handling the Ohio CSP application review since there was no indication of criminal wrongdoing.

On October 29, 2015, Lease sent AOS a letter summarizing the status of ODE's response to the AOS records requests.

On November 4, 2015, USDE requested additional information from ODE to verify the accuracy and completeness of ODE's CSP application and assess whether ODE would be able to carry out its proposed project.

On November 5, 2015, AOS obtained Hansen's ODE-issued laptop, iPad, and iPhone from ODE.

On November 6, 2015, AOS responded to ODE's status summary of the AOS records requests.

Also on November 6, 2015, Dr. Ross notified the State Board of Education of his intention to return to retirement, effective December 31, 2015.

On November 9, 2015, AOS sent a letter to Huh, the USDE Charter School Program Office Director, notifying him that AOS was conducting a financial and compliance audit of the State of Ohio, which included ODE's Office of Quality School Choice. The letter indicated that the scope of the audit would include a review of whether ODE is implementing its charter school authorizer evaluation and rating system in compliance with State law, regulations, policies, and procedures. AOS also requested that USDE not take away Ohio's 2015 CSP award.

On November 10, 2015, AOS had a conference call with Huh and other representatives of USDE regarding the AOS special audit of ODE's Office of Quality School Choice. AOS informed USDE that it had concerns regarding possible fraudulent statements contained in the original 2015 CSP application. USDE indicated they were not going to investigate the matter, felt it could be resolved by the State, and did not intend to further suspend or revoke Ohio's award.

On November 12, 2015, ODE notified AOS that it could not allow AOS to have a third party access the emails and then turn them over to another third party since that action would result in a waiver of attorney-client privilege. ODE proposed that the Ohio Attorney General's (AG) office review the emails and other records on the Hansen laptop, iPad, and iPhone for privilege.

Also on November 12, 2015, AOS entered into an agreement with a computer imaging vendor to create a mirror image of the Hansen iPhone, iPad, and laptop; complete key word searches as requested by both AOS and ODE; and segregate items that required a review for attorney-client privilege.

On November 18, 2015, ODE submitted the amended 2015 CSP application award materials to USDE.

On December 4, 2015, ODE provided additional material to USDE regarding financial oversight of charter schools and a summary of audit findings and actions taken by state officials.

On January 29, 2016, ODE sent USDE more information demonstrating how it identified the revised number of low- and high-performing schools under USDE's federal criteria using the state's definitions.

On April 12, 2016, AOS entered into a Memorandum of Understanding (MOU) with ODE and the AG's office to engage outside counsel to review Hansen's three electronic devices for attorney-client privilege.

On June 6, 2016, the computer imaging vendor created the mirror image of the Hansen devices.

On September 1, 2016, Superintendent Paolo DeMaria (DeMaria) informed the State Board of Education of ODE's plans to proceed with revising the community school sponsor evaluations in compliance with state law and publishing ratings prior to October 15, 2016.

On September 6, 2016, AOS received approximately 6,500 records plus an analysis of more than 1.9 million unallocated clusters from the outside counsel engaged to review the mirror image files for

privilege. Outside counsel identified certain files for potential privilege concerns that required further review and thus were not provided to AOS on this date.

On September 14, 2016, USDE informed ODE that it completed its review of the 2015 CSP application and did not identify any “significant inaccuracies” in ODE’s original application. However, as a matter of due diligence, USDE imposed additional high-risk special terms and conditions on ODE as part of the award.

On October 18, 2016, AOS requested the computer imaging vendor to confirm that the files on their mirror image contained the same missing header information that AOS identified in its review of certain emails. The computer imaging vendor confirmed that the mirror image had the same missing header information; therefore, the anomaly was not caused by the imaging process.

On October 24, 2016, the AOS SATF voted to elevate the audit to a stand-alone special audit, separate and distinct from the regularly-scheduled financial and compliance audit of the State of Ohio.

On October 25, 2016, AOS sent a letter to ODE informing them that, during the course of its review, AOS identified evidence of potential tampering with files. Based on this discovery, AOS informed ODE that AOS would keep the ODE equipment secured in its possession until the completion of the special audit.

On October 31, 2016, the AOS SATF reviewed the initial analysis of the mirrored image and other records obtained from ODE. This analysis included identification of specific concerns, which SATF subsequently approved investigating as part of the special audit.

On November 2, 2016, AOS notified ODE that it was elevating the audit to a stand-alone special audit, separate and distinct from the regularly-scheduled financial and compliance audit of the State of Ohio.

On November 3, 2016, AOS requested the EdChoice Designated Buildings Lists for the years 2011-2016 from ODE.

On November 8, 2016, ODE sent AOS the EdChoice Designated Buildings Lists for the requested years.

On November 16, 2016, AOS had a conference call with Superintendent DeMaria to provide contact information and discuss the scope of the audit.

On December 6, 2016, AOS received more than 33,000 remaining records from the outside counsel engaged to review the mirror image files for privilege.

On December 20, 2016, AOS approved ODE to contract with a firm pursuant to Ohio Rev. Code §117.43(B) to provide the USDE-mandated independent monitoring services and agreed-upon procedures as required by the special “high-risk” terms and conditions of the grant award.

On January 12, 2017, AOS requested additional information from ODE, with a return due date of February 13, 2017.

On February 7, 2017, AOS served a subpoena to ODE to provide certain information contained in ODE personnel files for identified ODE employees.

On February 22, 2017, ODE sent AOS their response to its documentation request from January 12, 2017, including certain files. However, ODE informed AOS that they had no responsive documents for a number of items in the AOS request.

On March 6, 2017, ODE provided the subpoenaed personnel file information.

On April 25, 2017, AOS met with ODE to ask questions pertaining to the initial results of the AOS review of the records.

On May 19, 2017, ODE responded to certain questions from the April 25, 2017 meeting with AOS.

On June 7, 2017, the AG's office informed AOS that special counsel had been appointed to advise AOS regarding the special audit of ODE.

On August 30, 2017, AOS re-interviewed Hoffman, the former ODE Director of Community Schools.

On August 31, 2017, AOS interviewed three ODE Data Governance and Quality Data Managers (Karlyn Geis, Kelsey Stephens, and Erin Whitt) that were assigned to the Office of Quality School Choice during the period under audit.

On September 6, 2017, AOS interviewed Steven Tate (Tate), the former ODE Community Schools Social Science Researcher and Matt Cohen (Cohen), ODE's Chief Research Officer.

On September 13, 2017, AOS inquired with ODE about how they calculated and identified the schools to be included in the published EdChoice Designated Buildings Lists.

On October 3, 2017, AOS interviewed Matt Danzuso (Danzuso), ODE Data Governance and Quality Manager.

On October 4, 2017, AOS interviewed Beth Juillerat (Juillerat), ODE Chief Information Officer.

On October 5, 2017, AOS interviewed Melissa Huffman (Huffman), ODE Chief Operating Officer.

On October 12, 2017, AOS interviewed Sarah Wickham (Wickham), Senior Policy Advisor to Dr. Ross, the former ODE Superintendent of Public Instruction.

On October 18, 2017, AOS interviewed Matt Williams (Williams), the Department of Administrative Services (DAS) Chief Information Security Officer (CISO) formerly assigned to ODE.

On October 24, 2017, AOS requested from ODE a copy of a memorandum that Williams prepared for Jimmy Sheppard (Sheppard), ODE Chief of Staff, describing the steps taken in the ODE internal investigation to secure, review, and analyze Hansen's iPhone, iPad, and laptop. AOS also sent a copy of this request to DAS.

On October 30, 2017, Williams notified AOS that he could not locate the memorandum related to his review of Hansen's electronic devices, which he prepared during the late summer/early fall timeframe for Sheppard. Instead, he sent AOS a partial timeline.

On November 1, 2017, AOS executed subpoenas to Williams and ODE for all memorandums or any other record Williams prepared during calendar year 2015 which related to his analysis of Hansen's ODE laptop, iPad, and iPhone.

Also on November 1, 2017, ODE provided an explanation of the EdChoice Scholarship statute.

On November 3, 2017, ODE responded to the AOS subpoena request with the same partial outline that was provided to AOS by Williams on October 30, 2017.

On November 7, 2017, DAS responded to the AOS subpoena, indicating that Williams created the memorandum on his computer and did not print it off. Therefore, DAS asserted that Williams did not have anything responsive to the AOS subpoena.

On November 8, 2017, ODE provided an explanation of its interpretation of the requirements in Ohio Rev. Code §3311.01, pertaining to the styling of school districts relevant to the application of EdChoice Scholarship requirements.

On November 27, 2017, AOS interviewed Jason Rafeld (Rafeld), a former ODE Chief of Staff that left ODE in April 2015.

On January 8, 2018, AOS interviewed Sheppard, the former ODE Chief of Staff that began employment at ODE in April 2015 and previously served as the Education Policy Liaison at the Governor's Office.

On February 15, 2018, AOS re-interviewed Williams, the DAS CISO formerly assigned to ODE.

On February 27, 2018, AOS re-interviewed Huffman, the ODE Chief Operating Officer.

On February 27, 2018, AOS interviewed Hansen, the former ODE Executive Director of Quality School Choice.

On March 6, 2018, AOS requested Dr. Ross to answer questions pertaining to ODE's 2015 CSP application. However, he declined to be interviewed. As a result, AOS served a subpoena to Dr. Ross to appear for an interview.

On March 21, 2018, AOS interviewed Donald (aka: Donny) Leming (Leming), a former ODE Assistant Legal Counsel assigned to the Office of Quality School Choice.

On March 30, 2018, AOS interviewed Dr. Ross, the former ODE Superintendent of Public Instruction.

On April 5, 2018, AOS re-interviewed Hansen, the former ODE Executive Director of Quality School Choice.

On April 6, 2018, AOS interviewed Jessica Voltolini (Voltolini), the former ODE Director of Legislative Affairs.

On May 16, 2018, AOS re-interviewed Sheppard, the former ODE Chief of Staff.

On May 21, 2018, AOS interviewed Beth Hansen (Beth Hansen), the Chief of Staff at the Governor's Office.

3. 2015 CHARTER SCHOOL PROGRAM (CSP) APPLICATION

According to USDE's 2015 CSP application materials, the purpose of the CSP is to increase the national understanding of the charter school model and to expand the number of high-quality charter schools available to students across the nation. The CSP is a competitive grant program that enables States to provide financial assistance, through subgrants to charter school developers and charter schools, for the planning, program design, and initial implementation of charter schools and to support the dissemination of information about, including successful practices in, charter schools.

In Ohio's abstract submitted to USDE with its 2015 CSP application, a complete copy of which is included in **Appendix 11** of this report, ODE wrote:

“Under Governor John Kasich’s leadership, policies have been enacted that are leading to the creation of new, high-quality charter schools and improving the academic and fiscal performance of existing charter schools. This includes Ohio’s new law instituting a first in the nation, high stakes quality reviews of all state authorizers.

The key strategies in our use of the SEA Grant include:

- *Open more high quality charter schools and close poor-performing schools. Aggressively target new high-quality charter schools in areas where poor-performing schools are closing or likely to close.*
- *Provide for more schools serving targeted students where no effective options exist.*
- *Target supply and quality increases toward low-income and minority families.*
- *Partner with Community Educational Development Organizations (CEDOs) to accelerate charter development and success.*
- *Integrate quality charter development into the State’s new authority to create achievement school districts serving the children of the most dysfunctional school districts.*
- *Increase accountability and autonomy in the charter marketplace by strengthening the guardrails of quality authorizing and hold state authorizers rigorously accountable for protecting student trust and public investment in Ohio charter schools.”*

During 2015, ODE was in the midst of several important charter school initiatives, which included, but were not limited to:

In the months leading up to July, Dr. Richard A. Ross (Dr. Ross), the Superintendent of Public Instruction, and other ODE employees were assisting a constituent group concerned about the academic failure of Youngstown City Schools with planning and drafting legislation to allow for, among other things, the closure of traditional public school buildings and the expansion of charter and private school options in its place. The Ohio legislature later passed the bill, known as Am. Sub. H.B. 70, on June 24, 2015.

ODE was evaluating and rating sponsors in the first effective year of the new sponsor performance evaluation system adopted pursuant to Ohio Rev. Code §3314.016. The statutory deadline for completing the sponsor evaluations was October 15, 2015.

Additionally, in response to national criticism of Ohio’s charter school performance and loose statutory and regulatory requirements, the Ohio legislature introduced the Charter School Reform Bill, H.B. 2, in January 2015. While the bill made some progress through the Ohio Senate and House, it lost traction in June 2015 when the House was unable to concur with the Senate’s amendments to the bill prior to breaking for the summer.

Ultimately, each of these initiatives played an important role in shaping ODE’s 2015 competitive CSP application to USDE.

3.1. BACKGROUND

On July 16, 2015, ODE submitted an application for the 2015 CSP to USDE requesting more than \$40 million over a three-year period as well as a waiver allowing ODE to continue the program for an additional two years. In total, ODE requested \$71,058,320 in CSP funding over a five-year period. However, only two days prior to the submission of its application to USDE, the ODE State Board of Education learned that David Hansen (Hansen), the Executive Director of Quality School Choice, inappropriately excluded e-schools from the academic component of the sponsor evaluations performed and also excluded this information from the application. At that time, many of Ohio’s e-schools were failing Value-Added scores.

Ohio Rev. Code §3314.016 required ODE to evaluate sponsors based upon the following three components:

- Academic performance of students enrolled in community schools sponsored by the same entity;
- Adherence by a sponsor to the quality practices prescribed by the department under division (B)(3) of this section. The department shall not include this measure in the sponsor evaluation rating system until the department prescribes quality practices and develops an instrument to measure adherence to those practices under division (B)(3) of this section.
- Compliance with applicable laws and administrative rules by an entity that sponsors a community school.

Further, the statute only permitted ODE to exclude the following schools from the academic component of a sponsor's evaluation:

- All community schools that have been in operation for not more than two full school years; and
- Any community school in which a majority of the enrolled students are children with disabilities receiving special education and related services described in division (A)(4)(b) of section 3314.35 of the Revised Code.

Ohio Rev. Code §3314.016(B)(7)(a) also permitted ODE, prior to the academic data for the 2014–2015 school year becoming available, to exclude the community schools that primarily serve students enrolled in a Dropout Prevention and Recovery (DOPR) program as described in division (A)(4)(a) of Ohio Rev. Code §3314.35 from the academic component calculation.

During a presentation to the State Board of Education on July 14, 2015 by Joni Hoffman (Hoffman), Director of Community Schools, and Donald (aka: Donny) Leming (Leming), Assistant Legal Counsel, the State Board of Education raised questions about how ODE was calculating the academic component of the sponsor evaluations. During the period between March and June 2015, ODE had publicly published the results of four sponsor evaluations (i.e., ODE did not issue a rating for the Portage County Educational Service Center since it closed in early 2015 due to financial difficulties). Each of the four sponsor evaluation letters included the following caveat, which led many in the community school sector and legislature to question ODE's methodology for calculating academic results and its compliance with Ohio Rev. Code §3314.016:

"For E-schools, the State's report card assessments of e-school learning gains show that the sector struggles with the first year experience of students, and the e-schools overseen by [the authorizer] are no exception.

The Department is committed to working with the authorizers and providers of e-school learning opportunities to both lift the academic success of every student choosing fulltime virtual learning as well as to improve how this highly innovative learning delivery approach is assessed.

The assessment results for 2013-14 will be a base year for evaluating the outcomes of the e-school seats in authorizer portfolios. The Department is targeting a ratio of fulltime, full year e-school students learning at pace, against those not learning at pace, of 1 to 1 by 2016-17.

For Dropout Prevention and Recovery Schools, an outcomes rating for Dropout Prevention and Recovery schools will be given once growth measures from new assessments are available beginning next school year 2015-16. This rating will include e-school delivery of dropout recovery and prevention learning opportunities."

Upon questioning by Senator Peggy Lehner (Senator) during the State Board of Education meeting transcribed in **Appendix 20** of this report, Dr. Ross instructed Hansen to come down to the board meeting and respond to the questions. Dr. Ross cautioned the board not to take up too much of Hansen's time

since he was very busy working on the “\$40 million” Charter School Program grant application that was due soon. Below is an excerpt of the summarized transcript, included in **Appendix 20** of this report, of the questioning that subsequently took place upon Hansen’s arrival at the July 14, 2015 State Board Meeting:

Senator: It was reported several weeks ago that the department [ODE] had continued its process of evaluating sponsors and rating them and their sponsor evaluation came out two entities and it was specifically cited that Drop Out Recovery Schools that were sponsored by these two entities as well as e-schools that were sponsored by these two entities were not included under the student portfolio piece of that evaluation and it specifically says in Ohio law under 3314.016 that the only schools that can be excluded. The only schools that can be excluded are schools serving special needs children.

Hansen: And new schools also...

Senator: And I have asked several times, and new schools also, I’ve asked several times as to why the department [ODE] moved ahead and granted a label for those schools. I know it was said they didn’t have adequate data, well it would seem like the appropriate thing would be then to defer the evaluation until you had it.

Hansen: I read the statute as giving us the ability to design an academic evaluation system for authorizer’s portfolios, which is different than an evaluation system for schools and when we designed that system we looked at exactly the same thing you were talking about. We wanted our charter system to be focused first and foremost on serving deeply disadvantaged kids in our urban neighborhoods which is where the brick and mortar, on site K-12 charter school system is actually doing better than most people understand, it’s masked by e-school performance and it’s masked by, I don’t want to say necessarily by Drop Out Recovery Prevention, but that is a whole challenging area all in itself. Those two sectors -- at 55,000 students each -- masked the success in many cases found with specific high-performing schools that we are all pretty familiar with, but also over the past three or four years, we closed 21 charter schools last summer, another 11 to 15 closed this summer before the automatic closure law was closing schools. If you look at the brick and mortar K-12 charter schools overseen by the exemplary authorizers, the amount of learning that takes place in those schools is a B- average in the big eight cities where the average Value-Added is actually an F. So that’s a success story and so we wanted to focus our portfolio evaluation system on learning taking place in schools and when we wanted to do that we wanted to look at it in terms of Value-Add and Value-Add is not ready yet for Drop Out Recovery and Value-Add has had problems in terms of its impact and assessment capacity if you will of statewide online charter schools. So, the Value-Added system, when you look at it enough, what you understand is that it works very well for what we understood to be schools ten years ago, 100, 200, 500, maybe up to 2,000 kids at a location, servicing an area that generally can be described as in a county, in a city... it worked very well and now we were having these entities that had 10,000, 15,000 students scattered all over every county in Ohio and we did a business rule change in roughly 2011-2012 which showed e-schools before that business rule change doing well. They were meeting the Value-Add expectation often exceeding Value-Add expectations. The business rule change led to many new students being put into the Value-Add process and then suddenly, between one year and the next, e-schools were no longer being rated as effective. It took two years of research and argumentation with different kinds of entities that are involved in this to understand that the business rule change was in fact an improvement in the accuracy in Value-Add. So, going back to the focus of what are we going to base the academic evaluation portion on, looking at our goal, which is to grow the brick and mortar K thru 12 charter, which is what really is serving disadvantaged students we are trying to target at, knowing that we have not had a consistent Value-Add system with e-schools, but we’re getting one in the sense that we could sell it to e-schools from this point forward, we said that we would like to weight your students as one with your current results and expect better results

overall, meaning the same targets we have overall over sort of our five year time frame in terms of improving overall charter school sector.

Dr. Ross: Well let's start, do you believe e-schools should be evaluated?

Hansen: Absolutely.

Senator: There's no dispute that the law...didn't permit you to take out e-schools and Drop Out Recovery Schools from that evaluation process.¹

Hansen: Oh no, they are in there, they are in that process, they are in the evaluation of the academic outcomes of these schools...

Senator: So, you're saying they were in there?

Hansen: They're in there.

Senator: Because, that's what the story ran in the [Cleveland] Plain Dealer indicated...

Hansen: Weighted in the sense this is a...

Senator: They were not in there.

Hansen: This was a base year and that we're going to now. This year is a base year for the performance.

Dr. Ross: Where is that packet?

Hansen: Meaning when we have the Value-Add for the next year they're going to be included.

Senator: So they were not in there, not included this year. So the exemplary label given to [a sponsor] did not include a number of the schools in their portfolio.

Hansen: It included them in terms of the academic component. It included them in terms of the fact that they...no they didn't actually get included in that.

On September 28, 2015, USDE approved \$32,671,373 and attached special conditions to the grant. In another letter dated November 4, 2015, USDE requested that ODE refrain from drawing down any funds under the grant and informed ODE that USDE intended to place the grant on "route payment," requiring all payment requests to be routed to the USDE program office for approval prior to funds being released to ODE. The November 4th letter also requested specific information from ODE to assist USDE in verifying the accuracy and completeness of ODE's grant application and assessing whether ODE would be able to carry out its proposed project in accordance with statutory and regulatory requirements and the terms of the approved application, including all of ODE's grant-related assurances.

¹ During questioning, Senator Lehner expressed that it was her understanding that Ohio Rev. Code §3314.016 did not permit the exclusion of Drop-Out Prevention and Recovery (DOPR) schools from the academic component of the sponsor evaluation. However, AOS determined that Ohio Rev. Code §3314.016(B)(7)(a) did permit ODE, prior to the academic data for the 2014–2015 school year becoming available, to exclude the community schools that primarily serve students enrolled in a DOPR program as described in division (A)(4)(a) of Ohio Rev. Code §3314.35 from the academic component calculation.

In response to USDE’s November 4, 2015 request, ODE submitted several clarifications to USDE, including letters that ODE sent to USDE on November 18, 2015 and January 29, 2016 which contained additional information and various amendments to the original grant application. In its January 29, 2016 letter, ODE revised the State’s definition of both “high-performing” and “low-performing” charter schools. Refer to **Appendix 12** of this report for copies of ODE’s letters and USDE’s responses. The revised definitions resulted in the following change to ODE’s original grant application statistics:

Ohio Charter Schools	Original Grant Application Statistics	Modified Statistics Using ODE’s Revised Definitions	Percentage Change
High-performing	93	59 ²	(37%)
Low-performing	6	57	850%

After reviewing the additional information submitted by ODE, USDE “did not identify any significant inaccuracies in ODE’s approved grant application”. However, “as a matter of due diligence” and “based on the significant concerns,” USDE determined that there was “...a need for a higher level of public transparency, public accountability, and public engagement regarding ODE’s oversight of Ohio’s charter school sector”. In light of these considerations, in a letter to ODE on September 14, 2016 USDE “designated ODE’s CSP award as ‘high-risk’ in accordance with 2 CFR §§200.207 and 3474.10. As part of this high-risk designation, USDE imposed certain high-risk special conditions on ODE’s CSP award to help ODE and USDE more clearly determine ODE’s ongoing compliance with applicable requirements and the terms of the approved grant application...”

The September 14, 2016 letter went on to explain that USDE took into consideration a number of factors, including, but not limited to, the following in making its “high-risk” determination:

- Circumstances under which a key ODE staff member departed;
- Concerns expressed by various state and congressional leaders from Ohio;
- Information contained in various investigatory and audit reports involving findings related to Ohio’s charter schools;
- ODE performance and capacity in implementing federal and state program oversight functions; and
- Implementation issues related to ODE’s Authorizer Quality Performance Review system that could have a direct impact on ODE’s administration of the grant.

USDE also determined that “...ODE must put into place additional mechanisms to help earn the public’s confidence in its ability to act as a proper steward of its federal grant funds on behalf of Ohio’s families and students.”

3.2. USDE’S COMPETITIVE 2015 CSP AWARD SELECTION CRITERIA

According to USDE’s Competitive Selection Process, panels of independent peer reviewers read and scored applications from 27 States for the 2015 CSP award. The peer reviewers evaluated and scored the

² However, ODE could only support 57 high-performing schools. ODE mistakenly included two community schools that closed, the Arts and Science Preparatory Academy and Constellation Schools: Mansfield Community Elementary, in its modified count to USDE. Additionally, an unidentified ODE Data Manager could only support 48 high-performing schools. During our interviews with the Data Managers, Karlyn Geis and Kelsey Stephens, both reviewed the CSP application for errors but neither could recall who identified this particular discrepancy.

State applications based on the selection criteria and competitive preference priorities that USDE announced in competition. After the peer reviewers complete their scoring, USDE staff conducts second-level reviews of all applications before awards are made to verify, among other things, the eligibility of applicants; that proposed activities are authorized; that costs in the proposed budgets are necessary, reasonable, and allocable to the grants; and the fiscal stability of the applicants and whether there are significant compliance or past performance issues under any prior USDE grants.

In assessing whether mal-intent contributed to certain errors and omissions in ODE's July 16, 2015 CSP application, AOS analyzed the importance of the errors and omissions in ODE's competitive grant application to USDE's selection criteria. In other words, AOS determined to what extent, if any, ODE's errors and omissions might have influenced USDE's selection.

Based on AOS review of USDE's Independent Peer Technical Review Forms included in **Appendix 13** of this report, USDE considered criteria, including but not limited to the following items, for selecting applicants for award:

STATE-LEVEL STRATEGY

- The quality of the state-level strategy for using charter schools to improve educational outcomes for students throughout the state. In determining the quality of the state-level strategy, USDE considers the following factors:
 - The extent to which the state's CSP activities, including the subgrant program, are integrated into the state's overall strategy for improving student academic achievement and attainment (including high school graduation rates and college and other postsecondary education enrollment rates) and closing achievement and attainment gaps, and complement or leverage other statewide education reform efforts;
 - The extent to which funding equity for charter schools (including equitable funding for charter school facilities) is incorporated into the state-level strategy; and
 - The extent to which the state encourages local strategies for improving student academic achievement and attainment that involve charter schools, including but not limited to the following:
 - Collaboration, including the sharing of data and promising instructional and other practices, between charter schools and other public schools or providers of early learning and development programs or alternative education programs; and
 - The creation of charter schools that would serve as viable options for students who currently attend, or would otherwise attend, the state's lowest-performing schools.

State-Level Strategy - AOS Analysis:

State-Level Strategy - Summary of USDE's Determination

Based on a review of USDE's Technical Review Forms included in **Appendix 13** of this report, USDE awarded Ohio points on its State-Level Strategy due, in part, to: (a) ODE's provision for discrete funding (beyond CSP) for Recovery Districts, including charters and a commitment for parity; (b) ODE enhancing the State's Academic Distress Commission concept, established by the State Superintendent pursuant to Ohio Rev. Code §3302.10, by providing supplemental sources of funding to charters in "recovery districts" overseen by these commissions; and (c) Ohio establishing "high and exacting accountability expectations of authorizers (including evaluation against standards) and, inferentially, schools." USDE considered this "critical" to ODE's plan and felt the prioritization of "high quality authorizing permeated this and other sections of the application".

ODE Information or Data Relevant to USDE's Determination – Supplemental Funding

On page 14 of its July 16, 2015 CSP application included in **Appendix 11** of this report, ODE indicated:

“Beyond basic funding, an ODE legislative recommendation to the General Assembly opened the door to new funding sources for charter schools. Previously available only in the Cleveland area, charter schools can now seek voter approved tax levies statewide, so long as they are overseen by exemplary authorizers. Tax levies are adopted in conjunction with local school boards and can be used to pay for operational expenses. Ohio's efforts to provide funding equity for charter schools are also evident in the state's most recent education budget, which set aside \$25 million for high-quality charter schools to use on facilities. Additionally, ODE is enhancing the State's Academic Distress Commission concept, established by the State Superintendent pursuant to Ohio Rev. Code §3302.10, by providing supplemental sources of funding to charters in "recovery districts"³ overseen by these Commissions.”

On page 55 of its July 16, 2015 CSP application included in **Appendix 11** of this report, ODE also indicated:

“Recovery District Reserve: \$10.25 million [of the CSP award] will be reserved for the creation of high quality schools in any recovery district designated by the state. Recovery districts are established for persistently under-performing districts in academic emergency status for multiple years. The criteria used to judge these applications will be the same as those used for other applications. The only difference is that schools located in the territory of the recovery district will not be competing with, proposals from other parts of the state. For this reserved amount, however, there will still be adherence to the minimum quality threshold (described above).”

In June 2015, Am. Sub. H.B. 64, 131st General Assembly, authorized the creation of the Community School Classroom Facilities Grant program and appropriated \$25 million in state funding to be used for this purpose. The Community School Classroom Facilities Grant is available to eligible “high-performing” community schools and newly established community schools that have a track record of high quality academic performance as determined by ODE. For purposes of the Community School Classroom Facilities Grant, “high performing community school” is a community school that has available and has certified that it will supply at least 50% of the cost of the project that meets certain other minimum academic criteria.

ODE also established supplemental funding sources (beyond CSP) for Recovery Districts. Ohio Rev. Code §3302.10, enacted by Am. Sub. H.B. 70, 131st General Assembly, was passed by the Senate and the House of Representatives on June 24, 2014. Effective on October 15, 2015, Am. Sub. H.B. 70 qualified students of a district subject to academic distress for the Ohio EdChoice Scholarship. (Refer to **Section 5** of this report for more information about EdChoice.) Am. Sub. H.B. 70 also provided for academic performance bonuses, for other public schools and nonpublic schools that enroll the students of a district that has an academic distress commission. These bonuses are in addition to other payments to eligible schools, such as payments for open enrollment, EdChoice scholarships, and community and STEM school state operating funding.

Conclusion

³ The term “recovery district” is a term of art used by ODE to refer to school districts in Academic Distress under Ohio Rev. Code §3302.10.

We believe ODE's participation in the development of the "Youngstown Plan" and subsequent drafting of an amendment to H.B. 70, 131st General Assembly, were influential in USDE's decision to award Ohio the CSP. Based on the USDE reviewers' comments in their Technical Review Forms included in **Appendix 13** of this report, the supplemental funding for students of an academic distress district in Am. Sub. H.B. 70 was an integral part of ODE's State-Level Strategy for achieving its goals of the CSP.

ODE Information or Data Relevant to USDE's Determination – High and Exacting Authorizer Accountability Expectations

On page 30 of its July 16, 2015 CSP application included in **Appendix 11** of this report, ODE indicated that:

"The State will use the evaluation process – and the consequences for authorizers or not being rated "effective" or "exemplary" – to continue to drive aggressive closure action by authorizer while adhering to the parameters of state law."

On page 36, ODE further explains that:

"Authorizers are evaluated on three components: the overall academic performance of their community schools; the completeness of their monitoring of schools' compliance with laws and rules; and their adherence to quality practices (Ohio Rev. Code §3314.016). Under current law, each component has equal weight in making up the overall evaluation rating. An authorizer's ability to authorize new schools or take on sponsorship of a currently operating school is affected by the overall rating. Criteria regarding the approval of petitions (or applications) are covered in one of the six critical areas of the Authorizer Quality Practices Rubric. As described earlier, authorizers are expected to provide evidence of a comprehensive application, review and approval processes that require extensive data allowing for rigorous evaluation of the applicant's plans, and a capacity to successfully execute its plans. The process should include a: detailed review of the written application, an in-depth interview with finalists, and a thorough background review of the applicant's experience and capacity."

Additionally, AOS believes Ohio's sponsor evaluation system, as prescribed by Ohio Rev. Code §3314.016, was influential in USDE's decision to award Ohio the CSP. Based on USDE reviewers' comments in their Technical Review Forms included in **Appendix 13** of this report, it appears the components of the "robust" sponsor evaluation requirements outlined in Ohio Rev. Code §3314.016 were an integral part of ODE's State-Level Strategy for achieving its goals of the CSP.

Ohio Rev. Code §3314.016(B)(5) required ODE, by July 1, 2013 to adopt rules prescribing standards for measuring compliance with applicable laws and rules in accordance with Ohio Rev. Code Chapter 119 under division (B)(1)(c) of this section. However, as of July 16, 2015, ODE had not adopted formal rules for the sponsor evaluation system. In addition, Ohio Rev. Code §3314.016(B)(6) required ODE to publish the sponsor ratings by October 15th each year. In 2015, ODE had 64 sponsors to evaluate; however, on page 10 of the CSP application, ODE indicated it had evaluated only seven sponsors as of July of that year. On the same page, ODE further indicated it would evaluate the remaining sponsors by January 1, 2016. However, there was no authorization for ODE to extend the evaluation period beyond the statutory deadline of October 15th.

Additionally, upon review of supporting documents AOS obtained from ODE, AOS determined ODE had only evaluated four sponsors (i.e., Buckeye Community Hope Foundation; Thomas B.

Fordham Foundation; Kids Count of Dayton, Inc.; and Ohio Council of Community Schools) as of the date of its original 2015 CSP application. ODE did not issue a 2015 rating for Portage County Educational Service Center (ESC) since it had already ceased operations due to financial difficulties. Despite an exhaustive review of records and inquiry with various ODE employees, AOS was unable to determine an explanation for the remaining difference between the seven sponsors the application indicated ODE evaluated versus the four sponsor evaluations ODE could provide evidence it performed.

Moreover, AOS noted ODE based much of its 2015 sponsor evaluations for the four sponsors on data gathered for its 2014 *pilot* sponsor evaluation. It is unclear how much, if any, of the 2014 pilot results were updated to reflect more current information available in 2015. We also noted that, contrary to the provisions of Ohio Rev. Code §3314.016, ODE excluded e-schools from the academic component of the sponsor evaluation for two of the four sponsors in 2015. Conversely, ODE included schools serving primarily special education students in the academic component for two of the four sponsors, contrary to the provisions of Ohio Rev. Code §3314.016(B)(2)(b). ODE also improperly included Dropout Prevention and Recovery schools in the academic component for one sponsor, contrary to the provisions of Ohio Rev. Code §3314.016(B)(7)(b).

Upon USDE inquiring for additional supporting documentation and explanations about the results of the four 2015 sponsor evaluations performed, ODE indicated that it could not align the Federal definitions it used in the 2015 CSP application for “high-performing” and “low-performing” community schools to the State’s statutory definition of high-quality schools. For this reason ODE redefined these terms in its January 29, 2016 clarification letter to USDE included in **Appendix 12** of this report. As described earlier in this section of the report, these new definitions resulted in a substantial change to the number of “high-performing” and “low-performing” community schools that ODE originally included in its July 16, 2015 CSP application. However, ODE was unable to determine the accuracy of ODE’s revised statistics for “high-performing” and “low-performing” community schools as cited in the January 29, 2016 letter to USDE. Our review of ODE’s supporting documentation indicated that ODE Data Managers could not perfectly align the coding needed to pull the schools’ data out of ODE’s Education Management Information System (EMIS). As a result, ODE identified a variance of 12 community schools included as “high-performing” in the January 29, 2016 letter to USDE that were not supported by underlying ODE evidence. Refer to **Section 7** of this report for Findings.

PAST PERFORMANCE

- USDE considers the past performance of charter schools in a State that enacted a charter school law for the first time five or more years before submission of its application. In determining the past performance of charter schools in such a State, USDE considers the following factors:
 - The extent to which there has been a demonstrated increase, for each of the past five years, in the number and percentage of high-quality charter schools (as defined by USDE) in the State;
 - The extent to which there has been a demonstrated reduction, for each of the past five years, in the number and percentage of academically poor-performing charter schools (as defined by USDE) in the State; and
 - Whether, and the extent to which, the academic achievement and academic attainment (including high school graduation rates and college and other postsecondary education enrollment rates) of charter school students equal or exceed the academic achievement and academic attainment of similar students in other public schools in the State over the past five years.

Past Performance – AOS Analysis:

ODE Information or Data Relevant to USDE’s Determination

USDE awarded Ohio points on its Past Performance due, in part, to Ohio increasing the number of school choices (strong growth) in the past five years and the priority of creating strategies to serve at-risk students by authorizing high-quality schools. USDE also commented on ODE’s willingness and demonstrated evidence in the strategy to close poor performing schools.

On page 16 of its July 16, 2015 CSP application included in **Appendix 11** of this report, ODE indicated that:

“The Cleveland Transformation Alliance (CTA) is a CEDO that ODE has been working with for the past two years. Ohio’s plans for creating charter schools serving as viable options for students in the State’s lowest performing schools is reflected in that partnership. CTA promotes the development of high-quality district and public charter schools in the Cleveland area by: assessing the quality of all public schools in the area; creating awareness among Cleveland families about quality school options; empowering families to make informed choices; and by monitoring the growth and quality of charter schools. ODE is committed to expanding CTA strategies into all of Ohio’s urban districts and, in so doing, significantly increasing the number of high-quality schools in those areas.”

On page 26, ODE further explains:

“Ohio’s overall vision for charter education is that the state will provide access to effective charter education opportunities for Ohio’s disadvantaged boys and girls, particularly from low- income and minority families, who are currently poorly served by the school districts in which they live.

Ohio’s goal for charter school growth and accountability is to grow to 400 schools and for 70% of charter seats to be in effective schools by 2021. In alignment with the state’s vision, the Office of Quality School Choice strives to provide all Ohio students with high-quality, accessible educational options and the knowledge to make the best choices. The key to achieving this goal is ODE’s continued focus on holding authorizers accountable for opening more high-quality schools, closing or non-renewing poor-performing schools, and helping more current schools reach high-quality status and expand. The CSP grant will enable Ohio to realize that vision by supporting the opening of schools with effective seats in the most underserved areas. Ohio’s academic accountability system ensures that data, easy to understand and use, are readily available for families seeking a choice option.”

On page 57, ODE indicates:

“When ODE last received the CSP grant, 56 schools received awards, representing 55% of the 102 total schools eligible to apply during the grant period. Since receiving the subgrant, 72% of subrecipients: earned a Value-Added grade of A-C in the 2013-14 school year, demonstrating student learning growth of one year or more for the school year. Of the eligible applicants who did not receive a subgrant, only 58% achieved Value-Added grades of A-C in 2013-14. At the lower end, 42% of applicants not receiving a sub grant earned a D-F Value-Added grade in 2013-14, demonstrating the school’s inability to achieve student learning of more than one year during the school year. Only 27% of past CSP subrecipients received a D-F valued-added grade. These findings indicate how past CSP subrecipients have outperformed those not receiving CSP funds,

demonstrating the overall higher quality nature of the subrecipients' initial plans and implementation.”

Conclusion

We believe ODE’s participation in the development of the “Youngstown Plan” and subsequent drafting of an amendment to H.B. 70, 131st General Assembly, were influential in USDE’s decision to award Ohio the CSP. Based on USDE reviewers’ comments in their Technical Review Forms included in **Appendix 13** of this report, Ohio’s prioritization of strategies to serve at-risk students was a strong point in ODE’s Past Performance evaluation.

We also noted that ODE defined the term “CEDO” as a Community Educational Development Organization in its cover letter to USDE in the July 16, 2015 CSP application included in **Appendix 11** of this report. ODE indicated in its application that it would “...partner with CEDO’s to accelerate charter development and success.” However, both the term and the concept are otherwise undefined. When AOS inquired with ODE, ODE was unable to support the existence of CEDOs.

Further, USDE’s peer reviewers acknowledged in their Technical Review Forms included in **Appendix 13** of this report that the data (i.e., numbers) ODE included in its 2015 CSP application, especially within the Past Performance descriptions, were very aggressive and not adequately informed by underlying data. Upon inquiry with ODE and review of documents ODE provided to us, AOS determined that ODE was unable to support much of the data included in its original application, including some of the amendments thereto. Refer to **Section 7** of this report for Findings.

VISIONS FOR GROWTH AND ACCOUNTABILITY

- USDE determines the quality of the statewide vision, including the role of the State for charter school growth and accountability. In determining the quality of the statewide vision, the Secretary considers the following factors:
 - The quality of the State’s systems for collecting, analyzing, and publicly reporting data on charter school performance, including data on student academic achievement, attainment (including high school graduation rates and college and other postsecondary education enrollment rates), retention, and discipline for all students and disaggregated by student subgroup;
 - The ambitiousness, quality of vision, and feasibility of the State’s plan (including key actions) to support the creation of high-quality charter schools during the project period, including a reasonable estimate of the number of high-quality charter schools in the State at both the beginning and the end of the project period; and
 - The ambitiousness, quality of vision, and feasibility of the State’s plan (including key actions) to support the closure of academically poor-performing charter schools in the State (i.e., through revocation, non-renewal, or voluntary termination of a charter) during the project period.
 - Note: In the context of closing academically poor-performing charter schools, USDE emphasized the importance of the States ensuring adherence to applicable laws, policies, and procedures that govern the closure of a charter school, the disposition of its assets, and the transfer of its students and student records.

Visions for Growth and Accountability – AOS Analysis:

ODE Information or Data Relevant to USDE’s Determination

USDE awarded Ohio points on its Visions for Growth and Accountability due, in part, to Ohio placing a focus on the agency of authority: the authorizers, including a renewed effort to improve authorizer performance. However, USDE noted that ODE’s “application materials place an unbalanced focus on ‘compliance’ to the neglect of ‘innovation’ and demonstrable evidence of ‘successful’ schools that will be replicated. The numbers are very aggressive and not adequately informed by data, especially Past Performance.”

Additionally, according to one USDE peer reviewer’s Technical Review Form included in **Appendix 13** of this report, ODE’s application included an innovative plan to collaborate with established urban community consortium, known as Community Education Development Organizations (CEDOs) to support student academic achievement. According to the peer reviewer, ODE’s application “...describes the Cleveland Transformation Alliance as the catalyst to support efforts to develop charter school options for students currently attending the state’s lowest performing schools. (Page 16) It is the role of this organization to: assess school quality, build awareness of quality school options, engage families in the school choice decision making process, monitor the quality of schools, and monitor school growth.”

Another USDE peer reviewer commented on ODE’s ambition, “On pages 28-29 the proposal describes four key actions to drive the SEA goal of creating high quality schools. The key actions indicate an appropriately ambitious effort and feasible expectations. Key actions include: Implementing APQR authorizer rating process, focus on monitoring and rating charter authorizers, annual grant opportunities targeting successful charter school networks, and limited authorization to include only applicants most likely to create a high-performing school.”

On page 16 of its July 16, 2015 CSP application included in **Appendix 11** of this report, ODE indicated that:

“The Cleveland Transformation Alliance (CTA) is a CEDO that ODE has been working with for the past two years. Ohio’s plans for creating charter schools serving as viable options for students in the State’s lowest performing schools is reflected in that partnership. CTA promotes the development of high-quality district and public charter schools in the Cleveland area by: assessing the quality of all public schools in the area; creating awareness among Cleveland families about quality school options; empowering families to make informed choices; and by monitoring the growth and quality of charter schools. ODE is committed to expanding CTA strategies into all of Ohio’s urban districts and, in so doing, significantly increasing the number of high-quality schools in those areas.”

On page 27 of its July 16, 2015 CSP application, ODE further indicated:

“Ohio’s goal for charter school growth and accountability is to grow to 400 schools and for 70% of charter seats to be in effective schools by 2021. In alignment with the state’s vision, the Office of Quality School Choice strives to provide all Ohio students with high-quality, accessible educational options and the knowledge to make the best choices. The key to achieving this goal is ODE’s continued focus on holding authorizers accountable for opening more high-quality schools, closing or non-renewing poor-performing schools, and helping more current schools reach high-quality status and expand. The CSP grant will enable Ohio to realize that vision by supporting the opening of schools with effective seats in the most underserved areas. Ohio’s academic

accountability system ensures that data, easy to understand and use, are readily available for families seeking a choice option.”

Lastly, on pages 28-29, ODE describes the four key components to Ohio’s charter school strategy:

“1. Increase levels of high-quality authorizing. Authorizers are the state’s connection to creating, sustaining and expanding or replicating high-quality charter schools. High-quality authorizers are more likely to sponsor high-quality schools. Key actions: Ohio will continue to implement its APQR and rating process for authorizers, and limit the opening of new schools under the CSP program to authorizers rated as exemplary and effective. Ohio will provide technical assistance in promoting quality authorizing practices to develop exemplary authorizers.

2. Hold authorizers accountable for supporting schools in becoming or maintaining high quality status. Authorizers must take the primary responsibility for helping increase the number of high-quality schools. Key actions: Ohio will continue to use the AQPR to hold authorizers accountable for improving the quality of their portfolio of schools. Ohio will also provide resources, information and technical assistance to authorizers and operators where appropriate.

3. Target Federal Charter School Program funds to support the creation of new high quality schools, through replication of already proven models. Ohio is committed to maintaining the creation of high-quality schools as a top priority in the CSP program. An important aspect of this will include working with authorizers and developers to replicate already proven models. Key actions: Annually conduct a notice of grant opportunity (NGO) and application review process that targets reputable and proven high-quality charter networks.

4. Impose strict criteria and exercise quality control over authorizers’ actions to open new schools. ODE has developed criteria that are used to gauge the quality of an authorizer’s decision to support the opening of a school. Key action: ODE will strictly adhere to this criterion and reject proposals that do not have sufficient evidence to support the creation of high-quality schools.

It is expected that through the strategies described above, the state will achieve 70,000 effective seats out of 100,000 students in approximately 400 charter schools by 2021. Additionally, 50% of site-based charter schools will be rated “high-performing” (according to USDE definition) by the end of the project period.”

Conclusion

We believe ODE’s sponsor performance evaluation system and its description of the Cleveland Transformation Alliance were influential in USDE’s decision to award Ohio the CSP. Based on USDE reviewers’ comments in their Technical Review Forms included in **Appendix 13** of this report, ODE’s application indicated “...a clear plan to support the closure of academically poor performing charter schools in the state during the [grant] project period. The primary action is to use the AQPR for decision making regarding the closure of poor performing schools.” However, the USDE peer reviewers felt ODE’s plan to grow to 400 charter schools (p. 27) appeared to be “overly-ambitious” given the state’s historical growth rate of charter schools combined with their rate of school closures. Additionally, a peer reviewer commented that ODE did not provide a “...clear plan for ensuring that the state’s 65 authorizers had the capacity to support this ambitious increase in the total number of schools within the proposed project period. “ Refer to **Section 7** of this report for Findings related to ODE’s lack of evidentiary support for statements made in its 2015 CSP application.

OVERSIGHT OF PUBLIC CHARTERING AGENCIES

- USDE considers the quality of the State’s plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the State’s plan to provide oversight to authorized public chartering agencies, USDE considers how well the State’s plan will ensure that authorized public chartering agencies are –
 - Seeking and approving charter school petitions from developers that have the capacity to create charter schools that can become high-quality charter schools;
 - Approving charter school petitions with design elements that incorporate evidence-based school models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies with respect to educationally disadvantaged students, consistent with applicable law;
 - Establishing measureable academic and operational performance expectations for all charter schools (including alternative charter schools, virtual charter schools, and charter schools that include pre-kindergarten, if such schools exist in the State) that are consistent with the definition of high-quality charter school as defined by USDE;
 - Monitoring their charter schools on at least an annual basis, including conducting an in-depth review of each charter school at least once every five years, to ensure that charter schools are meeting the terms of their charter or performance contracts and complying with applicable State and Federal laws;
 - Using increases in student academic achievement as one of the most important factors in renewal decisions; basing renewal decisions on a comprehensive set of criteria, which are set forth in the charter or performance contract; and revoking, not renewing, or encouraging the voluntary termination of charters held by academically poor-performing charter schools;
 - Providing, on an annual basis, public reports on the performance of their portfolios of charter schools, including the performance of each individual charter school with respect to meeting the terms of, and expectations set forth in, the school’s charter or performance contract;
 - Supporting charter school autonomy while holding charter schools accountable for results and meeting the terms of their charters or performance contracts; and
 - Ensuring the continued accountability of charter schools during any transition to new State assessments or accountability systems, including those based on college- and career-ready standards.

Oversight of Public Chartering Agencies – AOS Analysis:

ODE Information or Data Relevant to USDE’s Determination

USDE awarded Ohio points on its Oversight of Public Chartering Agencies due, in part, to ODE’s “focus on the penultimate agency of authority and authorizers are evaluated. Authorizers are required to update contract and make evidence-based decisions (for approving, monitoring and renewing/non-renewing schools, pp. 36f.). There are significant efforts to improve the authorizer performance (NACSA’s Authorizer Quality Performance Review –AQPR, pp. 36-39). The section includes excellent delineation of the roles and responsibilities of authorizers.”

On pages 36-39 of its July 16, 2015 CSP application included in **Appendix 11** of this report, ODE indicates:

“1. Authorizers approving petitions with the capacity to become high-quality charter schools - Authorizers are evaluated on three components: the overall academic performance of their

community schools; the completeness of their monitoring of schools' compliance with laws and rules; and their adherence to quality practices (ORC 3314.016). Under current law, each component has equal weight in making up the overall evaluation rating. An authorizer's ability to authorize new schools or take on sponsorship of a currently operating school is affected by the overall rating. Criteria regarding the approval of petitions (or applications) are covered in one of the six critical areas of the APQR. As described earlier, authorizers are expected to provide evidence of a comprehensive application, review and approval processes that require extensive data allowing for rigorous evaluation of the applicant's plans, and a capacity to successfully execute its plans. The process should include a: detailed review of the written application, an in-depth interview with finalists, and a thorough background review of the applicant's experience and capacity. In considering petitions, authorizers determine the extent to which there is: a clear and compelling mission and vision; a quality educational program; a sustainable business; an effective governance and management structure; quality staffing, etc. Applicants must explain any never-opened, terminated, or non-renewed school, while also documenting educational, organizational, and financial performance records based on all existing schools.

2. Authorizers approving petitions with evidenced-based models and practices - Criteria for application (petition) process and decision-making, though not using the term evidence-based models, assumes that the petition provides the kinds of information and data to support the education program proposed. For example, the criteria in the AQPR for application process and decision-making confirm that the authorizer's application calls for an explanation of the academic impact of the proposed school model on the students and charter along with an explanation of the school's curriculum, its alignment to the Ohio Standards and benchmarks, specific instructional materials to be used to implement the curriculum, and the process the school will follow to evaluate, review, and revise its curriculum on an annual basis. Data must include a needs-assessments of the school's target neighborhoods and student populations, including current student demographics and academic performance of other schools in the area in which the charter school will be located.

3. Authorizers establishing measurable academic and operational gains for schools - State law requires that each charter describe the methods by which the school will be evaluated. In addition to evaluating authorizers, ODE reviews the legal sufficiency of every charter executed by an authorizer. Besides confirming that all legal requirements are in the charter, over the past two years, ODE developed and disseminated examples of performance frameworks for use in the charter consistent with the characteristics of exemplary authorizer practices in setting performance requirements. ODE has insisted that authorizers update their charter contracts, if needed, with performance frameworks that are appropriate, comprehensive, measurable and specific in their metrics, as well as in the consequences and benefits of achievement of those goals and outcomes. The AQPR reviews the extent to which rigorous and measurable gains criteria are in use.

4. Authorizers' annual monitoring of charter schools - As noted; in Absolute Priority 1, authorizers are required to provide ongoing monitoring of their schools' academic and operational performance. As a requirement of charter law (ORC 3314.03 (D)), an authorizer must: (1) Monitor the community school's compliance with all laws applicable to the school and with the terms of the contract; (2) Monitor and evaluate the academic and fiscal performance and the organization and operation of the community school on at least an annual basis. As amplified in OAC 3301-05 (reporting requirements of all sponsors), authorizers are required to "conduct comprehensive site visits to the community school as necessary, but at least twice annually while classes are in session." In addition, the authorizer must conduct an onsite review of every charter school every

year, prior to the school's opening, and submit assurances of numerous points of student safety, per ORC 3314.019.⁴

5. *Authorizers' use of achievement data in renewal decisions - ODE's APQR details the criteria used by Ohio's exemplary and effective authorizers as the basis for making renewal decisions of charter contracts. Authorizers base renewal decisions on objective evidence as defined by the performance framework in the charter contract. Evidence includes all of the following: multiple years and measures of student achievement; financial audits; site visits and compliance reports; and status reports on corrective action plans, if necessary. The authorizer only grants renewals to schools that are fiscally and organizationally viable based on criteria in the school's performance contract, which includes rigorous and specific achievement goals.*

6. *Authorizers providing annual public reports on charter school performance ORC 3314.03(D)(3) requires the authorizer to report, on an annual basis, the results of the evaluation described in number 4 above to ODE and to the parents of students enrolled in the community school. ODE publishes these reports annually on its website. In addition, the AQRP looks for each authorizer's annual report to the public. It is expected that the annual report include clear, accurate performance data for the charter schools it oversees, reporting on individual schools and its overall portfolio performance, and progress toward achieving its authorizing mission.*

7. *Authorizers supporting autonomy while holding charter schools accountable - Ohio's public charter schools are defined in law as follows: a community school created under this chapter is a public school, independent of any school district, and is part of the state's program of education. A community school may sue and be sued, acquire facilities as needed, contract for any services necessary for the operation of the school, and enter into contracts with a sponsor pursuant to this chapter. The governing authority of a community school may carry out any act and ensure the performance of any function that is in compliance with the Ohio Constitution, this chapter, other statutes applicable to community schools, and the contract entered into under this chapter establishing the school. Each school is established as a public benefit corporation (ORC 1720).⁵ The AQRP reviews evidence that the authorizer "respects governing authority autonomy in operations" (Oversight and Evaluation area, indicator A of AQRP).*

8. *Authorizers' Accountability of charter schools through transitions to new assessments or accountability systems - Ohio, like many other states, is currently going through a transition of assessment systems. It has made provisions to ensure that district and school report cards continue to be generated. This will allow all schools, including charters, to continue to be held accountable for their performance. As such, authorizer-school contracts ensure the continued accountability of charter schools during transitions to new assessments or accountability systems. Contracts must include provisions that charter schools will comply with academic performance requirements, including compliance with state assessments.'*

Conclusion

We believe ODE's Oversight of Public Chartering Agencies, and in particular Ohio's sponsor performance evaluation system, was influential in USDE's decision to award Ohio the CSP.

⁴ ODE improperly referenced Ohio Rev. Code §3314.019; however, Ohio Rev. Code §3314.19 pertains to a sponsor's annual assurances.

⁵ ODE improperly referenced Ohio Rev. Code Chapter 1720; however, Ohio Rev. Code Chapter 1702 pertains to public benefit corporations.

However, ODE’s application included in **Appendix 11** of this report erroneously indicated seven sponsors were evaluated at the time of application. In fact, ODE had only evaluated four sponsors at that point. Moreover, ODE’s evaluations of the academic components for the four sponsors were not in compliance with Ohio Rev. Code §3314.016, including but not limited to, the omission of academic data for e-schools in the sponsors’ portfolios. ODE’s failure to calculate the sponsors’ academic components in compliance with the law inappropriately inflated the ratings of certain sponsors. Lastly, AOS determined through an exhaustive review of records and interviews that ODE did not have a plan in place for evaluating all 64⁶ sponsors by the statutory deadline in October 2015. Refer to **Section 7** of this report for Findings.

PROJECT DESIGN

- USDE considers the quality of the design of the State’s charter school subgrant program, including the extent to which the project design furthers the State’s overall strategy for increasing the number of high-quality charter schools in the State and improving student academic achievement. In determining the quality of the project design, USDE considers the following factors:
 - The quality of the State’s process for awarding subgrants for planning, program design, and initial implementation and, if applicable, for dissemination, including:
 - The subgrant application and peer review process, timelines for these processes, and how the State intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-quality charter schools; and
 - A reasonable year-by-year estimate, with supporting evidence, of the number of subgrants the State expects to award during the project period and the average size of those subgrants, including an explanation of any assumptions upon which the estimates are based; and
 - If the State has previously received a CSP grant, the percentage of eligible applicants that were awarded subgrants and how this percentage related to the overall quality of the applicant pool;
 - The process for monitoring CSP subgrantees;
 - How the State will create a portfolio of subgrantees that focuses on areas of need within the State, such as increasing student body diversity or maintaining a high level of student body diversity, and how this focus aligns with the State-Level Strategy;
 - The steps the State will take to inform teachers, parents, and communities of the State’s charter school subgrant program; and
 - A description of any requested waivers of statutory or regulatory provisions over which USDE exercises administrative authority and the extent to which those waivers will, if granted, further the objectives of the project.

Project Design – AOS Analysis:

ODE Information or Data Relevant to USDE’s Determination

In its CSP application included in **Appendix 11** of this report, ODE “identified five competitive priorities including strategic replacement, high need location, educationally disadvantaged students, proven educational models, and dropout prevention and recovery.” USDE awarded Ohio points on its Project Design due, in part, to ODE’s “preference (weighted) priorities with the

⁶ ODE’s 2015 CSP application indicated that ODE had to evaluate a total of 65 sponsors. However, during this audit, ODE records could only support 64 sponsors to be evaluated by ODE during 2015.

State and the Federal CSP priorities including strategic placement, high-need location, educationally disadvantaged students prioritization, proven educational model, and dropout prevention and recovery focus. Alone, each of these indicators have added value and because most are not mutually exclusive, the weights augment and effectively reach at-risk students,” an ODE-identified priority population. Additionally, USDE commented on the application delineating a clear understanding of the importance of “exemplary” authorizers, including collaboration among and engagement of stakeholders (e.g., Community Education Development Organizations (CEDOs).

Conclusion

We believe ODE’s Project Design, and in particular Ohio’s sponsor performance evaluation system, was influential in USDE’s decision to award Ohio the CSP. However, ODE’s application erroneously indicated seven sponsors were evaluated at the time of application. In fact, ODE had only evaluated four sponsors at that point. ODE did not issue a rating letter to Portage County Educational Service Center since it had ceased operations due to financial difficulties in early 2015. ODE could not provide an explanation for the remaining difference between the original CSP application and the actual number of sponsors rated.

Furthermore, ODE’s evaluations of the academic components for three out of four sponsors were not in compliance with Ohio Rev. Code §3314.016, including but not limited to, the omission of academic data for e-schools in the sponsors’ portfolios. ODE’s failure to calculate the sponsor academic component in compliance with the law inappropriately inflated the ratings of certain sponsors. Lastly, AOS determined through an exhaustive review of records and interviews that ODE did not have a plan in place for evaluating all 64 sponsors by the statutory deadline of October 2015. Refer to **Section 7** of this report for Findings.

3.3. AMENDMENTS TO 2015 FEDERAL CSP APPLICATION

ODE submitted its original 2015 CSP application to USDE on July 16, 2015, two days after David Hansen (Hansen), ODE Executive Director of Quality School Choice, acknowledged to the ODE State Board of Education that he omitted e-schools from the sponsor performance evaluations published between March and June 2015. A complete copy of this application is included in **Appendix 11** of this report.

On July 31, 2015, Joni Hoffman (Hoffman), ODE Director of Community Schools, sent the following email to the USDE Office of Innovation and Improvement:

“Ohio submitted an application for the Public Charter School Program grant. Central to our proposal is the identification of exemplary authorizers, using Ohio’s mandated evaluation system for all authorizers. We used the federal definition of high-quality public charter schools, but also included the definition of high-quality schools as used in the authorizer evaluation, which is based upon effective seats.

Shortly following submission for our application, a hold was placed on the authorizer evaluation to allow for a review of the methodology. The department is seeking input from independent experts. The overall three component structure of the evaluation will not change, as it is mandated in law (e.g., how well authorizers monitor schools’ compliance; an authorizer’s adherence to quality practices; and the academic performance of the authorizers’ schools). However, all three components will be reviewed.

The purpose of the email is to see whether your office would permit our agency to amend the grant application to clarify Ohio's own definition of high-quality schools as well as to clarify the standing of the authorizer evaluation process. We expect the current hold on the evaluation to be lifted October 1st and our concern is that the hold on the authorizer evaluation may place Ohio's application in jeopardy..."

On August 6, 2015, USDE responded to ODE's email indicating,

"If Ohio receives an award, during the post-award call a grantee would raise any type of amendments that might be needed because of state legislative changes, etc. This is also when the CSP program office would identify budget issues, unallowable activities, etc. We recommend that you make note of this desired amendment and if you receive an award, you can notify the Department at that time."

On September 28, 2015, USDE awarded Ohio the CSP grant. On October 15, 2015, ODE had its post-award conference call with USDE to discuss budget issues, USDE concerns identified during the technical peer review of ODE's application, and any clarifications to specific statutory requirements affecting the grantee's performance. Based on interviews of former ODE employees that participated in the call with USDE, ODE also informed USDE about the errors in the sponsor performance evaluations, which impacted data contained in the CSP application.

On November 4, 2015, USDE requested additional information from ODE to verify the accuracy and completeness of ODE's grant application and assess whether ODE would be able to carry out its proposed project.

On November 18, 2015, ODE submitted a letter to USDE explaining "significant legislative, operational and policy changes" that took place since the grant was submitted in July. ODE's letter also explained:

"Key to both the new legislation and the grant are constructive evaluations of sponsors. In light of issues raised this summer concerning Ohio's new charter school authorizer evaluation system, the department rescinded five of its first evaluations, as they were improper, and changed leadership within the charter school office. An independent three-member panel is reviewing the evaluation process and is making recommendations to revise the system. We expect this work to be done in the near future."

The department has updated the grant application to:

- *Better define which kind of charter schools are the focus of the grant;*
- *Revise definitions to align with recent legislation and agency guidelines;*
- *Clarify and strengthen the goals of the grant;*
- *Account for internal department changes that provide for enhanced review of all data and upcoming recommendations from the independent advisory panel."*

On December 4, 2015, ODE provided additional material to USDE regarding financial oversight of charter schools and a summary of audit findings and actions taken by state officials.

On January 29, 2016, ODE provided additional information to USDE regarding Ohio's sponsor performance evaluation status. Specifically, ODE wrote:

"An independent advisory panel was appointed to review the state's sponsor evaluation system and make recommendations. The panel's recommendations were accepted by the State Superintendent in December and are being implemented. The transparent accountability and sponsor evaluation systems will guide the implementation of Ohio's Charter School Program grant."

Ohio's original grant application identified 93 charter schools as high quality/high performing using the federal definition. Subsequent legislation and agency-approved guidelines created a new state definition for high quality/high performing charter schools. This newly implemented state definition utilizes more rigorous criteria than the federal definition. This change prompted a review and revision to Ohio's definition of poor performing charter schools. While the state definition has not changed, the numbers have been updated due to a correction in the underlying business rules, which now align with the definition. Ohio now identifies 59 charter schools as high quality/high performing compared to 93 originally identified under the federal definition. Under the federal definition, six schools were identified as poor performing in the original grant application, but after applying the new definition, Ohio has identified 57 charter schools as poor performing based on performance data from the 2013-2014 school year.

In part, the increased rigor of Ohio's definition of high quality/high performing charter schools comes from the use of multiple measures of academic performance. The combination of Performance Index and Value-Added measures provide a more robust indicator of overall quality. The Four-Year Graduation Rate and K-3 Literacy are measures applied to schools in the absence of a Performance Index or Value-Added grade..."

On February 24, 2016, ODE provided USDE the requested definitions and lists of academically high-quality and poor-performing community schools.

On September 14, 2016, USDE notified ODE that it had completed its review of the supplemental information provided by ODE and related to the 2015 CSP application. In its letter, USDE made the following determinations:

"In our review of ODE's application and the additional information submitted by ODE, the Department did not identify any significant inaccuracies in ODE's approved grant application. However, as a matter of due diligence and based on the significant concerns described in the November 4th letter and additional concerns identified during our supplemental review, we determined that there was a need for a higher level of public transparency, public accountability, and public engagement regarding ODE's oversight of Ohio's charter school sector. In light of these considerations, the Department is designating ODE's CSP SEA [State Educational Agency] grant as "high-risk" in accordance with 2 CFR §§200.207 and 3474.10. As part of this "high-risk" designation, we are imposing certain High-Risk Special Conditions on ODE's CSP SEA grant that will help ODE and the Department more clearly determine ODE's ongoing compliance with applicable requirements and the terms of the approved grant application and help ensure that any challenges related to the administration of the grant are identified early and in a transparent manner so that they can be addressed expeditiously.

In making this determination and designation, the Department has taken into consideration a number of factors, including, but not limited to: the circumstances under which a key ODE staff member departed; concerns expressed by various state and congressional leaders from Ohio; information contained in various investigatory and audit reports involving findings related to Ohio's charter schools and ODE's performance and capacity in implementing Federal and state program oversight functions; and implementation issues related to ODE's Authorizer Quality Performance Review system that could have a direct impact on ODE's administration of the grant. The Department's determination also reflects our assessment that ODE must put into place additional mechanisms to help earn the public's confidence in its ability to act as a proper steward of its Federal grant funds on behalf of Ohio's families and students. These additional High-Risk Special Conditions (as well as the Special Conditions attached to the Grant Award Notification (GAN)) will remain in place for the duration of the grant or until ODE is able to successfully demonstrate the establishment of internal controls, and a level of enhanced

accountability and transparency that ensure that ODE can adhere to the requirements of the CSP SEA grant to the Department's satisfaction. While we expect that ODE will comply with the High-Risk Special Conditions and the Special Conditions in the GAN by implementing an effective and compliant program, please note that failure to meet these or other grant requirements and conditions may constitute a material failure to comply with the requirements of the grant, subject to further enforcement actions.

Of special note, ODE will continue on "route payment" so that all payment requests are routed to the Department for approval prior to any funds being released. Additionally, in order to address concerns related to ODE's implementation of its authorizer evaluation system and broader accountability mechanisms, particularly with respect to dropout recovery charter schools, we have included High-Risk Special Conditions that will require Department approval of ODE's plans for awarding subgrants, with additional prerequisites for awarding subgrants to dropout recovery charter schools. Additionally, to facilitate public transparency with respect to the administration of ODE's CSP SEA grant, we have included a High-Risk Special Condition that requires ODE to submit semiannual reports to the Department that detail activities and expenditures related to its CSP SEA Grant. Finally, in order to address concerns regarding ODE's internal controls, to strengthen transparency, and to provide visibility and reporting to the public with respect to ODE's CSP SEA grant, we have included High-Risk Special Conditions that require ODE to hire an independent monitor and to form a Grant Implementation Advisory Committee (Advisory Committee). The independent monitor-with approval by the Department-will perform periodic "agreed-upon procedures" that address the major areas of program implementation risk, including procedures for monitoring and reporting of expenditures of the SEA and sub grantees. The Advisory Committee will consist of representatives from key stakeholder groups and will provide assistance and oversight to ODE throughout the implementation process. When forming the Advisory Committee, in addition to representatives from the Ohio charter school sector, we strongly encourage ODE to actively consult with educators, school leaders, and families with children currently or formerly enrolled in charter schools. The Department will work with ODE in operationalizing all Special Conditions and we will monitor and approve the selection process for the independent monitor and Advisory Committee.

The Special Conditions are in addition to statutory provisions that exclude for-profit charter schools from receiving CSP grants and subgrants. We also note that in accordance with ODE's FY 2015 grant application, virtual charter schools are ineligible to receive CSP funds. Finally, we strongly encourage ODE to review and adhere to the standards in non-regulatory guidance that we have published regarding contracting relationships between charter school subgrantees and for-profit management companies (i.e., "education management organizations", or EMOs). The guidance clarifies the systems that must be in place-and that will be monitored closely by the Department, including but not limited to systems that provide for increased public transparency-in the event that non-profit CSP subgrantees choose to contract with for-profit entities."

Refer to **Appendices 11** and **12** of this report for a copy of the 2015 USDE CSP award notification together with ODE's 2015 CSP application and amendments, respectively.

3.4. 2015 SPONSOR PERFORMANCE EVALUATIONS

BACKGROUND

Am. Sub. H.B. 555, 129th General Assembly, which passed in December 2012, amended Ohio Rev. Code §3314.016 and substantially revised Ohio's sponsor performance evaluation process. Beginning with the 2015-2016 school year, ODE was required to base sponsor evaluations on several factors, including

student performance. Under the new system, ODE had to calculate an annual “rating” for each sponsor based on a combination of three components as required by Ohio Rev. Code §3314.016(B)(6):

- (1) the academic performance of students enrolled in community schools that are sponsored by the entity,
- (2) the sponsor's adherence to quality practices, which must be specified by the Department, and
- (3) the sponsor's compliance with applicable laws and administrative rules as measured by standards adopted by rule of the State Board.

Based on all three of those components, ODE would rate a sponsor as exemplary, effective, or ineffective. The statute required ODE to weight each component equally; however, entities sponsoring community schools for the first time may be assigned the rating of emerging for the first two consecutive years. Additionally, ODE was required to publish the ratings between October 1 and October 15 of each calendar year.

At the time it was passed, Am. Sub. H.B. 555, 129th General Assembly, did not specify how ODE was to measure the academic component of the sponsor evaluations. Instead, the Act left it up to the discretion of ODE to determine which metrics to use in computing a sponsor’s rating based on academic achievement of the students enrolled in the sponsor’s schools. However, the Act specifically excluded from any computation of the academic component any community schools that primarily enrolled students with disabilities or schools in operation for not more than two full years. [Ohio Rev. Code §3314.016(B)(2)(a) and (b)] Additionally, Ohio Rev. Code §3314.016(B)(7)(a) also permitted ODE, prior to the academic data for the 2014–2015 school year becoming available, to exclude the community schools that primarily serve students enrolled in a DOPR program as described in division (A)(4)(a) of Ohio Rev. Code §3314.35 from the academic component calculation.

To develop the quality practices component, Am. Sub. H.B. 555, 129th General Assembly, required ODE to consult with community school sponsors to prescribe the quality practices to which sponsors must adhere and develop an instrument to measure the adherence to those practices by March 31, 2013. The Act further specified that the quality practices had to be based upon standards developed by the National Association of Charter School Authorizers (NACSA) or any other nationally organized community school organization. [Ohio Rev. Code §3314.016(B)(3)]

ODE DEVELOPMENT AND IMPLEMENTATION OF SPONSOR PERFORMANCE EVALUATION SYSTEM

During 2013 and 2014, an ODE workgroup led by David Hansen (Hansen), Executive Director of Quality School Choice, began developing the sponsor quality practices rubric for the sponsor performance evaluation component. As part of this process, ODE also conducted a pilot sponsor evaluation of approximately 30 sponsors during 2014.

For the compliance component of the sponsor evaluation, Joni Hoffman (Hoffman), Director of Community Schools, told AOS that ODE sent a letter requesting sponsors to complete a self-evaluation of compliance using a template [spreadsheet] prepared by ODE. Sponsors were instructed to provide support for specific compliance requirements. Based on the answers and support each sponsor provided, ODE randomly selected ten percent of the schools from each sponsor and visited the school to corroborate the information provided. This task was assigned to Steven Tate (Tate), Community Schools Social Science Researcher. According to Hoffman, where the same management company was under contract to operate more than one community school under the same sponsor, ODE performed a site review of only one of the management company’s schools under the same sponsor and selected other schools to achieve the ten percent sample.

For the quality component of the sponsor evaluation, ODE performed desk reviews. ODE sent community schools an online survey to complete. Hoffman indicated ODE developed the survey based on six

categories contained in the NACSA Principles and Standards for Authorizing. Upon receiving the completed surveys, ODE selected four community schools from each sponsor for a telephone interview. Once ODE finished gathering all of the information for each sponsor's quality component, ODE rated the sponsor's quality practices based on their total points and the weight of each of the six NACSA categories. ODE weighted three of the NACSA categories twice as much as the other three.

For the academic component of the sponsor evaluation, Hansen developed an *effective seats vs. ineffective seats* model using the community school's Value-Added scores as the academic measurement criterion. Value-added measures how much a student learns over time. This measure differs from the Performance Index, which measures a student achievement on a given date.

According to Hoffman, Hansen believed that an effective seat, where the unit of evaluation was the student, was a much better accountability measure for comparing the academic performance of larger community schools to smaller community schools. In other words, it would be unfair to compare community schools with a total student population of 50 and a Value-Added measure of a "D" to another community schools with a total student population of 12,000 and a Value-Added measure of an "A". Hoffman stated that Hansen believed comparing students in effective seats from school to school would equalize the academic data and provide a better measure of student learning across different schools under the same sponsor.

Additionally according to Hoffman, ODE identified a number of issues during its 2014 sponsor evaluation pilot that resulted in ODE modifying portions of its sponsor evaluation measures, rubric, and ranking cut scores in 2015. First, ODE was concerned with the available resources it had to conduct the required reviews timely. Hoffman estimated that it took ODE approximately one month to complete one sponsor review based upon ODE's 2014 pilot experience. Since a portion of the academic component was based on the local report card data for each community school, ODE was also concerned about a potential bottleneck in ODE completing the 64 sponsor reviews by the October deadline of each year since the local report cards are not required to be released until the following September after a school year has ended. This could be particularly challenging if ODE experienced a delay in releasing local report cards for any given year. Accumulating the academic results for DOPR community schools was also a concern since DOPR's have a different report card than other community schools.

CONCERNS RAISED ABOUT THE IMPACT OF ODE CHANGES TO THE VALUE-ADDED MEASURE ON THE RESULTS OF THE SPONSOR PERFORMANCE EVALUATIONS

On March 7, 2014, representatives of Connections Education, K-12 Inc., the Electronic Classroom of Tomorrow (ECOT), and Altair Learning Management sent a joint letter to ODE regarding their Value-Added score analysis for the 2011-12, 2012-13 school years. In part, the letter indicated:

"...changes made to the Value-Added calculation in the Spring of 2012 and since then are raising questions that we cannot answer and are undermining our accountability – literally our ability to account. These are statistical questions about the robustness and fairness of the business rules developed and how they may be affecting the statewide e-schools as compared to other public schools. No other subset of public schools in the state draws from a statewide population of students and for this reason puts the statewide e-schools in a unique group for statistical analysis. All other public schools are limited by their geographic reach which limits both the number and relative demographics of the potential students essentially a much more steady state situation.

...

The results for the 2011-2012 school year were a dramatic negative change for all the statewide e-schools. (See the chart below)

	Value-Added Composite Results Over Time					Change in ODE VA Business Rules	
	<u>2006-2007</u>	<u>2007-2008</u>	<u>2008-2009</u>	<u>2009-2010</u>	<u>2010-2011</u>	<u>2011-2012</u>	<u>2012-2013</u>
<u>e-school</u>							
BOSS	Met	Met	Met	Above	Met	Below	F
CONNECTIONS	Above	Met	Above	Above	Met	Below	F
ECOT	Above	Met	Above	Met	Above	Below	F
OHDELA	Above	Above	Above	Met	Met	Below	F
OHVA	Met	Below	Above	Below	Met	Below	F
TRECA	Above	Met	Above	Below	Met	Below	F
VCS	Met	Below	Above	Met	Met	Below	D

The Chief Research Officer testified in November 2012 in the House Education Committee on HB 555 that ODE was not clear on the exact cause of the above result. Certainly, there is room for improvement for all the statewide e-schools in ensuring that first year students are on-boarded properly.

However, we think this warrants additional review since all of the schools were performing fairly well on progress and then dramatically changed to below expectations for growth for two consecutive years. And if ODE itself was not “able to account” for the change, then the schools themselves cannot be expected to be “accountable” for that change.”

The letter requested Hansen to, among other things, “...share any business rule or policy changes that ODE made in Value-Added calculations from 2006-2013 and the reasons for the changes or processes applied to substantiate the change. Please identify if these were made for any subset of public schools and if statewide e-schools were included in this change.” A complete copy of this letter is included in **Appendix 14** of this report.

According to AOS interviews of Hansen and Matt Cohen (Cohen), the Chief Research Officer, Cohen did change the Value-Added algorithms during the timeframe specified in the joint March 7, 2014 letter. Hansen and Cohen explained that the change had the unexpected impact of causing most statewide e-schools to fail the state’s Value-Added measure on their local report cards. In response to the letter, Hansen and Cohen studied the changes and developed a theory as to why the improvements made to the algorithms caused most e-schools’ Value-Added measures to fail. ODE then agreed to host a webinar on March 31, 2015 for e-schools and their sponsors to understand the Value-Added algorithm changes and why they especially impacted the e-schools.

Hansen also told AOS that, during early 2015, Dr. Ross approved the ODE Accountability Office to contract with the Ohio Education Research Center (OERC) through The Ohio State University to conduct an independent study of Ohio’s e-schools. The full report, *Ohio’s E-schools Study: An Assessment of Student Demographics, Performance and Dropout Risk*, is included in **Appendix 15** of this report.

According to the report, OERC is a collaborative of Ohio-based researchers from six universities (Case Western Reserve University, Miami University, Ohio University, The Ohio State University, University of Cincinnati, and Wright State University) and four research institutions (Battelle, Battelle for Kids, Community Research Partners and Strategic Research Group). The founding partners coordinate the work of the OERC through the Governance Committee and three standing committees (Research Agenda, Data, and Outreach). Membership includes key participants from State of Ohio agencies and partner organizations. Administratively, the OERC reports to the State of Ohio through the Policy Council and is headquartered at The Ohio State University. Core funding for the OERC is provided by the Ohio

Department of Education. Additional funding comes from the Ohio Department of Job and Family Services in collaboration with the Ohio Board of Regents. ODE provided the funding for the E-school Study.

According to the report, the Study provided information on “e-school students’ demographic characteristics, impacts resulting from the transition from a brick-and-mortar public school to an e-school, and the effect e-school enrollment had on a students’ dropout risk factor.” OERC summarized the noteworthy findings of the Study as follows in a July 15, 2015 memorandum to Hansen:

- “E-schools have experienced tremendous enrollment growth while overall public school enrollment has fallen. From the 2005-06 school year to the 2013-14 school year, e-school enrollment grew by 113%, while total public school enrollment fell by 7%. Most of the e-school enrollment growth occurred in three statewide e-schools: Electronic Classroom of Tomorrow (ECOT), Ohio Connections Academy and Ohio Virtual Academy.
- In the 2005-06 school year, nearly 65% of e-school students were economically disadvantaged. That number had declined to approximately 50% in the 2013-14 school year, which is approximately the same percent of economically disadvantaged students as in all public schools.
- The majority of e-school students (approximately 80%) had at least one community, vocational or private school option in their county, in addition to the e-school in which they enrolled. Approximately 54% of e-school students had at least one community school option in their county, in addition to the e-school in which they enrolled.
- E-school students in grades 9 through 11 are over four times more likely to drop out of school than a student with similar characteristics who attends a brick-and-mortar public school. Among students who do drop out, those who attended an e-school stay in the Ohio public school system approximately 4 months longer than dropouts who did not attend an e-school.
- E-school students’ performance on standardized tests are dramatically lower, especially for math, compared to those students who attend a brick-and-mortar school. Test scores plummet the year a student transitions to an e-school. E-school students’ scores see incremental increases in the subsequent years. However, it is important to note, that despite subsequent increases their scores remain below the scores they received prior to entering an e-school.”

THE DECISION TO OMIT E-SCHOOLS FROM THE ACADEMIC COMPONENT OF THE SPONSOR PERFORMANCE EVALUATIONS

Hansen told AOS that the following findings in the study were also of importance to him:

- “E-schools are slightly less diverse than all public schools. The e-school student population is 78% white, 13% black, 4% Hispanic and 5% other, while the student population in all public schools is comprised of 73% white, 16% black, 5% Hispanic and 7% other.
- E-school students in grades 9 to 12 are over four times more likely to drop out of school than a student with similar characteristics who attends a brick-and-mortar public school. Among students who do drop out, those who attended an e-school stay in the Ohio public school system approximately 4 months longer than dropouts who did not attend an e-school.”

Hansen indicated that he wanted to better understand the reasons why students were choosing e-schools over brick & mortar (i.e., site-based school) options. Additionally, he was concerned with the lack of understanding among community schools and their sponsors about the impact the Value-Added algorithm changes had on e-school Value-Added scores. Lastly, Hansen told AOS he was concerned certain community school lobbyists would influence the legislature to repeal the sponsor performance evaluation requirements in Ohio Rev. Code §3314.016, out of concern about sponsors failing the academic component. For these reasons and the explanations he provided to AOS below, Hansen told AOS that he wanted to omit the e-schools from the academic component of sponsor performance evaluations performed in 2015 and phase them in over two years, with their full academic weight counting in the 2016-2017 school year.

AOS: The other question I have for you, as far as thinking back to the point in time that the concept of phasing in e-schools comes up, who was the original person that came up with that idea? Was it your idea? Was it somebody else's in your working group?

Hansen: No, it was probably me. It's probably me. We needed to, we were, compared to the prototype; we were taking a bold step. We were no longer weighting an ECOT with 15,000 kids to a small charter with 100 kids. Which in the prototype and before, certainly before the current law, I am certain the prototype didn't specify this but the... I am trying to remember how the prototype specified this; they did not have the concept of all of the sudden you are going to actually, honestly weight the impact of the schools. And again you can take a grade and if you got a D for ECOT with 15,000 kids and you got a B with little charter school on the east side with 100 kids, those shouldn't be even. So we were taking a very bold step against a pretty powerful, politically connected entity and an industry at that time because this would have involved others with political clout and so I said we needed a way to get this to happen, efficiently, effectively, certainly but also without making it happen overnight. Because they would have one more excuse to undermine this is we were all of the sudden turn this over and multiply by 15,000 if you will or 1,500 at least, the impact of a single school. So the prototype was basically ignoring 14,900 kids already so we would phase it in over 3 years. So a couple points, by November and December of 2014 you are, in effect, you are through the year. The authorizer does not run a school. That's what often people forget. We don't want authorizers running schools. They are different than schools districts. School districts do run their schools. They hire and fire their principals; they determine how much money goes to the school and all that. So we knew that the authorizers control the schools only at a certain point in time. And so year 1, if you will, was already done. And then at year 2, when you have ECOT with 15,000 kids and it was going to be weighed at a third, also that's 5,000 kids. And that's as many kids as all the rest of the kids you have in your portfolio. So that was going to have a very quick impact, it just simply wasn't going to happen that day. And finally, a couple more points. Academic achievement and academic performance is written throughout the entire activity of evaluating charters and authorizers, I mean. Authorizers had to have a plan of framework where every year they were expecting their schools to perform at a certain level and then finally at least for academics, not for compliance, not fiscal issues, at least on the basis of academics charters were going to be protected by their contracts for at least, well except for, let me add that also. Charter had contracts. And we knew the timing of the e-school contracts and we knew by year 3, when all this was phased in, that's when their contracts were coming up. And so you weren't going to close a school down based on a contract failure until the contract was done. Oh and by the way, the public good was further protected because charter schools could still be closed by the automatic charter closure law, which we weren't undermining at all with this process. So that was to me a solution to that allowed us to try and take a bold step against pretty powerful political interests. And it was, I believe, it was mischaracterized by those who were ill-informed or those who chose to be ill-informed about it.

AOS: Such as, I guess David, just to be clear. What specifically were you concerned with happening with the political interests? Who were you concerned about and what was your fear? Are you saying that they would have somehow removed the sponsor evaluation process from legislation? They would have gotten that amended?

Hansen: So I didn't catch the last part of the question. Let me give a response and see if it's responsive and you can ask your follow up if I miss what you are asking for. Sure, e-schools had all kind of carve-outs for themselves. They had this whole section of where e-schools were getting approved by the, of the e-schools that were established had it so no more e-schools could get into the market. They could get a lot of things done, they worked very actively. They had this whole thing they were bringing around, this is generally ECOT, I don't know where the others were. I've always said, and I've always been clear, everybody can tell you this. I was on

the board for a blended learning school operated by Connections. Not the Connections e-school, the Connections e-school seemed to be a better player but I didn't know where exactly, where K-12 fell into this and the others that are sort of the alphabet soup of e-schools. But I don't doubt that ECOT would have been right up front trying to undermine this and not only that, they weren't just undermining it for themselves, they were actively trying to undermine the Value-Added concept. Which is, education reformers will tell you, the Value-Added concept is the way to measure, the primary way to measure school performance. Using the performance index is important but it is also is totally predicted by socio-economics characteristics so when you look at a PI score for a school, you're looking at the demographics of the schools as much as anything. And I had a conversation with a staffer there, I forgot his name, he was up on the 7th floor, and I was saying I can't believe this, is ECOT going to try and bring down the Value-Added measure and he said yeah, absolutely. Because ECOT was not meeting the Value-Added measure. They were not going to do what it took to for them to meet value-add.

AOS: Can you explain a little bit more about what ECOT was actively doing to undermine Value-Added? Can you elaborate a little bit on that?

Hansen: Yeah so again, I really didn't follow the lobbying. Nobody really lobbied me to speak of certainly not out of the ECOT corner. They were taking around through the charter school association and also another kind of minor association of school choice this concept of replacing the value-add with a performance index that had kind of like a golf handicap concept I guess is kind of the short hand way of describing it. I knew they were doing that. I didn't know that they were specifically doing other things. You could just read through the law and recognize where they, well actually they were doing something else. I don't know if this was directly are connected but they got passed the support, they got the legislation passed that an e-school could access technical education money for teaching technical education.

AOS: Career technical ed?

Hansen: Career education, yeah, which is actually a good idea. And could e-schools access that? Yeah for sure if they were to be, especially and you could imagine what would be a better place to teach coding than an e-school? So that was all good and would have wished ECOT would have gone down that road. But instead they were going down the road of getting a partnership and they were to teach technical education in terms of theater arts at a community theater here in town. And yeah, you actually could make the case that you can study online which happens at the college level, you can study theater arts, how to do make up and all that kind of stuff. But unfortunately, they were going to have, at practicum of kids coming into a building at a particular community theater. And that opens up a whole list of problems because that building, would the adults in the building have their background checks? Would that building have a fire code review? Well it would in the context of being a place where adults would work in but it wouldn't have all the things that are required of brick and mortar charter locations. Which are pretty significant, which if you know how the opening assurances goes, that's a big deal. And so we really pushed back on that kind of stuff. So I guess that's just the way, we got the call from the legislators who were clearly didn't know the depth of the whole issue, were carrying their water on this and we tried to explain this about how it was a good idea for them to be in career tech for sure but and you know what, even some day down the road to be doing a theater arts program but of all the things they could choose could they choose coding camp first and let's talk over the two years or year about what it would take to go and do a site based career tech practicum related to online instruction in career tech. So there you go. Things would pop up like that pretty frequently where clearly they were working it. And nobody, and no other, none of the other e-schools popped up like that.

AOS: Do you know from ECOT in particular was lobbying for these things?

Hansen: No.

AOS: You're not sure?

Hansen: No.

AOS: And when you were talking about ECOT taking around some Value-Added changes through the charter school association were you referring to the California Model by chance?

Hansen: Yeah, yeah.

AOS: Was the Ohio Coalition for Quality Education working on that as well? Is that who you were talking about?

Hansen: Yep.

AOS: One of the charter school associations?

Hansen: Yep.

AOS: And you believe ECOT was a part of that as well?

Hansen: I believe so, I don't know. I don't know who was paying the Ohio Coalition for Quality Education; I didn't look at the lobbying reports or anything like that.

During his interview, Hansen also indicated that he had presented the idea of phasing the e-schools into the academic component of the sponsor performance evaluations to Dr. Ross and others in attendance in ODE division meetings on at least two occasions. He also informed AOS that Donald (aka: Donny) Leming (Leming), an ODE assistant attorney, had provided a legal opinion that his plan for phasing e-schools into the academic component was permissible under Ohio Rev. Code §3314.016. According to Hansen, Leming's legal opinion concluded that ODE had discretion to develop its own business rules for calculating the academic component of the sponsor evaluations. According to Hansen, the ODE administration and multiple individuals within the Office of Quality School Choice and Data Quality and Governance Departments had full knowledge of his plan to phase in e-schools over two years.

During the months of March through June 2015, ODE released results of four sponsor performance evaluations. Refer to **Appendix 16** of this report for copies of the evaluation letters ODE sent the four sponsors. Upon release, questions were raised by the sponsors, certain community school associations, members of the legislature and news media about the accuracy of the evaluation results and, in particular, the exclusion of e-schools from ODE's calculation of the academic component of the sponsors' evaluations.

On July 14, 2015, the State Board of Education and Senator Lehner questioned Hansen about the calculation of the academic component of the sponsor evaluations and the exclusion of e-schools. Hansen acknowledged e-schools were omitted from the academic component of the sponsor evaluations. As part of its special audit, AOS corroborated that e-schools were improperly excluded from the academic component of two of the four sponsor performance evaluations, contrary to Ohio Rev. Code §3314.016(B)(1)(a). Additionally, AOS verified that ODE improperly included community schools serving primarily students with disabilities in the academic component of two of the four sponsor performance evaluations, contrary to Ohio Rev. Code §3314.016(B)(2). Finally, ODE improperly included DOPR's in the calculation of the academic component for one sponsor, contrary to Ohio Rev. Code §3314.016(B)(7)(b). Refer to **Appendix 20** of this report for a summarized transcription of the questioning that occurred at the July 14, 2015 board meeting.

During an interview with AOS, Dr. Ross corroborated Hansen's statement that he had received legal advice from an ODE attorney indicating it was permissible for him to exclude e-schools from the academic component of the sponsor performance evaluation. Below is an excerpt from this interview, the full transcript of which is included in **Appendix 21** of this report:

AOS: Did you ever ask David Hansen or anyone else if he sought an opinion from the Legal department on the e-schools and the academic calculations?

Dr. Ross: Did I ask Hansen that?

AOS: Hansen or anyone else that has investigated this, Jimmy Sheppard, Melissa Huffman, others? I'm asking whether or not as part of the investigation you inquired whether he consulted with the ODE Legal department.

Dr. Ross: I don't know if I inquired, but I think I overheard afterwards...

AOS: You overheard that he may have gotten legal advice from the department?

AOS: There's an internal investigation going on whether or not Hansen acted alone, why he would leave the e-schools out. A reasonable person would ask him whether he at least talked to the Legal Department to find out whether or not he could. Did the scope of ODE's internal investigation even considered this possibility?

AOS: So who did you overhear and what did you overhear?

Dr. Ross: I overheard a conversation that led me to believe there was legal advice to Hansen.

AOS: Overheard a conversation? Who?

Dr. Ross: Diane Lease [ODE Chief Legal Counsel].

AOS: And who else?

Dr. Ross: Tom Gunlock [President of the State Board of Education] at the September [2015] board meeting when there was a discussion about privilege.

AOS: The department had given Hansen legal advice on the e-schools question? Is that what you overheard?

Dr. Ross: Yes.

AOS: Based on the conversation that you overheard, was it your impression that Hansen might have thought he was in compliance with the requirements?

Dr. Ross: What did I think? I thought Hansen might have worked a young attorney to get an answer that he wanted.

AOS: Who was the young attorney?

Dr. Ross: I forget his name, the guy that was at the [July 14, 2015] meeting...

AOS: Don Leming?

Dr. Ross: Yes.

AOS attempted to interview Leming about his participation in the development of the sponsor performance evaluation rubric and Hansen’s decision to omit e-schools from the academic component, contrary to Ohio Rev. Code §3314.016. However, Leming declined to answer these questions on the basis of attorney-client privilege.

3.5. ODE INTERNAL INVESTIGATION INTO SPONSOR PERFORMANCE EVALUATIONS

After the July 14, 2015 State Board of Education meeting, Dr. Ross called a meeting with Jimmy Sheppard (Sheppard), Chief of Staff; Melissa Huffman (Huffman), Chief Operating Officer; Donald (aka: Donny) Leming (Leming), Assistant Legal Counsel; Jessica Voltolini (Voltolini), Director of Legislative Affairs; and Policy Staff to discuss the statements made to Senator Lehner and the Board regarding the omission of e-schools from the sponsor evaluations. According to AOS interviews of Dr. Ross and Voltolini, Dr. Ross directed Sheppard to lead an internal investigation with the assistance of ODE Legal Department and certain Policy Staff. Specifically, Dr. Ross indicated he provided instructions to figure out what Hansen did, why he did it, and who else at ODE knew about it.

Dr. Ross told AOS that ODE Policy Staff attempted to recalculate the four sponsor performance evaluations and “had trouble deciphering them.” Voltolini corroborated the information provided to AOS by Dr. Ross and indicated she was unsure if anyone at ODE was ever able to re-compute academic component of the four sponsor evaluations.

In separate interviews, Sheppard and Huffman indicated they were unaware of Dr. Ross launching a formal internal investigation into the sponsor evaluations. Instead, they indicated Dr. Ross asked them to find out who else in ODE was aware of Hansen’s decision to omit the e-schools. Matt Williams (Williams), the DAS CISO formerly assigned to ODE, told AOS during an interview that it was his impression that Sheppard, Huffman, and Dr. Ross were concerned with looking for signs that Dr. Ross himself should have known about Hansen’s decision to omit e-schools prior to the July 14, 2015 State Board of Education meeting.

After the July 14, 2015 State Board of Education meeting, Hansen told AOS that he was asked to meet with Dr. Ross on Wednesday, July 15, 2015 to explain why he omitted the e-schools from the sponsor performance evaluations. As part of this meeting, Hansen asserts that he reminded Dr. Ross that he had told him previously, in the presence of Leming, about the decision to omit the e-schools. Hansen and Dr. Ross submitted the CSP application to USDE on Thursday, July 16, 2015. According to Hansen, Dr. Ross requested an early morning meeting with Hansen on Friday, July 17, 2015, wherein Dr. Ross asked Hansen to go home and take one week’s vacation. Though Dr. Ross did not recall having a personal meeting with Hansen, Dr. Ross did acknowledge instructing his administrative staff to ask Hansen to take some time off. Later on that day, according to Hansen and as corroborated by Huffman, Huffman called Hansen at home and informed him that she was sending Williams to his home to retrieve his ODE laptop, iPad, and iPhone. During an interview with AOS, Williams informed AOS that he retrieved the equipment from Hansen’s home at approximately 5 pm on Friday. According to Hansen, he resigned on Saturday, July 18, 2015 at the request of Dr. Ross. During his interview with AOS, Dr. Ross confirmed he asked Hansen to submit his resignation during a Saturday conference call.

During his second interview, Sheppard told AOS that he met with Hansen on July 15, 2015, the day after the State Board of Education meeting. Below is a summarized excerpt of his interview, a full transcript of which is included in **Appendix 21** of this report:

AOS: At any point in time, did you or anyone on the team assisting with the investigation ever ask David Hansen why he omitted the e-schools or phased them in?

Sheppard: So I've a, I haven't spoken with David since July 18, 2015. I will tell you. This must have been Wednesday before I left. I met with David and asked him about it and specifically asked him if the law allowed him to do what it did and that's the only time that I can recall David saying to me, "No".

AOS: So David acknowledged the law didn't permit it?

Sheppard: That was my, that was my recollection of that conversation. I left, I believe, I think David was sent home on Friday maybe and then he resigned on Saturday.

AOS: When David told you no, the law didn't permit it, did you ask him why he did it then?

Sheppard: I can't, I don't remember asking the reason.

AOS: Did David ever mention to you that he had a legal opinion from the department?

Sheppard: I don't recall that.

Counsel for Sheppard: Was there a legal opinion?

AOS: According to Dr. Ross he believes there was. He overheard a conversation to that effect. That's why I am trying to determine as part of an internal investigation if that was something you were ever made aware of?

AOS: So at any point in time were you made aware of David Hansen getting a legal opinion?

Sheppard: I am trying to, I don't want to waive any privilege issues from the Department but no. I was not aware of a legal opinion prior to the July board meeting.

Counsel for AOS: Did you become aware of him relying on a legal opinion after the July board meeting?

Counsel for Sheppard: I think we need to clarify what's a legal opinion here.

Counsel for AOS: Yeah, that's why I framed it the way I did. If it was something on which you believed Hansen was relying on coming to you and saying he omitted the e-schools and knew it was not appropriate.

Sheppard: Say that again Jim, I'm sorry.

Counsel for AOS: What I am trying to understand I heard you say that you didn't have a belief that Hansen was relying on any legal opinion in the positions that he took prior to the July 14th board meeting. But did you become aware after the July 14th board meeting that he was relying on a legal opinion as a basis for the work that he did?

Sheppard: I mean again I don't know how to answer that without thinking about privilege issues.

Counsel for AOS: I'm not asking you to tell me the communications he had with anybody who was a lawyer. The question is whether or not you came to learn that he was relying upon a legal opinion after July 14th that formed the basis of the belief that he could omit e-schools.

Sheppard: Yes.

Counsel for AOS: I am not asking about communication that may be privileged.

Sheppard: Yeah.

AOS: How did you become aware of that?

Sheppard: That I don't, that I don't remember. I don't know if it's something. I don't know if it's something that Melissa caught or I caught or our Legal folks caught. I don't remember exactly.

AOS: During your internal investigation did you speak with anybody in Legal? I don't want to know what they told you but did you speak to anybody from Legal?

Sheppard: I am sure we did, I can't recall the specific conversations.

AOS: Do you know who you would have spoken to at Legal?

Sheppard: Sharon was the Chief Legal, Interim Chief Legal at the time and then Diane came on August of that year? She really took as I know you are all well aware, took a really strong lead with this and I think in helping organize just with her experience it was very, very helpful to the Department. Donny was in the Legal shop at that time too.

AOS: So had you spoken to Donny during your internal investigation?

Sheppard: I'm sure I did, I can't recall a specific conversation we talked with the Data Managers we talked with a lot of folks, the program people, Jessica, others. It was, frankly, it was a lot of people couldn't remember. I think a lot of people were, they were obviously seeing what was going on with the media. People weren't all that forthcoming. Trying to piece things together for us.

AOS: Did you ask anybody from Legal? Leming or Sharon Jennings whether they provided David with the legal opinion to allow him to do what he did?

Sheppard: Again, I am not really sure how to answer some of these questions. I'm...

AOS: I don't want to know what they told you, did you ask them specifically did you provide an opinion?

AOS: An opinion to David?

AOS: Period.

Sheppard: I can't remember specifically asking a question like that. I'm not saying I didn't. I don't remember.

AOS: Did you document any of your, we'll call them interviews, or people that you spoke with during your internal investigation? Did you formalize anything, take any notes?

Sheppard: No, I did not formalize anything like that. I think when, when Diane came on I think she did but in my role, I did not.

AOS: Were you the lead on the investigation?

Sheppard: I wouldn't call myself that.

AOS: How would you characterize it?

Sheppard: You know, I was working on it. Melissa was working on it. And in terms of a formal investigation, I would say that was not what I did. When Diane came on I think that's when the formalized piece of it started, frankly.

AOS: Were you at all concerned going in to the July 14th board meeting that this might come up? That these questions might be asked?

Sheppard: We knew that it was going to be a rough board meeting just with Youngstown.

AOS: Who's we?

Sheppard: Just generally the Department. So I don't think we were trying to make more stories. I did not know that these specific questions were going to come up during the board meeting but...

AOS: Can you pull up the July 11th email? This is an email on July 11th, a Saturday. Colleen is circling back with more questions at this point and then your response to the ODE team is "I would like to be included in whatever meetings that occur on this topic". Can you describe for us what your concerns were at the point you read this email?

Sheppard: This is a new one?

AOS: Yes, this is a new one.

Sheppard: I think you can understand why we hired Colleen. I'm sorry what was your question on this again?

AOS: Why did you ask to be included in all meetings?

Sheppard: I don't recall why I asked to be included. I worked well with Colleen in other roles. And again respect her policy mind on things.

AOS: On July 11th, looking at her follow up questions, did you have doubts about what David had told you up to this point?

Sheppard: I honestly don't know. This is 10pm at night. I can't say with certainty that I dug into her follow ups on it. I don't know that at the time that I was, that I was still thinking that what we had done was wrong. Or non-compliant or however you want to say it.

AOS: Do you know if these particular questions were ever shared with Dr. Ross?

Sheppard: I do not know that.

AOS: Do you know if Dr. Ross was aware that Colleen was asking a series of questions?

Sheppard: I don't know that. That'd be outside my recollection.

AOS: So during the internal investigation can you tell me who assisted you? You mentioned Melissa, was there anybody else on the team of people who were looking into this with you?

Sheppard: Kevin Duff, from a policy perspective, I remember having conversations with Kevin about what he was finding and the spreadsheets. And just how, and that was when I was out of town and just how problematic they were so Kevin was kind of a policy mind that we, that I trusted.

AOS: He was asked to review the spreadsheet calculations?

Sheppard: I don't know if he was asked or if he, he did, to my knowledge he did. I mean I am sure Jessica, you know, she was another, she is another good policy mind that I have a lot of respect for. Sharon, I am sure as the Interim, like I had conversations with her. Matt Williams was helpful on the IT side of things. I may have left folks off of that but when you say internal investigation, I am just, some of the things that we were looking at and the people I talked to again in hindsight, you know, I wish it would have been more formal, more formalized but you know.

AOS: How did each of these individuals update you on what they were finding or were, should I ask, were they updating you on what they were finding? Who were they updating?

Sheppard: Can you repeat the end again?

AOS: Yes, who were these individuals updating on what they were finding?

Sheppard: I mean it would have been either me or Dick I think or they would have talked to Melissa. I mean it would have been possible that they would have talked to her directly and she talks to me or she talks to Dick.

AOS: Do you believe that you would have been made aware at some point of what they would have all found?

Sheppard: Yeah, I think so. I have no reason to think otherwise.

AOS: Do you believe Dick Ross was also being made aware of the findings?

Sheppard: Yeah, I believe so. We were all in the thick of it.

AOS: Were you having meetings with Dick Ross to keep him up to date?

Sheppard: I don't know if that's something we talked about last time, I can't, I don't think it was something formal. Our offices were next to each other, we were getting constant, you know, barrages from the media, board members, other interested parties. Including the Auditor's Office.

AOS: Sure.

Sheppard: I mean we were in communication. I think I mentioned that the last time.

AOS: I am just trying to understand, is Dick Ross hearing from multiple people, everyone's just going to him directly, Jessica finds something she just takes it to Dick? Or was there a process?

Sheppard: I think that is very possible. I think if people found things and Dick was available he would have talked to them I don't think he would have turned them away or told them not to tell them something.

AOS: So was anyone really ever in control of the internal investigation results until Diane gets there?

Sheppard: Is this where you are going to make me look bad? It's a serious question.

AOS: It is, it is an important one.

Sheppard: I don't know how, I mean, I don't know how to answer that question. I mean Dick was. Dick was obviously the Superintendent, had conversations with him. I think he, I think he faced a lot of questions from his Board in September. So I don't know what you want me to say about, I mean when Diane came on that was certainly an important piece of formalizing, you know, an investigation. But I can't say that there was a formalized process to that point, where we were documenting what we were doing.

AOS: To your knowledge, did Dick ever appoint any one person to ever be in charge of it?

Sheppard: Not from a, I think what your, if I'm understanding correctly from a formalized, internal investigation, I don't recall that.

AOS: What about an informal investigation?

Sheppard: We all wanted to know what happened, myself included, Dick included so yes, we were trying to find out what happened but I don't know if it ever rose to the level of a, you know, I don't want to dispute that if that's what Dick, you know, believes but I can't say that steps were.

AOS: Dick shared with us that he did ask for a formal investigation.

Sheppard: Okay.

AOS: And you were the lead on that so we want to understand what your perception of his instructions was.

Sheppard: I feel like I'm getting. I don't know what you want me to say. I mean I've explained what, you know, the steps that we took, we wanted to know what happened. There wasn't a policy or a manual that I saw on an investigation so whenever he asked me to or he asked what happened it was just go find out what happened and that's what we tried to. When Diane came on obviously that helped. We had conversations with the Legal folks but I, you know, it really came together when we had a permanent Chief Legal Counsel over there. So I don't know.

AOS: So would it be fair to say that while you were conducting this investigation and others were involved in the investigation no body was really in charge? Everybody was trying to find out what was going on and reporting it to Dr. Ross.

Sheppard: I mean I'm not going to shirk away, I mean I was the Chief of Staff over there, you know, I had communication with folks. I don't know that it would be fair to say that no one was in charge. I think there was a lot of information gathering that, that went on. Yeah.

AOS: Maybe it would be fair to ask this question. Did Dr. Ross ever communicate his expectation for you to lead an investigation to you?

Sheppard: I don't know that I feel comfortable answering that question. I feel like the nature of this conversation is pointing to me and I...

Counsel for Sheppard: Right, I thought we were here to follow up on some, you know, circle back on some potential emails and things like that. This is, I mean, is Jimmy a target of this investigation?

AOS: At this point, no. You are not a target. I will share with you that the emails that we put back up on the screen this morning are emails that Dr. Ross claimed he'd never seen and that would have been helpful to him to be able to see them and be made aware of those. He expressed frustration during his interview for not having seen them previously. And again he communicated to us that he in fact did give instructions for a formal investigation on which you were to be the lead. Now I know you had communicated previously that you were at a conference, you were not at the board meeting, you've told us this morning that you weren't at the lunchtime meeting with Dr. Ross so it's important for me and I think for Jimmy as well to understand, did you know it was a formal investigation as far as Dr. Ross was concerned.

Counsel for Sheppard: I think he has said he was not under that impression.

AOS: And did you understand that Dr. Ross viewed you as the lead on that? Until Diane arrives.

Sheppard: I have no reason to think that Dick wouldn't have seen me as the lead on that.

AOS: Okay. But no, you are not the target.

Counsel for Sheppard: Well let me ask a couple of questions. Did he ever give you a date by which the report was to be done?

Sheppard: No, we didn't have a...

Counsel for Sheppard: Did he ever say that the reports supposed to be in written form and we're going to present it to the board?

Sheppard: No, we never had any conversations (inaudible).

AOS: How did he expect to update the board on the results of the investigation? Did he ever...

Sheppard: You keep...

AOS: ...provide directions?

Sheppard: You keep using the term "investigation", I think that's where I get hung up. We did calls with the board members, updating them on, you know, what we knew to be true and then

the, there was a push from the board to do an August special session. Never collected the signatures to do that, a special board meeting. So September came and we had a lot of, a lot of question, a lot of, and I stand by, you know, and I think that the Department stood by what Dick said and communicated at the September board meeting, you know, as being as accurate as we could be at the time and some of the steps that we had taken too. You know we retracted the evaluations I can't remember if we had the three person panel on board to kind of review and make recommendations on correctly implementing the new, I don't remember the timing.

AOS: It was just discussed in the September meeting.

Sheppard: So there were, we prepared for a lot of question and wanted to make sure we had answers and that was the focus of my work was frankly making sure what Dick said was accurate, you know.

AOS: You believe it was.

Sheppard: I believe what Dick said at the September board meeting and the answers that he gave were accurate. I still believe that.

AOS: Did you, at any point in time, feel like anyone other than David Hansen should have been disciplined or was at fault in anyway. In your opinion.

Sheppard: I mean we, there were no other disciplinary actions taken at the department. There were some things put in place like the Data Governance Committee to ensure that people were talking, communicating, knew what was going on. So there were some internal things that went on that there were no further disciplinary actions that...

AOS: Did you personally believe that no one else was at fault?

Sheppard: At fault? No. I don't. I still don't.

Counsel for AOS: Just one point of clarification, you were at the September board meeting?

Sheppard: Yes.

Counsel for AOS: Okay.

AOS: Any other questions that...

Counsel for AOS: I just heard him say that he agreed with everything that Dr. Ross said at the board meeting I just didn't know if you were there to hear what he had to say.

Sheppard: Yes, I was.

In a separate interview with Williams, he indicated that Sheppard and Huffman asked him to review files on the equipment, chats, texts, phone calls, etc. on Monday of the week following Hansen's resignation. Below are summarized excerpts from an AOS interview with Williams that was conducted on October 18, 2017 (Refer to **Appendix 21** of this report for a full transcript of this interview):

AOS: At any time did you turn any of it [the equipment] on?

Williams: Yeah. So, the following week they wanted to see...

AOS: When you say they?

Williams: The leadership. It would have been Jimmy Sheppard, Melissa Huffman primarily and Dr. Ross. They were looking for signs that they should have known this was going on. We looked at emails that he [Hansen] sent or received. And then they wanted to see if there were files on his computer that related to how the data was being looked at and analyzed.

AOS: When you say they, describe, were you all in a room?

Williams: At various times, yeah. So basically, they would say can you go and look to see if there is anything that shows this or indicates this. They would tell me what they were trying to find out and I would go see if the files were there or if the email were there. I would review it with them if I found anything that was close to what they were looking for.

AOS: When you say "they", who specifically was asking you to do this?

Williams: Typically it was Jimmy Sheppard and Melissa Huffman.

AOS: Were these phone calls or in person conversations?

Williams: These were in person conversations.

AOS: And when you were going through the data on the equipment, were they in the room with you?

Williams: Typically, no. I am trying to think if they were ever in the room when I was doing the initial look at things and I don't think they were. They said can you go look at things and see if there is anything about X, Y, and Z. And so I would search for it. I wasn't working on his equipment live. I copied the files from his computer onto my computer and set his computer off to the side.

AOS: Okay, describe that whole process.

Williams: So, I logged into the computer as myself and copied everything from his user profile over to a computer that I had.

AOS: Okay, and so you didn't mirror the whole hard drive?

Williams: No, because at this time we were just looking for data. We were just trying to figure out what was going on. Why people thought that he was doing this and everything else. So, we were trying to understand what was happening, how and why.

AOS: What did people think he was doing? What do you mean?

Williams: So, the impression I had was that they had no clue he was manipulating things the way he was. And so they wanted me to pull the emails he sent to us, anything related to scoring for charter school and I am paraphrasing off of memory.

AOS: When you say, "request sent to us." Who is "us"?

Williams: Again, those people. Jimmy, Melissa, Dr. Ross. And sometimes the searches were wider. They would say, "was there anything to Steve Gratz?" Again, I am pulling this all from memory because it was 2 ½ years ago.

AOS: Sure, I understand.

Williams: I am probably missing folks. I know they were concerned about emails that went to a governance committee so people like Matt Danzuso and Immy Singh were a part of that governance data.

AOS: Immy?

Williams: Immy Singh was a part of the governance data group. But I think mostly it was Matt Danzuso. So, they would just look for these kinds of key words, these kinds of things. I would bring the results back to them so they were not searching a big mountain; they were just searching a little hill.

AOS: You said you would send the results or take the results back to, who specifically did you take the results back to?

Williams: So usually it was Jimmy and Melissa. Sometimes Dr. Ross was in the room. PR Casey was sometimes in the room, the legal, but I think he was transitioning out right when that was happening.

AOS: I was going to say, I thought he left before this happened.

Williams: He might and at that point the interim would have been Sharon Jennings. So, memory from 2 ½ years ago, I knew there was a transition somewhere around that timeframe.

AOS: I know you said emails and data. Anything else they were specifically asking you to search for? What were some of the key words for example? Do you remember?

Williams: Generally, I remember it was things like, charter school evaluations, charter school scores...

AOS: Anything about the grant?

Williams: Yeah, there would have definitely been stuff about the grant. There would be stuff with, there was a consultant firm he had in there and they were looking at data related to the grant.

AOS: Do you remember the name of the firm?

Williams: No, I don't.

AOS: Was it Education First? Does that sound familiar?

Williams: It could have been. It was definitely one of the names in the realm of that stuff. But there was so many that I have dealt with on different things not related, I wouldn't want to say 100% but I think it could have been.

AOS: Okay.

Williams: And then just basically just looking at the communications, looking at meeting attachments. Were there meeting attachments where they were looking at something that somebody should have said "hey, wait a minute" but the reality is that what we found after digging and piecing things together it really looked like he was shaping who had what information so he could, for the lack of a better term, manipulate to get what he wanted. Is what it looked like to me.

AOS: Whose conclusion was that?

Williams: That's my personal opinion. I don't think anybody else.

AOS: Did anybody in the room like Dr. Ross, Melissa Huffman, Jimmy Sheppard, PR Casey, any of them make mention of that?

Williams: They may have. I don't want to put words in their mouth because I don't remember honestly. There was a lot of conversation around so I don't want to say that they said something if it really is just my thoughts or something I mentioned.

AOS: Yeah, I only want you to what you know.

Williams: And I can't say for certain that they did. I don't honestly know.

AOS: Did any of them ask you to look for or did you see any files or emails with no headers on them or Google Hangout information? Are you familiar with Google Hangout?

Williams: Yeah, I am familiar with Google Hangout. I don't remember seeing anything in Google Hangouts. There were some things he, I know he had his personal gmail installed on his iPad.

AOS: Did you go through those too?

Williams: No, I did not because it was personal.

AOS: How could he [Hansen] have installed that [Google Hangout] on his iPad if it was public property? Did ODE have, like I couldn't do that??

Williams: The restriction on ODE's equipment in general, from a physical constraint, is that you can pretty much install anything that is free in the app store.

AOS: Really?

Williams: Yes, but they were required to comply with our policy. You couldn't install anything porn related or gambling related or whatever on their state device.

AOS: Would there be a violation to install or have and use Google Hangout to instant message people and conference call or was there a data violation?

Williams: Not necessarily, no really and the reason is that dealing with academia and education industries, that's how some of the school communicate. So if you're using Google Hangout, you can do conference calls and webinars and stuff like that and if the school is using that, then you

would have to possibly use that to participate. So and it's not really common but it does happen. That one of the biggest struggles honestly from a security perspective is dealing with that whole academia mindset is that they use any tool they can find for free and when we work with them we have to make adjustments and control things as best we can but also allow them to do their business.

AOS: When going through the emails, did you read the emails or just take the emails off the computer, copy them off the computer?

Williams: No, I would read them.

...

AOS: Did Dr. Ross personally tell you to do anything? Or look for anything specific?

Williams: Not that I can remember, I mean Dr. Ross was pretty anti-technology. Not "anti" just not tech savvy. He really wouldn't even know what to ask for most of the time when it comes to technology stuff.

AOS: Well if there was something going on, he would know enough to ask to look for stuff with his name in it.

Williams: Yeah, I mean and that may have happened. I know at one point we pulled emails to look and see if there was any indication that they should have known what was going on. They wanted to see the emails that were sent to them. So that probably did happen. Now I don't remember if that was instructed from Dr. Ross or that was instruction from Jimmy or Melissa. I don't remember who asked for that. At some points, Dr. Ross was in the room, occasionally, not very often. Sarah Wickham was usually in the room.

AOS: How many times did you meet with these people?

Williams: I mean, over the course of the next month or so? At least two or three times a week, trying to figure out what happened and how.

AOS: Was this made a priority for you?

Williams: Absolutely, yeah.

AOS: Did any of them ask you to delete files off of the computer?

Williams: No, they wanted me to do this specifically so everything was preserved.

AOS: And then you copied the files from his hard drive to?

Williams: To a computer that I have or had, yes.

AOS: Do you have that computer now?

Williams: I still do a little work for ODE so it is still there and available.

AOS: What kind of work do you do?

Williams: Right now I am training them to do their own e-discovery work and stuff like that so that's primarily what I am doing for them right now.

AOS: So the computer you had with these files on them, where's that computer at?

Williams: It's in ODE's building in a server room. It's a PC but it's locked in a server room since I don't have an office there anymore.

AOS: And you don't think the files have been erased, you think they are still on there?

Williams: As of last week all the files were still on there. It's on a drive that's got a, it's mirrored and so someone would have to intentionally delete those files.

AOS: Is it password protected? Like only you can get into it now?

Williams: Me or a domain admin could get into it. But you would have logs that they did.

AOS: Who is the domain admin?

Williams: There are several of them over there. I mean, it's just people. That's just their job. But they don't know that box is there and what's on it or what purpose it serves.

AOS: Is that a DELL computer, what kind of computer is that?

Williams: It's a DELL tower.

AOS: Oh, it's a tower computer?

Williams: Yeah.

AOS: So it's not easily moved around, I mean you could pick a tower up?

Williams: You could pick it up but nobody's going to stick it in their pocket. It's not on one of the mini computers they've got over there.

AOS: Or it's not on any separate hard drive that you downloaded it to? It's on the computer hard drive?

Williams: Yes, it's on a hard drive that is physically in the computer, somebody would have to disassemble the computer to get the data off of.

AOS: But it's not on an external hard drive?

Williams: No.

AOS: Who specifically do you work for?

Williams: I work for DAS. I am one of the embedded CISOs for the agencies. DAS has been bringing all the folks that do my job in the agencies under the DAS Office of Information, Security and Privacy.

AOS: What is CISO?

Williams: Chief Information Security Officer. I was for the Ohio Department of Education, now I am for Medicaid.

AOS: And do you have an IT background?

Williams: Yeah, I have been doing IT work for 25 years.

AOS: How long have you been with DAS?

Williams: I started with ODE back in 2004 and was there until 2010. I was one of the enterprise architects for DAS from 2010-2013 where I took this job and was at Education until last June.

AOS: Do you have a background in computer forensics? I mean trained in forensics?

Williams: No, I have not been trained in forensics.

AOS: Okay, so when you copied files from Hansen's computer was it just his computer? Or did you copy files from the iPad or? Can you even copy files from an iPad?

Williams: So, yes, you can copy files from an iPad. When I looked at the iPad and the iPhone there really wasn't any documents. There were some photos on the phone.

AOS: So you looked at the phone also?

Williams: Yes, because we had public records request that demanded we give them the text messages, so we had to pull the text messages off of it.

AOS: Who was the public records request from?

Williams: All the media outlets. I think there were 19 we were dealing with.

AOS: Did you find anything as you were searching through looking for the items that Dr. Ross, Jimmy, and Melissa asked you to search for that you felt was questionable? Maybe you didn't know but you thought could be?

Williams: That he was doing.

AOS: That he was doing or questionable in the sense that someone in the agency seemed to maybe have had some knowledge of it.

Williams: In hindsight, so I am fairly certain that there were at least one person, maybe two that had knowledge but they were low level folks, people he needed to get information from.

AOS: Like what kind of information?

Williams: Like data from systems because he is good at painting the vision he wants, he's not real tech savvy, Hansen was not. He would have needed somebody to generate the reports and pull the numbers the way.....I mean data and statistics are all in how you want to shape it anyway so he would have needed somebody who could do that.

AOS: Who were those needed people?

Williams: The primary person that was providing data would have been Karlyn Geis and then the other person that would have been helping him with a lot of stuff would have been Joni Hoffman but the impression that I got from looking at stuff is that he is telling them he's got clearance for this. So that while they know what's going on, they think it's okay.

AOS: Who was he supposed to be getting clearance from?

Williams: Would be Dr. Ross and Steven Gratz. His chain, basically.

AOS: Wasn't there someone that if you requested you were supposed to get approval for the data whether it was internal or external data?

Williams: Yes, so that would be a governance committee for data. Matt Danzuso headed that up. Immy Singh would be there from the legal standpoint looking at the data requests. But again, this is speculation on my part but what it looked like he was doing was requesting this data then requesting this data then putting it together.

. . .

AOS: When you did all this, at the end did you prepare a report? Like write a summary of everything you were asked to do and everything you did do?

Williams: I don't remember if I did or not. I think I did. It would have been really high level just because of the volume of stuff but I think I did.

AOS: Do you know who you would have given that report to?

Williams: Probably Jimmy Sheppard, probably. And it may have only been in hard copy. Basically something I could use to review as like a conversation in a meeting.

AOS: Would you have kept a copy of that report for yourself?

Williams: Probably, I would have to look for it. Let me put it this way, if I did a report, I've got it.

AOS: When I ask if about whether or not grant information was included in some of the search results you did -- that Melissa, Jimmy, and Dr. Ross were interested in -- you said yes, definitely. Do you remember anything more specific than like something you remember seeing pertaining to the grant that they took interest in?

Williams: Just how the data was applied to the grant document that they were working on to submit to the Feds.

AOS: So at the minimum, they recognize, as a result of these searches, that some of the information regarding academic performance or e-schools being left out, at the very least manipulated data was in the grant application.

Williams: It really wasn't tied to that when we were looking for the grant stuff, it was, what we were looking for with the grant stuff. I think we were just looking for the communication back and forth about the grant. What was he instructing them to do. I don't know that there was that connection or correlation made at that point.

AOS: Are you aware of anybody getting into that computer after you were done with it?

Williams: No, at one point before, at one point I needed memory out of that to work on another computer so I pulled memory out of it. And then when you [AOS] requested it, I forgot I had taken memory out of it and I had to bring some over for you guys but other than that nobody got into that computer. Nobody accessed that computer.

. . .

AOS: Do you remember who told you to go get the equipment specifically?

Williams: It would have been Melissa or Jimmy or both of them.

AOS: Of the three, Dr. Ross, Melissa, or Jimmy, who was the, I wouldn't say director, but driving force behind asking you to get certain information? Who contacted you the most?

Williams: It would have been mostly Jimmy.

AOS: And what was his position at the time?

Williams: Chief of Staff

AOS: Okay, but would you say that when you met with him, Melissa was in the room? Majority of the time?

Williams: Majority of the time. More than half the time. Sometimes it was conversations with just Jimmy but Melissa was in there easily more than half the time.

AOS: What about Dr. Ross?

Williams: He wasn't in there very often. I think when we first started looking at the data and everything else he was involved a little more but it was still rarely that he was actually in the conversations.

AOS: Did he make comments. Did he ask for specific information?

Williams: Trying to remember, think back to, I think he was in the conversations he wanted to know who specifically knew what. You know, what had been sent to him in email, what had been sent to [others]. Mostly it was Jimmy and Melissa and sometimes Sarah Wickham.

AOS: How important was Steve Gratz's role in any of this?

Williams: Honesty, it seems that Hansen went around him even though he is his direct supervisor.

AOS: And why would you say that? How did you form that?

Williams: Because when I looked at his email the majority of the communications were above Gratz.

AOS: Did he copy Gratz on them?

Williams: Sometimes, sometimes not.

After the AOS interview with Williams, AOS sent a records request to Williams and ODE for a copy of the memorandum regarding his review of equipment for Sheppard. In response to the AOS request, Williams indicated he located a partial memo (Refer to **Appendix 17** for a copy of the partial memo or outline) but declined to provide AOS with it since Diane Lease (Lease), ODE Chief Legal Counsel, told him she would handle it. However, ODE did not respond to the AOS request. Therefore, AOS subpoenaed the record from Williams and ODE on November 1, 2017. On November 3, 2017, ODE provided AOS with a partial outline, which did not appear to be in the format of a memorandum. While the file properties suggested the partial outline was prepared by Williams in August 2015, AOS determined that the outline contained inaccurate dates and other information based upon review of other records and AOS interviews of ODE employees.

After interviewing Williams and receiving the partial outline from ODE pursuant to the AOS subpoena, AOS interviewed Sheppard on two occasions. Dr. Ross told AOS that he assigned Sheppard to lead the internal investigation. Below is an excerpt of the first AOS interview with Sheppard, a full transcript of which is included in **Appendix 21** of this report:

AOS: As far as Hansen's equipment, what was your understanding of what ODE did to secure the equipment?

Sheppard: I can't speak to the specifics of it. I remember being concerned after Matt Williams, who was the DAS IT guy at the Department, I think he raised the issue with me and just the preservation, I mean I think his concern was around the preservation of records that were on his computer that was still apparently in Hansen's possession.

AOS: When would Williams have raised this issue? When were you back for him to have that conversation? Was this over the phone maybe or?

Sheppard: I was back in the office but it would have been sometime after I had returned from the conference. I don't even want to speculate on when it was. It was just after.

AOS: So to your understanding when Williams approaches you when you get back in the office about the equipment, Hansen is still in possession of that equipment at that point?

Sheppard: I don't remember that exactly. I did have a general concern about access to a computer that he shouldn't have had access to.

AOS: Which would lead you to believe he still had the equipment?

Sheppard: Yeah, I mean I was told he took it, I was told he took it home.

AOS: When do you think the equipment was retrieved by ODE?

Sheppard: That I don't remember. I don't remember that.

AOS: Do you think it was still, what we want to nail down is whether or not your first day back in the office, was it your understanding that your first day back in the office that equipment is still in Hansen or Williams's possession?

Sheppard: I am sorry I don't remember. I can't imagine that is something I would have let linger.

AOS: Did you provide Williams with any instructions as to what to do with the equipment?

Sheppard: That was not my area of expertise.

AOS: Did you or Melissa Huffman ever ask him to search for information on the equipment?

Sheppard: I would think that just consistent with what we were trying to figure out. I'm... you know, it would not surprise me if we did that.

AOS: Do you remember what you asked Williams to search for?

Sheppard: No, no. Did I ask him to search for something?

AOS: He said that yes. You had asked him to run multiple searches of various key words. All around the sponsor evaluation process. Different key words that you and Huffman were providing. Do you remember meeting with Williams?

Sheppard: We met with Williams several times. Williams was very good about bringing issues to us and so you know the fact that he would have done some searches would not surprise me. And I know both Huffman and myself were just generally trying to figure out what was going on.

AOS: So were you and Huffman the ones asking Williams to run the searches or are you saying that Williams was doing this on his own initiative and just bringing things to you?

Sheppard: I don't understand the question on that.

AOS: Well, what I am trying to clarify is did you and Huffman ask Williams to review the equipment, the files, the emails on the equipment? Or did Williams, on his own initiative, open up the computer and run these searches, find some things that he thought you would be interested in and just bring them to you? But you weren't directing him to do that?

Sheppard: I don't specifically remember if I, you know, generally speaking I know that we were concerned and we were trying to figure out kind of what was going on. As I recall Williams is also very good at offering solutions and you know if that was a recommendation of his to do those searches then we would have been, you know, been okay with it.

AOS: Why would he recommend to do searches when he doesn't know anything about the topic?

Sheppard: Williams again I always felt Williams, especially in the aftermath of what was going on, I think he was trying to be helpful. Again, I don't know if he would have recommended or we would have directed something, I'm sorry I'm just not...

AOS: And again, he wouldn't even have known the topic of what you were searching for? Or what he was supposed to search for? Had he not been given direction?

Sheppard: I can't speak.

AOS: Were you in a meeting with Dr. Ross, Williams, yourself and Huffman discussing what to search on the computer?

Sheppard: I don't remember a specific meeting.

AOS: It's an important piece of equipment.

Sheppard: Yeah.

AOS: You are in a meeting with Dr. Ross, Huffman, yourself and Williams ...discussing what to search for on the computer and giving, directing Williams specific key word searches because he wouldn't have known what to search for. Does he know about e-school evaluations or the grant?

Sheppard: I'm sorry I don't remember. I don't recall. I don't recall that.

AOS: You don't recall any meetings then about searches or search results?

Sheppard: We were trying to ascertain what had happened so we had. I know we had conversations about different things about what had happened but I'm sorry I don't recall specifics.

AOS: Well did Williams ever come back to you with any specifics after he did the search?

Sheppard: I am sure he did. Williams was. Williams was someone who like I said like to bring solutions or at least identify issues.

AOS: So did he bring anything back to you?

Sheppard: Like I said, I am sure he did. Williams is a very, you know, capable, capable guy.

AOS: But again, if he didn't know what he was searching...

Sheppard: Look. This is two and a half years ago that these conversations did or did not take place. I am not trying to be adversarial here, I am trying to be as helpful as I can. I can't walk you through the specifics of what happened and after that, after, you know, there were a lot of conversations. This had a high priority media interest, the school board also was very much interested in what happened. And so we spent a lot of time generally speaking trying to figure out what the hell happened and I apologize, I don't remember. I don't remember the specifics of some of these things.

AOS: Do you remember asking Williams to prepare a memo for you about how he secured the equipment or preserved the records and the searches he performed?

Sheppard: Not explicitly, no.

AOS: What do you mean by not explicitly? Can you clarify?

Sheppard: I don't explicitly remember directing Williams to do that.

AOS: Do you remember receiving a memo from that?

Sheppard: Again, not. Do you have a memo from that?

AOS: We have some notes we can show you here. Williams told us he did prepare a memo that he walked up to you and handed to you based off of these notes in part. We can look at the property files. Williams is the author ... around August 17-18 of 2015.

Sheppard: This doesn't look familiar to me.

AOS: Do you recall, once Huffman and you wrapped up the conversations you were having about what happened about what went on, what was your conclusion?

Sheppard: Are you speaking specific to the evaluations or the?

AOS: So when you were done with your review and conversations did you feel like Hansen knowingly manipulated the sponsor evaluations?

Sheppard: I am not quite sure how to answer that. Hansen resigned. I think that Saturday. And I think that on some level speaks for itself. I don't know that it's my place to say whether I think he knowingly manipulated the evaluations.

AOS: Well if his resignation is a sign that he admitted wrongdoing of any sort, knowingly or otherwise, did the results of the work that you and Huffman did subsequent to that resignation turn up any other concerns with other individuals within the agency that might have been part of that or have knowledge of it?

Sheppard: No, not to the extent that we felt anyone else was directly responsible for what had happened. That included the Data Managers, as I recall believe that you know they were ... they were doing what they thought they were supposed to be doing as directed by Hansen. As the Chief of Staff I was sensitive to a media witch hunt going on within the Department. We had one media request as an example who wanted headshots of employees at the department in terms of who was involved and those types of things and so these are largely I believe hard working public servants at the Department who got caught up in something that they didn't deserve so I'll leave it at that.

AOS: Did you feel like, by the time that you were done, that issues that came out of the July board meeting that led to Hansen's resignation were in essence the entirety of what had happened? In other words was it just that area or did you feel like there were others areas of concern, of potential wrongdoing.

Sheppard: Do you have a something in mind that you are thinking of?

AOS: Not specifically, I am more or less concerned with the results of your review.

Sheppard: We were, as a Department, the July board meeting was very difficult. There was an August break and going in to September there were going to be a lot of questions from a very active board in terms of what had happened. And I can generally remember being very concerned about putting out information to the media, to the board, to whomever that wasn't correct and so the statements that Dr. Ross made and the questions that he took at the September board meeting we did to the best of our ability you know tried to make things as right as we could moving forward. And so the information that we put out we felt was you know I don't want to say it was what it was but it was what it was and it was going to be out there.

AOS: So with that in mind, preparing for that very difficult board meeting in September, preparing Dr. Ross to be able to respond to those questions with as much integrity and honesty and accuracy as possible what other steps did you all do to help in that process... Just talking to employees without formal interviews? Were there any other steps taken?

Sheppard: I don't remember. I don't remember what we did on the employee side. Honestly it probably wasn't enough to support some of the folks that were in the department.

AOS: Did Dr. Ross or anybody from the Governor's Office ask you how you knew that he was going to be safe saying that Hansen acted alone in a sense and the situation is under control? Did they ever ask you?

Sheppard: What do you?

AOS: I guess if I am in Dr. Ross's shoes, I would be very nervous about making statements to the public and to the board that the matter had been dealt with and there were no other individuals involved unless there had been a thorough investigation so I would anticipate him or others asking you what did we do to make sure that this is isolated and no one else was part of this problem.

Sheppard: You would have to ask Dr. Ross as to why he felt comfortable making those statements. It was, I wasn't up there at the July, or the September board meeting taking those questions so you would have to ask Dr. Ross.

AOS: Did he have anyone assisting him with those questions?

Sheppard: In terms of?

AOS: Just preparing and supportive, in a supportive role?

Sheppard: Is there something you are looking there for?

AOS: No

Sheppard: You know, we talked with Dr. Ross, we had, by virtue of the many public records request that we as a department were getting, kind of knew the flavor. I think Dr. Ross had been calling board members. Their statements were well known in the media and so, you know, it wasn't that hard to make sure you were doing. When you are responding to these things you are doing so with the best knowledge that you have.

AOS: At any point in time do you become aware that David Hansen had asked his staff to get on Google Hangout to be able to communicate off the record about ODE matters?

Sheppard: No.

AOS: That was not something that came to you?

Sheppard: No. It wouldn't surprise me.

AOS: Why do you say that?

Sheppard: Just knowing everything about David now, it wouldn't surprise me.

AOS: Were you aware that during the time that Williams had the equipment, not only was he running searches but different points in time he copied some files off of the equipment on to an ODE server for some others to be able to view and sift through?

Sheppard: I don't recall that sorry. You would have to ask Williams about that.

AOS: It wasn't like he set up access for you to go look at those files?

Sheppard: He might have but I don't recall that to any degree of certainty sitting here.

AOS: We are going to show you an example, as we went through some of these emails that David Hansen had we saw some anomalies that we can't explain. Just curious if you had had an experience like this while you were at ODE with your own email or you became aware of emails like this during your own investigation of what happened? We are going to show you what this looks like. (showing a missing header email) Just randomly, emails like this, the body of the email is somewhat irrelevant really, it's more so if you look at the header. The "From" and the "To" information is missing though it said it was sent. It struck us as being very odd and it happens periodically. There is no rhyme or reason.

Sheppard: I am sorry, I have no knowledge of that. I didn't even know that was possible.

AOS: Neither did we.

Counsel for Sheppard: So this is saying that this is an email that was sent? But without a...

AOS: In some cases it appears that the body of the email has been deleted or portions of it. Can't tell for sure. This is just one example.

Sheppard: I am sorry that's a new one for me.

Counsel for AOS: You touched on one point about you having ever come to the conclusion that Hansen manipulated the data. And you more or less you stated it wasn't your position to make a judgment like that but I am more interested, historically before today, while you were at the department, did you ever come to that conclusion?

Counsel for Sheppard: That he manipulated the data? Not to be overly lawyer, but can you define for purposes of this question what you mean by manipulate?

Counsel for AOS: Do you understand what I mean?

Sheppard: No

Counsel for AOS: Then how were you able to respond the last time when she asked you if he knowingly manipulated the sponsor evaluations?

Sheppard: I think it's. I mean it, it was clear that the sponsor evaluations did not comply with the law. That was clear to all of us, now in terms of specifically to manipulate? And I apologize, are you attached some legal significance to manipulate?

Counsel for AOS: No, I am using it in the general, ordinary manner in which everybody uses the word. And her question to you specifically was, do you feel that Hansen knowingly manipulated the sponsor evaluations?

Counsel for Sheppard: Just to be even more clear, I thought the last time that question was asked it really wasn't his, he wasn't answering it from the standpoint of he resigned I think that speaks for itself, if I recall.

Counsel for AOS: He did say that.

Counsel for Sheppard: Alright.

Counsel for AOS: But I am interested in whether or not he ever came to his own personal conclusion before he left the Department that Hansen intentionally manipulated the sponsor evaluations.

Counsel for Sheppard: Do you want to talk for a minute?

Sheppard: Yeah, do you mind if I?

Counsel for AOS: Of course.

Sheppard: I apologize.

Sheppard: Sorry about that.

Counsel for AOS: That's alright.

Counsel for Sheppard: Alright, could you repeat the question please?

Counsel for AOS: I'm not sure I can. I think she asked you earlier ... did you feel like Hansen knowingly manipulated the sponsor evaluations and my question to you was before your departure did you ever come to that conclusion.

Sheppard: It was clear that what Hansen had done was not compliant with the statute. We took great pains to rectify that for the future rounds of the sponsor evaluation. In terms of Hansen's intent, I can't speak to that.

Counsel for AOS: Did you ever have any conversations with anybody else about Hansen's intent?

Sheppard: I'm sure I did. That's a question of why.

Counsel for AOS: Sure, why would he do this. Right?

Sheppard: People want to know.

Counsel for AOS: With whom did you have those conversations?

Sheppard: Eventually the Chief Legal, you know, Diane, when she came on board.

Counsel for AOS: Outside of your legal counsel. That is a limitation here.

Sheppard: I am sure Dr. Ross and I talked about it. I am sure others at. This was all consuming at the Department. It would be disingenuous to say we didn't talk about it because it certainly was something that was talked about. I'll go back to... Hansen was a zealot for school choice. At some level you trust people to do their jobs and you trust people to do their jobs compliant with the law. But I haven't had a conversation with Hansen since that Saturday. That's the last time I've spoken with him.

Counsel for AOS: I was referring to other people whom you've had those conversations outside of your legal counsel. Did you ever, with anyone else, come to a conclusion about why he did what he did.

Sheppard: I am sorry, I can't speak to that.

Counsel for AOS: You don't recall having a conversation with anyone about why Mr. Hansen?

Sheppard: I am uncomfortable speaking on behalf of Mr. Hansen's intentions.

Counsel for AOS: I am not asking you too, I am asking you about conversations that you had with other people. You participated in those conversations or they wouldn't have existed. So did you ever have a conversation with anyone other than Hansen and other than with counsel about why Mr. Hansen manipulated the data?

Sheppard: I am sure, again, we did but I feel uncomfortable speculating on that.

Counsel for AOS: You mention Dr. Ross, are there any other individuals other than legal counsel with whom you may have had those conversations?

Sheppard: I am sure you have already talked to some of those folks. Melissa who is the Chief Operating Officer; Sarah Wickham who is the Senior Policy Advisor to Dr. Ross. I'm sure there were others.

Counsel for AOS: Do you recall any of those individuals in any conversation you had with them offering a reason that they believed Mr. Hansen did this?

Sheppard: Nothing specific.

Counsel for AOS: How about generally?

Sheppard: Again, I hate to speculate or misremember something.

Counsel for AOS: Can you remember any conversation in which anybody offered an opinion of why Mr. Hansen did this?

Sheppard: I mean I know some people believe Hansen didn't care particularly for e-schools, that wasn't his main focus I guess. David had a great deal of passion for traditional brick and mortar charter schools, good ones. I would say. And my sense was he ... I mean my sense is he was trying to make the evaluations reflect that.

Counsel for AOS: Reflect what?

Sheppard: Those beliefs.

Counsel for AOS: That brick and mortar school are preferable?

Sheppard: Yes.

AOS: Did you have a sense that he was trying to make Ohio sponsors and/or...

Sheppard: That's again, just my opinion.

AOS: Is it also your opinion that he was trying to make Ohio sponsors and/or Ohio charter schools appear more favorable by leaving the e-schools out of those evaluations then?

Sheppard: I mean I think that was the thinking behind it.

AOS: What would his concern of been? Why would he have done that you think?

Sheppard: I have no idea and if I recall correctly you know it wasn't just about e-schools that were wrong with the evaluations there were -schools included that shouldn't have been included.

AOS: The DORPs?

Sheppard: Yes.

AOS: Did you have any conversations about opinions of why Hansen would have done this with the Governor's Office? Anyone from the Governor's Office?

Sheppard: Is there someone in mind in particular? I mean I had you know prior existing relationships with individuals in the Governor's Office from my time there. This was certainly ... add them to the list of stakeholders of folks who were curious what happened. And so I probably had conversations with folks in the Governor's Office.

AOS: So I think the only thing I just want to revisit and make sure that I have it in my notes correctly is again going back to meetings between you and Huffman and Williams. Do you recall meetings with at least one or a combination of the three of you?

Sheppard: Sure, we met. And we yes, I do recall generally having conversations with them. But I can't, specifics, at this point in time two years after conversations; I recall specific details of what we have talked about other than generally, Hansen.

AOS: And you don't recall about searching, directing him to search for key words on that equipment?

Sheppard: Like I said, we probably did but again I don't know if it was us directing or again the CISO is one of those people who can offer up some of his capabilities. And so if he would have offered up suggestions or searches or that he can pull that information together I could have seen working with Williams to do that.

AOS: How often do you think you guys were meeting?

Sheppard: That I don't remember. Again, this was something I probably talked to Williams once a day. Melissa Huffman's office was right down the hallway so we chatted a lot; we were in meetings in different points in time. Is there something specific on that? Because I don't know if I am missing something on the connection with the searches on his equipment.

AOS: We have also been told that you, Dr. Ross, Huffman, and Williams were in a meeting and someone within that meeting directed him to search for certain key words is what we have been told.

Sheppard: That would be, in my opinion, consistent with trying to locate records relevant to what had happened. I can tell you I don't want to speak for Dr. Ross but he is a man of integrity. There would be no conversation of manipulating any kind of email system not from me, not from Dr. Ross, not from Huffman and I don't know Williams that well but the time that I interacted with him as an employee I don't believe he would have done anything like that.

On September 15, 2015, Dr. Ross and Lease made the following statement to the State Board of Education Accountability committee regarding the results of his internal investigation into Hansen's omission of e-schools from the sponsor performance evaluations:

Dr. Ross: ... I just want to tell you and I have shared with the board before that I am very disappointed and upset about this. It is something that so counter to everything I believe. I believe in the accountability for all schools. Doesn't matter if they are community schools or traditional schools. And that's important because if we are going to have accountability we have to have accurate data. So the exclusion of e-schools data and the inclusion of special ed data in when it shouldn't have been in our sponsor evaluation was wrong. It was just inappropriate, it's not acceptable. If someone had shared that with me, it wouldn't have happened and we wouldn't be here talking about it today. As Dr. Smith mentioned, once we are dealing with it. We have to deal with it and we have dealt with things very directly. We have rescinded the five evaluations out of the 64 that already occurred. And it was mentioned early in testimony today that this process started January of this year so those five evaluations were rescinded. The employee who was involved is gone. You know in large organizations we believe, I want to believe that employees would do the right thing. In this case, that didn't happen. And so as a result of that and it is my responsibility because it happened under my watch, it occurred, but it is also my responsibility to make sure we make the corrections and change to make sure it doesn't happen again. So the two items we are talking about next are some of those, several of those items we are doing to make sure that we have checks so this doesn't occur again. So I will go through them. The rescinding of the evaluations. The employee left. We did appoint an advisory panel that has met and has two board members that are working with it, providing oversight and to reconstruct this sponsor evaluation system in an appropriate, fair way, received well across the state and does a good job of evaluating charter school sponsors. Because that is important. The evaluation of sponsors in this state is something I have advocated for. It was in executive budget; I testified for it, I've supported HB 2. And I have talked to the House and Senate about HB 2 and we certainly expect the legislature to act and pass that legislation shortly because it is important. What has happened has undercut our efforts to improve charter schools

sponsors in this state. It has undercut our efforts to get good data about charter schools out there so they can make the necessary improvements and changes they need to make to help boys and girls. So disappointed, angry but we are dealing with this. We have the Data Governance Committee that will be checking data in addition to the advisory board that is reconstructing we are also having a sign off of our senior executive directors and our associate superintendents before data and evaluations go out. We are also going to have our accountability department crosscheck that in addition. So as we start this and get in more detail of these two, there's been multiple issues that have been already addressed. One other thing that we have also been working on and should be done shortly...

Lease: Yes.

Dr. Ross: ...will be the development of a whistleblower policy so if someone knows that that can be utilized in that Department. So I just wanted to share with you that you are going to be hearing two of the activities we are doing to make sure that this does not happen again.

As indicated in the excerpt of the summarized transcript above, Sheppard was unwilling to speak to the sufficiency of ODE's internal investigation or why Dr. Ross told the Accountability Committee that Hansen acted alone. In fact, both Sheppard and Huffman indicated they would not have referred to the search of computer files and ODE employee interviews as an "internal investigation." Rather, they said it was more of a "review" and inferred that Dr. Ross did not make it clear to them that his intent was for it to be a formal investigation. However, Jessica Voltolini (Voltolini), the former Director of Legislative Affairs, indicated to AOS that, in her opinion, she understood Dr. Ross's directions – he requested a formal internal investigation.

On March 30, 2018, AOS interviewed Dr. Ross. Refer to **Appendix 21** of this report for a full transcript of this interview. As part of this interview, AOS exhibited a June 19, 2015 email regarding an e-school public records request from Huffman to Voltolini, Leming, Hansen, Sheppard, and ODE Policy Staff. Refer to **Appendix 19** of this report for a copy of the email and attachment.

In the email, Hansen responded to questions sent to ODE by Colleen Grady (Grady), a Senior Policy Director in the House of Representatives. Among other questions, Grady asked, "What schools were excluded from the student performance (academic) measure?"

Hansen drafted the following response to one of Grady's questions: "e-schools and DOPR schools were included in the overall authorizer evaluation but were excluded from the academic measure this year only. Next year, the academic portion will include e-schools and DOPR schools when the gains measures for drop out recovery become available. The e-schools were omitted from the academic evaluation this year due to the ODE business rule change."

Hansen sent his draft response to Huffman, Voltolini, Leming, Sheppard, and other ODE Policy Staff. The email thread further demonstrated that Huffman, on June 19, 2015, reviewed Hansen's draft responses to the questions and asked, "What is the reason for phasing in and perhaps to address some of the push back we are experiencing we add them all in next year?"

Hansen responded to Huffman's comment, "Technically, the e-schools will be phased in."

Below is a summarized excerpt of the AOS interview with Dr. Ross about the June 19, 2015 email, in particular:

AOS: You can see Huffman, Voltolini, Leming, Sheppard, and other Policy Staff [are included in the June 19, 2015 email]. And these are questions that originally came from Colleen Grady about the sponsor evaluation calculations. Melissa Huffman asked David Hansen some questions as you can see, the comment box is there. Hansen is responding to them.

Dr. Ross: I haven't seen this.

AOS: You've never seen this document before?

Dr. Ross: No.

AOS: Can you read question number 1 [i.e., "What schools were excluded from the student performance (academic) measure"]?

Dr. Ross: Wow.

AOS: So prior to July 14, this is on June 19th, you had no knowledge that these individuals were discussing this issue?

Dr. Ross: No, no.

AOS: Why don't you say anything to the Board during the [July 14, 2015 State Board of Education] meeting? This is the first time you are hearing about it? Why don't you say anything? Even just to subtly question and say, "I'm not sure that's right we will have to get back to that."

Dr. Ross: I think I was so surprised. I was just surprised by the answer so, I wanted to get with the team and see what was going on.

AOS: Did anybody say anything to Hansen about it?

Dr. Ross: I don't know. I don't remember anybody saying anything after he finished.

AOS: Are you surprised that Voltolini or Leming...?

Dr. Ross: Yes.

AOS: ...don't say anything in light of this?

Dr. Ross: Yes.

AOS: Did you feel like your staff generally did a good job of keeping you in the loop on issues?

Dr. Ross: I thought so.

AOS: Are you surprised that they didn't bring this to you?

Dr. Ross: Yes.

AOS: Would you have expected to be made aware of this?

Dr. Ross: Yes.

AOS: So this is clearly something that they should have brought to you.

Dr. Ross: I would think, yes. That was the whole gist of the sponsor evaluation. That was the whole core of what we were trying to do with the grant and the evaluation of the sponsors.

AOS: Would you have expected Voltolini or Leming to say something during the board meeting and acknowledge that they had been working on this?

Dr. Ross: I don't know about the board meeting, but I certainly would have expected them to have told me.

AOS verified through review of ODE records that Hansen's draft answers in the June 19, 2015 email thread were provided to Grady. Based on this and other email correspondence, it is apparent that some members of ODE's administration were informed about Hansen's plan to phase in e-schools, and specifically, the omission of e-schools in the academic component of the 2015 sponsor performance evaluations prior to the July 14, 2015 State Board of Education meeting. However, during the AOS interview with Voltolini, she indicated that no one at ODE understood what Hansen was saying until the July 14, 2015 board meeting. Additionally, Dr. Ross told AOS that no one informed him of the e-school phase in plan prior to the July 14, 2015 State Board of Education meeting. Moreover, Sheppard, who Dr. Ross told AOS he put in charge of the internal investigation, said he did not produce a written summary or memorandum documenting the steps taken during the investigation or conclusions reached. ODE did not memorialize the internal investigation. Yet, Dr. Ross made statements to members of the State Board of Education in the September 15, 2015 Accountability Committee meeting that "...the exclusion of e-school data and the inclusion of special ed data in, when it shouldn't have been in our sponsor evaluation was wrong. It was just inappropriate, it's not acceptable. If someone had shared that with me, it wouldn't have happened and we wouldn't be here talking about it today."

During the meeting, Dr. Ross went on to explain, "We've had lots of discussion about Value-Added and e-school Value-Added in the last couple years. This group, our board committee has had discussions about e-school Value-Added and trying to understand what is going on with numbers trying to help e-schools understand what goes into the grades so they can provide services to students. So yes, there had been an incredible amount of agency conversation within this committee around e-school Value-Added. Trying to understand what goes into and trying to ensure that all students are being served. And doing what best..."

One State Board of Education member in attendance at the Accountability Committee meeting asked Dr. Ross:

"We haven't asked or addressed. Did, obviously, this was not a lone employee that did this. There were many employees at the Department who were aware that this was happening and from what I have read of the records they stated at times opposition or concern about it so did any of those go to their superior or a superior or supervisor or go to HR and state that they had concerns about what was happening. Did that ever happen?"

Refer to **Appendix 20** of this report for transcripts of the relevant portions of the July 14, 2015 and September 15, 2015 State Board and Accountability Committee meetings.

Dr. Ross responded:

"I have no knowledge of that and no one came to me because if they would have come to me we wouldn't be sitting here talking about this today. I think that again we have 100,000 pages of documents that have been sent to the AOS and IG [State of Ohio Inspector General's Office] that probably details the things you are referring to. I think they are the appropriate agencies to look at that and to vet and decide what they want to do with it and I think we should honor that..."

"I don't think any of the other staff directed that action. I think the decision was made by the person that has left the department."

In an attempt to clear up inconsistencies between Williams, Sheppard, and Dr. Ross's interviews, AOS interviewed Sheppard a second time. Below are excerpts from the second interview, a full transcript of which is included in **Appendix 21** of this report:

AOS: Is it fair to say that when you were working with David on issues that concerned you that you were keeping Dr. Ross in the loop on those matter?

Sheppard: I don't see why I wouldn't have. I can't say that sitting here today that on every single thing necessarily that he would have, he would have known about. I didn't do a whole lot without checking first. So, I think that that would be a fair statement.

AOS: Were the sponsor performance evaluations something that you felt it necessary to monitor closely?

Sheppard: When?

AOS: At any point in time. Just the implementation of the process, on boarding with sponsors and community schools. At any point in time did you recognize the need to monitor that situation closely?

Sheppard: Not closely. As I recall, the...David was ready to announce ratings the first senior staff meeting that I walked in to. And so I never, I never, I never, I had assumed that and probably wrongly with hindsight now, I assumed that by the time I got to the Department that sponsor evaluations were compliant.

AOS: At any point in time did you talk to David personally about the sponsor performance evaluations?

Sheppard: Are you referring specifically to the first set that was released?

AOS: We can talk about that first set but in general the process, the actual evaluation results.

Sheppard: The actual evaluation results, no. The first time I saw any that I recall seeing any spreadsheets or any kind of data runs was after, after David resigned. The only conversation I would have had with David to that point was just on the timing of announcing what the scores were. The only thing that I can recall seeing was the press release and then there were, there were letters, I think, to sponsors announcing scores. Frankly, I...and you'll have to excuse me, I don't know if that is something that I came across before they went out, after they went out, or after David was let go, looking through things. But absolutely nothing on data sets or data runs. I just, I never thought to, never thought to, I didn't think I needed to ask frankly.

AOS: At what point in time were you first alerted to potential problem with the evaluations?

Sheppard: I think. Did we cover that previously?

AOS: We did and I am still unclear from your answers precisely when you first knew there might be a problem.

Sheppard: We talked, if I recall, about there's a Plain Dealer article that came out, June maybe?

AOS: It was June.

Sheppard: Patrick O'Donnell did a lot of work and that was the first. Let me rephrase that. That was the first criticism that we had received on it. But it really wasn't until that July board meeting that something clicked that just wasn't right where it was, they were included, they were included, they were included and then oh they're not included. And that was the first time that, you know, I think we really understood there's something off on these evaluations.

AOS: So during June, when the Patrick O'Donnell questions are circulating, are you saying at that point in time you were viewing them more as being critical of the process as opposed to recognizing maybe something was done wrong?

Sheppard: Yes. I mean, I think that is a fair characterization of, you know, because we went back to, you know, we would have went back to David and... what's going on here? I mean we just, I mean, we always got the yeah they are included, they're included.

AOS: So David was telling you during that process that e-schools were included in the evaluations?

Sheppard: That, to my understanding, to my recollection, yes. I don't know why at that point, and we had. I promise I am not trying to be coy or anything, we had, we were dealing with wrapping up the state budget at the same time, there was conference committees' processes going on, there was the legislation dealing with the Youngstown Schools. So there was just, there was a lot going on at the Department and I was still relatively new. I don't know that I had a reason at that point not to trust the staff.

AOS: So to your knowledge up until the July board meeting, David never said we left e-schools out or we're phasing them in, however, gave any indication?

Sheppard: Phase in was they're included, they're phased in. That's the language that David would use.

AOS: Phasing them in. What did you believe that meant when you heard him explain it? Just in your opinion.

Sheppard: I don't know how to answer that. Only from the, I just didn't question it. You know, I didn't explore it farther.

AOS: Did you relay any of these conversations to Dr. Ross or talk to him at any point about the criticisms the Department was receiving?

Sheppard: I can't recall a specific conversation I had with Dr. Ross. I mean we saw the Plain Dealer article.

AOS: Did Dr. Ross talk about the Plain Dealer article with you?

Sheppard: I can't, I don't remember well enough to. Have you talked to...

AOS: We did, yes.

Sheppard: Okay, okay.

AOS: So, up until this point, just trusting the staff. Viewing what you are hearing as criticisms from the Plain Dealer; do you remember getting questions from Colleen Grady in the legislature?

Sheppard: Yes, I do remember getting some questions from Colleen.

AOS: Did you get the opportunity to review her questions?

Sheppard: Not in, I mean we were, again we were dealing with a lot of other things. I'm sure I saw the questions. Did you all show me an email the last time?

AOS: We did.

Sheppard: Yeah, so I saw the questions. I can't say that I got into the back and forth. There was not a, trying to think of the best way to say it. There wasn't a lot of love lost between Colleen and David. I have a great deal of respect for Colleen but you know at the time, before she ended up coming over to the Department, you know, I'm not sure they saw eye to eye on policy areas so.

AOS: Did you view her questions as being just challenging David's policy around how he developed the rubric versus understanding that her questions really drove to the point of maybe he didn't do something right in the calculations?

Sheppard: Without seeing those questions again, I don't feel comfortable answering that question.

AOS: We could put those up again. (June 19th email)

Sheppard: And then can you remind me again what document this is?

AOS: We can show you the email it was attached to. Would it be easier to have a copy to read?

Sheppard: No. Okay so that was from Melissa. So are the bolded?

AOS: Those are the questions. And the draft responses are not bold.

Sheppard: Okay.

Counsel for Sheppard: Can you repeat your question?

AOS: Yes. So again, making sure, I want to understand did you see these questions, did you understand them and did you recognize at the point in time that these questions were being answered that Colleen is questioning whether or not the evaluations were performed correctly versus questioning matters of policy. There were certain components of the law that the Department had at their discretion on how to evaluate versus things that were actually specified by the law that had to be done.

Sheppard: Can you scroll down?

AOS: Yes.

Sheppard: And I apologize, I will take a copy if you could print that out for me.

AOS: Sure.

Counsel for Sheppard: What's this intended to get at?

AOS: Well, again trying to identify the point in time precisely that you were made aware or understood that e-schools had been excluded. Based on this attachment and the email, it looks,

if you scroll up to question #1 in particular, what schools were excluded from the performance measure, then if you can read David's response to this, which I think is a combination of multiple people at this point. Reviewing and editing that response, they are saying e-schools were not included this year. Did you recognize that?

Sheppard: Thank you (receiving copies of email and attachment). I know how this looks. That's why I am struggling with...I can't say that I really understood. Even in David's answer here, he gives a reason the e-schools were omitted from the academic evaluation this year due to the ODE business rule change. That would. I did not understand, you know, even at this point in time that what was happening didn't comply with the law.

AOS: Okay.

Sheppard: And, nothing that David gave us would have and, you know, in hindsight, errantly, we were still relying on, relying on David.

AOS: Did you ever ask whether or not David ever consulted with the Legal department on his approach to the evaluations? I am not asking for their opinion, I am just asking whether or not you ever found out if they were consulted.

Sheppard: I don't remember but it's only, I don't know I would have had a reason to trust that the evaluations weren't above board. And if I can go back to, he was ready to announce these the day I walked into the Department to there were assumptions there that they were ready to go.

AOS: Do you know if this particular email and the draft responses that were prepared for Colleen were shared with Dr. Ross?

Sheppard: That I don't know.

AOS: You don't recall?

Sheppard: That I don't recall.

AOS: Would this have been the type of thing you would normally have brought to his attention? Or someone? There was a list of people on that email string.

Sheppard: Not necessarily only from the perspective only that Colleen made a lot of requests of the legislature, I'm sorry, of the Department at the time so I can't recall if Dick would have seen these questions or answers or not. I mean he was, he was as busy as everyone else with the budget, Youngstown, we were switching to assessment vendors. All that fun stuff that was going on that year.

AOS: So, the first occasion was the July 14th board meeting where you first knew, you believe there might be some questions to how the evaluations were performed.

Sheppard: I wasn't at the board meeting when David gave his presentation.

AOS: Would you ordinarily attend board meetings?

Sheppard: Yeah. I can't say that I would sit through all of them.

AOS: When did you first become aware of David's remarks at the board meeting?

Sheppard: We had a board member. Did we, and again, to be clear I think we...

AOS: We did, I want to circle back to that a bit more.

Sheppard: There was a board member who pulled us aside and said we've got issues. David just gave contradictory answers to the board.

AOS: And that board member was?

Sheppard: Todd Jones.

AOS: And was that in the morning, afternoon, do you remember?

Sheppard: I don't remember. It was after David's presentation.

AOS: Did Dr. Ross ever contact you about the remarks that David gave to the board?

Sheppard: Did Dr. Ross ever contact me? I recall we were both in that conversation with Todd Jones.

AOS: Oh, so you were there with Dr. Ross. Did Dr. Ross ask you to sit in on a meeting around lunchtime with him and some others, Jessica Voltolini, Melissa Huffman, Kevin Duff.

Sheppard: That I don't remember.

AOS: You don't remember, and this was on July 14th.

Sheppard: Was that the Tuesday of the board meeting?

AOS: Yes.

Sheppard: I don't recall that.

AOS: This was a meeting that Dr. Ross said he convened during the first break that they had after David spoke to ask everyone, Jessica, he believed you were there and others to investigate and to conduct a formal investigation internally into what had occurred.

Sheppard: I am sorry, on that one I do not remember. If I was around, it's possible I would have joined that meeting. I'm sorry, I just don't remember being on the second day of that board meeting.

AOS: Do you remember at any point in time notifying you he wanted you to look into this?

Sheppard: I mean it was kind of on Melissa and I to, yeah I mean, I don't recall him specifically, you know, like what day or time but that was but it was Melissa and I were, you know, tasked with trying to figure out with what happened. And I, yeah.

AOS: So, at some point you do recall Dr. Ross did instruct you and Melissa to lead an internal investigation.

Sheppard: I, so, that Tuesday of the board meeting I was out the next day for a CCSO conference so a lot of those early conversations I think did happen with Melissa. If I was around I'm sure he talked to me about it too but regardless I will say whenever I got back and you know I was in communication with Dr. Ross even during the, during my trip but I mean when I got back, this was, it was a focus, you know.

AOS: Did you understand it to be an internal investigation that Dr. Ross wanted answers as to who knew what and when they knew?

Sheppard: When you say internal investigation are you talking about a formalized internal?

AOS: In Dr. Ross' interview that is how he characterized it.

Sheppard: Yeah. I won't dispute that. Having never done an internal investigative process before I think there is certainly a lot of things that we would have done, have done a little differently. We also and we didn't have, we had an Interim Chief Legal at the time, and the only thing I will say about that is I wish we would have had a stronger Chief Legal at the time.

AOS: Were you aware of whether or not the Department had a policy for conducting internal investigations at that point?

Sheppard: I never, no. I wasn't.

AOS: Did you ask if one existed. Do you remember?

Sheppard: I can't recall asking.

AOS: You were never presented with a policy then I take it?

Sheppard: No.

AOS: At any point in time, did you or anyone on the team assisting with the investigation ever ask David Hansen why he omitted the e-schools or phased them in?

Sheppard: So I've a, I haven't spoken with David since July 18, 2015. I will tell you. This must have been Wednesday before I left. I met with David and asked him about it and specifically asked him if the law allowed him to do what it did and that's the only time that I can recall David saying to me, "No".

AOS: So David acknowledged the law didn't permit it?

Sheppard: That was my, that was my recollection of that conversation. I left, I believe, I think David was sent home on Friday maybe and then he resigned on Saturday.

AOS: When David told you no, the law didn't permit it, did you ask him why he did it then?

Sheppard: I can't, I don't remember asking the reason.

AOS: Did David ever mention to you that he had a legal opinion from the department?

Sheppard: I don't recall that.

Counsel for Sheppard: Was there a legal opinion?

AOS: According to Dr. Ross he believes there was. He overheard a conversation to that effect. That's why I am trying to determine as part of an internal investigation if that was something you were ever made aware of?

AOS: So at any point in time were you made aware of David Hansen getting a legal opinion?

Sheppard: I am trying to, I don't want to waive any privilege issues from the Department but no. I was not aware of a legal opinion prior to the July board meeting.

Counsel for AOS: Did you become aware of him relying on a legal opinion after the July board meeting?

Counsel for Sheppard: I think we need to clarify what's a legal opinion here.

Counsel for AOS: Yeah, that's why I framed it the way I did. If it was something on which you believed Hansen was relying on coming to you and saying he omitted the e-schools and knew it was not appropriate.

Sheppard: Say that again Jim, I'm sorry.

Counsel for AOS: What I am trying to understand I heard you say that you didn't have a belief that Hansen was relying on any legal opinion in the positions that he took prior to the July 14th board meeting. But did you become aware after the July 14th board meeting that he was relying on a legal opinion as a basis for the work that he did?

Sheppard: I mean again I don't know how to answer that without thinking about privilege issues.

Counsel for AOS: I'm not asking you to tell me the communications he had with anybody who was a lawyer. The question is whether or not you came to learn that he was relying upon a legal opinion after July 14th that formed the basis of the belief that he could omit e-schools.

Sheppard: Yes.

Counsel for AOS: I am not asking about communication that may be privileged.

Sheppard: Yeah.

AOS: How did you become aware of that?

Sheppard: That I don't, that I don't remember. I don't know if it's something. I don't know if it's something that Melissa caught or I caught or our Legal folks caught. I don't remember exactly.

AOS: During your internal investigation did you speak with anybody in Legal? I don't want to know what they told you but did you speak to anybody from Legal?

Sheppard: I am sure we did, I can't recall the specific conversations.

AOS: Do you know who you would have spoken to at Legal?

Sheppard: Sharon was the Chief Legal, Interim Chief Legal at the time and then Diane came on August of that year? She really took as I know you are all well aware, took a really strong lead with this and I think in helping organize just with her experience it was very, very helpful to the Department. Donny was in the Legal shop at that time too.

AOS: So had you spoken to Donny during your internal investigation?

Sheppard: I'm sure I did, I can't recall a specific conversation we talked with the Data Managers we talked with a lot of folks, the program people, Jessica, others. It was, frankly, it was a lot of people couldn't remember. I think a lot of people were, they were obviously seeing what was going on with the media. People weren't all that forthcoming. Trying to piece things together for us.

AOS: Did you ask anybody from Legal? Leming or Sharon Jennings whether they provided David with the legal opinion to allow him to do what he did?

Sheppard: Again, I am not really sure how to answer some of these questions. I'm...

AOS: I don't want to know what they told you, did you ask them specifically did you provide an opinion?

AOS: An opinion to David?

AOS: Period.

Sheppard: I can't remember specifically asking a question like that. I'm not saying I didn't. I don't remember.

AOS: Did you document any of your, we'll call them interviews, or people that you spoke with during your internal investigation? Did you formalize anything, take any notes?

Sheppard: No, I did not formalize anything like that. I think when, when Diane came on I think she did but in my role, I did not.

AOS: Were you the lead on the investigation?

Sheppard: I wouldn't call myself that.

AOS: How would you characterize it?

Sheppard: You know, I was working on it. Melissa was working on it. And in terms of a formal investigation, I would say that was not what I did. When Diane came on I think that's when the formalized piece of it started, frankly.

AOS: Were you at all concerned going in to the July 14th board meeting that this might come up? That these questions might be asked?

Sheppard: We knew that it was going to be a rough board meeting just with Youngstown.

AOS: Who's we?

Sheppard: Just generally the Department. So I don't think we were trying to make more stories. I did not know that these specific questions were going to come up during the board meeting but...

AOS: Can you pull up the July 11th email? This is an email on July 11th, a Saturday. Colleen is circling back with more questions at this point and then your response to the ODE team is "I would like to be included in whatever meetings that occur on this topic". Can you describe for us what your concerns were at the point you read this email?

Sheppard: This is a new one?

AOS: Yes, this is a new one.

Sheppard: I think you can understand why we hired Colleen. I'm sorry what was your question on this again?

AOS: Why did you ask to be included in all meetings?

Sheppard: I don't recall why I asked to be included. I worked well with Colleen in other roles. And again respect her policy mind on things.

AOS: On July 11th, looking at her follow up questions, did you have doubts about what David had told you up to this point?

Sheppard: I honestly don't know. This is 10pm at night. I can't say with certainty that I dug into her follow ups on it. I don't know that at the time that I was, that I was still thinking that what we had done was wrong. Or non-compliant or however you want to say it.

AOS: Do you know if these particular questions were ever shared with Dr. Ross?

Sheppard: I do not know that.

AOS: Do you know if Dr. Ross was aware that Colleen was asking a series of questions?

Sheppard: I don't know that. That'd be outside my recollection.

AOS: So during the internal investigation can you tell me who assisted you? You mentioned Melissa, was there anybody else on the team of people who were looking into this with you?

Sheppard: Kevin Duff, from a policy perspective, I remember having conversations with Kevin about what he was finding and the spreadsheets. And just how, and that was when I was out of town and just how problematic they were so Kevin was kind of a policy mind that we, that I trusted.

AOS: He was asked to review the spreadsheet calculations?

Sheppard: I don't know if he was asked or if he, he did, to my knowledge he did. I mean I am sure Jessica, you know, she was another, she is another good policy mind that I have a lot of respect for. Sharon, I am sure as the Interim, like I had conversations with her. Matt Williams was helpful on the IT side of things. I may have left folks off of that but when you say internal investigation, I am just, some of the things that we were looking at and the people I talked to again in hindsight, you know, I wish it would have been more formal, more formalized but you know.

AOS: How did each of these individuals update you on what they were finding or were, should I ask, were they updating you on what they were finding? Who were they updating?

Sheppard: Can you repeat the end again?

AOS: Yes, who were these individuals updating on what they were finding?

Sheppard: I mean it would have been either me or Dick I think or they would have talked to Melissa. I mean it would have been possible that they would have talked to her directly and she talks to me or she talks to Dick.

AOS: Do you believe that you would have been made aware at some point of what they would have all found?

Sheppard: Yeah, I think so. I have no reason to think otherwise.

AOS: Do you believe Dick Ross was also being made aware of the findings?

Sheppard: Yeah, I believe so. We were all in the thick of it.

AOS: Were you having meetings with Dick Ross to keep him up to date?

Sheppard: I don't know if that's something we talked about last time, I can't, I don't think it was something formal. Our offices were next to each other, we were getting constant, you know, barrages from the media, board members, other interested parties. Including the Auditor's Office.

AOS: Sure.

Sheppard: I mean we were in communication. I think I mentioned that the last time.

AOS: I am just trying to understand, is Dick Ross hearing from multiple people, everyone's just going to him directly, Jessica finds something she just takes it to Dick? Or was there a process?

Sheppard: I think that is very possible. I think if people found things and Dick was available he would have talked to them I don't think he would have turned them away or told them not to tell them something.

AOS: So was anyone really ever in control of the internal investigation results until Diane gets there?

Sheppard: Is this where you are going to make me look bad? It's a serious question.

AOS: It is, it is an important one.

Sheppard: I don't know how, I mean, I don't know how to answer that question. I mean Dick was. Dick was obviously the Superintendent, had conversations with him. I think he, I think he faced a lot of questions from his Board in September. So I don't know what you want me to say about, I mean when Diane came on that was certainly an important piece of formalizing, you know, an investigation. But I can't say that there was a formalized process to that point, where we were documenting what we were doing.

AOS: To your knowledge, did Dick ever appoint any one person to ever be in charge of it?

Sheppard: Not from a, I think what your, if I'm understanding correctly from a formalized, internal investigation, I don't recall that.

AOS: What about an informal investigation?

Sheppard: We all wanted to know what happened, myself included, Dick included so yes, we were trying to find out what happened but I don't know if it ever rose to the level of a, you know, I don't want to dispute that if that's what Dick, you know, believes but I can't say that steps were.

AOS: Dick shared with us that he did ask for a formal investigation.

Sheppard: Okay.

AOS: And you were the lead on that so we want to understand what your perception of his instructions was.

Sheppard: I feel like I'm getting. I don't know what you want me to say. I mean I've explained what, you know, the steps that we took, we wanted to know what happened. There wasn't a policy or a manual that I saw on an investigation so whenever he asked me to or he asked what happened it was just go find out what happened and that's what we tried to. When Diane came on obviously that helped. We had conversations with the Legal folks but I, you know, it really came together when we had a permanent Chief Legal Counsel over there. So I don't know.

AOS: So would it be fair to say that while you were conducting this investigation and others were involved in the investigation no body was really in charge? Everybody was trying to find out what was going on and reporting it to Dr. Ross.

Sheppard: I mean I'm not going to shirk away, I mean I was the Chief of Staff over there, you know, I had communication with folks. I don't know that it would be fair to say that no one was in charge. I think there was a lot of information gathering that, that went on. Yeah.

AOS: Maybe it would be fair to ask this question. Did Dr. Ross ever communicate his expectation for you to lead an investigation to you?

Sheppard: I don't know that I feel comfortable answering that question. I feel like the nature of this conversation is pointing to me and I...

Counsel for Sheppard: Right, I thought we were here to follow up on some, you know, circle back on some potential emails and things like that. This is, I mean, is Jimmy a target of this investigation?

AOS: At this point, no. You are not a target. I will share with you that the emails that we put back up on the screen this morning are emails that Dr. Ross claimed he'd never seen and that would have been helpful to him to be able to see them and be made aware of those. He expressed frustration during his interview for not having seen them previously. And again he communicated to us that he in fact did give instructions for a formal investigation on which you were to be the lead. Now I know you had communicated previously that you were at a conference, you were not at the board meeting, you've told us this morning that you weren't at the lunchtime meeting with Dr. Ross so it's important for me and I think for Jimmy as well to understand, did you know it was a formal investigation as far as Dr. Ross was concerned.

Counsel for Sheppard: I think he has said he was not under that impression.

AOS: And did you understand that Dr. Ross viewed you as the lead on that? Until Diane arrives.

Sheppard: I have no reason to think that Dick wouldn't have seen me as the lead on that.

AOS: Okay. But no, you are not the target.

Counsel for Sheppard: Well let me ask a couple of questions. Did he ever give you a date by which the report was to be done?

Sheppard: No, we didn't have a...

Counsel for Sheppard: Did he ever say that the reports supposed to be in written form and we're going to presented it to the board?

Sheppard: No, we never had any conversations (inaudible).

AOS: How did he expect to update the board on the results of the investigation? Did he ever...

Sheppard: You keep...

AOS: ...provide directions?

Sheppard: You keep using the term "investigation", I think that's where I get hung up. We did calls with the board members, updating them on, you know, what we knew to be true and then the, there was a push from the board to do an August special session. Never collected the signatures to do that, a special board meeting. So September came and we had a lot of, a lot of question, a lot of, and I stand by, you know, and I think that the Department stood by what Dick said and communicated at the September board meeting, you know, as being as accurate as we could be at the time and some of the steps that we had taken too. You know we retracted the evaluations I can't remember if we had the three person panel on board to kind of review and make recommendations on correctly implementing the new, I don't remember the timing.

AOS: It was just discussed in the September meeting.

Sheppard: So there were, we prepared for a lot of question and wanted to make sure we had answers and that was the focus of my work was frankly making sure what Dick said was accurate, you know.

AOS: You believe it was.

Sheppard: I believe what Dick said at the September board meeting and the answers that he gave were accurate. I still believe that.

AOS: Did you, at any point in time, feel like anyone other than David Hansen should have been disciplined or was at fault in anyway. In your opinion.

Sheppard: I mean we, there were no other disciplinary actions taken at the department. There were some things put in place like the Data Governance Committee to ensure that people were talking, communicating, knew what was going on. So there were some internal things that went on that there were no further disciplinary actions that...

AOS: Did you personally believe that no one else was at fault?

Sheppard: At fault? No. I don't. I still don't.

Counsel for AOS: Just one point of clarification, you were at the September board meeting?

Sheppard: Yes.

Counsel for AOS: Okay.

AOS: Any other questions that...

Counsel for AOS: I just heard him say that he agreed with everything that Dr. Ross said at the board meeting I just didn't know if you were there to hear what he had to say.

Sheppard: Yes, I was.

ODE emails obtained by AOS during this audit suggest that at least some of ODE's Administration knew that Hansen excluded e-schools from the academic component of the sponsor performance evaluations. Although his intent for excluding the e-schools was unclear, Hansen told AOS during an interview that he did it, in part, because he feared the Value-Added business rule change, and its disproportionate negative impact on e-schools and their sponsors, would lead to a pendulum swing of future legislation changing the Value-Added formula for all schools or eliminating the evaluation of sponsors altogether.

Additionally, it appears that some of ODE's Administration may have learned, after the July 14, 2015 Board of Education meeting transcribed in **Appendix 20** of this report, that Hansen had an ODE legal opinion indicating it was permissible to exclude e-schools. However, despite an exhaustive review of ODE records and numerous interviews, AOS was unable to conclude whether Hansen omitted e-schools from the academic component sponsor performance evaluations with the intent to deceive or otherwise influence the results of ODE's competition with other states for the 2015 Federal CSP award.⁷

⁷ The scope of this special audit did not include the compliance or quality components of the sponsor performance evaluations required by Ohio Rev. Code §3314.016.

Additionally, while it is apparent that ODE administration members that were organizationally above Hansen had knowledge of his plan to “phase in” or omit e-schools from the academic component of the sponsor performance evaluations in 2015, it is unclear whether Dr. Ross had an understanding of this plan or whether anyone else may have influenced or otherwise directed this decision. Refer to **Section 7** of this report for Findings related to the sponsor performance evaluations and ODE’s lack of controls over internal investigations.

4. AUTO CLOSURE

Students enrolled in community schools are subject to the same achievement and graduation testing requirements as students enrolled in traditional public schools [Ohio Rev. Code §3314.03(A)(11)(d)]. However, due to some of the unique characteristics of community schools, the legislature enacted a number of provisions related to permanent, automatic closure of community schools based upon underperformance of students. While these permanent closure laws result in automatic closure of a community school, a community school sponsor may still exercise its option to non-renew a community school contract for any reason or to terminate an existing contract prior to its expiration for any of the reasons set forth in Ohio Rev. Code §3314.07.

Community schools meeting **any** of the following criteria **on or after July 1, 2013**, are required to permanently close for poor performance under Ohio Rev. Code §3314.35:

Grade Levels Offered	Closure Criteria
A school that does not offer a grade higher than three	For two of the three most recent school years: <ul style="list-style-type: none"> • The school has been in Academic Emergency; OR <ul style="list-style-type: none"> • The school had an “F” on K-3 Literacy Improvement. OR <ul style="list-style-type: none"> • The school received an overall grade of “F” under Ohio Rev. Code §3302.03.
A school that offers any of grades four to eight but offers no grade higher than nine	For two of the three most recent school years: <ul style="list-style-type: none"> • The school has been in Academic Emergency and showed less than one standard year of academic growth in reading and/or mathematics; OR <ul style="list-style-type: none"> • The school had an “F” on Performance Index and an “F” on Overall Value-Added.* OR <ul style="list-style-type: none"> • The school received an overall grade of “F” and a grade of “F” for the Overall Value-Added. *
A school that offers any of grades ten to twelve	For two of the three most recent school years: <ul style="list-style-type: none"> • The school has been in Academic Emergency; OR <ul style="list-style-type: none"> • The school had an “F” on Performance Index and did not meet Annual Measurable Objectives. OR <ul style="list-style-type: none"> • The school received an overall grade of “F” and an “F” on Overall Value-Added.*
<i>* For purposes of this section only, ODE shall calculate the Value-Added progress dimension (Overall Value-Added) for a community school using assessment scores for only those students to whom the school has administered the achievement assessments prescribed by Ohio Rev. Code §3301.0710 for at least the two most recent school years but using Value-Added data from only the most recent school year.</i>	

The following community schools are statutorily exempt from Ohio’s Automatic Closure Law:

- Any community school in which a majority of the students are enrolled in a dropout prevention and recovery program that is operated by the school. Rather, such schools shall be subject to closure only as provided in Ohio Rev. Code §3314.351.
 - However, prior to July 1, 2014, a community school in which a majority of the students are enrolled in a dropout prevention and recovery program are exempt from the Automatic Closure Law only if the school was granted a waiver under Ohio Rev. Code §3314.36.

- Any community school in which a majority of the enrolled students are children with disabilities receiving special education and related services in accordance with Chapter 3323 of the Revised Code.

Historically, oversight of the Automatic Closure Law has primarily fallen upon the community school sponsors, which are responsible for monitoring and reporting on the academic and financial performance of their sponsored community schools, and ODE. Any community school meeting the Automatic Closure criteria must permanently close at the conclusion of the school year in which the school first becomes subject to the closure law. The community school sponsor and governing authority must comply with ODE’s procedures for closing a community school and the governing authority of the school is forbidden from entering into a contract with another sponsor after the school closes.

In 2015, the General Assembly passed the Safe Harbor Act which gave schools, teachers, and students time to adjust to the new state tests and suspended many of the consequences of the tests for the 2014-2015, 2015-2016, and 2016-2017 school years. During the period of Safe Harbor, no community school could be closed for continued poor performance under Ohio Rev. Code §3314.35 and §3314.351. However, sponsors were neither precluded from nor discouraged against closing poor-performing community schools with which they contracted during the period of Safe Harbor. Sponsors could base such closures on a school’s performance compared to the requirements of its contract.

4.1. AOS REVIEW OF ODE’S APPLICATION OF THE AUTOMATIC CLOSURE LAW

During the course of our special audit on the 2015 CSP application, AOS identified several e-mails between the ODE Office of Quality School Choice and other ODE employees pertaining to the permanent Automatic Closure Law. Taken together, the emails raise questions about whether ODE accurately interpreted, communicated and applied the permanent Automatic Closure Law to community school results for the 2013-2014 school year. For this reason, AOS reviewed the Annual Reports on Ohio Community Schools produced by ODE between 2012 and 2014 (available at: <http://education.ohio.gov/Topics/Community-Schools/Annual-Reports-on-Ohio-Community-Schools>). These reports provide information about Ohio community schools, including an overview, history, academic programs, operations, financial condition, legal compliance and sponsor evaluation data.

Upon review of ODE’s Annual Reports for each year, AOS identified inconsistencies in ODE’s description of the permanent Automatic Closure Law requirements. The following table summarizes and compares ODE’s explanation of these requirements in each annual report:

Grade Levels Offered	ODE Closure Criteria from 2013-2014 Annual Report	ODE Closure Criteria from 2012-2013 Annual Report	ODE Closure Criteria from 2011-2012 Annual Report
A school that does not offer a grade higher than three	For two of the three most recent school years: <ul style="list-style-type: none"> • The school has been in Academic Emergency; OR <ul style="list-style-type: none"> • The school had an “F” on K-3 Literacy Improvement. 	For two of the three most recent school years: <ul style="list-style-type: none"> • The school has been in Academic Emergency; 	For two of the three most recent school years: <ul style="list-style-type: none"> • The school has been in Academic Emergency;

Grade Levels Offered	ODE Closure Criteria from 2013-2014 Annual Report	ODE Closure Criteria from 2012-2013 Annual Report	ODE Closure Criteria from 2011-2012 Annual Report
A school that offers any of grades four to eight but offers no grade higher than nine	For two of the three most recent school years: <ul style="list-style-type: none"> The school has been in Academic Emergency and showed less than one standard year of academic growth in reading and/or mathematics; OR <ul style="list-style-type: none"> The school had an "F" on Performance Index and an "F" on Overall Value-Added. 	For two of the three most recent school years: <ul style="list-style-type: none"> The school has been in Academic Emergency and showed less than one standard year of academic growth in reading and/or mathematics; OR <ul style="list-style-type: none"> The school had an "F" on Performance Index and an "F" on Overall Value-Added. 	For two of the three most recent school years: <ul style="list-style-type: none"> The school has been in Academic Emergency and showed less than one standard year of academic growth in reading and/or mathematics;
A school that offers any of grades ten to twelve	For two of the three most recent school years: <ul style="list-style-type: none"> The school has been in Academic Emergency; OR <ul style="list-style-type: none"> The school had an "F" on Performance Index and a "D" or an "F" on Annual Measurable Objectives. 	For two of the three most recent school years: <ul style="list-style-type: none"> The school has been in Academic Emergency; OR <ul style="list-style-type: none"> The school had an "F" on Performance Index and a "D" or an "F" on Annual Measurable Objectives. 	For two of the three most recent school years: <ul style="list-style-type: none"> The school has been in Academic Emergency;
Number of Schools ODE Closed each year under Auto Closure Law per Annual Report	1	1	3
<i>* For purposes of this section only, ODE shall calculate the Value-Added progress dimension (or Overall Value-Added) for a community school using assessment scores for only those students to whom the school has administered the achievement assessments prescribed by Ohio Rev. Code §3301.0710 for at least the two most recent school years but using Value-Added data from only the most recent school year.</i>			

Grade Levels Offered	ODE Closure Criteria from 2013-2014 Annual Report	ODE Closure Criteria from 2012-2013 Annual Report	ODE Closure Criteria from 2011-2012 Annual Report
<p>Note: During our review of the number of community schools closed under the Automatic Closure Law for each year, AOS noted the following:</p> <p>For the 2013-2014 school year, East End Community Heritage School was closed under the Automatic Closure Law and ODE’s Annual Report for that year properly reflected one community school closed.</p> <p>For the 2012-2013 school year, ODE records indicate two community schools were closed under the Automatic Closure Law:</p> <ul style="list-style-type: none"> • Quest Academy Community School • Romig Road Community School <p>However, ODE’s Annual Report for that year indicated only one community school was closed. Refer to Section 7 of this report for Findings related to Automatic Closure.</p> <p>For the 2011-2012 school year, ODE records indicate four community schools were closed under the Automatic Closure Law:</p> <ul style="list-style-type: none"> • Elite Academy of the Arts • Lighthouse Community School & Professional Development • Marcus Garvey Community School • Tech-Con Institute <p>However, ODE’s Annual Report for that year indicated only three community schools were closed. Refer to Section 7 of this report for Findings related to Automatic Closure.</p>			

Based on the period under audit, AOS compared ODE’s explanation of the permanent Automatic Closure Law in ODE’s 2013-2014 Annual Report on Ohio Community Schools to the statutory requirements in effect for the period. The following tables provide a comparison of ODE’s explanation to the statute in effect for the 2013-2014 school year:

Comparison of ODE Explanation of Auto Closure Criteria to Statute 2013-2014

Grade Levels Offered	ODE Closure Criteria for 2013-2014	Effective Statutory Requirements
A school that does not offer a grade higher than three	For two of the three most recent school years: <ul style="list-style-type: none"> • The school has been in Academic Emergency; OR <ul style="list-style-type: none"> • The school had an “F” on K-3 Literacy Improvement. 	For two of the three most recent school years: <ul style="list-style-type: none"> • The school has been in Academic Emergency; OR <ul style="list-style-type: none"> • The school had an “F” on K-3 Literacy Improvement. OR <ul style="list-style-type: none"> • <i>The school received an overall grade of “F” under div. (C) of ORC §3302.03.</i>
A school that offers any of grades four to eight but offers no grade higher than nine	For two of the three most recent school years: <ul style="list-style-type: none"> • The school has been in Academic Emergency and showed less than one standard year of academic growth in reading and/or mathematics; OR <ul style="list-style-type: none"> • The school had an “F” on Performance Index and an “F” on Overall Value-Added. 	For two of the three most recent school years: <ul style="list-style-type: none"> • The school has been in Academic Emergency and showed less than one standard year of academic growth in reading and/or mathematics; OR <ul style="list-style-type: none"> • The school had an “F” on Performance Index and an “F” on Overall Value-Added. OR <ul style="list-style-type: none"> • <i>The school received an overall grade of “F” under div. (C) of ORC §3302.03 and an “F” for the Overall Value-Added.</i>
A school that offers any of grades ten to twelve	For two of the three most recent school years: <ul style="list-style-type: none"> • The school has been in Academic Emergency; OR <ul style="list-style-type: none"> • The school had an “F” on Performance Index and a “D” or an “F” on Annual Measurable Objectives. 	For two of the three most recent school years: <ul style="list-style-type: none"> • The school has been in Academic Emergency; OR <ul style="list-style-type: none"> • The school had an “F” on Performance Index and did not meet Annual Measurable Objectives. OR <ul style="list-style-type: none"> • <i>The school received an overall grade of “F” under div. (C) of ORC §3302.03 and an “F” for the Overall Value-Added.</i>

Results: ODE’s permanent, automatic closure criteria as described in the 2013-2014 Annual Report on Ohio Community Schools was consistent with the effective statutory language in Ohio Rev. Code §3314.35 for this time period. The effective statutory language in *italics* was omitted from ODE’s 2013-2014 Annual

Grade Levels Offered	ODE Closure Criteria for 2013-2014	Effective Statutory Requirements
<p>Report on Ohio Community Schools. However, Am. Sub. H.B. 555, an Education Bill drafted by ODE, amended Ohio Rev. Code §3302.03 to indicate that ODE shall not calculate an overall letter grade for a school district or building for the 2013-2014 or 2014-2015 school years. Additionally, Ohio was under Flexibility Waivers to the Elementary and Secondary Education Act (ESEA) as approved by USDE during 2013 and 2014. As a result, AOS believes ODE appropriately eliminated the third criterion above for the permanent Automatic Closure Law for K-12 community schools. In a legal analysis performed by AOS, the word “and” in the criterion above plays an important role. A school must both have received an overall grade of “F” and an “F” on the Overall Value-Added to be closed under this criterion. By not calculating an overall grade for the 2013-2014 school year, the entire criterion must be eliminated from consideration since it is a two-part test. If the entire criterion had not been eliminated, some schools would have been closed for receiving an “F” on the Overall Value-Added for two of the three most recent years.</p>		

4.2. AUTOMATIC CLOSURE LAW RESULTS

ODE did not have written internal controls for identifying community schools to be closed under the Automatic Closure Law and did not maintain an accurate historical list of community schools closed. In order to assess the effectiveness and accuracy of ODE’s automatic school closure identification and notification process, AOS reperformed the calculation for identifying community schools required to be closed under the criteria from Ohio Rev. Code §3314.35 outlined above for the 2013-2014 school year. As part of this analysis, AOS obtained the academic information from the local report cards for all community schools for the 2013-2014, 2012-2013, and 2011-2012 school years. Using the criteria in **Section 4.1** of this report above, AOS analyzed and identified the community schools AOS believed should be closed and compared our results to the actual community school automatic closure list prepared by ODE for that school year. AOS agreed its recalculated community school automatic closure list to the actual ODE list of community schools closed under the Automatic Closure Law for the 2013-2014 school year. AOS performed a similar analysis for school years 2012-2013 and 2011-2012 with no exceptions.

However, AOS downloaded the academic data for all Ohio community schools from ODE’s local report cards for the 2009-2010 through 2010-2011 school years. During our comparison of the local report card data to Table 1 in ODE’s Community School Annual Report for each year, AOS noted the grade levels served as published on ODE’s local report cards for 25 community schools in the 2009-2010 school year and 34 community schools for the 2010-2011 school year did not correlate with the grade levels served as indicated in the respective Annual Reports. According to Joni Hoffman (Hoffman), the former Director of Community Schools, ODE used the data in the Ohio Educational Directory System (OEDS) to generate local report cards. In fact, ODE generates local report card information from various sources, including but not limited to, the Education Management Information System (EMIS) and OEDS. However, OEDS is a decentralized directory data system in which organizations maintain their own data. ODE did not validate the information schools input into OEDS. Proper identification of the actual grade levels being served by a community school is an important step in determining which of the Automatic Closure Law criteria apply to the community school. Refer to **Section 7** of this report for Findings.

5. EDCHOICE SCHOLARSHIP

The Educational Choice Scholarship (EdChoice) program is governed by Ohio Rev. Code Chapter 3310 and Ohio Admin. Code §3301-11. EdChoice provides students from underperforming public schools the opportunity to attend participating private schools. The program also provides low income students who are entering kindergarten through fifth grade the same opportunity. The program provides up to 60,000 EdChoice scholarships to eligible students. Families who live in the Cleveland Metropolitan School District (MSD) are not eligible to apply for an EdChoice Scholarship since Cleveland MSD has its own separate, statutory scholarship program.

Annually, ODE identifies public schools to which both of the following apply whose students are eligible to receive EdChoice scholarships pursuant to Ohio Rev. Code §3310.03(B)(1)⁸:

- (a) The building was ranked, for at least two of the three most recent rankings prior to the first day of July of the school year for which a scholarship is sought, in the lowest ten percent of all buildings operated by city, local, and exempted village school districts according to performance index score as determined by the department of education.

AND

- (b) The building was not declared to be excellent or effective, or the equivalent of such ratings as determined by the department, under section 3302.03 of the Revised Code in the most recent rating published prior to the first day of July of the school year for which a scholarship is sought.

During our review of the ODE emails, AOS noted several occasions where individuals, including David Hansen (Hansen), the former Executive Director of Quality School Choice, raised concerns about the accuracy of ODE's Designated School List determination. Due to the elevated compliance risk with ODE's Office of Quality School Choice and the apparent lack of internal controls over the EdChoice process as identified by various ODE employees, AOS reviewed the following matters as part of its special audit.

TOTAL DESIGNATED SCHOOLS LESS THAN TEN PERCENT OF TOTAL BUILDING POPULATION

On August 6, 2014, Hansen received the following inquiry pertaining to ODE's calculation of the EdChoice Designated Schools List:

"I was wondering how ODE calculates which schools fall in the lowest 10%.

There are only 220 schools currently on the EdChoice designated schools list. Of those, I believe 213 fall into the lowest 10% based on PI [Performance Index] score. So you would imagine that there are only about 2130 public schools in Ohio. However there are over 3300 schools in Ohio. Even when you take out the community schools and CMSD you should still be left with about 3000 traditional public schools. The lowest 10% should probably include somewhere around 300 schools, not 220.

I haven't looked to see how many schools got a grade of A or B for PI and Value-Add (which would keep a school off the list), but I can't imagine that this would account for 80 schools with extremely low PI's being left off the list. ODE is clearly using some sort of filter or there is some criteria which I'm missing that making schools ineligible and I would be curious to know what it is."

⁸ The language cited herein is current law.

Upon receiving the inquiry, Hansen inquired with ODE Data Manager, Karlyn Geis (Geis), to determine how the EdChoice Designated School List was calculated. In August 2014, the statutory language in effect in Ohio Rev. Code 3310.03§ (B)(1)(a) was slightly different than the current law language from the same statute described above. In August 2014, Ohio Rev. Code 3310.03§ (B)(1)(a) required ODE to calculate the “lowest ten percent of *all public school buildings*.” Geis responded to Hansen with the following explanation of how the Designated School List is calculated by another Data Manager, Erin Whitt (Whitt):

1. “Erin starts with the master building list of all public schools that will receive a report card.
2. She removes the charter schools.
3. She removes traditional public schools that do not have PI scores. (*PI score is not calculated for all public schools due to grade levels served or number of students with applicable data... loses schools here.*)
4. She rank orders the remaining schools by PI score.
5. **She isolates the lowest 10% of schools by PI score.**
6. She removes traditional public schools from the Cleveland Municipal School District from the lowest 10% (*Someone told ODE Data Managers to keep the Cleveland schools in the analysis and remove them after pulling the lowest 10%*)”

Hansen reacted to Geis’s explanation of Whitt’s calculation as follows:

“Who told her to do that? Can you find out? Cleveland schools are in their own program. Taking them out would allow EdChoice to reach higher into the other districts’ schools. Leaving them in cheats kids out of the opportunity to use EdChoice.”

Based on these emails and the lack of apparent resolution to the questions posed by Hansen, AOS requested and subsequently obtained from ODE the EdChoice Designated Schools Lists for the 2011-2012 through 2015-2016 school years. Due to the complexity of the EdChoice requirements and the volume of data to be analyzed, AOS tested only ODE’s calculation and identification of the EdChoice Designated Schools for the 2015-2016 school year.

AOS analyzed the meaning of the statutory criteria for school building eligibility in Ohio Rev. Code §3310.03. To recalculate the EdChoice Designated Schools List for the 2015-2016 school year, AOS also obtained the available required academic criteria for all community schools from ODE’s local report card system for the past three years. ODE must publish the EdChoice Designated Schools List in the spring of the upcoming school year so that schools and parents have ample notice that they are in a school building whose students are eligible to receive a scholarship for the upcoming school year. In light of this, ODE had to use the academic information from the local report cards for the 2011-2012 through 2013-2014 school years in order to prepare the 2015-2016 EdChoice Designated Schools List, which ODE published on its website on January 14, 2015.

Using the local report card information, AOS recalculated the EdChoice Designated Schools List for the 2015-2016 school year. Upon inquiry with ODE, AOS determined that ODE excluded community schools, and schools with less than two years of available academic data published in their local report cards from its calculation of eligible EdChoice school buildings. Additionally, ODE included Cleveland Municipal school buildings in its calculation of the lowest ten percent of academic data. Then, upon applying the cut score, ODE subsequently backed out any Cleveland Municipal school building from the published EdChoice Designated Schools List. Upon further inquiry, ODE explained its interpretation of the requirements in Ohio Rev. Code §3311.01, pertaining to the “styling” of school districts relevant to the application of EdChoice requirements. In short, prior to 2015, ODE was required to calculate the “lowest ten percent of *all public schools* according to performance index score as determined by ODE” pursuant to Ohio Rev. Code §3310.03(B)(1)(a).

However, the Ohio legislature subsequently clarified this requirement and modified the statute in Am. Sub. H.B. 64, 131st General Assembly, as follows:

- (a) The building was ranked, for at least two of the three most recent rankings prior to the first day of July of the school year for which a scholarship is sought, in the lowest ten percent of all buildings operated by city, local, and exempted village school districts according to performance index score as determined by the department of education.

Based on prior law, AOS agreed that it was reasonable for ODE to include all public schools, including Cleveland Municipal Schools and community schools in its initial calculation of the lowest ten percent of school buildings. However, since Cleveland Municipal School District and community school students are not eligible to receive EdChoice scholarships, it was reasonable for ODE to subsequently remove these schools from the published EdChoice Designated Schools List. Based on the amended language in Am. Sub. H.B. 64, 131st General Assembly, the Ohio legislature clarified that neither Cleveland Municipal Schools nor community schools should be included in the initial calculation of the lowest ten percent of school buildings going forward. Overall, AOS concluded that ODE used reasonable judgment in its interpretation of the prior law's reference to "all public schools" in Ohio Rev. Code §3310.03(B)(1)(a).

As a result and because the Ohio legislature subsequently clarified the requirement, AOS determined the EdChoice Designated Schools List for the 2015-2016 school year was accurate and complied with the statutory requirements.

IMPACT OF SCRUBBING ON AKRON PUBLIC SCHOOLS EDCHOICE ELIGIBILITY

During 2013, AOS issued a report on the *Statewide Audit of Student Attendance Data and Accountability System* (available at: <http://www.ohioauditor.gov/auditsearch/Search.aspx>) which identified a number of school districts that were determined to have "scrubbed," or removed students from enrollment without lawful reason, regardless of motivation. AOS referred these school districts to ODE for further investigation and review. Due to the report card results being misstated for scrubbing school districts, ODE subsequently analyzed the impact scrubbing may have had in its EdChoice Designated Building List calculation. Based on the records AOS received, ODE had various meetings with ODE senior leadership, including Superintendent Dr. Richard A. Ross (Ross) and Chief of Staff Jimmy Sheppard (Sheppard), about how to correct the scrubbed academic data and recalculate the EdChoice Designated Buildings List within the statutorily permitted window for the EdChoice determination.

In August 2014, ODE received an inquiry from the Superintendent of Akron Public Schools:

"I hope you can help me on this one. Rimer Community Learning Center (K-5) was not on the EdChoice school list until after the report card recalculation based on those school districts involved in the data scrubbing scandal. It is my understanding that this recalculation changed the ranking list for EdChoice.

Based on the criteria established for EdChoice schools, I do not understand how Rimer CLC was selected to be on the EdChoice list. In order to be an EdChoice school, the school needs to have received an overall grade of "D" or "F" on the Performance Index and Value Added progress dimension on their 2012-2013 building report card.

Rimer CLS has not received an overall grade of "D" or "F" on the Performance Index on the 2012-2013 Report Card. They received a "C". In addition, they have not received a "D" or "F" on the Value-Added for the 2012-2013 Report Card. They received an "A", "B", "B".

Furthermore, it is very unlikely they would fall in the lowest 10% of public school buildings in the State by Performance Index scores with a "C". In fact, we have schools in our district that have lower PI scores who are not on the EdChoice list.

I have to believe Rimer CLC was put on the EdChoice list by mistake.”

Based on inquiry with ODE, AOS determined that ODE revised the lowest ten percent cut score from 81.4 to 81.5 after recalculating academic results for the scrubbing schools. Based upon this analysis, while the Rimer Community Learning Center has a 2011-2012 PI score of 81.52, the revised PI cut score is only 81.5. Since the ODE’s PI cut score for Rimer Community Learning Center only went out one decimal point, AOS could not determine whether ODE properly included Rimer Community Learning Center on the EdChoice Designated School List published August 14, 2015 for the 2014-2015 school year. However, AOS concluded the remaining Akron Public Schools met the EdChoice criteria for inclusion and were accurately included on the list. Refer to **Section 7** of this report for Findings regarding the lack of internal controls over ODE’s EdChoice Designated Schools process for capturing academic adjustments due to scrubbing, audit, or other changes impacting Ohio local report card data.

6. OTHER INVESTIGATED MATTERS

INELIGIBLE DROPOUT PREVENTION AND RECOVERY SCHOOLS

In an October 9, 2014, email from ODE Policy Staff to certain individuals in the Office of Quality School Choice, working together with ODE Data Managers, Policy Staff identified three Dropout Prevention and Recovery (DOPR) community schools that no longer met the criteria for DOPR school eligibility. The Policy Staff suggested ODE, “at a minimum, remove the ... schools from DOPR status.”

AOS reviewed the remaining email thread and other ODE records for actions taken by the Office of Quality School Choice in response to the Policy Staff’s email. AOS noted the ODE Data Manager sent an email to certain individuals in the Office of Quality School Choice and the ODE Policy Staff stating:

“Please note that these data were provided in response to an internal request. I have submitted a request to be able to share these data with external stakeholders as needed. My request has yet to be approved. Please do not share these data externally until I tell you that the request has been approved.”

AOS did not identify any further internal ODE communications about the ineligible DOPR’s identified by the Policy Staff. AOS also interviewed Joni Hoffman (Hoffman), the former ODE Director of Community Schools, and Matt Danzuso (Danzuso), the ODE Data Quality and Governance Director.

During an interview with AOS, Hoffman indicated that ODE monitoring of DOPR community schools for continued eligibility:

“...has been a topic of discussion [at ODE]. And continues to be a topic of discussion. Has to do with the time of the year at which there is confirmation that the majority of the kids are in a DORP program. ...Last fall, [ODE] newly developed application for DORP. I believe they are annual now. Sponsor must sign off. I assume they are checking enrollment data (not attendance).”

ODE could not provide further explanation or supporting documentation to demonstrate that the Office of Community Schools attempted to investigate the matter communicated by the ODE Policy Staff. Based on AOS review of the Ohio DOPR community schools as of March 2018, the three DOPR community schools originally identified by ODE Policy Staff and Data Managers as ineligible for continued DOPR status in 2014 are still operating and maintain their DOPR school status.

Additionally, both Hoffman and Danzuso indicated ODE had a process in place during 2014 and 2015 to track internal and external data requests. In some cases, Danzuso indicated the ODE Chief of Staff had to approve such requests before his staff could fulfill them. However, while Danzuso maintained a spreadsheet to track or log of ODE data requests, he did not keep it and could not produce the tracked

data requests for audit. Refer to **Section 7** of this report for Findings due to failure to maintain public records under Ohio Rev. Code §149.43 and a lack of internal controls over the Office of Quality School Choice’s evaluation of community schools for continued eligibility for DOPR status.

OTHER MATTERS

AOS investigated certain other matters identified in the records review and interviews conducted as part of this special audit. Findings related to those other matters are included in **Section 7** of this report.

7. FINDINGS

AOS identified the following findings during its special audit of ODE’s Office of Quality School Choice:

2015 FEDERAL CSP APPLICATION

1. Noncompliance with Sponsor Performance Evaluations

Ohio Rev. Code §3314.016 requires ODE to annually evaluate and rate community school sponsors on three components: the overall academic performance of their community schools; the completeness of their monitoring of schools’ compliance with laws and rules; and their adherence to quality practices. ODE must complete the evaluations of more than sixty sponsors by October of each year. Additionally, ODE must include all community schools sponsored by the same entity in the academic component of the sponsor’s evaluation, except for:

- Community schools that have been in operation for not more than two full school years, and
- All community schools described in division (A)(4)(b) of Ohio Rev. Code §3314.35, or community schools serving primarily students with disabilities.

However, the academic performance of the community schools described in division (A)(4)(b) of Ohio Rev. Code §3314.35 shall be reported, but shall not be used as a factor when determining a sponsoring entity’s rating under this section.

Ohio Rev. Code §3314.016(B)(7)(a) also permitted ODE, prior to the academic data for the 2014–2015 school year becoming available, to exclude the community schools that primarily serve students enrolled in a DOPR program as described in division (A)(4)(a) of Ohio Rev. Code §3314.35 from the academic component calculation.

During 2015, ODE improperly excluded e-schools, also known as internet schools, from the academic component of two of the four sponsors ODE evaluated between March and June. Additionally, ODE improperly included certain community schools primarily serving students with disabilities in the academic component for two of the evaluations. Finally, ODE improperly included DORPs in one sponsor’s performance evaluation. As a result, the 2015 sponsor performance ratings were misstated. Further, ODE included the misstated sponsor performance results in its 2015 Federal CSP application submitted to USDE on July 16, 2015. Upon internal identification of these errors, ODE notified USDE of the misstatements, subsequently rescinded the 2015 sponsor performance evaluations, and submitted three 2015 CSP application amendments to USDE. Consequently, USDE “designated ODE’s CSP award as ‘high-risk’ in accordance with 2 CFR §200.207 and 3474.10. As part of this high-risk designation, USDE

imposed certain high-risk special conditions on ODE's CSP award to help ODE and USDE more clearly determine ODE's ongoing compliance with applicable requirements and the terms of the approved grant application..."

Effective February 1, 2016, the Ohio General Assembly extended the statutory deadline for ODE to implement the sponsor performance evaluation requirements under Ohio Rev. Code §3314.016. Additionally, ODE appointed an independent panel to review and make recommendations to improve its sponsor evaluation framework, which were implemented for sponsor evaluations performed for the 2015-2016 school year. ODE asserts it has also implemented the high risk special terms and conditions mandated by USDE, including appointment of an independent monitor and obtaining the required agreed-upon procedures for USDE.

2. Destruction of Public Records

Ohio Rev. Code §149.43 requires a public office or the person responsible for public records shall organize and maintain public records in a manner that they can be made available for inspection or copying in accordance with division (B) of this section.

As described more fully in **Section 3** of this report, ODE included a number of significant statements, including community school and sponsor statistics, in its July 16, 2015 CSP application for which it did not maintain supporting documentation.

Additionally, Matt Danzuso (Danzuso), the ODE Data Quality and Governance Director, maintained a spreadsheet/log of all internal and external ODE data requests. The log included the name of the individual requesting the information, the nature of the request, and whether or not the request was approved by ODE's Chief of Staff, either Jason Rafeld (Rafeld) up to April 2015 or Jimmy Sheppard (Sheppard) thereafter. When AOS requested this log for audit, Danzuso indicated he did not maintain it despite of Superintendent Richard A. Ross's (Ross) initiation of an internal investigation into Hansen's actions.

While ODE has policies for collecting, gathering and storing public records, it should remind its employees about their responsibilities and conduct periodic trainings to ensure ODE employees are maintaining public records in accordance with their record retention schedules. Additionally, ODE should strengthen its internal controls for communicating significant administrative actions, such as internal investigations, across department lines and ensuring employees understand their roles and responsibilities in preserving records that might be responsive to the investigation.

3. Lack of Internal Controls over 2015 Federal CSP Application

While some Federal programs are administered through ODE's Office of Federal Programs, the Office of Quality School Choice, another ODE program office that oversees Ohio's public and non-public options, prepared the 2015 Federal CSP application. Based on AOS interviews of ODE employees and through an exhaustive records review, AOS has identified that ODE did not have internal controls in place over the CSP application process. For example, USDE provides a roughly four-week window, from the date the application materials are published, for states to submit their application. Despite this tight timetable, David Hansen (Hansen), the former Executive Director of Quality School Choice, assigned the writing of the grant application to an employee who had little previous experience writing Federal grant applications. Additionally, the ODE Office of Federal programs had little involvement in the overall writing and development of

the CSP application. With the financial assistance of a sponsor, ODE engaged, but did not utilize, an external grant writer to aid in preparing the application. ODE did, however, engage a second external specialist to review the draft application and provide feedback for improvements.

Based on AOS interviews, several employees in the Office of Quality School Choice contributed to the overall narrative and statistics included in the CSP application ODE submitted to USDE on July 16, 2015. The application was reviewed by Hansen and Dr. Richard A. Ross (Dr. Ross), the Superintendent of Public Instruction, prior to its submission to USDE. However, despite these reviews, the application contained numerous errors, including, but not limited to the following:

- The application described a statewide strategy for Ohio charter school and sponsor development; however, it is unclear whether ODE's Administration fully understood the strategy or vetted the information used to support the application.
- The application indicated seven sponsors were evaluated under the sponsor performance evaluation criteria of Ohio Rev. Code §3314.016; however, ODE actually completed only four sponsor evaluations. One sponsor closed due to unrelated financial difficulties, rendering the sponsor performance evaluation inapplicable for 2015 and the remaining sponsor evaluations were in process but not completed as of the date ODE submitted its CSP application to USDE.
- ODE's ratings for three sponsor evaluations published in 2015 were misstated and did not comply with the law.
- The four sponsor evaluations ODE published in 2015 were based upon the results of the 2014 pilot that ODE conducted and were not updated for 2015; however, ODE made no indication in the grant application that the evaluation results were gleaned from the 2014 pilot data.
- The application included an inaccurate number of schools closed under the Automatic Closure Law.
- In one USDE reviewer's opinion, the application contained a number of "overly ambitious" goals for which ODE was unable to provide evidentiary support.
- The number of high-performing and low-performing schools in the original application could not be supported. Additionally, ODE's amended number of high-performing schools improperly included two community schools which had closed.
- The application included numerous incorrect statutory references.
- Portions of the application were misleading, such as the inference that Ohio has recognized bodies or associations known as Community Educational Development Organizations (CEDO's). Ohio does not have CEDOs and it is unclear which Ohio organizations ODE may have intended to be CEDOs.

Additionally, while ODE amended or clarified its original grant application on four occasions, ODE was unable to support or provide rationale for certain clarifications in its November 18, 2015 letter to USDE, including but not limited to, the following:

- How ODE classified community schools as low- and high-performing under the revised ODE definitions for each.
- How ODE assessed the reasonableness of its goals for the CSP grant, including increasing the percentage of students enrolled in high-performing community schools up to 70 percent; creating up to 115 new, high-performing community schools, and attaining a total of 400 high-performing community schools across the state by 2021.

ODE should develop written internal control policies and procedures over Federal grant applications and grants management activities within various program offices of ODE that include, but are not limited, to the following:

Control Environment - The control environment is the set of standards, processes, and structures that provide the basis for carrying out internal control across the organization:

- a. Alerting program office that policy decisions concerning grants are made entity-wide to ensure consistency and adherence to strategic planning goals;
- b. Ensuring that each area of the grant process (programmatic, budgeting, accounting, etc.) is managed by competent staff who are knowledgeable in their areas of responsibility;
- c. Giving staff authority and responsibility for their tasks associated with the grant;
- d. Holding staff accountable for their tasks; and
- e. Creating cross-functional teams to support entity-wide grants management.

Risk Assessment - Risk assessment involves a dynamic and iterative process for identifying and assessing risks to the achievement of objectives.

- a. Performing and documenting a self-assessment of risks in ODE's grants management processes;
- b. Utilizing a comprehensive, internal control questionnaire to facilitate the risk analysis;
- c. Considering the level of program risk (e.g., high, medium, low) when establishing control activities;
- d. Performing a cost/benefit analysis prior to implementing a new control activity;
- e. Considering the possibility and likelihood of fraud in the entity's grants management process; and
- f. Identifying and assessing changes in the regulatory, technology, personnel and operating environment under which the grants are managed.

Control Activities - Control activities are the actions established through policies and procedures that help ensure that management's directives to mitigate risks to the achievement of objectives are carried out.

- a. Documenting both government-wide and individual grant policies;
- b. Documenting both government-wide and individual grant procedures;
- c. Developing a timeline and process for updating policies and procedures as changes occur;
- d. Becoming knowledgeable of and adhere to federal, state, and local laws and regulations;
- e. Establishing control activities to ensure the reliability of information obtained from third parties (e.g., vendors);
- f. Developing comprehensive, information technology policies and procedures;
- g. Keeping information technology policies and procedures current;
- h. Becoming knowledgeable of and implement, as necessary, federal and state standards for financial management systems;
- i. Utilizing data and financial management systems to support compliance with grant-related legal and regulatory requirements;
- j. Becoming knowledgeable of and implement, as necessary, federal and state standards for procurement; and
- k. Utilizing federal and state official debarment lists to update the government's list of vendors.

Information and Communication - Information and communication are the continual iterative process of providing, sharing, and obtaining necessary information.

- a. Documenting in a format accessible to stakeholders the purpose and the government's responsibilities for each of its grants;
- b. Distinguishing grants by source (federal, state, local, and private entity);
- c. Identifying the time periods required by the grants;
- d. Identifying grant reporting requirements;
- e. Identifying grants that require specialized administration;
- f. Ensuring that grant requirements are documented in vendor communication;
- g. Ensuring that grant information is available to internal stakeholders;
- h. Developing ongoing communication and knowledge of grantors, and pass-through organizations;
- i. Developing an ongoing dialogue with financial statement, single audit, and program auditors concerning grant reporting and compliance; and
- j. Developing processes to ensure that quality, supportable information is utilized in grant decision making.

Monitoring - This represents the process of ongoing and periodic evaluations to ascertain whether the components of internal control are present and functioning. To the extent control deficiencies are found they are communicated, in a timely manner, to responsible parties, including senior management and elected or appointed officials, for corrective action.

- a. Developing ongoing (daily/weekly) and periodic (annual) programmatic control activities that ensures compliance with laws and regulations;
- b. Providing an annual periodic review of the risk assessment process;
- c. Ensuring that program deficiencies are communicated to all responsible parties, including management and elected and appointed officials; and
- d. Ensuring that corrective action plans are taking place, addressing the control deficiencies and responding to the deficiencies in a timely manner.

AUTOMATIC CLOSURE LAW

4. Lack of Internal Controls over Community Schools Closed under the Automatic Closure Law

ODE did not have written internal controls for identifying community schools to be closed under the Automatic Closure Law and did not maintain an accurate historical list of community schools closed by operation of law or by sponsor.

During our audit, AOS downloaded the academic data for all Ohio community school from ODE's online local report cards for the 2009-2010 through 2010-2011 school years. When comparing the local report card data to Table 1 in ODE's Community School Annual Report for each year, AOS noted the grade levels served as published on ODE's local report cards for 25 community schools in the 2009-2010 school year and 34 community schools for the 2010-2011 school year did not correlate with the grade levels served as indicated in the respective Annual Reports. According to Joni Hoffman, the former Director of Community Schools, ODE used the data in the Ohio Educational Directory System (OEDS) to generate local report cards. In fact, ODE generates local report card information from various sources, including but not limited to, the Education Management Information System (EMIS) and OEDS. However, OEDS is a decentralized directory data system in which local school organizations update and maintain their own data. According to an interview of the former Director of Community Schools, ODE did not validate the information schools input into OEDS. Additionally, the Office of Community Schools maintained a separate spreadsheet of community school information that the Office used to generate the ODE Community School Annual Reports and identify schools for closure under the Automatic Closure Law. However, the Office of Community Schools did not reconcile its independent

spreadsheet to the information in OEDS to ensure information about the community schools and grade levels the schools served was correct. Proper identification of the grade levels a community school serves is an important step in determining which of the Automatic Closure Law criteria in Ohio Rev. Code §3314.35 apply to individual community schools since the closure criteria is different for grades 9 to 12, 4 to 8, and K to 3.

ODE should develop written internal control procedures to timely and effectively identify and maintain a community school databank which includes, at a minimum, the following key information about each community school: the grade levels served; sponsor; the type of school (i.e., e-school, brick and mortar, blended learning school, primarily serving students with disabilities, designated as a Dropout Prevention and Recovery school, etc.); the school's status (i.e., open, suspended or closed); and relevant events in the school's lifespan.

Additionally, ODE should develop written business rules for generating local report cards using only data from reliable, validated sources.

5. Lack of Internal Controls over Community School Annual Reports

Pursuant to Ohio Rev. Code §3314.015(A)(4), ODE prepares Community School Reports annually to the governor, speaker of the House of Representatives, president of the Senate and chairpersons of the House and Senate committees principally responsible for education matters. These reports provide information including an overview, history, academic programs, operations, financial condition, legal compliance and sponsor evaluation data.

During our review of ODE's list of Automatic Closure lists included in the Annual Reports, AOS noted that ODE inconsistently from year to year and, at times, inaccurately reported the historical numbers of community schools closed by operation of law.

ODE should develop written internal control procedures to ensure the information captured in the Annual Reports is accurate. ODE should coordinate and implement thorough reviews from the multiple program offices within ODE that can identify, detect, and prevent errors in the Annual Report. At a minimum, the following ODE offices should contribute to the review and of these reports: the Office of Quality School Choice, Legal Department, Legislative and Policy Affairs, Finance, Accountability, and Data Quality and Governance. Additionally, the Superintendent of Public Instruction, or his designee, should review and approve the Community School Annual Report prior to publishing and dissemination.

EDCHOICE

6. EMIS Strategic and Change Management Plan

ODE collects and validates portions of the data used for the School Foundation calculation and academic results through a series of progressions between various programming applications and tools within Education Management Information System (EMIS). EMIS is a complex process with many users, consisting of many steps, and including multiple software programs from start to finish.

As we previously communicated to ODE in a letter dated August 31, 2016, ODE did not clearly define its direction for the EMIS redesign, set related goals, make decisions on allocating resources to pursue the plan, or set criteria for measuring and ensuring accurate, consistent results. ODE did not create a strategic and change management plan to document or describe

the various stages of the redesign or illustrate the flow of student information submitted by schools through the EMIS process. Moreover, ODE did not have a long-range plan to effectively identify or prevent future EMIS data processing issues that may potentially lead to material miscalculation of School Foundation funding or misreporting of academic results.

During our special audit, AOS reviews a number of emails pertaining to ODE's calculation of the eligible school buildings for the EdChoice Scholarship. Ohio Rev. Code Chapter 3310 and Ohio Admin. Code §3301-11 establish the EdChoice requirements. Upon inquiry, AOS noted that ODE did not have written internal control procedures or business rules to calculating and generating the annual EdChoice Scholarship eligible school building listing. Additionally, AOS noted that ODE did not have written internal control procedures or business rules to ensure adjustments to local report card data resulting from audits or delays and technical difficulties associated with the rollout of the EMIS changes were captured and considered in the EdChoice Scholarship eligible school building determination for the upcoming school year. As a result, ODE initially calculated the EdChoice Designated Building List for the 2014-2015 school year using incorrect student academic data. Jason Rafeld (Rafeld), ODE Chief of Staff prior to April 2015, identified the mistake after receiving complaints from external ODE stakeholders. Consequently, ODE held the original list, recalculated it using adjusted student information, and published the final list in the summer of 2015, almost six months later than expected. Despite eventually self-correcting the EdChoice Designated Building List for the 2014-2015 school year, however, ODE still did not develop written internal control procedures or business rules to prevent or detect these errors in future years.

Additionally, during the regularly-scheduled financial audit for the 2016-2017 fiscal year, AOS recommended ODE obtain a SOC-1, Type 2 audit over EMIS to provide ODE and its user schools, Information Technology Centers (ITCs), and other EMIS stakeholders with information about the effectiveness of the internal controls over data processed in EMIS, the accuracy of School Foundation funding payments made to each school, and the accuracy of the schools' academic results.

Without a SOC-1 Type 2 audit over the EMIS process, users cannot reasonably ensure the EMIS calculations for each School Foundation funding payment are accurate and complete. Similarly, without a SOC-1 Type 2 or comparable audit, users cannot reasonably ensure the schools' districtwide and building-level academic results are accurate and complete. Undetected errors in academic results could inadvertently also impact other ODE publications, such as the determination of the EdChoice Scholarship Designated Building List.

ODE has not fully implemented this recommendation as of the date of this report. We recommend ODE obtain an annual SOC-1 audit or engage an independent public accounting firm to perform similar procedures over EMIS for ODE, ITCs, Ohio schools, and their auditors to use in evaluating and opining on the data derived from the overall EMIS processing environment.

OTHER MATTERS

7. Lack of Internal Control over Internal Investigations

During the course of its special audit investigation, AOS learned that the Superintendent Dr. Richard A. Ross (Dr. Ross), ordered certain ODE staff to perform an internal investigation into Executive Director of Quality School Choice David Hansen's (Hansen) errors in the calculation of the academic component of the sponsor performance evaluations, including the omission of e-schools from the calculation, as required by Ohio Rev. Code §3314.016. Dr. Ross informed AOS that he appointed Chief of Staff Jimmy Sheppard (Sheppard) to lead the internal investigation.

However, AOS interviews of Sheppard, Chief Operating Officer Melissa Huffman (Huffman), and others that participated in the investigation uncovered critical errors in the steps ODE undertook to conduct and document its investigation:

- Sheppard seemed unclear about his responsibilities to lead the investigation – in fact, he did not believe it to be a “formal” investigation but rather only a “review”
- While ODE did maintain Standards of Employee Conducts policies in its Human Resources Policies and Procedures Manual, ODE did not have comprehensive, written internal control policies or procedures for conducting and documenting internal investigations
- While ODE did have Information Security Policies authorizing the CISO to identify and assess risk, explore controls and countermeasures, provide recommendations to senior leadership and the steering committee, develop and obtain steering committee approval of policies and procedures, and implement approved policies and procedures in collaboration with the Information Technology Officer and other ODE operational business units, the CISO’s role in an internal investigation and responsibility for safeguarding and protecting the integrity of ODE assets subject to that investigation is unclear.
- Dr. Ross requested Hansen to go home on Friday, July 17, 2015 but did not take steps to prevent him from taking his ODE-issued laptop, iPad, and iPhone home with him.
- Matt Williams (Williams), the CISO formerly assigned to ODE, obtained the laptop, iPad, and iPhone from Hansen’s home later in the day; however, he proceeded to turn the equipment on, making copies of files from the devices, and removed memory from the laptop in order to supplement memory on another computer he was using unrelated to the internal investigation. These activities compromise the integrity of a potential external investigation of the assets.
- Dr. Ross, Sheppard, Huffman, and Williams ran a number of “key word” searches on the files obtained from the devices to determine who else knew what Hansen had done and when they knew it. However, no one kept a record of the “key words” that were searched or corresponding results.
- At the request of Sheppard, Williams told AOS that he prepared a memorandum documenting the steps performed during his portion of the internal investigation and hand-delivered it to Sheppard. However, neither Williams nor ODE could produce a copy of the memorandum upon subpoena. Instead, ODE provided only a partial outline with various incorrect dates listed which appeared to be Williams’ draft notes.
- On September 15, 2015, Dr. Ross made statements to the members of the State Board of Education Accountability committee which appear to be contradictory to the findings of our special audit investigation. In particular, AOS determined Hansen did communicate his decision to omit e-schools from the calculation of the academic component of the sponsor performance evaluation to Sheppard; Huffman; Jessica Voltolini (Voltolini), Director of Legislative Affairs; and Policy Staff prior to the July 14, 2015 State Board of Education meeting. Additionally, on the day following the board meeting, Sheppard indicated that Hansen acknowledged to him he knew the omission of e-schools from the academic component of the sponsor performance evaluations was contrary to law. However, Dr. Ross told AOS during his interview that none of these individuals, including Sheppard, communicated their knowledge of Hansen’s actions to him, before or after the July 14, 2015 State Board of Education meeting.

ODE should develop written policies and internal control procedures for conducting and documenting internal investigations. As part of this process, ODE should establish expectations for documenting the actions and results of the investigation and preparing reports for the Superintendent of Public Instruction, members of the State Board of Education, and other ODE

stakeholders. Additionally, ODE should work jointly with DAS to establish internal control protocols for chief information security officers, assigned to ODE and assisting in investigations, to ensure computer equipment and electronic records are properly secured and safeguarded during an investigation. In this effort, ODE should recognize that turning on electronic devices that are the subject of an investigation, running searches on those devices, and removing memory or otherwise changing any of the hardware components of the devices may compromise the integrity of the investigation, both internally and externally.

8. Lack of Monitoring of Dropout Prevention and Recovery Schools' Eligibility

During our special audit, AOS identified email records indicating ODE internally recognized three Dropout Prevention and Recovery Schools (DOPRs) had failed to meet continuing eligibility requirements for DOPR status. However, based on the email records AOS reviewed and interviews of former ODE employees, ODE could not provide evidence that ODE took action to further investigate or terminate the three schools' DOPR statuses. DOPR community school students have different, less stringent standards for academics and graduation. DOPR schools also have a different report card presentation than regular instruction community schools.

ODE's Office of Quality School Choice should work together cooperatively with the Office of School Sponsorship and Office of Data Quality and Governance to review continuing eligibility for DOPR community schools annually. Additionally, as part of this process, ODE should develop written policies and procedures for investigating and timely acting to terminate DOPR status for any community school found ineligible for these reduced standards.

9. Lack of Internal Control over Public Equipment Usage

Based on an exhaustive review of records and interviews conducted with former ODE employees and Matt Williams (Williams), DAS Chief Information Security Officer (CISO), AOS determined ODE did not have written internal control procedures to prevent the unauthorized use or downloading of external software, applications, and programs on publicly-owned ODE devices. For example, AOS noted Hansen requested his staff and staff from another ODE program office to join him on Google Hangout. While he used an account he created with his personal email, Hansen utilized his ODE email to instruct his staff to join Google Hangout. Based on interviews of Williams and other ODE employees, ODE did not have written internal controls to prevent the access of inappropriate software, applications or programs. Additionally, ODE did not have written policies to prohibit offline discussion and exchange of public records.

AOS also noted that certain email records ODE provided to AOS appeared to be missing the "Sent To," "Sent From," or certain content within the body of the email. These emails were not always drafts. Rather, many were emails which were date- and time-stamped by ODE's email system as having been sent. Upon further investigation with the vendor AOS and ODE agreed to use to mirror the Hansen's ODE equipment, AOS confirmed the emails were missing the header information on the equipment at the time it was provided to AOS. Despite AOS interviews of Williams and other ODE staff, AOS was unable to determine why some of the emails had missing information in the headers or body of the email. ODE did not believe the email anomalies were the result of mal-intent and mentioned they underwent more than one computer system upgrade during the period under audit. However, AOS was not able to replicate these anomalies in AOS's computer environment without intentionally manipulating the emails. Refer to **Appendix 18** for sample missing header emails.

ODE should refer to the Ohio Department of Administrative Services' *Security Standards* and other information standards available on its website at:

<http://www.das.ohio.gov/Divisions/Information-Technology/State-of-Ohio-IT-Standards>. These standards contain best practices that state agencies should be using to develop strong internal controls over information security, including the security of public equipment and related compliance with State laws, regulations and records retention policies.

8. USE OF REPORTS AND OTHER DATA SOURCES

To complete this report, auditors gathered and assessed data from ODE and USDE. Auditors also used the following governing sources to assist in our review:

- Ohio Revised Code
- Ohio Administrative Code
- ODE Local Report Cards
- ODE Safe Harbor Guidance
- ODE Annual Community School Reports
- USDE-approved Ohio Flexibility Waivers

9. CONCLUSION

The Auditor of State (AOS) conducted a special audit of Ohio Department of Education's (ODE) Office of Quality School Choice and its July 16, 2015 competitive grant application for the Federal Charter School Program (CSP) under the authority of Ohio Rev. Code §117.11. Our audit period covered July 1, 2014 through December 31, 2016, based on the information ODE included in its 2015 CSP application.

AOS initiated this special audit in response to claims that an ODE employee manipulated sponsor performance evaluation ratings and may have knowingly incorporated inflated sponsor and community school ratings into ODE's 2015 CSP application to help secure a roughly \$71 million grant. As part of this audit, AOS inspected certain e-mails, documents, text messages, and other records to ascertain whether the information ODE included in the grant application was accurate, complete, and supported by appropriate evidentiary matter. Additionally, AOS audited ODE's 2015 Federal CSP application for compliance with certain U.S. Department of Education's (USDE) terms and conditions, Ohio Rev. Code provisions, and internal ODE procedures governing grant applications and related requirements.

As explained in more detail throughout this report, ODE did not maintain effective written internal control procedures over its sponsor evaluation process or the 2015 CSP application to prevent and detect errors and omissions. More specifically, ODE did not comply with sponsor evaluation requirements prescribed by Ohio Rev. Code §3314.016 and did not maintain appropriate documentation to support information contained in its grant application, and amendments thereto. Additionally, current and past ODE employees had inconsistent recollections of past events. As a result, AOS was unable to determine whether ODE's errors in the sponsor performance evaluations and related misstatements in its grant application were the result of malicious intent or a lack of effective internal controls. However, AOS provided corrective action findings recommendations for consideration by ODE in **Section 7** of this report. ODE is encouraged to use the results of this audit as a resource in improving its internal controls and business rules.

10. GLOSSARY

This glossary defines the terms used throughout this report. The definition of these terms was derived from various sources including, but not limited to, statute and ODE Publications.

Academic Distress – The ODE Superintendent of Public Instruction must declare a school district that has received an overall grade of "F" under division (C)(3) of Ohio Rev. Code §3302.03 for three consecutive years to be in a state of "Academic Distress."

Academic Distress Commission – A commission ODE's Superintendent of Public Instruction establishes under the authority of Ohio Rev. Code §3302.10 for each school district that has been declared in academic emergency pursuant to Ohio Rev. Code §3302.03 and has failed to make adequate yearly progress for four or more consecutive years.

Am. Sub. H.B. 70 – Effective October 15, 2015, the act substantially revised the law regarding school district academic distress commissions. It revises the membership of a commission and gives each commission more of an advisory role in the improvement of a district's performance, rather than a direct leadership role as under prior law. The act requires that each commission appoint a Chief Executive Officer (CEO) who, then, has "complete operational, managerial, and instructional control" of the district. It also creates progressive consequences for districts that remain subject to an academic distress commission, including possible changes to collective bargaining agreements, reorganization or closure of school buildings, and mayoral appointment of the district board. Subject to appropriations, the act also provided for academic performance bonuses for other public schools and nonpublic schools that enroll the students of a district that has an academic distress commission.

Annual Measurable Objectives (AMO) – AMOs measure the academic performance of specific groups of students, such as racial and demographic groups. Each of these groups is compared against the collective performance of all students in Ohio. This determines if there are gaps in academic achievement between groups of students.

Authorizer - The term used nationally to refer to sponsors in most other states.

Automatic Closure Law – Requires ODE to automatically close general population charter schools due to continued poor academic performance. ODE evaluates the elements for closure based upon Ohio School Report Cards. (Ohio Rev. Code §3314.35)

Authorizer Quality Performance Review (AQPR) – ODE's rubric to measure a sponsor's overall quality performance under ORC§ 3314.0 16(A)(3) in the areas of: agency commitment and capacity; application process and decision-making; performance contracting; oversight and evaluation; termination and renewal decision-making; and technical assistance. Throughout its 2015 Federal CSP application, ODE inconsistently referred to it, using either "AQPR" or "AQRP."

Brick and Mortar School - A community school whereby students receive instruction in a brick-and-mortar facility.

Charter School – The term used nationally to refer to community schools in most other states.

Charter School Program (CSP) – A competitive grant program awarded by the U.S. Department of Education to states to increase the national understanding of the charter school model by: (1) expanding the number of high-quality charter schools available to students across the Nation by providing financial assistance for the planning, program design, and initial implementation of charter schools, and (2) by

evaluating the effects of charter schools, including their effects on students, student academic achievement, staff and parents.

Cleveland Transformation Alliance – A non-profit advocacy organization committed to growing high-performing district and public charter schools in the Cleveland Metropolitan School District.

Community Educational Development Organizations (CEDOs) – A term ODE made up in its 2015 Federal Charter School Program (CSP) application. ODE described CEDOs as organizations located in urban areas that consist of school, business and government leaders. However, AOS verified that CEDOs are a term of art and not a legal statutory body or association.

Community School – A term Ohio uses to refer to charter schools. Community schools are public schools created in Ohio law; are independent of any school district; and are part of the state’s education program. Community schools are public schools of choice and are state and federally funded.

Cut Score - Refers to the lowest possible score for a particular rating in the sponsor performance evaluation. The cut scores in each rating category for 2015 were:

90-100	Exemplary
80-90	Effective
70-80	Ineffective
Less than 70	Poor

Developer – A founder of a community school.

Designated School Building List – The list ODE prepares annually which identifies public schools whose students are eligible to receive EdChoice scholarships. ODE calculates the list in accordance with statutory requirements for academic performance as reflected in the Ohio School Report Cards. (Ohio Rev. Code §3310.03(B)(1))

Drop-Out Prevention and Recovery School (DOPR or also known as DORP) - Community schools that serve a majority of their students through dropout prevention and recovery programs receive a report card with alternative ratings. Dropout prevention and recovery schools receive Exceeds Standards, Meets Standards, Does Not Meet Standards or Not Reported instead of A-F for report card measures.

EdChoice - The Educational Choice Scholarship (EdChoice) Program provides students from underperforming public schools the opportunity to attend participating private schools. The program also provides low income students who are entering kindergarten through fifth grade the same opportunity. The program provides up to 60,000 EdChoice scholarships to eligible students. (Ohio Rev. Code Chapter 3310 and Ohio Admin. Code §3301-11)

E-School – Electronic or e-schools are a type of community school where students receive instruction in Internet- and Computer-Based Community School and where a student is taking its defined courses.

High-Performing Schools – USDE’s 2015 Federal Charter School Program (CSP) grant application set forth guidelines for State Educational Agencies (e.g., ODE) to identify “high-performing” schools in their states.

Low-Performing Schools - USDE’s 2015 Federal Charter School Program (CSP) grant application set forth guidelines for State Educational Agencies (e.g., ODE) to identify “low-performing” schools in their states.

Oho Educational Research Center (OERC) – Headquartered in the Ohio State University, OERC is a collaborative of Ohio-based researchers from six universities (Case Western Reserve University, Miami University, Ohio University, The Ohio State University, University of Cincinnati, and Wright State University) and four research institutions (Battelle, Battelle for Kids, Community Research Partners and Strategic Research Group).

Performance Index (PI) – Performance index measures the achievement of every student, not just whether or not he or she reaches “proficient.” Districts and schools receive points for every student’s level of achievement. The higher the student’s level, the more points the school earns toward its index.

Recovery District – A term ODE used in its 2015 Federal Charter School Program (CSP) grant application to refer to school districts in Academic Distress in Ohio under Ohio Rev. Code §3302.10.

Safe Harbor - The Ohio General Assembly directed ODE to transition to new state tests in mathematics and English language arts in the 2015-2016 school year. As part of the transition, the legislature extended and modified a number of provisions, called safe harbor. The result is that the department will not use results from the state tests given in school years 2014-2015, 2015-2016 and 2016-2017 to close community schools under the Automatic Closure Law or to identify new public schools to add to the list of designated EdChoice public schools.

Sponsor - Sponsors ensure that schools adhere to their contracts, and they make important decisions, such as whether to renew contracts with community schools. They also provide oversight and technical assistance. The contracts between sponsors and schools include provisions required by law and may include specific terms negotiated between the sponsor and the school.

Sponsor Performance Evaluation – Ohio Rev. Code §3314-016 requires ODE to annually evaluate community school sponsors on three components: (1) academic performance of the community schools they sponsor; (2) compliance with all applicable laws and rules; and (3) adherence to quality sponsoring practices.

USDE – The United States Department of Education.

Value Added (VA) – Also known as the Value-Added Growth Measure, Value-Added analysis helps educators measure the impact schools and teachers have on students’ academic progress rates from year to year. The focus is on student growth.

Youngstown Plan – Am. Sub. H.B. 70 has been referred to by some as the “Youngstown Plan” since ODE worked with a group of leaders in the Youngstown area to draft a significant amendment to the proposed bill that was intended to be implemented in the Youngstown City School District, a district that has been in Academic Distress since January 2010.

11. APPENDIX – 2015 FEDERAL CSP APPLICATION AND AWARD

This Appendix includes Ohio’s Federal Charter School Program (CSP) grant application prepared by ODE and submitted to USDE on July 16, 2015. It also includes USDE’s final award notices dated September 28, 2015 and September 29, 2015 to ODE (i.e., the cover page).



Grant Application Package

Opportunity Title:	Office of Innovation and Improvement (OII): Charter Sch
Offering Agency:	U.S. Department of Education
CFDA Number:	84.282
CFDA Description:	Charter Schools
Opportunity Number:	ED-GRANTS-061515-001
Competition ID:	84-282A2015-3
Opportunity Open Date:	06/15/2015
Opportunity Close Date:	07/16/2015
Agency Contact:	Kathryn Meeley Management and Program Analyst E-mail: kathryn.meeley@ed.gov Phone: 202-453-6818

This opportunity is only open to organizations, applicants who are submitting grant applications on behalf of a company, state, local or tribal government, academia, or other type of organization.

Application Filing Name: OHIO DEPARTMENT OF EDUCATION CHARTER SCHOOL PROGRAM GRANT

Select Forms to Complete

Mandatory

[Application for Federal Assistance \(SF-424\)](#)

[U.S. DEPARTMENT OF EDUCATION BUDGET INFORMATION NON-CONSTRUCTION PROGRAMS](#)

[Assurances for Non-Construction Programs \(SF-424B\)](#)

[Grants.gov Lobbying Form](#)

[Disclosure of Lobbying Activities \(SF-LLL\)](#)

[ED GEPA427 Form](#)

[ED SF424 Supplement](#)

[ED Abstract Form](#)

[Project Narrative Attachment Form](#)

[Budget Narrative Attachment Form](#)

[Other Attachments Form](#)

Optional

Instructions

[Show Instructions >>](#)

This electronic grants application is intended to be used to apply for the specific Federal funding opportunity referenced here. If the Federal funding opportunity listed is not the opportunity for which you want to apply, close this application package by clicking on the "Cancel" button at the top of this screen. You will then need to locate the correct Federal funding opportunity, download its application and then apply.

Application for Federal Assistance SF-424		
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		
* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision		
* If Revision, select appropriate letter(s): _____ * Other (Specify): _____		
* 3. Date Received: 07/16/2015		4. Applicant Identifier: _____
5a. Federal Entity Identifier: _____		5b. Federal Award Identifier: _____
State Use Only:		
6. Date Received by State: _____		7. State Application Identifier: _____
8. APPLICANT INFORMATION:		
* a. Legal Name: STATE OF OHIO/DEPARTMENT OF EDUCATION		
* b. Employer/Taxpayer Identification Number (EIN/TIN): 31-1334820		* c. Organizational DUNS: 8091743780000
d. Address:		
* Street1: 25 SOUTH FRONT STREET		
Street2: _____		
* City: COLUMBUS		
County/Parish: _____		
* State: OH: Ohio		
Province: _____		
* Country: USA: UNITED STATES		
* Zip / Postal Code: 43215-4183		
e. Organizational Unit:		
Department Name: OHIO DEPARTMENT OF EDUCATION		Division Name: QUALITY SCHOOL CHOICE
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: Dr.		* First Name: STEVEN
Middle Name: _____		
* Last Name: TATE		
Suffix: Ph.D		
Title: SOCIAL SCIENCE RESEARCHER		
Organizational Affiliation: OHIO DEPARTMENT OF EDUCATION		
* Telephone Number: 614-387-2260		Fax Number: _____
* Email: STEVEN.TATE@EDUCATION.OHIO.GOV		

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

A: State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*** Other (specify):**

*** 10. Name of Federal Agency:**

U.S. Department of Education

11. Catalog of Federal Domestic Assistance Number:

84.282

CFDA Title:

Charter Schools

*** 12. Funding Opportunity Number:**

ED-GRANTS-061515-001

*** Title:**

Office of Innovation and Improvement (OII): Charter Schools Program (CSP): Grants for State Educational Agencies (SEAs) CFDA Number 84.282A

13. Competition Identification Number:

84-282A2015-3

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

OHIO DEPARTMENT OF EDUCATION -- APPLICATION FOR THE CHARTER SCHOOL PROGRAM GRANT

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="71,058,320.00"/>
* b. Applicant	<input type="text" value="0.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="71,058,320.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

a. This application was made available to the State under the Executive Order 12372 Process for review on

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

Yes No

If "Yes", provide explanation and attach

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:

* First Name:

Middle Name:

* Last Name:

Suffix:

* Title:

* Telephone Number:

Fax Number:

* Email:

* Signature of Authorized Representative:

* Date Signed:

**U.S. DEPARTMENT OF EDUCATION
BUDGET INFORMATION
NON-CONSTRUCTION PROGRAMS**

OMB Number: 1894-0008
Expiration Date: 04/30/2014

Name of Institution/Organization

STATE OF OHIO/DEPARTMENT OF EDUCATION

Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

**SECTION A - BUDGET SUMMARY
U.S. DEPARTMENT OF EDUCATION FUNDS**

Budget Categories	Project Year 1 (a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel	224,400.00	238,986.00	254,520.00	271,064.00	288,683.00	1,277,653.00
2. Fringe Benefits	74,052.00	78,865.00	83,992.00	89,451.00	95,265.00	421,625.00
3. Travel	11,000.00	11,000.00	11,000.00	11,000.00	11,000.00	55,000.00
4. Equipment	3,750.00	0.00	0.00	0.00	0.00	3,750.00
5. Supplies	4,920.00	4,920.00	4,920.00	4,920.00	4,920.00	24,600.00
6. Contractual	224,500.00	124,500.00	124,500.00	124,500.00	124,500.00	722,500.00
7. Construction	0.00	0.00	0.00	0.00	0.00	0.00
8. Other	6,545,375.00	13,395,375.00	16,145,375.00	16,145,375.00	16,145,375.00	68,376,875.00
9. Total Direct Costs (lines 1-8)	7,087,997.00	13,853,646.00	16,624,307.00	16,646,310.00	16,669,743.00	70,882,003.00
10. Indirect Costs*	30,967.00	32,980.00	35,124.00	37,407.00	39,838.00	176,316.00
11. Training Stipends	0.00	0.00	0.00	0.00	0.00	0.00
12. Total Costs (lines 9-11)	7,118,964.00	13,886,626.00	16,659,431.00	16,683,717.00	16,709,581.00	71,058,319.00

***Indirect Cost Information (To Be Completed by Your Business Office):**

If you are requesting reimbursement for indirect costs on line 10, please answer the following questions:

(1) Do you have an Indirect Cost Rate Agreement approved by the Federal government? Yes No

(2) If yes, please provide the following information:

Period Covered by the Indirect Cost Rate Agreement: From: 07/01/2015 To: 06/30/2016 (mm/dd/yyyy)

Approving Federal agency: ED Other (please specify):

The Indirect Cost Rate is 13.80 %.

(3) For Restricted Rate Programs (check one) -- Are you using a restricted indirect cost rate that:

Is included in your approved Indirect Cost Rate Agreement? or, Complies with 34 CFR 76.564(c)(2)? The Restricted Indirect Cost Rate is %.

Name of Institution/Organization

STATE OF OHIO/DEPARTMENT OF EDUCATION

Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

**SECTION B - BUDGET SUMMARY
NON-FEDERAL FUNDS**

Budget Categories	Project Year 1 (a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel						
2. Fringe Benefits						
3. Travel						
4. Equipment						
5. Supplies						
6. Contractual						
7. Construction						
8. Other						
9. Total Direct Costs (lines 1-8)						
10. Indirect Costs						
11. Training Stipends						
12. Total Costs (lines 9-11)						

SECTION C - BUDGET NARRATIVE (see instructions)

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee- 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
Deneice Cooper	SUPERINTENDENT OF PUBLIC EDUCATION
APPLICANT ORGANIZATION	DATE SUBMITTED
STATE OF OHIO/DEPARTMENT OF EDUCATION	07/16/2015

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into: Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

* APPLICANT'S ORGANIZATION <input style="width: 100%;" type="text" value="STATE OF OHIO/DEPARTMENT OF EDUCATION"/>	
* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
Prefix: <input style="width: 100px;" type="text" value="Dr."/>	* First Name: <input style="width: 150px;" type="text" value="RICHARD"/> Middle Name: <input style="width: 150px;" type="text"/>
* Last Name: <input style="width: 250px;" type="text" value="ROSS"/>	Suffix: <input style="width: 100px;" type="text" value="Ph. D"/>
* Title: <input style="width: 100%;" type="text" value="SUPERINTENDENT OF PUBLIC EDUCATION"/>	
* SIGNATURE: <input style="width: 250px;" type="text" value="Denelce Cooper"/>	* DATE: <input style="width: 150px;" type="text" value="07/16/2015"/>

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

Approved by OMB

0348-0046

1. * Type of Federal Action: <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. * Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input checked="" type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. * Report Type: <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change
4. Name and Address of Reporting Entity: <input checked="" type="checkbox"/> Prime <input type="checkbox"/> SubAwardee * Name: NA * Street 1: NA Street 2: _____ * City: NA State: _____ Zip: _____ Congressional District, if known: _____		
5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime: 		
6. * Federal Department/Agency: USDOE	7. * Federal Program Name/Description: Charter Schools CFDA Number, if applicable: 84.282	
8. Federal Action Number, if known: 	9. Award Amount, if known: \$ _____	
10. a. Name and Address of Lobbying Registrant: Prefix _____ * First Name NA Middle Name _____ * Last Name NA Suffix _____ * Street 1 _____ Street 2 _____ * City _____ State _____ Zip _____		
b. Individual Performing Services (including address if different from No. 10a) Prefix _____ * First Name NA Middle Name _____ * Last Name NA Suffix _____ * Street 1 _____ Street 2 _____ * City _____ State _____ Zip _____		
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure. * Signature: Deneice Cooper * Name: Prefix _____ * First Name NA Middle Name _____ * Last Name NA Suffix _____ Title: _____ Telephone No.: _____ Date: 07/16/2015		
Federal Use Only:		Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)

NOTICE TO ALL APPLICANTS

OMB Number: 1894-0005
Expiration Date: 03/31/2017

The purpose of this enclosure is to inform you about a new provision in the Department of Education's General Education Provisions Act (GEPA) that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Public Law (P.L.) 103-382).

To Whom Does This Provision Apply?

Section 427 of GEPA affects applicants for new grant awards under this program. **ALL APPLICANTS FOR NEW AWARDS MUST INCLUDE INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS NEW PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.**

(If this program is a State-formula grant program, a State needs to provide this description only for projects or activities that it carries out with funds reserved for State-level uses. In addition, local school districts or other eligible applicants that apply to the State for funding need to provide this description in their applications to the State for funding. The State would be responsible for ensuring that the school district or other local entity has submitted a sufficient section 427 statement as described below.)

What Does This Provision Require?

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs. This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, etc. from such access or participation in, the Federally-funded project or activity. The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may

be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards. Consistent with program requirements and its approved application, an applicant may use the Federal funds awarded to it to eliminate barriers it identifies.

What are Examples of How an Applicant Might Satisfy the Requirement of This Provision?

The following examples may help illustrate how an applicant may comply with Section 427.

- (1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.
- (2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.
- (3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct "outreach" efforts to girls, to encourage their enrollment.
- (4) An applicant that proposes a project to increase school safety might describe the special efforts it will take to address concern of lesbian, gay, bisexual, and transgender students, and efforts to reach out to and involve the families of LGBT students.

We recognize that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs, and we appreciate your cooperation in responding to the requirements of this provision.

Estimated Burden Statement for GEPA Requirements

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain benefit (Public Law 103-382). Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC 20210-4537 or email ICDocketMgr@ed.gov and reference the OMB Control Number 1894-0005.

Optional - You may attach 1 file to this page.

	Add Attachment	Delete Attachment	View Attachment
--	----------------	-------------------	-----------------

U.S. DEPARTMENT OF EDUCATION
SUPPLEMENTAL INFORMATION
FOR THE SF-424

1. Project Director:

Prefix:	First Name:	Middle Name:	Last Name:	Suffix:
	DAVID		HANSEN	

Address:

Street1:	25 SOUTH FRONT STREET
Street2:	
City:	COLUMBUS
County:	
State:	OH: Ohio
Zip Code:	43215-4183
Country:	USA: UNITED STATES

Phone Number (give area code)	Fax Number (give area code)
614-466-0452	

Email Address:

DAVID.HANSEN@EDUCATION.OHIO.GOV

2. Novice Applicant:

Are you a novice applicant as defined in the regulations in 34 CFR 75.225 (and included in the definitions page in the attached instructions)?

Yes No Not applicable to this program

3. Human Subjects Research:

a. Are any research activities involving human subjects planned at any time during the proposed Project Period?

Yes No

b. Are ALL the research activities proposed designated to be exempt from the regulations?

Yes Provide Exemption(s) #: 1 2 3 4 5 6

No Provide Assurance #, if available:

--

c. If applicable, please attach your "Exempt Research" or "Nonexempt Research" narrative to this form as indicated in the definitions page in the attached instructions.

--

Add Attachment

Delete Attachment

View Attachment

Abstract

The abstract narrative must not exceed one page and should use language that will be understood by a range of audiences. For all projects, include the project title (if applicable), goals, expected outcomes and contributions for research, policy, practice, etc. Include population to be served, as appropriate. For research applications, also include the following:

- Theoretical and conceptual background of the study (i.e., prior research that this investigation builds upon and that provides a compelling rationale for this study)
- Research issues, hypotheses and questions being addressed
- Study design including a brief description of the sample including sample size, methods, principals dependent, independent, and control variables, and the approach to data analysis.

[Note: For a non-electronic submission, include the name and address of your organization and the name, phone number and e-mail address of the contact person for this project.]

You may now Close the Form

You have attached 1 file to this page, no more files may be added. To add a different file, you must first delete the existing file.

* Attachment: Abstract Narrative.pdf

Add Attachment

Delete Attachment

View Attachment

Ohio Department of Education
FY 2015 Application for Charter Schools Program - Grants for State Education Agencies
Abstract

David Hansen, Executive Director
Office of Quality School Choice
The Ohio Department of Education
25 S. Front Street
Columbus, OH 43215

"I have a chance to show what it means to...have a compassionate side, a caring side, to help lift people up." Ohio Governor John Kasich's quote highlights the state's continued priority to support the most disadvantaged Ohioans. The means through which this fundamental vision can be achieved includes better serving the educational needs of Ohio's underprivileged students through charter schools.

Under Governor John Kasich's leadership, policies have been enacted that are leading to the creation of new, high-quality charter schools and improving the academic and fiscal performance of existing charter schools. This includes Ohio's new law instituting a first in the nation, high stakes quality reviews of all state authorizers.

An award from the Charter Schools Program SEA Grant will allow Ohio to significantly increase access to effective charter education opportunities for Ohio's most disadvantaged boys and girls, particularly from low-income and minority families, who are currently poorly served by the urban schools districts in which they live.

The key strategies in our use of the SEA Grant include:

- Open more high quality charter schools and close poor-performing schools. Aggressively target new high-quality charter schools in areas where poor-performing schools are closing or likely to close.
- Provide for more schools serving targeted students where no effective options exist.
- Target supply and quality increases toward low-income and minority families.
- Partner with Community Educational Development Organizations (CEDOs) to accelerate charter development and success.
- Integrate quality charter development into the State's new authority to create achievement school districts serving the children of the most dysfunctional school districts.
- Increase accountability and autonomy in the charter marketplace by strengthening the guardrails of quality authorizing and hold state authorizers rigorously accountable for protecting student trust and public investment in Ohio charter schools.

With the creation of new schools and the replication of those that are high quality, ODE's ultimate goal is for Ohio to have 70% of charter school seats in effective schools by 2020, contributing to an overall state charter sector of 100,000 seats and 400 schools.

Project Narrative File(s)

* Mandatory Project Narrative File Filename:

To add more Project Narrative File attachments, please use the attachment buttons below.

**OHIO DEPARTMENT OF EDUCATION
APPLICATION FOR THE CHARTER SCHOOLS PROGRAM GRANT FOR
STATE EDUCATIONAL AGENCIES**

PROJECT NARRATIVE

<u>INTRODUCTION</u>	1
<u>ABSOLUTE PRIORITIES</u>	2
PERIODIC REVIEW AND EVALUATION	2
CHARTER SCHOOL OVERSIGHT	5
<u>COMPETITIVE PRIORITIES</u>	7
HIGH-QUALITY AUTHORIZING AND MONITORING	7
ONE AUTHORIZED PUBLIC CHARTERING AGENCY OTHER THAN AN LEA	12
SEAS THAT HAVE NEVER RECEIVED A CSP GRANT	12
<u>SELECTION CRITERIA</u>	12
STATE-LEVEL STRATEGY	12
POLICY CONTEXT FOR CHARTER SCHOOLS	17
PAST PERFORMANCE	20
QUALITY OF PLAN TO SUPPORT EDUCATIONALLY DISADVANTAGED STUDENTS	23
VISION FOR GROWTH AND ACCOUNTABILITY	26
DISSEMINATION OF INFORMATION AND BEST PRACTICES	30
OVERSIGHT OF AUTHORIZED PUBLIC CHARTERING AGENCIES	35
MANAGEMENT PLAN AND THEORY OF ACTION	39
PROJECT DESIGN	50
<u>APPLICATION REQUIREMENTS</u>	A

Ohio Charter Schools Program Grant Application

Introduction

Ohio is pleased to submit this application to the U.S. Department of Education for a Charter School Program SEA grant. Receiving this grant would significantly assist the state in advancing its vision for charter education, allowing for more educationally disadvantaged students to be served with high-quality school options.

Ohio's *vision* for charter education is as follows:

Ohio will significantly increase access to effective charter education opportunities for Ohio's most disadvantaged boys and girls, particularly from low-income and minority families, who are currently poorly served by the school districts in which they live.

Ohio will advance this vision through the following strategies:

- Open more high-quality charter schools and close poor-performing schools, aggressively targeting new high-quality charter schools in areas where poor-performing schools are closing or likely to close.
- Provide for more schools serving targeted students where no effective options exist.
- Partner with Community Educational Development Organizations (CEDOs) to accelerate high-quality charter school development.
- Integrate quality charter development into the State's new authority to create "recovery districts" that serve the children of the most underperforming districts.
- Increase accountability and autonomy for state authorizers accountable to protect student trust and public investment in Ohio charter schools.

Our Goals

Today, Ohio's charter schools are measured as "effective" or "ineffective" per the State's grading system which, like the federal definition of high-quality schools, incorporates several measures of school success. An effective school is defined as a school where a year's learning growth occurs annually, or, if students are behind grade in proficiency, where more than a year's learning growth occurs. Schools that do not achieve such growth are deemed "ineffective."

Per the federal definition of "high-quality" and "poor-performing" schools, Ohio has 93 high-quality charters and 6 poor-performing.

In October 2014, the state serves 89,995 students in its site-based charter schools. Our ultimate goal is for 70% of charter school these students to be attending "effective" schools by 2021. It is expected that by 2021 the state charter sector will total nearly 100,000 seats and have about 400 schools. By leveraging new planning and implementation subgrants through Ohio's CSP program, the state will generate nearly 25,000 new charter school seats over the next 5 years.

In addition to meeting this State-based goal, Ohio also aspires to increase the percentage of high-quality schools, per the USDOE definition, from 32% of charter schools in 2013-14 to 50% of all charter schools by 2021.

Absolute Priority 1: Periodic Review and Evaluation

The State provides for periodic review and evaluation by the authorized public chartering agency of each charter school and takes steps to ensure that such reviews take place. Reviews and evaluations will:

A. At a minimum be conducted at least once every five years, unless required more frequently by State law

B. Serve to determine whether the charter school is meeting the terms of the school's charter and meeting or exceeding the student academic achievement requirements and goals for charter schools

C. Include an opportunity for the authorized public charter agency to take appropriate action or impose meaningful consequences

State law is clear with respect to the authorizer's obligation to review the charter school's operations, compliance with state and federal laws and the terms of the charter contract, and intervention and renewal decision-making (Ohio Revised Code (ORC) 3314.03). The Ohio Department of Education (ODE) adopted rules to amplify these requirements (Ohio Administrative Code (OAC) Chapter 3301-05) and the annual evaluation of authorizers (called "sponsors" in Ohio law) sets clear expectations regarding the authorizers' review, evaluation, and decision-making pertaining to charter schools. Required authorizer reviews include the following:

- **A pre-opening review.** ORC 3314.19; complete on-site reviews for each schools prior to opening of each school year and submit the report to ODE.
- **Monthly reviews of financial and enrollment activity.** ORC 3314.023; meet with the governing authority or fiscal officer of the school every month and provide a written report of its review to the school.
- **Twice annually comprehensive reviews.** OAC 3301-102-05(2)(a); complete comprehensive site visits *twice* annually while school is in session.
- **Renewal, termination/non-renewal or suspension review.** State laws pertaining to decisions to renew a school's charter (ORC 3314.03), terminate or nonrenew (ORC 3314.07), or suspend school activities (ORC 3314.072), require that the performance standards by

which the success of the school is evaluated are set forth in the charter contract (ORC 3314.03(A)(3)(4)). More specifically, the charter contract must state the academic goals to be achieved and the method of measurement used to determine progress toward those goals, which includes the state's mandated assessments. If the authorizer finds that the school's compliance with laws and its charter contract, and progress in meeting the academic goals prescribed have been satisfactory, it may renew the contract (ORC 3314.03(E)).

- ODE evaluates authorizers annually on three components, one of which is quality practices (ORC 3314.016). Quality practices assess transparency of the charter contract; data-driven renewal and intervention decisions; annual and cumulative school reports based upon multiple sources of data; and a high-stakes reviews at least every five years (more frequently if a school's charter expires sooner or if suspension is being contemplated).

At any point during any of the above reviews, the authorized public charter agency has the opportunity – and the responsibility -- to take appropriate action or impose meaningful consequences.

Ohio rule and law ensure that authorizers have a legal basis for taking appropriate action against a charter school, as necessary. Authorizer-school contracts must include a provision that recognizes the legal right of authorizers “to assume the operation of a school,” according to ORC 3314.03(A)(21). Authorizers may place a school on probationary status under ORC 3314.073, suspend the school's operation under 3314.072 of the Revised Code, or terminate a school's contract under ORC 3314.07. The reasons for applying such consequences are: failure to meet student performance requirements stated in the contract (charter); failure to meet generally accepted standards of fiscal management; violation of any provision of the charter contract or applicable state or federal law; non-compliance with health and safety standards required by law.

ODE holds authorizers accountable for performing and reporting on these reviews through its Authorizer Quality Performance Review (AQPR), developed in alignment with NACSA's *Principles & Standards of Quality Charter School Authorizing*, to measure an authorizer's overall quality performance (see Appendix E). The AQPR is compulsory under ORC 3314.016(A)(3), and evaluates authorizer performance in the areas of: agency commitment and capacity; application process and decision-making; performance contracting; oversight and evaluation; termination and renewal decision-making; and technical assistance. Ohio's AQPR is the only high stakes evaluation of authorizer performance by an SEA. More details on the AQPR can be found under Competitive Priority 1.

Absolute Priority 2: Charter School Oversight

A. State laws, regulations, and other policies that require:

1. Each charter school to operate under legally binding charters or performance contracts that describe the rights and responsibilities of the school and public chartering agency

Ohio Revised Code 3314.03 requires charter schools to operate under binding contracts issued by eligible authorizers, which establish the rights of both parties. The authorizer's obligations to the school, and the school's to the authorizer, are required elements in the charter contract. Examples of responsibilities for the authorizer and schools include: monitoring a school's compliance; describing the metrics and expectations for evaluating the school; and all laws with which the school must comply. Examples of rights for the authorizer and/or school are standard in all charter contract language and include: the authorizer's right to intervene; the circumstances for any intervention; appeal rights for contract termination; arbitration of disagreements; roles and obligations (ORC 3313.03).

2. Each charter school in the state conducts annual, timely, and independent audits of the school's financial statements that are filed with the school's authorizer

State law requires community schools to have a financial audit by the Auditor of State annually. The authorizer is involved during the audit process and attends the exit conferences with the school and the auditors. Each audit is shared with the school, authorizer, published to the Auditor of State's website, and if material findings are noted, a notice is also sent to ODE. (ORC 3314.03(A)(11)(d) and Chapter 117).

3. Each charter school in the state demonstrates improved academic achievement

The AQPR ensures that Ohio's authorizers are attentive to their schools' academic achievement. Not only are authorizers compelled to provide annual reports summarizing school performance by the AQPR's section on oversight and evaluation, but they are also expected to establish measures for student proficiency, academic growth, graduation rates, attendance, and post-secondary enrollment (if applicable) under the performance contracting section.

Additionally, Ohio's charter schools are required to demonstrate improved academic achievement or face closure under state law. Report cards for general education charter schools are required under ORC 3314.02, while report cards for dropout prevention and recovery charter schools (DOPR) are required under ORC 3314.017.

B. Authorized public chartering agencies in the state use increases in student achievement as one of the most important factors when determining to renew or revoke a school's charter.

Whether by authorizer action or as a result of Ohio's automatic closure law, charter schools in the State are closed for failing to demonstrate improved academic achievement.

As Local Report Cards and their measures were phased in for Ohio schools from years 2012-2013 through 2014-2015, so too were elements evaluated for school closure that are found in the LRC. Closure laws differ slightly based on grade levels offered by a school, but essentially a school is forced to close under ORC 3314.35 when it has ratings of “D” or “F” in two of three consecutive years, and fails to meet expected value-added expected gains.

Criteria found in the termination and renewal section of the AQPR emphasize the importance of student achievement in an authorizer’s decision to renew or revoke a charter. Ohio authorizers use an assortment of measures in making this decision, including multiple years and measures of student performance. Authorizers grant renewals to schools that are successful in achieving rigorous and specific academic goals. Please see Appendix E for renewal decision criteria used by Ohio’s authorizers.

Competitive Priority 1: High-Quality Authorizing and Monitoring Process

A. Framework and processes to evaluate the performance of charter schools on a regular basis that include:

1. Rigorous academic and operational performance expectations

Charter schools are monitored by authorizers to evaluate their adherence to the charter contract, as required under ORC 3314.03. These evaluations examine five components of school compliance at least twice annually: health and safety, governance, finance, operations, and education programs. In addition to these semi-annual evaluations, authorizers are required to conduct monthly fiscal monitoring of their schools under ORC 3314.023.

The framework to evaluate performance of charter schools is set forth in State and Federal law, in each charter school’s contract with its authorizer, and in the performance contracting section of the AQPR (see Appendix E). Charter schools must define their curriculum

and performance goals in their contracts, and administer all state achievement assessments and graduation tests under ORC 3314.03. Additionally, charter schools must comply with Annual Measurable Objectives requirements of the Elementary and Secondary Education Act (ESEA) Waiver and other parameters set forth by the U.S. Department of Education.

2. Performance objectives for each school aligned to expectations

Under Ohio law, performance objectives are established for each charter school in its authorizer contract. ORC 3314.03(A)(3) requires charter contracts to include “academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals, which shall include the statewide achievement assessments.” ORC 3314.03(A)(4) requires “performance standards by which the success of the school will be evaluated by the (authorizer).” Please see Appendix E for school performance objectives from an exemplary Ohio authorizer, the Thomas B. Fordham Institute.

3. Clear criteria for renewing the charter of a school based on an objective body of evidence

Ohio’s authorizers base the renewal process and renewal decisions on a comprehensive analysis of objective evidence, as defined by the performance framework in the charter contract and in concert with expectations from the performance contracting section of the AQPR.

Authorizers have written policies explaining: the grounds and criteria for renewal; the specific evidence to be collected and/or documented; and the procedures both the school and the authorizer will follow once renewal decisions have been made. Evidence collected by authorizers includes multiple years and measures of student achievement, as well as other relevant measures of school performance. ODE considers a charter school’s success in meeting its achievement and fiscal goals to be two of the most important factors in making renewal/revocation decisions.

Please see Appendix E for renewal criteria adopted by the Ohio Council of Community Schools, a second exemplary Ohio authorizer.

4. Clear criteria for revoking the charter of a school if there is a violation of law or public trust

Violations of the law and the public trust are cause for the closure of charter schools.

Ohio authorizers are required under OAC 3301-102-05(A)(2)(a) to make twice annual site visits to monitor school adherence to rule and law, and to report findings on such things as school safety plans, emergency evacuations drills, criminal background checks, and academic/intervention services policy.

Clear violations of the law or public trust identified during site visits or through other means represent grounds for the termination/revocation of a charter, particularly as they apply to health and safety, governance, finance, operations, and education programs.

5. Annual reporting by authorizers to each of their authorized charter schools that summarizes the schools performance and compliance

OAC 3301-102-05 mandates that charter school authorizers make written reports from school site visits available to ODE upon request and requires authorizers to send academic and fiscal performance reports to parents annually by November 30. Additionally, authorizers are obligated to submit annual performance reports to ODE for their authorized schools under ORC 3314.03(D)(3).

B. Clear and specific standards and formalized processes that measure and benchmark the performance of authorizers

The Office of Quality School Choice (QSC) has staff solely dedicated to the formal evaluation of authorizers. Authorizers are evaluated on three components and the results are posted annually on ODE's website. The components are monitoring school compliance with all

applicable laws and the terms of the charter contract; academic portfolio performance; and adherence to quality practices and standards of authorizing, aligned with those of the National Association of Charter School Authorizers (NACSA), which is specifically cited in law (ORC 3314.016(B)(3)). The quality practices cover six critical areas (agency commitment and capacity; application renewal and decision-making; performance contracting; oversight and evaluation; termination and renewal decision; and technical assistance). Three areas are given twice the weight in the evaluation: agency commitment and capacity; application decision-making; and renewal and decision-making. Possible ratings for the AQPR are exemplary, effective, ineffective, or poor/underdeveloped. Possible ratings for the compliance review are exemplary, effective, and ineffective (see Appendix E). Ohio is one of few states to conduct high-stakes quality reviews of authorizers. Seven authorizers have been through the process to date and, by January 1, 2016, authorizers overseeing 90% of the state's charter schools will have been through the process. Two of the authorizers evaluated to date have been assigned ratings of ineffective. Kids Count of Dayton has been placed on a one-year corrective action plan, during which it will have to demonstrate significant improvements in its practices or have its ability to authorize schools revoked by ODE. Portage County Educational Service Center also earned a rating of ineffective and has elected to surrender its authority to authorize schools. All authorizers have been evaluated for compliance.

C. Authorizing processes establish clear criteria for evaluating charter applications and include multi-tiered reviews

ODE expects charters to be issued only to applicants that have: a clear and compelling mission; quality educational program; solid business plan; an effective governance structure; staff knowledgeable in all areas of school operations; and clear evidence of the capacity to

successfully execute the plan. Applicants should conduct market research that validates demand for a high-quality school in the proposed area and should have significant startup capital. The authorizer is expected to follow a documented, systematic process for applications that cover four main areas of school planning and operations (education plan, governance, finance and accountability). It is expected that the authorizer will involve multiple reviewers in assessing the written application, who have broad expertise and bring in others with specific knowledge if needed, based upon the applicant's proposal. Further, authorizers are expected to train the reviewers on the use of the rubric, while including rigorous criteria and differentiated scoring. The process calls for an applicant interview; additional due diligence in vetting; and engaging in data-driven decisions involving the authorizer's board.

D. Authorizing processes that include differentiated review of charter petitions to assess whether, and extent to which, the charter school developer has been successful in establishing and operating one or more high-quality charter schools

The AQPR's application and decision-making section establishes standards for authorizers in assessing petitions for new charter schools. Application requirements are expected to vary by type of applicant (existing charter operators, replicators, those seeking a different authorizer) in order to clearly capture the applicant's history (e.g., performance of any affiliated schools as well as association with any never-opened, terminated, or non-renewed schools).

As noted before, the AQPR's standards for assessing petitions obligate authorizers to ensure that applicants have: a clear and compelling mission and vision; a quality educational program; a solid business plan (including market and charter research); an effective governance and management structure; staffing of people with diverse knowledge in education, school finance, etc.

**Competitive Priority 2: One Authorized Public Chartering Agency Other than a Local
Education Agency (LEA), or an Appeals Process**

A. Provides for one authorized public agency that is not an LEA

Ohio has a multi-authorizer system. There are 65 active authorizers in Ohio, most of which are LEAs. However, the majority of operating schools are chartered by non-LEA authorizers: federal non-profit organizations and a state university, most approved by ODE; and a number of educational service centers. ODE is also an authorizer through its Office of School Sponsorship. There is no statutory appeal rights for an applicant, but there are a multitude of authorizers available to any applicant.

B. In the case of a State in which LEAs are the only authorized public agency, allows for appeals of denied applications – Not applicable

Competitive Priority 3: SEAs That Have Never Received a CSP Grant – Not applicable

Selection Criteria

A. State-Level Strategy

1. Extent to which the SEA's CSP activities are integrated into the state's overall strategy for improving student academic achievement and attainment and closing gaps.

Ohio has a well-established overall state strategy for improving student academic achievement and attainment, including closing achievement and attainment gaps. This strategy is well documented in the state's successful federal Race to the Top grant application and implementation plan, and the key strategies are codified in state statute and regulation (see citations listed throughout). The key components of the state's overall strategy, all of which are implemented, are as follows:

1. *Academic content standards* in mathematics, English language arts, science, social studies (including U.S. History and U.S. Government) that prepare students for success in college and careers (ORC 3301.079).
2. *Statewide assessments* aligned to the standards in math and English/language arts in grades 3 through 8 and once in high school, and in science (grades 5 and 8), social studies, U.S. Government and U.S. History (ORC 3301.0711).
3. *High standard for high school graduation* that includes minimum, but rigorous course-taking requirements and the passage of state assessments (ORC 3301.0710, 3313.603).
4. *An accountability system* (report cards) that reports on student achievement, attainment and growth for schools and districts, and uses report cards to drive academic improvement, while ensuring that data is disaggregated and that buildings and districts are measured on closing achievement gaps (ORC Chapter 3302).
5. Ensuring that all students can *read at grade level by the third grade* (Third Grade Reading Guarantee, measured on the Report Card) (ORC 3313.608).
6. *Intensive, ongoing system of support for the improvement of school districts and school buildings*. This is accomplished primarily through the Ohio Improvement Process (OIP), requirements for improvement planning and the State Support Teams (ORC 3302.04).
7. Performance standards for teachers, principals and superintendents, and the design and implementation of high-quality evaluation systems (ORC 3319.61, 3319.112).
8. *Options for students* through *charter schools* and scholarships (vouchers for private schools) that create educational options primarily for students who attend or would attend the state's lowest performing schools (ORC Chapters 3310 and 3314). *The state's*

proposed CSP activities (under (i) Project Design) are a critical component to the continued development and expansion of charter school options.

9. Fostering *innovation* through the “Straight A” innovation grant program (ORC 3319.57).
10. An *adequate and equitable level of funding* for education through a combination of state and local funding sources (ORC Chapter 3317).

All of these strategies are designed to work together to support and promote a system of primary and secondary education that ensures students’ academic achievement in all traditional and public charter schools.

2. Extent to which funding equity for charter schools is incorporated into the SEA’s State-level strategy

ODE’s funding strategy is designed to promote funding equity for all schools. To that end, the State’s funding formula ensures the same basic level of financial support for charter and traditional public schools. Beyond basic funding, an ODE legislative recommendation to the General Assembly opened the door to new funding sources for charter schools. Previously available only in the Cleveland area, charter schools can now seek voter approved tax levies statewide, so long as they are overseen by exemplary authorizers. Tax levies are adopted in conjunction with local school boards and can be used to pay for operational expenses.

Ohio’s efforts to provide funding equity for charter schools are also evident in the state’s most recent education budget, which set aside \$25 million for high-quality charter schools to use on facilities. Additionally, ODE is enhancing the State’s Academic Distress Commission concept, established by the State Superintendent pursuant to ORC 3302.10, by providing supplemental sources of funding to charters in “recovery districts” overseen by these Commissions.

3. Extent to which the State encourages local Strategies for improving student academic achievement that involve charter schools

In order to promote coordinated support of quality school development at the local level, ODE will collaborate with community education development organizations (CEDOs). CEDOs are organizations located in urban areas that consist of school, business and government leaders. CEDOs drive and coordinate efforts to improve educational quality through comprehensive strategies that include, among other things, improving overall school quality. CEDOs have: meaningful local funding sources; broad community engagement; professional staffing; and are actively engaged in improving the prerequisites of school system success, including quality teacher pipelines, increased school accountability and parental engagement. The success of CEDOs is critical for wide-scale education reform in Ohio. ODE will work closely with CEDOs so that awarded proposals will benefit from their accelerator activities.

The Department will partner with CEDOs in determining the priority for awards to eligible proposals. While maintaining complete quality control over the award process and grant use, the Department will allow CEDOs to prioritize awards among eligible applicants. This, in turn, enables CEDOs to leverage the awards into greater school success as well as into fiscal and political support for their reform efforts. With more fiscal and political support, CEDOs will be able to provide more support for the success of the awarded school proposals and expand their own locally-resourced school development efforts.

i. Collaboration between charter schools and other public schools

The Ohio Community Collaboration Model for School Improvement (OCCMSI) is an ODE led initiative that was created to provoke collaboration between charter schools and other public schools in an effort to enhance school quality and academic achievement for all students.

OCCMSI is a multi-faceted school improvement model, with specifically designed programs and services that feature strategies for academic improvement, youth development, parent/family engagement, health and social services, and community partnerships.

The responsibility for student achievement is shared as educators and stakeholders recognize their interdependence in improving outcomes for students. Collaboration is the key concept emphasized by the OCCMSI. Figure 1 illustrates some of the model’s targeted goals.

Figure 1: Ohio Community Collaboration Model for School Improvement

Areas of School Improvement	Areas of Reductions
Academic achievement	Achievement Gaps
Productive learning during out-of-school time	Problem behaviors
Attendance in school	School suspensions
School climate	Duplication of Services
Access to services; faster delivery of services	Fragmentation of Programs
Service integration	Feelings of isolation
Healthy youth development	Student mobility

ii. The creation of charter schools that would serve as viable options for students who currently attend the state’s lowest-performing schools.

The Cleveland Transformation Alliance (CTA) is a CEDO that ODE has been working with for the past two years. Ohio’s plans for creating charter schools serving as viable options for students in the State’s lowest performing schools is reflected in that partnership. CTA promotes the development of high-quality district and public charter schools in the Cleveland area by: assessing the quality of all public schools in the area; creating awareness among Cleveland families about quality school options; empowering families to make informed choices; and by monitoring the growth and quality of charter schools. ODE is committed to expanding CTA strategies into all of Ohio’s urban districts and, in so doing, significantly increasing the number of high-quality schools in those areas.

CEDOs, as previously noted, are located in Ohio's major cities. ODE's partnerships with CEDOs link the Department to school, business and government leaders in metropolitan areas to form mutually beneficial relationships that strive to combine efforts and resources to improve school quality thereby creating more quality school options across the State.

Additionally, in legislation just signed into law, the State Superintendent is now empowered to put in motion complete redesigns of chronically underperforming traditional school districts. The creation of high-quality charter schools will support newly designated "recovery districts" in providing quality options for students who would otherwise attend the state's worst district schools. The state's plan for a recovery district will rely on replacing current failing traditional public and charter schools with effective charter schools and developing new K-12 pyramids of charters schools. The first recovery district will be formed in Youngstown.

B. Policy Context for Charter Schools

1. The degree of flexibility afforded to charter schools under the State's charter school law, including.

i. Extent to which charter schools are exempt from rules that limit flexible operations

Under ORC 3314.04, charter schools in Ohio are "exempt from all state laws and rules pertaining to schools, school districts, and boards of education, except those laws and rules that grant certain rights to parents." Charter schools are not exempt from laws related to health and safety, civil rights, performance accountability, employee criminal records checks, sunshine laws, public records, and generally accepted accounting principles.

Once approved and operating, flexible options continue for Ohio's charter schools. These options include the flexibility to design curriculum that is sensitive to the academic and cultural needs of their students, establish academic goals, determine instructional methods that will lead

to the achievement of state standards, open enrollment to any Ohio student, select members of the governing board, hire and dismiss staff, and contract with service providers.

ii. Extent to which charter schools have a high degree of autonomy

ORC 3314 provides charter schools with a high degree of autonomy over their own budgets and expenditures in four ways: (1) clear statutory language mandating autonomy; (2) direct state funding for charter schools; (3) monitoring potential conflicts of interest and (4) governing board authority to make autonomous decisions regarding budgets and expenditures.

Charter schools are clearly defined as local education agencies (LEAs) under OAC 3301-3-01 (B)(8). As such, charter schools: are independent of any other school district; receive direct state and federal funding, which is separate from any other entity's funding; may acquire facilities; and have broad contracting authority to obtain all services necessary for the operation the school, as permitted under ORC 3314.01(B).

Every charter school in Ohio has an independent governing board. The school charter or contract entered into by the school's governing authority and the authorizer specifies academic, fiscal, governance, and accountability responsibilities for which both parties must follow. Authorizers are primarily responsible for monitoring their schools' performance and compliance with state rules and regulations and may not interfere with the charter school's daily operations, according to ORC 3314.03(A)(4).

2. The Quality of the SEA's Processes for:

i. Annually informing charter schools about Federal funds for which they are eligible

To inform charter schools and traditional districts of federal entitlement funding opportunities, ODE holds multiple seminars throughout the state every June. As discretionary grants become available, ODE publicizes these through the Superintendent's weekly newsletter,

through webinars, and in the state's consolidated grant application platform, called the Comprehensive Continuous Improvement Program (CCIP).

ii. Annually ensuring that charter schools receive Federal funds in a timely manner

Payments to charter schools in Ohio are incorporated as part of the Department's normal payment processes. ODE follows documented initiation procedures at the beginning of the state fiscal year to inform relevant offices, including the Office of Federal Student Programs, of newly opening charter schools. All charter schools use CCIP to access federal entitlement and discretionary funds. Charter schools provide data on low-income students as part of their application for Federal assistance. Low-income student data from resident districts and charter schools are extracted to ensure a valid transition count each year in the fall, called the initial allocation. Charter school enrollment is submitted monthly. Five months into the State fiscal year, a second review is conducted by the Office of Federal Student Programs to make allocations to new charter schools and adjust allocations to all other LEAs. This twice annual allocation calculation ensures that charter schools and all other LEAs receive their share of federal education funding and title funds.

ODE has a Grants Management office with staff experienced in managing LEA grants and using established routines and reporting protocols. The Office of QSC employs a grants coordinator to provide technical assistance on and monitoring of the CSP grant. Last but not least, the authorizer also reviews finances with its schools monthly and ensuring timeliness of payment is part of that review.

3. The quality of the SEA's plan to ensure that charter schools are considered to be LEAs under State law and LEAs in which charter schools are located will comply with IDEA, the

Age Discrimination Act, the Civil Rights Act, the Education Amendments of 1972 and the Rehabilitation Act

Ohio's charter schools are public schools, established as local education agencies. ORC 3314.01(B) reads, "A (charter) school created under this chapter is a public school, independent of any school district, and is part of the state's program of education program of education." As such, they are required to comply with the Individuals with Disabilities Education Act (IDEA), the Age Discrimination Act, Civil Rights Act, Title X, and Section 504 of the Rehabilitation Act.

Authorizers verify school compliance with all applicable State and Federal laws during twice annual site visits. ORC 3314.03(D)(1) dictates that authorizers "monitor the community school's compliance with all laws applicable to the school..." while 3314.(5)(D)(4) states that authorizers must, "provide technical assistance to the community school in complying with laws applicable to the school..." A number of additional mandates found in state law and regulations offer additional assurances that charter schools are compliant with Federal laws.

C. Past Performance

1. Extent to which there has been demonstrated increase, for each of the past five years, in the number and percentage of high-quality charter schools

Figure 2 shows the number and percentage of high-quality, general education charter schools in Ohio for the past five years per the USDOE's definition. The state has increased the rigor of report card measures annually, and those made after the publication of the 2012 report card have been significant, making it more difficult for all schools to achieve a high-quality designation (see Appendix E). As illustrated, Ohio saw a steady increase in the number and percentage of high-quality charter schools from 2009-2010 to 2011-2012, but lower percentages in the two subsequent years after more rigorous measures were implemented.

Figure 2: High-Quality, General Education Charter Schools in Ohio

Year	General Education		
	High-Quality School Count	Total General Education Schools	% of General Education Schools High-Quality
2009-2010	88	236	37.3%
2010-2011	112	244	45.9%
2011-2012	124	256	48.4%
2012-2013	104	271	38.4%
2013-2014	93	290	32.1%

2. Extent to which there has been a demonstrated reduction, for each of the past five years, in the number and percentage of academically poor-performing schools

Figure 3 shows the percentage and number of poor-performing, general education charter schools in Ohio over the past five years per the USDOE’s definition. The number of poorly performing schools rose in 2013-2014, which is directly attributable to the increased rigor brought by adjusted measures in the accountability system.

Figure 3: Poor-Performing General Education Charter Schools in Ohio

Year	General Education		
	Low-Performing School Count	Total General Education Schools	% of General Education Schools Low-Performing
2009-2010	1	236	0.4%
2010-2011	3	244	1.2%
2011-2012	1	256	0.4%
2012-2013	0	271	0.0%
2013-2014	6	290	2.1%

Since the 2010- 2011 school year, 11 charter schools have been closed under the state’s closure criteria and 68 have been ordered to close by their authorizers for failing to meet academic and/or fiscal expectations. An additional 20 charter schools have been voluntarily closed during the same timeframe by their governing boards for fiscal, declining enrollment, or

other reasons. The closure of 78 schools since FY11, as shown in Figure 4, clearly shows that Ohio has been aggressive in reducing the number of poorly performing charter schools.

Figure 4: Ohio Charter Schools Closed Since FY11

Year	Academic Closure Criteria	Contractual Non-compliance	Closed Voluntarily
FY11	4	8	2
FY12	4	6	3
FY13	2	10	8
FY14	1	36	3
FY15	0	8	4
Total	11	68	20

3. Extent to which achievement and attainment levels of charter school students, including graduation rates and post-secondary enrollment, equal or exceed achievement and attainment levels of students in other public schools over the past five years

Ohio’s charter schools are highly similar to the Ohio 8 school districts (the 8 largest urban districts in the state) in terms of student demographics (economically disadvantaged, special needs, percent minority). Comparisons of like data from 2010-2014 show that all charter schools and Ohio 8 districts are roughly equal in terms of the percentage of high-quality schools.

Figure 5 demonstrates just how closely the two compare, with narrow differences each year in the percentage of high-quality schools.

Figure 5: Percentage of high-quality general education charter schools and Ohio 8 schools

Year	High-Quality Charter Schools	High-Quality Traditional Schools
2010	37.3%	38%
2011	45.9%	44.6%
2012	48.4%	43.8%
2013	38.4%	40.8%
2014	32.1%	36.3%

The differences are again minimal when comparing poorly performing charter schools and Ohio 8 districts, as shown in Figure 6. In four of the five years, however, a smaller percentage of charter schools than Ohio 8 schools were designated as poorly performing.

Figure 6: Percentage of high-quality general education charter schools and Ohio 8 schools

Year	Poor-Performing Charter Schools	Poor-Performing Traditional Schools
2010	0.4%	0.85%
2011	1.2%	0.89%
2012	0.4%	0.92%
2013	0%	3.26%
2014	2.1%	4.47%

D. Quality Plan to Support Educationally Disadvantaged Students

1. The extent to which the SEA’s charter school subgrant program would:

i. Assist disadvantaged students in meeting and exceeding State academic content standards and State student achievement standards.

ODE’s mission is “higher achievement for all students, regardless of race, ethnicity, income level, language background, disability status, or gender.” As such, the Department seeks to: set clear and high expectations for all students; build the capacity of educators to help students reach higher levels of achievement; and improve results.

ODE will achieve its mission by assisting disadvantaged students in meeting and exceeding State standards through the AQPR’s emphasis on high-quality authorizing, which is expected to lead to the development of more high-quality schools. As exemplary authorizer practices increase among Ohio authorizers, and successful school models are increasingly replicated in Ohio, ODE expects that disadvantaged students and their families will greatly benefit from added opportunities to select and enroll in high-quality schools.

Ohio's charter school subgrant program will assist educationally disadvantaged students by increasing the number of high-quality schools and effective seats where they are most needed, primarily in the Ohio 8 districts. These districts have the highest number of traditional public schools with designations of *Focus* or *Priority* under Ohio's Elementary and Secondary Act (ESEA) flexibility waiver. ODE tracks the number of site-based charters operating in each of these districts, enabling the Department to prioritize areas in greatest need of additional schools to serve disadvantaged students.

ii. Reducing achievement gaps for economically disadvantaged students

CSP subgrantees will be held accountable for their results in reducing or eliminating achievement gaps through measures (annual measurable objectives) reported on the LRC. Ohio schools receive a percent ranking on four report card measures, including gap closing, that are combined into overall grade.

Additionally, the Office of QSC's social science researcher will conduct a study of best practices for reducing achievement gaps and disseminate findings from the study to subgrantees through workshops, webinars, newsletters, and partnering with charter school organizations such as the Ohio Association of Charter School Authorizers, Ohio Association for Public Charter Schools, and Quality School Coalition. These dissemination activities will include technical assistance, as needed, to support schools in the implementation of best practices.

Ohio's strategies for reducing or eliminating achievement gaps are shown in several actions: the Ohio Improvement Process, a data-driven, local control process for identifying what is not working well and implementing actions steps and measures to guide improvement, with a focus on sub-group achievement; funding changes (e.g. facility funds) which make additional

resources available; and early learning and career and college readiness strategies, which drive academic improvement and close achievement gaps.

2. Recruiting, enrolling, serving, and retaining disadvantaged students

The Department's notice of grant opportunity will require applicants to build into their proposals a plan for recruiting, enrolling, and retaining disadvantaged students. In their plans, applicants will be asked to explain how they expect to engage diverse populations during initial enrollment drives and throughout the grant period. Successful proposals will include plans to continue these activities beyond the grant period as part of the school's normal business plan. Community outreach efforts will be consistent with Ohio statute and will describe promising practices for reaching underrepresented student populations and their families. Such practices may include orientations, mailings, and partnerships with community leaders and organizations.

In a manner consistent with ODE's plans to disseminate best practices for reducing achievement gaps, the Office of QSC will disseminate best practices for recruiting, enrolling, serving, and retaining disadvantaged students, including practices employed by subgrantees.

3. Encouraging charter school innovation

Clear, comprehensive plans for innovation, designed to improve achievement for disadvantaged students, will be encouraged of every applicant. Prospective subgrantees will be afforded the flexibility to develop plans best suited to their students' needs. Ohio's plan is to award subgrants to applicants with a strong sense of best practices in charter school innovation, and how those innovations will meet the learning needs of targeted populations.

4. Monitoring charter schools to ensure compliance

The Office of QSC has a CSP Grant Site Monitoring Form that is completed by the grants manager during site visits. This form guides the grants manager to verify that things such as

performance objectives, action steps and benchmarks described in the application are being achieved. Evidence, ratings, and actions needed are documented for each item.

Monitoring compliance with Federal and Ohio laws, and the usage of Federal funds is critically important to ODE, thus monitoring activities are conducted on a quarterly basis. Monitoring activities ensure that applicable federal requirements and performance goals are being met and that the expenditure of federal funds is in accord with all applicable laws and regulations. Programmatic goals will also be closely scrutinized to confirm that they have or are in the process of achieving objectives and are adhering to the program's governing assurances.

During the monitoring process, if a Corrective Action Plan (CAP) is required, the Office of QSC continues monitoring activities to ensure that the school has successfully implemented the CAP. Failure to cooperate with the QSC's monitoring efforts will result in early termination of the subgrantee's award, including the return of any previously distributed funds.

The previously mentioned CCIP is a unified grants application and verification system that consists of two parts: the Planning Tool and the Funding Application. It will be used to monitor subgrantees' compliance by tracking goals, strategies, action steps, district goal amounts for all grants, budgets, budget details, and other related pages. Subgrantee applications are filed electronically to the CCIP, with all steps in the review and approval process documented. Any subgrantee who fails to adhere to their approved plans in the CCIP could face corrective action from ODE, up to and including the revocation and repayment of grant funds.

E. Statewide vision, including the role of the SEA, for charter school growth and accountability

Ohio's overall vision for charter education is that the state will provide access to effective charter education opportunities for Ohio's disadvantaged boys and girls, particularly from low-

income and minority families, who are currently poorly served by the school districts in which they live.

Ohio's goal for charter school growth and accountability is to grow to 400 schools and for 70% of charter seats to be in effective schools by 2021. In alignment with the state's vision, the Office of Quality School Choice strives to provide all Ohio students with high-quality, accessible educational options and the knowledge to make the best choices. The key to achieving this goal is ODE's continued focus on holding authorizers accountable for opening more high-quality schools, closing or non-renewing poor-performing schools, and helping more current schools reach high-quality status and expand. The CSP grant will enable Ohio to realize that vision by supporting the opening of schools with effective seats in the most underserved areas. Ohio's academic accountability system ensures that data, easy to understand and use, are readily available for families seeking a choice option.

1. Quality of the SEA's system for collecting, analyzing, and publically reporting data on charter school performance

Charter schools, like their traditional public school counterparts, are required to submit extensive data to the state through the Education Management Information System (EMIS). Data must include student achievement, attainment, retention, and discipline data. Data are used to compute value-added metrics for each tested grade and subject, and a performance index score for each school. Data are disaggregated to assess the attainment of annual measurable objectives and illustrate achievement gaps.

Collected and processed data are used to populate an annual report card for each school (A sample report card is attached in Appendix E). Charter schools are given a letter grade (A-F), while a measure of college and career readiness will appear on the 2016 report card for the first

time. In its 2014 annual report, the Data Quality Campaign said that, “Ohio’s highly interactive School Report Cards provides parents detailed information on school-level student performance, including trend data, state and district comparisons, and levels of achievement. Explanation of indicators, indices and measure of student achievement are clearly presented, helping parents understand the data.” The Ohio vision for growth and accountability is based on the value of transparency and acknowledging the critical place that student data have in evaluating the performance and driving the improvement of all public schools.

ODE publishes an annual report on charter schools (see Appendix E). The report focuses on four main areas of charter school performance: academic performance; sustained student enrollment; fiscal accountability; and sponsor/authorizer accountability and oversight. The report includes extensive tables containing achievement data for each charter school in the state.

Authorizer ratings are also published in the report.

2. The ambitiousness, quality of vision, and feasibility of the SEA’s plan to support the creation of high-quality charter schools

A key component to Ohio’s strategy is the creation of high-quality charter schools. This will be accomplished through collaboration with exemplary and effective, high-quality authorizers working with school developers to propose new high-quality schools or replicate already successful education models and by helping existing schools become high-quality. The key components of the plan are as follows:

1. Increase levels of high-quality authorizing. Authorizers are the state’s connection to creating, sustaining and expanding or replicating high-quality charter schools. High-quality authorizers are more likely to sponsor high-quality schools. **Key actions:** Ohio will continue to implement its APQR and rating process for authorizers, and limit the opening of new schools

under the CSP program to authorizers rated as exemplary and effective. Ohio will provide technical assistance in promoting quality authorizing practices to develop exemplary authorizers.

2. Hold authorizers accountable for supporting schools in becoming or maintaining high-quality status. Authorizers must take the primary responsibility for helping increase the number of high-quality schools. *Key actions:* Ohio will continue to use the AQPR to hold authorizers accountable for improving the quality of their portfolio of schools. Ohio will also provide resources, information and technical assistance to authorizers and operators where appropriate.

3. Target federal Charter School Program funds to support the creation of new high-quality schools, through replication of already proven models. Ohio is committed to maintaining the creation of high-quality schools as a top priority in the CSP program. An important aspect of this will include working with authorizers and developers to replicate already proven models. *Key actions:* Annually conduct a notice of grant opportunity (NGO) and application review process that targets reputable and proven high-quality charter networks.

4. Impose strict criteria and exercise quality control over authorizers' actions to open new schools. ODE has developed criteria that are used to gauge the quality of an authorizer's decision to support the opening of a school. *Key action:* ODE will strictly adhere to this criteria and reject proposals that do not have sufficient evidence to support the creation of high-quality schools.

It is expected that through the strategies described above, the state will achieve 70,000 effective seats out of 100,000 students in approximately 400 charter schools by 2021.

Additionally, 50% of **site-based charter schools** will be rated "high-performing" (according to USDOE definition) by the end of the project period.

3. SEA's plan to support the closure of academically poor-performing charter schools

Another key component of Ohio's strategy is to close academically poor-performing schools. NACSA has identified Ohio as the first states with automatic closure requirements for charter schools written into law. Ohio law (ORC 3314.35) mandates the permanent closure of charter schools after poor performance (D or F on the report card) in two of the three most recent years. The key components of the state's plan to support school closure are as follows:

1. Hold authorizers accountable through the AQPR for making effective termination

decisions. To earn an effective or exemplary rating in the area of "Termination and Renewal Decision-Making," an authorizer must terminate a charter school's contract when there is evidence of: extreme underperformance; an egregious violation of law; a violation of the public trust that jeopardizes students' health and well-being or public funds (theft); or unfaithfulness to the terms of the contract. Renewals are approved only for those schools that have been successful in achieving target goals for improving academic achievement. **Key action:** The state will use the evaluation process – and the consequences for authorizers of not being rated "effective" or "exemplary" – to continue to drive aggressive closure action by authorizers while adhering to the parameters of state law.

2. Automatic closure law. This is an essential tool in Ohio's effort to eliminate poor-performing schools. **Key action:** ODE will continue to ensure that computations are made, notifications are given, and actions are taken that close poor-performing charter schools pursuant to the provisions of state law.

F. Plan to disseminate information about charter schools and promising practices of successful charter schools to each LEA, as well as to charter schools, other public schools, and charter developers

1. SEA as a leader in identifying and disseminating information and research on promising practices

ODE believes that identifying, disseminating and supporting the implementation of promising practices stands as an essential strategy to promoting high-quality schools – whether charter or non-charter. ODE has a plan to ensure that such information is available to each LEA in the state, as well as charter schools, other public schools, and charter school developers. This plan begins with the formation and regular convening of a *Charter School Promising Practices Dissemination Network*. The network approach acknowledges that dissemination is a shared responsibility involving many players. The network’s activity will be led by ODE staff and will be coordinated by a steering committee that includes one representative each from the Ohio Association of Charter School Authorizers, the Ohio Association of Public Charter Schools, the Quality School Coalition, the Ohio Education Research Center, one of Ohio’s regional Educational Service Centers, and one of the Community Education Development Organizations. The steering committee will also include two members representing exemplary authorizers and two members representing LEAs that sponsor charter schools. The steering committee’s purpose is to guide and support the network’s activities and the implementation of the state’s research and dissemination strategy.

Once assembled, the steering committee will determine a “seal of approval” for promising practices. ODE recognizes the importance of anchoring the state’s charter school work in best-in-class research and materials that reflect promising practices. Thus, it will identify already existing research on best/promising practices. This research, including case studies and informational pieces, will be lodged in a clearinghouse of resources on ODE’s website. Any

resources collected through the research or submitted by network members will be screened against the “seal of approval” criteria.

This type of approach is not new for ODE. It annually identifies “Schools of Promise” and “Schools of Honor” across the state. While the criteria vary slightly across the three categories, the schools achieve academic success, close achievement gaps, and serve a student population that is at least 40 percent economically disadvantaged. ODE captures the factors that help these schools achieve success and disseminates the information via its website. It takes a similar track for the Straight A Fund to promote innovative practices and share promising practices from fund grantees. ODE will apply these same methods to the *Charter School Promising Practices Dissemination Network*.

Once screened, ODE will consider other key outcomes that are ripe for identifying schools that excel in those areas (see the discussions below related to, and then documenting the practices that lead to that excellence). To push further on data analysis and conduct necessary research, ODE and the network will leverage the expertise and capacity of the Ohio Educational Research Center. All validated research will be posted on ODE’s website.

To maximize dissemination, ODE and the steering committee will develop a detailed dissemination plan that will identify key opportunities to engage with LEAs, charter schools, charter developers and others to ensure that high-quality information is being shared with a broad audience. This plan will include webinars that highlight schools and practitioners; site visit opportunities; dedicated training sessions; conference (state and regional) presentations; and professional learning communities comprised of schools and leaders. The plan will be integrated into the Ohio Improvement Process (OIP).

ODE will carefully work to spread and disseminate information against this plan. ODE, in conjunction with the network steering committee, will periodically gauge implementation progress and adjust accordingly. Similarly, ODE will assess impact by reviewing the prior year's activities and using the results to inform future plans. The plan will also identify the roles that various partners and practitioners can play. For instance, authorizers will be expected to ensure that schools in their portfolio are encouraged to access research and promising practice information. Education Service Centers (ESCs) will be asked to leverage their knowledge of best practices and their regular engagements with many education organizations on an on-going basis. LEAs, especially those that sponsor charter schools, will play a special role in disseminating information to traditional public schools as part of regional convenings and statewide conferences. They will also serve as possible visit sites for leaders from other LEAs. CEDOs will ensure that LEAs and charter schools that exist or are being developed in their communities are aware of and applying the promising practice research. Associations will use their websites, conferences and other participation opportunities to share information about best practices.

2. SEA's plan for disseminating information and research on racial and ethnic diversity

In addition to identifying and disseminating promising practices in a host of relevant educational and operational areas, Ohio will pay particular attention to identifying promising practices relative to racial and ethnic diversity. This will initially focus on identifying national research. Similar to Ohio's Schools of Promise and Schools of Honor, the work will extend to identifying Ohio schools that have shown particular success in the area of racial and ethnic diversity. Schools identified as effective and exemplary in this area will be the subject of case studies that will highlight key elements of school management, operation, and academic programming that successfully support racial and ethnic diversity. These key elements will then

form the foundation for additional dissemination activity in a manner similar to that described in the dissemination summary above.

3. SEA’s plan for disseminating information and research related to student discipline and school climate

There is an increasing research base that acknowledges how discipline and school climate issues influence school improvement efforts. In the short term, Ohio’s efforts will focus on identifying this information and incorporating it into the overall dissemination approach. Ohio already collects information on disciplinary incidents for schools across the state. Also, as part of the Ohio Improvement Process, schools are required to analyze various aspects of school climate. ODE, in conjunction with the steering committee, will identify strategies to ensure and improve quality data collection around these issues, and then, similar to the work described above, identify Ohio-specific examples that address discipline and school climate factors in school improvement efforts. Again, the expertise of the Ohio Education Research center will be leveraged. Dissemination of the key learnings in this area will be shared in a manner similar to those described above.

The various elements of Ohio’s plan are summarized in figure 8 below:

Figure 8: ODE’s Dissemination Plan

ACTIVITIES	DELIVERABLE	TIMELINES
Launch <i>Charter School Promising Practices Dissemination Network</i>	<ul style="list-style-type: none"> • Invite partners to the <i>Charter School Promising Practices Dissemination Network</i> • With partners, confirm and adopt a <i>Network</i> vision and theory of action • Determine a regular meeting schedule 	Jan. 2016
Develop a detailed research plan to identify current research on promising practices	<ul style="list-style-type: none"> • Develop research plan • Conduct research 	Jan. – Feb. 2016; ongoing update

Determine/define a threshold of quality (i.e. seal of approval) for promising practices; screen against seal criteria	<ul style="list-style-type: none"> • Based on research, identify criteria for seal of approval • Determine a list of criteria that comprise the seal of approval 	
Develop a detailed dissemination plan including modes of dissemination and partner responsibilities	<ul style="list-style-type: none"> • Conduct planning meetings • Create dedicated space on ODE's website for the <i>Network</i> • Post the <i>Network's</i> vision, theory of action and regular meeting schedule • Post the <i>Network's</i> research plan 	Jan. – Feb. 2016; updated annually
Develop research plan for processes to identify Ohio based promising practices in racial/ethnic diversity, discipline and school climate	<ul style="list-style-type: none"> • Develop a research plan, process and timeline • Identify needed data, create data collection and analysis plan. • Call for promising practices from Network members • Review, curate and rate promising practices • Apply the seal of approval where necessary 	Jan. – Feb. 2016; update annually
Implement dissemination plan	<ul style="list-style-type: none"> • Leverage <i>Network</i> members to share and broadcast approved promising practices • Post approved promising practices on the <i>Network's</i> web page on ODE's website • Conduct webinars that feature the approved promising practices • Sponsor visits to promising practice sites • Host training that is dedicated to promoting the concepts within the approved promising practices • Establish PCLs that are focused on the integration of the approved promising practices • Embed the approved promising practices into the <i>Ohio Improvement Process</i> 	Throughout year; updated annually
Annual review and recalibration of dissemination plan	<ul style="list-style-type: none"> • Collect data regarding impact of dissemination activity • Convene group to discuss improvement opportunities and create new plan. 	Annually

4. SEA's process for awarding dissemination subgrants – not applicable

G. Oversight of authorized public chartering agencies

1. Authorizers approving petitions with the capacity to become high-quality charter schools

Authorizers are evaluated on three components: the overall academic performance of their community schools; the completeness of their monitoring of schools' compliance with laws and rules; and their adherence to quality practices (ORC 3314.016) (see Appendix E for copies of evaluation instruments). Under current law, each component has equal weight in making up the overall evaluation rating. An authorizer's ability to authorize new schools or take on sponsorship of a currently operating school is affected by the overall rating. Criteria regarding the approval of petitions (or applications) are covered in one of the six critical areas of the APQR. As described earlier, authorizers are expected to provide evidence of a comprehensive application, review and approval processes that require extensive data allowing for rigorous evaluation of the applicant's plans, and a capacity to successfully execute its plans. The process should include a detailed review of the written application, an in-depth interview with finalists, and a thorough background review of the applicant's experience and capacity.

In considering petitions, authorizers determine the extent to which there is: a clear and compelling mission and vision; a quality educational program; a sustainable business; an effective governance and management structure; quality staffing, etc. Applicants must explain any never-opened, terminated, or non-renewed school, while also documenting educational, organizational, and financial performance records based on all existing schools.

2. Authorizers approving petitions with evidenced-based models and practices

Criteria for application (petition) process and decision-making, though not using the term evidence-based models, assumes that the petition provides the kinds of information and data to support the education program proposed. For example, the criteria in the AQPR for application process and decision-making confirm that the authorizer's application calls for an explanation of the academic impact of the proposed school model on the students and charter along with an

explanation of the school's curriculum, its alignment to the Ohio Standards and benchmarks, specific instructional materials to be used to implement the curriculum, and the process the school will follow to evaluate, review, and revise its curriculum on an annual basis. Data must include a needs assessments of the school's target neighborhoods and student populations, including current student demographics and academic performance of other schools in the area in which the charter school will be located.

3. Authorizers establishing measurable academic and operational gains for schools

State law requires that each charter describe the methods by which the school will be evaluated. In addition to evaluating authorizers, ODE reviews the legal sufficiency of every charter executed by an authorizer. Besides confirming that all legal requirements are in the charter, over the past two years, ODE developed and disseminated examples of performance frameworks for use in the charter consistent with the characteristics of exemplary authorizer practices in setting performance requirements. ODE has insisted that authorizers update their charter contracts, if needed, with performance frameworks that are appropriate, comprehensive, measurable and specific in their metrics, as well as in the consequences and benefits of achievement of those goals and outcomes. The AQPR reviews the *extent* to which rigorous and measurable gains criteria are in use.

4. Authorizers' annual monitoring of charter schools

As noted in Absolute Priority 1, authorizers are required to provide ongoing monitoring of their schools' academic and operational performance. As a requirement of charter law (ORC 3314.03 (D)), an authorizer must: (1) Monitor the community school's compliance with all laws applicable to the school and with the terms of the contract; (2) Monitor and evaluate the academic and fiscal performance and the organization and operation of the community school on

at least an annual basis. As amplified in OAC 3301-05 (reporting requirements of all sponsors), authorizers are required to “conduct comprehensive site visits to the community school as necessary, but at least twice annually while classes are in session.” In addition, the authorizer must conduct an onsite review of every charter school every year, prior to the school’s opening, and submit assurances of numerous points of student safety, per ORC 3314.019.

5. Authorizers’ use of achievement data in renewal decisions

ODE’s APQR details the criteria used by Ohio’s exemplary and effective authorizers as the basis for making renewal decisions of charter contracts. Authorizers base renewal decisions on objective evidence as defined by the performance framework in the charter contract. Evidence includes all of the following: multiple years and measures of student achievement; financial audits; site visits and compliance reports; and status reports on corrective action plans, if necessary. The authorizer only grants renewals to schools that are fiscally and organizationally viable based on criteria in the school’s performance contract, which includes rigorous and specific achievement goals.

6. Authorizers providing annual public reports on charter school performance

ORC 3314.03(D)(3) requires the authorizer to report, on an annual basis, the results of the evaluation described in number 4 above to ODE and to the parents of students enrolled in the community school. ODE publishes these reports annually on its website. In addition, the AQRP looks for each authorizer’s annual report to the public. It is expected that the annual report include clear, accurate performance data for the charter schools it oversees, reporting on individual schools and its overall portfolio performance, and progress toward achieving its authorizing mission.

7. Authorizers supporting autonomy while holding charter schools accountable

Ohio's public charter schools are defined in law as follows: a community school created under this chapter is a public school, independent of any school district, and is part of the state's program of education. A community school may sue and be sued, acquire facilities as needed, contract for any services necessary for the operation of the school, and enter into contracts with a sponsor pursuant to this chapter. The governing authority of a community school may carry out any act and ensure the performance of any function that is in compliance with the Ohio Constitution, this chapter, other statutes applicable to community schools, and the contract entered into under this chapter establishing the school. Each school is established as a public benefit corporation (ORC 1720). The AQPR reviews evidence that the authorizer "respects governing authority autonomy in operations" (Oversight and Evaluation area, indicator A of AQPR).

8. Authorizers' accountability of charter schools through transitions to new assessments or accountability systems

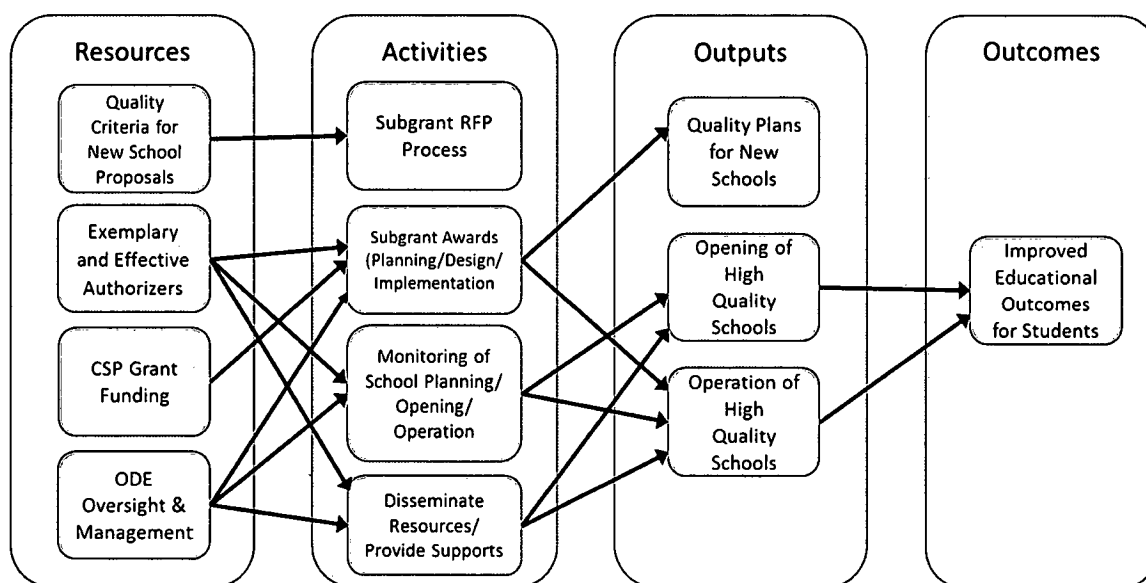
Ohio, like many other states, is currently going through a transition of assessment systems. It has made provisions to ensure that district and school report cards continue to be generated. This will allow all schools, including charters, to continue to be held accountable for their performance. As such, authorizer-school contracts ensure the continued accountability of charter schools during transitions to new assessments or accountability systems. Contracts must include provisions that charter schools will comply with academic performance requirements, including compliance with state assessments.

H. Management Plan and Theory of Action

1. Quality of the logic model including cohesiveness and strength of reasoning and extent to which it addresses the role of the grant in promoting the state-level strategy for using charter schools to improve education outcomes for students

ODE’s logic model for its proposed CSP project is illustrated by the following graphic:

Figure 9: ODE’s Logic Model for CSP Program Planning



The components of the logic model are:

Resources: These are the necessary and essential project inputs that support project activities.

For this project the essential resources are:

- **Quality Criteria for New School Proposals:** Establishing criteria that explicitly identify those characteristics and practices of high-quality schools will help to ensure that proposals are attentive to those criteria.
- **Exemplary and Effective Authorizers:** Exemplary and effective authorizers have proven that they have the capacity and experience to work with developers and operators to ensure quality proposals are developed and schools will perform to a high-quality standard.

- **CSP Grant Funding:** Grant funding is critical to attracting the best proposals for the opening of new schools. Funding for planning and well as implementation can help ensure that schools are able to start strong and effectively manage the challenges of opening a new school.
- **ODE Oversight and Management:** ODE has established the processes and frameworks that provide quality assurance over the grant award process, and the monitoring of school planning and operation.

Activities: The above resources support four key project activities that will lead to project outputs. These are:

- **Subgrant NGO Process:** The Notice of Grant Opportunity process will play a key role in communicating the state's goals and objectives, and the desired qualities, characteristics and objectives for high quality proposals.
- **Subgrant Awards (Planning/Design/Implementation):** Awards will serve to give the green light for high-quality proposals to move from concept to reality. Awards will provide important financial support to ensure the development and launch of high-quality schools.
- **Monitoring of School Planning, Implementation and Operations:** Monitoring and support activities are critical to ensuring that high-quality plans result in high-quality schools opening and operating. Monitoring and support will be conducted both by authorizers and by the state. Each proposal for a planning grant will include a timeline of key milestones and critical junctures for authorizer engagement. Authorizers will engage in planning activities at specific points of the plan development. A planning quality rubric will be used to identify strengths and weaknesses in school start-up plans at various points of the planning process, and will be able to point operators to areas where plans need to be improved. Authorizers will do a thorough pre-opening check of schools. Information from these reviews will be submitted to

ODE, and school openings will be approved only if pre-opening conditions are met.

Authorizers will review new schools three times during the year to assess implementation and gauge compliance with the school's operating plan. These will occur in August, November and March. The March review can be used to inform the process of determining whether a school will be awarded a year two implementation grant.

- **Dissemination of Resources/Provision of Supports:** In order to increase the likelihood that plans and implementations reflect practices that deliver high quality results, authorizers and ODE will engage in disseminating resources and providing supports to planners and operators. This activity will focus on key points of the development process as follows:

- **Planning phase:** Authorizers and ODE will provide planners with opportunities to learn about best practices, engage with various school operators to understand planning and implementation realities, and network with other subgrantees and operators.
- **Opening phase:** Authorizers will tailor supports to meet opening and first year operation needs of each school. First year reviews will help identify areas that need attention to help ensure successful year one activity. Authorizers will provide technical support to schools to address needs. ODE will coordinate with authorizers to identify areas where state assistance with support will be meaningful, and will provide resources and support opportunities accordingly.
- **Year two operations:** Based on end-of-year one reviews, authorizers will again identify key needs of schools to help ensure successful year 2 operation. Support opportunities will be provided over the summer, and school improvement plans will be developed to inform supports during year two. Again, ODE will coordinate with authorizers to identify and provide meaningful supports.

Outputs: The above activities support three primary outputs

- **Quality Plans for New Schools:** The goal is for 80% of plans prepared as a result of planning grants to meet a standard for being high quality plans (achieving 75% of total points on the plan evaluation rubric).
- **Opening of High-Quality Schools:** The goal is to have 100% of high-quality plans result in the opening of high-quality schools within two years – 80% in the first year after the planning grant, and 20% in the second year.
- **Operation of High-Quality Schools:** The ultimate goal is for new schools to operate in a manner that produces high-quality results, addresses the needs of educationally disadvantaged students, and serves communities that need high-quality options. At the end of the first year of operation, 100% of opened schools should demonstrate academic and operational performance results that meet or exceed the performance standards specified in their charters. Additionally, 100% of schools in first year of operation will have at least 75% of their students demonstrating one full grade-level or higher of growth. All schools will show improvement in the second year as compared to the first year.

Outcomes: The above outputs ultimately lead to the program outcome: **improved educational outcomes for students.** The goal is that the cohort of schools funded by CSP subgrants perform within the highest quartile of schools serving students with similar demographic characteristics.

2. Extent to which SEA's project specific performance measures support the logic model

Performance measures are included for the outputs and outcomes levels of the logic model. Since all measures are specific to the schools that will be funded with CSP grant funds, there is no baseline data available.

A number of performance measures rely on rubrics. These rubrics will be designed using NACSA resources, using its high quality standards, to ensure fairness and rigor. Training will be provided to those using the rubrics by the state in order to ensure consistency. These rubrics include the scoring rubric to be used for rating program applications, school plans, and the quality of school operations.

ODE has seven primary objectives for the federal CSP grant for which it has identified the following measures and targets:

<u>Objectives</u>	<u>Measures</u>	<u>Target</u>
1: Stimulate the creation of high-quality applications for the creation of new schools.	Percentage of applications received earning 75% or more of total quality points on application evaluation rubric.	80% of applications meet the standard.
2: Subgrantees generate high-quality plans by the end of the planning year.	Percentage of plans prepared earning 75% or more of total quality points on plan evaluation rubric.	80% of plans meet the standard at the end of the first planning year. Remaining schools meet the standard by the end of the second year.
3: Annual operations reflect high-quality practices and (beginning in year two) improvement in high-quality practices in comparison to the prior year.	Percentage of schools that open score 80% or more of total points on year one implementation rubric.	80% of schools meet the standard.
4: In each year of operation, schools achieve or exceed the performance targets set forth in their contracts (beginning in the 2nd year of operations) increase performance on the majority of their measures. M: a) Value-Added Overall, for the Lowest 20% or students, and for students with disabilities; b) Performance Index scores ;c) K-3 Literacy Improvement; d) Annual Measurable Objectives; and, e) 4 and 5 year graduation rates:	Percentage of schools achieving or exceeding performance targets	80% of schools meet their applicable state measures or make improvement.

Objectives	Measures	Target
5: The academic achievement and academic attainment of schools that operate under the CSP program are in the upper quartile of schools with similar demographic characteristics.	The schools' ranking among a group of schools identified based on the similarity of student demographics (For each school, a comparison group would be selected using grade levels, student demographic data and comparability of community characteristics such as large urban, medium urban, etc. All schools in the comparison group would be ranked based on performance metrics).	85% of schools are in the upper 25% of schools in their comparison group.
6: Schools that operate successfully under the CSP program are in priority geographic areas, and/or serve educationally disadvantaged students.	Percentage of schools opened with CSP subgrant funds located in priority geographic areas and/or serving educationally disadvantaged students.	90% of schools meet the measure
7: Schools that operate successfully under the CSP program serve socio-economically disadvantaged students.	Percentage of students eligible for the federal free and reduced lunch program and the percentage of students that identify as a racial minority.	100% of schools retain at least 60% of its population as eligible for free and reduced lunch and at least 60% minority students.

In addition to these measures, the project will also collect data related to the Secretary's priorities - how the CSP project is impacting the total number of charter schools in the state, and the percentage of fourth- and eighth-grade students in CSP funded schools who are achieving at or above the proficient level on state assessments in mathematics and reading. The project will also track total costs and establish data collection protocols that will allow it to compute the amount of federal cost per student in implementing a successful school. Whether the school is successful or not, as measured by being in operation for three years or more, will not be measurable until the final 2 years of the 5-year grant program.

3. The adequacy of the management plan to:

i. Achieve objectives of the proposed project on time and within budget

There are two key components of Ohio's project management plan – the organization and staffing plan, and the strategies/activities workplan.

Organization and Staffing Plan:

To ensure the successful implementation of the state's CSP subgrant program, 3.75 FTE employees will be hired to supplement current office staff. Positions to be hired include:

- **Director of Quality Charter School Development** will assist in the strategic development of high-quality charter schools throughout the state by identifying leadership talent, supporting quality school development, and by attracting high-performing charter networks to the state.
- **Program Administrator** will be responsible for coordinating the grant application to USDOE; coordinating and monitoring the agency's grant funding to qualified participants for adherence to program rules & regulations; reviews and makes recommendations concerning budget revisions and grant project goals; and completes recipient monitoring activities.
- **Program Specialists** will be responsible for reviewing the performance and compliance of subgrantees, conducting site visits of subgrantees, and supporting program administration.
- **Data Manager** provides and tracks all data regarding charter school student performance.

Current office staff supporting this project include:

Joni Hoffman, with a DrPH in health research and 16 years of experience working with state and federal grants; Steve Tate, a researcher with a Ph.D. in education; Karlyn Geis and Kelsey Stephens with Masters degrees in sociology; and Deniece Cooper, current AOR for Office of Quality School Choice (resumes are included in Appendix B). The project will also have access to all the offices of ODE that will need to support the work of the project.

Ohio expects that all staff will be on-board and operating within 90 days of the grant award. Ensuring that appropriate staff are in place and engaged in project responsibilities will be the responsibility of the Office of Quality School Choice’s Executive Director, David Hansen, who has worked at the national level with the National Association of Charter School Authorizers and elsewhere to identify and promote best practices for high-quality charter schools.

Strategies/Activities Work Plan

The following work plan (Figure 10) describes the key strategies for successful implementation of the project along with actions, responsible staff, milestones and timelines (The timelines are based on a grant activity start date of Oct. 15, 2015. The timeline would be adjusted commensurate with a later start date).

Overall Project Objective: The CSP grant project will increase the number of high-quality charter schools that assist educationally disadvantaged and other students in meeting state academic content standards and state student academic achievement standards.

Figure 10: ODE’s CSP Program Work Plan

Strategy 1: Disseminate information about the CSP grant program to interested parties including potential developers, authorizers, teachers, parents, communities and other stakeholders.			
<i>Activity</i>	<i>Responsible Staff</i>	<i>Timelines</i>	<i>Milestones</i>
Develop detailed dissemination and	Program Administrator	Oct. – Dec. 2015	Completion of dissemination plan; first contact with key

engagement plan; identify dissemination opportunities and partners; identify dissemination channels; create informational materials;			partners and interested parties; communication calendar showing key dates and information dissemination activities
Conduct dissemination activities; establish routine communications	Program Administrator	On-going	Completion of regular engagement activity pursuant to the communications plan and calendar
Strategy 2: Conduct subgrantee award rounds for planning, year one implementation and year two implementation grants.			
<i>Activity</i>	<i>Responsible Staff</i>	<i>Timelines</i>	<i>Milestones</i>
Develop detailed written subgrant guidelines explaining grant requirements, competitive preferences, scoring criteria, deadlines, etc.; stakeholder engagement around grant guidelines	Program Administrator	Nov. 2015 – Jan. 2016 and from November to January for subsequent funding rounds.	Completion of subgrant guidelines and application instructions
Issue Notice of Grant Opportunity	Program Administrator	Jan. 15, 2016 Every January 1 thereafter for subsequent funding rounds	Timely issuance of Notice of Grant Opportunity; targets for dissemination of Notice met
Receive applications	Program Administrator	Feb 1 – April 29, 2016, Feb – April, 2017 – 2021	Applications received; prepared for distribution to peer reviewers
Conduct peer review process -- prepare for peer review process; identify peers; provide training	Program Administrator	May – June, 2016 – 2021	Peer reviewers identified; Reviewers conduct and submit reviews; compilation of scores; review session with reviewers
Make grant awards	Program Administrator	June – July 2016 – 2021	Grants awarded. Subgrantee activity begins

Strategy 3: Monitoring and technical assistance (TA)/support activity			
<i>Activity</i>	<i>Responsible Staff</i>	<i>Timelines</i>	<i>Milestones</i>
Develop detailed monitoring and support plan for all aspects of monitoring and TA/support activity provided by both ODE and authorizers; engage likely authorizers	Program Administrator	January – May 2016	Complete detailed monitoring and support plan
Identify types of high quality TA/support required by proposed schools and design strategies for providing it	Program Specialists	Annually	Identification of types of needed TA/support, and development of strategies for providing TA/support
Ensure authorizers conduct monitoring and TA/support activity pursuant to plan	Program Specialists	On-going	Required reviews completed; reviews shared with schools; deficiencies rectified or corrective action plans developed; planned support activities completed per plan
Conduct ODE monitoring review and TA/support activities	Program Specialists	On-going	Required reviews completed; reviews shared with schools/authorizers; deficiencies rectified or corrective action plans developed; planned support activities complete per plan
ODE review of authorizer compliance with monitoring and TA/support requirements	Program Specialists	Annually	Reviews completed; deficiencies rectified or corrective action plans developed
Strategy 4: Data collection, analysis and synthesis			
<i>Activity</i>	<i>Responsible Staff</i>	<i>Timelines</i>	<i>Milestones</i>
Develop detailed project data collection and analysis plan	Data manager	Nov. – Jan. 2016	Plan development completed
Collection of relevant data	Data manager	On-going; Annual	100% of required data collected timely
Prepare data analysis and synthesis reports	Data manager	As appropriate data is available, but	Data analysis report prepared

		no less than annually	
Convene stakeholders to review data and discuss strategies to continually improve activities/outcomes	Data manager	Annually	Completed stakeholder data review meetings; plan for improvements

ii. Address any compliance issues or findings related to the CSP identified in an audit or monitoring review

ODE’s project management plan includes specific processes and procedures for addressing any compliance issues or findings related to the CSP project. Authorizer monitoring is often the first instance where compliance issues are identified. Authorizers are required to communicate results of their regular monitoring reviews with ODE. In those cases where compliance issues are identified, the authorizer will work with the school to either immediately rectify the compliance issue, or to develop a corrective action that will lead to compliance in as expeditious manner as possible. Compliance issues may also arise in the course of ODE monitoring activity. In these cases, issues uncovered by ODE will be communicated to the authorizer, and will result in a similar process of immediate rectification or corrective action plan. In those cases where corrective action plans are put into place, future monitoring activity will include review of corrective action plan commitments. Schools will know that extended non-compliance will lead to termination of their charter.

ODE and authorizers will also closely review school audits for any findings or compliance issues. These will be addressed in the same manner as described above.

I. Project Design

Ohio’s has designed its Charter School Program project to ensure that the program’s objectives are met. These include increasing the number of high-quality schools that operate in

the state, and ensuring that new schools that open meet priority state needs for high-quality educational options. The project design includes the process for awarding subgrants, the process for monitoring subgrantees, and a strategy to communicate with key stakeholders about the subgrant program.

1. SEA's process for awarding subgrants

i. Application and peer review process, timelines, and awarding to applicants demonstrating capacity to create high-quality charter schools

Ohio's plan for awarding subgrants is as follows:

Grant types: Ohio will award three types of grants: Planning grants, year one implementation grants and year 2 implementation grants.

Notification and Stakeholder Engagement: At the outset of the project, Ohio will notify stakeholders of the CSP grant opportunity review with them the program's design and operation. It will also establish communication channels that will allow interested stakeholders (parents, teachers and communities) to be informed about the progress of the program (see the discussion later in this section).

Application Requirements and Evaluation Guidelines: Ohio will develop application guidelines that will specify the requirements for applications in line with USDOE assurances, the competitive preference priorities for the grant program, and the criteria that will be used to evaluate the applications. The *competitive preference priorities* will include the following:

- **Strategic Replacement (10 points):** Priority will be given to applications where a high-quality school serves to replace a poor-performing school that is closing or ought to be closed. Within this category, we will prioritize innovative applications that replace poor charter operators who hold desirable "fixed advantages" such as high visibility locations serving high need

neighborhoods, customer bases of parents and students actively seeking better school options, with high-quality charters able to do more for students with these advantages.

- High Need Location (8 points): Priority will be given to applications where a high-quality school will serve a neighborhood where there is no meaningful high-quality option.
- Educationally Disadvantaged Students (5 points): Priority will be given to applications in urban areas that serve high numbers of educationally disadvantaged students in the state's most challenged urban communities. At a minimum, awarded proposals will serve low income and minority families at rates greater than current segment averages.
- Proven Educational Models (5 points): Priority will be given to applications that indicate the intention to replicate a successful and proven educational model by a charter management organization with a proven track record of developing and operating high-quality schools.
- Dropout Prevention and Recovery (3 points): Priority will be given to applications for high-quality dropout prevention and recovery school proposals particularly if they are serving students many years away from career and college readiness and who are often completely ignored by traditional schools.

The *criteria* for evaluating applications will include the following:

- a. Quality of applicant's governance and management plan.
- b. Quality of evidence supporting proposed educational model.
- c. Commitment and quality of plan for recruiting, enrolling, and retaining educationally disadvantaged students.
- d. Quality of plan for striving for a diverse student population.
- e. Capacity and plan for addressing needs of diverse students including students with disabilities.
- f. Quality of plan for parent and community outreach and engagement.

- g. Quality and feasibility of financial plan.
- h. Location of school and the need for academic options in the community being served.
- i. Academic performance measures and improvement objectives, and methods to evaluate outcomes and progress.
- j. Operational and organizational objectives and methods to evaluate them.
- k. Capacity and assurance of compliance with state and federal laws and regulations.
- l. Commitment to sharing of best practices.

For each of these criteria, applications will be scored reflecting categories similar to those used by the U.S. Department of Education: “Not Addressed,” “Poorly Developed,” “Adequately Developed,” “Well Developed,” and “Fully Developed.” Each of these categories will be assigned a range of scores from “0” for “Not Addressed” to full points for “Fully Developed.”

Authorizer Engagement: Ohio will identify those authorizers that will be invited to work with developers on school applications. Only authorizers that are rated “exemplary” or “effective” under the state’s quality evaluation criteria will be invited to participate. A meeting of invited authorizers will be held at the beginning of the project to review the grant criteria described above and to explain the state’s objectives under the CSP program. Authorizers will be solicited regarding their needs for assistance during the process of identifying high-quality development projects and putting together high-quality proposals. ODE will provide assistance as appropriate and work collaboratively with authorizers to ensure a sufficient pool of strong proposals. Additionally, in partnership with NACSA, ODE will develop a series of tools and trainings that will be made available to authorizers across the state. These materials and trainings will provide best practices and professional development throughout Ohio to ensure high-quality authorizing across the state, yielding high-performing charter schools.

Community Education Development Organization (CEDO) Engagement: The state will coordinate decisions about awarding subgrants for schools located in urban areas with CEDOs in the area. CEDOs will not have any decision making authority, but will serve in an advisory capacity to ODE relative to community needs, academic program needs, creating a balanced portfolio of schools, and proposed school locations. To ensure quality CEDO engagement, ODE will host an annual CEDO training that will gather all participating CEDOs to support a thorough understanding of CSP program guidelines, target high-quality CSP applicants, and inform best practices.

Application Process: Ohio will utilize annual grant funding cycles. Assuming a grant start date of July 1, 2016, the NGO for the first year will be issued on January 15, 2016 and then January 1 in subsequent years. Proposals will be due by April 29, 2016 and then end of April in subsequent years. A webinar will be conducted for interested applicants to answer questions and point to quality resources.

Peer Review Process: Peer reviewers will review applications. They will be recruited from among education practitioners in the state and will be screened for potential conflicts of interest. Peer reviewers will be provided with an application evaluation rubric that will specify the criteria against which grants should be judged, and descriptors for awarding points for each criteria. Peer reviewers will be required to participate in a webinar that will review the criteria and discuss the scoring approach. Each application will be scored by three reviewers.

Award issuance: The results of the peer review process will be compiled and analyzed. ODE will define a minimum quality threshold for applications that will form a floor. Applications that have not reached the minimum quality threshold will not be funded. ODE will fund applications largely based on points awarded by the peer review process. ODE, however,

will reserve the discretion to make awards that do not rely solely on points earned in the interest of meeting key geographic distribution objectives and to avoid any unintended concentrations of schools which could provide capacity in excess of need.

Recovery District Reserve: \$10.25 million will be reserved for the creation of high-quality schools in any recovery district designated by the state. Recovery districts are established for persistently under-performing districts in academic emergency status for multiple years. The criteria used to judge these applications will be the same as those used for other applications. The only difference is that schools located in the territory of the recovery district will not be competing with proposals from other parts of the state. For this reserved amount, however, there will still be adherence to the minimum quality threshold (described above).

Figure 11: CSP Program Project Subgrant Award Activity Summary

Project Activity	Deadline
1. Award of CSP Program Grant to ODE	Sept. 2015
2. Notice of Grant Opportunity (NGO) Development for Planning & Implementation. Notice will include eligibility requirements, deadline, and instructions.	Oct. – Jan. (Yr. 1) Nov. – Dec. (Yrs. 2-5)
3. NGO released on ODE’s website. <ul style="list-style-type: none"> • Recruit and train diverse reader panel. • Develop application scoring rubric 	January 15 (Yr. 1) Jan. (Yrs. 2-5)
4. Technical Assistance Webinar, publicized through ODE’s Office of Communication and on ODE’s website. Ongoing TA available through ODE’s Program Administrator. Recruiting and training diverse peer review panel continues.	February (Yr. 1- 5)
5. Subgrant applications due to ODE. <ul style="list-style-type: none"> • Submit to peer reviewers for scoring of applications • Compile peer review scores 	April 29 (Yr. 1) April (Yrs. 2-5)
6. Notice of Awards to subgrantees. <ul style="list-style-type: none"> • Make award decisions • Publicly announce winners on ODE’s website and through the Office of Communications 	June – July (Yr. 1) June (Yrs. 2-5)

ii. Year by year estimates

a. Number of subgrants expected to be awarded; average size; assumptions

Over the past three years, ODE has had an average of 19 schools open each year. Based on continuing demand for high-quality school choice options and the desire of developers to open more schools, we continue to believe that an aggressive pace of new school openings can be supported.

Each year, it is anticipated that 23 planning grants will be awarded. These grants will average \$100,000 each.

Planning grant recipients will be given the opportunity to receive a year one implementation grant. Quality and operational criteria will be specified that must be met in order to be awarded a year one implementation grant (this will be a separate, streamlined process from the application process for planning grants). The criteria for gauging readiness to receive an implementation grant will include, but not limited to:

- Quality and feasibility of the school's academic plan
- School's performance measure targets for student attainment and student achievement
- Quality and feasibility of the school's plan for recruiting, admitting, enrolling, serving and retaining educationally disadvantaged students
- Quality of stakeholder and community outreach conducted during the planning process
- Location
- Quality and feasibility of the school's financial plan

It is estimated that there will be 12 year one implementation grants awarded beginning in Year 1 to support high-quality schools ready to open, and 23 year one implementation grants awarded each year of the project thereafter. These grants will average \$350,000 each.

Year one implementation recipients will be given the opportunity to apply for a year two implementation grant. Quality and operational criteria will be specified and which must be met

in order to be awarded a year two implementation grant. These criteria will reflect the school's year one implementation experience in multiple areas – enrollment/retention, staffing and academic program implementation, student academic performance including performance of educationally disadvantaged students, operational management, financial management and stakeholder/community engagement.

It is estimated that there will be 12 year two grants awarded beginning in the second year of the program, and 23 year two grants awarded annually thereafter. These grants will average \$250,000 each.

b. Prior CSP percentage of eligible applicants awarded and how related to overall quality of the applicant pool.

When ODE last received the CSP grant, 56 schools received awards, representing 55% of the 102 total schools eligible to apply during the grant period. Since receiving the subgrant, 72% of subrecipients earned a value-added grade of A-C in the 2013-14 school year, demonstrating student learning growth of one year or more for the school year. Of the eligible applicants who did not receive a subgrant, only 58% achieved value-added grades of A-C in 2013-14. At the lower end, 42% of applicants not receiving a subgrant earned a D-F value-added grade in 2013-14, demonstrating the school's inability to achieve student learning of more than one year during the school year. Only 27% of past CSP subrecipients received a D-F valued-added grade. These findings indicate how past CSP subrecipients have outperformed those not receiving CSP funds, demonstrating the overall higher quality nature of the subrecipients' initial plans and implementation.

2. Process for monitoring CSP subgrantees

ODE will require schools to be monitored in the following manner:

- a. Sponsors will conduct semi-annual reviews based on criteria and rubrics provided by ODE. These reviews will include the following components:
 - Compliance with state operational requirements
 - Quality and success of academic program
 - Quality and success of operational management
 - Quality, stability and soundness of financial management
- b. ODE will conduct yearly reviews of sponsor monitoring. Authorizers will be evaluated on compliance with review expectations, provision of technical assistance to schools and evidence of impact, and facilitation of information sharing and dissemination between sponsor's schools and externally.
- c. ODE will conduct multiple site visits to each CSP subgrantee. These site visits will ensure the educational programs are being implemented with fidelity, operational benchmarks are being met and all fiscal controls are in place.
- d. ODE will require each subgrantee to provide project goals and performance measures that align with the subgrantee's objectives in opening the school. ODE will evaluate these goals annually by requiring an annual report from the subgrantee. Inability to meet or exceed goals and performance measures will be taken into account when the subgrantee applies for the next year's funding.

3. Portfolio of subgrantees focused on areas of need within the State

The competitive preference priorities described above will be a primary mechanism for building a portfolio of schools that focus on essential needs within the state.

Geographic/community needs: Ohio wants to be sure to give priority to schools located in communities that are not served by other quality options or where there are insufficient quality

options to serve the students in need. In Ohio, there continue to be places where educationally disadvantaged students do not have any or enough alternatives to attending poorly performing traditional public schools. Priority in awarding grants will be given to applications that demonstrate the community need for a high-quality school option. Grant awards will also be made with sensitivity to ensuring geographic dispersion throughout the state.

Student needs: Ohio will target meeting the needs of educationally disadvantaged students. The project will specifically focus on students attending schools that will be closing, student located in urban areas, especially areas where the only option available to students is poor-performing traditional public schools. The project will also focus on dropouts and students at-risk of dropping out.

Innovative models: Ohio will explicitly pursue innovative academic models to increase the variety of choices available to students. One of the criteria that will be used to judge proposals will be the innovativeness of the academic plan. By providing points for innovation, the state believes it will receive a number of applications that take new and innovative approaches to meeting educational challenges.

4. Steps SEA will take to inform stakeholders of the subgrant program

ODE recognizes that teachers, parents and communities play indispensable roles in student achievement. The state already takes many actions to keep these groups informed about education policy, options availability, and available programs and resources. The following strategies will be used to keep stakeholders informed:

- Posting of appropriate information on the ODE website.
- Providing contact information for those wanting more information.

- Inclusion of project description and project progress updates in regular ODE communications, news blasts, teacher letters, parent letters, etc.
- Sharing information and pitching stories to print media outlets as well as radio and television.
- Creating and leveraging communications and information dissemination partnerships with local community advocacy organizations, local government entities, social services organizations, churches, state school option and charter school advocacy organizations, community education development organizations, etc.
- Performing various outreach efforts to inform communities and parents of school choice options.

5. Description of Requested Waivers

The Ohio Department of Education (ODE) is requesting one waiver to successfully implement our proposed project: a waiver of the three-year limit for SEA grants to implement a five-year grant project;

Ohio is determined to improve the performance of charter schools and effectiveness of authorizers in our state. In order to realize the ambitious goals reflected in this proposal, ODE requests a waiver of the three-year limit for SEAs in order to implement a five-year project. This will provide Ohio with the necessary time and resources to achieve proposed performance measures to increase the quality and performance of Ohio's charter schools. Fundamental change requires sustained efforts to effectively execute; ODE acknowledges this important challenge and presents a proposal focused on program outcomes that will take five years to achieve. The proposed project objectives and management plan in selection criteria (h) and project design in selection criteria (i) outline Ohio's five-year plan.

Application Requirements

- 1) **Poor-performing charter school definition** – For the purposes of the SEA grant, the ODE uses the definition of academically poor-performing charter school provided in the notice.
- 2) **Disseminating best practices** – The department’s plan to disseminate best practices to each LEA in the state can be found in selection criterion (f), pages 30-35, of the project narrative.
- 3) **Federal funds**
 - a. The State’s plan to inform each charter school in the State about Federal funds the charter school is eligible to receive and Federal programs in which the charter school may participate can be found on pages 18-19 of the project narrative.
 - b. The state’s plan to ensure each charter school in the State receives the school’s commensurate share of Federal education funds that are allocated by formula each year can be found on page 19 of the project narrative.
- 4) **High-quality charter school definition** - For the purposes of the SEA grant, the ODE uses the definition of high-quality charter school provided in the notice.
- 5) **IDEA compliance** – See pages 19 - 20.
- 6) **Logic model** – See page 40.
- 7) **Lottery and enrollment preferences** – The Ohio Department of Education assures that it will require each applicant for a CSP subgrant to include in its application descriptions of its recruitment and admissions policies and practices, including a description of the proposed lottery and any enrollment preferences or exemptions from the lottery the charter school employs or plans to employ, and how those enrollment preferences or exemptions are consistent with State law and the CSP authorizing statute.

Additionally, all charter school lotteries must follow ORC 3314.06 admission procedures (effective March 23, 2015): *The governing authority of each community school established under this chapter shall adopt admission procedures that specify the following:*

(A) That, except as otherwise provided in this section, admission to the school shall be open to any individual age five to twenty-two entitled to attend school pursuant to section 3313.64 or 3313.65 of the Revised Code in a school district in the state. Additionally, except as otherwise provided in this section, admission to the school may be open on a tuition basis to any individual age five to twenty-two who is not a resident of this state. The school shall not receive state funds under section 3314.08 of the Revised Code for any student who is not a resident of this state.

An individual younger than five years of age may be admitted to the school in accordance with division (A)(2) of section 3321.01 of the Revised Code. The school shall receive funds for an individual admitted under that division in the manner provided under section 3314.08 of the Revised Code.

If the school operates a program that uses the Montessori method endorsed by the American Montessori society, the Montessori accreditation council for teacher education, or the association Montessori internationale as its primary method of instruction, admission to the school may be open to individuals younger than five years of age, but the school shall not receive funds under this chapter for those individuals. Notwithstanding anything to the contrary in this chapter, individuals younger than five years of age who are enrolled in a Montessori program shall be offered at least four hundred fifty-five hours of learning opportunities per school year.

(B) (1) That admission to the school may be limited to students who have attained a specific grade level or are within a specific age group; to students that meet a definition of "at-risk," as defined in the contract; to residents of a specific geographic area within the district, as defined in the contract; or to separate groups of autistic students and nondisabled students, as authorized in section 3314.061 of the Revised Code and as defined in the contract.

(2) For purposes of division (B)(1) of this section, "at-risk" students may include those students identified as gifted students under section 3324.03 of the Revised Code.

(C) Whether enrollment is limited to students who reside in the district in which the school is located or is open to residents of other districts, as provided in the policy adopted pursuant to the contract.

(D) (1) That there will be no discrimination in the admission of students to the school on the basis of race, creed, color, disability, or sex except that:

(a) The governing authority may do either of the following for the purpose described in division

(G) of this section:

(i) Establish a single-gender school for either sex;

(ii) Establish single-gender schools for each sex under the same contract, provided substantially equal facilities and learning opportunities are offered for both boys and girls. Such facilities and opportunities may be offered for each sex at separate locations.

(b) The governing authority may establish a school that simultaneously serves a group of students identified as autistic and a group of students who are not disabled, as authorized in section 3314.061 of the Revised Code. However, unless the total capacity established for the school has been filled, no student with any disability shall be denied admission on the basis of that disability.

(2) That upon admission of any student with a disability, the community school will comply with all federal and state laws regarding the education of students with disabilities.

(E) That the school may not limit admission to students on the basis of intellectual ability, measures of achievement or aptitude, or athletic ability, except that a school may limit its enrollment to students as described in division (B) of this section.

(F) That the community school will admit the number of students that does not exceed the capacity of the school's programs, classes, grade levels, or facilities.

(G) That the purpose of single-gender schools that are established shall be to take advantage of the academic benefits some students realize from single-gender instruction and facilities and to offer students and parents residing in the district the option of a single-gender education. (H) That, except as otherwise provided under division (B) of this section or section 3314.061 of the Revised Code, if the number of applicants exceeds the capacity restrictions of division (F) of this section, students shall be admitted by lot from all those submitting applications, except preference shall be given to students attending the school the previous year and to students who reside in the district in which the school is located. Preference may be given to siblings of students attending the school the previous year.

Notwithstanding divisions (A) to (H) of this section, in the event the racial composition of the enrollment of the community school is violative of a federal desegregation order, the community school shall take any and all corrective measures to comply with the desegregation order.

- 8) **Objectives** – See pages 39 - 50
- 9) **Revolving Loan Fund** – Ohio will not utilize a revolving loan fund if selected for the grant.
- 10) **Waivers** – See page 60

Budget Narrative File(s)

* **Mandatory Budget Narrative Filename:**

To add more Budget Narrative attachments, please use the attachment buttons below.

Budget Narrative Instructions: Provide an itemized budget breakdown, and justification by project year, for each budget category listed in Section A of the ED 524 (and Section B, if applicable). Provide other budget explanations or comments deemed necessary.

The Ohio Department of Education requests \$71,058,320 over a five-year period from the federal Charter School Program. Table 1 describes our budget request by project year for each budget category.

Table 1: ODE Budget Request, July 1, 2016 – June 30, 2021

Budget Categories	Year 1	Year 2	Year 3	Year 4	Year 5	Total	Description of Costs
1) Personnel	224,400	238,986	254,520	271,064	288,683	1,277,653	Total of 3.75 FTE each year with 2.5% annual increase
	61,200	65,178	69,415	73,927	78,732	348,451	Program Administrator @ 1.0 FTE
	106,080	112,975	120,319	128,139	136,468	603,981	Program Specialist @ 2.0 FTE
	40,800	43,452	46,276	49,284	52,488	232,301	Director of Quality Charter School Development @ 0.5 FTE
	16,320	17,381	18,511	19,714	20,995	92,920	Data Manager @ 0.25 FTE
2) Fringe Benefits	74,052	78,865	83,992	89,451	95,265	421,626	Calculated at 33% of base salary
	20,196	21,509	22,907	24,396	25,981	114,989	Base Salary Program Administrator @ 1.0 FTE
	35,006	37,282	39,705	42,286	45,035	199,314	Program Specialist Base Salary @ 2.0 FTE
	13,464	14,339	15,271	16,264	17,321	76,659	Director of Quality Charter School Development Base Salary @ 0.5 FTE
	5,386	5,736	6,108	6,506	6,928	30,664	Data Manager @ 0.25 FTE

Budget Categories	Year 1	Year 2	Year 3	Year 4	Year 5	Total	Description of Costs
3) Travel	11,000	11,000	11,000	11,000	11,000	55,000	
	6,000	6,000	6,000	6,000	6,000	30,000	Site visits
	2,000	2,000	2,000	2,000	2,000	10,000	NACSA Annual Conference
	3,000	3,000	3,000	3,000	3,000	15,000	CSP Project Director's Meeting
4) Equipment	3,750	0	0	0	0	3,750	IT Equipment (Laptops/Desktops) \$1,000 per employee @ 3.75 FTE
5) Supplies	4,920	4,920	4,920	4,920	4,920	24,600	
	1,920	1,920	1,920	1,920	1,920	9,600	Communications - desk phone, cell phones, mail, etc
	3,000	3,000	3,000	3,000	3,000	15,000	General office supplies
6) Contractual	224,500	124,500	124,500	124,500	124,500	722,500	
	100,000	0	0	0	0	100,000	Application development
	34,500	34,500	34,500	34,500	34,500	172,500	Information Technology Operations, maintenance (\$9,200 per employee @ 3.75 FTE)
	40,000	40,000	40,000	40,000	40,000	200,000	NASCA Authorizer Training Conferences
	50,000	50,000	50,000	50,000	50,000	250,000	Ohio Education Research Center data analysis and research

Budget Categories	Year 1	Year 2	Year 3	Year 4	Year 5	Total	Description of Costs
7) Construction	0	0	0	0	0	0	Not applicable
8) Other	6,545,375	13,395,375	16,145,375	16,145,375	16,145,375	68,376,875	
Subgrantee grants	2,300,000	2,300,000	2,300,000	2,300,000	2,300,000	11,500,000	Planning Grants: 23 Grants in Years One through Five at an average of \$100k each
	4,200,000	8,050,000	8,050,000	8,050,000	8,050,000	36,400,000	Year 1 Implementation Grants: 12 Grants in Year One and 23 grants in Years Two through Five an average of \$350k each
	0	3,000,000	5,750,000	5,750,000	5,750,000	20,250,000	Year 2 Implementation Grants: 0 Grants in Year One, 12 Grants in Year Two and 23 Grants in Years Three through Five at an average of \$250k each
Rent	15,375	15,375	15,375	15,375	15,375	76,875	Covers utilities, heating/cooling, security, building maintenance
Professional Development Trainings	15,000	15,000	15,000	15,000	15,000	75,000	Sub-grantee Training Conferences
	15,000	15,000	15,000	15,000	15,000	75,000	Community Education Development Organizations (CEDO) Training Conferences
9) Total Direct Costs	7,087,997	13,853,646	16,624,307	16,646,310	16,669,743	70,882,004	
10) Indirect Costs	30,967	32,980	35,124	37,407	39,838	176,316	Indirect Costs based on ODE's indirect cost rate of 13.8% personnel costs for agency shared services
Total Costs	7,118,964	13,886,626	16,659,430	16,683,717	16,709,582	71,058,320	

Budget Note: Fiscal year assumptions

Year 1 represents an anticipated CSP grant fiscal year of July 1, 2016 to June 30, 2017
Year 2 represents an anticipated CSP grant fiscal year of July 1, 2017 to June 30, 2018
Year 3 represents an anticipated CSP grant fiscal year of July 1, 2018 to June 30, 2019
Year 4 represents an anticipated CSP grant fiscal year of July 1, 2019 to June 30, 2020
Year 5 represents an anticipated CSP grant fiscal year of July 1, 2020 to June 30, 2021

Budget Note (Section 1): Justification for Personnel

The project budget includes \$1,277,653 for personnel services.

(Yr. 1: \$224,400 Yr. 2: \$238,986 Yr. 3: \$254,520 Yr. 4: \$271,064 Yr. 5: \$288,683)

Ohio's goal is to award one hundred fifteen planning, one hundred-four year-one implementation and eighty-one year-two implementation subgrants throughout the next five years. These grants will result in the opening of high-quality charter schools throughout the state. In order to administer the subgrant process and monitor subgrantees to the level required by the US Department of Education, the Ohio Department of Education will staff the following personnel positions:

Program Administrator

(1.0 FTE, Yr. 1: \$61,200 Yr. 2: \$65,178 Yr. 3: \$69,415 Yr. 4: \$73,927 Yr. 5: \$78,732)

The Program Administrator will be responsible for coordinating the grant application to USDOE; coordinating and monitoring the agency's grant funding to qualified participants for adherence to program rules & regulations; reviews and makes recommendations concerning budget revisions and grant project goals; and completes recipient monitoring activities.

Program Specialists

(2.0 FTE, Yr. 1: \$106,080 Yr. 2: \$112,975 Yr. 3: \$120,319 Yr. 4: \$128,139 Yr. 5: \$136,468)

The Program Specialists will be responsible for reviewing the performance and compliance of subgrantees, conducting site visits of subgrantees, and supporting program administration.

Director of Quality Charter School Development

(0.5 FTE, Yr. 1: \$40,800 Yr. 2: \$43,452 Yr. 3: \$46,276 Yr. 4: \$49,284 Yr. 5: \$52,488)

The Director of Quality Charter School Development will assist in the strategic development of high quality charter schools throughout the state by identifying leadership talent, supporting quality school development, and by attracting high-performing charter networks to the state.

Data Manager

(0.25 FTE, Yr. 1: \$16,320 Yr. 2: \$17,381 Yr. 3: \$18,511 Yr. 4: \$19,714 Yr. 5: \$20,995)

The Data Manager provides and tracks all data regarding charter school student performance.

All salary levels are based on State of Ohio pay schedules for positions with commensurate responsibility and include an annual 6.5% increase per state guidelines. In the event that personnel positions are contracted, salaries would be reclassified as “contractual.”

Budget Note (Section 2): Fringe Benefits

The project budget includes \$421,626 for fringe benefits.

(Yr. 1: \$74,052 Yr. 2: \$78,865 Yr. 3: \$83,992 Yr. 4: \$89,451 Yr. 5: \$95,265)

Fringe benefits are calculated at 33% of base salary per Ohio State agency guidelines and include health care, retirement, workers compensation, short term disability, etc.

Budget Note (Section 3): Justification for Travel

The project budget includes \$55,000 for travel.

(Yr. 1: \$11,000 Yr. 2: \$11,000 Yr. 3: \$11,000 Yr. 4: \$11,000 Yr. 5: \$11,000)

Throughout the grant period, the Program Administrator and Program Specialists will conduct multiple site visits to each CSP subgrantee. These site visits will ensure the educational programs match the grant description, the benchmarks are being met and all fiscal controls are in place. An average of 60 site visits will be completed each program year (2 site visits will be completed per day at a cost of approximately \$200 in employee travel reimbursements).

Year 1: 60 site visits totaling \$6,000
Year 2: 60 site visits totaling \$6,000
Year 3: 60 site visits totaling \$6,000
Year 4: 60 site visits totaling \$6,000
Year 5: 60 site visits totaling \$6,000

Additionally, a representative from our office will plan to attend NACSA's annual conference each of the grant program years in order to further professional development and ensure best authorizer practices in the state per our strong emphasis on high quality authorizing (1 employee attending, approximately \$2,000 per year).

Finally, 2 employees will plan to attend the USDOE's Project Director's meeting in Washington DC each of the grant program years (approximately \$1,500 per attendee, totaling \$3,000 per year).

Budget Note (Section 5): Justification for Supplies

The project budget includes \$24,600 for supplies.
(Yr. 1: \$4,920 Yr. 2: \$4,920 Yr. 3: \$4,920 Yr. 4: \$4,920 Yr. 5: \$4,920)

A cost of \$1,920 will be incurred each program year to cover employee communications supplies per standard agency cost. Additionally, \$3,000 per year is projected to cover additional supplies cost including general office supplies, presentation materials, etc.

Budget Note (Section 6): Justification for Contracts

The project budget includes \$722,500 for contractual expenses and professional development. (Yr. 1: \$224,500 Yr. 2: \$124,500 Yr. 3: \$124,500 Yr. 4: \$124,500 Yr. 5: \$124,500)

In order to develop and maintain the state's subgrantee application and disbursement processes, a technology development contract cost of \$100,000 will be incurred in year 1.

An agency information technology operations cost of \$9,200 per FTE employee (agency rate), will cost \$34,500 per grant program year in order to cover general technology maintenance and operations.

The Department will partner with NACSA to develop a series of tools and trainings to be made available for authorizers across the state with the goal of improving the quality of authorizer practices statewide at a cost of \$40,000 per year, which will cover contract costs, tools and trainings development, and additional speaker costs.

Lastly, the Department will partner with the Ohio Education Research Center to perform research and data analysis pertaining to the State's CSP activities (\$50,000 per year) throughout the grant period.

Budget Note (Section 8): Justification for Subgrant Amounts and Other expenses

The project budget includes \$68,376,875 for other expenses which consists of planning and implementation grants to be disbursed to subgrantees, professional development trainings, and rental expenses.

To develop the budget proposal and subgrant recipient amounts for the five-year grant period, the Ohio Department of Education sought to determine an appropriate amount of start-up assistance to ensure the implementation of high quality charter schools. Inadequate financial resources is often cited as one of the most common reasons for charter school failure, accounting for 41 percent of charter school closures annually (Allen et al., 2009). In order to avoid this common pitfall, ODE sought insight from high-performing school founders throughout the state and considered the current fiscal landscape of private and foundation donor support for charter schools. Given these insights, the subgrant recipient disbursement amounts were selected.

Over 5 years, the Ohio Department of Education will award 115 planning grants of approximately \$100,000 each for a total disbursement of \$11,500,000.

(Yr. 1: \$2,300,000 Yr. 2: \$2,300,000 Yr. 3: \$2,300,000 Yr. 4: \$2,300,000 Yr. 5: \$2,300,000)

104 year 1 implementation grants of approximately \$350,000 each for a total disbursement of \$36,400,000;

(Yr. 1: \$4,200,000 Yr. 2: \$8,050,000 Yr. 3: \$8,050,000 Yr. 4: \$8,050,000 Yr. 5: \$8,050,000)

81 year 2 implementation grants of approximately \$250,000 each for a total disbursement of \$20,250,000.

(Yr. 1: \$0 Yr. 2: \$3,000,000 Yr. 3: \$5,750,000 Yr. 4: \$5,750,000 Yr. 5: \$5,750,000)

Source: Jeanne Allen et al., The Accountability Report: Charter Schools (Washington, D.C.: Center for Education Reform, February 2009).

Throughout the grant period our office will host various professional development and training conferences for subgrantees, authorizers and community education development organizations. These trainings will serve to provide clear communication of program goals and expectations to subgrantees (\$15,000 per year), best practices and professional development to authorizers (See Contractual), and application review training to community partners (\$15,000 per year). Such trainings will support the foundational tenets of high-quality charter school throughout the state. Each training's cost will cover conference room space, training materials, and speaker per diems.

Lastly, a rent cost will be incurred each year to cover associated expenses of renting State agency space. This annual cost will be \$15,375 (\$4,100 per FTE employee) per State rates.

Budget Note (Section 10): Justification for Indirect Costs

The project budget includes \$176,316 for Indirect Costs.
(Yr. 1: \$30,967 Yr. 2: \$32,980 Yr. 3: \$35,124 Yr. 4: \$37,407 Yr. 5: \$39,838)

Indirect costs were calculated based on a 13.8% of payroll rate given the current agreement between Ohio Department of Education and Federal Government (agreement No. 2014-156) and cover shared services within the agency (fiscal, legal, communications).

Other Attachment File(s)

* **Mandatory Other Attachment Filename:**

To add more "Other Attachment" attachments, please use the attachment buttons below.

CHARTER SCHOOLS PROGRAM ASSURANCES – STATE EDUCATIONAL AGENCIES

Pursuant to Section 5203(b)(3) of the Elementary and Secondary Education Act of 1965, as amended (ESEA); Title III of the Consolidated and Further Continuing Appropriations Act, 2015; and sections 200.302(a) and 200.331(d) of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, a State educational agency (SEA) application for a grant under the CSP must contain the following assurances.

As the duly authorized representative of the applicant, I certify to the following:

- 1) The applicant will require each eligible applicant desiring to receive a subgrant to submit an application to the SEA containing:
 - A. A description of the educational program to be implemented by the proposed charter school, including (i) how the program will enable all students to meet challenging State student academic achievement standards; (ii) the grade levels or ages of children to be served; and (iii) the curriculum and instructional practices to be used;
 - B. A description of how the charter school will be managed;
 - C. A description of (i) the objectives of the charter school; and (ii) the methods by which the charter school will determine its progress toward achieving those objectives;
 - D. A description of the administrative relationship between the charter school and the authorized public chartering agency;
 - E. A description of how parents and other members of the community will be involved in the planning, program design and implementation of the charter school;
 - F. A description of how the authorized public chartering agency will provide for continued operation of the school once the Federal grant has expired, if such agency determines that the school has met its objectives;
 - G. A request and justification for waivers of any Federal statutory or regulatory provisions that the eligible applicant believes are necessary for the successful operation of the charter school, and a description of any State or local rules, generally applicable to public schools, that the applicant proposes to be waived, or otherwise not apply to, the school;
 - H. A description of how the subgrant funds will be used, including a description of how such funds will be used in conjunction with other Federal programs administered by the U.S. Secretary of Education;
 - I. A description of how students in the community will be (i) informed about the charter school; and (ii) given an equal opportunity to attend the charter school;
 - J. An assurance that the eligible applicant will annually provide the Secretary and the SEA such information as may be required to determine if the charter school is making satisfactory progress toward achieving the objectives described in subparagraph (C)(i);
 - K. An assurance that the applicant will cooperate with the Secretary and the SEA in evaluating the program assisted under this subpart;
 - L. A description of how a charter school that is considered a local educational agency under State law, or a local educational agency in which a charter school is located, will comply with sections 613(a)(5) and 613(e)(1)(B) of the Individuals with Disabilities Education Act;

- M. If the eligible applicant desires to use subgrant funds for dissemination activities under section 5202(c)(2)(C), a description of those activities and how those activities will involve charter schools and other public schools, local educational agencies, developers, and potential developers; and
- N. Such other information and assurances as the Secretary and SEA may require.

2) The applicant will -

- A. Use the grant funds to award subgrants to one or more eligible applicants in the State to enable the applicant to plan and implement a charter school in accordance with this program; and
- B. Use a peer review process to review applications for subgrants.

3) State law, regulations, or other policies in the State where the applicant is located require that -

- A. Each authorized charter school in the State operate under a legally binding charter or performance contract between itself and the school's authorized public chartering agency that describes the obligations and responsibilities of the school and the public chartering agency; conduct annual, timely, and independent audits of the school's financial statements that are filed with the school's authorized public chartering agency; and demonstrate improved student academic achievement; and
- B. Authorized public chartering agencies use increases in student academic achievement for all groups of students described in section 1111(b)(2)(C)(v) of the ESEA as one of the most important factors when determining to renew or revoke a school's charter.

4) The applicant will monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved.

5) The applicant and each subrecipient will use financial management systems, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the Federal award, that are sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award.

Dr. Richard A. Ross
NAME OF AUTHORIZED OFFICIAL

Ohio Superintendent of Public Instruction
TITLE

Richard A. Ross
SIGNATURE OF AUTHORIZED OFFICIAL / CFO

7/14/15
DATE

Ohio Department of Education
APPLICANT ORGANIZATION

DATE SUBMITTED



July 14th, 2015

***NACSA Letter in Support of the Ohio Department of Education's
2015 Charter Schools Program Grants for State Educational Agencies Proposal***

On behalf of the National Association of Charter School Authorizers (NACSA), I write in support of the Ohio Department of Education's (ODE) Grant Proposal to the 2015 Charter School Program for State Educational Agencies. We believe that receiving this grant will greatly strengthen Ohio's ability to establish and expand high-quality charter schools throughout the state.

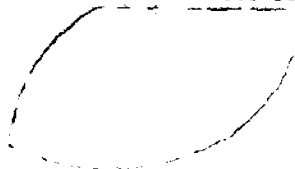
Ohio's new **Authorizer Quality Performance Review** is an exemplar for a state-focused authorizer evaluation. This review process was developed in close partnership with NACSA and is based on our *Principles & Standards for Quality Charter School Authorizing*. The Performance Review is providing badly needed oversight of state authorizing and putting the development of Ohio's charter sector on the road toward quality.

Additionally, with grant support, NACSA will partner with ODE and its new Authorizer Development staff in delivering a series of tools and trainings intended to strengthen the quality of authorizer practices statewide. Through an annual training of all Ohio authorizers, continual dissemination of best practices, and ongoing professional development, ODE, with NACSA guidance, will tackle the challenge of developing current poor and ineffective authorizers into effective and even exemplary charter authorizing entities.

The strides that Ohio has already made in improving its authorizer review process and strengthening its charter school sector are very encouraging. Receiving the Charter School Program SEA grant would allow the state to continue its momentum in creating, expanding and supporting high-quality authorizers and charter schools across Ohio.

Sincerely,

William Haft
VP, Authorizer Development
NACSA
Direct: 312.376.2323
Mobile: 303.817.6797





Cleveland
Transformation
Alliance

1240 Huron Rd. Ste 400
Cleveland, OH 44115
tel: 216 912-9600
www.clevelandta.org

July 6, 2015

Stephan Huh, Director
Office of Innovation and Improvement
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202

Dear Mr. Huh,

On behalf of the Cleveland Transformation Alliance, I am writing to express our full support for the Ohio Department of Education's application for a grant from the U.S. Department of Education's Public Charter School Program for State Education Agencies.

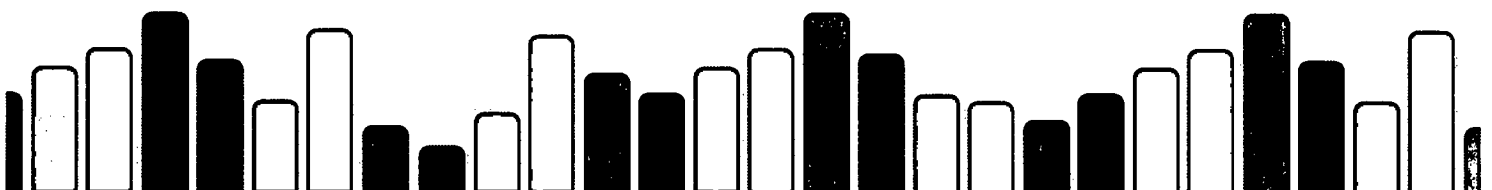
This grant program presents an important opportunity for Ohio. Support for the planning and creation of new high-quality charter schools is needed across the state, and fits well into the work the Alliance is doing to implement *Cleveland's Plan for Transforming Schools*. The Cleveland Plan is our citywide strategy to overhaul education, and it relies in part on creating new high-performing schools. While we are focused on Cleveland, we know that families and students statewide would benefit from a PCSP award to Ohio.

Evaluation of the effects of charter schools is also an important aspect as the Alliance, and other stakeholders across Ohio, work to monitor the growth and quality of the charter sector.

In recent years, the Ohio Department of Education has made great progress with its work to improve the quality of the state's charter sector. The Alliance views ODE as a strong partner in our work to ensure that all children can attend quality schools.

Sincerely,

Megan O'Bryan
Executive Director



KIPP COLUMBUS

June 29, 2015

U.S. Department of Education Building
400 Maryland Ave, SW
Washington, DC 20202

Dear Secretary Duncan:

The Federal Charter Schools Program Grant for State Educational Agencies represents a significant opportunity to support high-quality charter schools that improve educational outcomes for our country's most underserved students. On behalf of KIPP Columbus, it is my pleasure to express our strongest support for the Office of Quality School Choice at the Ohio Department of Education's application for this grant.

KIPP Columbus has experienced exceptional success in implementing its mission to prove the possible by supporting Columbus' most in need students on their journey to and through college. The students of KIPP Columbus benefit from KIPP's presence in our community. KIPP operates with a vision of elevating and accelerating the academic and character achievement of its students, their families, and sharing this impact with the community it serves.

This grant would enable high performing Ohio charter schools, like KIPP Columbus to understand exactly what has been crucial in allowing us to meet our goals as we seek to replicate and share this success with more students. At KIPP Columbus, we recognize the immense importance of not just gaining desirable outcomes, but investigating the *why* and *how* of these goals to go deeper before we go wider.

The need in Ohio for this kind of support is undeniable. Though the education community is making great strides under Superintendent Richard Ross, Ohio's journey to providing all students the education they need to live lives of choice and meaning is not over. Charter schools play an important role in this journey, and can be a strong influence in the climate that is created for positive change.

Thank you for your time and consideration in this matter. Please do not hesitate to contact me with any questions.

Best regards,



Hannah D. Powell
KIPP Columbus, Executive Director
hpowell@kippcolumbus.org

FRIENDS OF
BREAKTHROUGH SCHOOLS

July 16, 2015

Nadya Chinoy Dabby
Assistant Deputy Secretary
Office of Innovation and Improvement
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Mrs. Chinoy Dabby,

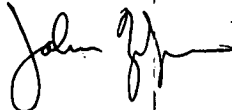
I am writing in strong support of the proposal submitted to the U.S. Department of Education by the Ohio Department of Education (ODE) for a State Educational Agencies Charter Schools Program grant.

Breakthrough Schools is a network of 11 high-performing public charter schools in Cleveland, Ohio. In 2015-2016, Breakthrough Schools will serve nearly 3,500 students in grades K-8, providing an outstanding college-preparatory education to those without high-quality options in their neighborhoods. Breakthrough's mission is to develop a growing network of distinctive school options that prepare Cleveland area students for success in life. Our goal is to continue growing by replicating and improving upon our flagship models. Breakthrough's aspirational goal is to ultimately serve 7,400 students across at least 19 schools, thereby serving, on average, nearly 20% of all K-8 children in public schools in Cleveland, and have a demonstrable impact on a city in need of viable educational options for children.

In 2011, Breakthrough Schools was honored to become one of nine CMOs in the country receiving a charter school start-up and replication grant from the U.S. Department of Education. To date, Breakthrough has replicated seven schools and will open three more with these transformative funds. If awarded, ODE can continue the successful replication and expansion of high-performing schools and effective seats throughout the state.

Breakthrough Schools fully supports ODE's plan to leverage federal grant dollars to conduct charter school programs in the state, ensuring that all students have high-quality school options. Breakthrough Schools also strongly believes in ODE's comprehensive system to improve accountability, and its plan to drive both school and authorizer outcomes with federal funds.

Thank you for your consideration,



John Zitzner
Friends of Breakthrough Schools

3615 Superior Avenue, Suite 3103A • Cleveland, OH 44114
phone 216.539.9349 • BreakthroughSchools.org/Friends

DONATE • ADVOCATE • VOLUNTEER

July 14, 2015

Stephan Huh
Office of Innovation and Improvement
U.S. Department of Education
400 Maryland Ave., S.W.
Washington, DC 20202

Dear Mr. Huh,

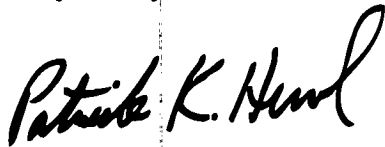
I am writing on behalf of Accelerate Great Schools, a community education development organization in Cincinnati, Ohio. I would like to express my strong support of the State of Ohio's application for the Charter School Programs Startup Grants for State Education Agencies to the U.S. Department of Education.

Accelerate Great Schools is a city-based education reform nonprofit focused on the creation of thousands of new, high-quality seats for students in Cincinnati. We have currently raised over \$15 million in private philanthropy with a plan to raise an additional \$10 million, all to invest in new schools, grow talent pipelines, and improve policy conditions for the State of Ohio.

A State Education Agencies grant to the Ohio Department of Education would allow the State of Ohio to partner more deeply with community organizations such as Accelerate Great Schools as we invest in high quality charter school expansion. We have a bold plan to create thousands of new seats of the next five years, and this Federal grant would accelerate that work in Cincinnati and statewide.

I am pleased to offer my full support to the Ohio Department of Education in their grant application. Please feel free to reach out to me directly if I can be of further assistance. I can be reached at 312-590-1318.

Respectfully,

A handwritten signature in black ink that reads "Patrick K. Herrel". The signature is written in a cursive style with a large, prominent initial "P".

Patrick Herrel
CEO, Accelerate Great Schools



Chief Executive Officer
Eric S. Gordon

Board of Education
Denise W. Link
Board Chair

Louise P. Dempsey
Vice Chair

Ericka L. Abrams
Anne E. Bingham
Robert M. Heard, Sr.
Willetta A. Milam
Shaletha Mitchell
Stephanie Morales
Dr. Lisa Thomas

Ex Officio Members
Dr. Ronald M. Berkman
Dr. Alex Johnson

July 9, 2015

To Whom It May Concern:

The Cleveland Metropolitan School District (CMSD) supports the application of the Ohio Department of Education for a federal Charter School Program (CSP) grant for a State Education Agency.

CMSD is a portfolio school district, committed to ensuring that all of Cleveland's students have the opportunity to attend a high-quality public school. Charter schools can play a valuable role in providing those opportunities. CMSD supports the development and expansion of high-quality charter schools, as evidenced by our multiple and varied relationships with charters. We authorize 10 charter schools and have partnering relationships with seven others. All 17 of these schools share in proceeds of a local education levy passed by Cleveland voters in 2012. CMSD is the only district in Ohio to share local tax dollars with charter schools. CMSD also is working with charter schools to create a District/Charter grant and has received funding from the Gates Foundation to support these efforts aimed at improving collaboration between the sectors.

The CSP would support our efforts to improve education quality in Cleveland by providing needed funding to help expand the number of seats available at quality charter schools and by contributing to the evaluation of charter schools.

Thank you for considering the Ohio Department of Education's application for a CSP grant. Please do not hesitate to contact us if you need additional information.

Very truly yours,

Christine Fowler-Mack
Christine Fowler Mack,
Chief Portfolio Officer



Michael J. Petrilli
President

July 2, 2015

Chester E. Finn, Jr.
Distinguished Senior Fellow
and President Emeritus

Amber M. Northern
Senior Vice President for Research

Chad Aldis
Vice President for
Ohio Policy and Advocacy

Gary LaBelle
Vice President for Finance and
Operations

Kathryn Mullen Upton
Vice President for Sponsorship
and Dayton Initiatives

Robert Pondiscio
Vice President for
External Affairs

TRUSTEES

David P. Driscoll
Chester E. Finn, Jr.
Thomas A. Holton
Michael W. Kelly
Rod Paige
Michael J. Petrilli
Stefanie Sanford
Caprice Young

TRUSTEES EMERITUS

Chester E. Finn (1918-2007)
Craig Kennedy
Bruce Kovner
Bruno V. Manno
David H. Ponitz
Diane Ravitch

1016 16th St NW, 8th Floor
Washington, DC 20036
PHONE (202) 223-5452
FAX (202) 223-9226

15 West Fourth Street, Suite 430
Dayton, Ohio 45402
PHONE (937) 227-3368
FAX (937) 660-3338

37 W. Broad Street, Suite 400
Columbus, OH 43215
PHONE (614) 223-1580
FAX (614) 223-1494

Mr. David Hansen
Executive Director, Office of Quality School Choice
25 S. Front St.
Columbus, OH 43215

Dear David,

On behalf of the board and staff of the Thomas B. Fordham Institute, I am writing to express our strong support for the Ohio Department of Education's Public Charter School Program (PCSP) grant application for State Education Agencies.

As you know, there is still a great need in many areas throughout the state for high quality schools. Receipt of PCSP funds would bolster these efforts by facilitating the creation of more high quality charter schools to serve all Ohio students.

We appreciate the work that your office has done over the past two years to improve the quality of the charter sector in Ohio, including implementing a robust authorizer evaluation system. We fully support your application for funding and believe that receipt of PCSP monies will play a critical role in providing children, especially our most disadvantaged, with more high quality school options.

Sincerely,

Michael J. Petrilli
President

PATRICK J. TIBERI

12TH DISTRICT, OHIO

**COMMITTEE ON
WAYS AND MEANS**

CHAIRMAN, SUBCOMMITTEE ON TRADE

SUBCOMMITTEE ON
SELECT REVENUE MEASURES



Congress of the United States
House of Representatives
July 6, 2015

COLUMBUS OFFICE:

3000 CORPORATE EXCHANGE DRIVE
SUITE 310
COLUMBUS, OH 43231
PHONE: (614) 523-2555
FAX: (614) 818-0887

WASHINGTON OFFICE:

1203 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3512
PHONE: (202) 225-5355
FAX: (202) 226-4523
<http://tiberi.house.gov>

United States Department of Education
ATTN: Office of Innovation & Improvement
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Sir or Madam:

I was recently informed that the Office of Quality School Choice at the Ohio Department of Education has applied for the Charter School Program Grant for State Educational Agencies through the United States Department of Education. I am pleased to offer my support for their grant application.

It is my understanding that the Office of Quality School Choice at the Ohio Department of Education plans to increase national understanding of the charter school model. By providing financial assistance for planning, program design, and initial implementation of charter schools, the Ohio Department of Education will be able to evaluate the effects of charter schools on students, staff, and parents.

I believe the Charter School Program Grant is important for furthering the education of our nation's youth. I hope the Office of Innovation and Improvement will give all possible consideration to this application. Please accept this letter as an expression of my interest in this matter.

Sincerely,

A handwritten signature in black ink that reads "Pat".

Patrick J. Tiberi
Representative to Congress



ROB PORTMAN
OHIO

COMMITTEES:
BUDGET
ENERGY AND
NATURAL RESOURCES
FINANCE
HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS

United States Senate

WASHINGTON, DC 20510

July 16, 2015

Nadya Chinoy Dabby
Assistant Deputy Secretary
Office of Innovation and Improvement
U.S. Department of Education
400 Maryland Avenue S.W.
Washington, D.C. 20202-5970

Dear Assistant Deputy Secretary Dabby,

I write to bring to your attention the competitive grant application submitted by the Ohio Department of Education for funding in the Charter Schools Program Grants for State Education Agencies.

I understand the purpose of this program is to increase national understanding of the charter school model. Funding from your agency will enhance Ohio's ability to implement and expand its efforts to ensure that all students have high quality school options.

Please give all due consideration to this request. If there are any questions, please contact my grant coordinator, Linda Greenwood at (419) 259-3895. Thank you.

Sincerely,



Rob Portman
United States Senator

448 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510
PHONE: (202) 224-3353

312 WALNUT STREET
SUITE 3075
CINCINNATI, OH 45202
PHONE: (513) 684-3265

1240 EAST 9TH STREET
SUITE 3001
CLEVELAND, OH 44199
PHONE: (216) 522-7095

37 WEST BROAD STREET
SUITE 300
COLUMBUS, OH 43215
PHONE: (614) 469-6774

420 MADISON AVENUE
SUITE 1210
TOLEDO, OH 43604
PHONE: (419) 259-3895

On behalf of StudentsFirst and our 67,000 members in Ohio who passionately care about educational improvement, including *quality* school choice, I am writing in strong support of the Ohio Department of Education's application for the US DOE's Charter School Programs Startup Grants.

Ohio was one of the first states in the nation to embrace the educational alternatives promised by charter schools. For the past 20 years, charters emerged as options for families residing in struggling school districts. Today, approximately 400 charter schools educate 120,000 Ohio school kids. With nearly two decades of hindsight, however, it is clear that the movement has not lived up to its promise.

What we have, at best, is a mixed bag. Some charter schools excel at educating mostly low-income schoolchildren who endure all kinds of barriers to learning. Others do not even outperform the traditional district public schools the kids departed.

Fortunately, the legislature and state leadership have come to focus on rectifying this sobering reality. Indeed, the Ohio Department of Education used its authorizing authority to allow very few new schools to open this year, placing an emphasis on operators set up for success. They also shuttered bad schools. The ODE has implemented a new system to evaluate charter school sponsor that places a heavy emphasis on student outcomes.

Strong bi-partisan legislation (HB 2) is also heading towards passage that complements the culture accountability and results being imbued by the ODE. The efforts of State Department leadership combined with legislative action are creating conditions needed to build on the successes we already see across Ohio's charter community. For example, a recent report from Stanford University's Center for Research on Education Outcomes shows that Ohio's low-income charter school students, especially low-income black students, have significant learning gains in both reading and math compared to their peers who remain at their traditional public school. Overall, low-income students gain 14 days of learning in both reading and math. The learning gains for low-income black students jumps to 29 days in reading and 22 in math. It is imperative that we now bolster these trends and support successful charter schools that can play an important role in helping to close Ohio's achievement gap.

As a result of the state momentum on several fronts in creating a culture of accountability and transparency, combined with new initiatives to support high quality charter schools in our cities, there is no better time for an infusion of start up grants that can help the state and our urban centers replicate existing strong schools, while also attracting new high quality charter schools to our cities.

As the state and its cities create conditions of readiness to seed strong new school, your federal support will help expedite Ohio's effort to create tens of thousands of new, high quality charter school seats across the state. As seen over the past twenty years, Ohio families embrace better options for their kids when empowered by choice.

Thank you for your consideration.

Sincerely,

Greg Harris, PhD
State Director
StudentsFirst Ohio



July 15, 2015

The Honorable Arne Duncan
Secretary, U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Dear Secretary Duncan,

22 East Gay Street
Suite 600
Columbus, Ohio 43215

Ph.: 614.228.6400
Fax: 614.461.0100

www.KidsOhio.org

KidsOhio.org, a 13-year-old nonpartisan education research and policy organization, supports the Ohio Department of Education's application for the federal Charter School Startup Grant. Public charter schools have become an important part of the Ohio education landscape with more than 120,000 Ohio students enrolled. In the Columbus City Schools district, which has the state's largest student body, 25% (17,000 students) of students attending a publicly funded school are enrolled in a public charter school.

While charter schools are a popular choice for large numbers of urban parents, a recent analysis of student academic performance by the well-respected CREDO Institute at Stanford University found that the academic performance of Ohio charter school students lagged behind that of students in traditional school districts. In response, Governor John Kasich and legislative leaders in both parties have proposed fundamental changes to Ohio charter school law to improve academic accountability and fiscal management. Last month, the Ohio Senate, by a unanimous 30-0 vote, passed the most comprehensive charter school reform proposal in Ohio history.

Awarding Ohio a federal charter school startup grant would help the Ohio Department of Education to shape the growth of Ohio's charter school sector. The grant would allow the Department to put an increased emphasis on quality and to support high-performing charter schools in communities with a short supply of high-performing public schools.

Importantly, the grant requires that the Ohio Department of Education form partnerships with a local Community Educational Development Organization to create neighborhood-level strategies to increase the number of high-quality schools and to review proposals from schools seeking to locate in that neighborhood. This will authentically engage urban parents and neighborhood and civic leaders in key decisions.

This grant offers Ohio an important tool to screen potential new charter school operators and to provide startup grants to charter schools with a demonstrated ability to help students make progress. Thank you for considering Ohio's request.

Sincerely,

Mark Real
President
KidsOhio.org

Board Members

Dale Heydlauff
Chad Jester
Linda Kass
Jeffrey Lyttle
Frederick L. Ransier, Esq.
Elizabeth Ruppert, M.D.
Barbara Trueman
Abigail Wexner

Mark Real, President



Ohio Alliance for Public Charter Schools

July 8, 2015

Mr. Stephan Huh, Director
Office of Innovation and Improvement
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202


Dear Mr. Huh,

The Ohio Alliance for Public Charter Schools is pleased to submit this letter of support for the Ohio Department of Education's Office of Quality School Choice in its submission for a 2015 Charter School Program Grant for State Educational Agencies.

As a statewide membership organization dedicated to expanding the scope and quality of Ohio's charter schools, OAPCS joins ODE in its commitment to create new and better educational options, particularly for the state's disadvantaged students. We believe an SEA grant to expand high-quality charter schools in Ohio is critical to the continuous improvement of student achievement in the state's urban centers. Further, additional funds would help generate equitable outcomes for all students, especially those in challenging economic environments with limited resources and access to high-performing schools.

Currently, the families of nearly 125,000 students in Ohio choose charter schools as they seek innovation, equity and quality for their children. The challenge for education leaders in our communities is providing more successful charter options so more students can benefit. In this endeavor, OAPCS fully endorses the efforts of ODE's Office of Quality School Choice to seek grant funding to increase the number of high-quality charter schools available in the state. Improving the charter school sector in Ohio is a high priority we share with our state leadership and our families. We urge your favorable consideration of this SEA application.

Sincerely,

Darlene Chambers 
Dr. Darlene Chambers
President and CEO



Leadership for
Public Charter Schools

OHIO COALITION FOR QUALITY EDUCATION

July 8, 2015

Stephan Huh, Director
Office of Innovation and Improvement
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202

Subject: Charter School Program for State Education Agencies

Dear Mr. Huh –

The Ohio Coalition for Quality Education is the leadership organization representing Ohio's public charter schools and the high performing charter school sponsors.

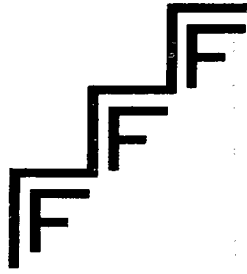
With nearly 400 charter schools educating over 123,000 students, Ohio has become one of the nation's leading states providing options to thousands of families searching for quality educational choices for their children.

Working with many of Ohio's leading charter school stakeholders, the Ohio Department of Education's - Office of Quality School Choice has been highly focused in propelling excellence in education. This grant will help continue to expand the number of high quality charter schools in Ohio.

We strongly support their application for the Charter School Grant for State Educational Agencies.

Regards,

Ron F. Adler
President



THE FARMER FAMILY FOUNDATION
funding for the future

July 14, 2015

Board

Brynne Farmer Coletti
Trustee

Robert E. Coletti
Trustee

Scott D. Farmer
Trustee

Mary J. Farmer
Trustee

Amy Farmer Joseph
Trustee

George R. Joseph
Trustee

Founders

Richard T. Farmer
Joyce E. Farmer

Executive Director

Mary Beth Martin

Mr. Stephan Huh
Office of Innovation and Improvement
U.S. Department of Education
400 Maryland Ave., S.W.
Washington, DC 20202

Dear Mr. Huh:

Please accept this letter of support for the Ohio Department of Education's (ODE) application for funding through the U.S. Department of Education's Charter School Programs State Education Agency Grant. The grant has the potential to leverage many exciting education reform efforts underway across Ohio and in Cincinnati.

The Farmer Family Foundation is a private family foundation based in Cincinnati. One of our core focus areas for investment is improving educational outcomes for at-risk youth. Together with key business, philanthropic, and community leaders from across Cincinnati, we have recently launched a new organization – Accelerate Great Schools - with a mission to double the number of students with access to high performing schools in the next five years. Accelerate Great Schools is an example of a Community Education Development Organization. We will raise a \$25 million fund over five years to support the launch of an ecosystem of high performing schools for Cincinnati. This would have a demonstrable impact on student outcomes and the larger economic vibrancy of our community.

Over the past several years, The Farmer Family Foundation has had the pleasure of partnering with ODE to advance education opportunities for underserved students in Ohio. We look forward to ongoing opportunities to work with them to meet our shared objective of increasing the number of high-quality seats in Ohio.

The Farmer Family Foundation is extremely supportive of ODE's grant application and appreciative of the opportunity it may provide to our families and youth in need. Thank you for your consideration.

Sincerely,

Mary Beth Martin
Executive Director



THE GREATER
CINCINNATI
FOUNDATION

July 14, 2015

Stephan Huh
Office of Innovation and Improvement
U.S. Department of Education
400 Maryland Ave., S.W.
Washington, DC 20202

Dear Mr. Huh:

I am writing to express strong support from The Greater Cincinnati Foundation for Ohio's application for funding through the U.S. Department of Education's Charter School Programs Startup Grants for State Education Agencies.

The Greater Cincinnati Foundation has invested over \$2.2 million over the last 5 years to improve the educational success of our region. Too many Greater Cincinnati children enter kindergarten not prepared for school, not succeeding educationally in elementary school through high school, nor successfully transitioning into post-secondary education. Nearly half of all adults in our region currently lack any education beyond high school. It is estimated that by 2018, two-thirds of all jobs will require some type of post-secondary credential or degree. We have invested a wide range of educational programs, including a regional early childhood education initiative, programs to reengage urban teenagers in learning, and partnerships to support non-traditional and first-generation college students in furthering their education.

The Ohio Department of Education is working diligently to improve charter school quality in Ohio and support the creation of improved educational opportunities for students across the state. This grant would allow communities to partner with the State of Ohio to increase the pace of innovation and improvement. The newly launched Accelerate Great Schools organization in our city is focused on doubling the number of students in high performing seats. Cincinnati is on the brink of meaningful change in education and such a partnership could dramatically boost the scope and pace of change.

The Greater Cincinnati Foundation stands in support of this proposal and is confident that students and families in Ohio would benefit from such an opportunity.

Sincerely,

Shiloh Turner

200 West Fourth Street
Cincinnati, Ohio 45202-2775
tel: 513-241-2880



3 East Fourth Street, Suite 302
Cincinnati, OH 45202
(513) 784-4111

July 14, 2015

Stephan Huh
Office of Innovation and Improvement
U.S. Department of Education
400 Maryland Ave., S.W.
Washington, DC 20202

Dear Mr. Huh:

As the chairman of the Cincinnati Regional Business Committee (CRBC), I would like to offer support for Ohio's funding application through the U.S. Department of Education's Charter School Programs Startup Grants for State Education Agencies.

The CRBC is a mid-cap, executive civic organization. Comprised of more than 75 members, the CRBC is dedicated to promoting transformational change and improving economic competitiveness in the greater Cincinnati region.

The CRBC recently helped to launch a new organization called Accelerate Great Schools to dramatically improve educational opportunities for students in Cincinnati. This broad community effort has been supported by philanthropic, business, education, and faith-based organizations in our city. The organization is focused on doubling the number of students in high performing schools over the next five years by investing in new schools, growing talent pipelines for qualified teachers, and improving policy conditions. Community partners are pursuing a \$25 million fund to support Accelerate Great Schools over the next five years. CRBC has committed \$1 million. In total, over \$15 million has been raised to date.

We urge you to support Ohio's application. It would enable the Ohio Department of Education to become a key partner with groups like Accelerate Great Schools to transform communities across the state by creating new high performing school options for students and their families.

Sincerely,

A handwritten signature in black ink, appearing to read "SR", followed by a long horizontal line extending to the right.

Scott Robertson
Chairman
Cincinnati Regional Business Committee

July 14, 2015

Stephan Huh
Office of Innovation and Improvement
U.S. Department of Education
400 Maryland Ave., S.W.
Washington, DC 20202

Dear Mr. Huh:

I am writing on behalf of the Cincinnati Business Committee (CBC) in support of Ohio's application for funding through the U.S. Department of Education's Charter School Programs State Education Agency Grant. If awarded, this grant funding would dramatically accelerate our education reform efforts here in Cincinnati and across the state.

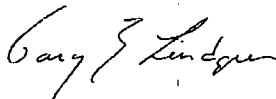
The CBC is an organization of CEOs in the Greater Cincinnati area committed to identifying and providing leadership on issues that improve our community's long-term economic vitality and well-being. We place special emphasis on economic development, public education, and government reform and collaboration.

The CBC is committed to improving education options for disadvantaged students in Cincinnati. Earlier this year, we joined forces with leaders from the philanthropic, business, and education communities to launch a new organization with the mission of doubling the number of students with access to high performing schools in our community over the next five years. This organization – called "Accelerate Great Schools" – will focus on attracting and growing proven school models from across the country and building the talent pipeline needed to fuel a local system of high performing schools. Our community partners are pursuing a \$25 million fund to support this work over the next five years.

If successful in this grant application, the Ohio Department of Education could become a key partner with groups like Accelerate Great Schools to create new high performing school options for families.

Again, the CBC is pleased to support Ohio's grant application and view this as an exciting opportunity to accelerate education reform efforts across the state.

Sincerely,



Gary Lindgren
Executive Director
Cincinnati Business Committee



1240 Huron Road E, Suite 300
Cleveland, Ohio 44115
p 216.621.3300 • f 216.621.6013
www.gcpartnership.com

July 15, 2015

Stephan Huh
Office of Innovation and Improvement
U.S. Department of Education
400 Maryland Ave., S.W.
Washington, DC 20202

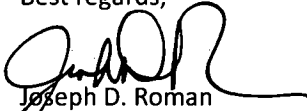
Ms. Huh:

The mission of the Greater Cleveland Partnership (GCP) is to mobilize private sector leadership, expertise and resources to create jobs and economic vitality for the region. We do that in many ways – by promoting public policies that improve the business and economic climate; working to enhance our physical infrastructure and next-generation projects and civic assets; and continuing the momentum that is underway with regard to education reform.

GCP was an integral partner in the creation of *Cleveland's Plan for Transforming Schools* that seeks to ensure every child in the City of Cleveland has an excellent education and every neighborhood has great schools – public and charter. We worked closely with local and state leadership to create the enabling legislation (HB 525) for the Cleveland Plan that passed in 2012, and the local levy that has helped to fund its implementation. A key component of that plan was the creation of the Transformation Alliance – the watchdog for charter quality and growth in the City of Cleveland. Led by Mayor Frank Jackson, the Alliance is comprised of key stakeholders from the education, union, business, and civic community who are all committed to the success of Cleveland's kids.

As a member of the Transformation Alliance, I have had the opportunity to collaborate with the Ohio Department of Education as an important partner in our work. If awarded a grant from this initiative, we could strengthen our collective efforts to transform the quality of education for all children in our city and, ultimately, the State of Ohio. For these reasons, we support the Ohio Department of Education's Charter Startup School grant proposal. Thank you for your consideration.

Best regards,


Joseph D. Roman
President & CEO

July 14, 2015

Stephan Huh
Office of Innovation and Improvement
U.S. Department of Education
400 Maryland Ave., S.W.
Washington, DC 20202

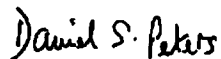
Dear Mr. Huh:

I am writing on behalf of the Lovett and Ruth Peters Foundation in support of the state of Ohio's application for funding through the U.S. Department of Education's Charter School Programs State Education Agency Grant.

The Lovett and Ruth Peters Foundation, based in Cincinnati, is focused on improving the quality of K-12 education and has partnered with leaders from the philanthropic, business, and education communities to launch a new effort called Accelerate Great Schools. This organization will work to double the number of students with access to high performing schools in our community over the next five years. It will focus on expanding and attracting proven school models, building human capital pipelines, and engaging and informing the community. This is a transformational moment for educational innovation and improvement in our community.

As president of the Lovett and Ruth Peters Foundation, I am pleased to support this proposal. Should Ohio be awarded funding, I am confident that it will significantly contribute to our ability to provide improved educational opportunities for the most disadvantaged children in our community.

Sincerely,



Daniel S. Peters, President
Lovett & Ruth Peters Foundation
1500 Chiquita Center
250 East Fifth St.
Cincinnati, OH 45202
Tel: 513.562.1550
dan@petersfdn.org

COLUMBUS
PARTNERSHIP

150 South Front St
Suite 200
Columbus, OH 43215

T (614) 225.0500
F (614) 225.9300

www.columbuspartnership.com

July 14, 2015

Mr. Stephan Huh
Director, Office of Innovation and Improvement
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

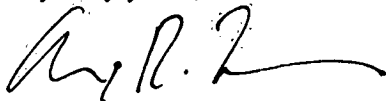
Dear Mr. Huh:

On behalf of the Columbus Partnership, I am writing to express our support of the Office of Quality School Choice in applying for the Public Charter School Program Grant for State Education Agencies through the U.S. Department of Education.

I believe that quality education is imbedded in the integral foundation of our economic development work which supports the local community. The Columbus Partnership is dedicated to creating and maintaining the best urban metropolitan education infrastructure in the nation serving as a magnet to attracting talent and businesses to the Columbus Region. Therefore, this grant is essential in supporting and sustaining quality charter schools in the state of Ohio.

I have full confidence that awarding this grant to the Ohio Department of Education will be the next key step in improving our education system.

Very truly yours,



Alex R. Fischer
President and CEO

ARF/tt



June 29, 2015

Governing Board
James Telb
Jeffrey Bunck
Michael Dansack, Jr.
Joan Kuchcinski
Joe Rutherford

SANDRA C. FRISCH
Superintendent

RICHARD A. COX
Treasurer

Administrative Offices
2275 Collingwood Blvd.
Toledo, OH 43620-1100

Community Schools Center
4955 Seaman Road
Oregon, OH 43616

t 419.246.3137
f 419.246.3127

www.eslakeerlewest.org

David Hansen
Executive Director
Office of Quality School Choice
25 South Front Street
Columbus, Ohio 43215

Dear Mr. Hansen:

It is my pleasure to write this letter of support on behalf of the Educational Service Center of Lake Erie West in the submission of the application for Charter School Program Grant for State Educational Agencies by the Office of Quality School Choice.

As an organization that sponsors charter schools in Ohio, we understand the importance of our schools providing the best education possible for the students of Ohio. It is increasingly beneficial for us to evaluate the academic and social effectiveness of our charter schools for students, staff, and parents. Having an opportunity to expand those successful programs, in the highest of quality facilities, will only make Ohio stand out as a national leader in the charter school movement.

In conclusion, I fully support the efforts of the Office of Quality School Choice as they seek external funding to increase the understanding of the charter school model to benefit our students and their communities.

Sincerely,

April M. Morin, M.OD.
Director
Center for Community Schools
Educational Service Center of Lake Erie West





To Whom It May Concern;

As one of three exemplary authorizer/sponsors in Ohio we write in support of the Office of Quality School Choice at the Ohio Department of Education ('ODE') as they seek funding for the Charter School Program Grant. Under the direction of Executive Director, David Hanson, ODE has worked tirelessly strengthening Ohio's charter school movement by enacting policy changes and administrative processes.

Ohio's charter school movement began in 1998 with a small school in Toledo that served fewer than 200 at-risk students. Since then, the movement has evolved into one of the strongest and largest school choice communities in the country. Nationwide, over 6,000 charter schools operate in 42 states and the District of Columbia, serving 2.3 million students. In Ohio, there are 383 charter schools serving approximately 125,000 students. As the sole sponsoring designee of the University of Toledo, the Ohio Council of Community Schools ('OCCS') is one of two original sponsors borne out of Ohio's original school choice experiment. We are proud of our partnership with the University and of the opportunities it provides for our sponsored schools. In addition, we are proud of our partnership with ODE as together we attempt to change the quality of charter schools opening, and operating in Ohio.

One of the current challenges in Ohio is that schools are not encouraged to replicate. If a school wish to replicate or relocate to Ohio they would have to bear the entire cost because funds are not available.

The Charter School Program Grant would only strengthen Ohio Charter School Movement by;

- Providing financial assistance for planning, program design, and initial implementation of charter schools;
- Evaluating the effects of charter schools, including the effects on students, student achievement, student growth, staff and parents; and
- Expanding the number of high-quality charter schools available to students in Ohio;

As noted above, ODE is making great progress in altering Ohio's charter school movement and with the assistance the Charter School Program Grant, ODE would be provided the leverage to encourage high quality charter schools to replicate, relocate and or start anew.

Yours in Education Choice,

Lenny Schafer M.Ed., PCC-S
Executive Director
Ohio Council of Community Schools

George S. Barrett
Chairman and
Chief Executive Officer

Cardinal Health
7000 Cardinal Place
Dublin, OH 43017
614.757.7770 dir
614.757.8770 fax



cardinalhealth.com

July 14, 2015

Stephan Huh, Director
Office of Innovation and Improvement
U.S. Department of Education
400 Maryland Ave., SW
Washington, DS 20202

Dear Mr. Huh,

On behalf of Cardinal Health, I am writing to express our support of the Office of Quality School Choice in applying for the Public Charter School Program Grant for State Education Agencies through the U.S. Department of Education.

We believe that educating our children for a life of opportunity is one of our community's most important responsibilities. And we recognize that failure to prepare our children for the future carries with it staggering costs to individuals, families, neighborhoods and our city's economy. The development and sustainability of high performing charter schools is an important part of an effective education ecosystem. As such, this grant will help ensure quality charter school opportunities are available for students in the state of Ohio, particularly those from low-income and minority families.

I am confident that awarding this grant to the Ohio Department of Education will contribute to improving our education system and help us support the success of all children.

Sincerely,

A handwritten signature in black ink that reads "G. Barrett".

George S. Barrett

Deneice L. Cooper

Business Email address: Deneice.cooper@education.ohio.gov

Future Objective: Obtain School Treasurer's License and become a certified School Treasurer

To obtain a School Treasurer's License I have completed all required coursework at Ashland University; and will begin the 300 hour internship with a current School Treasurer as early as September, 2015 and complete the internship over the next two years.

Qualifications and Experience:

Accomplished "funding specialist" with more than twelve years of public service and twelve years of achievement within the civil engineering industry. Professional experience includes more than 24 years in securing and administering federal, state grants and low-interest loans for public entities, including six years of public service managing a small staff and a large number of volunteers. Areas of strength include written and verbal communication, including organizing and planning, public relations and marketing as well as grant administration.

Ohio Department of Education; Compliance Manager/Interim Lead Consultant, February 2015 to present; as the Compliance Manager with the Office of Quality School Choice, my responsibilities include conducting a thorough review of how authorizers/sponsors monitor a school's compliance with state and federal laws, rules, and provisions of the community school's contract. There are two phases to evaluate authorizer compliance monitoring. The initial phase requires authorizers to complete an "Authorizer Monitoring Review Instrument" where they describe how they monitor their schools; I complete a desk review verifying that process is carried out by reviewing documentation provided by the authorizers and/or by the school; this process will link the authorizers work to its compliance monitoring obligations. On-site reviews include verifying authorizer monitoring practices of 20 core items of compliance that could not be confirmed through the desk review, plus 3 additional items chosen at random from additional items statute requires by visiting up to 10% of schools authorized by each authorizer/sponsor each year. To complete the compliance review, I provide the results of the review and feedback to the authorizers with the compliance rating of exemplary, effective, or ineffective.

As the Interim Lead Consultant, I am responsible to interpret and communicate laws and rules related to charter school authorizers and charter schools; perform ad hoc analyses and write reports; review legislative proposals and make legislative recommendations to the department's leadership; respond to diverse constituent questions, requests and complaints; provide training to stakeholders; tracks and monitors data for the office and assesses progress toward strategic goals.

Ohio Department of Education; Interim School Options Enrollment System (SOES) Administrator/Community School Payment Administrator, September 2013 to present; in this position as the SOES Interim Administrator with the office of School Finance/Office of Community Schools, my responsibilities include working in cooperation with IT office to complete monthly payments to all public charter schools; tracking the payments in and out of the payment system to be

used as backup during AOS Audits; as well as working in cooperation with Area Coordinators to resolve disputes between resident districts and charter schools, track on-site reviews of charter school data used to determine payments. I also serve as the point of contact for charter school financial issues, the SOES (system) and finalize the materials used in FY14 to explain charter school finances and data entry, answer phone calls and emails from treasurers and other school administrators regarding foundation payments and the SOES system.

Ohio Department of Education; Grants Coordinator, December 2010 to February 23; in my position as the Grants Coordinator with the Office of Community Schools, my responsibilities include coordinating the federal grant application, being the Project Director of the application, and the Authorized Organization Representative for grants.gov.; conducting Elluminate trainings, coordinating the peer review process during the evaluation period of the applications from sub-recipients, providing other technical support to eligible sub recipients of Public Charter School Program funds through the application process and after award is provided, updating appropriate guidance documents. Responsibilities also include monitoring sub-recipients, completing fiscal desk reviews and program reviews as well as conducting school site visits. Fiscal desk reviews are completed to ensure the federal funds are being spent in a timely manner following all the federal regulations, particularly required by EDGAR. Site visits include monitoring educational programs, student achievement objectives, program evaluation/ data collection and submission, governance and management plans as well as equipment inventories purchased with PCSP funds, etc.

Ohio Department of Education; Fiscal Specialist; December 2009 to December 2010; during my tenure with ODE's Office of Federal and State Grant Management, my responsibilities included reviewing and approving all paper Project Cash Requests and Final Expenditure Reports in accordance to program, state and federal guidelines. Good communication skills are key when dealing with school district treasurers, specifically as issues arise prior to final approval of PCRs and FERs. Other responsibilities include sub-recipient monitoring/ desk reviews of FERs, verifying allowable expenditures completed within the period of availability, utilizing accounting records including bank statements, invoices, payroll records, etc. provided by the school district. Also regarding ARRA monitoring; desk reviews are completed to ensure the federal stimulus funds are being spent in a timely manner following all the federal regulations, particularly required by EDGAR.

Ohio School for the Deaf/Ohio State School for the Blind; Grants Coordinator; December 2005 to December 2009; during this time, responsibilities included coordination and submission of grant proposals for OSD and OSSB, further responsibilities included monitoring all proposals until awards were received. After the awards, responsibilities included drawing down grant funds, completing PCRs and FERs, etc. Grants included, Title VI-B, CCIP Special Ed/Part B, Title IIA, Title IVA, ARRA IDEA, ARRA/Byrne Memorial, Parent Mentor, Statewide Early Childhood, eTech Ohio K-12 Network, etc. Other responsibilities included: processing ISTV receivables in OAKS, approving cash deposits in OAKS; completing Schedule of Federal Expenditures reports, etc.

Poggemeyer Design Group; Community Development Specialist; June 2004 to October 2005; provided professional grant/loan writing and administration to various cities and villages in Ohio. Responsibilities included marketing to counties, cities, villages and water & sewer districts. In addition, was responsible for acquiring the City of Nelsonville and Trimble Township Wastewater District as clients. Also, was the Client Representative for the City of Nelsonville.

M-E Companies, Inc.; Funding Specialist; January 2000 to May 2004; provided professional grant/loan writing and administration services to 41 counties, cities, villages, townships and water & sewer authorities. Involved with more than 200 projects in the water, wastewater, storm water, etc. fields, performing a value-added service to public clients. Total grant/loan amount secured: \$48,804,790.

EMH&T, Inc.; Grants Director; August 1998 to December 1999; responsible for writing federal and state grants to fund infrastructure projects for public clients. Also prepared informational materials for staff and clients specific to funding options and grant requirements.

Bischoff & Associates, Inc.; Funding Director; April 1995 to August 1998; achieved funding for public clients' infrastructure projects through grants and low interest loans from Public Works Commission, Ohio Water Development Authority, Department of Development, etc.

City of Mansfield/Richland County; Litter Prevention & Recycling Coordinator/Keep America Beautiful Coordinator; March 1989 to April 1995; was responsible to manage 3 people and recruit numerous volunteers to promote litter prevention and recycling programs throughout the city and county. Additional responsibility included writing the proposal to achieve a state grant to fund the program annually.

Mansfield City Schools; Instructor-Adult Education; July 1986 to March 1989; was responsible to instruct adult students participating in the Automated Office Processing program.

Mansfield City Schools; Substitute Teacher; January 1986 to June 1986.

Education & Training:

Ashland University; summer 2013 to March 2015. Coursework includes graduate classes in School Administration, School Law, School Finance/Economics and an internship with a current school treasurer.

Columbus State Community College; summer 2013. Coursework included undergraduate Accounting 1211 and Accounting 1212.

Certificates of Completion; Columbus State Community College; 2008. Courses included Excel 2003 Intermediate & Advanced, Access 2003 Basic, Intermediate and Advanced and Project 2003 Introduction.

North Central State College; 1989; undergraduate Accounting I.

Pre-MBA Program; Ashland University; completed 1988. Coursework included post-baccalaureate Accounting, Business Administration, Statistics, Qualitative Analysis, Marketing, etc.

B.S. in Early and Middle Childhood Education; The Ohio State University, 1985.

Letters of Reference; available upon request from the following:

Dr. Joni Hoffman, Director; Ohio Department of Education/Office of Community Schools.

Mr. Brian Jones, Director; Ohio Department of Education/Office of Federal and State Grant Management.

Ms. Cynthia Johnson, Superintendent; Ohio State School for the Blind.

- Analyzed data for internal and external customers
- Produced data based reports

6/2002 to 6/2003 Department of Sociology, Ohio State University Columbus, OH

- Graduate Research Associate
- Provided consultation for statistical applications
- Provided consultation for data management
- Maintained and updated departmental databases

9/2000 to 6/2002 Department of Sociology, Ohio State University Columbus, OH

Graduate Research Associate

- Built relational database in MS Access
- Collected, cleaned, coded and analyzed data
- Conducted research
- Co-authored academic journal articles
- Presented research at national conference

6/1997 to 9/2000 Department of Sociology, Ohio State University Columbus, OH

Managing Editor, Journal of Health and Social Behavior

- Established and oversaw review process
- Supervised staff to publish quarterly journal on time and within budget
- Coordinated stakeholders (authors, reviewers, publishing house) to manage publishing process

9/1996 to 6/1997 Department of Sociology, Ohio State University Columbus, OH

- Graduate Research Associate
- Collected and analyzed data
- Conducted research
- Authored academic journal articles

Education

12/1996 to 6/2003 Ohio State University Columbus, OH

ABD

9/1994 to 12/1996 Ohio State University Columbus, OH

Master of Arts, Sociology

9/1988 to 6/1992 Ohio State University Columbus, OH

Bachelor of Arts, Photography

References are available on request.

David James Hansen
David.Hansen@education.ohio.gov; (614) 466-0452
25 South Front Street, Columbus, Ohio 43215

Ohio Department of Education, Columbus, Ohio. Executive Director of Quality School Choice; 2013-present.

In August, I joined the Ohio Department of Education in the newly created position of Executive Director of Quality School Choice. Through this role, I oversee the Department's three offices of Community Schools, Nonpublic Options and Charter School Sponsorship.

Kilden Consulting, Columbus, Ohio. President; 2011-present.

Provided strategic counsel and expert assistance to leaders pursuing innovation and reform in education. Kilden Consulting delivers value to clients through policies, communications, training and advocacy that move the window of possibility in favor of educational excellence. Special focus areas include charter school authorizing, school governance, blended learning, and education finance and philanthropy.

National Association of Charter School Authorizers (NACSA), Chicago, Illinois. Vice President, Policy and Advocacy, later Senior Advisor; 2009-2012.

Led a comprehensive advocacy and communications effort improving the policy environment for charter school authorizers by:

- Injecting NACSA's principles and policies into recent environment of charter expansion.
- Designing and carrying out a National Advocacy Campaign connecting the organization's experience, expertise and policy agenda to charter policy debates in twenty states. Resulting in six states creating statewide charter authorizing authorities and five writing NACSA's Principles & Standards into statute.
- Overseeing federal advocacy.
- Presenting NACSA's case for federal support of quality authorizing in appropriations and legislation to over twenty congressional offices, including the "Big 8" of education authorizers and appropriators, and as well to the Department of Education's Office of Charter Schools Program.
- Representing NACSA at congressional briefing panels and prepared hearing appearances and testimony by NACSA's president before two congressional committees. As a result, charter school authorizing is now supported in current federal appropriations and included in both House and Senate versions of CSP reauthorization.
- Communicating NACSA principles, standards and commitment to charter quality.

Under my direction, NACSA aggressively positioned itself as the independent expert on charter quality through outreach to educational partners, annual conference design, earned communications, social media, research dissemination and other tools of reputation development and policy education. As a result, NACSA was a leader in the successful effort to put charter quality on the agendas of state and federal policymakers as they have sought to expand the sector.

Buckeye Institute for Public Policy Solutions, Columbus, Ohio. President; 2004-2009.

As president I carried out a strategic plan that significantly grew the Buckeye Institute's impact on policy, as well as its value to donors, by: focusing the Institute's mission, raising its objectives, driving alignment of research and policy proposals. Under my direction the Buckeye Institute centered its work on returning prosperity to Ohio through freedom. I developed an agenda of reforms linked to prosperity, and built up the intellectual capital of research and commentary to promote each in the debates about Ohio's future. Through growing our communications impact, I made the penetration and persuasiveness of our ideas in the public debate a new priority for the Institute. We redesigned our products and writing standards to meet needs of key audiences, and I used a strategy where the Buckeye Institute 'became the media' and successfully utilized web 2.0 tactics to promote our work.

Ohio Manufacturers Association, Columbus, Ohio. Managing Director of Public Policy Services; 2001-2004.

Directed all governmental affairs activities of Ohio's second largest corporate trade association.

Led the design and execution of two major policy initiatives:

- Elimination of two onerous taxes on manufacturing and capital formation, and awarded OMA's "Legacy Award" for this success.

- Comprehensive reform of state tort laws, including landmark asbestos litigation reform. Successfully organized the political resources of member businesses in support of Association policies in taxes, economic development, workforce development, energy, and workers compensation.

Michigan State Senate. Lansing, Michigan. Chief of Staff of Senate, Director of Majority Policy Office; 1994-1998. Served the Majority Leader as the chief executive officer for the Senate. Responsible for formulating and enforcing senate administrative policy, acting as liaison with other government and outside interest groups, and initiating and coordinating special projects for the Majority Leader and the Majority Caucus. Responsible for legislative policy development of the Majority Caucus in the Senate. Managed a staff of twenty-four professionals and support staff that served members and committees. Responsible for several high-level legislative services including consultation on policy and legislative options, bill and amendment drafting, committee staffing, floor management of legislation and advice on legislative politics.

Public policy and political research consultant. Lansing, Michigan. Market Strategies, Inc. for domestic assignments; International Republican Institute for international projects; 1993-2001.

Contributed to growing democratic values with political parties and non-governmental organizations in Central and Eastern Europe, the former Soviet Union and the Middle East. Served as an advisor on building democratic legitimacy in public institutions, setting political and legislative agendas, and strengthening political accountability. Increased popular sovereignty in developing democracies by executing complex opinion research projects which gave a voice to citizens' opinions and concerns.

George H.W. Bush Presidential Campaigns and Republican National Committee. Washington, D.C. Director of Strategic Information; Director of Opinion Research and Analysis; Deputy Director of Survey Research; 1988-1992.

Designed and built strategic information systems for Bush-Quayle campaigns and White House political leadership. Assembled and managed the foundation of this system, a research office of nine analysts with a \$3 million annual budget. Reported to Campaign and White House decision makers on findings from economic, elections, public opinion, gee- demographic and media content data. Consulted on campaign strategy, message and resource allocations, including advertising purchasing and Presidential travel.

Minnesota House of Representatives. St. Paul, Minnesota. Committee Administrator; Policy Analyst; 1985-1988. Managed legislation on elections, gambling and veterans' affairs for the House General Legislation and Veterans Affairs Committee.

Education

University of Bergen; Bergen, Norway
Graduate degree in Scandinavian literature and linguistics, 1983

Williams College; Williamstown, Massachusetts
Bachelor of Arts in Economics major with concentration s in political science and sociology, 1980

Public Service Highlights

Nexus Academy of Columbus, Founding Board Chair
Academy of Columbus and Great Western Academy, Board Member
School Choice Ohio, Board Member
Peace Gahanna Lutheran Church, Catechism Leader
Northeast-Midwest Institute, Washington, DC; Vice Chair of Board and Treasurer, 2001-2007



SKILLS

- Strong oral and written communication skills
- Excellent planning, organization, and time-management skills
- Proven research and analysis skills
- Demonstrated capacity to identify problems and provide logical solutions
- Talent for prioritizing work with attention to detail
- Aptitude for interfacing with all levels of management
- Computer proficiencies including MS Office

PROFESSIONAL EXPERIENCE

- | | |
|---------------|---|
| 2011- present | Director, Office of Community Schools, Ohio Department of Education. Oversight of charter school authorizers, deploying three component evaluation system; develop administrative rules for aspects of authorizing and design of performance accountability for dropout prevention and recovery charters; interface with charter school payment system; wind-up federal Public Charter School grant; provide information products and guidance about charter school operations and performance. |
| 2004 - 2011 | Associate Director, Office of Community Schools, Ohio Department of Education. Transitioned from authorizer role to approval and oversight of charter school authorizers. Administer federal Public Charter School Grant. Provide technical assistance to all stakeholders along the continuum of charter school development, operations, and closure. Approve payments to new charter schools. Develop policy, legislative recommendations, and administrative rules to guide the program's operation. |
| 2001-2004 | Assistant Director, Office of Community Schools, Ohio Department of Education. Technical assistance and oversight of State Board authorized public charter schools; evaluation of State Board sponsored schools for charter renewal decisions; provide guidance to charter school developers; guide policy development. |
| 2000-2001 | Interim Director, Office of School Options, Ohio Department of Education. Supervised the department's authorizing of |

public charter schools; chartering of non-public schools; requirements relevant to home schooling; non-chartered, non-tax schools; general oversight of the Cleveland voucher program.

- 1999-2000 Charter School Consultant, Office of School Options, Ohio Department of Education. Lead consultant for State Board sponsored charter schools in southwest Ohio, providing monitoring and technical assistance; accountability lead; office liaison for Research Council, Local Report Card steering committee.
- 1994-1999 Deputy Director, Office of Research and Planning, Ohio Department of Human Services. Created the office, centralized existing research functions and developed new ones.
- 1992-1994 Policy Coordinator, Immediate Office of the Secretary, U.S. Department of Health and Human Services. Managed policy and regulatory development processes for the Administration for Children and Families, Food and Drug Administration, and the Administration on Aging.
- 1992 Special Assistant to the Assistant Secretary for Management and Budget, U.S. Department of Health and Human Services. Coordinated special initiatives in health care financing reform, minority health, and disaster recovery.
- 1987-1992 Health Statistician, Office of the Assistant Secretary for Planning and Evaluation. Developed policy and legislative proposals; provided subject matter expertise in maternal/infant health; research project manager (women's health topics).
- 1979-1986 Various research and data manager jobs, including researcher on a leukemia study; database administrator, asthma study; computer services graduate assistant (data retrievals, analyses, consultation)

Education

- 1987 Dr.PH., Health Services Research, University of Texas, School of Public Health, Houston, Texas
Dissertation: *A Comparison of Labor and Delivery Management in Two Settings*

Awarded a Health Services Research Fellowship from the
U.S. Department of Health and Human Services, 1984-1985,

- 1981 MPH, Community Health Practice, University of Texas,
School of Public Health, Houston, Texas
Thesis: *The Use of the Mini-Mult as a Predictor of
Psychiatric Readmission*
- 1972 B.A., Sociology, University of California, San Diego,
California

References available upon request

Kelsey R. Stephens



Education

The Ohio State University, Columbus, Ohio
Master of Arts in Sociology, 2010
Bachelor of Arts in Sociology and Criminology, 2006
Summa cum laude

Summary of Qualifications

- Advanced data management and analysis skills including: SAS, STATA, SPSS, ArcGIS, SQL Developer and Microsoft Office.
- Experience manipulating and analyzing large, complex data sets.
- Advanced statistical training and experience in complex data analysis.
- Strong analytical thinking with demonstrated talent for identifying, scrutinizing, improving, and streamlining complex work processes.
- Exceptional communicator who effectively conveys information verbally and in writing.

Professional Experience

State of Ohio Department of Education, ITO, Office of Data Quality & Governance. Columbus, OH
Data Administration Manager, 2014-present

- Data management and analysis using SAS, SQL, Excel
- Project management and coordination
- Data consultation, monitoring and quality assurance
- Federal and state reporting
- Data and public records request fulfillment
- Customer support and identification of data issues

State of Ohio Department of Health, Lead and Healthy Homes Program. Columbus, OH
Surveillance Coordinator, 2011-2014

- Statewide data manager
- Laboratory reporting improvement and compliance coordinator
- Data management and analysis using Stata, Excel, SAS, Epi Info and ArcGIS
- Research and project coordination
- Project management and federal grant reporting
- Data standards monitoring and improvement
- Data system development, implementation and deployment

The Ohio State University, Department of Sociology. Columbus, OH
Graduate Research Associate, Graduate Teaching Associate, 2007-2010

- Development and implementation of large research projects with faculty
- Data analysis using Stata, Excel and SPSS
- Supervision of undergraduate research assistants
- Instruction of eleven sociology courses
- Lesson plan development and grading

FRANK W. STOY

PROFESSIONAL EXPERIENCE

OHIO COUNCIL OF COMMUNITY SCHOOLS, Toledo, Ohio

2011-Present

Director of Contracts and External Relations

- Direct and coordinate all charter contract functions including renewal/reauthorization, new school contracting, contract amendments, updates and negotiations
- Investigate legislative, legal and other requirements that affect OCCS contracts, ensuring that all OCCS school contracts and the contracting process comply with statutes and National Association of Charter School Authorizers (NACSA) best practices
- Respond to media requests and proactively work with the OCCS communications team to secure solid media relationships and outcomes
- Provide leadership for OCCS in local, state and national venues such as conferences, meetings, presentations and associations. Memberships include the Ohio Association of Charter School Authorizers (OACSA Secretary, 2010-11, and currently Legislative Committee Chairman), National Association of Charter School Authorizers (NACSA), Ohio Council for Quality Education (OCQE), Ohio Association of Public Charter Schools (OAPCS) and International Association for K-12 Online Learning (iNACOL)
- Fulfill all public records requests in a timely manner
- Manage lease, maintenance and related issues within the Toledo and Columbus office space
- Support and assist with various administrative and operational assignments, project teams and strategic planning
- Lead and implement intervention (probation, suspension, termination) with failing schools and communicate to stakeholders reasons for these actions
- Implement and coordinate community school closure procedures as needed
- Support data collection systems, such as Epicenter and OCCS Complaint Management Portal and evaluate how they impact the fiscal and academic success of schools sponsored by OCCS
- Lead and manage OCCS development of the ODE Sponsor Performance Review (SPR)
- Present on various charter school issues at conferences, meetings and other events
- Develop and implement seminars, workshops and in-service programs for community schools, management companies and governing authorities sponsored by OCCS
- Interact with and maintain a positive relationship with the OCCS Performance and Accountability Committee, OCCS Board of Trustees, University of Toledo trustees and legal counsel, Ohio Department of Education, Auditor of State and other public education stakeholders
- Support a culture with sponsored schools that fosters school effectiveness and performance while improving collaborative activities
- Support efforts of OCCS that holds schools accountable for outcomes and performance
- Assist Executive Director in managing the OCCS staff including administrative support team, technology team, regional representatives, performance and accountability team, compliance team and in-house legal counsel

LUCAS COUNTY EDUCATIONAL SERVICE CENTER, Toledo, Ohio

Community Schools Coordinator, Office of Community Schools

2003-2011

Provided support and consultation to community schools Executive Director, community schools staff, and other stakeholders in the area of community school sponsorship, oversight and operations. Supported Executive Director in building, managing and motivating community schools team. Responsible for overseeing the authorizing, renewal and revocation activities, monitoring performance of schools against their goals, supporting community schools staff, presenting recommendations to the Board, and representing Lucas County Educational Service Center (LCESC) to the broader community. Led and implemented interventions (probation, suspension, termination) with failing schools and communicated reasons for these actions. Implemented and coordinated community school closure procedures as needed. Managed the technology needs of the community schools staff in conjunction with the LCESC Director of Technology. Supported the LCESC Community Schools team in performing on-site evaluations. Testified on behalf of LCESC and OACSA at the Ohio State Board of Education and Ohio Senate.

AMTRAK, Toledo, Ohio

1986-2002

Brand Manager, Marketing, Sales and Brand Management

1997-2002

Responsible for maximizing revenues with Amtrak's most strategic travel agencies, corporate and grassroots customers. Trained and supported travel agents and developed strategic partnerships. Implemented sales strategies and tactics to increase revenue and market share and achieve performance goals and objectives. Managed multiple demands and competing priorities.

District Manager of Customer Services

1986-1997

Managed and directed all customer and train-related activities involving stations in 5 surrounding states, ensuring an efficient customer-focused operation. Managed 56 employees and developed budgets and operating plans. Ensured safe and efficient station operations, optimizing employee and stakeholder contributions and provided leadership and training support. Supervised ticketing, building maintenance, service delivery, passenger handling, safety and union labor contracts.

EDUCATION

THE OHIO STATE UNIVERSITY

Columbus, Ohio

College of Social Work

Bachelor of Science in Social Work

Emphasis: Social Service Administration

THE UNIVERSITY OF TOLEDO

Toledo, Ohio

College of Education

Graduate level coursework completed in training and development and instructional technology

Steven C. Tate, Ph.D.



PROFESSIONAL OBJECTIVE:

- An administrative position or faculty position in education or closely related area which offers multifaceted challenges and opportunities
- Ideal position will involve work with people of diverse cultures and merge responsibilities for teaching, research, leadership, mentoring, and/or counseling

Education:

Ph.D. in Curriculum and Instruction

Emphasis on diversity, literacy, and the social sciences,
Kansas State University; Manhattan, KS.

Dissertation topic: Academic Achievement of African American males in an
Urban, Midwest foster care system.

Degree Conferral: May 2000.

Graduate Coursework in Education:

Trends in Elementary Social Studies Education

Multicultural Curriculum Programming

Curriculum Theory

Curriculum and Instructional Policy

Curriculum Development

Instructional Leadership

Educational Leadership

Principles of College Teaching

Reading/Curriculum/Instruction/Policy

Psychology of Individual Differences

Master of Science, Educational Administration

Emphasis on management and administration,

The University of Dayton; Dayton, Ohio.

Comprehensive Social Studies Certification, December 1990, Ohio

Dominican College, Columbus, Ohio.

Bachelor of Arts in Journalism, June 1986, The Ohio State University, Columbus, Ohio

Professional Experience:

Education Consultant & Social Science Research Specialist

Ohio Department of Education (ODE)

2007-Present

Responsibilities of this position include:

*Lead evaluator of community school sponsors

- *Provide oversight of charter school authorizers
- *Write legislative recommendations
- *Prepare and/or revise policy manuals
- *Facilitate workshops and trainings
- *Conduct presentations before the State Board of Education
- *Set strategic objectives and priorities for ODE
- *Work closely with senior leadership on ODE initiatives

Professor/Instructor

University of Phoenix

2004-Present

- *Teach undergraduate and graduate courses in Education and Human Services
- *Subject areas include doctoral level Research & Assessment, General Education, Cultural Diversity, Graduate Education, Sociology, Business Writing, Health & Human Services.
- *Serve on doctoral committees

Program Administrator

1997-2004

Ohio Department of Job and Family Services (formerly Ohio Department of Human Services)

Responsibilities of this position include:

- *Formulating and directing the implementation of policy
- *Developing, monitoring, and guiding programmatic evaluations
- *Analyzing programmatic outcomes in relation to stated objectives
- *Managing and assessing post-adoption services for children
- *Evaluating organizational and managerial improvements for adoption services
- *Participating in quantitative and qualitative studies of statewide initiatives
- *Providing technical consultation to public services agencies
- *Conducting information and training sessions on new or revised programs and/or initiatives
- *Developing spreadsheets and graphics illustrating evaluation findings
- *Preparing written reports with findings and recommendations
- *Making oral presentations

Adjunct Professor of Education

2003-2004

Ashland University

Responsibilities of this position include:

- *Teaching graduate level courses in Curriculum Development and Contemporary Issues

Assistant Professor of Education

2001-2003

Ohio University

Responsibilities of this position include:

- *Teaching education courses, including Middle Childhood Social Studies Methods, Social Studies in Early Childhood Education, Secondary School Planning and Instruction, and Secondary School Teaching and Learning
- *Supervising field experience students
- *Scholarship and service

Service includes:

- *Serving as a member of the salary, tenure, and promotion revision committee
- *Advising undergraduate students

Assistant Professor of Education

2000-2001

The University of Michigan-Dearborn,

Responsibilities of this position include:

- *Teaching education courses, including Social Studies Methods and Multicultural Education
- *Supervising student teachers and student practicums
- *Scholarship and service

Service includes:

- *Serving as a member of the Faculty Senate
- *Serving as a member of the Educational Technology Search Committee

Social Science Researcher

1997-2004

Ohio Department of Human Services,

Responsibilities of this position include:

- *Evaluating the effectiveness of human services programs
- *Developing research designs, hypotheses, sampling methodologies, and data analyses
- *Collecting and interpreted data
- *Authoring preliminary and final study reports
- *Authoring requests for vendor research proposals
- *Reviewing state and federal legislation
- *Providing assistance to agency work groups in research and analyses issues
- *Managing the Ohio Works First Evaluation, Ohio's \$1.9 million study of welfare reform
- *Managing the department's study of the Child Protective Services System
- *Serving as the Director of the Quality Management Board (QMB), a committee responsible introducing quality control initiatives to

the Office of Research, Assessment, and Accountability

- *Serving as a member of the Quality Steering Committee (QSC), the governing body for the ten active QMBs within the department
- *Facilitating meetings as a trained Quality Service Through Partnership (QSTP) facilitator
- *Making presentations at National conferences
- *Operating a variety of software applications, including Quattro Pro, Paradox, Presentations, Powerpoint,

Graduate Student, 1996-1997

Kansas State University,

Responsibilities of this position include:

- *Completing coursework towards doctorate in Curriculum and Instruction
- *Conducting doctoral research

Training Coordinator, 1994-1996

American Freightways,

Responsibilities of this position include:

- *Facilitating orientation/training workshops for new employees
- *Teaching product knowledge classes for new and established employees
- *Creating training manuals used in the workshop

Teacher 1991-1994

Gahanna-Lincoln High School,

Responsibilities of this position include:

- *Teaching social studies courses in Psychology, Sociology, Economics, U.S. History, World History, and Geography
- *Writing grant proposals
- *Facilitating "World of Difference," a proactive multicultural education workshop for students, faculty, staff, and community members

Publications

Differentiating Instruction 2007

Ohio Council of Community Schools

Interpreting Value Added Data 2007

Ohio Council of Community Schools

The Academic Experiences of African American Males In An 2001

Urban, Midwest Foster Care System.

Journal of Social Studies Research

Grant Applications:

Public Charter Schools Program Implementation Grant
Public Charter Schools Program Planning Grant
Welfare Recipient Grant
Job Retention Grant
Ohio Works First Grant
Independent Living Grant

Presentations at state, regional, or national conferences:

The Supreme Court of Ohio Judicial College
Columbus, Ohio
Topic: Online Education for Court Involved Students

Ohio State Board of Education
Columbus, Ohio
Topic: Performance Standards for Schools Serving At-Risk Populations

Ohio Community Schools Statewide Authorizer Workshop
Columbus, Ohio
Topic: Performance Standards for Dropout Recovery Schools

National Association of Charters School Authorizers Workshop
Columbus, Ohio
Topic: Initial Lessons Learned from Sponsor Evaluations

Regional School Improvement Team State Conference
Columbus, Ohio
Topic: Strategies for Achieving AYP (Adequate Yearly Progress)

Regional School Improvement Team Reading Symposium
Columbus, Ohio
Topic: Instruments for Assessing and Improving Student Reading Performance

14th National Conference on Child Abuse and Neglect
St. Louis, Missouri
Topic: Academic Success for Children in Child Welfare Systems

Child Welfare League of America National Conference on Research in Child Welfare
Denver, Colorado
Topic: Academic achievement of African American males in an urban Midwest foster care system.

Black Administrators in Child Welfare National Conference
Washington, D.C
Topic: The academic status of African American males in foster care

National Council for Geographic Education
Chicago, Illinois

Topic: Academic achievement of African American males in foster care

National Association for Welfare Research and Statistics
Cleveland, Ohio

Topic: Design of the Impact/Outcome Evaluation of Ohio Works First.

Professional Development:

Microsoft Access Training
Columbus, Ohio

Focus Group Facilitator Training
Grandview, Ohio,

National Association for Welfare Research and Statistics Conference
Cleveland, Ohio,

SPSS Workshop
Columbus, Ohio,

Quality Service Through Partnership (QSTP) Facilitator Training
Columbus, Ohio,

Survey Design
Reynoldsburg, Ohio,

Quality Service Through Partnership (QSTP) Training
Columbus, Ohio,

Quattro Pro Software Training
Columbus, Ohio,

Paradox Software Training
Columbus, Ohio,

Technology in the Classroom Seminar
Columbus, Ohio,

Teaching Diversity Seminar
Columbus, Ohio,

“World of Difference” Facilitator Training
Gahanna, Ohio,

Professional Organization Membership

National Council for the Social Studies
National Council for Geographic Education
College and University Faculty Assembly
National Association for Welfare Research and Statistics

References:

Dr. Ben Smith, Professor Emeritus
Kansas State University
118 Morningside Drive
Sylvania, GA 30467
(912) 564-9133
geogben@hotmail.com

Dr. Joni Hoffman
Director
Ohio Department of Education
(614) 466-7058
joni.cunningham@ode.state.oh.us

Ronald R. Browder, MS.Ed.
Executive Director
Children's Defense Fund-Ohio
395 E. Broad Street, Suite 330
Columbus, OH 43215
(614) 221-2244
(614) 620-5436
rbrowder@cdfohio.org

Authorizer Quality Practices Rubric

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
A. Clear Mission for Authorizing Charter Schools	<ul style="list-style-type: none"> The authorizer's mission for chartering schools is broad or it has no mission. The authorizer's vision for chartering is vague, with no defined priorities and no strategic goals. The authorizer's governing board designates all contract decisions to staff and/or accepts contract decision-making recommendations with only a cursory review, taking action perfunctorily as part of routine business. 	<ul style="list-style-type: none"> The authorizer states a clear mission for authorizing charter schools. The authorizer articulates a broad vision for chartering, with broad goals over an undefined period of time. The authorizer's governing board typically designates contract decisions to staff, which provides the board with general recommendations for which contracts to approve. Decisions are typically made with limited information provided by the staff and without consideration of the authorizer's broad vision. 	<ul style="list-style-type: none"> The authorizer states a clear mission for quality authorizing. The authorizer articulates and implements a vision and plan for chartering, including general goals and timelines for achievement. The authorizer's governing board, while formally making all contract decisions, relies upon their staff to carefully review and recommend contract decisions aligned with their chartering vision and plan. 	<ul style="list-style-type: none"> The authorizer states a clear mission for quality authorizing. The authorizer articulates and implements an intentional strategic vision and plan for chartering, including clear priorities, specific goals, and time frames for achievement. The authorizer's governing board actively participates in all contract decision-making (approval and renewal) to ensure that all such actions are consistent with the authorizer's strategic vision and plan for quality authorizing.

Authorizer Quality Practices Rubric

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>B. Self-Evaluation & Improvement</p>	<ul style="list-style-type: none"> • The authorizer rarely examines its work to ensure it is meeting its Ohio authorizing obligations and applicable laws. • The authorizer does not examine its operations for the purpose of improvement. • Does not evaluate self as an authorizer. 	<ul style="list-style-type: none"> • The authorizer sporadically examines its work to ensure it is meeting its Ohio authorizing obligations and applicable laws. • The authorizer occasionally looks to improve its operations, but does not follow a structured process. 	<ul style="list-style-type: none"> • The authorizer regularly examines its work to ensure it is meeting its Ohio authorizing obligations and applicable laws. • The authorizer follows a defined improvement process to evaluate its work against its goals and outcomes. • The authorizer uses the findings from its self-evaluation when making improvements in its practices. 	<ul style="list-style-type: none"> • The authorizer continuously uses a defined improvement process to evaluate its work against its goals and outcomes and to ensure it is meeting its Ohio authorizing obligations and applicable laws. • The authorizer implements strategic action steps based upon the findings from its rigorous self-evaluation to improve its performance as an authorizer. • The authorizer continuously and rigorously evaluates its work against national standards for quality charter school authorizers. • The authorizer reports annually to its governing entity the progress it is making on its strategic goals.

Authorizer Quality Practices Rubric

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>C. Defined Relationships in Practice</p>	<ul style="list-style-type: none"> • Beyond what is stated in the contract, the authorizer cannot explain the distinction in roles and responsibilities between the authorizer staff and the charter schools it authorizes. 	<ul style="list-style-type: none"> • While not documented beyond what is in the contract, the authorizer is able to explain in general terms how the roles and responsibilities differ between its staff and the charter schools it authorizes. • The charter schools it authorizes do not understand the responsibilities of the authorizer. 	<ul style="list-style-type: none"> • While not documented beyond what is in the contract, the authorizer has and is able to clearly explain the roles and responsibilities of its staff relative to those of the charter schools it authorizes. • The charter schools it authorizes generally understand the responsibilities of the authorizer. 	<ul style="list-style-type: none"> • Roles and responsibilities of the authorizing staff are clearly separated, documented and delineated from the charter schools it authorizes. • The charter schools it authorizes clearly understand the responsibilities of the authorizer.

Authorizer Quality Practices Rubric

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	
D. Conflicts of Interest In Practice	<ul style="list-style-type: none"> Schools chartered by the authorizer have limited or no autonomy. Numerous conflicts of interest exist between the authorizer and the charter schools it authorizes. [e.g., staff and boards may overlap, authorizer may require school to purchase services from authorizer, schools may not be afforded appropriate autonomy, funds may be co-mingled, etc.] Decision making is not transparent; it is unclear what or if criteria are being used by the authorizer to make decisions. Charter schools are improperly offered incentives by the authorizer and/or required by the authorizer to make choices that may not be in their best interest. [e.g., may only contract with the authorizer for various services, contract services from authorizer in exchange for reduced chartering fee, etc.] 	<ul style="list-style-type: none"> Evidence of conflicts of interest exists between the authorizer and the charter schools it authorizes. [e.g., the superintendent fills the role of the charter school's superintendent with no accommodations for independent oversight of his/her role as charter school superintendent.] Decision making is not transparent and the criteria used to make them are inconsistently applied and not fully understood by authorizer staff. In some instances, the authorizer's decisions are improperly influenced by a management company or a charter school's governing authority. [e.g., for example, a management company with multiple affiliated schools implies action related to one school will impact the others.] 	<ul style="list-style-type: none"> No conflicts of interest (both in staffing and funding) exist between the authorizer and the charter schools it authorizes. While decision making is transparent to charter schools and appears to be based upon merit, the process and criteria for making decisions are not fully transparent to the public. 	<ul style="list-style-type: none"> No conflicts of interest (both in staffing and funding) exist between the authorizer and the charter schools it authorizes. The authorizer has a written policy that effectively prevents conflicts of interest, assures decision making is transparent and based upon merit. The authorizer's funding is structured in a manner that avoids conflicts of interest, inducements, incentives, or disincentives that might compromise its judgment in charter approval and accountability decision making.

Authorizer Quality Practices Rubric

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>E. Staff Expertise</p> <p><i>Deep understanding of essential principles, gained through training and/or several years working in the field and mastering the principles.</i></p>	<ul style="list-style-type: none"> The authorizer's dedicated staff member(s) have little to no experience working in or authorizing charter schools. At least one staff member is trained in school finance, but has limited experience applying the knowledge. No external sources are sought in education related areas for which the authorizing staff lacks expertise. These areas include: <ul style="list-style-type: none"> Charter schools; Curriculum, instruction and assessment; Special education and ELL instruction; School accountability; School facilities; School law; School finance; and, School governance. 	<ul style="list-style-type: none"> The authorizer has at least one dedicated staff member with less than two years of experience working in or authorizing charter schools, and a member who is trained and has limited experience working in the area of school finance. Other staff have limited training and limited experience working in the following areas: <ul style="list-style-type: none"> Curriculum, instruction and assessment; Special education and ELL instruction; School accountability; and, School facilities; School law; School finance; and, School governance. When existing staff do not have the range of expertise needed, the authorizer sometimes contracts with external sources to complete particular aspects of work. 	<ul style="list-style-type: none"> The authorizer has at least one dedicated staff member with two or more years of experience working in or authorizing charter schools, and a member who is trained and experienced in the area of school finance. Other staff are certified and have experience working in the following areas: <ul style="list-style-type: none"> Curriculum, instruction and assessment; Special education and ELL instruction; School accountability; School facilities; School law; and, School finance; and, School governance. When existing staff do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of work. 	<ul style="list-style-type: none"> Many of the authorizing staff have practiced in charter schools or authorizing charter schools for several years, and have diverse expertise in the following areas: <ul style="list-style-type: none"> Curriculum, instruction and assessment; Special education and ELL instruction; School accountability; School facilities; School law; and, School finance; and, School governance. When existing staff do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of work.

Authorizer Quality Practices Rubric

		Commitment & Capacity			
		Poor or Undeveloped	Ineffective	Effective	Exemplary
F. Staff Professional Development	<ul style="list-style-type: none"> • Authorizer staff rarely participates in professional development, internally or externally provided. • PD shows no alignment with the authorizer's functions. 	<ul style="list-style-type: none"> • Authorizer staff sporadically participates in professional development internally or externally provided, and typically only what is required by ODE. • PD shows some alignment with the authorizer's functions or in response to needed corrections. 	<ul style="list-style-type: none"> • Authorizer staff regularly participates in professional development, internally or externally provided, and beyond what is required by ODE. • PD is aligned with authorizer functions and takes into account identified needs (as determined by its self-improvement process). • Authorizer staff attends national conferences with PD focus (e.g., NACSA, INACOL, etc.) 	<ul style="list-style-type: none"> • Authorizer staff continuously participates in professional development beyond what is required by ODE and that complements the authorizer's improvement efforts and that takes into account staff member's strengths and weaknesses. • The authorizer is able to provide examples of how professional development is incorporated into its ongoing work. 	

Authorizer Quality Practices Rubric

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>G. Allocation of Resources</p> <p><i>Resources include human and financial capital.</i></p>	<ul style="list-style-type: none"> Resource decisions are not data driven. The authorizer has inadequate staff (or contracted services) to adequately carry out its roles and responsibilities. No evidence that the authorizer has examined and allocated its resources to fulfill its authorizer obligations. 	<ul style="list-style-type: none"> Some resource decisions are data driven. The authorizer sporadically examines its needs and allocates its resources to fulfill its statutory requirements. Resource allocations are not commensurate with the scale of its portfolio of charter schools. 	<ul style="list-style-type: none"> Most resource decisions are data driven. The authorizer examines its portfolio of schools needs and allocates its resources to improve school performance and its responsibilities as an authorizer. 	<ul style="list-style-type: none"> All resource decisions are data driven. The authorizer determines its portfolio of schools needs and devotes resources to improve school performance, fulfill its responsibilities as an authorizer, and meet national quality standards for authorizing (e.g., the authorizer provides math coach, software, PD consortiums, banners, specialized staff for job coaching, etc.) Resource allocations are commensurate with the authorizer's identified needs.

Authorizer Quality Practices Rubric

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	
A. Application Process, Timeline, & Clarity of Directions	<ul style="list-style-type: none"> The authorizer has no formal application process – no written application. The authorizer’s application timeline is not defined. Application guidance is absent or undocumented and varies depending upon which staff member responds to questions by the public. The application process does not include interviewing applicants. 	<ul style="list-style-type: none"> The authorizer has an application process; however, it is undocumented and loosely defined. Timelines are loosely defined. Applications are accepted close to the statutory contract adoption date, leaving little time for contract negotiations. The application is not readily available to the public. The application provides limited directions on the content and format expected of applicants. The authorizer does not document the criteria it uses to evaluate its applications. The application process may include an interview with applicants. 	<ul style="list-style-type: none"> The authorizer follows and explains a systemic application process; however, it is not fully documented. The authorizer typically follows a defined timeline for reviewing charter applications. The planning stage is at least six months long. The application is readily available to the public. The application provides general directions on content and format expected of applicants. (e.g., does not include resources or references to assist the applicant.) The authorizer documents the general criteria it uses to evaluate its applications. However, these criteria are not publicized as part of the application process. The application process includes interviewing final applicants. 	<p>Exemplary</p> <ul style="list-style-type: none"> The authorizer follows a documented systemic application process. The authorizer’s timeline allows for a pre-opening stage of least nine months so that the application process is carried out with quality and integrity. It aligns with the school year and provides ample time to adequately complete the application, plan, and prepare for the school’s opening. The authorizer’s application guidance is documented, detailed and readily available to the public through the authorizer’s website. (e.g., includes the procedure to submit (word length, font size, electronic/paper), includes references to assist the applicant, etc.) The application provides clear directions on required content and format. The authorizer documents and clearly communicates to applicants the criteria it uses to evaluate its applications. Application clearly states the authorizer’s chartering priorities. The process includes interviewing final applicants before adopting a contract.

Authorizer Quality Practices Rubric

		Application Process & Decision Making		
		Poor or Undeveloped	Ineffective	Effective
B. Application Depth		<p>Poor or Undeveloped</p> <ul style="list-style-type: none"> The authorizer does not have a written application. 	<p>Ineffective</p> <ul style="list-style-type: none"> The application includes few questions. The questions are very broad in nature and do not provide enough data to thoroughly evaluate the applicant's educational and business plans and capacities. 	<p>Effective</p> <ul style="list-style-type: none"> General application questions, covering four main areas of school planning and operations (education plan, governance, finance (including market research) and accountability) along with suggested attachments, provide adequate data for analyzing an applicant's plans and capacities. <p><i>For example:</i> Describe the demographics of the students that your school will serve and of the charter in which the school will be located. Why are you proposing this school in this location?</p> <p>Generally describe your school's curriculum plan and provide an overview of the instructional design and program to be emphasized by the school.</p>
				<p>Exemplary</p> <ul style="list-style-type: none"> Comprehensive, detailed application questions cross-reference the four main areas of school planning and operations (education plan, governance, finance (including market research) and accountability) provide extensive data for rigorous evaluation of the applicant's plans and capacities. <p><i>For example:</i> Describe the needs assessment of the school's target neighborhood and student population, including current student demographics and academic performance of other schools in the charter in which the school will be located. Explain the academic impact of the proposed school model on the students and charter. Describe the process used to assess local need and provide evidence that the charter approves of the proposed school.</p> <p>Explain the school's curriculum, its alignment to the Ohio Standards and benchmarks, specific instructional materials to be used to implement the curriculum, and the process your school will follow to evaluate, review and revise its curriculum on an annual basis.</p>

Authorizer Quality Practices Rubric

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>C. Rigorous Criteria for New Applicants, including any affiliated with previously operating schools.</p>	<ul style="list-style-type: none"> • The authorizer may require applicants to outline some of the following: <ul style="list-style-type: none"> ○ an educational program; ○ staffing plan; ○ a business plan; ○ governance; and/or ○ management structure. • Application criteria are minimal and focus mainly on meeting state and federal statutory requirements. 	<ul style="list-style-type: none"> • The authorizer requires all applicants to describe in general terms some of the following: <ul style="list-style-type: none"> ○ a mission and vision; ○ an educational program; ○ staffing plan; ○ a business plan; ○ governance; and/or ○ management structure. 	<ul style="list-style-type: none"> • The authorizer requires all applicants to present in detail all of the following: <ul style="list-style-type: none"> ○ a mission and vision; ○ an educational program; ○ staffing plan; ○ a business plan (including market research); ○ governance and management structure; and ○ capacity to carry out its plan. • The applicant must explain any never-opened, terminated, or non-renewed schools. <p>(Market research includes examining the types of schools and students in the area; it does <u>not</u> include an examination of the needs of the charter.)</p>	<ul style="list-style-type: none"> • The authorizer requires all applicants to provide strong evidence and great detail on all of the following: <ul style="list-style-type: none"> ○ a clear and compelling mission and vision; ○ a quality educational program; ○ a solid business plan (including market and charter research); ○ an effective governance and management structure; ○ staffing for people with diverse knowledge in education, school finance, etc.; and ○ clear evidence of capacity to successfully execute its plan. • The applicant must explain any never-opened, terminated, or non-renewed schools. <p>(Charter research includes examining the proximity of choice options and niche schools, and examining unmet charter needs, such as lack of schools with specialized focus.)</p>

Authorizer Quality Practices Rubric

Application Process & Decision Making			
	Poor or Undeveloped	Ineffective	Effective
<p>D. Rigorous Criteria for Existing Charter School Operators / Replicators</p> <p><i>Whichever school is being replicated, it must have been in operation for two or more school years.</i></p>	<ul style="list-style-type: none"> No additional criteria required of existing school operators and/or replicators of existing schools. Authorizer does not look for any evidence of past success or the capacity for growth. 	<ul style="list-style-type: none"> While no additional criteria are required, the authorizer completes a cursory look of the current school's academic success or a consideration for the school's capacity to expand. 	<ul style="list-style-type: none"> Authorizer requires the applicant to meet the following criteria: <ul style="list-style-type: none"> Clear evidence of capacity to operate a new school successfully while maintaining quality in existing schools; Document educational, organizational, and financial performance records based on all existing schools; Must explain any never-opened, terminated, or non-renewed schools; Must present a growth plan, business plan, and most recent financial audits; and Meet multiple indicators of effectiveness in all of the following areas: high academic, organization, and financial success to earn approval for replication. <p><i>Examples of success include: never had an un-auditable school; no general education or special education school rated below the top two LRC categories; no dropout prevention and recovery schools rated below "meets", etc.</i></p>

Authorizer Quality Practices Rubric

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>E. Rigorous Criteria for Charter Schools Changing Authorizer/Assignment of Contract (if applicable)</p>	<ul style="list-style-type: none"> • No additional criteria are required of the existing school seeking to be switch authorizers. • Authorizer does not look for any evidence of past success or the capacity to operate successfully. 	<ul style="list-style-type: none"> • While no additional criteria are required, the authorizer completes a cursory look of the current school's academic success or considers the school's capacity to operate successfully. 	<ul style="list-style-type: none"> • While no additional criteria are required, the authorizer reviews the existing school's financial audits (where available), academic success and the school's capacity to operate successfully, meeting and/or exceeding its performance targets. • The application process may include <i>either</i> a face to face interview with the applicant or contact with the school's current authorizer. • The authorizer does not consider contracting with a charter school that is being non-renewed by its current authorizer. 	<ul style="list-style-type: none"> • Authorizer requires the applicant to provide educational, organizational, and financial performance records to evaluate the school's capacity to operate successfully, meeting and/or exceeding its performance targets. • The application process includes a face to face interview with the applicant and contact with the school's current authorizer. • The application process may include visiting the school and/or attending a board meeting. • The authorizer does not consider contracting with a charter school that is being non-renewed by its current authorizer. • The authorizer's process to consider authorizing a currently operating school is publicly available.

Authorizer Quality Practices Rubric

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>F. Reviewer Expertise</p> <p><i>Deep understanding of essential principles, gained through training and/or several years working in the field and mastering the principles.</i></p>	<ul style="list-style-type: none"> Review team members have little to no experience working in or authorizing charter schools. At least one review team member is trained in school finance, but has limited experience applying the knowledge. No external sources are sought in education related areas for which the review team members lack expertise. These areas include: <ul style="list-style-type: none"> Charter schools; Curriculum, instruction and assessment; Special education and ELL instruction; School accountability; School facilities; School law; School finance; and, School governance. 	<ul style="list-style-type: none"> The authorizer has at least one dedicated reviewer with limited experience (less than two years) working in or authorizing charter schools, and at least one other reviewer who may have limited knowledge in one or more of the following areas: <ul style="list-style-type: none"> Curriculum, instruction and assessment; Special education and ELL instruction; School accountability; School facilities; School law; School finance; and/or School governance. When existing reviewers do not have the range of expertise needed, the authorizer sometimes contracts with external sources to complete particular aspects of the application review. 	<ul style="list-style-type: none"> The authorizer has at least one dedicated reviewer with two or more years of experience working in or authorizing charter schools. Other reviewers are certified (where appropriate) and have experience working in the following areas: <ul style="list-style-type: none"> Curriculum, instruction and assessment; Special education and ELL instruction; School accountability; School facilities; School law; School finance; and, School governance. When existing reviewers do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of the application review. 	<ul style="list-style-type: none"> Many of the reviewers have practiced in charter schools or authorizing for several years, and have diverse expertise (and certification where appropriate) in the following areas: <ul style="list-style-type: none"> Curriculum, instruction and assessment; Special education and ELL instruction; School accountability; School facilities; School law; School finance; and, School governance. When existing staff do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of the application review.

Authorizer Quality Practices Rubric

		Application Process & Decision Making			
		Poor or Undeveloped	Ineffective	Effective	
G. Protocols and Training		<ul style="list-style-type: none"> No defined selection criteria or protocols are used to evaluate applications. Review team members simply review the written application and only ask clarifying questions. Reviewers receive no training. No process is followed to ensure that all internal and external reviewers do not have a conflict of interest with the applicants they are reviewing. 	<ul style="list-style-type: none"> Selection criteria are documented, but are broad or vague. Review team members receive limited training on the selection criteria. If a protocol is used to evaluate applications, limited evidence is documented to support whether or not the applicant meets the selection criteria. Applicants are not interviewed. All internal and external reviewers are responsible for identifying if a conflict of interest exists with the applicants they are reviewing. The reviewer initiates their own removal from reviewing an application if he/she feels a conflict of interest exists. The authorizer does not require a formal written conflict of interest statement to be signed by each person reviewing the applications. 	<ul style="list-style-type: none"> Evaluation includes a careful review of the written application, a brief interview of all applicants to clarify points in the written application, and a careful review of the applicant's experience and capacity. While not always documented in protocols, all new review team members are trained on the selection criteria and protocols prior to reviewing applications for approval. The review team documents evidence to support whether or not the applicant meets the selection criteria. Review team members who have previously reviewed applications for the authorizer receive refresher training on the selection criteria and protocols prior to reviewing applications for approval. The authorizer requires a formal written conflict of interest statement to be signed by every internal and external reviewer of applicants. The authorizer initiates removal of an internal or external reviewer from evaluating an application. 	<ul style="list-style-type: none"> Evaluation includes a detailed review of the written application, an in-depth interview with finalists, and a thorough background review of the applicant's experience and capacity. Application evaluators are trained annually on the selection criteria, the evaluation process and the protocols. <i>[e.g., interview guides used for all applicants, rubrics that require the evaluator to score and document how the applicant rates on the selection criteria, etc.]</i> The review team documents in detail the evidence to support whether or not the applicant meets the selection criteria. An established policy and process are consistently followed that ensures all internal and external reviewers do not have a real or perceived conflict of interest with the applicants they are reviewing. The authorizer requires a formal written conflict of interest statement to be signed by every internal and external reviewer of applicants. The authorizer initiates and documents the removal of an internal or external reviewer from evaluating an application if a formal conflict of interest is found.

Authorizer Quality Practices Rubric

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>H. Rigorous Decision Making</p> <p><i>Rigorous decisions are based upon a thorough analysis of a comprehensive body of objective evidence.</i></p>	<ul style="list-style-type: none"> • Almost all applicants that apply are approved, regardless of the strength of the application. • Preliminary agreements are made with schools that had previously closed and/or were non-renewed by their previous authorizer. 	<ul style="list-style-type: none"> • The majority of applications that meet a general framework of criteria are approved. • Preliminary agreements are made with charter schools that meet one or more of the following criteria: <ul style="list-style-type: none"> ○ Fail to clearly demonstrate the capacity to successfully operate (e.g., lack of staffing, lack of resources, questionable governance, history of poor performance, etc.); ○ Little or no market research data to support the school's opening; ○ Little or no data to support a successful educational model; ○ Questionable business plan and limited resources to support the school's launch (e.g., reliance on unsecured loans and/or management company financial support); or ○ Were previously closed and/or non-renewed by their previous authorizer. 	<ul style="list-style-type: none"> • Applicants that meet the majority of the criteria are approved. • Enters into preliminary agreements with schools that meet most of the following criteria: <ul style="list-style-type: none"> ○ Clear capacity to successfully operate a new school (e.g., lack of staffing, lack of resources, questionable governance, history of poor performance, etc.); ○ Researched data shows strong market demand for the proposed school (e.g., mission, location, grades served, proximity of high quality public & private school options) ○ Quality educational program; ○ Solid business plan and a start-up budget to support the school's launch and sustained early operations; and, ○ The school has not been recycled: previously closed or non-renewed by its previous authorizer. 	<ul style="list-style-type: none"> • Only applicants meeting all, or almost all, of the criteria are approved. Any perceived minor deficiencies are addressed in the contract process. • Only enters into preliminary agreements with schools that meet all of the following criteria: <ul style="list-style-type: none"> ○ Clear capacity to successfully operate a new school (e.g., lack of staffing, lack of resources, questionable governance, history of poor performance, etc.); ○ Researched data shows strong market demand for the proposed school (e.g., mission, location, grades served, proximity of high quality public & private school options) ○ Quality educational program; ○ Solid business plan and a start-up budget to support the school's launch and sustained early operations; and, ○ The school has not been recycled: previously closed or non-renewed by its previous authorizer.

Authorizer Quality Practices Rubric

Performance Contracting				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
A. Contract Student Performance Measures	<p>Most contracts include:</p> <ul style="list-style-type: none"> o Vague measures of student performance, such as local report card ratings or statewide assessments. o No specific metrics and targets for school-wide performance (e.g., “80% proficiency in 3rd grade reading and math OAA) 	<p>Most contracts include:</p> <ul style="list-style-type: none"> • Multiple measures of student performance, which may include the following: <ul style="list-style-type: none"> o statewide assessments, o attendance, or o if applicable, graduation rates. • Metrics and targets for school-wide performance are vague (e.g., meet state standards) • Targets are for the all students group; they do not include subgroups of students. 	<p>All contracts may include the following:</p> <ul style="list-style-type: none"> • multiple measures of student performance, such as <ul style="list-style-type: none"> ▪ proficiency rates on state assessments ▪ if applicable, student academic growth, o if applicable, graduation rates, o attendance, and o if applicable, post-secondary enrollment after high school. <ul style="list-style-type: none"> • Metrics and targets for school-wide performance are specific (e.g., 80% proficiency in 3rd grade reading, meet or exceed value added, etc.) • Targets include all students and subgroups of students. 	<p>All contracts include all of the following student measures:</p> <ul style="list-style-type: none"> o proficiency rates on state assessments, o student academic growth, o graduation rates, o attendance, o if applicable, post-secondary enrollment after high school, and o if applicable, student performance on other valid and reliable assessments as laid out in the contract. o Metrics and targets are specific and rigorous. o Targets include all students and subgroups of students. o At a minimum, targets are set that compare the school’s student performance to the state, schools serving similar populations and/or schools in the same geographical area. o Mission-specific academic goals may be included; such goals include specific metrics and targets.

Authorizer Quality Practices Rubric

Performance Contracting				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>B. Contract Terms for High-Stakes and Ongoing Reviews</p> <p><i>A performance review upon which renewal decisions are made.</i></p>	<ul style="list-style-type: none"> Contract renewal is essentially automatic and contract language may specify automatic renewal as the default. Authorizer contracts rarely specify a high-stakes review to take place prior to contract renewal. 	<ul style="list-style-type: none"> Contract renewal is essentially automatic and contract language may specify automatic renewal as the default. Authorizer contracts occasionally specify a high-stakes review to take place prior to contract renewal, but at least every 5 years for extended contracts. 	<ul style="list-style-type: none"> Authorizer contracts regularly specify a required high-stakes review to take place prior to contract renewal, but at least every 5 years for extended contracts. 	<ul style="list-style-type: none"> All authorizer contracts specify a required high-stakes review to take place prior to contract renewal, and at least every 5 years for extended contracts.
<p>C. Contract Terms for Renewal and Non-renewal</p>	<ul style="list-style-type: none"> Contracts rarely define the performance standards and criteria and conditions for renewal. Contracts rarely define the consequences for meeting or not meeting standards and conditions. 	<ul style="list-style-type: none"> Most contracts broadly define the performance standards and criteria and conditions for renewal. Most contracts broadly define the consequences for meeting or not meeting standards and conditions. 	<ul style="list-style-type: none"> Most contracts define the performance standards and criteria and conditions for renewal. Most contracts define the consequences for meeting or not meeting standards and conditions. 	<ul style="list-style-type: none"> All contracts clearly define and detail performance standards and criteria and conditions for renewal. All contracts clearly define and detail the consequences for meeting or the consequences for not meeting standards and conditions.

Authorizer Quality Practices Rubric

Performance Contracting				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>D. Contract terms for Amendments and Updates</p> <p><i>All/most authorizers have boiler-plate language noting that amendments may be made to all contracts.</i></p>	<ul style="list-style-type: none"> • No specific conditions for amendment or modifications are noted in the contract. • Authorizer does not modify the terms of a contract, even when it is renewed with the school. 	<ul style="list-style-type: none"> • General conditions for amendment or modifications are noted in the contract. • Authorizer regularly assesses contract language to ensure consistency with changes in state and/or federal law. • Authorizer has an updated contract template that it uses as it authorizes new schools; however, old contracts are not updated to reflect the more rigorous contract terms until the existing contract expires. 	<ul style="list-style-type: none"> • General conditions for amendment or modifications are noted in the contract. • Authorizer regularly assesses contract language to ensure consistency with changes in state and/or federal law. • Authorizer regularly updates all or most of its existing contracts to reflect changes in state and/or federal law. • If an authorizer updates its performance framework to support higher achievement and ensure better compliance in the new schools it authorizers, old contracts are not updated to reflect this new framework until the existing contract expires. 	<ul style="list-style-type: none"> • General conditions for amendment or modifications are noted in the contract. • Authorizer regularly assesses contract language to ensure consistency with changes in state and/or federal law. • Authorizer regularly updates its performance framework to support higher achievement or to ensure better compliance. • Authorizer regularly updates all or most of its existing contracts to reflect changes made in the template it uses for new schools.

Authorizer Quality Practices Rubric

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
A. System of Oversight & Evaluation	<ul style="list-style-type: none"> The authorizer's oversight and evaluation system is reactive, focused only on the school's compliance with laws. The authorizer rarely enforces consequences for failing to meet compliance requirements or performance expectations. 	<ul style="list-style-type: none"> The authorizer's oversight and evaluation system is minimal; focusing mainly on the school's compliance with laws and with limited examination of academic performance. The authorizer occasionally enforces consequences for failing to meet compliance requirements or performance expectations. 	<ul style="list-style-type: none"> The authorizer's oversight and evaluation system is proactive, collecting and/or accessing and reviewing and/or analyzing data on the school's compliance with laws and against performance targets stated in the contract. Combined, these sources of data inform contract renewal, termination, and intervention decisions. The authorizer regularly enforces consequences for failing to meet compliance requirements, and sometimes performance expectations. 	<ul style="list-style-type: none"> The authorizer implements a comprehensive performance accountability and compliance monitoring system that is defined by the charter contract and that provides the information necessary to make rigorous and standards-based renewal, termination, and intervention decisions. The authorizer predetermines intervention actions for failure to meet contract requirements and clearly articulates and enforces stated consequences for failing to meet performance expectations or compliance requirements.

Authorizer Quality Practices Rubric

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>B. Transparency of Process</p>	<p>• The authorizer's major oversight and evaluation processes for application, renewal and closure are not transparent.</p>	<p>• The authorizer's major oversight and evaluation processes for application, renewal and closure are not transparent; however, the timelines are communicated.</p>	<p>• The authorizer's major oversight and evaluation processes for application, renewal and closure are transparent - clearly communicated to schools through contract and documented guidance and acknowledging that some aspects of oversight necessitate flexibility (e.g., a testing investigation).</p>	<p>• The authorizer's oversight and evaluation process is fully transparent; it defines and communicates to schools through the school contract and documented guidance the process, methods, and timing of gathering and reporting school performance and compliance data, while acknowledging that some aspects of oversight necessitate flexibility (e.g., a testing investigation).</p>

Authorizer Quality Practices Rubric

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>C. Enrollment & Financial Reviews</p> <p><i>Note: when an authorizer is reviewing certain EMO/CMO affiliated schools, it may not have access to all the financial records deemed necessary for the authorizer to do a full financial review. (Protocol issue)</i></p>	<ul style="list-style-type: none"> The authorizer rarely reviews the enrollment and financial records of each school. When or if reviewed, the authorizer provides few details and feedback that is rarely of value to the school. No consideration is given to the qualifications of the individual performing the review on behalf of the authorizer. 	<ul style="list-style-type: none"> The authorizer minimally reviews the enrollment and financial records of each school, and provides occasional feedback with limited details and that are of limited use to the school. Some consideration is given to appropriate qualifications of the authorizer's reviewer. 	<ul style="list-style-type: none"> The authorizer reviews and provides monthly feedback on the enrollment and financial records of each school. All revenue sources are considered against the school's annual budget. Consideration is given to the qualifications of the authorizer's reviewer respecting school financial reviews. 	<ul style="list-style-type: none"> The authorizer reviews and provides monthly feedback on the enrollment and financial records of each school. The authorizer's recommendations to the board are pro-active in that they help the school achieve greater efficiencies, and also results in timely interventions when problems arise. All revenue sources are considered against the school's annual budget. The authorizer employs a licensed school treasurer or equivalent to conduct school financial reviews, which include the following: <ul style="list-style-type: none"> budget ledgers, transaction detail reports, five year forecasts, and previous Auditor of State reports.

Authorizer Quality Practices Rubric

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>D. Financial Audit Follow-up</p> <p>Note: when an authorizer is reviewing certain EMO/CMO affiliated schools, it may not have access to all the financial records deemed necessary for the authorizer to do a full financial review. (Protocol issue)</p>	<ul style="list-style-type: none"> When it receives timely notice and the school agrees to the meeting, the authorizer never attends the school's closing audit conference. The authorizer either rarely follows-up with schools on issues identified in a school's annual audit by the Auditor of State or is excessive in its follow-up and direction to the school. 	<ul style="list-style-type: none"> When it receives timely notice and the school agrees to the meeting, the authorizer never or rarely attends less than half of the schools' closing audit conferences. The authorizer may follow-up on legal compliance issues identified in a school's annual audit by the Auditor of State. 	<ul style="list-style-type: none"> When it receives timely notice and the school agrees to the meeting, the authorizer always attends the schools' closing audit conferences. The authorizer thoroughly addresses issues identified in a school's annual audit by the Auditor of State, including findings for recovery, issues of material non-compliance, and so on. These actions are evidenced by correspondence and/ or meetings between the school and the authorizer. <p>Examples of a school's corrective action could include but not limited to:</p> <ul style="list-style-type: none"> adopting or advising relevant policies, reducing deficiencies by implementing additional internal controls, and/or setting up a board audit committee; the follow-up to measure, along with school's status of previous citations/concerns/comments from the Auditor; the authorizer engages in follow-up to measure the school's progress in ensuring that similar future findings are avoided, with or without a formal Corrective Action Plan. 	<ul style="list-style-type: none"> When it receives timely notice and the school agrees to the meeting, the authorizer always attends the schools' closing audit conferences. The authorizer addresses the majority of issues identified in a school's annual audit by the Auditor of State, including findings for recovery, issues of material non-compliance, and so on. If the authorizer requires the school to engage in a Corrective Action Plan, the authorizer monitors the school's implementation of the plan.

Authorizer Quality Practices Rubric

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
E. Site Visit Protocols & Training	<ul style="list-style-type: none"> During an onsite review, data are collected from a school employee available at the school on the day of the review. The authorizer's onsite reviewers receive very little training on the site visit process and no protocols are used. 	<ul style="list-style-type: none"> During an onsite review, data are collected from a school employee available at the school on the day of the review. The authorizer has an onsite visit protocol; however, its onsite reviewers are not trained on the tool; and therefore, There is no evidence of consistent use of the protocol across reviewers. 	<ul style="list-style-type: none"> During an onsite review, data are collected from school administrators and a sample of instructors. The authorizer's onsite reviewers are trained on and regularly use observation and interview protocols. There is evidence of consistent use of the protocols across reviewers. Data may be collected through a variety of means and throughout the school year. 	<ul style="list-style-type: none"> During an onsite review, data are collected consistently from a variety of stakeholders, which may include the charter school's governing board members, administrators, teachers, students, parents, and staff from the management company (if applicable). Reviewers receive ongoing training, formal or informal, on the purpose, criteria, process and protocols of conducting onsite visits. Additionally, training is provided as needed to remain current with changes in law. Data may be collected through a variety of means and throughout the school year.

Authorizer Quality Practices Rubric

		Oversight & Evaluation		
		Poor or Undeveloped	Ineffective	Effective
				Exemplary
<p>F. Site Visit Reviewer Expertise</p> <p><i>Deep understanding of essential principles, gained through training and/or several years working in the field and mastering the principles.</i></p>	<ul style="list-style-type: none"> Site visit reviewers have little or no experience working in or authorizing charter schools. At least one review team member is trained in school finance, but has limited experience applying the knowledge in reviewing charter school compliance data gathered from the site visit. No external sources are sought in education related areas for which the authorizing staff lacks expertise. These areas include: <ul style="list-style-type: none"> Charter schools; Curriculum, instruction and assessment; Special education and ELL instruction; School accountability; School facilities; School law; School finance; and, School governance. 	<ul style="list-style-type: none"> At least one dedicated site visit reviewer has limited experience (less than two years) working in or authorizing charter schools, and at least one other site visit reviewer has limited training and limited experience or knowledge in one or more of the following areas: <ul style="list-style-type: none"> Curriculum, instruction and assessment; Special education and ELL instruction; School accountability; School facilities; School law; School finance; and/or School governance. When existing staff do not have the range of expertise needed, the authorizer sometimes contracts with external sources to complete particular aspects of the site visit review. 	<ul style="list-style-type: none"> The authorizer has at least one dedicated site visit reviewer with two or more years of experience working in or authorizing charter schools. Other reviewers are certified (where appropriate) and have experience working in the following areas: <ul style="list-style-type: none"> Curriculum, instruction and assessment; Special education and ELL instruction; School accountability; School facilities; School law; and, School finance; and, School governance. When existing reviewers do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of the site review. 	<ul style="list-style-type: none"> Many of the reviewers have practiced in charter schools or authorizing for several years, and have diverse expertise (and certification where appropriate) in the following areas: <ul style="list-style-type: none"> Curriculum, instruction and assessment; Special education and ELL instruction; School accountability; School facilities; School law; and, School finance; and, School governance. If the charter school has a distinct focus (e.g., online delivery, special education, dropout recovery), the reviewers of these schools are knowledgeable in the area of the school's focus. When existing reviewers do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of the site visit review.

Authorizer Quality Practices Rubric

		Oversight & Evaluation			
		Poor or Undeveloped	Ineffective	Effective	Exemplary
G. Site Visit Reports		<ul style="list-style-type: none"> Based upon information from site visits, the authorizer may provide the school with a written report but which fails to provide any relevant information about the school's operations. There is no follow-up. 	<ul style="list-style-type: none"> Based upon information from site visits, the authorizer provides the school with a written report of general findings, may include areas needing improvement. There may or may not be follow-up for improvement areas. 	<ul style="list-style-type: none"> Based upon information from site visits, the authorizer provides the school with a written report which includes the following: <ul style="list-style-type: none"> the information collected; areas of strength; and areas needing improvement. Ongoing, the authorizer requests and reviews status updates from the school pertaining to any areas needing improvement. 	<ul style="list-style-type: none"> Based upon information from site visits throughout the year, the authorizer provides the school with a written report which includes the following: <ul style="list-style-type: none"> the information collected; areas of strength; and areas needing improvement. Ongoing, the authorizer requests and reviews status updates from the school pertaining to any areas needing improvement.
H. Communication with the Charter School		<ul style="list-style-type: none"> The authorizer fails to communicate with the school's Governing Authority; or The authorizer is inappropriately overly involved in the school's operations, directing it or making decisions on the governing authority's behalf. 	<ul style="list-style-type: none"> The authorizer's communication with the school's governing authority is limited, vague and/or inconsistent. 	<ul style="list-style-type: none"> The authorizer's communication with the school's governing authority is frequent, specific and informative regarding the school's operations. 	<ul style="list-style-type: none"> The authorizer's communication is frequent, specific and informative regarding the school's operations and includes both the school operator and governing authority.

Authorizer Quality Practices Rubric

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
I. Respecting Governing Authority Autonomy in Operations	<ul style="list-style-type: none"> The authorizer is inappropriately overly involved in the day-to-day operational decisions of the schools it authorizes and/or operates more as a "program" of the authorizer. Regardless of demonstrated success, all schools have limited or no autonomy over decision-making. The authorizer collects data in a manner that is burdensome to the school, without thought to protect students and public interests. The authorizer never examines its own compliance requirements to possibly minimize burden and increase the autonomy of its schools. 	<ul style="list-style-type: none"> The authorizer is inappropriately slightly involved in the day-to-day operational decisions of the schools it authorizes. The authorizer collects data in a manner that is burdensome to the school, without thought to protect students and public interests. Authorizer may or rarely (no more than once every two years) examines its own compliance requirements to possibly minimize burden and increase the autonomy of its schools. 	<ul style="list-style-type: none"> The authorizer has limited involvement in the day-to-day operations of the schools it authorizes, targeting those that have demonstrated poor performance or non-compliance. The authorizer collects data in a manner that minimizes administrative burden on the school, and protects student and public interests. Authorizer occasionally (once or twice every two years) examines its own compliance requirements to possibly minimize burden and increase the autonomy of its schools. 	<ul style="list-style-type: none"> The authorizer has no involvement in any school's authority over its day-to-day operations, unless required to as part of its contractual obligations pertaining to intervention. The authorizer collects data in a manner that minimizes administrative burden on the school, and protects student and public interests. The authorizer annually reviews its own compliance requirements and evaluates the potential to increase school autonomy based on flexibility in the law, streamlining requirements or other considerations.

Authorizer Quality Practices Rubric

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	
J. Intervention	<ul style="list-style-type: none"> The authorizer is unaware of its obligation to intervene in accordance with Ohio law. The conditions that trigger intervention are never articulated by the authorizer to its schools. The authorizer never or rarely provides schools with timely notice of contract violations and/or provides little to no information on performance deficiencies. There is no evidence that the authorizer (based upon its own oversight or evidence from ODE and/or AOS that a compliance issue(s) exist), intervenes or follows-up on issues with schools in which compliance problems are identified. 	<ul style="list-style-type: none"> The authorizer is generally aware of its obligation to intervene with a charter school in accordance with Ohio law. The charter school contract states the conditions that may trigger intervention. The authorizer occasionally provides schools with timely notice of contract violations, and/or minimal notice of performance deficiencies. There is minimal or limited evidence that the authorizer intervenes with problems related to compliance which are identified during its own oversight or when identified by an external agency, such as ODE or AOS. When intervention occurs, it is usually very prescriptive in nature and/or the authorizer defaults to another entity, such as ODE or AOS, for intervention guidance. 	<ul style="list-style-type: none"> The authorizer establishes and makes known to schools at the outset an intervention policy stating the general conditions that may trigger intervention and the types of actions and consequences that may ensue. The authorizer provides timely notice of contract violations and performance deficiencies. There is evidence that the authorizer almost always intervenes in the charter school's operations to correct compliance issues or problems in the school's overall performance, based upon the authorizer's oversight, or evidence from ODE and/or AOS. 	<ul style="list-style-type: none"> The authorizer establishes and makes known to schools at the outset an intervention policy stating the general conditions that may trigger intervention and the types of actions and consequences that may ensue. The authorizer gives schools clear, adequate, evidence-based, and timely notice of contract violations and performance deficiencies. The authorizer initiates intervention in the charter school's operations in a timely manner and clearly linked to correcting specific deficits in the school's overall performance. The authorizer allows school reasonable time and opportunity for remediation in non-emergency situations. Intervention strategies clearly preserve school autonomy and responsibility (e.g., identifying what the school must remedy without prescribing solutions; and understanding that the school may choose a different path).

Authorizer Quality Practices Rubric

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
K. Oversight & Evaluation Report to Schools	<ul style="list-style-type: none"> Provides a report, very broad in nature, when compliance problems arise that must be addressed by the school. 	<ul style="list-style-type: none"> Provides a report to each school, summarizing fiscal and operational compliance. 	<ul style="list-style-type: none"> Provides a report to each school, summarizing its performance and compliance to date. 	<ul style="list-style-type: none"> Provides a report to each school, summarizing its performance and compliance to date and identifying areas of strength and areas needing improvement.
L. Annual Report to the Public	<ul style="list-style-type: none"> The authorizer provides the general public and ODE with a very brief report on the school's compliance with the laws for each of the schools it authorizes. 	<ul style="list-style-type: none"> The authorizer produces an annual report for each of the schools that it authorizes. These reports provide limited information on the school's compliance with the laws and meeting the terms of its contract. 	<ul style="list-style-type: none"> The authorizer produces an annual report on the individual schools that it oversees. These reports include informative data on the school's compliance with the laws and meeting the terms of its contract. 	<ul style="list-style-type: none"> The authorizer produces an annual public report that provides clear, accurate performance data for the charter schools it oversees, reporting on individual schools and its overall portfolio performance and progress toward achieving its authorizing mission.

Authorizer Quality Practices Rubric

Termination & Renewal Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>A. Contract Termination</p> <p><i>Termination occurs when the authorizer chooses to close a charter school prior to the expiration date/term of the charter school contract.</i></p> <p><i>Non-renewal of a contract occurs at the end of a charter school's contract term.</i></p>	<ul style="list-style-type: none"> The criteria for terminating a school's contract during its charter term are defined in the contract. The authorizer does not have a written policy explaining the grounds for termination, nor the procedures to be followed if termination is required. Even when evidence is brought before it that an egregious violation of law has occurred, the authorizer never terminates a school's contract during its charter term. The authorizer relies upon the state's closure law. 	<ul style="list-style-type: none"> The criteria for terminating a school's contract during its charter term are defined in the contract. The authorizer does not have a written policy explaining the grounds for termination, nor the procedures to be followed if termination is required. The authorizer does not seek evidence that might result in termination of a school's contract during its charter term, but will consider evidence brought before it. The authorizer seldom terminates a school's contract when there is an egregious violation of law such as clear self-dealing (e.g., funneling school resources to family & friends of school board members and/or staff); falsifying data (financial or student) 	<ul style="list-style-type: none"> The criteria for terminating a school's contract during its charter term are clearly defined in the contract. The authorizer has a written policy explaining the grounds and criteria for termination; the specific evidence it will collect and/or document, and the procedures both the school and the authorizer will follow to wind-up the school's operations. The authorizer terminates a school's contract during its charter term when there is clear evidence of some or all of following: <ul style="list-style-type: none"> extreme underperformance; an egregious violation of law; a violation of the public trust that imperils students health and well-being or public funds (theft); or unfaithfulness to the terms of the contract (e.g., clear mismatch between school's mission and its actual program). 	<ul style="list-style-type: none"> The criteria for terminating a school's contract during its charter term are clearly defined in the contract. The authorizer has a written policy explaining the grounds for termination and the procedures to be followed if termination is required. The authorizer's ongoing oversight and evaluation provides evidence for these decisions to be made. The authorizer may terminate a school's contract during its charter term when there is evidence of some or all of following: <ul style="list-style-type: none"> unacceptable academic performance; egregious violations of law; extreme financial mismanagement leading to the school's demise; or unfaithfulness to the terms of the contract (e.g., clear mismatch between school's mission and its actual program).

Authorizer Quality Practices Rubric

Termination & Renewal Decision Making				
	Poor or Undeveloped	Ineffective	Effective	
B. Evidence Based Renewal	<ul style="list-style-type: none"> Contract renewal is almost always assumed or made based upon factors other than school performance. 	<ul style="list-style-type: none"> The contract renewal decision is based upon a limited body of academic and operational evidence (e.g., recent financial audits, recent compliance monitoring reports, or the school's most recent state accountability report card). 	<ul style="list-style-type: none"> The contract renewal decision is based upon a substantial body of evidence of legal compliance and performance. These data inform renewal decisions. <ul style="list-style-type: none"> Evidence may include at least two of the following: <ul style="list-style-type: none"> multiple years of student achievement; multiple measures of student achievement, including statewide assessments and measures; financial audits; or site visit reports and/or other compliance reports. 	<p>Exemplary</p> <ul style="list-style-type: none"> The authorizer bases the renewal process and renewal decisions on thorough analysis of a comprehensive body of objective evidence defined by the performance framework in the charter contract. <ul style="list-style-type: none"> Evidence includes at least all of the following: <ul style="list-style-type: none"> multiple years of student achievement; multiple measures of student achievement; financial audits; site visit reports and/or other compliance reports; and, status reports on corrective action plans or other required interventions, if necessary.

Authorizer Quality Practices Rubric

Termination & Renewal Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
C. Renewal and Non-Renewal Decisions	<ul style="list-style-type: none"> The authorizer grants renewal to all schools regardless of failure to meet the terms and academic achievement targets in their contract, fiscal or organizational problems, or compliance with the law. 	<ul style="list-style-type: none"> The authorizer inconsistently grants renewal to schools, even those that have failed to meet the terms and academic achievement targets in their contract; have fiscal or organizational problems; or have been out of compliance with the law. <p><i>Note: This approach to renewal decisions is evident regardless of the strength of the performance framework.</i></p>	<ul style="list-style-type: none"> The authorizer grants renewal to schools that are fiscally and organizationally viable and that meet most of the following criteria: <ul style="list-style-type: none"> achieve their contractual academic standards and targets; or faithful to the terms of their contract. <p><i>Note: Even in the absence of a strong performance framework, the authorizer consistently applies performance-based criteria in making renewal decisions.</i></p>	<ul style="list-style-type: none"> The authorizer only grants renewal to schools that are fiscally and organizationally viable based on criteria in the school's performance framework with rigorous, specifically goals and targets: <ul style="list-style-type: none"> achieve their contractual academic standards and targets; and faithful to the terms of their contract. <p><i>Note: it is assumed that an exemplary authorizer uses a performance framework with rigorous, specific goals and targets.</i></p>

Authorizer Quality Practices Rubric

Termination & Renewal Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>D. Cumulative Report on Performance</p> <p><i>Note: Provided each year to the school's governing authority, the cumulative report builds a record of the school's performance over the charter term.</i></p> <p><i>The cumulative report is used as part of the evidence based renewal decisions described in Indicator B.</i></p>	<ul style="list-style-type: none"> Does not provide the charter school a report on its cumulative performance, other than the Authorizer's Compliance Review report submitted annually to the department. 	<ul style="list-style-type: none"> May annually provide the charter school with a report, but it does not relate to the school's performance against its contract; and/or When a report is given, it does not include multiple years of performance data against its contract term. 	<ul style="list-style-type: none"> Annually provides each charter school with a report of its performance; The report includes multiple years but may not include the school's entire charter term. 	<ul style="list-style-type: none"> As referenced in the school's contract, provides each charter school, in advance of the renewal decision, a cumulative performance report that summarizes the school's performance record over the charter term and states the authorizer's summative findings concerning the school's performance and its prospects for renewal.

Authorizer Quality Practices Rubric

		Termination & Renewal Decision Making			
		Poor or Undeveloped	Ineffective	Effective	Exemplary
E.	Transparent Renewal Application Process	<ul style="list-style-type: none"> The authorizer does not have an application process for contract renewal. 	<ul style="list-style-type: none"> The authorizer may have an application renewal process, but does not consistently require schools to follow the process, nor does it specify criteria for renewal. 	<ul style="list-style-type: none"> The authorizer has an application process and requires all schools seeking renewal to apply through a renewal application. The guidance regarding the renewal process is non-specific as to criteria, content and/or format; The process may allow a school to present additional evidence regarding its performance. 	<ul style="list-style-type: none"> The authorizer has an application process and requires all schools seeking renewal to apply through a renewal application. The requirements for renewal are publicly available and include written guidance regarding the process, content and format for renewal applications, as well as criteria/standards used to evaluate the applicant and a timeline. The application provides the school an opportunity and reasonable time to respond to the cumulative report; correct the record, if needed; and present additional evidence regarding its performance.

Authorizer Quality Practices Rubric

Termination & Renewal Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
F. Prompt Notification and Explanation of Reasons for the Renewal Decision	<ul style="list-style-type: none"> The authorizer's written notification of renewal decision rarely includes an explanation of the reasons for the decision. Parents and students have almost no time and no information to make informed choices for the coming school year. 	<ul style="list-style-type: none"> The authorizer's written notification of renewal includes a very limited explanation of the reasons for the decision. Parents and students have little time and limited information to make informed choices for the coming school year. 	<ul style="list-style-type: none"> The authorizer promptly notifies each school of its renewal decision, including a written explanation of the reasons for the decision. Parents and students have enough time and information to make informed choices for the coming school year. 	<ul style="list-style-type: none"> The authorizer promptly notifies each school of its renewal decision, including a specific written explanation of the reasons for the decision (e.g., actual performance standard and performance level against the specific targets and goals in the contract). Parents and students have ample time and information to make informed choices for the coming school year when a school's contract is non-renewed.

Authorizer Quality Practices Rubric

Termination & Renewal Decision Making			
	Poor or Undeveloped	Ineffective	Effective
G. Closure Process	<ul style="list-style-type: none"> The authorizer is unaware of its obligation to oversee school closure. In the event of a school closure, the authorizer has no formal policy or procedure for school's to follow. The closing school might default to the ODE guidance. The authorizer does not oversee the closure process. 	<ul style="list-style-type: none"> The authorizer is aware of its obligation to oversee school closure; however, it lacks the capacity to oversee; when a school has closed, the authorizer may or may not have submitted the Closing Assurances to ODE. In the event of a school closure, the authorizer has no formal policy or procedure for school's to follow. The closing school might default to the ODE guidance. The authorizer does ensure that student records are returned to the home school district. 	<ul style="list-style-type: none"> The authorizer is aware of its obligation to oversee school closure. The authorizer has a formal policy for overseeing school closure. In the event of a school closure, the authorizer oversees and works with the school's governing board and leadership in carrying out a detailed closure protocol that ensures: <ul style="list-style-type: none"> timely notification to parents including assistance in finding new placements orderly transition of students records to home school district, disposition of school funds, property, and assets in accordance with law; and submits Closing Assurances to ODE The authorizer carries out or has the capacity and commitment to carry out the closure to the extent possible if school's governing authority fails to carry out the protocols.
			Exemplary

Authorizer Quality Practices Rubric

Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>A. Ongoing Technical Assistance to Schools</p> <p>Note: the provision of technical assistance does not mean that the authorizer does work for the school; the authorizer provides guidance, including information about resources; but the authorizer does not do the work.</p>	<ul style="list-style-type: none"> • Technical assistance, if provided to schools, is reactive to problems that arise. • The authorizer does not assess the technical assistance needs of the schools it authorizes. 	<ul style="list-style-type: none"> • Most technical assistance provided by the authorizer is reactive to problems. • The authorizer occasionally solicits information about the technical assistance needs of the schools it authorizes. • The authorizer sporadically provides the technical assistance needed by the schools. 	<ul style="list-style-type: none"> • The authorizer routinely provides timely comprehensive technical assistance in response to issues, problems and concerns identified by either the authorizer or the school. • The authorizer regularly assesses or solicits information about the technical assistance needs of the schools it authorizes. • The authorizer routinely provides the technical assistance identified as needed by the schools. • The authorizer regularly solicits feedback on the quality and impact of the technical assistance that it provides to the schools. 	<ul style="list-style-type: none"> • The authorizer always provides timely comprehensive technical assistance in response to issues, problems and concerns identified by either the authorizer or the school. • Almost all technical assistance is proactive, intended to prevent problems from arising in the schools it authorizes. • The authorizer regularly assesses or solicits information about the technical assistance needs of the schools it authorizes. • The authorizer always provides the technical assistance identified as needed by the schools. • The authorizer continuously solicits feedback on the quality and impact of the technical assistance that it provides to the schools it authorizes.

Authorizer Quality Practices Rubric

		Technical Assistance and Authorizer Requirements in Rule and Law			
		Poor or Undeveloped	Ineffective	Effective	Exemplary
B. Ongoing Updates of Legal and Policy Changes	<ul style="list-style-type: none"> The authorizer never or rarely updates schools on changes to rule and law that impact the schools' operations. 	<ul style="list-style-type: none"> The authorizer sporadically updates schools on changes to rule and law that impact the schools' operations, but has no process for doing so. The authorizer's updates may include directing schools to another credible source for this information (e.g., OAPCS). 	<ul style="list-style-type: none"> The authorizer has a process that it uses to at least annually, informs schools on changes to rule and law that impact the schools' operations. The authorizer's updates may include directing schools to another credible source for this information (e.g., OAPCS, OCQE). 	<ul style="list-style-type: none"> The authorizer continually ensures that schools are informed in a timely manner of changes to rule and law that impact the schools' operations, ensuring that schools are in compliance as quickly as needed. The authorizer's updates may include directing schools to another credible source for this information (e.g., OAPCS, OCQE). 	

Authorizer Quality Practices Rubric

Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	
C. Ongoing Professional Development (PD) for Schools	<ul style="list-style-type: none"> The authorizer never provides information about PD opportunities for its schools. 	<ul style="list-style-type: none"> The authorizer sporadically provides information about PD opportunities for its schools. <p><i>Or</i></p> <ul style="list-style-type: none"> Is prescriptive or mandating that its schools participate in certain PD, excepting a topic specific training that is a requirement of the contract. 	<ul style="list-style-type: none"> The authorizer shares information about PD opportunities for its schools, which may or may not be charter school specific. The authorizer may provide PD directly on certain topics (e.g., annual meeting for updates) While the authorizer shares information about PD opportunities, it is the school's independent decision as to whether or not it participates, excepting a topic specific training that is a requirement of the contract. 	<p>Exemplary</p> <ul style="list-style-type: none"> The authorizer provides its schools with multiple sources of information about PD opportunities for its schools. <p><i>Or</i></p> <ul style="list-style-type: none"> The authorizer provides at least some of the PD directly to its schools, based upon school need. While the authorizer encourages and promotes high quality PD, it is the school's independent decision as to whether or not it participates, excepting a topic specific training that is a requirement of the contract.

Authorizer Quality Practices Rubric

Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>D. Effective Working Relationships with Schools' Governing Authorities</p>	<ul style="list-style-type: none"> Beyond what is stated in the charter school contract, the authorizer has no written policy and no explanation that differentiates its roles and responsibilities from those of the charter school's governing authority. In the absence of clarity, both parties frequently have misunderstandings and their mutual respect is low. The authorizer rarely works to maintain a solid relationship with their assigned schools' governing authority members (e.g., rare communication; no attendance at board meetings). The authorizer provides little guidance to its governing authorities. 	<ul style="list-style-type: none"> While not documented beyond what is stated in the charter school contract, the authorizer is able to explain in general terms how its roles and responsibilities differ from the school's governing authority. However, both parties may view the roles and responsibilities differently. While the authorizer tries to maintain a solid relationship with their assigned schools' governing authority members, differing opinions and misunderstandings between the authorizer and governing authorities occasionally leads to a lack of respect between both parties (e.g., limited communication, sporadically or not attending board meetings). 	<ul style="list-style-type: none"> While not documented beyond what is stated in the charter school contract, the authorizer and the school's governing authority describe roles and responsibilities that are understood and respected by both parties. The authorizer regularly works to maintain a solid relationship with their assigned schools' governing authority members (e.g., regular communication, attending at least two board meetings annually for each school). 	<ul style="list-style-type: none"> Beyond what is stated in the charter school contract, roles and responsibilities of the authorizing staff are clearly separated, documented and delineated from the governing authorities of the charter schools it authorizes. This clear delineation is understood and respected by both parties. The authorizer continuously works to maintain a solid relationship with their assigned schools' governing authority members (e.g., frequent communication (newsletters, for example), attending as many board meetings as possible; directly informing board members about compliance concerns, high stakes reviews, and so on).

Ohio Charter School Renewal Decision Criteria

<p>1. The authorizer has a written policy explaining the grounds and criteria for: renewal/termination decisions; the specific evidence it will collect and/or document; and the procedures both the school and the authorizer will follow to wind-up the school's operations.</p>
<p>2. The authorizer terminates a school's contract during its charter term when there is clear evidence of: <i>academic underperformance</i>; an egregious violation of law; a violation of the public trust that imperils students health and well-being or public funds (theft); or unfaithfulness to the terms of the contract.</p>
<p>3. The authorizer bases the renewal process and renewal decisions on a thorough analysis of a comprehensive body of objective evidence defined by the performance framework in the charter contract. Evidence includes at least all of the following: <i>multiple years of student achievement; multiple measures of student achievement</i>; financial audits; site visit reports and/or other compliance reports; and status reports on corrective action plans or other required interventions, if necessary.</p>
<p>4. The authorizer only grants renewal to schools that are fiscally and organizationally viable based on criteria in the school's performance framework with rigorous, specifically goals and targets, including: <i>achieving their contractual academic standards and targets</i>; and fulfilling the terms of their contract.</p>
<p>5. The authorizer has an application process and requires all schools seeking renewal to reapply.</p>

Authorizer:	New, Current, Renewal:	Type of school (gen, swd, dor):	Grade levels served:
School Name:	Expiration date:		1 st year of operation:
IRN =			

Note ADM, LRC grades for last three years, using VA for K-8, plus Grad rates when appropriate; overall grades

Contract Student Performance Measures

Poor	Ineffective	Effective	Exemplary
<ul style="list-style-type: none"> o Vague measures of student performance, such as local report card ratings or statewide assessments. o No specific metrics and targets for school-wide performance (e.g., “80% proficiency in 3rd grade reading and math OAA) 	<ul style="list-style-type: none"> • Multiple measures of student performance , which may include the following: <ul style="list-style-type: none"> o attendance, or o if applicable, graduation rates. • Metrics and targets for school-wide performance are vague (e.g., meet state standards) • Targets are for the all students group; they do not include subgroups of students. 	<ul style="list-style-type: none"> • multiple measures of student performance, such as <ul style="list-style-type: none"> ▪ proficiency rates on state assessments ▪ if applicable, student academic growth, if applicable, o graduation rates, and o attendance, and o if applicable, post-secondary enrollment after high school, and o if applicable, student performance on other valid and reliable assessments as laid out in the contract. • Metrics and targets are specific and rigorous. • Targets include all students and subgroups of secondary enrollment after high school. • Metrics and targets for school-wide performance are specific (e.g., 80% proficiency in 3rd grade reading, meet or exceed value added, etc.) • Targets include all students and subgroups of students. 	<ul style="list-style-type: none"> o proficiency rates on state assessments, o student academic growth, o graduation rates, o attendance, o if applicable, post-secondary enrollment after high school, and o if applicable, student performance on other valid and reliable assessments as laid out in the contract. o Metrics and targets are specific and rigorous. o Targets include all students and subgroups of students. o At a minimum, targets are set that compare the school’s student performance to the state, schools serving similar populations and/or schools in the same geographical area. o Mission-specific academic goals may be included; such goals include specific metrics and targets.

Notes and questions:

Contract Terms for High-Stakes and Ongoing Reviews

<p>Poor</p> <ul style="list-style-type: none"> Contract renewal is essentially automatic and contract language may specify automatic renewal as the default. Authorizer contracts rarely specify a high-stakes review to take place prior to contract renewal. 	<p>Ineffective</p> <ul style="list-style-type: none"> Contract renewal is essentially automatic and contract language may specify automatic renewal as the default. Authorizer contracts occasionally specify a high-stakes review to take place prior to contract renewal, but at least every 5 years for extended contracts. 	<p>Effective</p> <ul style="list-style-type: none"> Authorizer contracts regularly specify a required high-stakes review to take place prior to contract renewal, but at least every 5 years for extended contracts. 	<p>Exemplary</p> <ul style="list-style-type: none"> All authorizer contracts specify a required high-stakes review to take place prior to contract renewal, and at least every 5 years for extended contracts.
---	--	---	---

Notes and Questions:

Contract Terms for Renewal and Non-renewal

<ul style="list-style-type: none"> Contracts rarely define the performance standards and criteria and conditions for renewal. Contracts rarely define the consequences for meeting or not meeting standards and conditions. 	<ul style="list-style-type: none"> Most contracts broadly define the performance standards and criteria and conditions for renewal. Most contracts broadly define the consequences for meeting or not meeting standards and conditions. 	<ul style="list-style-type: none"> Most contracts define the performance standards and criteria and conditions for renewal. Most contracts define the consequences for meeting or the consequences for not meeting standards and conditions. 	<ul style="list-style-type: none"> All contracts clearly define and detail performance standards and criteria and conditions for renewal. All contracts clearly define and detail the consequences for meeting or the consequences for not meeting standards and conditions.
--	---	--	--

Notes and Questions:

Contract Terms for Amendments and Updates

- No specific conditions for amendment or modifications are noted in the contract.
- Authorizer does not modify the terms of a contract, even when it is renewed with the school.

- General conditions for amendment or modifications are noted in the contract.
- Authorizer regularly assesses contract language to ensure consistency with changes in state and/or federal law.
- Authorizer has an updated contract template that it uses as it authorizes new schools; however, old contracts are not updated to reflect the more rigorous contract terms until the existing contract expires.

- General conditions for amendment or modifications are noted in the contract.
- Authorizer regularly assesses contract language to ensure consistency with changes in state and/or federal law.
- Authorizer regularly updates all or most of its existing contracts to reflect changes in state and/or federal law.
- If an authorizer updates its performance framework to support higher achievement and ensure better compliance in the new schools it authorizes, old contracts are not updated to reflect this new framework until the existing contract expires.

- General conditions for amendment or modifications are noted in the contract.
- Authorizer regularly assesses contract language to ensure consistency with changes in state and/or federal law.
- Authorizer regularly updates its performance framework to support higher achievement or to ensure better compliance.
- Authorizer regularly updates all or most of its existing contracts to reflect changes made in the template it uses for new schools.

Notes and Questions:

Thomas B. Fordham Foundation Performance Accountability Plan

Academic Goals	Yes/No
School Was Rated C or Better on the Following Performance Measures	
Annual Measurable Objectives	NO
Performance Index Score	NO
Overall Value-Added Score	YES
Value Added: Gifted Students	NR
Value Added: Students with Disabilities	YES
Value Added: Lowest 20 Percent of Students	YES
K-3 Literacy Improvement	Pending
Performance against comparable schools	
Outperformed Home District Proficiency Rates (all grades and subjects)	NO
Outperformed Statewide Charter Proficiency Rates (all grades and subjects)	NO
Growth	
The School's Value-Added Score Shows at Least 1.5 Years of Student Growth	YES
Financial Goals	
Total Assets Exceed Total Liabilities	NO
The School Has at Least Two Months of Cash Reserves	NO
Eighty Percent of Invoices Are Paid within Thirty Days	YES
The School Is Auditable	YES
The School Has Not Been Issued Findings for Recovery by the Auditor's Office	NO
Non-compliance, Material Weakness, Deficiencies or Findings (If Any) Have Been Corrected	NR
Enrollment Increased from the Previous Year	YES
The School Has a Waiting List of Students in at Least Some Grades	NO
Operational and Governance Goals	
The Governing Authority Has a Strategic Plan	YES
The Governing Authority Is Making Progress on Its Strategic Plan	YES
Governing Authority Actions Are Free of Conflicts of Interest	YES
Zero Referrals Were Made to the Ohio Ethics Commission	YES
Compliance Submissions Are at Least 90 Percent Accurate and Complete	YES
Compliance Submissions Are at Least 90 Percent On-Time	YES
Site Visit Records Are at Least 90 Percent Compliant	YES

OCCS School Performance Accountability Framework*

1.) The school's Overall Grade will be equivalent to the local district grade or greater than three of the five closest demographically comparable schools and be rated no lower than a "C".
2.) The Achievement Component Grade will be greater than or equal to the comparison group, be no lower than a "C", or show an upward trend in data.
3.) The Gap Closing Component Grade will be greater than or equal to the comparison group.
4.) The K-3 Literacy Component Grade will be greater than or equal to the comparison group, show an upward trend or be no lower than a "C".
5.) The Progress Component Grade will be no lower than a "C".
6.) The four- and five-year Graduation Rate Component Grade will greater than or equal to the comparison group or show an upward trend.
7.) The Prepared for Success Component Grade will be greater than or equal the comparison group or no lower than a "C"
8.) Insert School Specific Goal.

*Reprinted with permission from OCCS

Quality Practices Review Overview

Beginning in January, 2015 and annually thereafter, authorizers (also called sponsors), will be evaluated on three components: the completeness of monitoring schools' compliance with laws and rules; the overall academic performance of their community schools; and their adherence to quality practices.

The review of the sponsor's adherence to Quality Practices is based upon quality practices as defined by the National Association of Charter School Authorizers (NACSA). A review instrument to assess adherence to quality practices was designed by a team of Ohio department of education staff, sponsors (representatives from the Ohio Association of Charter School Authorizers; the former Authorizer Collaborative; the Ohio Coalition of Quality Education; and the Ohio Alliance of Public Charter Schools), and was reviewed by the National Association of Charter School Authorizers. Independent national experts used by NACSA participated in the pilot of the quality review evaluation and minor revisions were made based upon NACSA's comments.

The process is based upon gathering data from multiple sources with intentional overlap to provide a comprehensive pool of information upon which to assess the sponsor's practices. The sponsor provides many documents for review, such as a description of its organization, policies and procedures, sample documents used for oversight, sample communications, developer applications and so on. Existing sources of information and data such as the sponsor's community school contracts and schools' Report Card data are also readily available on the department's website. An online survey is sent to all the sponsor's schools, asking the school about the sponsor's technical assistance, communication, oversight and monitoring and contract renewal processes. A few schools are selected for a telephone interview, which covers the same topics but allows an opportunity to gain more detail or ask clarifying questions. The information collected by way of the online survey and telephone interview is supplemental in nature and does not, of itself, lead to a rating. The quality review relies upon a team of independent reviewers who are knowledgeable about quality practices of sponsorship, and trained in evaluating evidence of quality practices, including the use of standardized protocols for data collection and analysis. Members of the review team may not be affiliated with the sponsor or any of the community schools currently or formerly authorized by the sponsor. Review teams consist of at least three members, at least one of whom are from ODE's Office of Quality School Options, and may include one or more national experts and/or a sponsor peer from an organization with an exemplary rating.

The Quality Review

The sponsor is evaluated across six critical areas and asked to provide documentation of its practices for five of them.

- I. Commitment and Capacity – *sponsor provides documentation*

Quality Practices Review Overview

- a. Examples include the organization's mission statement, strategic plan, organizational chart, staff resumes/bios
- II. Application Process and Decision Making – *sponsor provides documentation*
 - a. Examples include application and rubric for school developers; interview questions; reviewer training materials
- III. Performance contracts – *ODE uses information already provided*
 - a. Review team will use current school contracts, looking at the accountability section and other descriptors of school performance expectations
- IV. Oversight and Evaluation – *sponsor provides documentation*
 - a. Examples include protocols used to monitor and oversee charter schools, site visit forms; corrective action plans; annual reports of the school's progress against contract measures
- V. Termination and Renewal Decision Making – *sponsor provides documentation*
 - a. Examples include renewal applications; cumulative performance reports
- VI. Technical Assistance – *sponsor provides documentation*
 - a. Examples include agendas from professional development events; sample communications to schools

Review Process

Following the orientation, the sponsor will upload documents that indicate its practices for five of the six critical areas. The Review Team will notify the schools and the sponsor of the online survey; send out the online survey; schedule telephone interviews with a subset of schools; review documents uploaded by the sponsor, along with examples of community school contracts; analyze survey results and telephone interview results and use them to either confirm practices already shown by the sponsor's documents, or propose questions to the sponsor during the onsite interview; and schedule the onsite interview with the sponsor. The Review Team will interview the sponsor, finalize the rubric and rating, send the sponsor the finalized rubric and score and schedule a reporting out telephone conference.

Expectations of the department's Review Team

- Provide an orientation to the sponsor about the review, covering:
 - Evaluation overview;
 - Timeline;
 - Documents expected;
 - Collaboration Center uploading process, if needed;
 - School online survey (sent to all schools);

Quality Practices Review Overview

- Description of the school interview (schools selected with replacement to avoid duplicating schools using the same management company with the same grade levels served and to include schools that were recently approved to open or were recently renewed);
- Contract review template (stratified sample of contracts to ensure at least three are reviewed for sponsors with four or more schools, and up to 10% for sponsors with more than 30 schools in operation);
- Description of the sponsor interview and expected participants;
- Rubric and scoring thresholds;
- Receipt of rubric with comments and scoring;
- Reporting out conference call; and,
- Next steps.
- Full participation of team members;
- Timely response to sponsor.

Expectations of Community School Sponsors

- Provide all documents or data requested by ODE for review within the time frame;
 - If the documents or data do not exist – do not create them for the purpose of the review;
 - There can be no extension to the document review deadline; additional information may be shared during the onsite interview;
- Facilitate scheduling the onsite interview with the review team, to ensure that key sponsor personnel and board members are able to participate;
- Encourage schools to respond to the online survey;
- Encourage schools to participate in the telephone interview;
- Participate in the onsite interview;
- Participate in the exit conference.

Expectations of Community Schools

- Participate in the online survey provided by ODE, unless selected for a telephone interview;
- Facilitate the scheduling of telephone interviews;
 - Participants include administrative staff, building leadership, and members of the school's governing authority, as needed to provide the most comprehensive responses.

Quality Practices Review Overview

Determining the Rating

Each indicator of each section is given a score of 1 to 4, with 4 being equivalent to exemplary practice. Three of the critical areas carry twice the weight of the other three: evidence of the organization’s commitment to authorizing and its capacity to carry out the obligations; the rigor used to approve new schools; and the rigor used to make renewal decisions count double. Within each critical area, the points are totaled and averaged. Weights are assigned and the overall points totaled.

Critical Area	Points Per Area	Weight	Maximum Possible Points
Commitment & Capacity	4	2	8
Application Process & Decision Making	4	2	8
Performance Contracting	4	1	4
Oversight & Evaluation	4	1	4
Termination & Renewal	4	2	8
Technical Assistance	4	1	4
Total Points	-----	-----	36

After totaling the points earned across all six critical areas, the total is divided by the maximum number of points that an authorizer could possibly earn (36 points). The resulting percentage is then evaluated against the following ranges:

Percentage of Possible Points Earned	Overall Level of Adherence to Quality Practices
90% to 100%	Exemplary
75% to 89%	Effective
55% to 74.9%	Ineffective
Less than 55%	Poor or Underdeveloped

Relationship of the evaluation to applying to ODE for approval to open start-up community schools or applying to renew the Sponsorship Agreement with ODE

The application for approval as a sponsor, including the renewal application, is aligned to the six critical areas. A completed evaluation is a prerequisite for applicants seeking to enter into an agreement with ODE to sponsor new start-up community schools, under either Pathways II or III, and to authorizers seeking renewal of their agreement with the department. If an authorizer has received a rating of Exemplary or Effective in any critical area, many of the questions in the first time approval and renewal application will be waived in recognition that the sponsor has already documented its practices at an acceptable level.

Explanation of Ohio's accountability system changes

Through 2012, the state's growth measure used just a single year of data to issue a rating. Using a single year of data decreased the level of certainty around growth made for some schools and districts, with the effect that schools were more likely to receive an average rating of "Meets Growth" than a rating of "Above" or "Below." In 2013, state law was updated to require the use of up to three years of data in the Value-Added calculation where possible. By adding up to two additional years of data, Ohio's Value-Added vendor was able to greatly increase the level of certainty that growth, or a lack of growth, was accurate, resulting in more schools and districts receiving grades at both ends of the performance continuum than in prior years.

At the same time, school year 2013 saw a change in the rating options awarded for value-added. Prior to 2013, value-added data were examined within the context of a three level rating system, with schools rated based on gain indices of:

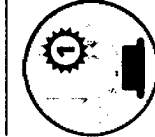
- **above = 2.00 and up**
- **met = between 1.99 to -2**
- **below = below -2.00**

As of school year 2013, Value-Added data are examined within the context of an A-F grading system based on gain indices of:

- **A = 2.00 and up**
- **B = 1.99 to 1.00**
- **C = 0.99 to -1.00**
- **D = -1.01 to -2.00**
- **F = below -2.00**

As a result of this change, a subset of schools that would previously be identified as met, but falling in the lower range of met gain scores (i.e. -1.01 to -2.00) are now considered to have made less than one year of growth within the accountability system. As a result of both changes, fewer schools now receive Value-Added grades consistent with making one or more years of growth. As a result of the state's accountability reforms, performance on various measures from one year to the next is not comparable across the past 5 years as the system has been evolving and schools have worked to orient themselves towards this new accountability system that is not yet fully phased in. While data show a drop in performance, this is primarily attributable to the increased rigor of the accountability system.

SCHOOL GRADE
Coming in
2016



Achievement

This grade combines two results for students who took the state tests. The first result answers the question – How many students passed the state test? The second result answers the question – How well did students do on the state test?

Performance Index **C**

Indicators Met **F**

COMPONENT GRADE
Coming in
2016



Progress

This is your school's average progress for its students in math and reading, grades 4-8. It looks at how much each student learns in a year. Did the students get a year's worth of growth? Did they get more? Did they get less?

Value Added Overall..... **A**

Gifted..... **NR**

Students with Disabilities..... **A**

Lowest 20% in Achievement..... **A**

COMPONENT GRADE
Coming in
2016



Gap Closing

This grade shows how well all students are doing in your district in reading, math, and graduation. It answers the question – Is every student succeeding, regardless of income, race, ethnicity, or disability?

Annual Measurable Objectives NC **F**

COMPONENT GRADE
Coming in
2016



Graduation Rate

This grade answers the question – How many ninth graders graduate in four years or five years?

Graduation Rates
This school is not evaluated for graduation rate because there are not enough students in the graduating class.

COMPONENT GRADE
Coming in
2016



K-3 Literacy

This grade answers the question – Are more students learning to read in kindergarten through third grade?

K-3 Literacy Improvement NC **NR**

COMPONENT GRADE
Coming in
2016

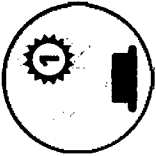


Prepared for Success

This grade answers the question – Are students who graduate from your district ready for college or a career? There are many ways to show that graduates are prepared.

COMPONENT GRADE
Coming in
2016

Achievement



This grade combines two results for students who took the state tests. The first result answers the question – How many students passed the state test? The second result answers the question – How well did students do on the state test?

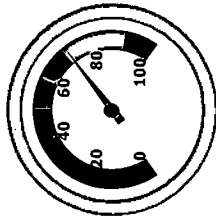
COMPONENT GRADE
Coming in
2016

GRADE
C

Performance Index

The Performance Index measures the test results of every student, not just those who score proficient or higher. There are six levels on the index and districts receive points for every student in each of these levels. The higher the achievement level the more the points awarded in the district's index. This rewards schools and districts for improving performance.

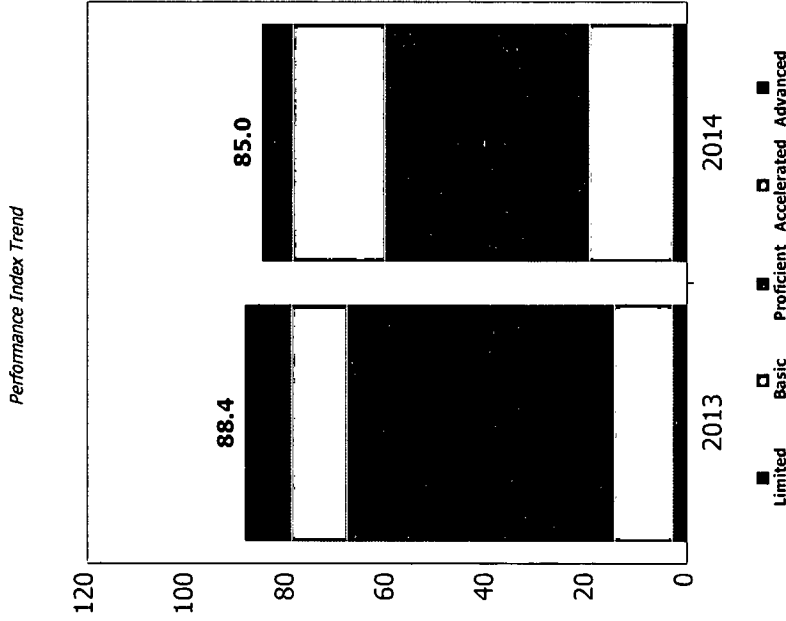
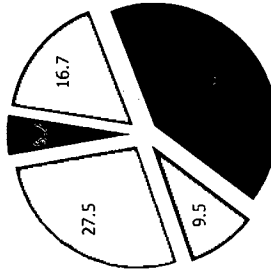
Performance Index



70.8%
 85.0 of a possible 120.0

- A = 90.0 - 100.0%
- B = 80.0 - 89.9%
- C = 70.0 - 79.9%
- D = 50.0 - 69.9%
- F = 0.0 - 49.9%

Achievement Level	Pct of Students	Points for this Level	Points Received
Advanced Plus	0.0	x 1.3	= 0.0
Advanced	5.2	x 1.2	= 6.2
Accelerated	16.7	x 1.1	= 18.4
Proficient	41.0	x 1.0	= 41.0
Basic	27.5	x 0.6	= 16.5
Limited	9.5	x 0.3	= 2.9
Untested	0.0	x 0.0	= 0.0
			85.0



GRADE
F

Indicators Met

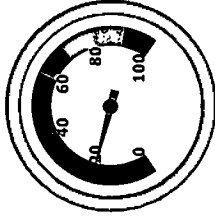
Indicators Met measures the percent of students who have passed state tests. Test results are reported for each student in a grade and subject. At least 80 percent of students must pass to get credit for the indicator.

Indicators Met %

20.0%

2 out of 10

- A = 90.0 - 100.0%
- B = 80.0 - 89.9%
- C = 70.0 - 79.9%
- D = 50.0 - 69.9%
- F = 0.0 - 49.9%



Grades 3-5

3rd Grade	Mathematics	NC
	Reading	NC
4th Grade	Mathematics	NC
	Reading	NC
5th Grade	Mathematics	42.6% X
	Reading	44.7% X
	Science	66.0% X

Grades 6-8

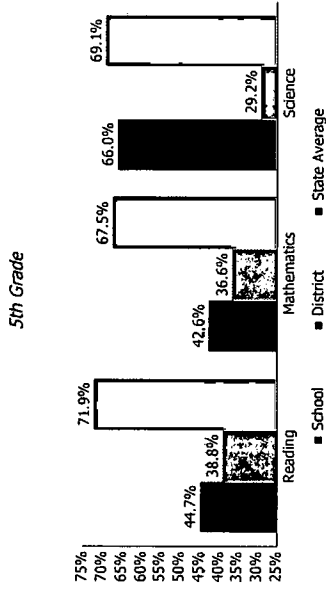
6th Grade	Mathematics	55.6%	X
	Reading	60.3%	X
7th Grade	Mathematics	83.6%	✓
	Reading	83.6%	✓
8th Grade	Mathematics	78.6%	X
	Reading	75.0%	X
	Science	35.7%	X

Ohio Graduation Test

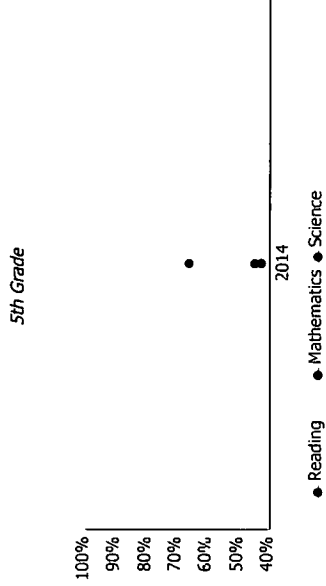
This school does not have enough Ohio Graduation Test results to display this table.

2013-2014 Report Card for Entrepreneurship Preparatory School - Woodland Hills Campus

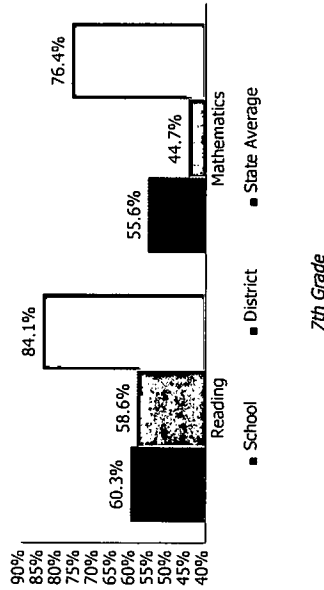
Achievement Levels by Grade



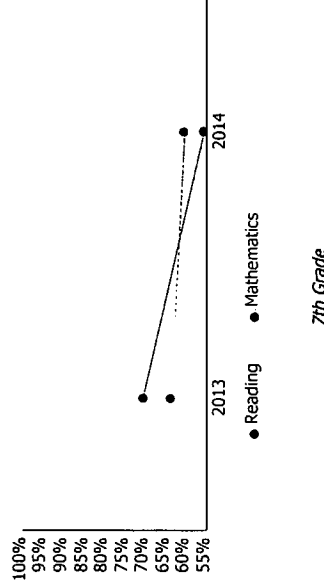
Proficient Percent Trend by Grade



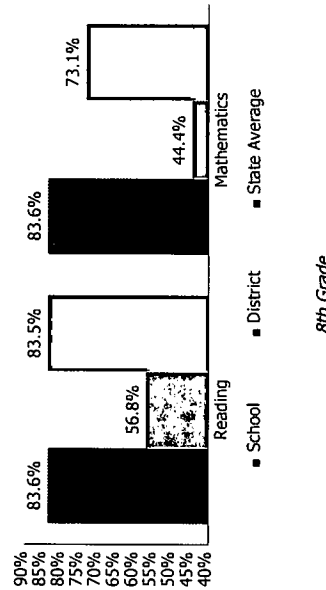
Achievement Levels by Grade



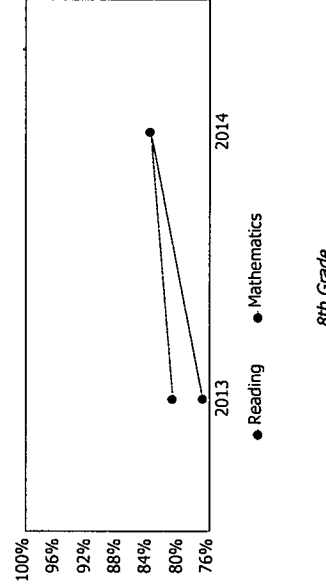
Proficient Percent Trend by Grade



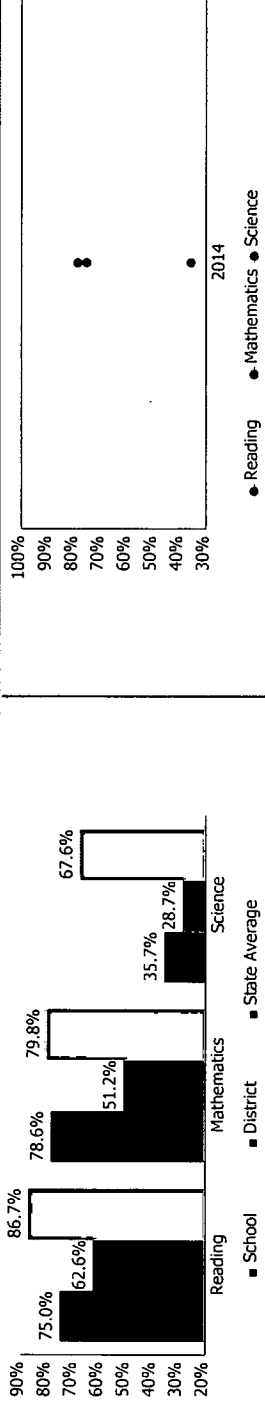
Achievement Levels by Grade



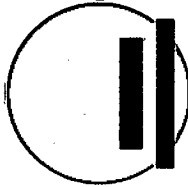
Proficient Percent Trend by Grade



2013 - 2014 Report Card for Entrepreneurship Preparatory School - Woodland Hills Campus



Gifted Students



The Gifted Students data and Indicator highlight the opportunities for and performance of gifted students. The dashboard answers several questions: How many students are identified as gifted and in what categories? How many of those students are receiving gifted services? How well are those gifted students performing? The Gifted Indicator measures whether opportunity and performance expectations are being met for gifted students.

INDICATOR
Coming in
2015

Gifted Summary

Students Identified as Gifted

0.0% of enrollment

Students Receiving Gifted Services

0.0% of enrollment



- Identified as Gifted, Not Receiving Services
- Receiving Gifted Services
- Not Identified as Gifted

Achievement

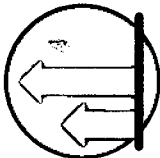
The gifted data for this school cannot be displayed because there were no students identified as gifted to evaluate.

Value-Added

Value-Added measures the progress for all students identified as gifted in reading, math, and/or superior cognitive ability.

GRADE
NR

Progress



This is your school's average progress for its students in math and reading, grades 4-8. It looks at how much each student learns in a year. It answers the question - Did the students get a year's worth of growth? Did they get more? Did they get less?

COMPONENT GRADE
Coming in 2016

GRADE
A

Overall

This measures the progress for all students in math and reading, grades 4-8.

GRADE
NR

Gifted Students

This measures the progress for students identified as gifted in reading, math, and/or superior cognitive ability.

GRADE
A

Students in the Lowest 20% in Achievement

This measures the progress for students identified as the lowest 20% statewide in reading and math achievement.

GRADE
A

Students with Disabilities

This measures the progress for students with disabilities.

GRADE
Coming in 2015

High School

A High School measure of progress will be reported in the 2014-15 school year.

Progress Details

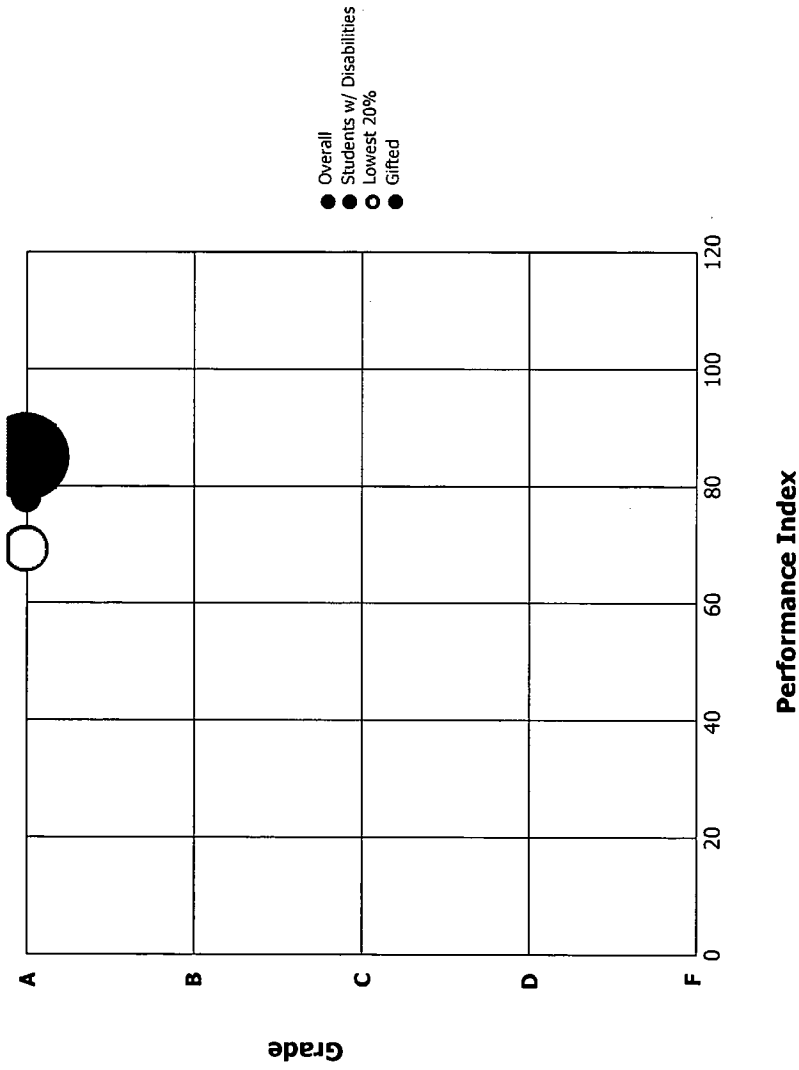
This table shows the Progress scores by test grade and subject, and includes up to three years of data as available.

Test Grade	Progress Score		
	Reading	Mathematics	All Tests
All Grades	8.02	15.92	15.06
5th Grade	2.32	5.68	4.97
6th Grade	4.66	9.36	8.87
7th Grade	5.18	9.41	9.39
8th Grade	0.73	1.47	1.42

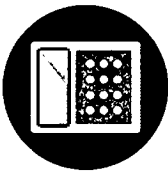
Although Progress scores are not assigned letter grades at this level of detail, the grading scale applied at the Overall (All Students, All Tests) level is:
 A = 2.00 and up
 B = 1.00 to 1.99
 C = -1.00 to 0.99
 D = -2.00 to -1.01
 F = below -2.00

Progress vs. Performance Index

This bubble chart shows the relationship between each subgroup's Performance Index results (horizontal axis) to the Value-Added letter grade (vertical axis). The size of the bubble represents the size of the student subgroup.



Gap Closing

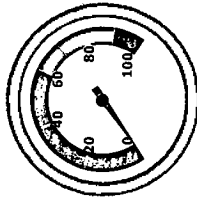


This grade shows how well all students are doing in your district in reading, math, and graduation. It answers the question - Is every student succeeding, regardless of income, race, ethnicity, or disability?

COMPONENT GRADE
Coming in
2016

GRADE
F

AMO Points



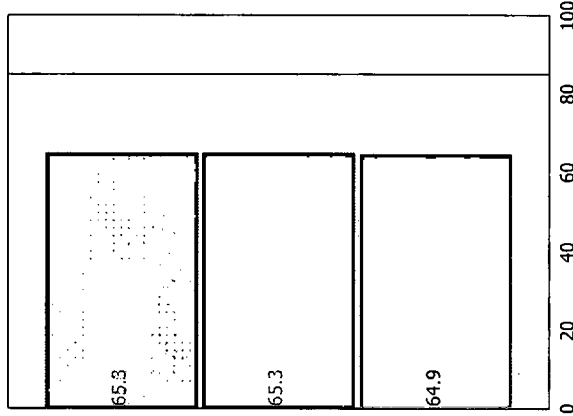
0.0%

- A = 90.0 - 100.0%
- B = 80.0 - 89.9%
- C = 70.0 - 79.9%
- D = 60.0 - 69.9%
- F = 0.0 - 59.9%

Annual Measurable Objectives

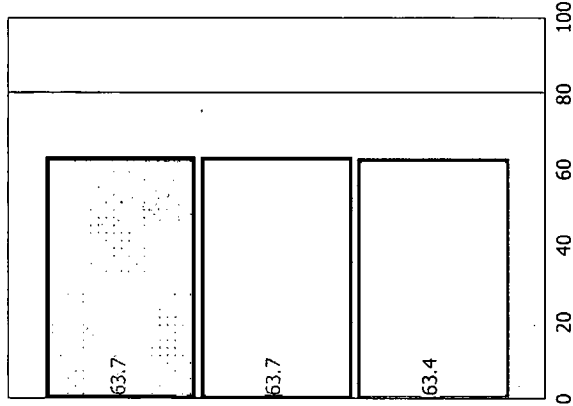
Annual Measurable Objectives (AMOs) compare the performance of student groups to a state goal which is displayed as the red line in the following charts. These charts show how well each group achieves that goal in reading, math and graduation - and emphasize any achievement gaps that exist between groups. The ultimate goal is for all groups to achieve at high levels.

Reading



- All Students
- African American
- Econ Disadvantage

Math



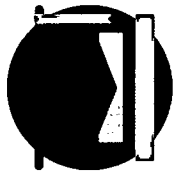
- All Students
- African American
- Econ Disadvantage

This school does not have an Annual Measurable Objective for Graduation Rate because there were not enough students to evaluate.

Graduation Rate

The red line on each graph identifies the Annual Measurable Objective. The 2014 AMO for Reading is 84.9%, for Math is 80.5%, and for Graduation Rate is 78.2%. Subgroups with fewer than 30 students are not rated and do not appear on the graphs.

Graduation Rate



This grade represents the percentage of students whom entered the 9th grade and graduated 4 and 5 years later.



This school has not been assigned a grade for Graduation Rate because there were not enough students to evaluate.

The Graduation Rate graph that would appear in this space cannot be displayed because there were not enough students to evaluate.

K-3 Literacy



This grade answers the question - Are more students learning to read in kindergarten through third grade?

COMPONENT GRADE
Coming in
2016

GRADE
NR

K-3 Literacy Improvement

This data is not displayed because there are not enough students to evaluate.

In Your School...

K-3 Literacy was not calculated for this school because there were not enough students to evaluate.

Details of Measure

Not On-Track at Point A	Improving to On-Track at Point B
Kindergarten Reading Diagnostic, School Year 2012 - 2013	< 10 to < 10
1st Grade Reading Diagnostic, School Year 2012 - 2013	< 10 to < 10
2nd Grade Reading Diagnostic, School Year 2012 - 2013	< 10 to < 10
3rd Grade Reading Diagnostic, School Year 2012 - 2013	< 10 to < 10
Totals <10	

Deduction for 3rd graders who did not pass OAA and were not on a Reading Improvement and Monitoring Plan < 10

Percentage On-Track in Reading Diagnostic

K-3 Literacy was not calculated for this school because there were not enough students to evaluate.

Third Grade Reading Guarantee

Ohio's Third Grade Reading Guarantee ensures that students are successful in reading before moving on to fourth grade. Schools must provide supports for struggling readers in early grades. If a child appears to be falling behind in reading, the school will immediately start a Reading Improvement and Monitoring Plan. The program ensures that every struggling reader gets the support he or she needs to learn and achieve.

Students have multiple opportunities to meet promotion requirements including meeting a minimum promotion score on the third grade state reading tests given in the fall and spring. Students have an additional opportunity to take the state assessment in the summer, as well as a district-determined alternative assessment.

The Parent Roadmap is available to help parents understand how the Third Grade Reading Guarantee applies to your child.

NC

How many third graders met the Third Grade Reading Guarantee requirements for promotion to 4th grade?

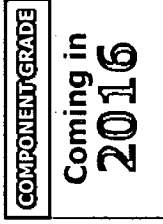
NC

How many third graders scored proficient on the state Reading test?

Prepared for Success



This grade answers the question - Are students who graduate from your school ready for college or a career? There are many ways to show that graduates are prepared.



How Prepared was Your 2013 Graduating Class?

ACT: Participation

ACT: Remediation Free

SAT: Participation

SAT: Remediation Free

Honors Diploma

Industry-Recognized Credential

Advanced Placement: Participation

AP: Exam Score of 3 or Better

Dual Enrollment Credit

International Baccalaureate

IB: Exam Score of 4 or Better

This data cannot be shown because there are not enough students in the graduating class of 2013 to evaluate.

Outcomes after High School Graduation

Districts and schools have long-term impacts on student outcomes. The Prepared for Success component provides information on how schools prepare students for different pathways of college and career success. It also provides insights on how those students do once they leave high school. What happens beyond the diploma is an important indicator of how well schools are preparing students.

The University System of Ohio provides district reports on enrollment and remediation of high school graduates attending in-state, public colleges and universities.

Additional data on outcomes after high school are coming soon. These will include college graduation, demographics of college enrollees, workforce and military enlistment.

Note: These data represent students in the 4-year graduation rate, i.e. students who entered 9th grade in 2010.

Data used in generating the ACT and SAT Remediation Free, AP Exam, IB Exam, and Dual Enrollment Credit measures for the 2013 graduating class were not reported to the Ohio Department of Education by districts. To confirm the information on this page and get a complete picture of the work your district is doing to prepare students for college and career success, please contact your district directly.

2013 - 2014 Report Card for Entrepreneurship Preparatory School - Woodland Hills Campus



Principal: Christopher J. O'Brien
Address: 9201 Crane Ave
 Cleveland OH 44105-1627

Phone: (216) 298-1164

Directory information current as of the 2013-2014 Report Card publication date.

Your School's Students

Average Daily Enrollment:

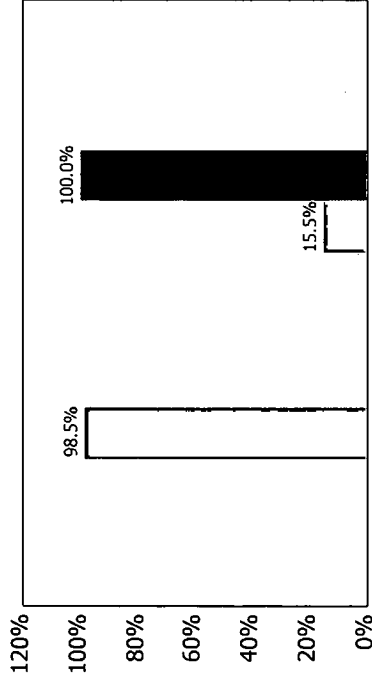
211

Number of Limited English Proficiency Students Excluded from Accountability Calculations:

--

Enrollment by Subgroup

	Enrollment #	Enrollment %
Am. Indian / Alaskan Native	NC	
Asian or Pacific Islander	NC	
Black, Non-Hispanic	208	98.5%
Hispanic	NC	
Multiracial	NC	
White, Non-Hispanic	NC	
Students with Disabilities	33	15.5%
Economically Disadvantaged	211	100.0%
Limited English Proficiency	NC	
Migrant	NC	



- American Indian or Alaska...
- Hispanic
- Students with Disabilities
- Migrant
- Asian or Pacific Islander
- Multiracial
- Economic Disadvantage
- Black, Non-Hispanic
- White, Non-Hispanic
- Limited English Proficiency

NC = Not Calculated because there are fewer than 10 in the group

State and federal law require an annual assessment of Limited English Proficient (LEP) students to measure their English language proficiency. The Ohio Test of English Language Acquisition (OTELA) is the assessment used in Ohio to gauge LEP students' growth in learning English. For information about your district's OTELA results, see the Department of Education's web site at <http://education.ohio.gov>.

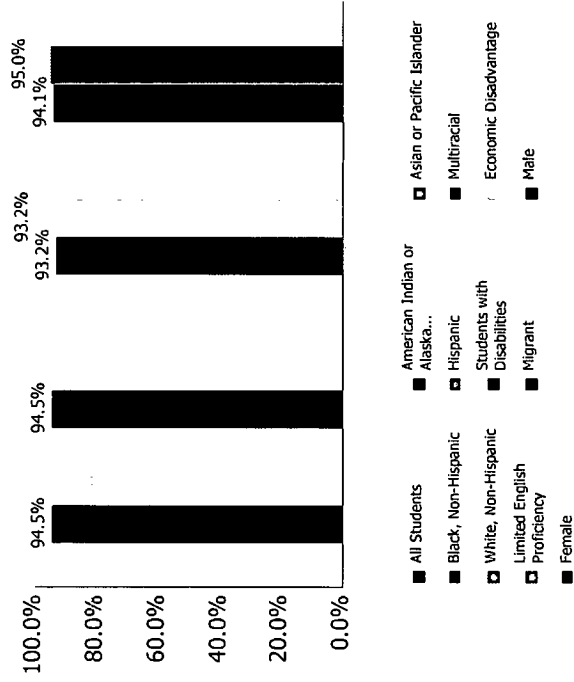
Attendance Rate

Chronic Absenteeism Rate:

16.1%

All Students	94.5%
Am. Indian / Alaskan Native	NC
Asian or Pacific Islander	NC
Black, Non-Hispanic	94.5%
Hispanic	NC
Multiracial	NC
White, Non-Hispanic	NC
Students with Disabilities	93.2%
Economic Disadvantage	94.5%
Limited English Proficiency	NC
Migrant	NC
Male	94.1%
Female	95.0%

NC = Not Calculated because there are fewer than 10 in the group



Attendance Rate is not shown if enrollment is less than 10.

Mobility Rates by Subgroup

A mobility rate chart cannot be displayed for this school because either there are not enough students to evaluate in any subgroup or all calculated results are 0.0%.

	Student Mobility %
All Students	0.0%
Am. Indian / Alaskan Native	NC
Asian or Pacific Islander	NC
Black, Non-Hispanic	0.0%
Hispanic	NC
Multiracial	NC
White, Non-Hispanic	NC
Students with Disabilities	0.0%
Economically Disadvantaged	0.0%
Limited English Proficiency	NC
Migrant	NC

NC = Not Calculated because there are fewer than 10 in the group

Your School's Teachers

Your School's Poverty Status: High	Your School	Your District
Percentage of teachers with at least a Bachelor's Degree	100.0	99.9
Percentage of teachers with at least a Master's Degree	34.6	80.8
Percentage of core academic subject and elementary classes not taught by Highly Qualified Teachers	0	6.3
Percentage of core academic subject and elementary classes taught by properly certified teachers	100	92.3
Percentage of core academic subject elementary and secondary classes taught by teachers with temporary, conditional or long-term substitute certification/licensure	0	0
Lead or Senior Teachers:	0.0	63.0

A district's high-poverty schools are those ranked in the top quartile based on the percentage of economically disadvantaged students. Low-poverty schools are those ranked in the bottom quartile based on the percentage of economically disadvantaged students. A district may have buildings in both quartiles, in just one quartile or in neither quartile.

NC = Not Calculated because there are fewer than 10 in the group

Number of Teachers by Program Area

General Education	16.3
Gifted and Talented	0.0
Career-Technical Programs	0.0
Art Education K-8	0.0
Music Education K-8	0.5
Physical Education K-8	0.5
ELL Instructional Program	0.0
Special Education	3.0

Wellness and Physical Education

The extent to which students are successful in meeting the benchmarks contained in Ohio's physical education standards
 Less than 10 students to evaluate

Fine Arts Courses Offered

Music (K-8)

Financial Data

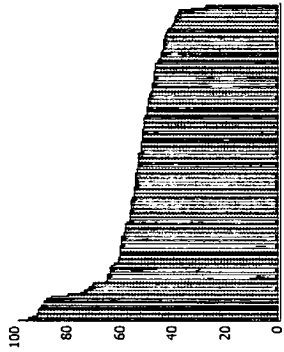


These measures answer several questions about spending and performance. How much is spent on Classroom instruction? How much, on average, is spent on each student? What is the source of the revenue? How do these measures compare to other districts and schools?

Note: Data under additional review and subject to change

Comparison Group: Community Schools with Enrollment between 150 and 499

Classroom Spending Data



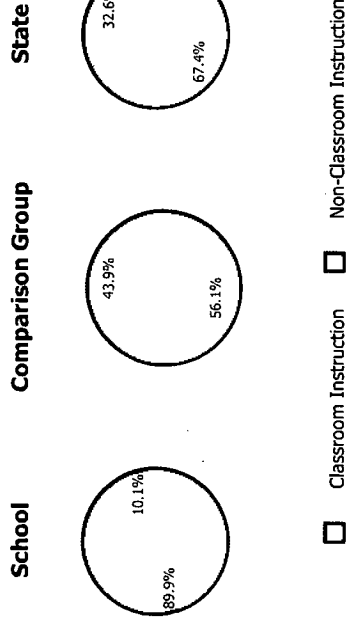
What percent of funds are spent on classroom instruction?

89.9%

How does this school rank in comparison to other schools of similar size?

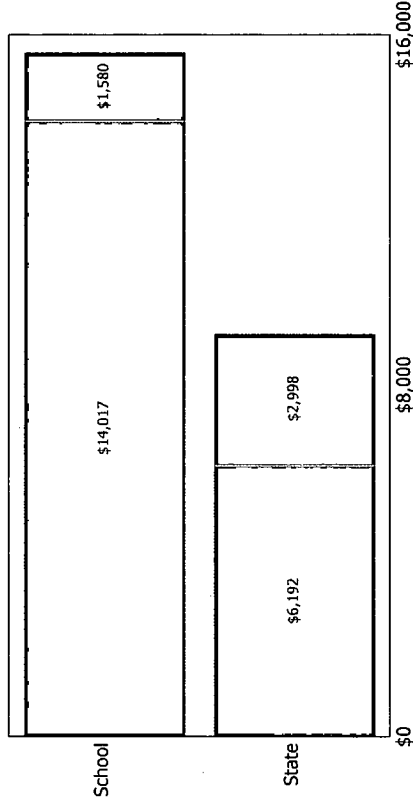
13 out of 179

A rank of 1 indicates the highest percent spent on classroom instruction.



Spending per Pupil Data

	School	State
Operating Spending per Pupil	\$15,597	\$9,189
Classroom Instruction	\$14,017	\$6,192
Non-Classroom Spending	\$1,580	\$2,998



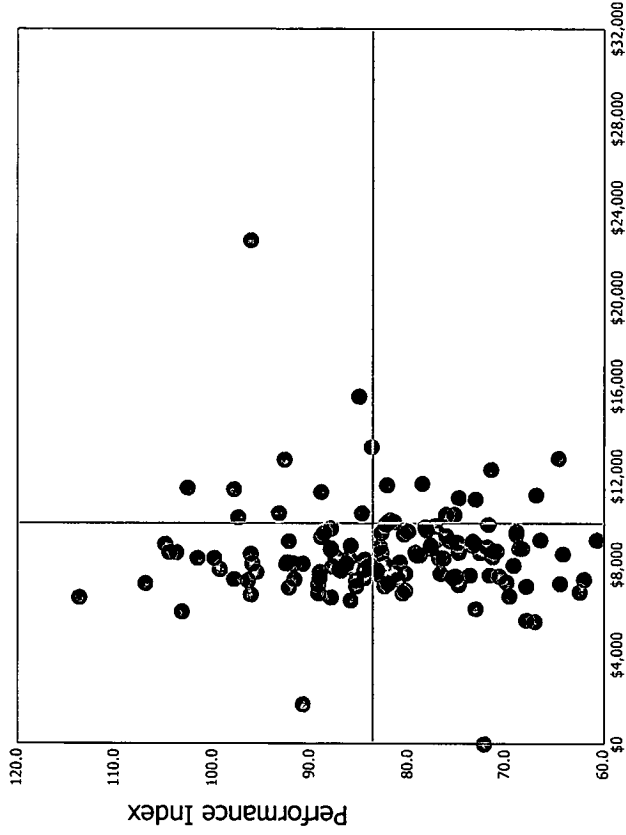
X Entrepreneurship Preparatory School - Woodland Hills Campus IS NOT among the 20% of traditional community schools with the lowest operating expenditures per pupil.

X Entrepreneurship Preparatory School - Woodland Hills Campus IS NOT among the 20% of traditional community schools with the highest academic performance index scores.

Spending and Performance

This measure answers the question – what is the relationship of average spending per student to performance, and how does that compare to similar districts and schools?

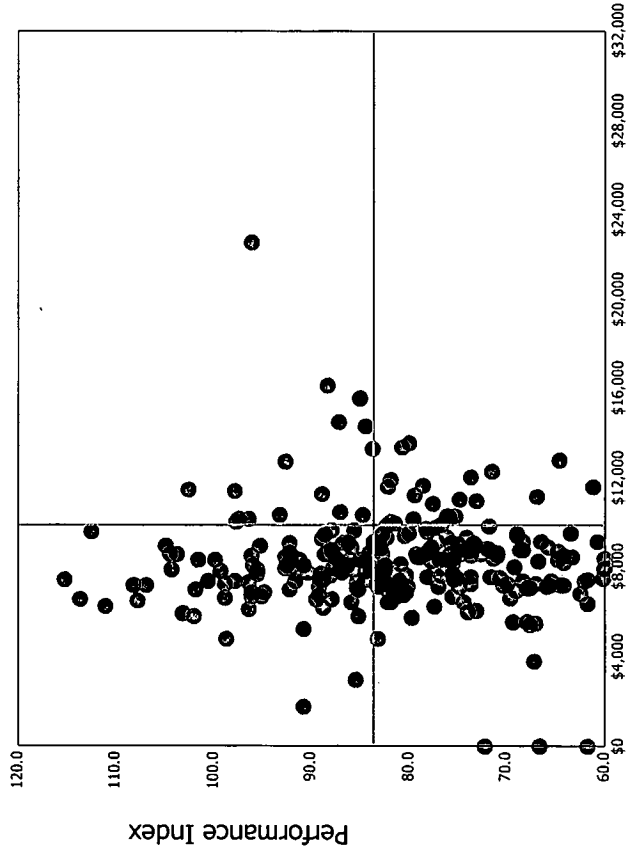
Comparison Group



Spending per Pupil

The quadrant lines on these graphs represent the statewide average performance index score and the statewide average spending per pupil for all Community and STEM schools.

All Community & STEM Schools

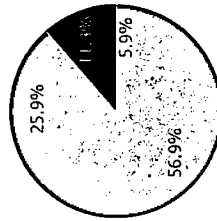


Spending per Pupil

Source of Revenue

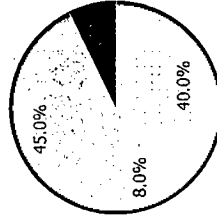
Source of Funds	School	State Total
Local	\$180,494	\$8,234,354,404
State	\$1,753,777	\$9,263,100,098
Federal	\$799,205	\$1,645,296,986
Other Non-Tax	\$347,315	\$1,454,411,567
Total	\$3,080,791	\$20,597,163,055

School



Local State Federal Other Non-Tax

State



Local State Federal Other Non-Tax

2013 - 2014
Annual Report





Dec. 31, 2014

The Honorable John Kasich
Office of the Governor
77 South High Street, 30th Floor
Columbus, Ohio 43215

RE: 2013 - 2014 Annual Report on Ohio Community Schools

Dear Governor Kasich:

The Ohio Department of Education's Office of Community Schools is pleased to provide you with the 12th Annual Report on Community Schools Operating in Ohio. In compliance with Ohio Revised Code §3314.015(A)(4), this report is submitted by Dec. 31 each year to the governor, the speaker of the House of Representatives, the president of the Senate, and the chairpersons of the House and Senate committees principally responsible for education matters.

During the 2013-2014 school year, more than 120,000 students attended one of Ohio's community schools, which is 7 percent of the total public school enrollment in our state. This report is designed to help Ohio citizens gain an understanding of charter schools' operations and their roles in our system of public education.

A number of tables and graphs accompany the narrative, and links to other informative pages are available on the Office of Community Schools' Web page. To view the tables and the accompanying narration, visit <http://education.ohio.gov/Topics/School-Choice/Community-Schools/Forms-and-Program-Information-for-Community-School/Annual-Reports-on-Ohio-Community-Schools>.

Sincerely,

A handwritten signature in black ink that reads "David J. Hansen". The signature is written in a cursive style with a large, looped "D" and "H".

David Hansen, Executive Director
Quality School Choice, Office of Community Schools
Ohio Department of Education

2013 – 2014 Annual Report Ohio Charter Schools

Introduction

Each year, the Ohio Department of Education's Office of Community Schools develops an annual report on charter schools, commonly referred to as community schools, operating in Ohio. The report, in compliance with Ohio Revised Code (ORC) §3314.015(A)(4), provides information on the "effectiveness of academic programs, operations and legal compliance and of the financial condition of all community schools."

The 2013-2014 annual report describes the status of charter schools with respect to four elements essential to high-quality charter school performance:

1. Academic performance;
2. Sustained student enrollment;
3. Fiscal accountability; and
4. Sponsor/authorizer accountability and oversight.

To acknowledge the key role that authorizers, commonly referred to as sponsors, play to enable high-performing charter schools, the Office of Community Schools has maintained its focus on authorizer performance using targeted technical assistance and the development of a comprehensive evaluation system as tools for strengthening the quality of charter schools.



The Basics

Community Schools in 2013–2014: The Basics

Since the Ohio General Assembly passed the first law establishing such schools in 1997, the continuing development of public charter schools offers choices for Ohio families seeking a different educational environment for their children. The Office of Community Schools' top priority and mission is sustaining high-quality and high-performing charter schools through exemplary authorizer practices.

Charter Schools Are Public, Nonprofit, Nonsectarian Schools

Such schools operate independently of any school district, but under a contract with a sponsoring entity whose authority is established in statute or approved by the Ohio Department of Education. While charter schools receive state and federal funds, they are purposefully designed to have greater operational autonomy than traditional public schools to facilitate greater flexibility in the design and delivery of educational programs. Flexibility provides charter school administrators and teachers multiple paths to design unique curriculum and instruction models, and autonomy is the key element that allows these schools to operate in a structure and environment that can be more adaptable and responsive than that of larger, traditional public school districts.

There Are Two Types of Charter Schools

Conversion charter schools are those in which part or all of an existing traditional public school building or a building operated by a joint vocational school district or educational service center is transformed into a charter school. These schools may be established in any public school district in the state.

The second type, referred to as new start-up charter schools, may locate only in a district that meets the definition of a "challenged" school district at the time that the charter school developer enters into a preliminary agreement with an authorizer to establish a new school. Challenged districts are currently defined as:

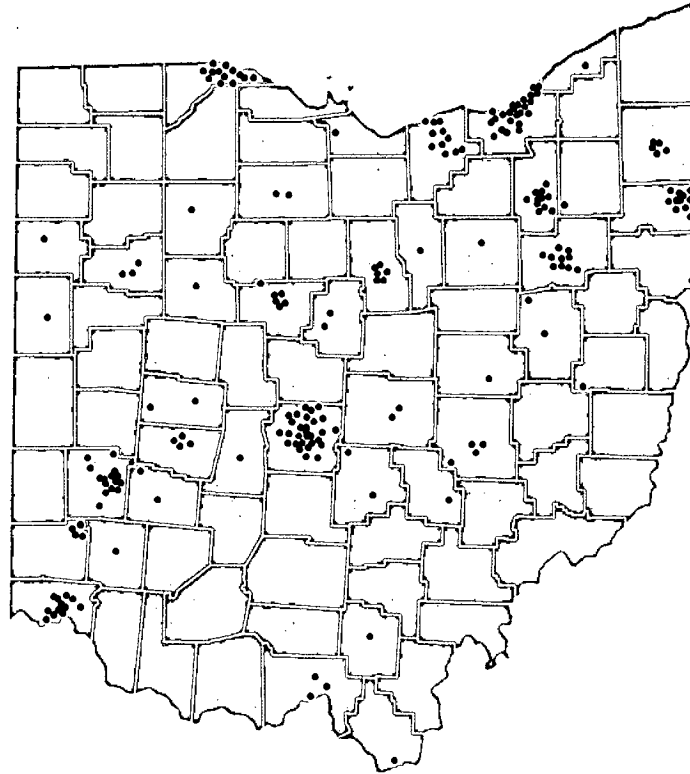
- The "Ohio Eight" urban public school districts, including Akron, Canton, Cincinnati, Cleveland, Columbus, Dayton, Toledo and Youngstown;
- School districts located in the "pilot area" of Lucas County;
- School districts designated in Academic Emergency or Academic Watch on the 2011-2012 Local Report Card (until June, 2014);
- School districts graded D or F on the Performance Index and F on Value-Added for two of school years 2012-2013, 2013-2014 and 2014-2015;
- School districts with an overall grade of D or F in the 2015-2016 school year, or later, that also have a grade of F on Value-Added for at least two of the three most recent school years; and
- The lowest 5 percent of districts as ranked by the Performance Index scores.

Charter School Oversight

Currently, the Office of Community Schools provides technical assistance to developers and authorizers of charter schools, approves organizations seeking to become authorizers of new start-up charter schools and oversees all authorizers, regardless of whether their authority is granted by the Ohio Department of Education or law. Authorizers are crucial in establishing schools that have the highest likelihood of success and are responsible for monitoring the academic performance, financial operations and governance of their sponsored schools. Equally important is the authorizer's role in making decisions regarding renewal or termination. The Office of Community Schools has directed its efforts to support authorizer capacity to enable school success to benefit not only charter school authorizers and their schools, but most importantly, the students and families who depend on them.

FIGURE 1

Map of Community Schools in Ohio 2013-2014



Number of Schools by County

Allen.....3	Greene2	Madison.....1	Stark10
Ashland.....1	Hamilton32	Mahoning.....13	Summit 21
Butler.....6	Hancock.....1	Marion 6	Trumbull.....5
Champaign.....2	Hardin.....1	Mercer.....1	Tuscarawas.....2
Clark.....4	Harrison.....1	Montgomery.....31	Van Wert.....1
Columbiana1	Jackson1	Morrow3	Warren.....1
Coshocton1	Lake.....1	Muskingum.....4	Wayne.....2
Cuyahoga.....83	Lawrence.....1	Portage.....1	
Erie1	Licking4	Richland7	
Fairfield2	Lorain11	Scioto.....3	
Franklin.....81	Lucas41	Seneca2	Total: 395

Figure 1 displays the locations of the 395 charter schools operating in Ohio during the 2013-2014 school year.

FIGURE 2

School Choice in 2013–2014: The Basics

A number of school choice options are available to Ohio families who seek different educational opportunities than are available at their assigned traditional public schools, a few of which are briefly discussed here.

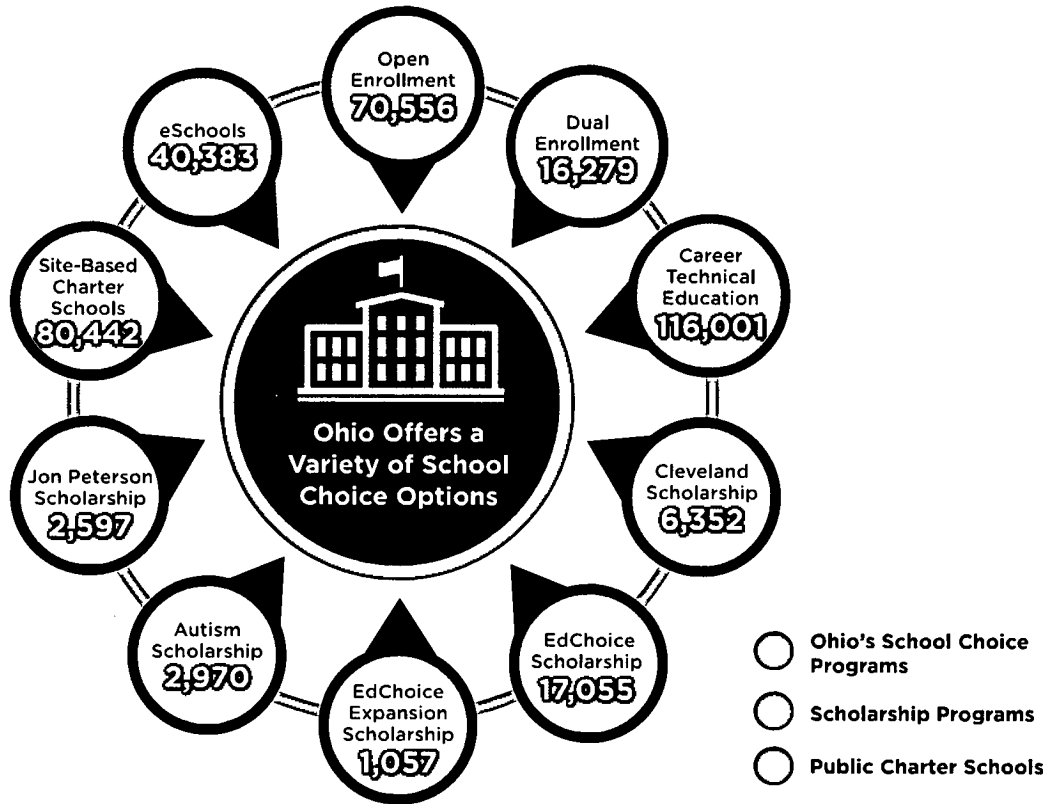


Figure 2 displays student enrollment in Ohio's various school choice programs.

Traditional Public District Open Enrollment: Open enrollment allows a student to attend school tuition-free in a district other than the district in which the student's family resides. Each spring, Ohio school districts may choose whether or not to accept students through open enrollment for the next school year.

Dual Enrollment: Otherwise known as the Post-Secondary Enrollment Options program, dual enrollment allows high school students in grades 9-12 to enroll in a college and complete nonsectarian courses for both high school and college credit. High school students attending traditional public schools, charter schools, STEM schools, nonpublic schools, as well as home-schooled students are eligible to participate in the program.

Career Technical Education: Typically, Ohio career tech refers to high school juniors and seniors enrolled in programs leading to careers in such areas as engineering, construction, health and agriculture. Emphasis is on workforce development to meet the needs of Ohio's top industries. Ohio career tech maximizes student learning success with real-work knowledge and skills. All Ohio students have access to career tech. Every Ohio public school district and community school belongs to a Career-Technical Planning District, which provides this programming to students.

Scholarship Programs

Cleveland Scholarship: In place since the 1996-1997 school year, the Cleveland Scholarship program provides private school scholarships to kindergarten through 12th-grade students who reside in the Cleveland Municipal School District.

EdChoice and EdChoice Expansion Scholarships: The EdChoice Scholarship program, in place since the 2006-2007 school year, was created to provide private school scholarships to students from underperforming public schools outside of Cleveland. The program provides up to 60,000 scholarships to eligible students. As of the 2014-2015 school year, approximately 4,000 EdChoice Expansion Scholarships are available to public school students in low income families entering kindergarten and first grade outside of Cleveland.

Autism Scholarship: The Autism Scholarship program gives families of children with autism who qualify for scholarships the choice to send their children to special education programs other than those operated by their school districts of residence to receive their education and the services outlined in their children's Individualized Education Programs (IEP). All children who have been identified by their district as having autism and have IEPs qualify for the Autism Scholarship.

Jon Peterson Special Needs Scholarship: The Jon Peterson Special Needs scholarship gives the families of children with special needs the choice to send their children to special education programs other than those operated by their school districts of residence to receive the services outlined in their children's IEP.

Public Charter Schools

Site-Based Public Charter Schools: Commonly called brick and mortar charter schools, site-based public charter schools are those in which students physically attend classes. Site-based public charter schools can be general or special education, and/or dropout prevention and recovery schools.

eSchools: eSchools are online public charter schools in which families may choose to enroll their children rather than site-based traditional public, charter or nonpublic schools. When enrolled in an eSchool, students receive Internet access, computers for use at home and appropriate grade-level instruction from licensed Ohio teachers. Students graduating from an Ohio eSchool receive an Ohio high school diploma as all other public school students. eSchools can be general or special education, and/or dropout prevention and recovery schools.

The rest of this report focuses on public charter schools, whether they be site-based or eSchools, startup or conversion, general education, special education, or dropout recovery.

Notes: Career Technical Education data represent the number of unique students who earned credit in an approved career technical education course in Fiscal Year 2014. Open Enrollment data represent the headcount of participating students as of October 2013. Public charter school enrollment is based on June 2014 Full-Time Equivalent.

Academic Performance

Charter School Academic Performance

Latest Report Cards Enhance Accountability

As of school year 2012-2013, Ohio's accountability system was significantly enhanced by the development and publication of many new accountability measures to be phased in over three school years for the traditional report card and the release of a report card solely for dropout prevention and recovery community schools. School year 2013-2014 saw additions to both report cards. The Ohio School Report Cards hold traditional public districts and schools and general and special education-focused charter schools accountable for the performance of their students. The Dropout Recovery Report Card holds schools primarily serving students who have dropped out, or are at risk of dropping out, accountable for student performance. Detailed information about the measures, grades and ratings, and roll out timeline for both new report cards is available on the Ohio Department of Education website at reportcard.education.ohio.gov.

Ohio School Report Cards, which are being phased in over three years, will include six components, each comprised of one or more measures. Components on this report card will include Achievement, Progress, Graduation, Gap Closing, K-3 Literacy and Preparation for Success. Two measures from the report card of key importance in understanding student performance and how schools impact that performance are the Performance Index grades, a measure from the Achievement component and the Value-Added grades, a measure from the Progress component. Both measures are calculated based on the results of state-required assessments that all of Ohio's public school students, charter and traditional, must participate. Currently included in the system of statewide assessments are the Ohio Achievement Assessments for grades 3 through 8 and the Ohio Graduation Tests. The results of these assessments for grades 3 through 10 are used to calculate the Performance Index grade for general and special education community schools, while Value-Added grades for these schools are based on results for assessments in grades 3 through 8. The Performance Index grade indicates how well students perform on Ohio's assessments, while the Value-Added grade indicates how well schools perform in terms of improving student performance. Component and overall grades will be applied to Ohio School Report Cards at the end of the 2015-2016 school year.

Dropout Recovery Report Card

The Dropout Recovery Report Card evaluates schools based on measures that are relevant to schools serving students who are returning to high school after having dropped out of school, as well as those students who are likely to dropout out of school due to a history of poor attendance, disciplinary problems or suspensions. When fully phased in, measures on this report card will include four-year and extended-year (5-year, 6-year, 7-year and 8-year) graduation rates, a high school assessment passage rate for 12th-graders and students close to aging out of the public education system, Annual Measurable Objectives, growth based on assessments, and a number of reported student outcomes, including postsecondary credit earned, nationally recognized career or technical certification, military enlistment, job placement and attendance rates.

How Schools Receive Dropout Recovery Report Cards

Schools were identified through two application processes. Charter schools received the Dropout Recovery Report Card in lieu of a traditional report card if they had applied for, and were awarded, one or more of two waivers: (1) a waiver from closure for continued poor academic performance as outlined in law¹; or (2) a waiver from rolling conversion community school academic data up into the sponsoring district's report card.² A total of 90 charter schools received the Dropout Recovery Report Card at the end of the 2013-2014 school year. The type of waivers they were awarded and their performances on the new Dropout Recovery Report Card are detailed in Table 1B. Ratings of Exceeds Standards, Meets Standards and Does Not Meet Standards were applied to measures at the end of the 2013-2014 school year, and an overall rating will be applied at the end of the 2014-2015 school year.

FIGURE 3

Percentage of Charter Schools by Overall Value-Added and Performance Index Grades 2013-2014

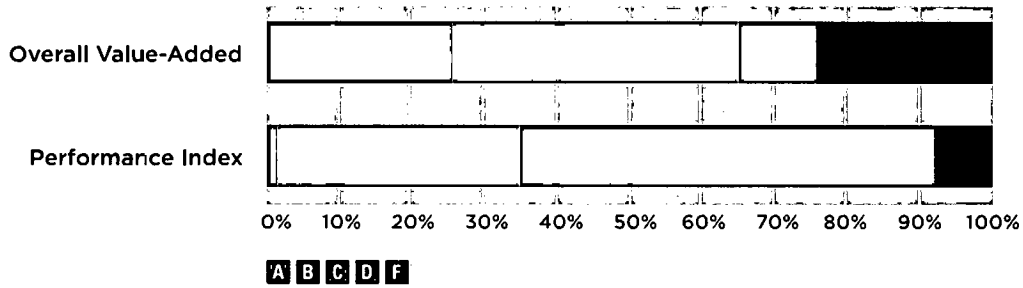


Figure 3 is based on data for 245 charter schools with overall Value-Added grades and 281 charter schools with Performance Index grades. It shows that while the current absolute achievement of students in community schools is poor, as indicated by over 60 percent of schools having a Performance Index grade of D or F, 40 percent of community schools are adding academic value to their students. Overall Value-Added results show that 24 percent of charter schools are providing students with a year of academic growth in a year of time and an additional 40 percent of charter schools are providing students with more than one year of academic growth in a year of time.

FIGURE 4

Percentage of Charter Schools Located in Ohio 8 Districts by Overall Value-Added and Performance Index Grades 2013-2014

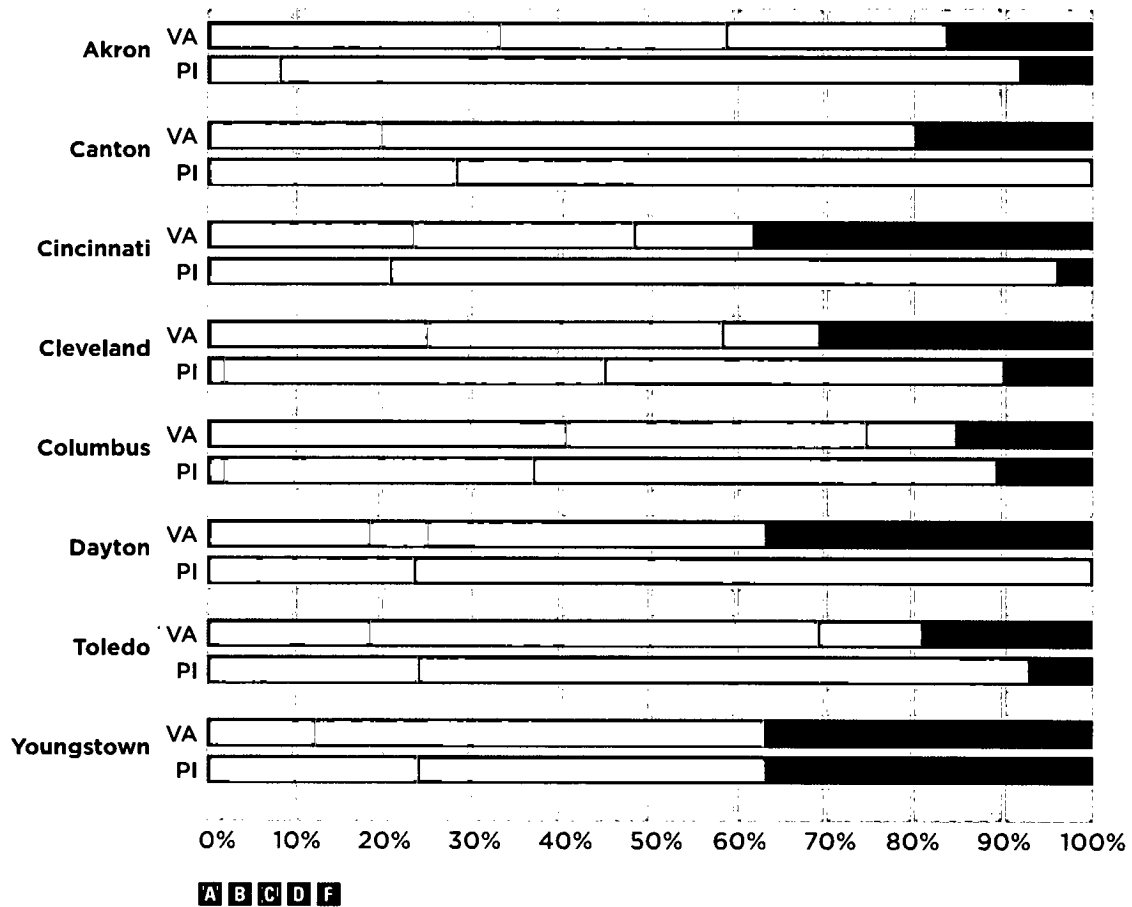


Figure 4 is based on data for 216 charter schools with Performance Index grades and 190 charter schools with overall Value-Added grades, while **Figure 5** is based on data for 439 traditional public schools with Performance Index grades and 371 traditional public schools with overall Value-Added grades. Due to rules limiting where new start-up charter schools can open, comparisons of charter and traditional public schools in Ohio are limited to traditional public schools in the Ohio Eight districts. Over 70 percent of charter schools that operated in the 2013-2014 school year were located within an Ohio Eight school district. Comparison of **Figures 4** and **5** indicates that absolute academic performance of students enrolled in charter schools is often, but not always, lower than that of students enrolled in the districts where the schools are located. However, the converse is often true of the academic gains of students, that is, charter schools add academic value to students, often more so than district schools.

Akron City School District's schools performed better on the Performance Index grade than charter schools located in Akron. In terms of academic value added to students, however, charter schools performed better than district buildings. A detailed look at overall Value-Added data indicates that more than twice the percentage of district schools received a grade of F on overall Value-Added as compared to charter schools located in Akron. The percentage of schools graded A, B and C on Value-Added was roughly equivalent among both school groups.

Canton City School District's schools performed better on the Performance Index grade and Value-Added grade than charter schools located in the school district. No charter school located in Canton City received a grade of A on overall Value-Added, but a slightly higher percentage of district schools received Fs than did charter schools. A higher percentage of charter schools than district schools received a grade of B or C on Value-Added.

Cincinnati City School District's schools performed better on the Performance Index grade than charter schools located in the Cincinnati City School District, while performance on overall Value-Added was only slightly higher among district schools.

Charter schools and district schools located in Cleveland showed roughly equivalent achievement on the Performance Index grade, but charter schools showed higher performance on Value-Added than Cleveland Municipal School District's schools. Note that the Cleveland Municipal data are skewed toward higher performance due to the inclusion of data from high-performing charter schools that they are legally allowed to roll up into their district's results.

Charter schools and Columbus City School District's schools performed similarly on the Performance Index grade. But in terms of overall Value-Added, the percentage of community schools located in the Columbus City School District that were graded A was almost twice as high as the corresponding percentage of district schools, and the percentage of district schools graded F on overall Value-Added is almost twice as high as that of charter schools.

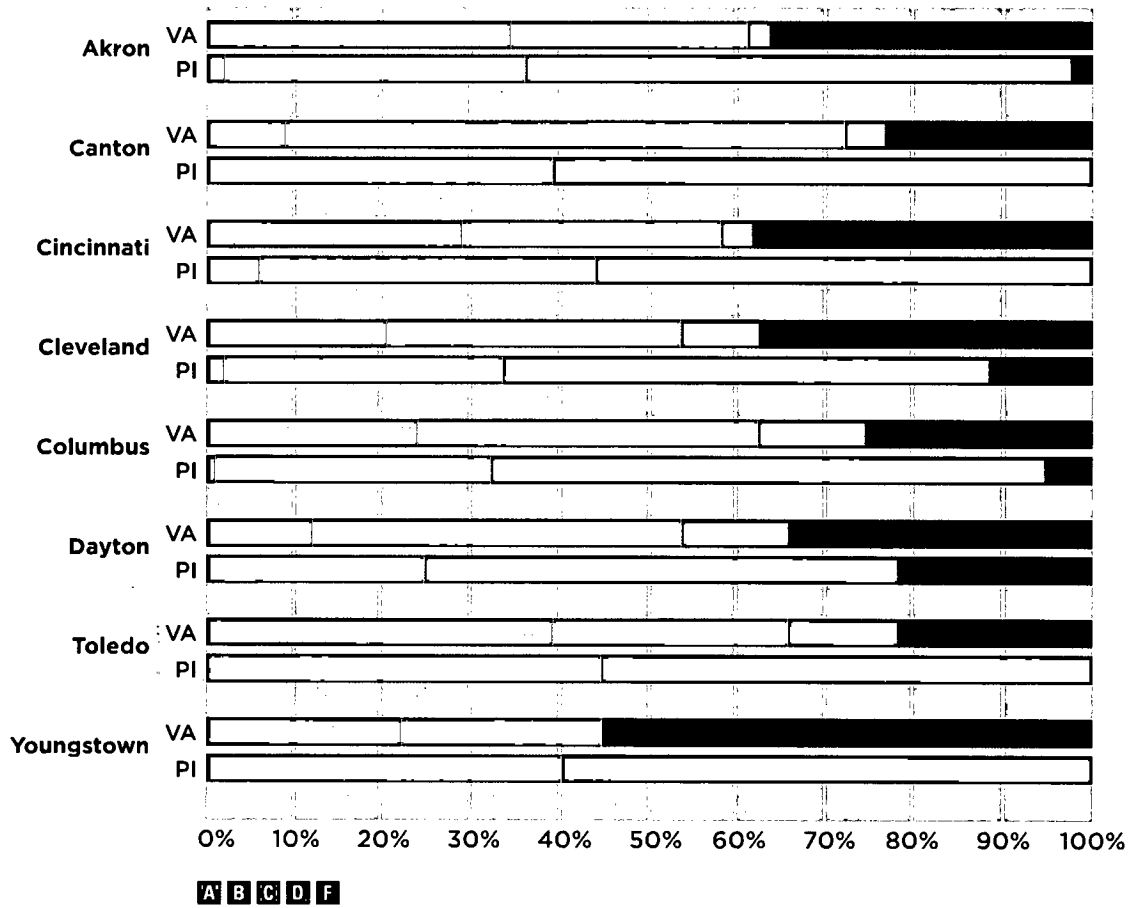
Dayton charter schools performed better on the Performance Index grade than Dayton City School District's schools. Over 20 percent of Dayton City School District's schools were graded F on Performance Index whereas no charter schools in Dayton were graded F on the same measure. Overall Value-Added results were similar for both groups of schools in Dayton.

Toledo City School District's schools performed better on the Performance Index and Value-Added grades than community schools located in the district. No district schools received an F on Performance Index grade compared to approximately 6 percent of charter schools. While district and charter schools had approximately the same percentage of schools with a D or F on Value-Added, district schools earned a higher percentage of A grades while charter schools earned a higher percentage of C grades.

While **Youngstown City School District's** schools performed better on the Performance Index grade than charter schools in the district, as demonstrated in other urban centers, students in charter schools outperformed traditional school students in terms of academic progress made during the school year. Over 60 percent of charter schools compared to 44 percent of district schools received grades of A, B or C on Value-Added, and more than 50 percent of district schools received grades of F on overall Value-Added compared to less than 40 percent of area charter schools.

FIGURE 5

Percentage of Traditional Public Schools Located in Ohio 8 Districts by Overall Value-Added and Performance Index Grades 2013-2014



School Recognitions

Schools of Promise, 2013-2014

To help close achievement gaps in Ohio, the Ohio Department of Education developed the Schools of Promise program to identify, recognize and highlight schools that are making substantial progress in ensuring high achievement for all students.

School IRN	School Name	Number of Years School of Promise
000558	Columbus Preparatory Academy	3

High Performing and High Progress Schools of Honor

The Schools of Honor program recognizes schools that have sustained high achievement and substantial progress while serving a significant number of economically disadvantaged students.

High Performing Schools of Honor, 2013-2014

School IRN	School Name	Number of Years High Performing Schools of Honor
143610	Arts & College Preparatory Academy	1
133520	Citizens Academy	2
000558	Columbus Preparatory Academy	1
133215	The Intergenerational School	3

High Progress Schools of Honor, 2013-2014

School IRN	School Name	Number of Years High Progress Schools of Honor
000558	Columbus Preparatory Academy	3
143602	Hamilton County Math & Science	1
132951	Constellation Schools: Lorain Community Elementary	1

Accountability and Charter School Academic Performance

Accountability for charter schools is set forth in state and federal law and in each charter school's contract with its authorizer. Charter schools must define their curriculum and performance goals in their contracts and administer all state-required achievement assessments and graduation tests. In addition to participating in all state-required assessments, charter schools must comply with the requirements of the Elementary and Secondary Education Act (ESEA) Waiver approved by the U.S. Department of Education, which includes Annual Measurable Objectives.

Closure Criteria

There can be no stronger accountability consequences for charter schools than school closure. House Bills 555 and 59 modified the existing closure criteria to align it to Ohio's new Accountability System and report cards. According to law³, general population charter schools are required to close due to continued poor academic performance. As Ohio School Report Cards and their measures and grades are phased in from school years 2012-2013 through 2014-2015, so are the elements evaluated for school closure. Closure for general population schools will be based on a combination of ratings from the prior accountability system and grades from the new system until the publication of Ohio School Report Cards for the 2014-2015 school year. From that point forward, the elements evaluated for closure will be based upon Ohio School Report Cards.

Dropout prevention and recovery charter schools were eligible for waivers from closure prior to the release of the new specialized report card. Beginning with the 2014-2015 report card and thereafter, any school that has overall poor performance for two out of the three most recent school years must close. With the 2015-2016 Dropout Recovery Report Card, they will be evaluated for closure. The first dropout prevention and recovery charter schools identified for closure will have to close at the end of the 2016-2017 school year.

The chart on page 17 describes the components used in determining closure for general population charter schools based on data from the 2011-2012, 2012-2013 and 2013-2014 school years. The criteria are applied such that, for example, if a school offering grades 4 to 8 was in Academic Emergency and showed less than a standard year of academic growth in reading for the 2011-2012 school year and had an F on both the Performance Index and overall Value-Added for the 2013-2014 school year, it would be required to close.

Closure Criteria for General Population Charter Schools

Grade Levels Offered	Closure Criteria for 2013-2014
A school that does not offer a grade higher than 3	For two of the three most recent school years: <ul style="list-style-type: none"> The school has been in Academic Emergency. OR <ul style="list-style-type: none"> The school had an F on K-3 Literacy Improvement.
A school that offers any of grades 4 to 8, but offers no grade higher than 9	For two of the three most recent school years: <ul style="list-style-type: none"> The school has been in Academic Emergency and showed less than one standard year of academic growth in reading and/or mathematics; OR <ul style="list-style-type: none"> The school had an F on Performance Index and an F on Overall Value-Added.
A school that offers any of grades 10 to 12	For two of the three most recent school years: <ul style="list-style-type: none"> The school has been in Academic Emergency; OR <ul style="list-style-type: none"> The school had an F on Performance Index and a D or F on Annual Measurable Objectives.

The charter school closure law for general population charter schools was first implemented at the end of the 2007-2008 school year, with the first schools required to close at the end of the 2008-2009 school year. To date, the charter school closure law has required the closure of 24 charter schools. The list of schools closed by law for continued poor performance can be found in Table 8.

Closure Law Impact

School Year	Number of Closures Required by Law
2008-2009	2
2009-2010	10
2010-2011	5
2011-2012	3
2012-2013	3
2013-2014	1

Sustained Student Enrollment

Growth in Charter Schools and Enrollment

As of June 2014, more than 120,000 Ohio students were enrolled in the 395 charter schools that operated during the 2013-2014 school year.

FIGURE 6

Full-Time Equivalent (FTE) of Charter School Students: 1998-1999 to 2013-2014

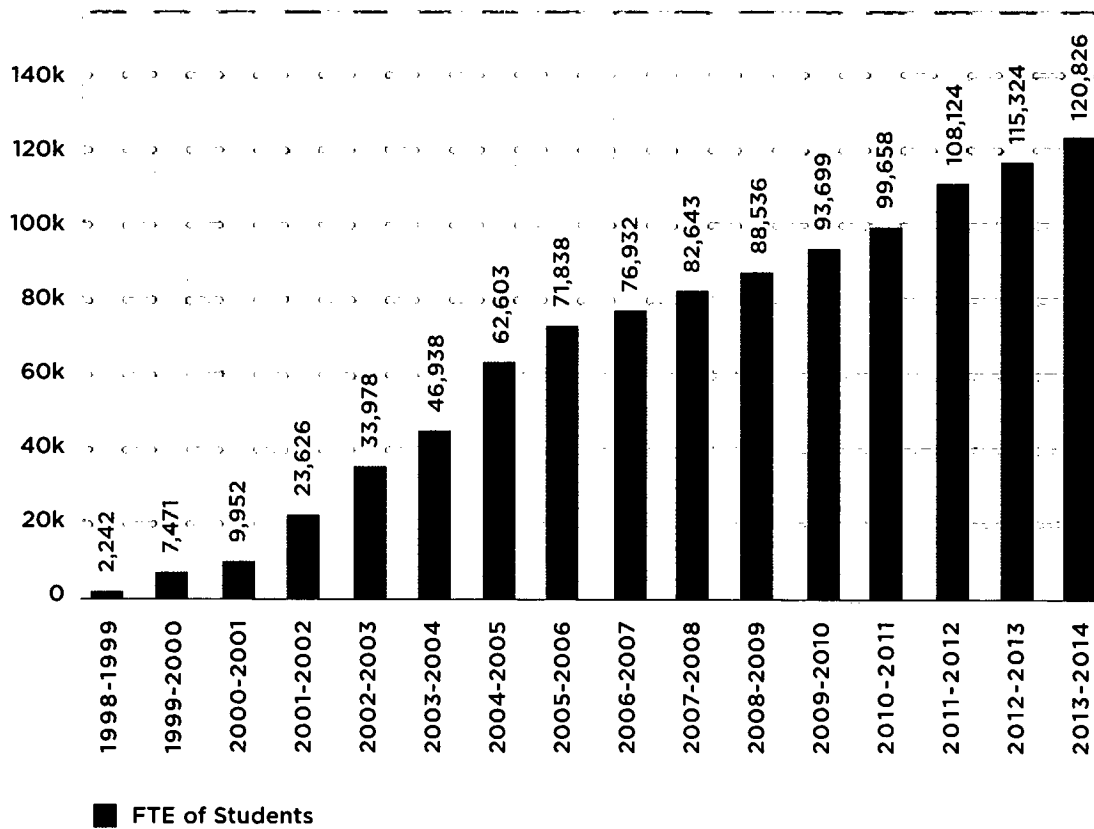


Figure 6, which reports the full-time equivalent enrollment of students, shows that enrollment in Ohio charter schools has grown each year.

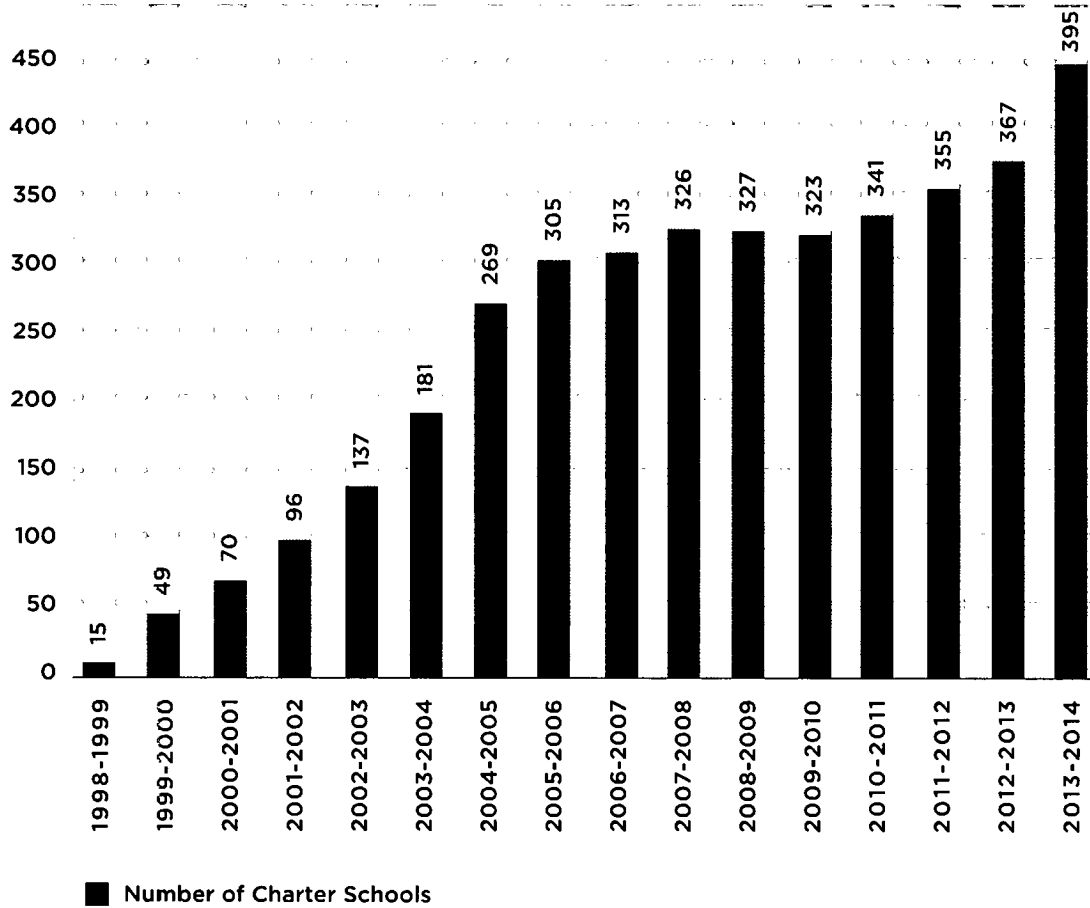
FIGURE 7**Number of Charter Schools: 1998-1999 to 2013-2014**

Figure 7 shows a general upward trend in the number of charter schools operating over time.

Charter schools add to the array of public educational options available in Ohio. Figures 8 through 10 demonstrate the characteristics of these schools as they serve students and families in various settings.

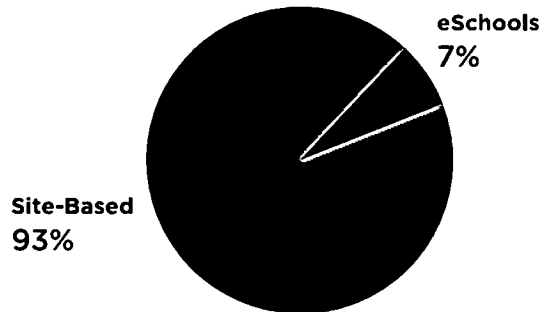
FIGURE 8**Percent of Charter Schools by Site-Based and eSchool: 2013-2014**

Figure 8: A moratorium on virtual schools, also known as eSchools, was in place from 2003 until June of 2013, when legislative changes ended the moratorium and allowed up to five new virtual schools to open each year starting with the 2013-2014 school year. Three new eSchools opened in 2013-2014. The ratio of site-based to eSchools remained the same from 2012-2013 to 2013-2014.

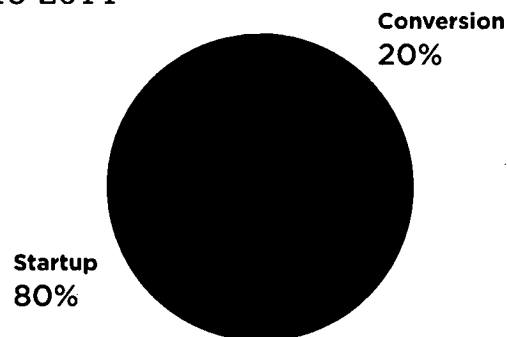
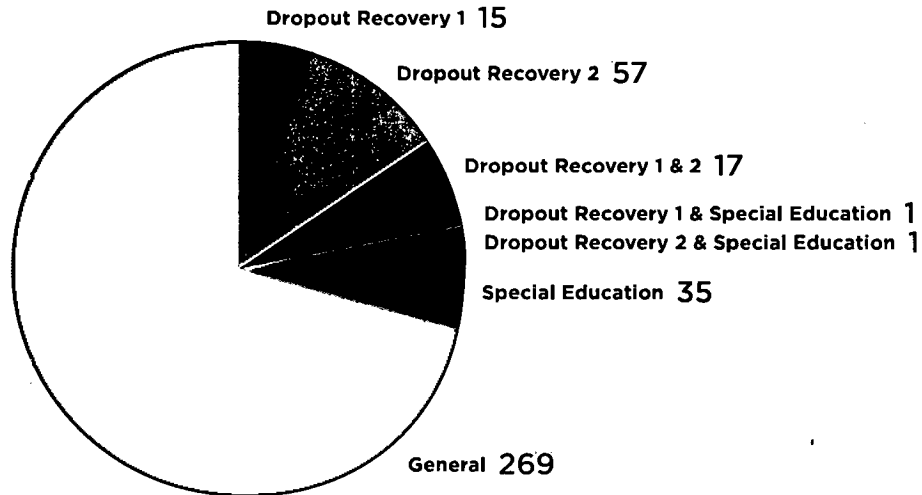
FIGURE 9**Percentage of Charter Schools by Start-up and Conversion 2013-2014**

Figure 9: The percentage of conversion schools operating in Ohio increased slightly from 18% to 20% in 2013-2014.

FIGURE 10

Number of Charter Schools by Student Population Focus: 2013-2014



There Are Two Special Charter School Types

According to law, there are special education schools and dropout prevention and recovery schools. All other schools are referred to as general education schools. Special education schools are schools that report more than half of their students had Individual Education Programs during the school year. Special education schools are exempt from closure for poor academic performance by law.³

What Is a Dropout Prevention and Recovery School?

Dropout prevention and recovery schools are defined by meeting one or more of three definitions established in law and rule. These schools receive the Dropout Recovery Report Card. Schools listed in Table 1B as Dropout Recovery 1 are conversion charter schools authorized by traditional school districts that have been granted waivers from rolling the charter school's academic accountability data up into the authorizing district's Ohio School Report Card. A majority of the students in these schools have already dropped out of school at least once or are at risk of dropping out of school.

About Closure Waivers

Prior to June 30, 2013, certain dropout prevention and recovery schools could be granted a waiver from the community school closure law. Law repealed the exemption from closure at the same time it created the Dropout Recovery Report Card. Schools listed in Table 1B as Dropout Recovery 2 received a closure waiver. The students served in both categories are the same; the majority are students who dropped out of school or are at risk of dropping out of school. Schools granted a waiver under the old law must have fulfilled a number of programmatic conditions as stated in law in order to receive a waiver. Both new start-up and conversion community schools were granted such waivers. Current law also recognizes charter schools that operate drug treatment programs in cooperation with a court as dropout prevention and recovery charter schools. One public charter school was identified under this definition in 2014.

Financial Accountability

Strengthened Charter School Financial Accountability

Should a charter school be found unauditible for financial monitoring, the Auditor of State is required to provide written notification to the school, its authorizer, and the Ohio Department of Education and post the notification on the Auditor's website. Any charter school declared unauditible has 90 days to bring its records into an auditible condition or face withdrawal of all state and federal funding.

The sponsor of an unauditible charter school is prohibited from entering into contracts with additional charter school governing boards until the auditor completes a successful financial audit of the school as indicated by the "Date Released." The Office of Community Schools continues to work collaboratively with the Auditor of State on charter school financial matters to promote sound financial practices in community schools. After two years without any charter school being deemed unauditible, one was designated by the Auditor of State in the spring of 2014.

Supporting Charter School Authorizer Accountability and Oversight

In Ohio, charter schools are created when individuals (called developers) who are seeking to open a new charter school enter into a contract with a charter school authorizer. When the authorizer and those individuals representing the charter school enter into a contract, the school representatives are called the governing authority and operate similar to a local board of education. The charter school contract specifies the academic, fiscal, governance and accountability plans that the school's governing authority is responsible for carrying out. The authorizer and the governing authority are the sole parties to the contract.

Sponsor Accountability & Oversight

Authorizer Performance Evaluation

The authorizer performance evaluation system was originally developed to assure the compliance of the relatively small number of authorizers approved by the Ohio Department of Education that operate under an authorizer agreement with the department defining the parameters of their authorizing activities. In October 2009, the Ohio legislature provided additional clarity regarding the department's authority to evaluate all authorizers, regardless of how they acquired authorizing authority. A comprehensive evaluation of the authorizer's monitoring of school compliance, adherence to quality authorizing practices, and academic performance of its cohort of charter schools will be implemented January 1, 2015.

A Comprehensive System

In 2011-2012, the Ohio Department of Education, with the assistance of several community school stakeholder groups, developed a comprehensive system to evaluate the compliance and quality practices of authorizers. Led by the Office of Community Schools, in collaboration with staff from the Offices of Policy and Research and Data Quality and Governance, key external stakeholders contributed significantly to the system's development. The participants include leadership and the Ohio Association of Charter School Authorizers, including representatives from Buckeye Community Hope Foundation and St. Aloysius Orphanage; the Ohio Authorizer Collaborative, including representatives from Reynoldsburg City School District and the Thomas B. Fordham Foundation; the Ohio Coalition of Quality Education; and the Ohio Association of Public Charter Schools; and consultants from the National Association of Charter School Authorizer. During the 2012-2013 school year, the system was written into state law.

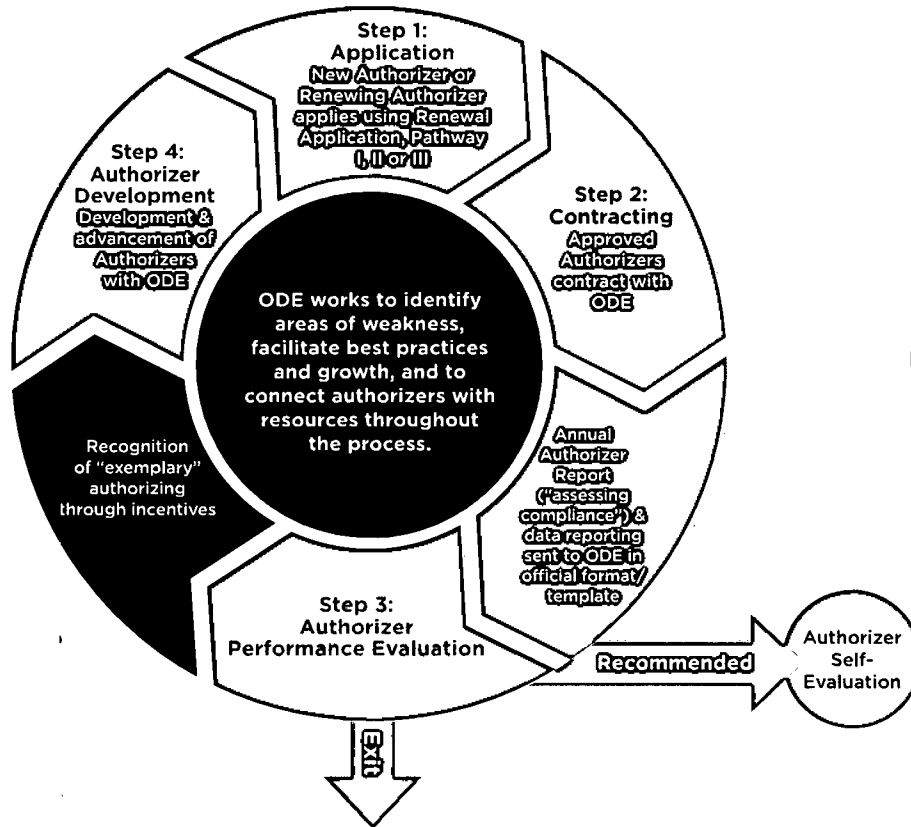
A Unique Requirement

Ohio's requirement to evaluate authorizer organizations is unique. No other state has a similar high stakes review of its authorizers. The authorizer evaluation system is built upon the National Association of Charter School Authorizers' Standards and Principles. It emphasizes the authorizer's commitment and capacity to both open new charter schools with the highest likelihood of providing an academically successful option and sustain contracts with charter schools demonstrating academic and operational success. The focus on authorizer performance ultimately improves charter school performance. Authorizers are evaluated based upon three components:

- Effective monitoring of charter school's compliance with law and its community school contract;
- Adherence to and evidence of quality authorizer practices; and
- Academic performance of its schools.

The graphic on page 27 illustrates Ohio's system for approving new authorizers and evaluating all authorizers. Not all authorizers gain their authority through approval by the department of education (steps one and two). However, all authorizers participate in steps three, four and six. Authorizers that operate under an authorizing agreement with the Ohio Department of Education are eligible for incentives in step five.

The Ohio Department of Education's Cycle of Authorizer Oversight, Engagement, Evaluation and Support



Authorizer Compliance Monitoring Review

During the 2012-2013 and 2013-2014 school years, the Office of Community Schools piloted a tool and process for assessing an authorizer's oversight procedures and actions related to monitoring its charter schools' compliance with all relevant rules and the terms of the contract. An administrative rule describing the process and scoring takes effect in January 2015. The underlying assumption is that a charter school that has been appropriately monitored by its authorizer should be operating legally and implementing its contract. A total of 51 authorizers participated in authorizer compliance evaluations during school year 2013-2014. Site visits were made to 10 percent of each authorizer's schools.

Authorizer Quality Review

The Ohio Department of Education's review of authorizer adherence to quality practices is built upon quality principles and standards of authorizing endorsed by the National Association of Charter School Authorizers. Also built into the review, and unique to Ohio, is adherence to the specific legal requirement that authorizers provide technical assistance to their authorized schools. Six resulting areas of practices are the focus of the review:

1. Organizational commitment and capacity;
2. Charter school application process and decision making;
3. Performance contracting;
4. Oversight and evaluation of charter schools;
5. Contract termination and renewal decision making; and
6. Technical assistance.

The quality practice tools and process were piloted with three volunteer authorizing organizations during the 2013-2014 school year. Modifications were made to the tools and processes based on lessons learned during the pilot. The process consisted of an extensive desk review of supporting documents, review of the authorizer's charter school contracts, academic performance of its schools, school surveys, and school interviews, followed by an on-site visit and interview with the authorizer's board, leadership, and staff. Authorizers were scored based on a rubric established by the working group developing the evaluation system, and the review team debriefed the authorizers individually.

Authorizer Academic Review

During the 2013-2014 school year the Ohio Department of Education's review of school academic performance continues to use an Authorizer Composite Performance Index score, based on the same underlying Performance Index data used in the Ohio School Report Cards. The Authorizer Composite Performance Index score is calculated in the same manner as a district's Performance Index score—rolling up school data—but does not include data from authorized schools that primarily serve special education and dropout prevention and recovery students. Authorizers are ranked from high to low based on their Authorizer Composite Performance Index score. Authorizers with scores in the lowest 20 percent of all Authorizer Composite Performance Index scores are prohibited from authorizing additional charter schools until they are no longer in the lowest 20 percent⁴. As of Jan. 1, 2015, the department is no longer required to evaluate authorizer academic performance based solely on Performance Index data. A new evaluation method for this component is currently in development.



Legislation

Legislation

Charter schools have been operating in Ohio for 16 years. During each session of the General Assembly, legislative changes have been made to the program. The following legislative summaries trace the changes enacted, by legislative session and bill number.

Charter School Legislative History

2014

130th General Assembly 2013-2014

House Bill 483

- Requires the Department of Education to pay each community school 20% of the formula amount for each student who is not taking career-technical education classes provided by the school but is enrolled in career-technical programs at a joint vocational school district or another district in the school's career-technical planning district.
- Beginning in the 2014-2015 school year, permits an individual age 22 and above who has not received a high school diploma or equivalence certificate to enroll for up to two cumulative school years in a community school operating a dropout prevention and recovery program for the purpose of earning a high school diploma.
 - For fiscal year 2015, limits the combined enrollment of individuals ages 22 and above under the act's provisions to 1,000 individuals on a full-time equivalency basis, as determined by the Department.
 - Requires the Department to annually pay, for each individual enrolled, \$5,000 times the individual's enrollment on a full-time equivalence basis, as reported by the community school and certified by the Department, times the percentage of the school year in which the individual is enrolled.
 - Specifies that an individual enrolled under the act's provisions may elect to satisfy the requirements to earn a high school diploma by successfully completing a competency-based instructional program that complies with standards adopted by the State Board of Education.
 - Requires the Department, by December 31, 2015, to prepare and submit a report to the General Assembly regarding services provided to individuals ages 22 and above under the act's provisions.

House Bill 487

- Requires the Department of Education to withhold state payments to a new community school opening for its first year of operation until the school's sponsor confirms that the school has complied with certain requirements.
- Requires that the Department calculate the value-added progress dimension for purposes of community school closure using value-added data from only the most recent school year.
- Prohibits a community school that is permanently closed from reopening under another name if certain conditions still apply to the new school.
- Specifies conditions under which an educational service center may sponsor a conversion or start-up community school within and outside of its service territory.

2014

- Revises the role of a transformation alliance in recommending sponsors to operate community schools in a municipal school district.
- Permits community schools that operate programs using the Montessori method to admit individuals younger than five years old and authorizes them to apply for early childhood education funding for those programs.
- Specifies which English language arts assessment is to be administered to third grade students in the 2014-2015 school year for purposes of the third-grade reading guarantee.
- Permits a community school that cannot furnish the number of qualified teachers to teach a third grader who reads below grade level needed for the 2014-2015 or 2015-2016 school year to develop and submit an alternative staffing plan for that school year.
- Requires a person who is at least 16 but less than 18 years old and who applies to take the GED to submit to the Department of Education written approval only from the person's parent or guardian or a court official.
- Beginning in the 2015-2016 school year, requires each community school to (1) adopt a policy on career advising; (2) identify students who are at risk of dropping out of school using a research-based, locally based method developed "with input" from its classroom teachers and guidance counselors; and (3) develop a "student success plan" for each of those students that addresses the student's academic pathway to a successful graduation and the role of career-technical education, competency-based education, and experiential learning, as appropriate, in that pathway.
 - The community school must invite the student's parent, guardian, or custodian to assist in developing the plan.
 - Requires the Department to develop and post on its website, by December 1, 2014, model policies on career advising and model student success plans.
 - Requires the Department to create, by July 1, 2015, an online clearinghouse of research related to proven practices for policies on career advising and student success plans.
- Affords a student enrolled in a community school the opportunity to participate in any extracurricular activities at the school of the student's resident school district to which the student would have been assigned.
 - Permits the superintendent of any school district to afford to any student who is enrolled in a community school and who is not entitled to attend school in that district, the opportunity to participate in a school's extracurricular activities if the student's school does not offer the extracurricular activity, and the activity is not interscholastic athletics or interscholastic contests or competition in music, drama, or forensics.
 - Eliminates a former provision permitting a school district board of education to require a community school student to enroll and participate in no more than one academic course as a condition to participating in an extracurricular activity.
 - Prohibits a school district board from imposing additional rules on a community school student that do not apply to other students participating in the same extracurricular activity.
- Renames the Post-Secondary Enrollment Options (PSEO) program as the College Credit Plus (CCP) program and makes several changes to the program.
- Renames "dual-enrollment program" as "advanced standing program" and makes any agreement between a community school and an associated college subject to new requirements.

2014

- Revises graduation requirements for students entering the ninth grade for the first time on or after July 1, 2014, to require those students to (1) score at “remediation-free” levels in English, math, and reading on nationally standardized assessments, (2) attain a cumulative passing score on the end-of-course examinations, or (3) attain a passing score on a nationally recognized job skills assessment and obtain either an industry-recognized credential or a state agency- or board-issued license for practice in a specific vocation.
 - Requires the State Board to approve the industry-recognized credentials and licenses that may qualify a student for a high school diploma.
 - Requires the State Board to select by December 31, 2014, at least one nationally recognized job skills assessment for schools to administer to students who opt to take the assessment, and to establish the minimum score a student must attain on the job skills assessment in order to demonstrate a student’s workforce readiness and employability for the purpose of high school graduation.
- Sets the replacement of the Ohio Graduation Tests (OGT) with the College and Work-Ready Assessment System beginning with the 2014-2015 school year for students who enter ninth grade for the first time on or after July 1, 2014.
 - Prescribes seven end-of-course examinations: one in each of English language arts I, English language arts II, physical science, Algebra I, geometry, American history, and American government.
 - Authorizes the State Board to replace the Algebra I end-of-course examination with one in Algebra II beginning with the 2016-2017 school year for students who enter the ninth grade on or after July 1, 2016.
 - Specifies that the OGT may not be administered to first-time takers after July 1, 2015.
 - Permits substitute exams for students enrolled in an Advanced Placement (AP) or International Baccalaureate (IB) course or other advanced standing program course in the areas of physical science, American history, or American government.
 - Specifies that any student who received high school credit prior to July 1, 2014, for a course for which an end-of-course examination is prescribed may not be required to take that examination.
- Requires the nationally standardized assessment that measures college and career readiness (1) be administered to all eleventh-grade students, (2) include components in English, mathematics, science, and social studies, and (3) be an assessment used for college admission.
- For the 2014-2015 school year, (1) prohibits schools from being required to administer state achievement assessments in an online format, (2) permits schools to administer assessments in any combination of online or paper formats, and (3) requires the Department of Education to furnish, free of charge, all such assessments.
 - Requires the Department to publish, by July 1, 2015, the number of districts or schools that administer assessments in paper format, in online format, or in a combination of such formats.
 - Requires the Superintendent of Public Instruction to submit a report, by January 15, 2015, to the Governor and the General Assembly that includes a review of, as well as recommendations for, the number of elementary and secondary achievement assessments.
- Beginning with the spring assessments for the 2014-2015 school year, makes the questions and corresponding preferred answers on the third through eighth grade achievement assessments and high school end-of-course examinations a public record under a staggered release process, so that the entirety of those assessments and questions are a public record within three years of their administration.
 - Requires the Department to post questions and answers from the assessments that have been made a public record on its website.

2014

- Requires the state Superintendent to submit a report to the Governor and General Assembly by December 31, 2014, on the security and use of student data.
- Requires the Department to submit a report to the Governor and General Assembly by December 31, 2014, on the security of student data with regard to the administration of online assessments.
- Requires the State Board of Education to establish standards providing strict safeguards to protect the confidentiality of personally identifiable information in the use of the statewide Education Management Information System.
- Makes several changes to the local report card:
 - Establishes an additional graded value-added progress dimension measure for a “high mobility” school district or building that is exempt from the computation of the overall letter grade of a school or district.
 - For the 2014-2015 school year, requires the Department to include the academic progress measure for high school students on the report card as an ungraded measure.
 - Adjusts the assessment subjects used to calculate the performance index score as follows: (1) for grades 3-8, assessments in English language arts, mathematics, science, and social studies, and (2) for high school, assessments in English language arts and mathematics.
 - Permits kindergarten diagnostic assessment data to be included on the annual report cards issued for schools and school districts.
 - » Specifies that the results of the language and reading diagnostic assessment must be reported to the Department and are not subject to an existing parental option not to report that data.
 - » Specifies that a transfer student who transfers prior to the administration of diagnostic assessments take those assessments at the scheduled administration dates.
 - » Exempts students with “significant cognitive disabilities,” as defined by the Department, from taking diagnostic assessments.
 - » Permits a school district or school that received an “A” or “B” for performance index score or for overall value-added progress dimension on the report card for the prior school year to administer different diagnostic assessments than those prescribed by the Department.
 - Creates a one year safe harbor by prohibiting report card ratings issued for the 2014-2015 school year from being considered in determining whether a school district or school is subject to certain sanctions or penalties, including but not limited to automatic community school closure.
 - Prohibits the Department from (1) assigning an overall letter grade for school districts and schools for the 2014-2015 school year, and (2) ranking districts and schools based on operating expenditures, performance achievements, and other specified items for the 2014-2015 school year.
- Revises the statutory specifications for the statewide academic content standards adopted by the State Board of Education and creates separate academic standards review committees for each of the subjects of English language arts, mathematics, science, and social studies.
- Prohibits any official or board of the state from entering into any agreement with any federal or private entity that would require the state to cede any measure of control over the development, adoption, or revision of any academic content standards.
- Revises law regarding the development and administration of emergency management plans.

2013

130th General Assembly 2012-2013**House Bill 167**

- Authorizes the mayor of a city in which a majority of a qualifying school district's territory is located to sponsor start-up community schools upon successful application to the Ohio Department of Education.
- Authorizes a qualifying school district to propose a levy for current operating expenses, a portion of which would be allocated to partnering community schools and distributed among those schools on a per pupil basis.

House Bill 59

- Foundation Funding for community schools is calculated in a manner similar to that of traditional school districts but with no state share index or percentage applied. Payments continue to be deducted from each student's resident school district, with the exception of the \$100 per pupil facilities payment to site-based community schools. The bill also includes the following components:
 - An opportunity grant per pupil amount of \$5,745 in FY14 and \$5,800 in FY15.
 - The per pupil amount of tier I targeted assistance funds from the resident district multiplied by 25 percent.
 - Additional aid for special education and related services based on the student's disability category and corresponding amount listed in the table under the "Special Education" section.
 - Kindergarten through third grade literacy funding provided at \$211 in FY14 and \$290 in FY15 for each student in grades K-3.
 - For economically disadvantaged students, \$269 in FY14 and \$272 in FY15 multiplied by the resident district's economically disadvantaged index. See a description of the district's economically disadvantaged index under the "State Support for Schools" section.
 - Additional aid for limited English proficiency based on the student's limited English proficiency category and corresponding amount described above under the "State Support to Schools" section.
 - Additional aid for career-technical education services based on the student's participation in approved career-technical education programs in one of five categories. The supplemental amounts are provided for each category under the "Career-Technical Education" section.
- eSchools are ineligible for K-3 literacy, economically disadvantaged, limited English proficiency and targeted assistance funds. eSchools are for the first time authorized to provide and receive funding for career-technical education, if approved.
- eSchools have an enrollment limit starting in FY15 that is based on the following percentage increases applied to the enrollment at the end of the 2012-2013 school year for eSchools open in that year or applied to 1,000 if newly opened in the 2013-2014 school year:
 - If the eSchool has enrollment equal to or greater than 3,000 students, the enrollment limit is a 15 percent increase;
 - If the eSchool has enrollment of less than 3,000 students, the enrollment limit is a 25 percent increase.
- The Ohio Department of Education is required to deduct the amount of state funds credited to an eSchool for students in excess of the enrollment limit and proportionally restore that amount to the students' resident school districts.

2013

- Site-based community schools and STEM schools are funded \$100 per student for facilities costs. However, \$7.5 million is provided in each fiscal year through lottery funds, and payments are prorated to stay within that amount. (Therefore, this funding is not deducted from community school students' or STEM school students' resident districts.)
- All community schools that serve grades 7 or above must be assigned to a career technical planning district by the Ohio Department of Education. Community school students also can participate in any career-technical education program of the career-technical planning district in which the student's resident district belongs.
- The community school funding guarantee for severe behavioral handicapped students with emotional disabilities is continued. For community schools that enroll a number of students receiving special education and related services for emotional disabilities equal to at least 50 percent of the total number of students, this funding provides the difference between the aggregate amount calculated and paid for special education weighted costs for the emotionally disabled students and the aggregate amount that would have been calculated for those same students in FY01.
- A new statute allows community schools to charge tuition for out-of-state students as long as the students do not receive state foundation funding. However, the U.S. Department of Education prohibits community schools to charge any students tuition.
- The Ohio Department of Education is now permitted, in lieu of revoking a sponsor's authority, to require sponsors found to be noncompliant with applicable laws and administrative rules to place temporary limits on the breadth and scope of the sponsor's authority until the sponsor remedies its noncompliance.
- The Ohio Department of Education is now authorized to deny an application submitted under the Ohio School Sponsorship Program by an existing community school if the school's contract with its sponsor was terminated, not just if the contract is not renewed as under current law.
- Language now specifies that the initial term for an agreement between the Ohio Department of Education and a community school sponsor runs for up to seven years and the department is required to add one year to the agreement term, unless the sponsor notifies the department that it does not wish to have the term of the agreement extended, if the following conditions are met:
 - Prior to Jan. 1, 2015, the sponsor is not ranked in the bottom 20 percent of sponsors statewide according to composite Performance Index score and meets all the statutory requirements pertaining to community school sponsors; or
 - On or after Jan. 1, 2015, the sponsor is rated as "exemplary" or "effective" under the new sponsor rating system, and in either case continues to meet all the statutory requirements pertaining to community school sponsors.
- Community schools that primarily enroll students in a dropout prevention and recovery program can attain a rating of "exceeds standards," in addition to "meets standards" as specified under current law, if the program improves by 10 percent both its graduation rate and its percentage of twelfth-grade students and other students passing the graduation assessments.
- The State Board of Education is required, not later than Dec. 31, 2014, to review the performance levels and benchmarks for report cards issued for dropout recovery community schools.
- The bill removes from the list of requirements that community schools must meet to operate in multiple facilities the following: 1) their contracts were filed by May 15, 2008, and 2) they were open prior to July 1, 2008.

2013

- Beginning with the 2013-2014 school year a community school's contract that has been suspended is void if the school's governing authority fails to provide a proposal to remedy issues for which the school's contract was suspended by Sept. 30 following the suspension date. If a community school sponsor suspends the operation of a school prior to the bill's effective date, the contract with the sponsor is void if the school's governing authority fails to provide a proposal to remedy issues for which the school's contract was suspended by Sept. 30, 2014.
- Any closing community school that has received hardware or software from the former Ohio SchoolNet or eTech Ohio is required to turn over the equipment to the Ohio Department of Education, rather than eTech Ohio.
- Transportation services relating to community schools:
 - New community schools, beginning with the 2014-2015 school year, are allowed to accept responsibility for providing or arranging for the transportation of the district's native students before it is open for its first year of operation.
 - Community schools that are scheduled to open in the 2014-2015 school year and each year thereafter are required to notify districts if responsibility to transport students is assumed no later than April 15 of the previous school year.
 - Community schools are required to follow current law once the school has been open for one year after renewing or relinquishing transportation responsibility.
- Criteria for closing community schools that offer any of grades four to eight and do not offer a grade higher than nine is made consistent with criteria prior to July 1, 2013, by including that such schools must also show less than one standard year of academic growth in either reading or math in order to be closed.
- A provision of current law is removed that requires any classroom teacher initially hired by a community school after July 1, 2013, to provide physical education instruction to hold a valid license from the State Board of Education for teaching physical education.

2012

129th General Assembly 2011-2012

House Bill 555

- Changed the state's accountability system by replacing the current academic performance rating system for school districts, individual buildings of districts, community schools, STEM schools and college-preparatory boarding schools with a phased-in letter grade system under which districts and schools are assigned grades of "A," "B," "C," "D," or "F" based on various performance measures
 - Requires the Department of Education to review additional information included on report cards and submit to the Governor and General Assembly recommendations for revisions
 - Requires the State Board of Education to submit to the General Assembly recommendations for a comprehensive statewide plan to intervene in and improve the performance of persistently poor performing schools and school districts
 - Adds honors diploma and industry credentials to report card measures; establishes how report card measures will be grouped into components: Achievement, Progress, Graduation, K-3 Literacy Progress, Gap Closing (AYP alternative), and Prepared for Success (formerly College-and Career-Ready)
 - Clarifies that the Prepared for Success component is to consist of an unduplicated student count. If a student qualifies for more than one performance measure in the component, the State Board may, in its method to determine a grade for the component, specify an additional weight for such a student that is not greater than or equal to 1.0

2012

- Requires the State Board to determine, for the K-3 literacy measure, progress made based on the reduction in the percentage of students scoring below level each year on the reading diagnostics and the English language arts third grade state assessment
- Raises performance proficiency benchmark to 80% for the 2013-2014 school year
- Restores five score levels for student test results to align with new assessments
- Revises benchmarks for Indicators Met and Performance Index to 90% for an 'A'; specifies that the State Board assign specific report card measures to buildings based on applicable grade levels
- Requires the State Board by December 31, 2013 to specify additional non-report card measures that will be made available to the public
- Conforms Ohio's definition of graduation rate to the federal definition; clarifies deadlines for adopting rules for the report card and clarifies performance criteria for schools with respect to support or intervention by ODE as required by ESEA
- Requires ODE to give a presentation to the House and Senate Education Committees on its report card recommendations at least 45 days before the State Board votes to adopt them starting with the August 2013 report card
- Requires ODE to assign letter grades to school districts and schools not later than September 15 of each year, or in certain cases on the preceding Friday
- Requires the State Board to make recommendations to the General Assembly to create a one-year safe harbor for districts and schools for the first year that the new assessments are administered. The recommendation must include a method to exempt districts, buildings, community schools, STEM schools and college preparatory boarding schools that have a decline in performance index score from sanctions and penalties based on report card ratings
- Requires the State Board of Education to develop an alternative academic performance rating system for community schools serving primarily students enrolled in dropout prevention and recovery programs
 - Establishes criteria for closing dropout prevention and recovery community schools based on their academic performance
 - Clarifies selection of assessments used to measure progress of dropout recovery students
 - Inserts performance criteria for dropout recovery schools wishing to operate in multiple facilities
 - Adds performance of dropout recovery schools to community school sponsor evaluations beginning with the 2014-2015 school year
- Establishes a new evaluation system for determining which community school sponsors may sponsor additional schools. This new system will be developed in 2013 but will not be used for determining which sponsors can open new schools until the 2015-16 school year.
 - Clarifies the deadline for ODE to prescribe quality practices for community school sponsors
 - Clarifies when a new community school's performance is included in sponsor evaluations
 - ODE may assume sponsorship of contracted, but not yet opened, community schools if the school's sponsor is found ineffective
- Permits an educational service center to sponsor a new start-up community school in any challenged district in the state, instead of just its service territory, so long as it receives approval to do so from the Department of Education
- Clarifies which students are included in value-added calculations for community school closure purposes

2012

- Clarifies that educational service centers approved by ODE as a statewide sponsor meet the criteria to authorize in a municipal school district
- Specifies a community school that operates a drug recovery program in cooperation with a court must be considered a dropout prevention and recovery program for purposes of Community School Law
- Provides criteria for new eSchools once the moratorium on new eSchools is lifted
- Requires community school treasurers to be licensed and provides an existing community school fiscal officer one year from the bill's effective date to obtain a school treasurer license
- Expands the current exception permitting a community school to operate facilities in more than one location to apply to a community school sponsored by a school district having territory in the same county where the facilities of the school are located, regardless of whether the school has an operator
- Requires a school district to provide immediate services and regular diagnostic assessments for a student found to have a reading deficiency pending development of the student's reading improvement and monitoring plan required under the third grade reading guarantee
 - Clarifies which diagnostic tests are appropriate for assessing student reading levels
 - Requires administration of diagnostic assessments to each student in third grade, as well as first and second under current law
 - Requires a teacher who provides reading instruction services under the third grade reading guarantee to be actively engaged in the reading instruction of students for the previous three years and to satisfy at least one of certain specified criteria, depending on which school year the teacher intends to provide these services

House Bill 525

- Allows the mayor of Cleveland to establish and appoint a board of directors of a Municipal School District Transformation Alliance as a nonprofit corporation.
 - Requires the alliance, if created, to: (1) confirm and monitor a "transformation alliance education plan" prepared by the mayor; (2) suggest national education models for and provide input in the development of new district schools and partnering community schools; (3) report annually on the performance of all municipal school district schools and all community schools located in the district; (4) make recommendations to the department on the approval of sponsors of new community schools located in the district.
 - Sunsets the authority to create an alliance on Jan. 1, 2018, and terminated any alliance created under the bill on that date.
 - Requires the Ohio Department of Education, the transformation alliance, if created, and a statewide nonprofit community school sponsor organization, to work jointly to establish criteria for both (1) sponsor to use to determine if they will sponsor new community schools in the municipal school district by April 30, 2013, and (2) the Ohio Department of Education and the alliance to use in assessing the ability of a sponsor to successfully sponsor schools in the district.
 - Beginning with any community school that opens after July 1, 2013, requires each sponsor to use the criteria developed jointly by the Alliance, department and statewide sponsor organization to determine whether it will sponsor a new community school in the municipal school district.

2012

- Authorizes a municipal school district, with the approval of the community school governing authority, to elect to have the student performance data of a community school located in the district combined with the district's data on the district's report card if the district either sponsors the community school or has entered into an agreement with the school to endorse each other's programs.
- Authorizes a municipal school district, at its own discretion, to elect to have the number of students enrolled in a community school located in the district noted separately on the district's report card if the district either sponsors the community school or has entered into an agreement with the school to endorse each other's programs.
- Requires the district, by Oct. 1 each year, to submit documentation to the department indicating eligibility for the election to include a community school's data on its report card.
- Authorizes the school board of a municipal school district to propose a levy for current operating expenses, a portion of which would be allocated to "partnering" community schools and distributed among those schools on a per-pupil basis.

Senate Bill 316

- Specifies that unless the General Assembly enacts performance standards, a report card rating system and closure criteria for community schools that operate dropout prevention and recovery programs by March 31, 2013, those schools are subject to permanent closure under the existing criteria that applies to other community schools. Also specified that only the performance ratings issued to schools that operate dropout programs for the 2012-2013 school year and later count in determining if a school meets the closure criteria.
- Defines "blended learning" as "the delivery of instruction in a combination of time in a supervised physical location away from home and online delivery whereby the student has some element of control over time, place, path, or pace of learning."
- Requires the State Board of Education to revise its existing operating standards for school districts and chartered nonpublic schools to include standards for blended learning programs.
- Requires the operating standards to provide for student-to-teacher ratios whereby no blended learning classroom is required to have more than one teacher for every 125 students.
- Requires an operating standard that provides for "the licensing of teachers, administrators, and other professional personnel and their assignment according to training and qualifications."
- Requires the State Board to provide standards for the following:
 - Licensing of teachers, administrators and other professional personnel and their assignment according to training and qualifications;
 - Efficient and effective instructional materials and equipment, including library facilities;
 - Proper organization, administration and supervision of each school, including regulations for preparing all necessary records and reports and the preparation of a statement of policies and objectives for each school;
 - Buildings, grounds and health and sanitary facilities and services;
 - Admission of pupils and such requirements for their promotion from grade to grade to ensure that they are capable and prepared for the level of study to which they are certified;
 - Requirements for graduation; and
 - Such other factors as the Board finds necessary.

2012

- Requires school districts, community schools, STEM schools, public college-preparatory boarding schools and chartered nonpublic schools that operate a blended learning school, or that plan to cease operating one, to notify the department by July 1 of the school year for which the change is effective.
- Permits a school already operating a blended learning program to notify the department of education within 90 days after the bill's effective date and request classification as a blended learning school.
- Specifies that an Internet or computer-based community school is not a blended learning school, and that the bill's provisions addressing blended and digital learning do not affect current law with respect to the operation of and state payments to eSchools.
- Requires the department to provide information on the use of blended or digital learning in the delivery of the standards or curricula to students whenever the State Board adopts new state academic standards or model curricula.
- Requires community schools to comply with an existing law requiring each school district to adopt a promotion and retention policy that prohibits the promotion of a student who has been truant for more than 10 percent of the school year and has failed at least two of the required subjects, unless the principal and teachers in the failed subject agree that the student is academically prepared for the next grade.
- Revises and updates the definition of "sponsor" for purposes of the community school laws to explicitly include boards of school districts and educational service centers that agree to the conversion of a school or building and grandfathered sponsors, which are exempt from having to obtain the department of education's approval to sponsor community schools.
- Increases to five the number of governing authorities of start-up community schools on which a person can serve at the same time.
- Allows the governing authority of a community school to establish a single-gender school without establishing a comparable school for the other gender.
- Revises an uncodified provision enacted in 2011 in House Bill 153 and in each prior budget act since 2005 to permit a community school operating from or in a residential care facility, as long as the school was operating in Ohio before May 1, 2005, regardless of whether the school was operating from or in the facility on that date.
- Requires the department of education to make available a copy of every approved community school contract filed with the superintendent of public instruction on its website.
- Makes permanent the exclusion from the ranking calculations of community schools that primarily serve students with disabilities.
- Requires the department of education to include schools that operate dropout programs when calculating the composite Performance Index scores of community school sponsors for the purpose of sponsor rankings, if the schools become subject to the existing closure criteria.
- Excludes community schools that have been in operation for less than two full school years from counting in the annual rankings of community school sponsors.
- Specifies that the Ohio Department of Education's Office of School Sponsorship must be included in the annual rankings of community school sponsors, but exempted the office from the prohibitions against sponsoring additional community schools.
- Requires the department to publish the rankings between Oct. 1 and Oct. 15.
- States that the General Assembly intends to enact a law, not later than Dec. 31, 2012, that establishes a battery of measures to be used to rate the performance of the sponsors of community schools and to determine whether an entity may sponsor additional community schools.

2012

- Designates the Ohio Department of Education's Office of School Sponsorship as the entity within the department that may assume sponsorship of a community school whose sponsor is found not to be in compliance with state rules or its contract with the community school.
- Permits the department to deny an application for direct authorization submitted by an existing community school, if the school's previous sponsor did not renew its contract with the school.
- Requires school district boards of education to review monthly the community school enrollment for students who are entitled to attend school in the district and verify the community school in which the student is enrolled and that the student is entitled to attend school in the district under law.
- Authorizes community school governing authorities to adopt a policy for initial reporting that prescribes the number of documents required to verify a student's residency. If adopted, this policy supersedes any policy adopted by a school district.
- Codifies current department of education policy by specifying that "the school district in which a parent or child resides is the location the parent or student has established as the primary residence and where substantial family activity takes place."
- Specifies that the following documents may serve as evidence of primary residence:
 - A deed, mortgage, lease, current home owner's or renter's insurance declaration page or current real property tax bill;
 - A utility bill or receipt of utility installation issued within 90 days of enrollment;
 - A paycheck or pay stub issued to the parent or student within 90 days of the date of enrollment that includes the address of the parent's or student's primary residence;
 - The most current available bank statement issued to the parent or student that includes the address of the parent's or student's primary residence;
 - Any other official document issued to the parent or student that includes the address of the parent's or student's primary residence. (Required the superintendent of public instruction to develop guidelines for determining what qualifies as an "official document.")
- Specifies that when a student becomes a homeless child, or when a homeless child changes living arrangements, the district in which the student is entitled to attend school must be determined in accordance with current state and federal law governing education of homeless children.
- Specifies that in the event of a disagreement, the state superintendent must determine the district in which the student is entitled to attend.
- Requires that when a school district and community school reach different determinations as to a student's school district, the community school is to provide the district with documentation of the student's residency and make a good faith effort to accurately identify the student's residence. The community school cannot appeal to the state superintendent until doing so, and any appeal must be within 60 days after the department's monthly deadlines for reporting enrollment. The state superintendent must make the determination within 30 days after the community school presents the matter.
- Makes no statement about withholding payments, but requires the state superintendent to direct any necessary adjustments to deductions and payments after resolving a dispute.
- In addition to community schools, as under current law, includes public college-preparatory boarding schools in the right of first refusal for real property that a school district chooses to sell. When offering unused real property for sale or lease to community schools located in the district, as required under current law, permits, but does not require, a school district also to make that offer to existing community schools or college preparatory boarding schools with plans to relocate operations to the district.

2012

- Specifies that the appraised fair market value of the property must be determined by an appraisal that is not more than one year old.
- Specifies that if the district conducts an auction or lottery to select a community school or college-preparatory boarding school to purchase or lease the property, because more than one eligible party notifies the district of its interest, the auction or lottery must be conducted only among the parties that notified the district of their interest, instead of among all eligible parties, as required under current law.
- Adds nonprofit private colleges and universities and chartered nonpublic schools to the list of entities that may purchase real (or personal) property of a school district directly without purchasing it at a public auction.

2011

129th General Assembly 2011-2012

House Bill 153

- Eliminates the requirement that new start-up community schools contract with an operator of a previously successful community school.
- Eliminates the moratorium on new eSchools, but limits growth to five new eSchools per year.
- Requires the department of education to recommend eSchool standards to the General Assembly.
- Requires eSchools to comply with the newly developed standards if enacted by the legislature or, if not enacted, default to national standards.
- Creates the Ohio School Sponsorship Program, under which the Ohio Department of Education may directly sponsor community schools.
- Expands challenged districts where start-up community schools may be established to include the lowest 5 percent of districts based on Performance Index scores.
- Prohibits community school sponsors ranked in the lowest 20 percent of sponsors based on Performance Index scores from sponsoring additional schools.
- Increases the number of community schools any one sponsor can sponsor to 100.
- Eliminates the reduction of a sponsor's cap by one for every school that closes permanently.
- Revises procedural deadlines related to a sponsor's decision to terminate or not renew community school contracts.
- Grants civil immunity to sponsors and staff when taking action authorized by law or contract to fulfill the oversight responsibility.
- Repeals the requirement that a sponsor have a representative within 50 miles of each school it sponsors.
- Requires monthly sponsor and school meetings to review finances and enrollment.
- Imposes a one-year revolving door restriction on governing authority members and their immediate relatives.
- Increases the maximum compensation for governing authority members of start-up community schools.
- Revises the closure criteria, decreasing the length of time it takes to close poor performing schools with certain grade configurations.
- Specifies that, for state funding purposes, an eSchool student is considered automatically re-enrolled the following year until enrollment is terminated or the student fails to meet the 105-hour participation requirement.

2011

- Repeals the requirement that eSchools spend a specified minimum amount per pupil on instruction.
- Makes exceptions to allow facilities to duplicate grades or be located in more than one district.
- Requires the department to assign a unique identification number to each facility when one school has multiple facilities.
- Permits two or more community schools to be located in the same facility.
- Expands a community school's right of first refusal to purchase all real property owned by a school district.
- Requires school district boards with real property that has not been in use for two years to offer it to new start-up community schools for purchase or lease.
- Permits community schools to enter into an agreement for the joint operation of educational programs but prohibited them from charging related tuition or fees.
- Requires the State Board of Education to review prior recommendations for dropout recovery performance standards and to issue new recommendations to the General Assembly by June 2012.

2010

128th General Assembly 2009-2010

House Bill 19

- Requires the Ohio Department of Education to re-evaluate closure criteria for 2009-2010 school year excluding each school's first two years of operation.

2009

128th General Assembly 2009-2010

House Bill 1

- Requires the Ohio Department of Education to issue a community school's first Local Report Card at the end of its first year of operation rather than the second year of operation.
- Excludes any ratings a community school receives on its first two Local Report Cards from use in the community school closure criteria.
- Strengthens the closure criteria for poorly performing community schools.
- Expands the exemption of schools from the closure criteria to include schools in which more than half of the students enrolled receive special education or related services.
- Requires the chief administrative officer of closing schools to transmit each student's records to his or her district of record within seven business days of the school's permanent closure.
- Clarifies that any and all sponsors are under the oversight of the department of education.
- Requires the Ohio Department of Education's annual report on community schools to report the performance of sponsors.
- Clarifies the performance requirements of schools used for the operator provision.
- Allows joint vocational school districts to sponsor conversion community schools.
- Revises the minimum standard for the expenditure of state funds on instruction by eSchools and provides a fine for non-compliance.
- Eliminates the prohibition against eSchools counting purchases of computers, obscenity filtering software and certain other software toward instructional expenditures.

2009

House Bill 290

- Allows a conversion community school to locate outside of the sponsoring district in very narrow circumstances.
- Allows a conversion community school to obtain a new sponsor in very narrow circumstances.

2007

127th General Assembly 2007-2008**House Bill 119**

- Lifts the moratorium on new start-ups by allowing them to open under the control of a successful operator meeting certain criteria.
- Expands penalties for failing to report or misreporting Education Management Information System (EMIS) data.
- Strengthens the requirements for new sponsor applicants who currently sponsor or operate schools outside of Ohio to meet a minimum quality standard.
- Limits the sponsorship territory of educational service centers to their own and contiguous service areas, but exempts this limitation for schools already sponsored outside of the limited areas.
- Modifies payments for community school students attending multiple educational providers in one year.
- Allows community schools to transport their own students and receive transportation funds directly from the state.
- Establishes pre-opening requirements for all community schools that must be confirmed by sponsors prior to the beginning of each school year.
- Requires the Auditor of State to provide written notification to the school, sponsor and the department of education when finding a community school is unauditible.
- Prohibits the sponsor of an unauditible school from entering into preliminary agreements and/or contracts with additional community schools until the audit is complete.
- Requires the sponsor of an unauditible school to notify the Auditor of State of the actions it will take as a result of the unauditible finding.
- Requires the Ohio Department of Education to withhold funds, until notified otherwise by the Auditor of State, from any school that fails to make progress in bringing its records into an auditible condition within 90 days of the finding.
- Clarifies the proper distribution of a closed community school's assets.
- Prohibits community schools not operating as of May 1, 2005, from operating within residential treatment facilities that receive and care for children.

House Bill 562

- Allows educational service centers to sponsor conversion community schools housed in an existing building used by the educational service center.
- Allows new start-ups to be established in two districts under the same contract in certain circumstances.
- Allows governing authorities of multiple community schools to enter into pooling agreements to make purchases.
- Establishes the five-year ISUS demonstration project.

2005

126th General Assembly 2005-2006**House Bill 66**

- Expands community school accountability for special education and related services.
- Establishes expected gains for community schools on additional assessments.
- Allows only 30 additional district-sponsored and 30 additional non-district sponsored new start-ups to open until July 1, 2007.
- Requires a lottery to be held to determine which new start-ups can open.
- Places a moratorium on new eSchools until the General Assembly enacts standards for eSchool operation.
- Requires eSchools to provide testing locations within 50 miles of students' homes.
- Requires eSchools to withdraw students who fail to participate in state-mandated tests for two consecutive years.
- Defines a "day" for an eSchool student as a minimum of five hours and maximum of 10 hours of learning opportunities.
- Establishes eSchool pupil instruction expenditure criteria and reporting requirements.
- Requires governing authorities to partner with a successful operator to open a new start-up above the cap.
- Places limits on the number of schools that can be sponsored by an entity.
- Ultimately caps the number of new start-up community schools at 50 per sponsor.
- Requires operator applicants who currently operate schools outside of Ohio to meet a minimum quality standard.
- Requires community school contracts to be adopted no later than March 15 of the year in which the school is to open.
- Requires community school to open within one year of the contract's execution.
- Requires non-dropout recovery schools to open by Sept. 30 of the year in which the contract is signed.
- Requires the Ohio Department of Education to adopt closing procedures for use by community schools and sponsors.

House Bill 79

- Clarifies requirements of districts offering real property to community schools.
- Reduces a sponsor's cap by one for every school that closes permanently.
- Allows individuals to serve on no more than two schools' governing authorities at one time.
- Limits governing authority members' compensation for attendance at meetings.
- Prohibits governing authority members of new start-ups, and their immediate relatives, from becoming owners, employees or consultants of any community school operator until one year after such membership has ended.
- Provides appeal rights for the community school's operator in the event that the governing authority terminated the operator's contract.
- Allows the parents of eSchool students to waive the school's requirement to provide a computer to their enrolled child.

2005

- Replaces earlier expected gains with the state ratings and Value-Added systems to determine closure requirements for poorly performing community schools.
- Provides an exemption from closure for poor performance for certain dropout recovery community schools.

2003

125th General Assembly 2003-2004

House Bill 95

- Allows educational service centers to sponsor start-ups in any challenged district.
- Prohibits schools from contracting with a new sponsor upon termination of their contract.
- Details the flow of state aid to community schools.
- Requires automatic withdrawal of community school students missing 105 consecutive hours of instruction.

House Bill 3

- Limits challenged districts to include only those in Lucas County, the Ohio eight urban districts, and districts in Academic Watch and Academic Emergency.
- Requires the State Board of Education to recommend eSchool standards to the General Assembly.

2001

124th General Assembly 2001-2002

House Bill 94

- Requires districts to offer real property for sale to new start-ups.
- Grants sponsors the right to suspend, terminate and non-renew community schools.

House Bill 364

- Changes the role of the State Board of Education to authorizer of sponsors.
- Refocuses the State Board of Education's efforts on oversight of sponsors and providing technical assistance to schools and sponsors.
- The State Board of Education is able to sponsor community schools only in very narrow circumstances.
- A sponsor that operated on or before April 8, 2003, is regarded as "grandfathered" for purposes of continuing to act as a sponsor.
- Requires non-grandfathered sponsors of new start-ups to apply to the State Board of Education.
- Extends sponsorship of new start-ups to include school districts, educational service centers, the 13 four-year state universities and qualified nonprofit organizations.
- Expands challenged districts to include those in Academic Watch.
- Limits the total number of non-district sponsored new start-ups to 225 until July 1, 2005.
- Allows and defines eSchools.

1999

123th General Assembly 1999-2000**House Bill 282**

- Expands challenged districts to include Ohio Urban 21 districts.
- Expands challenged districts to include those in Academic Emergency.
- Requires community schools to designate attendance areas.
- Requires districts to transport community school students.

1997

122nd General Assembly 1997-1998**House Bill 215**

- Pilot community school program established.
- Lucas County Educational Service Center established as a sponsor.
- University of Toledo established as a sponsor.
- New start-ups allowed to locate in Lucas County only.

Senate Bill 55

- Program expanded beyond Lucas County.
- State Board of Education established as a sponsor.
- Defines challenged districts as districts in Lucas County, and the eight largest urban districts.
- Allows new start-ups to locate in challenged districts only.

House Bill 770

- Allows University of Toledo designee to sponsor new start-up community schools.

Additional Components of the Community School Annual Report

The remainder of this report presents tables describing school academic and demographic data, enrollment and finance. It also presents the authorizer's assessments of community school legal compliance, along with the Ohio Department of Education's assessment of authorizer performance. Many of the tables include historic information for previous school years, as well as data for the 2013-2014 school year. To view the tables and the accompanying narration, go to www.education.ohio.gov and search keywords: Community Schools Annual Report.

Laws cited

¹ Ohio Revised Code 3314.36

² Ohio Revised Code 3302.03(1)

³ Ohio Revised Code 3314.35

⁴ Ohio Revised Code 3314.016

Ohio | Department
of Education

education.ohio.gov

Authorizer Monitoring Review Instrument
Core Areas of Compliance

Area of Review	Areas of Compliance/Explanation	Statutory Reference	Examples of Authorizer Actions to Document Compliance	Verified	Not Verified	Description of Authorizer Methods for Monitoring School Compliance with Statute
Health and Safety	Bus Driver Qualifications	ORC 3327.10	If the school transports its own students and/or provides transportation as a related service on an IEP, review the school foundation payment system account with all the drivers and private contractors entered. (Otherwise, not applicable.)			
Health & Safety	Certificate of Occupancy	ORC 3314.05 (A), 3314.19 (J)(2)	Documentation signed by a local government agency or building department certifying a building to be in condition suitable of occupancy. (Note: not applicable to schools.)			
Health & Safety	Criminal Background Checks (BCI&I and FBI)	ORC 3319.39	BCI and FBI results must be in place for all staff. Results must be on file within 60 days of hire. The requirement is no longer "care, custody and control." Affidavit may be available in schools with management companies.			
Health & Safety	Current Fire Inspection	ORC 3314.05 (B)(4); 3737.73(C)(1)	Review documentation of current fire inspection. Note: not applicable to schools; done annually unless specified otherwise by the locality.			
Health & Safety	Heimlich Maneuver Training	ORC 3313.815	Any school district that operates a food service program shall have at least one employee who has received instruction in methods to prevent choking and has demonstrated an ability to perform the Heimlich maneuver to be present while students are being served food.			
Health & Safety	School Emergency Evacuation-Tornado-School Safety Drill	ORC 3737.73 (A) & (D)(2)(b); Ohio Fire Code 405.1.1.1 and 408.3.2	At least (9) Emergency Evacuation drills must be conducted in the school year and at least (1) must occur within the first 10 days of school. Not later than the first day of December each year, the head of school will mail a list certifying the date and time each school safety drill was conducted to the police chief or county sheriff. Ensure evacuation maps are clearly labeled and displayed in the building and classrooms.			
Health & Safety	School Environment Inspection - Health Department	OAC 3701.3717; ORC 3314.05	A copy of current school environment (health) inspection.			
Health & Safety	School Safety Plan	ORC 3314.03	Must contain protocols for addressing various threats; updated every 3 yrs; the plan and floor plan filed with each local law enforcement agency and with the Ohio Attorney General			
Education Program	Prevention/Intervention Services Policy	ORC 3313.6012	Review of policy.			
Education Program	Implementation of the Education Plan	ORC 3301.03; 3301.0711	Review educational plan in Contract. Tour school. Note the teacher/student ratio, verify of contract required curricular materials. Conduct classroom observations of lesson materials, plans, and any evidence of any additional supplemental materials.			
Education Program	Special Education & related services plan, including 504 Implementation Plan	ORC 3323.03; OAC 3301-51-06	Evidence that the school has such a plan and that it is used to guide their service delivery; how does the Authorizer monitor implementation of the special education services.			

Authorizer Monitoring Review Instrument
Core Areas of Compliance

Area of Review	Areas of Compliance/Explanation	Statutory Reference	Examples of Authorizer Actions to Document Compliance	Verified	Not Verified	Description of Authorizer Methods for Monitoring School Compliance with Statute
Education Program	Special Education Student Files	OAC 3301-51; ORC 3323.03;	Check for Authorizer initials as verification.			
Governance	Certification of non-profit status	ORC 3314.03	Confirm the school has a current certificate of its non-profit status filed with Ohio's Secretary of State			
Governance	Governing Authority Approved Meeting Minutes and Resolutions; signed and available to the public.	ORC 121.22	Board records are public. Review appropriate procedures and board book for board meeting minutes.			
Finance	Monthly Financial Review	ORC 3314.023	Confirm that sponsor is conducting monthly fiscal review, and effective March 23, 2015, within 10 days after review Authorizer provides the GA and Fiscal Officer with a written report.			
Finance	Treasurer/Fiscal Officer Licensure/Qualifications & Bond	ORC 3314.011; Sponsor Contract	Current school treasurer license or evidence of qualifying hours of training for Fiscal Officer and current Bond.			
Operations	Liability Insurance	ORC 3314.03 (A)	A copy of current liability coverage.			
Operations	Licensed Employees	ORC 3319.22 to 3319.31	Verify that all classroom teachers are licensed in accordance with the ORC.			
Operations	Resident Educator Program; Mentor Program	ORC 3319.223	Ensure the school has a resident educator program mentor on staff and verify approved mentor status of the employee. Review documentation of training received. If process is not fully in place, follow up at next Site Visit.			
Operations	Review of enrollment records	ORC 3314.11	Proof of residency policy available for review; sample of records pulled and reviewed for proper enrollment documents			
	*Desk review unless otherwise noted					

Rotating Areas of Compliance
At School visit Compliance Manager will select 3 to review onsite

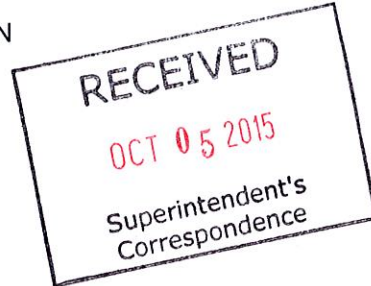
	B	C	D	E	F	G	H
	Area of Review	Areas of Compliance/Explanation	Statutory Reference	Examples of Authorizer Actions to Document Compliance	Verified	Not Verified	Description of Authorizer Methods for Monitoring School Compliance with Statute
1	Education Program	Child Find implementation	OAC 3301-51-03	Evidence of the school's process and procedures for implementing Child Find.			
2	Education Program	College and Career Readiness and Financial Literacy	ORC 3313.6015	Guidelines addressing college and career readiness and financial literacy; reference to incorporation of letter into curriculum.			
3	Education Program	Core Curriculum Parental Notification	ORC 3313.603	If the school offers high school grades and offers a waiver from the core curriculum, confirm parent signature and notice of student's ineligibility to enroll in state universities. Pertains to students in grades 11 & 12.			
4	Education Program	Dual Enrollment Policy for College Credit	ORC 3313.6013	For schools offering high school grades, review the GA approved policy for dual enrollment and evidence that students are informed about the opportunity.			
5	Education Program	Highly Qualified Teacher and ParaPro Documentation	ORC 3319.074; NCLB	Review EMIS report showing highly qualified teacher (HQT) status and verify staff roster is accurately documented.			
6	Education Program	LPDC Minutes		Minutes of LPDC meetings available for review, including dates, attendees and subject matter covered			
7	Education Program	Racial and Ethnic Balance Assessment	ORC 3314.03	Comparing school demographics to that of district; review GA's policy regarding balance assessment.			
8	Education Program	School Improvement Plan	CCIP or OIP, as required	For schools identified as in need of improvement by ODE, review the school's 3 year improvement plan and the sponsor's review of the plan.			
9	Education Program	State Mandated Testing Plan & Schedule	ORC 3301.0710; 3301.0711	Review the school's documentation of its testing plan (ordering, securing, administering, accounting for and returning all applicable statement mandated tests and diagnostics, along with notice to parents and students of the testing schedule; review procedures for identifying LEP students.			
10	Governance	Anti Harrassment and Bullying Policy	ORC 3313.666 (A) (B) (C)	GA adopted policy in accordance with statute; may be aligned with ODE's model policy.			
11	Governance	Child Find policy	ORC 3323.03; OAC 3301-51-03	Review board approved child find policy and verification of procedures followed. Ensure that notice is published annually and that it is posted on the school's website if it has one.			
12	Governance	Parental Involvement Policy	ORC 3313.472	Verify that the school has a parent involvement policy that is reviewed by the board and shared with the parents annually.			
13	Governance	Privacy Policy	ORC 3319.321 and Family Educational Rights and Privacy Act	Review of GA adopted policy regarding open records, annual public notice of FERPA (parents' and students' rights to the student's education records).			
14	Governance	Suspension & Expulsion Policies and Reporting	ORC 3313.66, 3313.661; 3313.662; 3313.664; 3313.613; 20 USC 7151.	Verify published policies regarding suspension and expulsion. School must show a compilation of all suspensions and expulsions for all students differentiating any special education students.			

Rotating Areas of Compliance
 At School visit Compliance Manager will select 3 to review onsite

	B	C	D	E	F	G	H
16	Health & Safety	Safety & Violence Prevention Training for Employees	ORC 3319.073	Verify on the employee roster that each person employed by the school as a nurse, teacher, counselor, school psychologist or administrator, or any employee regularly interacting with the students, has completed in-service training for the prevention of child abuse, violence & substance abuse within 2 years of employment & every 5 years thereafter.			
17	Health and Safety	Bloodborne Pathogens Training	Title 29 of the Code of Federal Regulations 1910.1030	Verify staff trained on the employee roster.			
18	Health and Safety	Epinephrine Injectors Policy	ORC 3313.716, 3313.718	Verify that school has an a policy and has obtained written physician approval for any student needing an inhaler at school.			
19	Health and Safety	Food Allergy Protection Policy	ORC 3313.719	Policy about protecting students with peanut or other food allergies.			
20	Health and Safety	Food Service License	ORC 3314.05, ORC 3717.41	Review current food service/food handlers license, if applicable			
21	Health and Safety	Immunization Records Policy and secure location for records	ORC 3313.716, 3313.718	Should include a prohibition against allowing a student to remain in school longer than 14 days without submitting immunization records. Waiver allowable for religious reasons			
22	Health and Safety	Missing Children Policy	ORC 109.65, 3313.96	Review of GA adopted policy, procedures and implementation; review policy and procedures for confirming students' verification of ID.			
23	Health and Safety	Student Records Review	ORC 3313.50 & 3313.69 (vision & hearing); 3313.67, 3313.671 (immunization); 3313.712 (emergency medical authorization)	Review a sample of student records in each grade level utilizing student file checklist. Verify grade levels for vision and hearing checks.			
24	Health and Safety	Wellness Policy	Section 204 of the Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296	Review of GA adopted policy in accordance with statute.			
25	Operations	Academic Calendar	ORC 3313.481	Review calendar for current year to confirm consistency with sponsor's approved calendar, school's operations and with SOES submission. Did the sponsor receive calendar & bell schedule?			
34							
35							
36							
37							
38							

U282A150023 - 15A

RICHARD ROSS
STATE OF OHIO/DEPARTMENT OF EDUCATION
QUALITY SCHOOL CHOICE
25 SOUTH FRONT STREET
COLUMBUS, OH 43215 - 4183





**US Department of Education
Washington, D.C. 20202**

U282A150023 - 15A

GRANT AWARD NOTIFICATION

<p>1 RECIPIENT NAME</p> <p>STATE OF OHIO/DEPARTMENT OF EDUCATION QUALITY SCHOOL CHOICE 25 SOUTH FRONT STREET COLUMBUS, OH 43215 - 4183</p>	<p>2 AWARD INFORMATION</p> <p>PR/AWARD NUMBER U282A150023 - 15A ACTION NUMBER 1 ACTION TYPE Revision AWARD TYPE Discretionary</p>																			
<p>3 PROJECT STAFF</p> <p>RECIPIENT PROJECT DIRECTOR DAVID HANSEN (614) 466-0452 DAVID.HANSEN@EDUCATION.OHIO.GOV EDUCATION PROGRAM CONTACT Leslie A Hankerson (202) 205-8524 leslie.hankerson@ed.gov EDUCATION PAYMENT HOTLINE G5 PAYEE 888-336-8930 HELPDESK edcaps.user@ed.gov</p>	<p>4 PROJECT TITLE</p> <p>84.282A OHIO DEPARTMENT OF EDUCATION -- APPLICATION FOR THE CHARTER SCHOOL PROGRAM GRANT</p>																			
<p>5 KEY PERSONNEL</p> <table border="0"> <thead> <tr> <th><u>NAME</u></th> <th><u>TITLE</u></th> <th><u>LEVEL OF EFFORT</u></th> </tr> </thead> <tbody> <tr> <td>DAVID HANSEN</td> <td>Project Director</td> <td>100 %</td> </tr> </tbody> </table>		<u>NAME</u>	<u>TITLE</u>	<u>LEVEL OF EFFORT</u>	DAVID HANSEN	Project Director	100 %													
<u>NAME</u>	<u>TITLE</u>	<u>LEVEL OF EFFORT</u>																		
DAVID HANSEN	Project Director	100 %																		
<p>6 AWARD PERIODS</p> <table border="0"> <tr> <td>BUDGET PERIOD</td> <td>10/01/2015 - 09/30/2016</td> </tr> <tr> <td>PERFORMANCE PERIOD</td> <td>10/01/2015 - 09/30/2020</td> </tr> </table> <p>FUTURE BUDGET PERIODS</p> <table border="0"> <thead> <tr> <th><u>BUDGET PERIOD</u></th> <th><u>DATE</u></th> <th><u>AMOUNT</u></th> </tr> </thead> <tbody> <tr> <td>2</td> <td>10/01/2016 - 09/30/2017</td> <td>\$13,886,626.00</td> </tr> <tr> <td>3</td> <td>10/01/2017 - 09/30/2018</td> <td>\$16,659,431.00</td> </tr> <tr> <td>4</td> <td>10/01/2018 - 09/30/2019</td> <td>\$16,683,717.00</td> </tr> <tr> <td>5</td> <td>10/01/2019 - 09/30/2020</td> <td>\$16,709,581.00</td> </tr> </tbody> </table>		BUDGET PERIOD	10/01/2015 - 09/30/2016	PERFORMANCE PERIOD	10/01/2015 - 09/30/2020	<u>BUDGET PERIOD</u>	<u>DATE</u>	<u>AMOUNT</u>	2	10/01/2016 - 09/30/2017	\$13,886,626.00	3	10/01/2017 - 09/30/2018	\$16,659,431.00	4	10/01/2018 - 09/30/2019	\$16,683,717.00	5	10/01/2019 - 09/30/2020	\$16,709,581.00
BUDGET PERIOD	10/01/2015 - 09/30/2016																			
PERFORMANCE PERIOD	10/01/2015 - 09/30/2020																			
<u>BUDGET PERIOD</u>	<u>DATE</u>	<u>AMOUNT</u>																		
2	10/01/2016 - 09/30/2017	\$13,886,626.00																		
3	10/01/2017 - 09/30/2018	\$16,659,431.00																		
4	10/01/2018 - 09/30/2019	\$16,683,717.00																		
5	10/01/2019 - 09/30/2020	\$16,709,581.00																		
<p>7 AUTHORIZED FUNDING</p> <table border="0"> <tr> <td>THIS ACTION</td> <td>\$25,552,409.00</td> </tr> <tr> <td>BUDGET PERIOD</td> <td>\$32,671,373.00</td> </tr> <tr> <td>PERFORMANCE PERIOD</td> <td>\$32,671,373.00</td> </tr> </table>		THIS ACTION	\$25,552,409.00	BUDGET PERIOD	\$32,671,373.00	PERFORMANCE PERIOD	\$32,671,373.00													
THIS ACTION	\$25,552,409.00																			
BUDGET PERIOD	\$32,671,373.00																			
PERFORMANCE PERIOD	\$32,671,373.00																			
<p>8 ADMINISTRATIVE INFORMATION</p> <table border="0"> <tr> <td>DUNS/SSN</td> <td>809174378</td> </tr> <tr> <td>REGULATIONS</td> <td>CFR PART XX EDGAR AS APPLICABLE 2 CFR AS APPLICABLE</td> </tr> <tr> <td>ATTACHMENTS</td> <td>N/A</td> </tr> </table>		DUNS/SSN	809174378	REGULATIONS	CFR PART XX EDGAR AS APPLICABLE 2 CFR AS APPLICABLE	ATTACHMENTS	N/A													
DUNS/SSN	809174378																			
REGULATIONS	CFR PART XX EDGAR AS APPLICABLE 2 CFR AS APPLICABLE																			
ATTACHMENTS	N/A																			
<p>9 LEGISLATIVE AND FISCAL DATA</p> <table border="0"> <tr> <td>AUTHORITY:</td> <td>PL P.L. 107-110 V ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, AS AMENDED</td> </tr> <tr> <td>PROGRAM TITLE:</td> <td>CHARTER SCHOOLS</td> </tr> </table>		AUTHORITY:	PL P.L. 107-110 V ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, AS AMENDED	PROGRAM TITLE:	CHARTER SCHOOLS															
AUTHORITY:	PL P.L. 107-110 V ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, AS AMENDED																			
PROGRAM TITLE:	CHARTER SCHOOLS																			



US Department of Education
Washington, D.C. 20202

U282A150023 - 15A

GRANT AWARD NOTIFICATION

CFDA/SUBPROGRAM NO: 84.282A

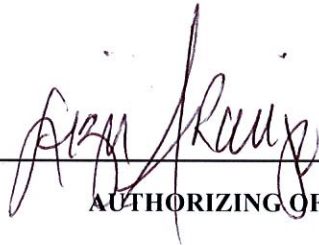
FUND CODE	FUNDING YEAR	AWARD YEAR	ORG. CODE	CATEGORY	LIMITATION	ACTIVITY	CFDA	OBJECT CLASS	AMOUNT
0204A	2015	2015	EU000000	B	U30	000	282	4101C	\$25,552,409.00

10

PR/AWARD NUMBER: U282A150023 - 15A
RECIPIENT NAME: STATE OF OHIO/DEPARTMENT OF EDUCATION
QUALITY SCHOOL CHOICE

TERMS AND CONDITIONS

- (1) THIS ACTION INCREASES THE AMOUNT OF FUNDS AUTHORIZED FOR THE CURRENT BUDGET PERIOD AND PERFORMANCE PERIOD AS SHOWN IN BLOCK 7.
- (2) The grant award for budget period 1 includes funding in the amount of \$7,118,964 for budget period 1, \$13,886,625 for budget period 2, and \$11,665,784 for budget period 3. The grantee may not obligate or disburse budget period 2 or budget period 3 funds prior to the start of that budget period. In FY 2016, the grantee will be awarded the remaining \$1 for budget period 2, and in FY 2017 the grantee will be awarded the remainder of budget period 3 funds, contingent on grant performance.



AUTHORIZING OFFICIAL

9/28/15

DATE

EXPLANATION OF BLOCKS ON THE GRANT AWARD NOTIFICATION

For Discretionary, Formula and Block Grants (See Block 2 of the Notification)

1. **RECIPIENT NAME** - The legal name of the recipient, name of the primary organizational unit that
2. **AWARD INFORMATION** - Unique items of information that identify this notification.
 - PR/AWARD NUMBER** - A unique, identifying number assigned by the Department to each application. On funded applications, this is commonly known as the "grant number" or "document number."
 - ACTION NUMBER** - A numeral that represents the cumulative number of steps taken by the Department to date to establish or modify the award through fiscal or administrative means. Action number "01" will always be "NEW AWARD"
 - ACTION TYPE** - The nature of this notification (e.g., NEW AWARD, CONTINUATION, REVISION, ADMINISTRATIVE)
 - AWARD TYPE** - The particular assistance category in which funding for this award is provided, i.e., DISCRETIONARY, FORMULA, or BLOCK.
3. **PROJECT STAFF** - This block contains the names and telephone numbers of the U.S. Department of Education and recipient staff who are responsible for project direction and oversight.
 - *RECIPIENT PROJECT DIRECTOR** - The recipient staff person responsible for administering the project. This person represents the recipient to the U.S. Department of Education.
 - EDUCATION PROGRAM CONTACT** - The U.S. Department of Education staff person responsible for the programmatic, administrative and business management concerns of the Department.
 - EDUCATION PAYMENT CONTACT** - The U.S. Department of Education staff person responsible for payments or questions concerning electronic drawdown and financial expenditure reporting.
4. **PROJECT TITLE AND CFDA NUMBER** - Identifies the Catalog of Federal Domestic Assistance (CFDA) subprogram title and the associated subprogram number.
5. *** KEY PERSONNEL** - Name, title and percentage (%) of effort the key personnel identified devotes to the project.
6. **AWARD PERIODS** - Project activities and funding are approved with respect to three different time periods, described below:
 - BUDGET PERIOD** - A specific interval of time for which Federal funds are being provided from a particular fiscal year to fund a recipient's approved activities and budget. The start and end dates of the budget period are shown.
 - PERFORMANCE PERIOD** - The complete length of time the recipient is proposed to be funded to complete approved activities. A performance period may contain one or more budget periods.
 - *FUTURE BUDGET PERIODS** - The estimated remaining budget periods for multi-year projects and estimated funds the Department proposes it will award the recipient provided substantial progress is made by the recipient in completing approved activities, the Department determines that continuing the project would be in the best interest of the Government, Congress appropriates sufficient funds under the program, and the recipient has submitted a performance report that provides the most current performance information and the status of budget expenditures.
7. **AUTHORIZED FUNDING** - The dollar figures in this block refer to the Federal funds provided to a recipient during the award periods.
 - *THIS ACTION** - The amount of funds obligated (added) or de-obligated (subtracted) by this notification.
 - *BUDGET PERIOD** - The total amount of funds available for use by the grantee during the stated budget period to this date.
 - *PERFORMANCE PERIOD** - The amount of funds obligated from the start date of the first budget period to this date.
 - RECIPIENT COST SHARE** - The funds, expressed as a percentage, that the recipient is required to contribute to the project, as defined by the program legislation or regulations and/or terms and conditions of the award.
 - RECIPIENT NON-FEDERAL AMOUNT** - The amount of non-federal funds the recipient must contribute to the project as identified in the recipient's application. When non-federal funds are identified by the recipient where a cost share is not a legislation requirement, the recipient will be required to provide the non-federal funds.
8. **ADMINISTRATIVE INFORMATION** - This information is provided to assist the recipient in completing the approved activities and managing the project in accordance with U.S. Department of Education procedures and regulations.
 - DUNS/SSN** - A unique, identifying number assigned to each recipient for payment purposes. The number is based on either the recipient's assigned number from Dun and Bradstreet or the individual's social security number.
 - *REGULATIONS** - *REGULATIONS - The parts of the Education Department General Administrative Regulations (EDGAR), specific program regulations (if any), and other titles of the Code of Federal Regulations that govern the award and administration of this grant.
 - *ATTACHMENTS** - Additional sections of the Grant Award Notification that discuss payment and reporting requirements, explain Department procedures, and add special terms and conditions in addition to those established, and shown as clauses, in Block 10 of the award. Any attachments provided with a notification continue in effect through the project period until modified or rescinded by the Authorizing Official.
9. **LEGISLATIVE AND FISCAL DATA** - The name of the authorizing legislation for this grant, the CFDA title of the program through which funding is provided, and U.S. Department of Education fiscal information.
 - FUND CODE, FUNDING YEAR, AWARD YEAR, ORG.CODE, PROJECT CODE, OBJECT CLASS** - The fiscal information recorded by the U.S. Department of Education's Grant Administration and Payment System to track obligations by award.
 - AMOUNT** - The amount of funds provided from a particular appropriation and project code. Some notifications authorize more than one amount from separate appropriations and/or project codes. The total of all amounts in this block equals the amount shown on the line, "THIS ACTION" (See "AUTHORIZED FUNDING" above (Block 7)).
10. **TERMS AND CONDITIONS** - Requirements of the award that are binding on the recipient.
 - *PARTICIPANT NUMBER** - The number of eligible participants the grantee is required to serve during the budget year.
 - *AUTHORIZING OFFICIAL** - The U.S. Department of Education official authorized to award Federal funds to the recipient, establish or change the terms and conditions of the award, and authorize modifications to the award

FOR FORMULA AND BLOCK GRANTS ONLY:

(See also Blocks 1, 2, 4, 6, 8, 9 and 10 above)

3. **PROJECT STAFF** - The U.S. Department of Education staff persons to be contacted for programmatic and payment questions.

7. AUTHORIZED FUNDING

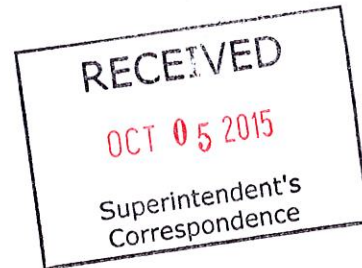
- CURRENT AWARD AMOUNT** - The amount of funds that are obligated (added) or de-obligated (subtracted) by this action.
- PREVIOUS CUMULATIVE AMOUNT** - The total amount of funds awarded under the grant before this action.
- CUMULATIVE AMOUNT** - The total amount of funds awarded under the grant, this action included.

* This item differs or does not appear on formula and block grants.

CSP EAU #2

U282A150023

RICHARD ROSS
STATE OF OHIO/DEPARTMENT OF EDUCATION
QUALITY SCHOOL CHOICE
25 SOUTH FRONT STREET
COLUMBUS, OH 43215 - 4183





**US Department of Education
Washington, D.C. 20202**

U282A150023

GRANT AWARD NOTIFICATION

<p>1 RECIPIENT NAME</p> <p>STATE OF OHIO/DEPARTMENT OF EDUCATION QUALITY SCHOOL CHOICE 25 SOUTH FRONT STREET COLUMBUS, OH 43215 - 4183</p>	<p>2 AWARD INFORMATION</p> <p>PR/AWARD NUMBER U282A150023 ACTION NUMBER 2 ACTION TYPE Administrative AWARD TYPE Discretionary</p>																			
<p>3 PROJECT STAFF</p> <p>RECIPIENT PROJECT DIRECTOR DAVID HANSEN (614) 466-0452 DAVID.HANSEN@EDUCATION.OHIO.GOV EDUCATION PROGRAM CONTACT Leslie A Hankerson (202) 205-8524 leslie.hankerson@ed.gov EDUCATION PAYMENT HOTLINE G5 PAYEE 888-336-8930 HELPDESK edcaps.user@ed.gov</p>	<p>4 PROJECT TITLE</p> <p>84.282A OHIO DEPARTMENT OF EDUCATION -- APPLICATION FOR THE CHARTER SCHOOL PROGRAM GRANT</p>																			
<p>5 KEY PERSONNEL</p> <table border="0"> <thead> <tr> <th><u>NAME</u></th> <th><u>TITLE</u></th> <th><u>LEVEL OF EFFORT</u></th> </tr> </thead> <tbody> <tr> <td>DAVID HANSEN</td> <td>Project Director</td> <td>100 %</td> </tr> </tbody> </table>		<u>NAME</u>	<u>TITLE</u>	<u>LEVEL OF EFFORT</u>	DAVID HANSEN	Project Director	100 %													
<u>NAME</u>	<u>TITLE</u>	<u>LEVEL OF EFFORT</u>																		
DAVID HANSEN	Project Director	100 %																		
<p>6 AWARD PERIODS</p> <table border="0"> <tr> <td>BUDGET PERIOD</td> <td>10/01/2015 - 09/30/2016</td> </tr> <tr> <td>PERFORMANCE PERIOD</td> <td>10/01/2015 - 09/30/2020</td> </tr> </table> <p>FUTURE BUDGET PERIODS</p> <table border="0"> <thead> <tr> <th><u>BUDGET PERIOD</u></th> <th><u>DATE</u></th> <th><u>AMOUNT</u></th> </tr> </thead> <tbody> <tr> <td>2</td> <td>10/01/2016 - 09/30/2017</td> <td>\$1.00</td> </tr> <tr> <td>3</td> <td>10/01/2017 - 09/30/2018</td> <td>\$4,993,647.00</td> </tr> <tr> <td>4</td> <td>10/01/2018 - 09/30/2019</td> <td>\$16,683,717.00</td> </tr> <tr> <td>5</td> <td>10/01/2019 - 09/30/2020</td> <td>\$16,709,581.00</td> </tr> </tbody> </table>		BUDGET PERIOD	10/01/2015 - 09/30/2016	PERFORMANCE PERIOD	10/01/2015 - 09/30/2020	<u>BUDGET PERIOD</u>	<u>DATE</u>	<u>AMOUNT</u>	2	10/01/2016 - 09/30/2017	\$1.00	3	10/01/2017 - 09/30/2018	\$4,993,647.00	4	10/01/2018 - 09/30/2019	\$16,683,717.00	5	10/01/2019 - 09/30/2020	\$16,709,581.00
BUDGET PERIOD	10/01/2015 - 09/30/2016																			
PERFORMANCE PERIOD	10/01/2015 - 09/30/2020																			
<u>BUDGET PERIOD</u>	<u>DATE</u>	<u>AMOUNT</u>																		
2	10/01/2016 - 09/30/2017	\$1.00																		
3	10/01/2017 - 09/30/2018	\$4,993,647.00																		
4	10/01/2018 - 09/30/2019	\$16,683,717.00																		
5	10/01/2019 - 09/30/2020	\$16,709,581.00																		
<p>7 AUTHORIZED FUNDING</p> <table border="0"> <tr> <td></td> <td>THIS ACTION</td> <td>N/A</td> </tr> <tr> <td>BUDGET PERIOD</td> <td>\$32,671,373.00</td> <td></td> </tr> <tr> <td>PERFORMANCE PERIOD</td> <td>\$32,671,373.00</td> <td></td> </tr> </table>			THIS ACTION	N/A	BUDGET PERIOD	\$32,671,373.00		PERFORMANCE PERIOD	\$32,671,373.00											
	THIS ACTION	N/A																		
BUDGET PERIOD	\$32,671,373.00																			
PERFORMANCE PERIOD	\$32,671,373.00																			
<p>8 ADMINISTRATIVE INFORMATION</p> <table border="0"> <tr> <td>DUNS/SSN</td> <td>809174378</td> </tr> <tr> <td>REGULATIONS</td> <td>CFR PART XX EDGAR AS APPLICABLE 2 CFR AS APPLICABLE</td> </tr> <tr> <td>ATTACHMENTS</td> <td>N/A</td> </tr> </table>		DUNS/SSN	809174378	REGULATIONS	CFR PART XX EDGAR AS APPLICABLE 2 CFR AS APPLICABLE	ATTACHMENTS	N/A													
DUNS/SSN	809174378																			
REGULATIONS	CFR PART XX EDGAR AS APPLICABLE 2 CFR AS APPLICABLE																			
ATTACHMENTS	N/A																			
<p>9 LEGISLATIVE AND FISCAL DATA</p> <table border="0"> <tr> <td>AUTHORITY:</td> <td>PL P.L. 107-110 V ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965. AS AMENDED</td> </tr> <tr> <td>PROGRAM TITLE:</td> <td>CHARTER SCHOOLS</td> </tr> </table>		AUTHORITY:	PL P.L. 107-110 V ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965. AS AMENDED	PROGRAM TITLE:	CHARTER SCHOOLS															
AUTHORITY:	PL P.L. 107-110 V ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965. AS AMENDED																			
PROGRAM TITLE:	CHARTER SCHOOLS																			



**US Department of Education
Washington, D.C. 20202**

U282A150023

GRANT AWARD NOTIFICATION

CFDA/SUBPROGRAM NO: 84.282A

10

PR/AWARD NUMBER: U282A150023
RECIPIENT NAME: STATE OF OHIO/DEPARTMENT OF EDUCATION
QUALITY SCHOOL CHOICE

TERMS AND CONDITIONS

- (1) The grant award for budget period 1 includes frontloading in the amount of \$25,552,409.00 from budget period 2 and budget period 3 totaling the amount of budget period 1 to \$32,671,373.00. The grantee may not obligate or disburse budget period 2 or budget period 3 funds prior to the start of that budget period. In FY 2016, the grantee will be awarded the remaining \$1 for budget period 2, and in FY 2017 the grantee will be awarded the remainder of budget period 3 funds, contingent on grant performance.

Budget Periods 2 and 3 have been adjusted based on the frontloading from GAN Action #1.

Leslie Amberson

AUTHORIZING OFFICIAL

9/29/2015

DATE

Ver. 1

EXPLANATION OF BLOCKS ON THE GRANT AWARD NOTIFICATION

For Discretionary, Formula and Block Grants (See Block 2 of the Notification)

1. **RECIPIENT NAME** - The legal name of the recipient, name of the primary organizational unit that
2. **AWARD INFORMATION** - Unique items of information that identify this notification.
 - PR/AWARD NUMBER** - A unique, identifying number assigned by the Department to each application. On funded applications, this is commonly known as the "grant number" or "document number."
 - ACTION NUMBER** - A numeral that represents the cumulative number of steps taken by the Department to date to establish or modify the award through fiscal or administrative means. Action number "01" will always be "NEW AWARD"
 - ACTION TYPE** - The nature of this notification (e.g., NEW AWARD, CONTINUATION, REVISION, ADMINISTRATIVE)
 - AWARD TYPE** - The particular assistance category in which funding for this award is provided, i.e., DISCRETIONARY, FORMULA, or BLOCK.
3. **PROJECT STAFF** - This block contains the names and telephone numbers of the U.S. Department of Education and recipient staff who are responsible for project direction and oversight.
 - *RECIPIENT PROJECT DIRECTOR** - The recipient staff person responsible for administering the project. This person represents the recipient to the U.S. Department of Education.
 - EDUCATION PROGRAM CONTACT** - The U.S. Department of Education staff person responsible for the programmatic, administrative and business management concerns of the Department.
 - EDUCATION PAYMENT CONTACT** - The U.S. Department of Education staff person responsible for payments or questions concerning electronic drawdown and financial expenditure reporting.
4. **PROJECT TITLE AND CFDA NUMBER** - Identifies the Catalog of Federal Domestic Assistance (CFDA) subprogram title and the associated subprogram number.
5. *** KEY PERSONNEL** - Name, title and percentage (%) of effort the key personnel identified devotes to the project.
6. **AWARD PERIODS** - Project activities and funding are approved with respect to three different time periods, described below:
 - BUDGET PERIOD** - A specific interval of time for which Federal funds are being provided from a particular fiscal year to fund a recipient's approved activities and budget. The start and end dates of the budget period are shown.
 - PERFORMANCE PERIOD** - The complete length of time the recipient is proposed to be funded to complete approved activities. A performance period may contain one or more budget periods.
 - *FUTURE BUDGET PERIODS** - The estimated remaining budget periods for multi-year projects and estimated funds the Department proposes it will award the recipient provided substantial progress is made by the recipient in completing approved activities, the Department determines that continuing the project would be in the best interest of the Government, Congress appropriates sufficient funds under the program, and the recipient has submitted a performance report that provides the most current performance information and the status of budget expenditures.
7. **AUTHORIZED FUNDING** - The dollar figures in this block refer to the Federal funds provided to a recipient during the award periods.
 - *THIS ACTION** - The amount of funds obligated (added) or de-obligated (subtracted) by this notification.
 - *BUDGET PERIOD** - The total amount of funds available for use by the grantee during the stated budget period to this date.
 - *PERFORMANCE PERIOD** - The amount of funds obligated from the start date of the first budget period to this date.
 - RECIPIENT COST SHARE** - The funds, expressed as a percentage, that the recipient is required to contribute to the project, as defined by the program legislation or regulations and/or terms and conditions of the award.
 - RECIPIENT NON-FEDERAL AMOUNT** - The amount of non-federal funds the recipient must contribute to the project as identified in the recipient's application. When non-federal funds are identified by the recipient where a cost share is not a legislation requirement, the recipient will be required to provide the non-federal funds.
8. **ADMINISTRATIVE INFORMATION** - This information is provided to assist the recipient in completing the approved activities and managing the project in accordance with U.S. Department of Education procedures and regulations.
 - DUNS/SSN** - A unique, identifying number assigned to each recipient for payment purposes. The number is based on either the recipient's assigned number from Dun and Bradstreet or the individual's social security number.
 - *REGULATIONS** - *REGULATIONS - The parts of the Education Department General Administrative Regulations (EDGAR), specific program regulations (if any), and other titles of the Code of Federal Regulations that govern the award and administration of this grant.
 - *ATTACHMENTS** - Additional sections of the Grant Award Notification that discuss payment and reporting requirements, explain Department procedures, and add special terms and conditions in addition to those established, and shown as clauses, in Block 10 of the award. Any attachments provided with a notification continue in effect through the project period until modified or rescinded by the Authorizing Official.
9. **LEGISLATIVE AND FISCAL DATA** - The name of the authorizing legislation for this grant, the CFDA title of the program through which funding is provided, and U.S. Department of Education fiscal information.
 - FUND CODE, FUNDING YEAR, AWARD YEAR, ORG.CODE, PROJECT CODE, OBJECT CLASS** - The fiscal information recorded by the U.S. Department of Education's Grant Administration and Payment System to track obligations by award.
 - AMOUNT** - The amount of funds provided from a particular appropriation and project code. Some notifications authorize more than one amount from separate appropriations and/or project codes. The total of all amounts in this block equals the amount shown on the line, "THIS ACTION" (See "AUTHORIZED FUNDING" above (Block 7)).
10. **TERMS AND CONDITIONS** - Requirements of the award that are binding on the recipient.
 - *PARTICIPANT NUMBER** - The number of eligible participants the grantee is required to serve during the budget year.
 - *AUTHORIZING OFFICIAL** - The U.S. Department of Education official authorized to award Federal funds to the recipient, establish or change the terms and conditions of the award, and authorize modifications to the award

FOR FORMULA AND BLOCK GRANTS ONLY:

(See also Blocks 1, 2, 4, 6, 8, 9 and 10 above)

3. **PROJECT STAFF** - The U.S. Department of Education staff persons to be contacted for programmatic and payment questions.

7. AUTHORIZED FUNDING

CURRENT AWARD AMOUNT - The amount of funds that are obligated (added) or de-obligated (subtracted) by this action.

PREVIOUS CUMULATIVE AMOUNT - The total amount of funds awarded under the grant before this action.

CUMULATIVE AMOUNT - The total amount of funds awarded under the grant, this action included.

* This item differs or does not appear on formula and block grants.

12. APPENDIX – 2015 FEDERAL CSP AMENDMENTS AND USDE RESPONSES

This Appendix includes ODE's three amendments to its original Federal Charter School Program (CSP) application and USDE's subsequent responses.

ODE submitted amendments to USDE on the following dates:

- November 18, 2015
- December 4, 2015
- January 29, 2016
- February 24, 2016

USDE responded to ODE on the following dates:

- November 4, 2015
- September 14, 2016



UNITED STATES DEPARTMENT OF EDUCATION

Office of Innovation and Improvement

November 4, 2015

Dr. Richard A. Ross, Superintendent of Public Instruction
Ohio Department of Education
25 South Front Street
Columbus, OH 43215

Re: Charter Schools Program; Grant Award No. U282A150023

Dear Dr. Ross:

I am writing regarding the Fiscal Year (FY) 2015 Charter Schools Program (CSP) State Educational Agencies (SEAs) grant competition and the grant in the amount of \$32,671,373 that the United States Department of Education (Department) awarded to the Ohio Department of Education (ODE or Ohio) on September 28, 2015 (Grant Award No. U282A150023). As we stated during our telephone call on October 26, 2015, at various stages during and after the competition, the Department became aware of concerns regarding ODE's Office of Quality School Choice and the circumstances surrounding the resignation of the executive director of that office. In the call, you expressed your agency's commitment to cooperating with the Department as we work to address some unresolved concerns regarding oversight and accountability with respect to Ohio's charter schools.

As we indicated on the phone call, in making the original grant award, the Department conducted an expedited review of information available at that time and made a preliminary determination that these concerns and issues should not disqualify ODE from the FY 2015 CSP SEA competition. The Department took such concerns into consideration when awarding ODE's grant, however, and placed special conditions on the grant, pending receipt of more information regarding these matters. Since awarding the grant to ODE, the Department has received additional information that raises continuing concerns regarding ODE's ability to administer its CSP SEA grant properly, particularly in the areas of oversight and accountability with respect to Ohio's charter schools. For these reasons, the Department is leaving in place the special conditions that originally were imposed on ODE's CSP SEA grant, and is taking additional actions to safeguard public funds in order to enable the Department to review these matters further. These safeguards will remain in place while the Department is working with ODE to verify the accuracy and completeness of its application, and to ensure that ODE will be able to carry out its proposed project in accordance with statutory and regulatory requirements and the terms of its approved application, including all of ODE's grant-related assurances.

The Department appreciates ODE's acknowledgement, during our recent call, of our request that ODE refrain from drawing down any CSP funds from the Department's G5 Grants Management System or incurring any expenses or obligations related to ODE's CSP SEA grant, pending a determination from the Department that ODE has responded fully to the requests for information that are included in this letter, and can meet all grant conditions and applicable program requirements. Consistent with this request and ODE's acknowledgement, the Department has put in place a temporary "route payment" status on the CSP SEA funds awarded to ODE under the FY 2015 grant competition. This will enable ODE to drawdown funds for this project **only** with the approval of an appropriate Department official.

400 MARYLAND AVE. S.W., WASHINGTON, D.C. 20202
www.ed.gov

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

In order to gather more information, the Department has an initial set of requests that require ODE's response, listed below. Please provide written responses to Kathryn Meeley at Kathryn.Meeley@ed.gov within the time frames noted below:

1. Request for Review and Certification of Accuracy of Information in Application (within 14 days of the date of receipt of this letter)
 - a. After a review of its CSP SEA grant application, ODE will notify the Department of the extent to which any information in the application is out-of-date, inaccurate, incomplete, or misleading, with a written explanation of how the information is out-of-date, inaccurate, incomplete, or misleading, and ODE will provide the correct and complete information; and
 - b. ODE will provide a written certification from the Ohio Superintendent of Public Instruction that all information in the approved grant application, with the changes noted under (1a), is accurate.

2. Request for Report on Audits (within 30 days of the date of receipt of this letter)
 - a. ODE will provide a report summarizing the findings in all audits performed by State auditors related to Ohio charter schools for the past seven years and whether any of the findings or recommendations remain open or unresolved;
 - b. ODE will provide copies of all of the relevant audits and the responses or copies of documents describing any actions taken by State officials; and
 - c. In a subsequent letter, we may request copies of a sample of audits performed by local auditors related to Ohio charter schools and the responses or copies of documents describing any actions taken by State, local, or charter school officials.

3. Requests for Additional Information, Including Charter School Accountability (within 14 days of the date of receipt of this letter)
 - a. ODE will describe what, if any, changes have been made since the competition's close on July 16, 2015, to the proposed process for reviewing and assessing charter school authorizers as described in its CSP SEA grant application. Additionally, ODE will include in this response:
 - i. Any additional systems to review and to verify the charter school authorizer evaluation process;
 - ii. Any additional systems to ensure the integrity of charter school and charter school authorizer data and evaluations;
 - iii. Any additional reporting procedures that will facilitate a transparent charter school authorizer and charter school review process;
 - iv. Any deletions or revisions to systems or processes relevant to Ohio's charter school authorizer review process as described in its CSP SEA grant application; and
 - v. An updated timeline for ODE's charter school authorizer review process.
 - b. ODE will provide a copy of ODE's ethics and conflict of interest guidelines and policies;
 - c. ODE will describe any changes made to its internal controls that affect officials responsible for oversight of Ohio's charter school sector;
 - d. ODE will describe any changes to the timeline for the charter schools planning and implementation subgrants described in its CSP SEA grant application;
 - e. ODE will describe how the charter school legislation recently signed into law in Ohio, will impact the operation of the project described in its CSP SEA grant application;
 - f. ODE will describe how personnel changes that have occurred within ODE's Office of Quality School Choice affect the capacity of ODE to implement the project described in its CSP SEA grant application; and
 - g. ODE will describe any current or anticipated problems or challenges in the implementation of the project described in its CSP SEA grant application that are not addressed in the preceding requests.

The Department also plans to seek input from relevant State officials, including the Ohio State Auditor and the Ohio Inspector General, regarding ODE's past performance and how it might affect ODE's ability to implement its CSP SEA grant project in a manner that meets all applicable requirements. Once we receive this information and responses to the above requests, the Department will decide whether we need further information or whether further

400 MARYLAND AVE. S.W., WASHINGTON, D.C. 20202
www.ed.gov

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

actions or conditions are warranted. This may include requiring ODE to provide the Department with a report, on an expedited basis, from an independent auditor chosen in consultation with the Department using “agreed upon procedures” to help determine, among other things, whether ODE is implementing its charter school authorizer evaluation and rating system in accordance with relevant State law, regulations, policies and procedures.

The Department appreciates the cooperative spirit that ODE demonstrated during our recent call. We appreciate ODE’s interest in the CSP and Ohio’s goal of improving educational opportunities for all of its students, including better serving the educational needs of Ohio’s disadvantaged students through high-quality public charter schools. The Department expects that, in meeting these conditions and addressing fully any additional requests for information, ODE will be able to implement the plan described in its approved CSP SEA grant application and will be successful in creating high-quality public charter schools for its students, especially its most vulnerable students. Please let us know if you have any questions about any of the matters discussed in this letter.

Sincerely,

/s/

Stefan Huh
Director
Charter Schools Program

400 MARYLAND AVE. S.W., WASHINGTON, D.C. 20202
www.ed.gov

The Department of Education’s mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

John R. Kasich, Governor
Dr. Richard A. Ross, Superintendent of Public Instruction

November 18, 2015

Stefan Huh
Director
Charter Schools Program
U.S. Department of Education
400 Maryland Ave. S.W.
Washington, D.C. 20202

Dear Director Huh:

Thank you for the opportunity to update and clarify material in our Charter Schools Grant Award of Sept. 28, 2015. We greatly appreciate the United States Department of Education's commitment to improving educational opportunities for all Ohio students and your willingness to let us explain the goals and accountability systems that will be used to implement the grant.

As was stated in our telephone call last month, significant legislative, operational and policy changes have taken place since the grant was submitted in July. Together, these developments will bolster the grant's purpose of creating high-quality public charter schools, especially for our most vulnerable students.

Last month, the Ohio General Assembly overwhelmingly passed House Bill 2, a landmark revision to the state's charter school oversight system. The law gives the department greater authority to ensure that only high-quality sponsors can oversee schools and provides incentives to sponsors that have track records of success.

Key to both the new legislation and the grant are constructive evaluations of sponsors. In light of issues raised this summer concerning Ohio's new charter school authorizer evaluation system, the department rescinded five of its first evaluations, as they were improper, and changed leadership within the charter school office. An independent three-member panel is reviewing the evaluation process and is making recommendations to revise the system. We expect this work to be done in the near future.

The department has updated the grant application to:

- Better define which kind of charter schools are the focus of the grant;
- Revise definitions to align with recent legislation and agency guidelines;
- Clarify and strengthen the goals of the grant;
- Account for internal department changes that provide for enhanced review of all data and upcoming recommendations from the independent advisory panel.

Because these revisions are so extensive, the timeline for implementing elements of our earlier grant proposal have been revised. The CSP application process for new schools will begin in October 2016, by which time new, high-quality evaluations of all sponsors will be completed.

In the Ohio Department of Education's enclosed response, the U.S. Department of Education will find the clarifications, definitions and legislative changes that impact the implementation of the CSP SEA grant award. As requested, I certify that all information provided in the approved grant application, with the changes noted in this letter, are true, accurate and complete to the best of my knowledge and belief.

To ensure that each of your questions is addressed in detail, we drafted appendices that cover each of the areas you asked us to review. Those materials are attached to this correspondence, and we stand ready to provide any additional information that may be needed. Our team looks forward to continuing to collaborate with the U.S. Department of Education for the benefit of Ohio's students.

Sincerely,

A handwritten signature in cursive script that reads "Richard A. Ross". The signature is written in black ink and is positioned below the word "Sincerely,".

Dr. Richard A. Ross
Superintendent of Public Instruction

Enclosures

1. Request for Review and Certification of Accuracy of Information in Application (within 14 days of the date of receipt of this letter)

- a. After a review of its CSP SEA grant application, the Ohio Department of Education will notify the department of the extent to which any information in the application is out-of-date, inaccurate, incomplete or misleading with a written explanation of how the information is out-of-date, inaccurate, incomplete or misleading, and the Ohio Department of Education will provide the correct and complete information.

Appendix A

- b. The department will provide a written certification from the Ohio superintendent of public instruction that all information in the approved grant application, with the changes noted under (1a), is accurate.

2. Request for Report on Audits (within 30 days of the date of receipt of this letter)

- a. The Ohio Department of Education will provide a report summarizing the findings in all audits performed by state auditors related to Ohio charter schools for the past seven years and whether any of the findings or recommendations remain open or unresolved.
- b. The department will provide copies of all of the relevant audits and the responses or copies of documents describing any actions taken by state officials.

3. Requests for Additional Information, Including Charter School Accountability (within 14 days of the date of receipt of this letter)

- a. The Ohio Department of Education will describe what, if any, changes have been made since the competition's close on July 16, 2015, to the proposed process for reviewing and assessing charter school authorizers as described in its CSP SEA grant application.

Appendix B

Additionally, the department will include in this response:

- i. Any additional systems to review and to verify the charter school authorizer evaluation process;
 - ii. Any additional systems to ensure the integrity of charter school and charter school authorizer data and evaluations;
 - iii. Any additional reporting procedures that will facilitate a transparent charter school authorizer and charter school review process;
 - iv. Any deletions or revisions to systems or processes relevant to Ohio's charter school authorizer review process as described in its CSP SEA grant application;
and
 - v. An updated timeline for the department's charter school authorizer review process.
- b. The Ohio Department of Education will provide a copy of the department's ethics and conflict of interest guidelines and policies.

Appendix C

- c. The Ohio Department of Education will describe any changes made to its internal controls that affect officials responsible for oversight of Ohio's charter school sector.

Appendix D

- d. The Ohio Department of Education will describe any changes to the timeline for the charter schools planning and implementation subgrants described in its CSP SEA grant application.

Appendix E

- e. The Ohio Department of Education will describe how the charter school legislation recently signed into law in Ohio, will impact the operation of the project described in its CSP SEA grant application.

Appendix F

- f. The Ohio Department of Education will describe how personnel changes that have occurred within the department's Office of Quality School Choice affect the capacity of the department to implement the project described in its CSP SEA grant application.

Appendix G

- g. The Ohio Department of Education will describe any current or anticipated problems or challenges in the implementation of the project described in its CSP SEA grant application that are not addressed in the preceding requests.

Appendix H

Appendix A

Grant Application Page Number	Clarification	Submitted Grant Language	Revised language	Law Change
Throughout	Definition		<p>Ohio has different classifications of charter schools. For the purposes of this grant, when the application refers to charter schools¹, please refer to the revised language below.</p> <p>The Ohio Department of Education's focus for the purpose of this grant is on high-performing, site-based general education schools and site-based dropout prevention and recovery schools. For the purposes of this grant, the department defines a site-based school as a school where students primarily receive their instruction under the supervision of teachers in classroom settings. For the purposes of this grant, the department defines general education schools as charter schools serving any of grades kindergarten through 12 that also may include schools primarily serving students with disabilities. A dropout prevention and recovery charter school is a school in which a majority of the students are between the ages of 16 and 22</p>	

¹ Under Ohio law, charter schools are known as community schools.

Grant Application Page Number	Clarification	Submitted Grant Language	Revised language	Law Change
2	Definition	<p>An effective school is defined as a school where a year's learning growth occurs annually or, if students are behind grade in proficiency, where more than a year's worth of learning growth occurs. Per the federal definition of "high-quality" and "poor-performing" schools, Ohio has 93 high-quality charters and six poor-performing.</p>	<p>and enrolled in a dropout prevention and recovery program.</p> <p>The department is no longer using a category called <i>effective schools</i>. To align with recent legislative changes in state law, the department is using the labels <i>high-performing</i> and <i>poor-performing</i>. For the purposes of this grant, the department is using the same definition for a high-performing charter school that it is using as part of the state's charter classroom facilities grant program, offered through the Ohio Facilities Construction Commission. Further, Ohio law now defines a poor-performing charter school (Ohio Revised Code 3314.034). See Appendix F for copies of both definitions.</p> <p>The criteria for Ohio's definition of high-performing are more rigorous than the USDOE criteria for high-quality charter schools. The rigor of Ohio's accountability system has increased annually for the past three years. In the original application, the department reported the number of schools identified using the federal definitions of <i>high-quality</i> and <i>academically poor-performing</i>; these numbers are based upon</p>	<p>Reference Appendix F for HB 64.</p> <p>High-performing definition is as follows:</p> <ol style="list-style-type: none"> 1. If the charter school is a dropout prevention and recovery model, its rating should be "Overall Exceeds Standards" rating. 2. If the charter school serves any combination of ninth through 12th grades, the Four-Year Graduation Rate must meet the equivalent of A or B and the Performance Index must meet either the equivalent of A, B or C or must have increased for the previous three years of operation. 3. If the charter school serves any combination of fourth through eighth grades, the overall value-added measure must meet the equivalent of A or B and the Performance Index must meet either the equivalent of A, B or C or must have increased for the previous three years of operation. 4. If the charter school serves only a combination of kindergarten through third grades, the K-3

Grant Application Page Number	Clarification	Submitted Grant Language	Revised language	Law Change
			<p>255 general education charter schools with ratings in 2013-2014 (including those primarily serving students with disabilities) and excluding online or virtual schools and dropout prevention and recovery schools. Using the new definition of high-performing and poor-performing, 60 general education schools are identified as high-performing and 57 general education schools are identified as poor-performing.</p> <p>Since the CSP grant is for site-based charter schools, the department did not include online schools in the calculation of high- and poor-performing schools. Furthermore, dropout prevention and recovery schools were excluded from the calculation of high- and poor-performing schools because they have a separate accountability system, which is not yet fully implemented. However, using the definitions of high-performing and poor-performing above, dropout prevention and recovery schools will be identified based on the results of the 2014-2015 school year report card, which will be available in spring 2016.</p>	<p>Literacy measure must meet the equivalent of A or B.</p> <p>*Please note, this language parallels the definition in the Ohio School Facilities Commission-approved guidelines for high-performing newly established charter schools.</p> <p>Also in HB 64, poor-performing is defined as follows:</p> <ol style="list-style-type: none"> 1. The charter school has received a grade of "D" or "F" for the Performance Index score, under division (C)(1)(b) of section <u>3302.03</u> of the Ohio Revised Code, and an overall grade of "D" or "F" for the value-added progress dimension or another measure of student academic progress if adopted by the State Board of Education, under division (C)(1)(e) of that section, on the most recent report card issued for the school pursuant to that section. 2. The charter school is one in which a majority of the students are enrolled in a dropout prevention and recovery program, and it has received a rating of

Grant Application Page Number	Clarification	Submitted Grant Language	Revised language	Law Change
			Ohio's goal is to increase the number of new high-performing, site-based general education and dropout prevention and recovery schools while increasing the percentage of students enrolled in these high-performing, site-based schools.	"does not meet standards" for the annual student growth measure and combined graduation rates on the most recent report card issued for the school under section <u>3314.017</u> of the Ohio Revised Code.
2 and 29	Goals	Our ultimate goal is for 70 percent of charter school students to be attending "effective" schools by 2021. It is expected that by 2021, the state charter sector will total nearly 100,000 seats and have about 400 schools. By leveraging new planning and implementation subgrants through Ohio's CSP program, the state will generate nearly 25,000 new charter school seats over the next five years.	The goals of the CSP grant remain the same; however, in light of recent legislation and to align with definitions used in this grant proposal, they have been clarified and strengthened. Specifically, "high-performing" is now used in place of "effective" and "students" is now used in place of "seats." In addition, the goals around high-performing and poor-performing schools have been formalized. With these clarifications in mind, the goals to be achieved by 2021 for the CSP grant are as follows: <ol style="list-style-type: none"> 1. Increase the percentage of students enrolled in high-performing charter schools to 70 percent. 2. Create up to 115 new, high-performing charter schools, 	

Grant Application Page Number	Clarification	Submitted Grant Language	Revised language	Law Change
			<p>serving approximately 25,000 students.</p> <p>3. By 2021, including both existing and new charter schools, the department envisions 400 high-performing charter schools across the state.</p> <p>4. Improve the academic performance of existing charter schools by holding authorizers² accountable for the academic performance of their charter schools through the authorizer evaluation process.</p> <p>5. Decrease the number of existing poor-performing charter schools by holding authorizers accountable for the academic performance of their charter schools through the authorizer evaluation process.</p> <p>The Ohio Department of Education will monitor progress toward these goals on an annual basis.</p>	
2	Goals	In addition to meeting this state-based goal, Ohio also aspires to increase the percentage of high-quality schools,	Please note, dropout prevention and recovery schools were excluded from the calculation of high-quality charter schools noted in the original grant because they	

² Under Ohio law, authorizers are known as sponsors.

Grant Application Page Number	Clarification	Submitted Grant Language	Revised language	Law Change
		<p>per the USDOE definition, from 32 percent of charter schools in 2013-2014 to 50 percent of all charter schools by 2021.</p> <p>Each charter school in the state is [sic] conducts annual, timely and independent audits of the school's financial statements that are filed with the school's authorizer.</p>	<p>have a separate accountability system, which is not yet fully implemented.</p>	
6/No. 2	Audits	<p>Whether by authorizer action or as a result of Ohio's automatic closure law, charter schools in the state are closed for failing to demonstrate improved academic achievement. As Local Report Cards and their measures were phased in for Ohio schools from years 2012-2013 through 2014-2015, so too were elements evaluated for school closure that are found in the report cards. Closure laws differ slightly based on grade levels offered by a school, but essentially a school is forced to close under</p>	<p>Each charter school receives an annual, timely and independent audit by the Auditor of State of the school's financial statements. Charter schools do not conduct audits themselves.</p>	
6 to 7, and 30	Closure Law		<p>Due to the complexity of Ohio's closure law, please see the full citation for an accurate description of Ohio's closure laws. In addition, recent legislation has added "safe harbor" provisions, which will impact school closure.</p>	Reference Appendix F for Safe Harbor.

Grant Application Page Number	Clarification	Submitted Grant Language	Revised language	Law Change
		<p>Ohio Revised Code 3314.35 when it has ratings of “D” or “F” in two of three consecutive years and fails to meet expected value-added measure gains.</p> <p>Annual reporting by authorizers to each of their authorized charter schools that summarizes the schools performance and compliance.</p>		
9 and 38/No. 5	Annual reports		<p>The deadline for annual reports for the 2014-2015 school year has been extended in law by three months to accommodate delayed release of Ohio’s School Report Cards.</p>	Reference Appendix F for HB 2 changes.
9/Sec. B	Authorizer Evaluation Process Changes	<p>Clear and specific standards and formalized processes that measure and benchmark the performance of authorizers.</p>	<p>The state superintendent has commissioned an Independent Advisory Panel to recommend a comprehensive evaluation system for charter school authorizers to assist the department in its oversight of charter school authorizers and to improve the quality of charter school authorizer practices. The authorizer evaluation system shall assess an authorizer’s performance based upon three components: academic performance of students enrolled in community schools sponsored by the same entity; adherence to quality sponsoring practices prescribed by the department; and compliance with applicable laws and administrative rules.</p> <p>To ensure integrity, relevance and accuracy of data that the Ohio</p>	<p>Reference Appendix F for HB 2 changes. Reference Appendix B for further details.</p>

Grant Application Page Number	Clarification	Submitted Grant Language	Revised language	Law Change
10 and 28	Authorizer Evaluation	Seven authorizers have been through the	<p>Department of Education utilizes, the department established a Data Governance Committee. The Data Governance Committee is a cross-divisional working group comprised of members of the department's senior leadership team. The Data Governance Committee promotes the release of high-quality, actionable information to Ohio's education stakeholders by ensuring alignment between the department's data use and state and federal law and rule; ensures alignment with Ohio's preK-12 strategic plan; verifies accuracy and completeness of data reported by Ohio's public educating entities; validates the integrity, relevance and accuracy of calculations and reports generated by the department; and coordinates data release and communications processes.</p> <p>On a quarterly basis, the Data Governance Committee will review the status of the authorizer evaluation process. Prior to the public release of charter school authorizer evaluation ratings, the Data Governance Committee will review and verify the results of the authorizer evaluation process.</p>	Reference Appendix F for HB 2 changes.

Grant Application Page Number	Clarification	Submitted Grant Language	Revised language	Law Change
	Process Changes	process to date and, by Jan. 1, 2016, authorizers overseeing 90 percent of the state's charter schools will have been through the process.	authorizer evaluation process. The authorizer evaluation process will be updated as a result of the recommendations of the Independent Advisory Panel. The department also will work with the State Board of Education in updating Ohio's administrative rules governing charter school authorizing and the compliance component of the authorizer evaluation system. Additionally, the department will provide training on the revised evaluation system as required now in state statute with all training resources posted on the department's website. The department hopes to begin the authorizer evaluation process for the 2015-2016 academic year following the Feb. 1, 2016, effective date of HB 2.	Reference Appendix B for further details.
12	State-level Strategies	This strategy is well documented in the state's successful federal Race to the Top grant application and implementation plan, and the key strategies are codified in state statute and regulation (see citations listed throughout).	The strategies included in the grant application can be found not only in the Race to the Top grant application but also throughout Ohio law and rule. The correct citation for (a) the Straight A Fund is Sec. 263.350 of Am. Sub. HB 2 of the 131 st General Assembly; and (b) charter schools payments is Ohio Revised Code 3314.08.	
15	Collaboration	The Ohio Community Collaboration Model for	The Ohio Community Collaboration Model for School Improvement	Reference Appendix F, HB 64, HB 2.

Grant Application Page Number	Clarification	Submitted Grant Language	Revised language	Law Change
		<p>School Improvement (OCCMSI) is an ODE led initiative that was created to provoke collaboration between charter schools and other public schools in an effort to enhance school quality and academic achievement for all students. OCCMSI is a multi-faceted school improvement model, with specifically designed programs and services that feature strategies for academic improvement, youth development, parent/family engagement, health and social services, and community partnerships.</p>	<p>(OCCMSI) was a department-led initiative created to facilitate collaboration between schools and the community in an effort to enhance school quality and academic achievement for all students. The tools created are readily available on the department's website.</p> <p>Other examples of coordination between traditional school districts and public charter schools include district sponsorship of charter schools, collaborative grants such as the Straight A Fund and Community Connectors, the ability of schools to seek levies through the local school district for schools with exemplary rated authorizers, and a requirement that school districts first offer unused facilities to high-performing charter schools.</p>	
17	Community Engagement	<p>CEDOs, as previously noted, are located in Ohio's major cities. The department's partnerships with CEDOs link the department to school, business and government leaders in metropolitan areas to form mutually beneficial relationships that strive</p>	<p>Although CEDOs are not defined elsewhere, entities fitting the criteria in the application are currently operating or commencing operations in three of Ohio's major cities such as Accelerate Great Schools in Cincinnati, the Transformation Alliance in Cleveland and the Columbus Partnership in Columbus.</p>	

Grant Application Page Number	Clarification	Submitted Grant Language	Revised language	Law Change
17	Definition	<p>to combine efforts and resources to improve school quality thereby creating more quality school options across the State.</p> <p>The creation of high-quality charter schools will support newly designated "recovery districts" in providing quality options for students who would otherwise attend the state's worst district schools.</p>	<p>"Recovery district" is not defined in Ohio law. For the purposes of this grant application, "recovery district" means a school district that is subject to an academic distress commission under Ohio Revised Code 3302.10 or a municipal school district as defined in Ohio Revised Code 3311.71(A)(1). Cleveland Municipal School District, Youngstown City School District and Lorain City School District currently qualify as "recovery districts" for the purpose of this grant application.</p>	Reference Appendix F, HB 70.
27	Report Cards	<p>...Charter schools are given a letter grade (A-F)...</p>	<p>Because of recent legislative changes creating a three-year "safe harbor," no overall letter grades will be issued on the A-F report cards for the 2014-2015, 2015-2016 and 2016-2017 school years. Dropout prevention and recovery charter schools will receive overall ratings (Exceeds Standards, Meets Standards, Does Not Meet Standards) beginning with the 2014-2015 report cards. "Safe harbor" does not affect the charter school authorizer evaluation process.</p>	Reference Appendix F, Safe Harbor.

Grant Application Page Number	Clarification	Submitted Grant Language	Revised language	Law Change
44 and 49	Timeline	Objective 4 and Strategy 4: Data Collection	See Appendix E for changes in timeline.	

Appendix B

3. Requests for Additional Information, Including Charter School Accountability (within 14 days of the date of receipt of this letter)

- a. ODE will describe what, if any, changes have been made since the competition's close on July 16, 2015, to the proposed process for reviewing and assessing charter school authorizers as described in its CSP SEA grant application.

Upon examination of the authorizer evaluation process, it was determined that the evaluation process was not implemented correctly. As a result, the authorizer evaluations were immediately rescinded and the state superintendent commissioned an Independent Advisory Panel to recommend a comprehensive evaluation system for charter school¹ authorizers² to assist ODE in its oversight of charter school authorizers and to improve the quality of charter school authorizer practices. The authorizer evaluation system shall assess an authorizer's performance based upon three components: academic performance of students enrolled in community schools sponsored by the same entity; adherence to quality sponsoring practices prescribed by the department; and compliance with applicable laws and administrative rules.

In conducting their comprehensive review, the Independent Advisory Panel is considering recent legislative changes to Ohio's authorizer evaluation law. See Appendix F for more information regarding the HB 2 changes to the authorizer evaluation law.

The Independent Advisory Panel members began meeting in September 2015 and are tentatively planning on concluding their review and making recommendations to the state superintendent. To make the authorizer evaluation system fully transparent, the Independent Advisory Panel's initial recommendations will be posted for public feedback prior to being finalized. Once the Independent Advisory Panel makes its recommendations, the state superintendent will make necessary updates to the authorizer evaluation system and will communicate the recommendations to the State Board of Education.

In addition to making updates to the authorizer evaluation process as a result of the Independent Advisory Panel, the department will work with the State Board of Education in updating Ohio's administrative rules governing charter school authorizing and the compliance component of the authorizer evaluation system. Additionally, the department will provide training to staff, peer reviewers, authorizers and other stakeholders on the revised evaluation system as required now in state statute with all training resources posted on the department's website. The department hopes to begin the authorizer evaluation process for the 2015-2016 academic year following the Feb. 1, 2016 effective date of HB 2.

Additionally, the department will include in this response:

- i. Any additional systems to review and to verify the charter school authorizer evaluation process;

¹Under Ohio law, charter schools are known as community schools.

² Under Ohio law, authorizers are known as sponsors.

As we implement the updated authorizer evaluation system and the provisions of HB 2, we will keep the USDOE informed on the details of any additional systems to review and verify the charter school authorizer evaluation process.

- ii. Any additional systems to ensure the integrity of charter school and charter school authorizer data and evaluations;
To ensure integrity, relevance and accuracy of data that the Ohio Department of Education utilizes, the department established a Data Governance Committee in August 2015 with the first meeting of the committee held on Sept. 1, 2015. The Data Governance Committee is a cross-divisional working group comprised of members of the department's senior leadership team. The Data Governance Committee promotes the release of high-quality, actionable information to Ohio's education stakeholders by ensuring alignment between the department's data use and state and federal law and rule; ensures alignment with Ohio's preK-12 strategic plan; verifies accuracy and completeness of data reported by Ohio's public educating entities; validates the integrity, relevance and accuracy of calculations and reports generated by the department; and coordinates data release and communications processes.

On a quarterly basis, the Data Governance Committee is reviewing the status of the authorizer evaluation process. Prior to the public release of charter school authorizer evaluation ratings, the Data Governance Committee will review and verify the results of the authorizer evaluation process.

- iii. Any additional reporting procedures that will facilitate a transparent charter school authorizer and charter school review process;
As we implement the updated authorizer evaluation system and the provisions of HB 2, we will keep the USDOE informed on the details of any additional systems to review and verify the charter school authorizer evaluation process. We anticipate providing additional details on or before April 1, 2016.
- iv. Any deletions or revisions to systems or processes relevant to Ohio's charter school authorizer review process as described in its CSP SEA grant application;
As outlined above, the state superintendent will be making updates to the authorizer evaluation system. The department also is proposing an updated CSP grant timeline as reflected in Appendix E.
- v. An updated timeline for the department's charter school authorizer review process;
As previously mentioned, the charter school authorizer evaluation process was suspended in July 2015. Once the authorizer evaluation process is updated as referenced above, the department will begin the authorizer evaluation process for the 2015-2016 academic year following the Feb. 1, 2016, effective date of HB 2. The department also is proposing an updated CSP grant timeline as reflected in Appendix E.

Appendix C

3. Requests for Additional Information, Including Charter School Accountability (within 14 days of the date of receipt of this letter)
 - b. The Ohio Department of Education will provide a copy of the department's ethics and conflict of interest guidelines and policies.

See attached.

203.0 ETHICS POLICY

I. PURPOSE/REASON

To inform Ohio Department of Education (ODE) employees of the provisions governing the ethical conduct of public employees.

It is the policy of the ODE to carry out its mission in accordance with the strictest ethical guidelines and to ensure that ODE employees conduct themselves in a manner that fosters public confidence in the integrity of the ODE, its processes and its accomplishments.

II. REFERENCES/AUTHORITY

A. REFERENCES

1. Ohio Revised Code (ORC): 102.02, 102.03 and 102.04
2. Ohio Administrative Code (OAC): 102 et.al.
3. ORC: 2921.42 and 2921.43
4. ORC: 3301.13

III. SUPERSEDES

Human Resources Policies and Procedures:

- 210.0 Ethics
- 210.1 Misuse of Official Position
- 210.2 Revolving-door Policy
- 210.3 Sale of Goods and Services
- 210.4 Confidential Information
- 210.5 Licensing and Rate-making
- 210.6 Interest in Public Contract
- 210.7 Soliciting/Receiving Improper Compensation
- 210.8 Clarification of Ethic Issues

and any other previously agency-issued directive, memorandum, policy or procedure on this subject.

IV. SCOPE

This procedure applies to all ODE employees.

V. DEFINITIONS

For the purposes of this policy:

- A. ANYTHING OF VALUE includes anything of monetary value, including, but not limited to, money, gifts, food or beverages, social event tickets and expenses, travel expenses, golf outings, consulting fees, compensation, or employment. "Value" means worth greater than de minimis or nominal.
- B. ANYONE DOING BUSINESS WITH ODE includes, but is not limited to, any person, corporation or other party that is doing or seeking to do business with, that is regulated by or that has interests before the ODE.

VI. GENERAL STANDARDS OF ETHICAL CONDUCT

ODE employees must at all times abide by the protections to the public embodied in Ohio's ethics laws. ODE employees receive a copy of the laws during new employee orientation and acknowledge receipt, as required in ORC 102.09 (D). Employees must conduct themselves in a manner that avoids favoritism, bias and the appearance of impropriety.

A general summary of the restraints upon the conduct of all ODE employees includes, but is not limited to, those listed below:

No ODE employee shall:

- A. Solicit or accept anything of value from anyone doing business with the ODE;
- B. Solicit or accept employment from anyone doing business with the ODE, unless the official or employee completely withdraws from ODE activity regarding the party offering employment, and the ODE approves the withdrawal;
- C. Use his or her public position to obtain benefits for an official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship;
- D. Be paid or accept any form of compensation for personal services rendered on a matter before, or sell goods or services to, the ODE;

- E. Be paid or accept any form of compensation for personal services rendered on a matter before, or sell (except by competitive bid) goods or services to, any state agency other than the ODE, unless the member or employee first discloses the services or sales and withdraws from matters before the ODE that directly affect officials and employees of the other state agency, as directed in ORC 102.04;
- F. Hold or benefit from a contract with, authorized by, or approved by, the ODE (the Ethics Law does except some limited stockholdings, and some contracts objectively shown as the lowest cost services, where all criteria under ORC 2921.42 are met);
- G. Vote, authorize, recommend or in any other way use his or her position to secure approval of a ODE contract (including employment or personal services) in which the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship, has an interest;
- H. Solicit or accept honoraria [see ORC 102.01(H) and 102.03(H)];
- I. During public service, and for one year after leaving public service, represent any person, in any fashion, before any public agency, with respect to a matter in which the official or employee personally participated while serving with the ODE;
- J. Use or disclose confidential information protected by law, unless appropriately authorized; or
- K. Use, or authorize the use of, his or her title, the name “Ohio Department of Education,” or “ODE” or the ODE logo, in a manner that suggests impropriety, favoritism or bias by the ODE, the official or the employee.

VII. FINANCIAL DISCLOSURE

Every ODE employee required to file a financial disclosure statement must file a complete and accurate statement with the Ethics Commission by April 15 of each year. Any employee appointed or employed to a filing position after February 15 and who is required to file a financial disclosure statement must file a statement within ninety days of appointment or employment.

The ODE Legal Counsel notifies those employees who are required to file of the filing requirements and time frames.

VIII. EMPLOYMENT OUTSIDE ODE

- A. Before embarking on outside employment, ODE employees are required to obtain permission from the Office of Legal Counsel, the Office of Human Resources, their direct supervisors and other ODE leadership. The *Employment Outside of ODE* form must be submitted for approval before accepting any offer of outside work.
- B. In addition to the restrictions listed above, prohibitions that apply to public employees engaged in a private business include:
 - Using any public resources in a private business;
 - Using one's title or uniform while conducting private business activities;
 - Using relationships with other public employees to benefit the private business;
 - Using the authority of one's ODE employment to benefit one's private business;
 - Receiving payment for services on projects one recommended in one's capacity as an employee of ODE;
 - Using one's authority as an ODE employee to affect one's private business competitors; or
 - Otherwise using one's position at ODE to benefit one's private business interests.
- C. It is critical that all employees abide by the conflict-of-interest provisions in Ohio law and ODE policy. The completed form is submitted to the Office of Legal Counsel, who will notify employees of the outcome.

IX. PENALTIES

Failure of any ODE employee to abide by this ethics policy, or to comply with the ethics laws and related statutes, will result in discipline, which may include dismissal, as well as any potential civil or criminal sanctions under the law.

X. ASSISTANCE

The Ethics Commission is available to provide advice and assistance regarding the application of the ethics law and related statutes. The Commission can be contacted at (614) 466-7090. The Commission's Web address is: www.ethics.ohio.gov.

In addition, the Office of Human Resources and the ODE Office of Legal Counsel are available to answer questions involving this policy.

APPENDICES

Appendix A Employment Outside of ODE (issued 10/04)

INSTRUCTIONS: *This form must be completed prior to the start of outside employment. This form must also be completed whenever a significant change in outside employment occurs (e.g., hours of work, wages, duties, etc.) or no less than annually, whichever occurs first.*

GENERAL INFORMATION:

Employee Name: _____ Today's Date: _____

ODE Position/Classification: _____

Center & Office: _____

Name & Phone Number of Outside Employer: _____

Address of Outside Employer: _____

Outside Employment Begin Date (& End Date, if Applicable): _____

Outside Employment Work Schedule (Days & Hours): _____

Duties Being Performed for Outside Employer *(In addition to the brief description here, please also attach your job description from the outside employer.)*

Duties Being Performed for ODE *(In addition to the brief description here, please also attach your official ODE position description. You may obtain a copy of it from the Office of Human Resources.)*

Funding Source of Outside Employment: _____

DISPOSITION: Accepted OR Rejected Initials: _____ Date: _____

INSTRUCTIONS: *Any ODE management member listed below may REJECT this outside employment request. The individual rejecting it must check the "Rejected" box, initial it and date it above. If this outside employment request is approved by all of the parties listed below, the Office of Human Resources (HR) will mark it ACCEPTED, initial it, date it, distribute copies to relevant parties and will retain the original in HR.*

*Immediate Supervisor (signature)*_____
*Date*_____
*Office Director/Executive Director (signature)*_____
*Date*_____
*Senior Executive Director (signature)*_____
*Date*_____
*Associate Superintendent (signature)*_____
*Date*_____
*Office of Legal Counsel (signature)*_____
*Date*_____
*Office of Human Resources (signature)*_____
*Date*_____
*Chief of Staff (signature)*_____
Date

Ohio Ethics Law and Related Statutes



The Ohio Ethics Commission

Merom Brachman, Chairman
Michael A. Flack, Vice Chairman
Bruce E. Bailey
Elizabeth E. Tracy

Paul M. Nick, Executive Director

August 2015

TABLE OF CONTENTS

The Ohio Ethics Law: Revised Code Chapter 102.

R.C. 102.01	Definitions	1
R.C. 102.02	Financial Disclosure	2
R.C. 102.021	Post-Employment Disclosure	6
R.C. 102.022	Financial Disclosure - Limited	8
R.C. 102.03	Post-Employment, Conflicts of Interest	9
R.C. 102.031	Gifts - Members of the General Assembly	11
R.C. 102.04	Representation, Sales of Goods and Services	12
R.C. 102.05	Ethics Commission, Creation and Duties	13
R.C. 102.06	Ethics Commission, Investigative Authority	14
R.C. 102.07	Ethics Commission, Confidentiality	16
R.C. 102.08	Opinions, Immunity, Education [H.B. 285]	16
R.C. 102.08*	Opinions, Immunity, Education [H.B. 492]	17
R.C. 102.09	Responsibilities - Forms and Law	18
R.C. 102.99	Penalties.....	18

RELATED STATUTES:

R.C. 2921.01	Definitions	19
R.C. 2921.42	Public Contract Restrictions	20
R.C. 2921.421	Legal Business Associate Exemption	21
R.C. 2921.43	Supplemental Compensation	22

THE OHIO ETHICS LAW: CHAPTER 102. OF THE REVISED CODE

Section 102.01 As used in this chapter:

(A) “Compensation” means money, thing of value, or financial benefit. “Compensation” does not include reimbursement for actual and necessary expenses incurred in the performance of official duties.

(B) “Public official or employee” means any person who is elected or appointed to an office or is an employee of any public agency. “Public official or employee” does not include a person elected or appointed to the office of precinct, ward, or district committee member under section 3517.03 of the Revised Code, any presidential elector, or any delegate to a national convention. “Public official or employee” does not include a person who is a teacher, instructor, professor, or other kind of educator whose position does not involve the performance of, or authority to perform, administrative or supervisory functions.

(C) “Public agency” means the general assembly, all courts, any department, division, institution, board, commission, authority, bureau or other instrumentality of the state, a county, city, village, or township, the five state retirement systems, or any other governmental entity. “Public agency” does not include a department, division, institution, board, commission, authority, or other instrumentality of the state or a county, municipal corporation, township, or other governmental entity that functions exclusively for cultural, educational, historical, humanitarian, advisory, or research purposes; that does not expend more than ten thousand dollars per calendar year, excluding salaries and wages of employees; and whose members are uncompensated. “Public agency” does not include the nonprofit corporation formed under section 187.01 of the Revised Code.

(D) “Immediate family” means a spouse residing in the person’s household and any dependent child.

(E) “Income” includes gross income as defined and used in the “Internal Revenue Code of 1986,” 100 Stat. 2085, 26 U.S.C. 1, as amended, interest and dividends on obligations or securities of any state or of any political subdivision or authority of any state or political subdivision, and interest or dividends on obligations of any authority, commission, or instrumentality of the United States.

(F) Except as otherwise provided in division (A) of section 102.08 of the Revised Code, “appropriate ethics commission” means:

(1) For matters relating to members of the general assembly, employees of the general assembly, employees of the legislative service commission, and candidates for the office of member of the general assembly, and public members appointed to the Ohio constitutional modernization commission under section 103.63 of the Revised Code, the joint legislative ethics committee;

(2) For matters relating to judicial officers and employees, and candidates for judicial office, the board of commissioners on grievances and discipline of the supreme court;

(3) For matters relating to all other persons, the Ohio ethics commission.

(G) “Anything of value” has the same meaning as provided in section 1.03 of the Revised Code and includes, but is not limited to, a contribution as defined in section 3517.01 of the Revised Code.

(H) “Honorarium” means any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or similar gathering. “Honorarium” does not include ceremonial gifts or awards that have insignificant monetary value; unsolicited gifts of nominal value or trivial items of informational value; or earned income from any person, other than a legislative agent, for personal services that are customarily provided in connection with the practice of a bona fide business, if that business initially began before the public official or employee conducting that business was elected or appointed to the public official’s or employee’s office or position of employment.

(I) “Employer” means any person who, directly or indirectly, engages an executive agency lobbyist or legislative agent.

(J) “Executive agency decision,” “executive agency lobbyist,” and “executive agency lobbying activity” have the same meanings as in section 121.60 of the Revised Code.

(K) “Legislation,” “legislative agent,” “financial transaction,” and “actively advocate” have the same meanings as in section 101.70 of the Revised Code.

(L) “Expenditure” has the same meaning as in section 101.70 of the Revised Code when used in relation to activities of a legislative agent, and the same meaning as in section 121.60 of the Revised Code when used in relation to activities of an executive agency lobbyist.

Section 102.02

(A) Except as otherwise provided in division (H) of this section, all of the following shall file with the appropriate ethics commission the disclosure statement described in this division on a form prescribed by the appropriate commission: every person who is elected to or is a candidate for a state, county, or city office and every person who is appointed to fill a vacancy for an unexpired term in such an elective office; all members of the state board of education; the director, assistant directors, deputy directors, division chiefs, or persons of equivalent rank of any administrative department of the state; the president or other chief administrative officer of every state institution of higher education as defined in section 3345.011 of the Revised Code; the executive director and the members of the capitol square review and advisory board appointed or employed pursuant to section 105.41 of the Revised Code; all members of the Ohio casino control commission, the executive director of the commission, all professional employees of the commission, and all technical employees of the commission who perform an internal audit function; the individuals set forth in division (B)(2) of section 187.03 of the Revised Code; the chief executive officer and the members of the board of each state retirement system; each employee of a state retirement board who is a state retirement system investment officer licensed pursuant to section 1707.163 of the Revised Code; the members of the Ohio retirement study council appointed pursuant to division (C) of section 171.01 of the Revised Code; employees of the Ohio retirement study council, other than employees who perform purely administrative or clerical functions; the administrator of workers' compensation and each member of the bureau of workers' compensation board of directors; the bureau of workers' compensation director of investments; the chief investment officer of the bureau of workers' compensation; all members of the board of commissioners on grievances and discipline of the supreme court and the ethics commission created under section 102.05 of the Revised Code; every business manager, treasurer, or superintendent of a city, local, exempted village, joint vocational, or cooperative education school district or an educational service center; every person who is elected to or is a candidate for the office of member of a board of education of a city, local, exempted village, joint vocational, or cooperative education school district or of a governing board of an educational service center that has a total student count of twelve thousand or more as most recently determined by the department of education pursuant to section 3317.03 of the Revised Code; every person who is appointed to the board of education of a municipal school district pursuant to division (B) or (F) of section 3311.71 of the Revised Code; all members of the board of directors of a sanitary district that is established under Chapter 6115. of the Revised Code and organized wholly for the purpose of providing a water supply for domestic, municipal, and public use, and that includes two municipal corporations in two counties; every public official or employee who is paid a salary or wage in accordance with schedule C of section 124.15 or schedule E-2 of section 124.152 of the Revised Code; members of the board of trustees and the executive director of the southern Ohio agricultural and community development foundation; all members appointed to the Ohio livestock care standards board under section 904.02 of the Revised Code; and every other public official or employee who is designated by the appropriate ethics commission pursuant to division (B) of this section.

The disclosure statement shall include all of the following:

(1) The name of the person filing the statement and each member of the person's immediate family and all names under which the person or members of the person's immediate family do business;

(2)(a) Subject to divisions (A)(2)(b), and (c) of this section and except as otherwise provided in section 102.022 of the Revised Code, identification of every source of income, other than income from a legislative agent identified in division (A)(2)(b) of this section, received during the preceding calendar year, in the person's own name or by any other person for the person's use or benefit, by the person filing the statement, and a brief description of the nature of the services for which the income was received. If the person filing the statement is a member of the general assembly, the statement shall identify the amount of every source of income received in accordance with the following ranges of amounts: zero or more, but less than one thousand dollars; one thousand dollars or more, but less than ten thousand dollars; ten thousand dollars or more, but less than twenty-five thousand dollars; twenty-five thousand dollars or more, but less than fifty thousand dollars; fifty thousand dollars or more, but less than one hundred thousand dollars; and one hundred thousand dollars or more. Division (A)(2)(a) of this section shall not be construed to require a person filing the statement who derives income from a business or profession to disclose the individual items of income that constitute the gross income of that business or profession, except for those individual items of income that are attributable to the person's or, if the income is shared with the person, the partner's, solicitation of services or goods or performance, arrangement, or facilitation of services or provision of goods on behalf of the business or profession of clients,

including corporate clients, who are legislative agents. A person who files the statement under this section shall disclose the identity of and the amount of income received from a person who the public official or employee knows or has reason to know is doing or seeking to do business of any kind with the public official's or employee's agency.

(b) If the person filing the statement is a member of the general assembly, the statement shall identify every source of income and the amount of that income that was received from a legislative agent during the preceding calendar year, in the person's own name or by any other person for the person's use or benefit, by the person filing the statement, and a brief description of the nature of the services for which the income was received. Division (A)(2)(b) of this section requires the disclosure of clients of attorneys or persons licensed under section 4732.12 of the Revised Code, or patients of persons certified under section 4731.14 of the Revised Code, if those clients or patients are legislative agents. Division (A)(2)(b) of this section requires a person filing the statement who derives income from a business or profession to disclose those individual items of income that constitute the gross income of that business or profession that are received from legislative agents.

(c) Except as otherwise provided in division (A)(2)(c) of this section, division (A)(2)(a) of this section applies to attorneys, physicians, and other persons who engage in the practice of a profession and who, pursuant to a section of the Revised Code, the common law of this state, a code of ethics applicable to the profession, or otherwise, generally are required not to reveal, disclose, or use confidences of clients, patients, or other recipients of professional services except under specified circumstances or generally are required to maintain those types of confidences as privileged communications except under specified circumstances. Division (A)(2)(a) of this section does not require an attorney, physician, or other professional subject to a confidentiality requirement as described in division (A)(2)(c) of this section to disclose the name, other identity, or address of a client, patient, or other recipient of professional services if the disclosure would threaten the client, patient, or other recipient of professional services, would reveal details of the subject matter for which legal, medical, or professional advice or other services were sought, or would reveal an otherwise privileged communication involving the client, patient, or other recipient of professional services. Division (A)(2)(a) of this section does not require an attorney, physician, or other professional subject to a confidentiality requirement as described in division (A)(2)(c) of this section to disclose in the brief description of the nature of services required by division (A)(2)(a) of this section any information pertaining to specific professional services rendered for a client, patient, or other recipient of professional services that would reveal details of the subject matter for which legal, medical, or professional advice was sought or would reveal an otherwise privileged communication involving the client, patient, or other recipient of professional services.

(3) The name of every corporation on file with the secretary of state that is incorporated in this state or holds a certificate of compliance authorizing it to do business in this state, trust, business trust, partnership, or association that transacts business in this state in which the person filing the statement or any other person for the person's use and benefit had during the preceding calendar year an investment of over one thousand dollars at fair market value as of the thirty-first day of December of the preceding calendar year, or the date of disposition, whichever is earlier, or in which the person holds any office or has a fiduciary relationship, and a description of the nature of the investment, office, or relationship. Division (A)(3) of this section does not require disclosure of the name of any bank, savings and loan association, credit union, or building and loan association with which the person filing the statement has a deposit or a withdrawable share account.

(4) All fee simple and leasehold interests to which the person filing the statement holds legal title to or a beneficial interest in real property located within the state, excluding the person's residence and property used primarily for personal recreation;

(5) The names of all persons residing or transacting business in the state to whom the person filing the statement owes, in the person's own name or in the name of any other person, more than one thousand dollars. Division (A)(5) of this section shall not be construed to require the disclosure of debts owed by the person resulting from the ordinary conduct of a business or profession or debts on the person's residence or real property used primarily for personal recreation, except that the superintendent of financial institutions shall disclose the names of all state-chartered savings and loan associations and of all service corporations subject to regulation under division (E)(2) of section 1151.34 of the Revised Code to whom the superintendent in the superintendent's own name or in the name of any other person owes any money, and that the superintendent and any deputy superintendent of banks shall disclose the names of all state-chartered banks and all bank subsidiary corporations subject to regulation under section 1109.44 of the Revised Code to whom the superintendent or deputy superintendent owes any money.

(6) The names of all persons residing or transacting business in the state, other than a depository excluded under division (A)(3) of this section, who owe more than one thousand dollars to the person filing the statement, either in the person's own name or to any person for the person's use or benefit. Division (A)(6) of this section shall not be construed to require the disclosure of clients of attorneys or persons licensed under section 4732.12 or 4732.15 of the Revised Code, or patients of persons certified under section 4731.14 of the Revised Code, nor the disclosure of debts owed to the person resulting from the ordinary conduct of a business or profession.

(7) Except as otherwise provided in section 102.022 of the Revised Code, the source of each gift of over seventy-five dollars, or of each gift of over twenty-five dollars received by a member of the general assembly from a legislative agent, received by the person in the person's own name or by any other person for the person's use or benefit during the preceding calendar year, except gifts received by will or by virtue of section 2105.06 of the Revised Code, or received from spouses, parents, grandparents, children, grandchildren, siblings, nephews, nieces, uncles, aunts, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, fathers-in-law, mothers-in-law, or any person to whom the person filing the statement stands in loco parentis, or received by way of distribution from any inter vivos or testamentary trust established by a spouse or by an ancestor;

(8) Except as otherwise provided in section 102.022 of the Revised Code, identification of the source and amount of every payment of expenses incurred for travel to destinations inside or outside this state that is received by the person in the person's own name or by any other person for the person's use or benefit and that is incurred in connection with the person's official duties, except for expenses for travel to meetings or conventions of a national or state organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or any political subdivision or any office or agency of a political subdivision pays membership dues;

(9) Except as otherwise provided in section 102.022 of the Revised Code, identification of the source of payment of expenses for meals and other food and beverages, other than for meals and other food and beverages provided at a meeting at which the person participated in a panel, seminar, or speaking engagement or at a meeting or convention of a national or state organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or any political subdivision or any office or agency of a political subdivision pays membership dues, that are incurred in connection with the person's official duties and that exceed one hundred dollars aggregated per calendar year;

(10) If the disclosure statement is filed by a public official or employee described in division (B)(2) of section 101.73 of the Revised Code or division (B)(2) of section 121.63 of the Revised Code who receives a statement from a legislative agent, executive agency lobbyist, or employer that contains the information described in division (F)(2) of section 101.73 of the Revised Code or division (G)(2) of section 121.63 of the Revised Code, all of the nondisputed information contained in the statement delivered to that public official or employee by the legislative agent, executive agency lobbyist, or employer under division (F)(2) of section 101.73 or (G)(2) of section 121.63 of the Revised Code.

A person may file a statement required by this section in person or by mail. A person who is a candidate for elective office shall file the statement no later than the thirtieth day before the primary, special, or general election at which the candidacy is to be voted on, whichever election occurs soonest, except that a person who is a write-in candidate shall file the statement no later than the twentieth day before the earliest election at which the person's candidacy is to be voted on. A person who holds elective office shall file the statement on or before the fifteenth day of April of each year unless the person is a candidate for office. A person who is appointed to fill a vacancy for an unexpired term in an elective office shall file the statement within fifteen days after the person qualifies for office. Other persons shall file an annual statement on or before the fifteenth day of April or, if appointed or employed after that date, within ninety days after appointment or employment. No person shall be required to file with the appropriate ethics commission more than one statement or pay more than one filing fee for any one calendar year.

The appropriate ethics commission, for good cause, may extend for a reasonable time the deadline for filing a statement under this section.

A statement filed under this section is subject to public inspection at locations designated by the appropriate ethics commission except as otherwise provided in this section.

(B) The Ohio ethics commission, the joint legislative ethics committee, and the board of commissioners on grievances and discipline of the supreme court, using the rule-making procedures of Chapter 119. of the Revised Code, may require any class of public officials or employees under its jurisdiction and not specifically excluded by this section whose positions involve a substantial and material exercise of administrative discretion in the formulation of public policy, expenditure of public funds, enforcement of laws and rules of the state or a county or city, or the execution of other public trusts, to file an annual statement on or before the fifteenth day of April under division (A) of this section. The appropriate ethics commission shall send the public officials or employees written notice of the requirement by the fifteenth day of February of each year the filing is required unless the public official or employee is appointed after that date, in which case the notice shall be sent within thirty days after appointment, and the filing shall be made not later than ninety days after appointment.

Except for disclosure statements filed by members of the board of trustees and the executive director of the southern Ohio agricultural and community development foundation, disclosure statements filed under this division with the Ohio ethics commission by members of boards, commissions, or bureaus of the state for which no compensation is received other than reasonable and necessary expenses shall be kept confidential. Disclosure statements filed with the Ohio ethics commission under division (A) of this section by business managers, treasurers, and superintendents of city, local, exempted village, joint vocational, or cooperative education school districts or educational service centers shall be kept confidential, except that any person conducting an audit of any such school district or educational service center pursuant to section 115.56 or Chapter 117. of the Revised Code may examine the disclosure statement of any business manager, treasurer, or superintendent of that school district or educational service center. Disclosure statements filed with the Ohio ethics commission under division (A) of this section by the individuals set forth in division (B)(2) of section 187.03 of the Revised Code shall be kept confidential. The Ohio ethics commission shall examine each disclosure statement required to be kept confidential to determine whether a potential conflict of interest exists for the person who filed the disclosure statement. A potential conflict of interest exists if the private interests of the person, as indicated by the person's disclosure statement, might interfere with the public interests the person is required to serve in the exercise of the person's authority and duties in the person's office or position of employment. If the commission determines that a potential conflict of interest exists, it shall notify the person who filed the disclosure statement and shall make the portions of the disclosure statement that indicate a potential conflict of interest subject to public inspection in the same manner as is provided for other disclosure statements. Any portion of the disclosure statement that the commission determines does not indicate a potential conflict of interest shall be kept confidential by the commission and shall not be made subject to public inspection, except as is necessary for the enforcement of Chapters 102. and 2921. of the Revised Code and except as otherwise provided in this division.

(C) No person shall knowingly fail to file, on or before the applicable filing deadline established under this section, a statement that is required by this section.

(D) No person shall knowingly file a false statement that is required to be filed under this section.

(E)(1) Except as provided in divisions (E)(2) and (3) of this section, the statement required by division (A) or (B) of this section shall be accompanied by a filing fee of sixty dollars.

(2) The statement required by division (A) of this section shall be accompanied by the following filing fee to be paid by the person who is elected or appointed to, or is a candidate for, any of the following offices:

For state office, except member of the state board of education.....	\$95
For office of member of general assembly.....	\$40
For county office	\$60
For city office.....	\$35
For office of member of the state board of education	\$35
For office of member of a city, local, exempted village, or cooperative education board of education or educational service center governing board.....	\$30
For position of business manager, treasurer, or superintendent of a city, local, exempted village, joint vocational, or cooperative education school district or educational service center.....	\$30

(3) No judge of a court of record or candidate for judge of a court of record, and no referee or magistrate serving a court of record, shall be required to pay the fee required under division (E)(1) or (2) or (F) of this section.

(4) For any public official who is appointed to a nonelective office of the state and for any employee who holds a nonelective position in a public agency of the state, the state agency that is the primary employer of the state official or employee shall pay the fee required under division (E)(1) or (F) of this section.

(F) If a statement required to be filed under this section is not filed by the date on which it is required to be filed, the appropriate ethics commission shall assess the person required to file the statement a late filing fee of ten dollars for each day the statement is not filed, except that the total amount of the late filing fee shall not exceed two hundred fifty dollars.

(G)(1) The appropriate ethics commission other than the Ohio ethics commission and the joint legislative ethics committee shall deposit all fees it receives under divisions (E) and (F) of this section into the general revenue fund of the state.

(2) The Ohio ethics commission shall deposit all receipts, including, but not limited to, fees it receives under divisions (E) and (F) of this section, investigative or other fees, costs or other funds it receives as a result of court orders, and all moneys it receives from settlements under division (G) of section 102.06 of the Revised Code, into the Ohio ethics commission fund, which is hereby created in the state treasury. All moneys credited to the fund shall be used solely for expenses related to the operation and statutory functions of the commission.

(3) The joint legislative ethics committee shall deposit all receipts it receives from the payment of financial disclosure statement filing fees under divisions (E) and (F) of this section into the joint legislative ethics committee investigative fund.

(H) Division (A) of this section does not apply to a person elected or appointed to the office of precinct, ward, or district committee member under Chapter 3517. of the Revised Code; a presidential elector; a delegate to a national convention; village or township officials and employees; any physician or psychiatrist who is paid a salary or wage in accordance with schedule C of section 124.15 or schedule E-2 of section 124.152 of the Revised Code and whose primary duties do not require the exercise of administrative discretion; or any member of a board, commission, or bureau of any county or city who receives less than one thousand dollars per year for serving in that position.

Sec. 102.021

(A)(1) For the twenty-four month period immediately following the end of the former state elected officer's or staff member's service or public employment, except as provided in division (B) or (D) of this section, each former state elected officer or staff member who filed or was required to file a disclosure statement under section 102.02 of the Revised Code shall file, on or before the deadlines specified in division (D) of this section, with the joint legislative ethics committee a statement that shall include the information described in divisions (A)(2), (3), (4), and (5) of this section, as applicable. The statement shall be filed on a form and in the manner specified by the joint legislative ethics committee. This division does not apply to a state elected officer or staff member who filed or was required to file a disclosure statement under section 102.02 of the Revised Code, who leaves service or public employment, and who takes another position as a state elected officer or staff member who files or is required to file a disclosure statement under that section.

No person shall fail to file, on or before the deadlines specified in division (D) of this section, a statement that is required by this division.

(2) The statement referred to in division (A)(1) of this section shall describe the source of all income received, in the former state elected officer's or staff member's own name or by any other person for the person's use or benefit, and briefly describe the nature of the services for which the income was received if the source of the income was any of the following:

(a) An executive agency lobbyist or a legislative agent;

(b) The employer of an executive agency lobbyist or legislative agent, except that this division does not apply if the employer is any state agency or political subdivision of the state;

(c) Any entity, association, or business that, at any time during the two immediately preceding calendar years, was awarded one or more contracts by one or more state agencies that in the aggregate had a value of one hundred thousand dollars or more, or bid on one or more contracts to be awarded by one or more state agencies that in the aggregate had a value of one hundred thousand dollars or more.

(3) If the former state elected officer or staff member received no income as described in division (A)(2) of this section, the statement referred to in division (A)(1) of this section shall indicate that fact.

(4) If the former state elected officer or staff member directly or indirectly made, either separately or in combination with another, any expenditure or gift for transportation, lodging, or food or beverages to, at the request of, for the benefit of, or on behalf of any public officer or employee, and if the former state elected officer or staff member would be required to report the expenditure or gift in a statement under sections 101.70 to 101.79 or sections 121.60 to 121.69 of the Revised Code, whichever is applicable, if the former state elected officer or staff member was a legislative agent or executive agency lobbyist at the time the expenditure or gift was made, the statement referred to in division (A)(1) of this section shall include all information relative to that gift or expenditure that would be required in a statement under sections 101.70 to 101.79 or sections 121.60 to 121.69 of the Revised Code if the former state elected officer or staff member was a legislative agent or executive agency lobbyist at the time the expenditure or gift was made.

(5) If the former state elected officer or staff member made no expenditure or gift as described in division (A)(4) of this section, the statement referred to in division (A)(1) of this section shall indicate that fact.

(B) If, at any time during the twenty-four month period immediately following the end of the former state elected officer's or staff member's service or public employment, a former state elected officer or staff member who filed or was required to file a disclosure statement under section 102.02 of the Revised Code becomes a legislative agent or an executive agency lobbyist, the former state elected officer or staff member shall comply with all registration and filing requirements set forth in sections 101.70 to 101.79 or sections 121.60 to 121.69 of the Revised Code, whichever is applicable, and, the former state elected officer or staff member also shall file a statement under division (A)(1) of this section except that the statement filed under division (A)(1) of this section does not need to include information regarding any income source, expenditure, or gift to the extent that that information was included in any registration or statement filed under sections 101.70 to 101.79 or sections 121.60 to 121.69 of the Revised Code.

(C) Except as otherwise provided in this division, division (A)(2) of this section applies to attorneys, physicians, and other persons who engage in the practice of a profession and who, pursuant to a section of the Revised Code, the common law of this state, a code of ethics applicable to the profession, or otherwise, generally are required not to reveal, disclose, or use confidences of clients, patients, or other recipients of professional services except under specified circumstances or generally are required to maintain those types of confidences as privileged communications except under specified circumstances. Division (A)(2) of this section does not require an attorney, physician, or other professional subject to a confidentiality requirement as described in this division to disclose the name, other identity, or address of a client, patient, or other recipient of professional services if the disclosure would threaten the client, patient, or other recipient of professional services, would reveal details of the subject matter for which legal, medical, or professional advice or other services were sought, or would reveal an otherwise privileged communication involving the client, patient, or other recipient of professional services. Division (A)(2) of this section does not require an attorney, physician, or other professional subject to a confidentiality requirement as described in this division to disclose in the brief description of the nature of services required by division (A)(2) of this section any information pertaining to specific professional services rendered for a client, patient, or other recipient of professional services that would reveal details of the subject matter for which legal, medical, or professional advice was sought or would reveal an otherwise privileged communication involving the client, patient, or other recipient of professional services.

(D)(1) Each state elected officer or staff member who filed or was required to file a disclosure statement under section 102.02 of the Revised Code and who leaves public service or public employment shall file an initial statement under division (A)(1) of this section not later than the day on which the former state elected officer or staff member leaves public service or public employment. The initial statement shall specify whether the person will, or will not, receive any income from a source described in division (A)(2)(a), (b), or (c) of this section.

If a person files an initial statement under this division that states that the person will receive income from a source described in division (A)(2)(a), (b), or (c) of this section, the person is required to file statements under division (A)(2), (3), (4), or (5) of this section at the times specified in division (D)(2) of this section.

If a person files an initial statement under this division that states that the person will not receive income from a source described in division (A)(2)(a), (b), or (c) of this section, except as otherwise provided in this division, the person is not required to file statements under division (A)(2), (4), or (5) of this section or to file subsequent statements under division (A)(3) of this section. If a person files an initial statement under this

division that states that the person will not receive income from a source described in division (A)(2)(a), (b), or (c) of this section, and, subsequent to the filing of that initial statement, the person receives any income from a source described in division (A)(2)(a), (b), or (c) of this section, the person within ten days shall file a statement under division (A)(2) of this section that contains the information described in that division, and the person thereafter shall file statements under division (A)(2), (3), (4), or (5) of this section at the times specified in division (D)(2) of this section.

(2) After the filing of the initial statement under division (D)(1) of this section, each person required to file a statement under division (A)(2), (3), (4), or (5) of this section shall file it on or before the last calendar day of January, May, and September. The statements described in divisions (A)(2), (3), and (5) of this section shall relate to the sources of income the person received in the immediately preceding filing period from each source of income in each of the categories listed in division (A)(2) of this section. The statement described in division (A)(4) of this section shall include any information required to be reported regarding expenditures and gifts of the type described in division (A)(4) of this section occurring since the filing of the immediately preceding statement.

If, pursuant to this division, a person files a statement under division (A)(2) of this section, the person is required to file statements under division (A)(4) of this section, and subsequent statements under division (A)(2), (3), or (5) of this section, at the times specified in this division. In addition, if, subsequent to the filing of the statement under division (A)(2) of this section, the person receives any income from a source described in division (A)(2)(a), (b), or (c) of this section that was not listed on the statement filed under division (A)(2) of this section, the person within ten days shall file a statement under division (A)(2) of this section that contains the information described in that division regarding the new income source.

If, pursuant to this division, a person files a statement under division (A)(3) of this section, except as otherwise provided in this division, the person thereafter is not required to file statements under division (A)(2), (4), or (5) of this section, or to file subsequent statements under division (A)(3) of this section. If, subsequent to the filing of the statement under division (A)(3) of this section, the person receives any income from a source described in division (A)(2)(a), (b), or (c) of this section, the person within ten days shall file a statement under division (A)(2) of this section that contains the information described in that division regarding the new income source, and the person thereafter shall file statements under division (A)(4) of this section, and subsequent statements under division (A)(2) or (3) of this section, at the times specified in this division.

(3) No fee shall be required for filing an initial statement under division (D)(1) of this section. The person filing a statement under division (D)(2) of this section that is required to be filed on or before the last calendar day of January, May, and September shall pay a ten dollar filing fee with each such statement not to exceed thirty dollars in any calendar year. The joint legislative ethics committee may charge late fees in the same manner as specified in division (G) of section 101.72 of the Revised Code.

(E) Any state elected officer or staff member who filed or was required to file a disclosure statement under section 102.02 of the Revised Code and who leaves public service or public employment shall provide a forwarding address to the officer's or staff member's last employer, and the employer shall provide the person's name and address to the joint legislative ethics committee. The former elected state officer or staff member shall provide updated forwarding addresses as necessary to the joint legislative ethics committee during the twenty-four month period during which division (A)(1) of this section applies. The public agency or appointing authority that was the last employer of a person required to file a statement under division (A)(2) of this section shall furnish to the person a copy of the form needed to complete the initial statement required under division (D)(1) of this section.

(F) During the twenty-four month period immediately following the end of the former state elected officer's or staff member's service or public employment, no person required to file a statement under this section shall receive from a source described in division (A)(2)(a), (b), or (c) of this section, and no source described in division (A)(2)(a), (b), or (c) of this section shall pay to that person, any compensation that is contingent in any way upon the introduction, modification, passage, or defeat of any legislation or the outcome of any executive agency decision.

(G) As used in this section "state elected officer or staff member" means any elected officer of this state, any staff, as defined in section 101.70 of the Revised Code, or any staff, as defined in section 121.60 of the Revised Code.

Sec. 102.022

Each person who is an officer or employee of a political subdivision, who receives compensation of less than sixteen thousand dollars a year for holding an office or position of employment with that political subdivision, and who is required to file a statement under section 102.02 of the Revised Code; each member of the board of trustees of a state institution of higher education as defined in section 3345.011 of the Revised Code who is required to file a statement under section 102.02 of the Revised Code; and each individual set forth in division (B)(2) of section 187.03 of the Revised Code who is required to file a statement under section 102.02 of the Revised Code, shall include in that statement, in place of the information required by divisions (A)(2), (7), (8), and (9) of that section, the following information:

(A) Exclusive of reasonable expenses, identification of every source of income over five hundred dollars received during the preceding calendar year, in the officer's or employee's own name or by any other person for the officer's or employee's use or benefit, by the person filing the statement, and a brief description of the nature of the services for which the income was received. This division shall not be construed to require the disclosure of clients of attorneys or persons licensed under section 4732.12 or 4732.15 of the Revised Code or patients of persons certified under section 4731.14 of the Revised Code. This division shall not be construed to require a person filing the statement who derives income from a business or profession to disclose the individual items of income that constitute the gross income of the business or profession.

(B) The source of each gift of over five hundred dollars received by the person in the officer's or employee's own name or by any other person for the officer's or employee's use or benefit during the preceding calendar year, except gifts received by will or by virtue of section 2105.06 of the Revised Code, received from parents, grandparents, children, grandchildren, siblings, nephews, nieces, uncles, aunts, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, fathers-in-law, mothers-in-law, or any person to whom the person filing the statement stands in loco parentis, or received by way of distribution from any inter vivos or testamentary trust established by a spouse or by an ancestor.

Section 102.03

(A)(1) No present or former public official or employee shall, during public employment or service or for twelve months thereafter, represent a client or act in a representative capacity for any person on any matter in which the public official or employee personally participated as a public official or employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or other substantial exercise of administrative discretion.

(2) For twenty-four months after the conclusion of service, no former commissioner or attorney examiner of the public utilities commission shall represent a public utility, as defined in section 4905.02 of the Revised Code, or act in a representative capacity on behalf of such a utility before any state board, commission, or agency.

(3) For twenty-four months after the conclusion of employment or service, no former public official or employee who personally participated as a public official or employee through decision, approval, disapproval, recommendation, the rendering of advice, the development or adoption of solid waste management plans, investigation, inspection, or other substantial exercise of administrative discretion under Chapter 343. or 3734. of the Revised Code shall represent a person who is the owner or operator of a facility, as defined in section 3734.01 of the Revised Code, or who is an applicant for a permit or license for a facility under that chapter, on any matter in which the public official or employee personally participated as a public official or employee.

(4) For a period of one year after the conclusion of employment or service as a member or employee of the general assembly, no former member or employee of the general assembly shall represent, or act in a representative capacity for, any person on any matter before the general assembly, any committee of the general assembly, or the controlling board. Division (A)(4) of this section does not apply to or affect a person who separates from service with the general assembly on or before December 31, 1995. As used in division (A)(4) of this section "person" does not include any state agency or political subdivision of the state.

(5) As used in divisions (A)(1), (2), and (3) of this section, "matter" includes any case, proceeding, application, determination, issue, or question, but does not include the proposal, consideration, or enactment of statutes, rules, ordinances, resolutions, or charter or constitutional amendments. As used in division (A)(4) of this section, "matter" includes the proposal, consideration, or enactment of statutes, resolutions, or constitutional

amendments. As used in division (A) of this section, "represent" includes any formal or informal appearance before, or any written or oral communication with, any public agency on behalf of any person.

(6) Nothing contained in division (A) of this section shall prohibit, during such period, a former public official or employee from being retained or employed to represent, assist, or act in a representative capacity for the public agency by which the public official or employee was employed or on which the public official or employee served.

(7) Division (A) of this section shall not be construed to prohibit the performance of ministerial functions, including, but not limited to, the filing or amendment of tax returns, applications for permits and licenses, incorporation papers, and other similar documents.

(8) Division (A) of this section does not prohibit a nonelected public official or employee of a state agency, as defined in section 1.60 of the Revised Code, from becoming a public official or employee of another state agency. Division (A) of this section does not prohibit such an official or employee from representing or acting in a representative capacity for the official's or employee's new state agency on any matter in which the public official or employee personally participated as a public official or employee at the official's or employee's former state agency. However, no public official or employee of a state agency shall, during public employment or for twelve months thereafter, represent or act in a representative capacity for the official's or employee's new state agency on any audit or investigation pertaining to the official's or employee's new state agency in which the public official or employee personally participated at the official's or employee's former state agency through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or other substantial exercise of administrative discretion.

(9) Division (A) of this section does not prohibit a nonelected public official or employee of a political subdivision from becoming a public official or employee of a different department, division, agency, office, or unit of the same political subdivision. Division (A) of this section does not prohibit such an official or employee from representing or acting in a representative capacity for the official's or employee's new department, division, agency, office, or unit on any matter in which the public official or employee personally participated as a public official or employee at the official's or employee's former department, division, agency, office, or unit of the same political subdivision. As used in this division, "political subdivision" means a county, township, municipal corporation, or any other body corporate and politic that is responsible for government activities in a geographic area smaller than that of the state.

(10) No present or former Ohio casino control commission official shall, during public service or for two years thereafter, represent a client, be employed or compensated by a person regulated by the commission, or act in a representative capacity for any person on any matter before or concerning the commission.

No present or former commission employee shall, during public employment or for two years thereafter, represent a client or act in a representative capacity on any matter in which the employee personally participated as a commission employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or other substantial exercise of administrative discretion.

(B) No present or former public official or employee shall disclose or use, without appropriate authorization, any information acquired by the public official or employee in the course of the public official's or employee's official duties that is confidential because of statutory provisions, or that has been clearly designated to the public official or employee as confidential when that confidential designation is warranted because of the status of the proceedings or the circumstances under which the information was received and preserving its confidentiality is necessary to the proper conduct of government business.

(C) No public official or employee shall participate within the scope of duties as a public official or employee, except through ministerial functions as defined in division (A) of this section, in any license or rate-making proceeding that directly affects the license or rates of any person, partnership, trust, business trust, corporation, or association in which the public official or employee or immediate family owns or controls more than five per cent. No public official or employee shall participate within the scope of duties as a public official or employee, except through ministerial functions as defined in division (A) of this section, in any license or rate-making proceeding that directly affects the license or rates of any person to whom the public official or employee or immediate family, or a partnership, trust, business trust, corporation, or association of which the public official or employee or the public official's or employee's immediate family owns or controls more than five per cent, has sold goods or services totaling more than one thousand dollars during the preceding year, unless the public official or employee has filed a written statement acknowledging that sale with the clerk or secretary of the public agency and the statement is entered in any public record of the agency's proceedings.

This division shall not be construed to require the disclosure of clients of attorneys or persons licensed under section 4732.12 or 4732.15 of the Revised Code, or patients of persons certified under section 4731.14 of the Revised Code.

(D) No public official or employee shall use or authorize the use of the authority or influence of office or employment to secure anything of value or the promise or offer of anything of value that is of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties.

(E) No public official or employee shall solicit or accept anything of value that is of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties.

(F) No person shall promise or give to a public official or employee anything of value that is of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties.

(G) In the absence of bribery or another offense under the Revised Code or a purpose to defraud, contributions made to a campaign committee, political party, legislative campaign fund, political action committee, or political contributing entity on behalf of an elected public officer or other public official or employee who seeks elective office shall be considered to accrue ordinarily to the public official or employee for the purposes of divisions (D), (E), and (F) of this section.

As used in this division, "contributions," "campaign committee," "political party," "legislative campaign fund," "political action committee," and "political contributing entity" have the same meanings as in section 3517.01 of the Revised Code.

(H)(1) No public official or employee, except for the president or other chief administrative officer of or a member of a board of trustees of a state institution of higher education as defined in section 3345.011 of the Revised Code, who is required to file a financial disclosure statement under section 102.02 of the Revised Code shall solicit or accept, and no person shall give to that public official or employee, an honorarium. Except as provided in division (H)(2) of this section, this division and divisions (D), (E), and (F) of this section do not prohibit a public official or employee who is required to file a financial disclosure statement under section 102.02 of the Revised Code from accepting and do not prohibit a person from giving to that public official or employee the payment of actual travel expenses, including any expenses incurred in connection with the travel for lodging, and meals, food, and beverages provided to the public official or employee at a meeting at which the public official or employee participates in a panel, seminar, or speaking engagement or provided to the public official or employee at a meeting or convention of a national organization to which any state agency, including, but not limited to, any state legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues. Except as provided in division (H)(2) of this section, this division and divisions (D), (E), and (F) of this section do not prohibit a public official or employee who is not required to file a financial disclosure statement under section 102.02 of the Revised Code from accepting and do not prohibit a person from promising or giving to that public official or employee an honorarium or the payment of travel, meal, and lodging expenses if the honorarium, expenses, or both were paid in recognition of demonstrable business, professional, or esthetic interests of the public official or employee that exist apart from public office or employment, including, but not limited to, such a demonstrable interest in public speaking and were not paid by any person or other entity, or by any representative or association of those persons or entities, that is regulated by, doing business with, or seeking to do business with the department, division, institution, board, commission, authority, bureau, or other instrumentality of the governmental entity with which the public official or employee serves.

(2) No person who is a member of the board of a state retirement system, a state retirement system investment officer, or an employee of a state retirement system whose position involves substantial and material exercise of discretion in the investment of retirement system funds shall solicit or accept, and no person shall give to that board member, officer, or employee, payment of actual travel expenses, including expenses incurred with the travel for lodging, meals, food, and beverages.

(I) A public official or employee may accept travel, meals, and lodging or expenses or reimbursement of expenses for travel, meals, and lodging in connection with conferences, seminars, and similar events related to official duties if the travel, meals, and lodging, expenses, or reimbursement is not of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties. The house of representatives and senate, in their code of ethics, and the Ohio ethics commission, under

section 111.15 of the Revised Code, may adopt rules setting standards and conditions for the furnishing and acceptance of such travel, meals, and lodging, expenses, or reimbursement.

A person who acts in compliance with this division and any applicable rules adopted under it, or any applicable, similar rules adopted by the supreme court governing judicial officers and employees, does not violate division (D), (E), or (F) of this section. This division does not preclude any person from seeking an advisory opinion from the appropriate ethics commission under section 102.08 of the Revised Code.

(J) For purposes of divisions (D), (E), and (F) of this section, the membership of a public official or employee in an organization shall not be considered, in and of itself, to be of such a character as to manifest a substantial and improper influence on the public official or employee with respect to that person's duties. As used in this division, "organization" means a church or a religious, benevolent, fraternal, or professional organization that is tax exempt under subsection 501(a) and described in subsection 501(c) (3), (4), (8), (10), or (19) of the "Internal Revenue Code of 1986." This division does not apply to a public official or employee who is an employee of an organization, serves as a trustee, director, or officer of an organization, or otherwise holds a fiduciary relationship with an organization. This division does not allow a public official or employee who is a member of an organization to participate, formally or informally, in deliberations, discussions, or voting on a matter or to use the public official's or employee's official position with regard to the interests of the organization on the matter if the public official or employee has assumed a particular responsibility in the organization with respect to the matter or if the matter would affect that person's personal, pecuniary interests.

(K) It is not a violation of this section for a prosecuting attorney to appoint assistants and employees in accordance with division (B) of section 309.06 and section 2921.421 of the Revised Code, for a chief legal officer of a municipal corporation or an official designated as prosecutor in a municipal corporation to appoint assistants and employees in accordance with sections 733.621 and 2921.421 of the Revised Code, for a township law director appointed under section 504.15 of the Revised Code to appoint assistants and employees in accordance with sections 504.151 and 2921.421 of the Revised Code, or for a coroner to appoint assistants and employees in accordance with division (B) of section 313.05 of the Revised Code.

As used in this division, "chief legal officer" has the same meaning as in section 733.621 of the Revised Code.

(L) No present public official or employee with a casino gaming regulatory function shall indirectly invest, by way of an entity the public official or employee has an ownership interest or control in, or directly invest in a casino operator, management company, holding company, casino facility, or gaming-related vendor. No present public official or employee with a casino gaming regulatory function shall directly or indirectly have a financial interest in, have an ownership interest in, be the creditor or hold a debt instrument issued by, or have an interest in a contractual or service relationship with a casino operator, management company, holding company, casino facility, or gaming-related vendor. This section does not prohibit or limit permitted passive investing by the public official or employee.

As used in this division, "passive investing" means investment by the public official or employee by means of a mutual fund in which the public official or employee has no control of the investments or investment decisions. "Casino operator," "holding company," "management company," "casino facility," and "gaming-related vendor" have the same meanings as in section 3772.01 of the Revised Code.

(M) A member of the Ohio casino control commission, the executive director of the commission, or an employee of the commission shall not:

(1) Accept anything of value, including but not limited to a gift, gratuity, emolument, or employment from a casino operator, management company, or other person subject to the jurisdiction of the commission, or from an officer, attorney, agent, or employee of a casino operator, management company, or other person subject to the jurisdiction of the commission;

(2) Solicit, suggest, request, or recommend, directly or indirectly, to a casino operator, management company, or other person subject to the jurisdiction of the commission, or to an officer, attorney, agent, or employee of a casino operator, management company, or other person subject to the jurisdiction of the commission, the appointment of a person to an office, place, position, or employment;

(3) Participate in casino gaming or any other amusement or activity at a casino facility in this state or at an affiliate gaming facility of a licensed casino operator, wherever located.

In addition to the penalty provided in section 102.99 of the Revised Code, whoever violates division (M)(1), (2), or (3) of this section forfeits the individual's office or employment.

Sec. 102.031

(A) As used in this section:

(1) “Business associate” means a person with whom a member of the general assembly is conducting or undertaking a financial transaction.

(2) “Contribution” has the same meaning as in section 3517.01 of the Revised Code.

(3) “Employee” does not include a member of the general assembly whose nonlegislative position of employment does not involve the performance of or the authority to perform administrative or supervisory functions; or whose nonlegislative position of employment, if the member is a public employee, does not involve a substantial and material exercise of administrative discretion in the formulation of public policy, expenditure of public funds, enforcement of laws and rules of the state or a county or city, or execution of other public trusts.

(B) No member of the general assembly shall vote on any legislation that the member knows is then being actively advocated if the member is one of the following with respect to a legislative agent or employer that is then actively advocating on that legislation:

(1) An employee;

(2) A business associate;

(3) A person, other than an employee, who is hired under contract to perform certain services, and that position involves a substantial and material exercise of administrative discretion in the formulation of public policy.

(C) No member of the general assembly shall knowingly accept any of the following from a legislative agent or a person required to file a statement described in division (A)(2) of section 102.021 of the Revised Code:

(1) The payment of any expenses for travel or lodging except as otherwise authorized by division (H) of section 102.03 of the Revised Code;

(2) More than seventy-five dollars aggregated per calendar year as payment for meals and other food and beverages, other than for those meals and other food and beverages provided to the member at a meeting at which the member participates in a panel, seminar, or speaking engagement, at a meeting or convention of a national organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or at a dinner, party, or function to which all members of the general assembly or all members of either house of the general assembly are invited;

(3) A gift of any amount in the form of cash or the equivalent of cash, or a gift of any other thing of value whose value exceeds seventy-five dollars. As used in division (C)(3) of this section, “gift” does not include any contribution or any gifts of meals and other food and beverages or the payment of expenses incurred for travel to destinations either inside or outside this state that is received by a member of the general assembly and that is incurred in connection with the member’s official duties.

(D) It is not a violation of division (C)(2) of this section if, within sixty days after receiving notice from a legislative agent that the legislative agent has provided a member of the general assembly with more than seventy-five dollars aggregated in a calendar year as payment for meals and other food and beverages, the member of the general assembly returns to that legislative agent the amount received that exceeds seventy-five dollars.

(E) The joint legislative ethics committee may impose a fine of not more than one thousand dollars upon a member of the general assembly who violates division (B) of this section.

Section 102.04

(A) Except as provided in division (D) of this section, no person elected or appointed to an office of or employed by the general assembly or any department, division, institution, instrumentality, board, commission, or bureau of the state, excluding the courts, shall receive or agree to receive directly or indirectly compensation other than from the agency with which he serves for any service rendered or to be rendered by him personally in any case, proceeding, application, or other matter that is before the general assembly or any department, division, institution, instrumentality, board, commission, or bureau of the state, excluding the courts.

(B) Except as provided in division (D) of this section, no person elected or appointed to an office of or employed by the general assembly or any department, division, institution, instrumentality, board, commission, or bureau of the state, excluding the courts, shall sell or agree to sell, except through competitive bidding, any goods or services to the general assembly or any department, division, institution, instrumentality, board, commission, or bureau of the state, excluding the courts.

(C) Except as provided in division (D) of this section, no person who is elected or appointed to an office of or employed by a county, township, municipal corporation, or any other governmental entity, excluding the courts, shall receive or agree to receive directly or indirectly compensation other than from the agency with which he serves for any service rendered or to be rendered by him personally in any case, proceeding, application, or other matter which is before any agency, department, board, bureau, commission, or other instrumentality, excluding the courts, of the entity of which he is an officer or employee.

(D) A public official who is appointed to a nonelective office or a public employee shall be exempted from division (A), (B), or (C) of this section if both of the following apply:

(1) The agency to which the official or employee wants to sell the goods or services, or before which the matter that involves the rendering of his services is pending, is an agency other than the one with which he serves;

(2) Prior to rendering the personal services or selling or agreeing to sell the goods or services, he files a statement with the appropriate ethics commission, with the public agency with which he serves, and with the public agency before which the matter is pending or that is purchasing or has agreed to purchase goods or services.

The required statement shall contain the official's or employee's name and home address, the name and mailing address of the public agencies with which he serves and before which the matter is pending or that is purchasing or has agreed to purchase goods or services, and a brief description of the pending matter and of the personal services to be rendered or a brief description of the goods or services to be purchased. The statement shall also contain the public official's or employee's declaration that he disqualifies himself for a period of two years from any participation as such public official or employee in any matter involving any public official or employee of the agency before which the present matter is pending or to which goods or services are to be sold. The two-year period shall run from the date of the most recently filed statement regarding the agency before which the matter was pending or to which the goods or services were to be sold. No person shall be required to file statements under this division with the same public agency regarding a particular matter more than once in a calendar year.

(E) No public official or employee who files a statement or is required to file a statement under division (D) of this section shall knowingly fail to disqualify himself from any participation as a public official or employee of the agency with which he serves in any matter involving any official or employee of an agency before which a matter for which he rendered personal services was pending or of a public agency that purchased or agreed to purchase goods or services.

(F) This section shall not be construed to prohibit the performance of ministerial functions including, but not limited to, the filing, or amendment of tax returns, applications for permits and licenses, incorporation papers, and other documents.

Section 102.05

There is hereby created the Ohio ethics commission consisting of six members, three of whom shall be members of each of the two major political parties, to be appointed by the governor with the advice and consent of the senate. Within thirty days of the effective date of this section, the governor shall make initial appointments to the commission. Of the initial appointments made to the commission, one shall be for a term ending one year after the effective date of this section, and the other appointments shall be for terms ending two, three, four, five, and six years, respectively, after the effective date of this section. Thereafter, terms of office shall be for six years, each term ending on the same day of the same month of the year as did the term that it succeeds. Each member shall hold office from the date of his appointment until the end of the term for which he was appointed. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall hold office for the remainder of that term.

No person shall be appointed to the commission or shall continue to serve as a member of the commission if the person is subject to section 102.02 of the Revised Code other than by reason of his

appointment to the commission or if the person is a legislative agent registered under sections 101.70 to 101.79 of the Revised Code or an executive agency lobbyist registered under sections 121.60 to 121.69 of the Revised Code. Each member shall be paid seventy-five dollars for each meeting held in the discharge of his official duties, except that no member shall be paid more than eighteen hundred dollars in any fiscal year. Each member shall be reimbursed for expenses actually and necessarily incurred in the performance of his official duties.

The commission shall meet within two weeks after all members have been appointed, at a time and place determined by the governor. At its first meeting, the commission shall elect a chairman and other officers that are necessary and shall adopt rules for its procedures. After the first meeting, the commission shall meet at the call of the chairman or upon the written request of a majority of the members. A majority of the members of the commission constitutes a quorum. The commission shall not take any action without the concurrence of a majority of the members of the commission.

The commission may appoint and fix the compensation of an executive director and other technical, professional, and clerical employees that are necessary to carry out the duties of the commission.

The commission may appoint hearing examiners to conduct hearings pursuant to section 102.06 of the Revised Code. The hearing examiners have the same powers and authority in conducting the hearings as is granted to the commission. Within thirty days after the hearing, the hearing examiner shall submit to the commission a written report of his findings of fact and conclusions of law and a recommendation of the action to be taken by the commission. The recommendation of the hearing examiner may be approved, modified, or disapproved by the commission, and no recommendation shall become the findings of the commission until so ordered by the commission. The findings of the commission shall have the same effect as if the hearing had been conducted by the commission. Hearing examiners appointed pursuant to this section shall possess the qualifications the commission requires. Nothing contained in this section shall preclude the commission from appointing a member of the commission to serve as a hearing examiner.

Section 102.06

(A) The appropriate ethics commission shall receive and may initiate complaints against persons subject to this chapter concerning conduct alleged to be in violation of this chapter or section 2921.42 or 2921.43 of the Revised Code. All complaints except those by the commission shall be by affidavit made on personal knowledge, subject to the penalties of perjury. Complaints by the commission shall be by affidavit, based upon reasonable cause to believe that a violation has occurred.

(B) The appropriate ethics commission shall investigate complaints, may investigate charges presented to it, and may request further information, including the specific amount of income from a source, from any person filing with the commission a statement required by section 102.02 or 102.021 of the Revised Code, if the information sought is directly relevant to a complaint or charges received by the commission pursuant to this section. This information is confidential, except that the commission, in its discretion, may share information gathered in the course of any investigation with, or disclose the information to, the inspector general, any appropriate prosecuting authority, any law enforcement agency, or any other appropriate ethics commission. If the accused person is a member of the public employees retirement board, state teachers retirement board, school employees retirement board, board of trustees of the Ohio police and fire pension fund, or state highway patrol retirement board, or is a member of the bureau of workers' compensation board of directors, the appropriate ethics commission, in its discretion, also may share information gathered in the course of an investigation with, or disclose the information to, the attorney general and the auditor of state. The person so requested shall furnish the information to the commission, unless within fifteen days from the date of the request the person files an action for declaratory judgment challenging the legitimacy of the request in the court of common pleas of the county of the person's residence, the person's place of employment, or Franklin county. The requested information need not be furnished to the commission during the pendency of the judicial proceedings. Proceedings of the commission in connection with the declaratory judgment action shall be kept confidential except as otherwise provided by this section. Before the commission proceeds to take any formal action against a person who is the subject of an investigation based on charges presented to the commission, a complaint shall be filed against the person. If the commission finds that a complaint is not frivolous, and there is reasonable cause to believe that the facts alleged in a complaint constitute a violation of section 102.02, 102.021, 102.03, 102.04, 102.07, 2921.42, or 2921.43 of the Revised Code, it shall hold a hearing. If the commission does not so find, it shall dismiss the complaint and notify the accused person in writing of the

dismissal of the complaint. The commission shall not make a report of its finding unless the accused person requests a report. Upon the request of the accused person, the commission shall make a public report of its finding. The person against whom the complaint is directed shall be given reasonable notice by certified mail of the date, time, and place of the hearing and a statement of the charges and the law directly involved and shall be given the opportunity to be represented by counsel, to have counsel appointed for the person if the person is unable to afford counsel without undue hardship, to examine the evidence against the person, to produce evidence and to call and subpoena witnesses in the person's defense, to confront the person's accusers, and to cross-examine witnesses. The commission shall have a stenographic record made of the hearing. The hearing shall be closed to the public.

(C)(1)(a) If, upon the basis of the hearing, the appropriate ethics commission finds by a preponderance of the evidence that the facts alleged in the complaint are true and constitute a violation of section 102.02, 102.021, 102.03, 102.04, 102.07, 2921.42, or 2921.43 of the Revised Code, it shall report its findings to the appropriate prosecuting authority for proceedings in prosecution of the violation and to the appointing or employing authority of the accused. If the accused person is a member of the public employees retirement board, state teachers retirement board, school employees retirement board, board of trustees of the Ohio police and fire pension fund, or state highway patrol retirement board, the commission also shall report its findings to the Ohio retirement study council.

(b) If the Ohio ethics commission reports its findings to the appropriate prosecuting authority under division (C)(1)(a) of this section and the prosecuting authority has not initiated any official action on those findings within ninety days after receiving the commission's report of them, the commission may publicly comment that no official action has been taken on its findings, except that the commission shall make no comment in violation of the Rules of Criminal Procedure or about any indictment that has been sealed pursuant to any law or those rules. The commission shall make no comment regarding the merits of its findings. As used in division (C)(1)(b) of this section, "official action" means prosecution, closure after investigation, or grand jury action resulting in a true bill of indictment or no true bill of indictment.

(2) If the appropriate ethics commission does not find by a preponderance of the evidence that the facts alleged in the complaint are true and constitute a violation of section 102.02, 102.021, 102.03, 102.04, 102.07, 2921.42, or 2921.43 of the Revised Code or if the commission has not scheduled a hearing within ninety days after the complaint is filed or has not finally disposed of the complaint within six months after it has been heard, it shall dismiss the complaint and notify the accused person in writing of the dismissal of the complaint. The commission shall not make a report of its finding unless the accused person requests a report. Upon the request of the accused person, the commission shall make a public report of the finding, but in this case all evidence and the record of the hearing shall remain confidential unless the accused person also requests that the evidence and record be made public. Upon request by the accused person, the commission shall make the evidence and the record available for public inspection.

(D) The appropriate ethics commission, or a member of the commission, may administer oaths, and the commission may issue subpoenas to any person in the state compelling the attendance of witnesses and the production of relevant papers, books, accounts, and records. The commission shall issue subpoenas to compel the attendance of witnesses and the production of documents upon the request of an accused person. Section 101.42 of the Revised Code shall govern the issuance of these subpoenas insofar as applicable. Upon the refusal of any person to obey a subpoena or to be sworn or to answer as a witness, the commission may apply to the court of common pleas of Franklin county under section 2705.03 of the Revised Code. The court shall hold proceedings in accordance with Chapter 2705. of the Revised Code. The commission or the accused person may take the depositions of witnesses residing within or without the state in the same manner as prescribed by law for the taking of depositions in civil actions in the court of common pleas.

(E) At least once each year, the Ohio ethics commission shall report on its activities of the immediately preceding year to the majority and minority leaders of the senate and house of representatives of the general assembly. The report shall indicate the total number of complaints received, initiated, and investigated by the commission, the total number of complaints for which formal hearings were held, and the total number of complaints for which formal prosecution was recommended or requested by the commission. The report also shall indicate the nature of the inappropriate conduct alleged in each complaint and the governmental entity with which any employee or official that is the subject of a complaint was employed at the time of the alleged inappropriate conduct.

(F) All papers, records, affidavits, and documents upon any complaint, inquiry, or investigation relating to the proceedings of the appropriate ethics commission shall be sealed and are private and confidential, except as otherwise provided in this section and section 102.07 of the Revised Code.

(G)(1) When a complaint or charge is before it, the Ohio ethics commission or the appropriate prosecuting authority, in consultation with the person filing the complaint or charge, the accused, and any other person the commission or prosecuting authority considers necessary, may compromise or settle the complaint or charge with the agreement of the accused. The compromise or settlement may include mediation, restitution, rescission of affected contracts, forfeiture of any benefits resulting from a violation or potential violation of law, resignation of a public official or employee, or any other relief that is agreed upon between the commission or prosecuting authority and the accused.

(2) Any settlement agreement entered into under division (G)(1) of this section shall be in writing and be accompanied by a statement of the findings of the commission or prosecuting authority and the reasons for entering into the agreement. The commission or prosecuting authority shall retain the agreement and statement in the commission's or prosecuting authority's office and, in the commission's or prosecuting authority's discretion, may make the agreement, the statement, and any supporting information public, unless the agreement provides otherwise.

(3) If a settlement agreement is breached by the accused, the commission or prosecuting authority, in the commission's or prosecuting authority's discretion, may rescind the agreement and reinstitute any investigation, hearing, or prosecution of the accused. No information obtained from the accused in reaching the settlement that is not otherwise discoverable from the accused shall be used in any proceeding before the commission or by the appropriate prosecuting authority in prosecuting the violation. Notwithstanding any other section of the Revised Code, if a settlement agreement is breached, any statute of limitations for a violation of this chapter or section 2921.42 or 2921.43 of the Revised Code is tolled from the date the complaint or charge is filed until the date the settlement agreement is breached.

Section 102.07

No member, employee, or agent of the Ohio ethics commission, board of commissioners on grievances and discipline of the supreme court, or joint legislative ethics committee shall divulge any information or any books, papers, or documents presented to the commission, joint legislative ethics committee, or board of commissioners on grievances and discipline without the consent, in writing, of the appropriate ethics commission, unless such books, papers, or documents were presented at a public hearing, except as provided in section 102.06 of the Revised Code.

No person shall divulge information that appears on a disclosure statement and is required to be kept confidential under division (B) of section 102.02 of the Revised Code.

Section 102.08*

* *See also following version of this section and explanation after that version.*

(A)(1) Subject to division (A)(2) of this section, the board of commissioners on grievances and discipline of the supreme court and the house and senate legislative ethics committees may recommend legislation relating to ethics, conflicts of interest, and financial disclosure and shall render advisory opinions with regard to questions concerning these matters for persons for whom it is the appropriate ethics commission. When the appropriate ethics commission renders an advisory opinion relating to a special set of circumstances involving ethics, conflict of interest, or financial disclosure under Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, the person to whom the opinion was directed or who was similarly situated may reasonably rely upon the opinion and shall be immune from criminal prosecutions, civil suits, or actions for removal from his office or position of employment for a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code based on facts and circumstances covered by the opinion, if the opinion states there is no violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code. Except as otherwise provided in division (A)(2) of this section, the appropriate ethics commission shall include in every advisory opinion it renders a statement as to whether the set of circumstances described in the opinion constitutes a violation of section 2921.42 or 2921.43 of the Revised Code. The appropriate ethics commission shall provide a continuing

program of education and information concerning the provisions of Chapter 102. and sections 2921.42 and 2921.43 of the Revised Code and other provisions of law pertaining to ethics, conflicts of interest, and financial disclosure. As used in division (A) of this section, “appropriate ethics commission” does not include the Ohio ethics commission.

(2) The board of commissioners on grievances and discipline of the supreme court shall issue advisory opinions only in a manner consistent with Rule V of the Supreme Court Rules for the Government of the Bar of Ohio.

(B) The Ohio ethics commission may recommend legislation relating to ethics, conflicts of interest, and financial disclosure and may render advice with regard to questions concerning these matters for persons for whom it is the appropriate ethics commission. When the Ohio ethics commission renders a written formal or staff advisory opinion relating to a special set of circumstances involving ethics, conflict of interest, or financial disclosure under Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, the person to whom the opinion was directed or who was similarly situated may reasonably rely upon the opinion and shall be immune from criminal prosecutions, civil suits, or actions for removal from his office or position of employment for a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code based on facts and circumstances covered by the opinion, if the opinion states there is no violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code. The commission shall provide a continuing program of education and information concerning the provisions of Chapter 102. and sections 2921.42 and 2921.43 of the Revised Code and other provisions of law pertaining to ethics, conflicts of interest, and financial disclosure. [Am. Sub. H.B. 285, effective 03-02-94.]

Section 102.08*

* *See also preceding version of this section and explanation below.*

(A) The Ohio ethics commission, the board of commissioners on grievances and discipline of the supreme court, and the joint legislative ethics committee may recommend legislation relating to ethics, conflicts of interest, and financial disclosure, and render advisory opinions with regard to questions concerning these matters for persons for whom it is the appropriate ethics commission.

(B) When the Ohio ethics commission or the board of commissioners on grievances and discipline of the supreme court renders an advisory opinion relating to a special set of circumstances involving ethics, conflict of interest, or financial disclosure under Chapter 102., section 2921.42, or section 2921.43 of the Revised Code, the person to whom the opinion was directed or who was similarly situated may reasonably rely upon such opinion and shall be immune from criminal prosecutions, civil suits, or actions for removal from his office or position of employment for a violation of Chapter 102., section 2921.42, or section 2921.43 of the Revised Code based on facts and circumstances covered by the opinion, if the opinion states there is no violation of Chapter 102., section 2921.42, or section 2921.43 of the Revised Code.

(C) When the joint legislative ethics committee renders an advisory opinion that has been publicly sought and that relates to a special set of circumstances involving ethics, conflicts of interest, or financial disclosure under Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, the person to whom the opinion was directed or who was similarly situated may reasonably rely upon such opinion and shall be immune from criminal prosecutions, civil suits, or actions for removal from his office or position of employment for a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code based on the facts and circumstances covered by the opinion, if the opinion states that there is no violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code. When the joint legislative ethics committee renders an advisory opinion that has been publicly sought, the advisory opinion is a public record available under section 149.43 of the Revised Code.

(D) When the joint legislative ethics committee renders a written opinion that has been privately sought and that relates to a special set of circumstances involving ethics, conflicts of interest, or financial disclosure under Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, the written opinion does not have the legal effect of an advisory opinion issued under division (C) of this section. When the joint legislative ethics committee renders a written opinion that has been privately sought, the written opinion is not a public record available under section 149.43 of the Revised Code. The proceedings of the legislative ethics committee

relating to a written opinion that has been privately sought shall be closed to the public and records relating to these proceedings are not public records available under section 149.43 of the Revised Code.

The person to whom a written opinion is issued under this division may request the committee to issue the written opinion as an advisory opinion. Upon receiving such a request and with the approval of a majority of the members of the committee, the committee may issue the written opinion as an advisory opinion. If the committee issues the written opinion as an advisory opinion, the advisory opinion has the same legal effect as an advisory opinion issued under division (C) of this section and is a public record available under section 149.43 of the Revised Code.

(E) The joint legislative ethics committee shall issue an advisory opinion under division (C) of this section or a written opinion under division (D) of this section, whether it is publicly or privately sought, only at a meeting of the committee and only with the approval of a majority of the members of the committee.

(F) The appropriate ethics commission shall provide a continuing program of education and information concerning the provisions of Chapter 102. and sections 2921.42 and 2921.43 of the Revised Code and other provisions of law pertaining to ethics, conflicts of interest, and financial disclosure. [Am. Sub. H.B. 492, effective 05-12-94.]

** R.C. 102.08 was amended by Am. Sub. H.B. 285 (eff. 03-02-94) and Am. Sub. H.B. 492 (eff. 05-12-94). Harmonization pursuant to R.C. 1.52 is in question. Both versions are presented here.*

Section 102.09

(A) The secretary of state and the county board of elections shall furnish, to each candidate for elective office who is required to file a financial disclosure statement by section 102.02 of the Revised Code, a financial disclosure form, and shall notify the appropriate ethics commission, within fifteen days of the name of the candidate, and of the subsequent withdrawal, disqualification, or death of the candidate. The candidate shall acknowledge receipt of the financial disclosure form in writing.

(B) The secretary of state and the county board of elections shall furnish to each person who is appointed to fill a vacancy for an unexpired term in an elective office, and who is required to file a financial disclosure statement by section 102.02 of the Revised Code, a financial disclosure form, and shall notify the appropriate ethics commission within fifteen days of being notified by the appointing authority, of the name and position of the public official and the date of appointment. The person shall acknowledge receipt of the financial disclosure form in writing.

(C) The public agency or appointing authority that employs, appoints, or promotes any public official or employee who, as a result of such employment, appointment, or promotion, is required to file a financial disclosure statement by section 102.02 of the Revised Code, shall, within fifteen days of the employment, appointment, or promotion, furnish the public official or employee with a financial disclosure form, and shall notify the appropriate ethics commission of the name and position of the public official or employee and the date of employment, appointment, or promotion. The public official or employee shall acknowledge receipt of the financial disclosure form in writing.

(D) Within fifteen days after any public official or employee begins the performance of official duties, the public agency with which the official or employee serves or the appointing authority shall furnish the official or employee a copy of Chapter 102. and section 2921.42 of the Revised Code, and may furnish such other materials as the appropriate ethics commission prepares for distribution. The official or employee shall acknowledge their receipt in writing. The requirements of this division do not apply at the time of reappointment or reelection.

Section 102.99

(A) Whoever violates division (C) of section 102.02 or division (C) of section 102.031 of the Revised Code is guilty of a misdemeanor of the fourth degree.

(B) Whoever violates division (D) of section 102.02 or section 102.021, 102.03, 102.04, or 102.07 of the Revised Code is guilty of a misdemeanor of the first degree.

CHAPTER 2921.

Section 2921.01 As used in sections 2921.01 to 2921.45 of the Revised Code:

(A) “Public official” means any elected or appointed officer, or employee, or agent of the state or any political subdivision, whether in a temporary or permanent capacity, and includes, but is not limited to, legislators, judges, and law enforcement officers. “Public official” does not include an employee, officer, or governor-appointed member of the board of directors of the nonprofit corporation formed under section 187.03 of the Revised Code.

(B) “Public servant” means any of the following:

(1) Any public official;

(2) Any person performing ad hoc a governmental function, including, but not limited to, a juror, member of a temporary commission, master, arbitrator, advisor, or consultant;

(3) A person who is a candidate for public office, whether or not the person is elected or appointed to the office for which the person is a candidate. A person is a candidate for purposes of this division if the person has been nominated according to law for election or appointment to public office, or if the person has filed a petition or petitions as required by law to have the person’s name placed on the ballot in a primary, general, or special election, or if the person campaigns as a write-in candidate in any primary, general, or special election. “Public servant” does not include an employee, officer, or governor-appointed member of the board of directors of the nonprofit corporation formed under section 187.03 of the Revised Code.

(C) “Party official” means any person who holds an elective or appointive post in a political party in the United States or this state, by virtue of which the person directs, conducts, or participates in directing or conducting party affairs at any level of responsibility.

(D) “Official proceeding” means any proceeding before a legislative, judicial, administrative, or other governmental agency or official authorized to take evidence under oath and includes any proceeding before a referee, hearing examiner, commissioner, notary, or other person taking testimony or a deposition in connection with an official proceeding.

(E) “Detention” means arrest; confinement in any vehicle subsequent to an arrest; confinement in any public or private facility for custody of persons charged with or convicted of crime in this state or another state or under the laws of the United States or alleged or found to be a delinquent child or unruly child in this state or another state or under the laws of the United States; hospitalization, institutionalization, or confinement in any public or private facility that is ordered pursuant to or under the authority of section 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code; confinement in any vehicle for transportation to or from any facility of any of those natures; detention for extradition or deportation; except as provided in this division, supervision by any employee of any facility of any of those natures that is incidental to hospitalization, institutionalization, or confinement in the facility but that occurs outside the facility; supervision by an employee of the department of rehabilitation and correction of a person on any type of release from a state correctional institution; or confinement in any vehicle, airplane, or place while being returned from outside of this state into this state by a private person or entity, pursuant to a contract entered into under division (E) of section 311.29 of the Revised Code or division (B) of section 5149.03 of the Revised Code. For a person confined in a county jail who participates in a county jail industry program pursuant to section 5147.30 of the Revised Code, “detention” includes time spent at an assigned work site and going to and from the work site.

(F) “Detention facility” means any public or private place used for the confinement of a person charged with or convicted of any crime in this state or another state or under the laws of the United States or alleged or found to be a delinquent child or unruly child in this state or another state or under the laws of the United States.

(G) “Valuable thing or valuable benefit” includes, but is not limited to, a contribution. This inclusion does not indicate or imply that a contribution was not included in those terms before September 17, 1986.

(H) “Campaign committee,” “contribution,” “political action committee,” “legislative campaign fund,” “political party,” and “political contributing entity” have the same meanings as in section 3517.01 of the Revised Code.

(I) “Provider agreement” and “medical assistance program” have the same meanings as in section 2913.40 of the Revised Code.

Sec. 2921.42.

(A) No public official shall knowingly do any of the following:

(1) Authorize, or employ the authority or influence of the public official's office to secure authorization of any public contract in which the public official, a member of the public official's family, or any of the public official's business associates has an interest;

(2) Authorize, or employ the authority or influence of the public official's office to secure the investment of public funds in any share, bond, mortgage, or other security, with respect to which the public official, a member of the public official's family, or any of the public official's business associates either has an interest, is an underwriter, or receives any brokerage, origination, or servicing fees;

(3) During the public official's term of office or within one year thereafter, occupy any position of profit in the prosecution of a public contract authorized by the public official or by a legislative body, commission, or board of which the public official was a member at the time of authorization, unless the contract was let by competitive bidding to the lowest and best bidder;

(4) Have an interest in the profits or benefits of a public contract entered into by or for the use of the political subdivision or governmental agency or instrumentality with which the public official is connected;

(5) Have an interest in the profits or benefits of a public contract that is not let by competitive bidding if required by law and that involves more than one hundred fifty dollars.

(B) In the absence of bribery or a purpose to defraud, a public official, member of a public official's family, or any of a public official's business associates shall not be considered as having an interest in a public contract or the investment of public funds, if all of the following apply:

(1) The interest of that person is limited to owning or controlling shares of the corporation, or being a creditor of the corporation or other organization, that is the contractor on the public contract involved, or that is the issuer of the security in which public funds are invested;

(2) The shares owned or controlled by that person do not exceed five per cent of the outstanding shares of the corporation, and the amount due that person as creditor does not exceed five per cent of the total indebtedness of the corporation or other organization;

(3) That person, prior to the time the public contract is entered into, files with the political subdivision or governmental agency or instrumentality involved, an affidavit giving that person's exact status in connection with the corporation or other organization.

(C) This section does not apply to a public contract in which a public official, member of a public official's family, or one of a public official's business associates has an interest, when all of the following apply:

(1) The subject of the public contract is necessary supplies or services for the political subdivision or governmental agency or instrumentality involved;

(2) The supplies or services are unobtainable elsewhere for the same or lower cost, or are being furnished to the political subdivision or governmental agency or instrumentality as part of a continuing course of dealing established prior to the public official's becoming associated with the political subdivision or governmental agency or instrumentality involved;

(3) The treatment accorded the political subdivision or governmental agency or instrumentality is either preferential to or the same as that accorded other customers or clients in similar transactions;

(4) The entire transaction is conducted at arm's length, with full knowledge by the political subdivision or governmental agency or instrumentality involved, of the interest of the public official, member of the public official's family, or business associate, and the public official takes no part in the deliberations or decision of the political subdivision or governmental agency or instrumentality with respect to the public contract.

(D) Division (A)(4) of this section does not prohibit participation by a public employee in any housing program funded by public moneys if the public employee otherwise qualifies for the program and does not use the authority or influence of the public employee's office or employment to secure benefits from the program and if the moneys are to be used on the primary residence of the public employee. Such participation does not constitute an unlawful interest in a public contract in violation of this section.

(E) Whoever violates this section is guilty of having an unlawful interest in a public contract. Violation of division (A)(1) or (2) of this section is a felony of the fourth degree. Violation of division (A)(3), (4), or (5) of this section is a misdemeanor of the first degree.

(F) It is not a violation of this section for a prosecuting attorney to appoint assistants and employees in accordance with sections 309.06 and 2921.421 of the Revised Code, for a chief legal officer of a municipal

corporation or an official designated as prosecutor in a municipal corporation to appoint assistants and employees in accordance with sections 733.621 and 2921.421 of the Revised Code, or for a township law director appointed under section 504.15 of the Revised Code to appoint assistants and employees in accordance with sections 504.151 and 2921.421 of the Revised Code.

(G) This section does not apply to a public contract in which a township trustee in a township with a population of five thousand or less in its unincorporated area, a member of the township trustee's family, or one of the township trustee's business associates has an interest, if all of the following apply:

(1) The subject of the public contract is necessary supplies or services for the township and the amount of the contract is less than five thousand dollars per year;

(2) The supplies or services are being furnished to the township as part of a continuing course of dealing established before the township trustee held that office with the township;

(3) The treatment accorded the township is either preferential to or the same as that accorded other customers or clients in similar transactions;

(4) The entire transaction is conducted with full knowledge by the township of the interest of the township trustee, member of the township trustee's family, or the township trustee's business associate.

(H) Any public contract in which a public official, a member of the public official's family, or any of the public official's business associates has an interest in violation of this section is void and unenforceable. Any contract securing the investment of public funds in which a public official, a member of the public official's family, or any of the public official's business associates has an interest, is an underwriter, or receives any brokerage, origination, or servicing fees and that was entered into in violation of this section is void and unenforceable.

(I) As used in this section:

(1) "Public contract" means any of the following:

(a) The purchase or acquisition, or a contract for the purchase or acquisition, of property or services by or for the use of the state, any of its political subdivisions, or any agency or instrumentality of either, including the employment of an individual by the state, any of its political subdivisions, or any agency or instrumentality of either;

(b) A contract for the design, construction, alteration, repair, or maintenance of any public property.

(2) "Chief legal officer" has the same meaning as in section 733.621 of the Revised Code.

Sec. 2921.421

(A) As used in this section:

(1) "Chief legal officer" has the same meaning as in section 733.621 of the Revised Code.

(2) "Political subdivision" means a county, a municipal corporation, or a township that adopts a limited home rule government under Chapter 504. of the Revised Code.

(B) A prosecuting attorney may appoint assistants and employees, except a member of the family of the prosecuting attorney, in accordance with division (B) of section 309.06 of the Revised Code, a chief legal officer of a municipal corporation or an official designated as prosecutor in a municipal corporation may appoint assistants and employees, except a member of the family of the chief legal officer or official designated as prosecutor, in accordance with section 733.621 of the Revised Code, and a township law director appointed under section 504.15 of the Revised Code may appoint assistants and employees, except a member of the family of the township law director, in accordance with section 504.151 of the Revised Code, if all of the following apply:

(1) The services to be furnished by the appointee or employee are necessary services for the political subdivision or are authorized by the legislative authority, governing board, or other contracting authority of the political subdivision.

(2) The treatment accorded the political subdivision is either preferential to or the same as that accorded other clients or customers of the appointee or employee in similar transactions, or the legislative authority, governing board, or other contracting authority of the political subdivision, in its sole discretion, determines that the compensation and other terms of appointment or employment of the appointee or employee are fair and reasonable to the political subdivision.

(3) The appointment or employment is made after prior written disclosure to the legislative authority, governing board, or other contracting authority of the political subdivision of the business relationship between

the prosecuting attorney, the chief legal officer or official designated as prosecutor in a municipal corporation, or the township law director and the appointee or employee thereof. In the case of a municipal corporation, the disclosure may be made or evidenced in an ordinance, resolution, or other document that does either or both of the following:

(a) Authorizes the furnishing of services as required under division (B)(1) of this section;

(b) Determines that the compensation and other terms of appointment or employment of the appointee or employee are fair and reasonable to the political subdivision as required under division (B)(2) of this section.

(4) The prosecuting attorney, the elected chief legal officer, or the township law director does not receive any distributive share or other portion, in whole or in part, of the earnings of the business associate, partner, or employee paid by the political subdivision to the business associate, partner, or employee for services rendered for the political subdivision.

(C) It is not a violation of this section or of section 102.03 or 2921.42 of the Revised Code for the legislative authority, the governing board, or other contracting authority of a political subdivision to engage the services of any firm that practices the profession of law upon the terms approved by the legislative authority, the governing board, or the contracting authority, or to designate any partner, officer, or employee of that firm as a nonelected public official or employee of the political subdivision, whether the public office or position of employment is created by statute, charter, ordinance, resolution, or other legislative or administrative action.

Section 2921.43

(A) No public servant shall knowingly solicit or accept, and no person shall knowingly promise or give to a public servant, either of the following:

(1) Any compensation, other than as allowed by divisions (G), (H), and (I) of section 102.03 of the Revised Code or other provisions of law, to perform the public servant's official duties, to perform any other act or service in the public servant's public capacity, for the general performance of the duties of the public servant's public office or public employment, or as a supplement to the public servant's public compensation;

(2) Additional or greater fees or costs than are allowed by law to perform the public servant's official duties.

(B) No public servant for the public servant's own personal or business use, and no person for the person's own personal or business use or for the personal or business use of a public servant or party official, shall solicit or accept anything of value in consideration of either of the following:

(1) Appointing or securing, maintaining, or renewing the appointment of any person to any public office, employment, or agency;

(2) Preferring, or maintaining the status of, any public employee with respect to compensation, duties, placement, location, promotion, or other material aspects of employment.

(C) No person for the benefit of a political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity shall coerce any contribution in consideration of either of the following:

(1) Appointing or securing, maintaining, or renewing the appointment of any person to any public office, employment, or agency;

(2) Preferring, or maintaining the status of, any public employee with respect to compensation, duties, placement, location, promotion, or other material aspects of employment.

(D) Whoever violates this section is guilty of soliciting improper compensation, a misdemeanor of the first degree.

(E) A public servant who is convicted of a violation of this section is disqualified from holding any public office, employment, or position of trust in this state for a period of seven years from the date of conviction.

(F) Divisions (A), (B), and (C) of this section do not prohibit a person from making voluntary contributions to a political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity or prohibit a political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity, from accepting voluntary contributions.

FOR MORE INFORMATION, OR ADDITIONAL MATERIALS ON THE OHIO ETHICS LAW, PLEASE CONTACT:

OHIO ETHICS COMMISSION

**William Green Building
30 West Spring St., L3
Columbus, Ohio 43215-2256
Phone: (614) 466-7090
Fax: (614) 466-8368
www.ethics.ohio.gov**

[Rev. 10/14]

Appendix D

3. Requests for Additional Information, Including Charter School Accountability (within 14 days of the date of receipt of this letter)

- c. The Ohio Department of Education will describe any changes made to its internal controls that affect officials responsible for oversight of Ohio's charter school sector.

The Ohio Department of Education revisited controls within the agency to ensure staff follow protocol for making critical decisions across all agency divisions, including the Office of Quality School Choice. With respect to the authorizer¹ evaluation process, implementation of recent legislative changes and the administration of the CSP grant, program office staff will consult with the department's Office of Chief Legal Counsel, Office of Grants Management, Center for Accountability and Continuous Improvement, and Center for Student Support and Education Options to ensure compliance with state and federal law.

Moreover, to ensure the integrity, relevance and accuracy of data that the Ohio Department of Education utilizes, the department recently established a Data Governance Committee. The Data Governance Committee is a cross-divisional working group comprised of members of the department's senior leadership team. The Data Governance Committee promotes the release of high-quality, actionable information to Ohio's education stakeholders by ensuring alignment between the department's data use and state and federal laws and rules; ensures alignment with Ohio's K-12 strategic plan; verifies accuracy and completeness of data reported by Ohio's public educating entities; validates the integrity, relevance and accuracy of calculations and reports generated by the department; and coordinates data release and communications processes. The Ohio Department of Education affirms the importance of data in evaluating and shaping Ohio students' preK-12 educational opportunities and experiences. The Data Governance Committee is built upon the principles that data integrity impacts Ohio students' educational opportunities and experiences; that data integrity is a responsibility shared across centers and offices within the department; and that data integrity is established throughout the data quality life cycle, including during the definition, collection, maintenance, internal use and public reporting of data.

¹ Under Ohio law, authorizers are known as sponsors.

Appendix E

3. Requests for Additional Information, Including Charter School Accountability (within 14 days of the date of receipt of this letter)

- d. The Ohio Department of Education will describe any changes to the timeline for the charter schools planning and implementation of subgrants described in its CSP SEA grant application.

The Ohio Department of Education's CSP Program Work Plan			
Strategy 1: Disseminate information about the CSP grant program to interested parties including potential developers, authorizers, teachers, parents, communities and other stakeholders.			
<i>Activity</i>	<i>Responsible Staff</i>	<i>Timelines</i>	<i>Milestones</i>
Develop a detailed dissemination and engagement plan; identify dissemination opportunities and partners; identify dissemination channels; create informational materials	Program Administrator	End of March 2016 and update as needed	Completion of dissemination plan; first contact with key partners and interested parties; communication calendar showing key dates and information dissemination activities
Initiate dissemination and engagement plan; establish routine communications	Program Administrator	Beginning of April 2016 and then the first part of January thereafter	Completion of regular engagement activity pursuant to the communications plan and calendar
Strategy 2: Conduct subgrantee award rounds for planning, year one implementation and year two implementation grants.			
<i>Activity</i>	<i>Responsible Staff</i>	<i>Timelines</i>	<i>Milestones</i>
Develop detailed written subgrant guidelines explaining grant requirements, competitive preferences, scoring criteria, deadlines, etc.; stakeholder engagement around grant guidelines	Program Administrator	By the end of July 2016 for year 1 and November to January thereafter	Completion of subgrant guidelines and application instructions
Issue Notice of Grant Opportunity	Program Administrator	By the end of August 2016 for year 1 and by the first part of January thereafter	Timely issuance of Notice of Grant Opportunity; targets for dissemination of notice met

Receive applications	Program Administrator	Mid-October to mid-November 2016 for year 1 and beginning of February through the end of April thereafter	Applications received; prepared for distribution to peer reviewers
Conduct peer review process — prepare for peer review process; identify peers; provide training	Program Administrator	End of December for year 1 and by mid-June thereafter	Peer reviewers identified; reviewers conduct and submit reviews; compilation of scores; review session with reviewers
Make grant awards	Program Administrator	By end of January 2017 for year 1 and by the end of June thereafter	Grants awarded; Subgrantee activity begins
Strategy 3: Monitoring and technical assistance/support activity.			
Activity	Responsible Staff	Timelines	Milestones
Develop detailed monitoring and support plan for all aspects of monitoring and technical assistance/support activity provided by both the department and authorizers; engage likely authorizers	Program Administrator	By the end of September 2016 and updated as needed	Complete detailed monitoring and support plan
Identify types of high quality technical assistance/support required by proposed schools and design strategies for providing it	Program Specialists	Annually	Identification of types of needed technical assistance/support and development of strategies for providing technical assistance/support
Ensure authorizers conduct monitoring and technical assistance/support activity pursuant to plan	Program Specialists	Ongoing	Required reviews completed; reviews shared with schools; deficiencies rectified or corrective action plans developed; planned support activities completed per plan

Conduct Ohio Department of Education monitoring review and technical assistance/support activities	Program Specialists	Ongoing	Required reviews completed; reviews shared with schools/authorizers; deficiencies rectified or corrective action plans developed; planned support activities completed per plan
Department review of authorizer compliance with monitoring and technical assistance/support requirements	Program Specialists	Annually	Reviews completed; deficiencies rectified or corrective action plans developed
Strategy 4: Data collection, analysis and synthesis			
Activity	Responsible Staff	Timelines	Milestones
Data Governance Committee Review	Data Manager	Quarterly	Data Governance approval
Develop detailed project data collection and analysis plan	Data Manager	Quarterly	Plan development completed
Collection of relevant data	Data Manager	Ongoing	100 percent of required data collected timely
Prepare data analysis and synthesis reports	Data Manager	As appropriate as data is available, but no less than annually	Data analysis report prepared
Convene stakeholders to review data and discuss strategies to continually improve activities/outcomes	Data Manager	Annually	Completed stakeholder data review meetings; plan for improvements

Appendix F

3. Requests for Additional Information, Including Charter School Accountability (within 14 days of the date of receipt of this letter)
 - e. The Ohio Department of Education will describe how the charter school legislation recently signed into law in Ohio will impact the operation of the project described in its CSP SEA grant application

1. **House Bill 2, Charter Reform Legislation:** The Ohio General Assembly passed charter reform legislation on Oct. 7, 2015. HB 2 was signed by Ohio Gov. Kasich on Nov. 1, and the legislation becomes effective on Feb. 1, 2016. The bill drastically reforms Ohio's charter school¹ laws by increasing accountability and transparency in the charter sector. HB 2 changes affect charter school governing authorities, authorizers², charter management organizations³ (CMO) and the Ohio Department of Education. The following HB 2 provisions impact the implementation of the CSP SEA grant project (see Appendix A for a crosswalk of legislative impact on the operation of the project):
 - a. **Authorizer evaluations**
 - Requires the Ohio Department of Education to annually rate all authorizers on each of the three evaluation components and assign an overall rating, beginning with the 2015-2016 school year (Ohio Revised Code 3314.016(B)(1) and (6)). The three components are: (1) compliance with rule and law; (2) adherence to quality practices; and (3) academic performance.
 - Permits the department to evaluate an authorizer's adherence to quality practices once every three years, if the authorizer was most recently rated "exemplary" or "effective." In that case, the department must use the authorizer's most recent rating for that component (Ohio Revised Code 3314.016(B)(1)(b)).
 - Requires the academic performance component to: (1) be derived from report card performance measures; (2) be based on the schools' performance for the school year for which the evaluation is done; and (3) include year-to-year changes in the authorizer's portfolio. If a school has no graded performance measures, the department must use measures specified in the school's contract with the authorizer (Ohio Revised Code 3314.016(B)(1)(a)).
 - Retains current law excluding schools that have been in operation for not more than two full school years from the academic performance component. (Ohio Revised Code 3314.016(B)(2)).
 - Retains current law excluding schools primarily serving students with disabilities from the academic performance component but requires the department to report those schools' academic performance (Ohio Revised Code 3314.016(B)(2)).
 - Clarifies that the compliance component of the evaluation system measures compliance with **all** applicable laws and administrative rules by an entity that authorizes charter schools (Ohio Revised Code 3314.016(B)(1)(c)).

¹ Under Ohio law, charter schools are known as community schools.

² Under Ohio law, authorizers are known as sponsors.

³ In Ohio, charter management companies are known as operators or management companies.

- Restricts peer reviewers to employees of authorizers that were rated “exemplary” or “effective” on their most recent rating (Ohio Revised Code 3314.016(B)(4)).
- Adds a fourth rating of “poor” to the evaluation system. Removes the authority for the department to rate a new authorizer as “emerging” for its first two years (Ohio Revised Code 3314.016(B)(6)).
- Beginning with evaluations completed in the 2015-2016 school year, an authorizer will receive one of four overall ratings: “exemplary,” “effective,” “ineffective,” or “poor”:
 - An authorizer rated “ineffective”:
 - Is prohibited from sponsoring any additional schools as long as it keeps that rating;
 - Is subject to a quality improvement plan with timelines and benchmarks established by the department (Ohio Revised Code 3314.016(B)(7)).
 - An authorizer rated “ineffective” for three consecutive years will have its sponsorship authority revoked (Ohio Revised Code 3314.016(B)(7)).
 - An authorizer rated “poor” will have its sponsorship authority revoked (Ohio Revised Code 3314.016(B)(7)).
 - The Ohio Department of Education’s Office of School Sponsorship becomes the authorizer for any charter schools with an authorizer whose authority has been revoked (Ohio Revised Code 3314.016(D)).
- Requires the department to provide annual training on the evaluation system, including its methodology, timelines and the data used. The first training must take place within 30 days after the bill’s effective date (Ohio Revised Code 3314.016(B)(6)).
- For ratings based on the 2015-2016 school year only, permits the department to not assign an overall rating to an authorizer that: (1) is a school district; (2) sponsors at least one conversion school with a dropout prevention and recovery program; and (3) has at least one school that was rated “meets standards” or better for the four- and five-year cohort graduation rate on its 2013-2014 report card. In that case, the department must evaluate the authorizer based on academic performance and legal compliance only but cannot assign an overall rating based on those components (Section 7).

b. Authorizer oversight and monitoring

- Beginning in the 2016-2017 school year, requires the department to establish requirements and procedures for an authorizer to submit to the department and each school’s governing authority an annual report describing the amount and type of expenditures it made to provide monitoring, oversight and technical assistance. The report is due by Aug. 15 of each year (Ohio Revised Code 3314.025(A)).
- Requires the report to be a factor in determining an authorizer’s legal compliance under the evaluation system and allows it to be used as a factor when evaluating the authorizer’s adherence to quality practices (Ohio Revised Code 3314.025(C)).

c. Definition of “poor performing charter school” for purposes of changing authorizers

- Prohibits a school from changing authorizers if the school: (1) received a “D” or “F” for Performance Index and an overall “D” or “F” for the value-added measure on its last report card; or (2) is a dropout prevention and recovery school and was rated “does not meet standards” for the student growth measure and combined graduation rates on its last report card (Ohio Revised Code 3314.034(A)).

d. Requirements that create increased transparency

- Requires the department to publish the following information for each year since the 2010-2011 school year on its website: each charter school that closed during the year and the reason for closing; each entity that applied to be an authorizer, along with the entity’s application and most recent evaluation, whether the application was approved, the documentation used to make a decision on the application, and a brief rationale of the decision; authorizer ratings, a list of the authorizers that are prohibited from sponsoring new schools, and a list of authorizers that have sponsored a school that closed and the reason for closing (Ohio Revised Code 3314.039).
- Requires a charter school authorizer to communicate with the Auditor of State regarding audits of the school or the condition of the school’s financial and enrollment records and to be present at meetings with the Auditor of State (Ohio Revised Code 3314.019).
- Requires an authorizer to annually verify that no finding for recovery has been issued by the Auditor of State against a person who proposes to create a charter school, serves on the governing authority, operates the school or is employed by the school (Ohio Revised Code 3314.02(E)(2)(c)).
- Requires the department to annually publish a list of all CMOs under contract with a charter school board and copies of the contracts the CMOs entered with those charter school boards (Ohio Revised Code 3314.031).
- Requires the department to develop and publish an annual CMO performance report for all CMOs operating in Ohio starting with the 2015-2016 school year (Ohio Revised Code 3314.031).
- Requires charter school boards and CMOs to include a number of additional provisions in contracts to improve accountability and transparency (Ohio Revised Code 3314.032).
- Requires the department’s Office of School Sponsorship to review each application for sponsorship taking into consideration the standards for quality authorizing, capacity requirements, financial constraints and any other criteria it determines appropriate. The department must adopt criteria for evaluating applications within 60 days after the bill’s effective date and post the criteria on its website annually (Ohio Revised Code 3314.029(A)(2)).
- Prohibits a school from changing authorizers if the school: (1) received a “D” or “F” for Performance Index and an overall “D” or “F” for the value-added measure on its last report card; or (2) is a dropout prevention and recovery school and was rated “does not meet standards” for the student growth measure and combined graduation rates on its last report card (Ohio Revised Code 3314.034).
 - Exception: The school may change authorizers if: (1) the proposed authorizer is the Office of School Sponsorship or was rated “effective” or better on its last evaluation; (2) the school submits a request to

change authorizers to the department by Feb. 15 and has not had a prior request granted; and (3) the department approves the request.

- Allows a school whose request is denied to appeal to the State Board of Education, which must hold a hearing and issue a final decision by June 25 and specifies factors to be considered in making the decision.

e. Temporary deadline changes

- Changes the deadlines for the following reports for the 2014-2015 school year only:
 - The Ohio Department of Education's annual charter school report is due by March 31, 2016.
 - Authorizer evaluations of their schools are due to the department and parents by March 1, 2016.

f. Other pertinent changes: There are a number of new requirements for charter schools in HB 2. Compliance with these new requirements will be included when evaluating the compliance component of the evaluation system.

- Requires a school's governing authority, fiscal officer, and administrators and all persons contracted by the school's operator for supervisory or administrative services to complete annual training on the Public Records and Open Meetings Laws (Ohio Revised Code 3314.037).
- Defines what it means for an authorizer to provide "monitoring, oversight, and technical assistance" (Ohio Revised Code 3314.023).
- Requires copies of the school's financial and enrollment records to be provided monthly to the school's authorizer, operator, governing authority and fiscal officer (Ohio Revised Code 3314.023).
- Requires inclusion of a school's policies and procedures for internal financial controls when the school submits its comprehensive plan to the authorizer under existing law (Ohio Revised Code 3314.03(B)).
- Requires governing authority members to annually file a disclosure statement that names immediate relatives or business associates who were employed, within the past three years by (1) the school's authorizer or operator; (2) a district or educational service center under contract with the school; or (3) a vendor that is or was engaged in business with the school (Ohio Revised Code 3314.02(E)(7)).
- Requires each charter school to post on its website the names of governing authority members and requires the school to provide, upon request, the names and addresses of governing authority members to the department of education and the school's authorizer (Ohio Revised Code 3314.035).
- Requires a charter school governing authority to employ an attorney, who must be independent of the school's authorizer and operator, for services related to negotiation of the school's contract with the authorizer or operator (Ohio Revised Code 3314.036).
- Makes changes regarding what must be included in the contract between a school's authorizer and governing authority (Ohio Revised Code 3314.03).
- Generally requires a charter school's fiscal officer to be employed by, or under contract with, the school's governing authority. Allows the governing authority to waive this requirement, for one year at a time, with authorizer approval (Ohio Revised Code 3314.011(A) and (D)(1)).

- Specifies that if the governing authority waives the requirement, the fiscal officer must meet annually with the governing authority to review the school's financial status (Ohio Revised Code 3314.011(D)(2)).
- Requires (rather than permits, as under former law) the Auditor of State to make the fiscal officer execute a bond conditioned on faithful performance of duties (Ohio Revised Code 3314.011(B)).
- Beginning in the 2016-2017 school year, requires the governing authority, with assistance from the fiscal officer, to adopt an annual budget for the school by Oct. 31 each year (Ohio Revised Code 3314.032(C)).
 - Requires the department to develop a format for the budgets within 90 days after the bill's effective date.

2. **[HB 64 \(Biennial Budget Bill\)](#)**: The governor signed the state's FY16-17 budget on June 30, 2015. There are several budget provisions that impact the operation of the CSP SEA grant project. The majority of the provisions affecting the grant became effective on Sept. 29, 2015.

a. **Definition of high-performing charter school for purposes of state charter facilities grant program**

- The budget bill created a charter school classroom facilities grant program for eligible high-performing charter schools ([Section 501.10](#)). The department collaborated with the Ohio Facilities Construction Commission in creating the application guidelines for this state grant program, which were recently approved by the Ohio School Facilities Commission (OSFC) on Oct. 22, 2015. For more information, please refer to the [OSFC-approved grant guidelines](#).
- Under this state grant program, a newly established charter school is eligible to apply if the school is implementing a charter school model that has a track record of high-quality academic performance as determined by the department.
- The grant guidelines include the following performance measures that must be considered in order to determine eligibility of a newly established charter school:

High-performing definition is as follows:

1. If the charter school is a dropout prevention and recovery model, its rating should be "Overall Exceeds Standards" rating.
2. If the charter school serves any combination of ninth through 12th grades, the Four-Year Graduation Rate must meet the equivalent of A or B and the Performance Index must meet either the equivalent of A, B or C or must have increased for the previous three years of operation.
3. If the charter school serves any combination of fourth through eighth grades, the overall value-added measure must meet the equivalent of A or B and the Performance Index must meet either the equivalent of A, B or C or must have increased for the previous three years of operation.
4. If the charter school serves only a combination of kindergarten through third grades, the K-3 Literacy measure must meet the equivalent of A or B.

*Please note, this language parallels the definition in the OSFC approved guidelines for high-performing, newly established charter schools.

b. Safe harbor

- In the budget, the General Assembly created a three-year safe harbor that prohibits the department from using the report card ratings issued for the 2014-2015, 2015-2016 or 2016-2017 school years shall not be considered in determining certain sanctions and penalties. ([Ohio Revised Code 3302.03 and 3302.036](#)).
- The ODE is prohibited from assigning an overall letter grade on the state's A-F Report Card for public school districts and buildings for the 2014-15, 2015-16, or 2016-17 school years.
- The three year safe harbor applies to the automatic charter school law (R.C. 3302.036(B)(6)).
- For more information, please refer to the [ODE Safe Harbor FAQ](#).

c. Charter School Levies

- In the budget, the General Assembly allowed all charter schools with exemplary rated authorizers to petition their resident school district for local levy funding. ([O.R.C. 5705.21](#)).

d. School District Sale of Facilities

- In the budget, the General Assembly required school districts selling facilities to first offer those facilities to high-performing charter schools ([O.R.C. 3313.413](#)).

3. HB 70, Community Learning Centers and Academic Distress Commission Reform:

The Ohio General Assembly passed HB 70 on June 24, 2015. HB 70 was signed by the Governor on July 16, 2015, and the legislation recently became effective on October 15, 2015. The bill focused on supports for poor-performing public schools and reformed the state's academic distress commission law, which applies to the state's poorest performing school districts. The following HB 70 provisions impact the operation of the CSP SEA grant project:

- The state superintendent of public instruction shall establish an academic distress commission for any school district that meets one of the following conditions: (1) the district has received an overall grade of "F" on the A-F report card for three consecutive years; or (2) an academic distress commission established for the district under the former academic distress commission law was still in existence on October 15, 2015 and has been in existence for at least four years. (O.R.C. 3302.10(A).)
- In the absence of an overall letter grade on the A-F Report Card due to safe harbor, a combination of a grade of "F" for the performance index score and a grade of "F" for the value-added progress dimension shall be equivalent to an overall letter grade of "F." (Section 6.)
- An academic distress commission, in consultation with the state superintendent, may create an entity to act as a high-quality school accelerator for schools not operated by the school district. An accelerator shall promote high-quality schools in the district, lead improvement efforts for underperforming schools, recruit high-quality authorizers for charter schools, attract new high-quality schools to the

district, and increase the overall capacity of schools to deliver a high-quality education for students. (O.R.C. 3302.10(D).)

Appendix G

3. Requests for Additional Information, Including Charter School Accountability (within 14 days of the date of receipt of this letter)

- f. The Ohio Department of Education will describe how personnel changes that have occurred within the department's Office of Quality School Choice affect the capacity of the department to implement the project described in its CSP SEA grant application.

Since the submission of the CSP grant on July 16, there have been several changes to staffing in the department's Office of Quality School Choice. One employee resigned, two new employees were hired to facilitate authorizer¹ evaluation and development and one employee was promoted within the Ohio Department of Education. These staff changes have led to several vacancies in the Office of Quality School Choice, including the executive director for the office, which are in the process of being filled or fulfilled by contract. Existing staff members are administering the authorizer evaluation system, a process critical to identifying eligible CSP participants. In addition, the department is in the process of drafting a request for proposal for additional high-quality reviewers for the authorizer evaluation process.

Specific to the CSP grant, the Ohio Department of Education would like to provide additional information about some personnel changes. Education Program Specialist Deneice Cooper has been assigned to serve as the project administrator. Director of Sponsor Evaluation Dr. Joni Hoffman has taken over the responsibilities of the director of Quality Charter² School Development. Dr. Steve Gratz, senior executive director in the Division of Learning, will serve as the authorizing official. The Ohio Department of Education will be hiring additional staff, as outlined in Ohio's CSP grant application, once we receive confirmation from the USDOE that we may incur expenses in connection with the implementation of the CSP grant.

¹ Under Ohio law, authorizers are known as sponsors.

² Under Ohio law, charter schools are known as community schools.

Appendix H

3. Requests for Additional Information, Including Charter School Accountability (within 14 days of the date of receipt of this letter)
 - g. The Ohio Department of Education will describe any current or anticipated problems or challenges in the implementation of the project described in its CSP SEA grant application that are not addressed in the preceding requests.

The department does not anticipate any challenges in project implementation that are not addressed in this response; however, should challenges arise, the department will communicate with USDOE staff in a timely manner.

John R. Kasich, Governor
Dr. Richard A. Ross, Superintendent of Public Instruction

December 4, 2015

Stefan Huh, Director
Charter Schools Program
U.S. Department of Education
400 Maryland Ave. S.W.
Washington, D.C. 20202

Dear Director Huh:

Thank you for the opportunity to provide additional materials in support of our Charter Schools Grant Award of Sept. 28, 2015. The Ohio Department of Education is committed to improving educational opportunities for all Ohio students. Recent legislation passed by the Ohio General Assembly and supported by the governor improves oversight of charter schools, including important new provisions that strengthen the ability of the state auditor to oversee the financial activities of these schools.

We have worked with the state auditor and the Ohio Attorney General to provide you with a comprehensive analysis of charter school financial oversight, including a summary of audit findings and the actions taken by state officials.

Under the Ohio Constitution, the state auditor is charged with auditing all public entities in Ohio, including charter schools. While the auditor typically performs financial audits at least once every two fiscal years, community school audits are performed annually. The financial audits review accounts, financial reports, records and files to determine if the charter school has complied with state and federal laws, regulations and accounting principles. If an audit demonstrates misuse, improper accounting or collection of public funds, or misappropriation of public property, the Attorney General, in concert with the department, will take legal action to resolve issues.

The Ohio Department of Education reviews all corrective action plans resulting from the audits of community schools to ensure that recommended improvements in fiscal controls are implemented. Regular audits are shared with schools' authorizers for their review and follow up, if needed.

Per your request, we are providing instructions to access the Auditor of State's website, where 2,315 audits of charter schools are maintained. This includes special audits the state auditor performed concerning how all traditional districts and public charter schools report student test data to the state and a review of student headcount reporting at 30 community schools.

In addition, we have summarized the audit responsibilities, audit process, community school findings, statewide audits and the department's audit results.

Ohio has taken additional steps to improve charter school accountability. As part of recently enacted legislation, charter school sponsors must:

- Communicate with the state auditor regarding audits of the school or the condition of the school's financial and enrollment records and be present at meetings with auditors.
- Verify annually that no finding for recovery has been issued by the state auditor against a person who proposes to create a community school, serves on the governing authority, operates the school or is employed by the school.

In addition, our new law specifies that detailed accounting of operator expenditure reporting is subject to verification through examination of the school's records during its regular audit. Also, eSchools are required to keep accurate records of each student's daily participation in learning opportunities that can be submitted upon request by the department or the state auditor.

We remain appreciative of your willingness to work productively toward our shared goal of building a system of strong accountability that will support the growth of high-quality charter schools in our state. Should you need any additional information about the attached materials or any other matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Richard A. Ross".

Dr. Richard A. Ross
Superintendent of Public Instruction

Enclosures

This report describes audit responsibilities, processes and a summary of findings for community schools¹ conducted by the state auditor for the period 2008 to 2014. The report includes the following sections;

1. AUDIT RESPONSIBILITIES

Describes the state auditor’s responsibilities to conduct audits, the Attorney General’s responsibility to collect funds and the Ohio Department of Education’s responsibility to monitor and resolve A-133 audit findings. This section also includes the source of records used to file this report.

- Appendix A: Link and Guidance to Search the State Auditor’s Website

2. AUDIT PROCESS

An outline of the types of community school audits performed by the state auditor and the process through resolutions.

- Appendix B: Financial Audit Process

3. COMMUNITY SCHOOL FINDINGS

Provides a summary of the finding and resolution of major findings related to financial audits, including “findings for recovery” and A-133 federal findings. This section also includes other types of audits performed including “Special Audits” or investigations into reports of misuse of public funds.

- Appendix C – Summary of All Findings for Recovery from 2008 to 2014 and A-133 Audits from 2010 to 2014 – Attached Spreadsheet
- Appendix D – A-133 Audit Definitions
- Appendix E – Sample Ohio Department of Education Audit Review Letter and Corrective Action Plan
- Appendix F – Summary of Other Audits Performed with Resolutions

4. STATEWIDE AUDITS

Summary of two recent statewide audits on data and attendance related to community schools and one audit on community school sponsors.

- Appendix G – Summary – Phase 3 Community School Enrollment Testing
- Appendix H – Letter from the Ohio Department of Education to the State Auditor Regarding the Attendance Audit

5. OHIO DEPARTMENT OF EDUCATION AUDIT RESULTS

- Appendix I – Summary of Ohio Department of Education Management Letter Comments

6. SUMMARY

- Appendix J – Summary of House Bill 2 Audit-Related Changes

¹ Under Ohio law, charter schools are known as community schools.

1. AUDIT RESPONSIBILITIES

The state auditor is the constitutional officer responsible for auditing all public offices in Ohio.² The duties of the auditor are established in Ohio law (Ohio Revised Code section 117.10).

117.10 Auditor of state - duties - federal audits.

(A) The auditor of state shall audit all public offices as provided in this chapter. The auditor of state also may audit the specific funds or accounts of private institutions, associations, boards, and corporations into which has been placed or deposited public money from a public office and may require of them annual reports in such form as the auditor of state prescribes.

In addition to establishing the duties of the auditor, Ohio law also establishes a process for when an audit identifies public funds that were spent illegally, when collected funds cannot be accounted for, or when public property is misappropriated. The state auditor notifies the Attorney General in writing. After receiving the certified report, the official has 120 days to notify the Attorney General in writing whether legal action was taken or not. If not, the official must state reasons why.

117.28 Report of audit and actions thereon.

Where an audit report sets forth that any public money has been illegally expended, or that any public money collected has not been accounted for, or that any public money due has not been collected, or that any public property has been converted or misappropriated, the officer receiving the certified copy of the report pursuant to section [117.27](#) of the Revised Code may, within one hundred twenty days after receiving the report, institute civil action in the proper court in the name of the public office to which the public money is due or the public property belongs for the recovery of the money or property and prosecute the action to final determination.

The auditor of state shall notify the attorney general in writing of every audit report which sets forth that any public money has been illegally expended, or that any public money collected has not been accounted for, or that any public money due has not been collected, or that any public property has been converted or misappropriated and of the date that the report was filed.

Within one hundred twenty days after receiving the certified copy of the report, the officer receiving the report shall notify the attorney general in writing of whether any legal action has been taken. If no legal action has been taken, the officer shall, within the same period, notify the attorney general in writing of the reason why legal action has not been taken...

Ohio Department of Education Monitoring Responsibilities

The Ohio Department of Education does not perform audits, which is the responsibility mandated to the state auditor. As the pass-through entity, the department is required to develop a subrecipient monitoring system to ensure compliance with federal requirements. Per OMB Circular A-133 and the current OMNI Circular (2 CFR 200), the department completed the “During the Award Monitoring” and the review of subrecipient A-133 single audits. The Ohio Department of Education completes subrecipient monitoring reviews.

Community School Sponsor Responsibilities

The sponsor (authorizer) is the entity that authorizes the opening of a new community school; oversees and monitors the school’s operations; provides technical assistance; makes decisions about intervening in the school’s operations; and decides whether it will renew the school’s contract (charter).

More specifically, the sponsor monitors all aspects of a school's fiscal, academic and operational performance, including, but not limited to, compliance with applicable rules, laws and all terms of the community school's contract. The sponsor is expected to provide technical assistance, directly or indirectly through referral, to help the school comply with state and federal laws and terms of the contract. The sponsor annually reports its evaluation of the school’s academic and fiscal

² Community schools are subject to these audits under Ohio law and the contract with the school’s sponsor through section 3314.03(A)(8) of the Ohio Revised Code.

performance, as well as the organization and operation of the school to the Ohio Department of Education and the public. The sponsor is essentially the creator and gatekeeper of a community school.

Records

Since the state auditor is responsible for the audit of public funds, the department, as well as all other state agencies, obtain audit reports for review from the auditor's website. The website is open to the public and allows pass-through entities access to scanned copies of various types of audits, including financial (regular and single audit), special and agreed upon procedures audits.

In question 2b, copies of all of the relevant audits and the responses or copies of documents describing any actions taken by state officials were requested. There were 2,315 financial audits of community schools during the requested time period. As the auditor does not maintain a searchable database of audit findings, the department reviewed all single audits and regular audits where there were findings for recovery.

The department also reviewed all special audits (investigations) and agreed upon procedures (closeouts). The department determined these findings and responses as relevant, and appendices summarizing the details of the audits and actions taken by state officials are attached. Please note that these findings for recovery are resolved by a number of different entities, such as the Attorney General, community school, or others. Only the single audit findings are actually resolved by the department of education.

Audit reports are maintained and available on the auditor's website at <https://ohioauditor.gov/auditsearch/Search.aspx>.

APPENDIX A: Link and Guidance to Search the State Auditor's Website

For the purpose of this request, the department collaborated with the auditor and used the state auditor's website to identify "findings for recovery" and other types of audits completed by the auditor's office for Fiscal Years 2008 through 2014. Audits for FY15 are not yet available on the website. The department also collaborated with the Attorney General's office regarding the status of unresolved findings for recovery.

The department queried the in-house database that maintains the single audit reviews. The single audit review process was converted from a manual to an electronic review process in 2010 to promote efficiency and consistency. The reviews prior to 2010 were completed manually and are unavailable. These records were sent to a vendor for destruction pursuant to both federal and department record retention policies (E.D.G.A.R. (34 CFR 80.42) and the updated OMNI Circular section 200.333).

80.42 Retention and access requirements for records.

(a) Applicability. (1) This section applies to all financial and programmatic records, supporting documents, statistical records, and other records of grantees or subgrantees...

(b) Length of retention period. (1) Except as otherwise provided, records must be retained for three years from the starting date specified in paragraph (c) of this section.

§200.333 Retention requirements for records. *Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities.*

2. AUDIT PROCESS

Generally, the state auditor is required to perform financial audits at least once every two fiscal years; however, community school audits are performed annually. A total of 2,315 audit reports were issued by the auditor to community schools during the period FY08-14. Table 1 shows the audits completed by fiscal year and type. The different types of audits are described below.

Table 1: Community School Audits – Summary by Type

Fiscal Year	Regular Audit	Single Audit	Other Audits	Total Audits
2014	256	93	19	368
2013	241	97	0	338
2012	220	102	1	323
2011	157	155*	1	313
2010	192	131*	4	327
2009	335	**	2	327
2008	320	**	0	320
Total	1711	578	27	2,315

* Increase in A-133 single audits findings due to ARRA Stimulus funds.

** Ohio Department of Education A-133 single audit system automation/new database in 2010.

Financial Audits

The financial audits review the methods, accuracy and legality of the accounts, financial reports, records and files to determine whether or not the entity has complied with the law, rules and regulations. The financial audits performed by the auditor are segmented into two categories: regular financial statement audits and A-133 single audits. All community schools receive regular financial statement audits annually. Community schools also receive A-133 single audits if they spent \$500,000 or more in federal funds.

APPENDIX B – Financial Audit Process

- **Regular financial statement audits** are independent, objective evaluations of an organization's financial reports and financial reporting processes. The primary purpose for regular financial audits is to give regulators, investors, directors and managers reasonable assurance that financial statements are accurate and complete.

Regular audits may contain findings and comments and/or findings for recovery. The state auditor notifies the public office and the Attorney General whenever an audit results in a finding for recovery. Pursuant to Ohio law, when a finding for recovery is issued in an audit report, the officer for the public office (i.e. community school or Ohio Department of Education) is authorized to collect the public money due within 120 days after receiving the audit report. If, after 120 days, the officer for the public office has not initiated legal action to recover the public money due, the Attorney General is authorized to bring such an action.

Additionally, Ohio law provides that whenever any amount is payable to a state agency, including a finding for recovery, the state agency is authorized to collect the amount due. If the amount due is not paid within 45 days, the state certifies the amount due to the Attorney General and notifies the director of Budget and Management. The Attorney General's office is then responsible for collecting the claim or securing a judgment and issuing an execution for its collection.

This report includes all findings for recovery issued by the state auditor for 2008-2014. Other findings and comments issued in regular audits are followed up by the auditor in the next year's audit. There is no database for tracking these findings.

- **A-133 single audits** combine the annual financial statement audit with additional audit coverage of federal funds. The single audit is intended to meet the basic audit needs of both the non-federal entity and federal awarding agencies.

The department follows up on all single audits performed by the state auditor. Review letters are sent to all community schools acknowledging the single audits and requesting actions when needed. Actions may include requesting payment due to findings for recovery or corrective action plans. The department tracks all single audits through to resolution. The department's A-133 single audit review process is reviewed by the state auditor as part of the agency's single audit. Not only does auditor's office review the department's single audit process, it also ensures the department has reviewed all entities required to have single audits and that corrective action plans are addressed.

This report includes all single audits performed by the auditor from 2010 to 2014. Single audits performed prior to 2010 are not in the department's database and were sent to the vendor for destruction pursuant to the both department and federal records retention policies.

- **Unauditable list** - The auditor may declare community schools as "unauditable." A school is deemed unauditable if its financial records are not adequate to complete an audit.

Lawrence County Academy is the only open community school on the unauditable list. Schools have 90 days from the auditor's notification to provide the necessary information to be audited. Lawrence County Academy was notified on Nov. 3, 2015, and on Nov. 6, 2015, the state auditor's senior audit manager notified the sponsor that it had received the requested financial records/documentation needed to complete the FY14 audit of the academy.

Other Audits

The state auditor performs various other types of audits of community schools. These audits do not necessarily occur for every community school annually. During FY08-14, a combined total of 27 special audits, agreed upon procedures, and State Employee Retirement System and State Teachers Retirement System retirement compliance examinations were completed for community schools. See Table 5 below.

- **Special audits** are a limited-scope examination of financial records and other information designed to investigate allegations of fraud, theft or misappropriation of funds. Two community school audits were performed in 2014 and four audits in 2010.
- **Retirement system compliance examinations** are the result of GASB 68 and are an examination of the entities census data and pensionable wages. Twelve community school audits were performed in 2014.
- **Agreed upon procedures** audits narrow the scope of work to review key internal controls and perform targeted testing of significant transactions for qualifying public offices. Nine agreed upon procedures audits took place since 2008 (five in 2014, one in 2012, one in 2011 and two in 2009).
- **Performance** audits are the independent examination of a program, function, operation or the management systems and procedures of a governmental or nonprofit entity to assess whether the entity is achieving economy, efficiency and effectiveness in the employment of available resources. The auditor has not performed any community school performance audits.

3. COMMUNITY SCHOOL FINDINGS

This section summarizes community school findings and actions taken by the state to resolve issues. In general, community schools with audit findings from financial audits have decreased from 2008 to 2014. Schools with findings for recovery have decreased 71 percent since 2010. Community schools with A-133 single audit findings also are on a declining trend, some of the decrease is due to the end of ARRA Stimulus in 2011.

Table 2 illustrates the declining numbers of community schools with findings for recovery as well as single audit findings. Table 3 (page 7) shows the total number of community schools and their relationship to the number of single audit findings and the number of unresolved issues.

A majority of the unresolved findings for recovery are against individuals who operated or worked at schools, and many of these schools are now closed.

As mentioned previously, the Attorney General is primarily responsible for pursuing claims associated with findings for recovery and criminal prosecution. Additionally, the department pursues action against professional educators, up to and including recommending to the State Board of Education that an educator's license be revoked.

Most recently, the state auditor launched a joint investigation with the FBI into school treasurer Carl Shye's involvement in numerous community schools' findings for recovery. The auditor's investigative and audit staff worked through 19 audits and issued 67 Findings for Recovery against Shye, totaling \$1,115,461. He pled guilty to the charge, admitting that he illegally stole more than \$470,000 in public funds between 2005 and 2011. Shye was sentenced to two years in prison on Oct. 31, 2012, and ordered to pay restitution. Additionally, the State Board of Education revoked Shye's school treasurer license.

Financial Audit Findings

Table 3 (page 7) summarizes the financial audits conducted by the state auditor from 2008 to 2014. The table includes all community schools with findings for recovery and A-133 single audits found in financial audits. In certain instances, the number of schools could be duplicated because Findings for Recovery were issued in the A-133 audit reports. Findings for recovery are not always against the community school and may actually be found in the school's favor.

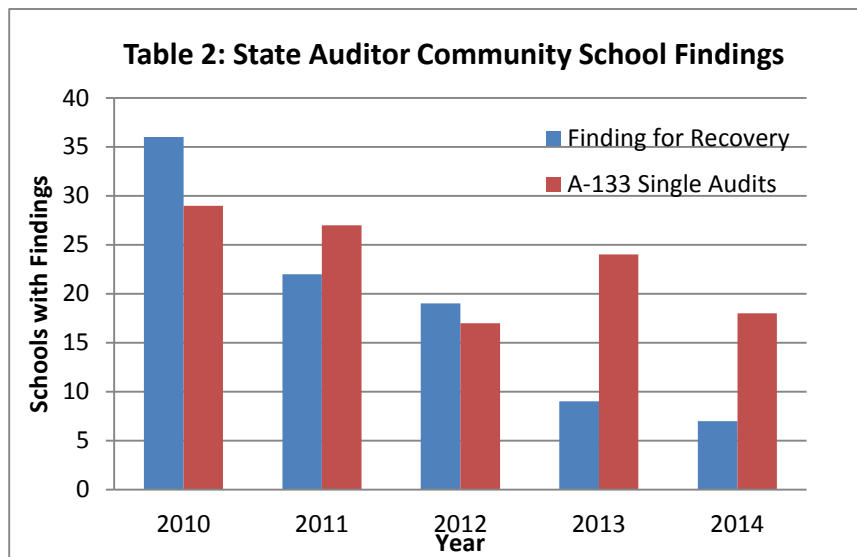


Table 3: Financial Audits – Summary of Community School Findings

Year	Total Community School Audits	A-133 Single Audits Findings		Finding for Recovery	
		Schools	Unresolved	Schools	Unresolved
2014	348	18	1	7	1
2013	337	24	0	9	1
2012	322	17	0	19	10
2011	312	27	0	22	12
2010	325	29	0	36	13
2009	323	*	*	53	13
2008	320	*	*	33	12
Total	2,296	115	1	179	62

* Ohio Department of Education A-133 audit system automation/new database in 2010

- Finding for recovery** - A Finding for Recovery is issued by the state auditor when public property has been misspent or misappropriated. A Finding for Recovery also may be a single audit finding.

The state auditor notifies the public office and the Attorney General whenever an audit results in a finding for recovery. Pursuant to Ohio law, when a finding for recovery is issued in an audit report, the legal counsel for the public office (i.e. community school or Ohio Department of Education) is authorized to collect the public money due within 120 days after receiving the audit report. If, after 120 days, the legal counsel for the public office has not initiated legal action to recover the public money due, the Attorney General is authorized to bring such an action.

APPENDIX C - Summary of All Findings for Recovery from 2008 to 2014 and A-133 Audits from 2010 to 2014 – Attached Spreadsheet

- A-133 single audit findings** - A finding is any significant issue identified during an audit (e.g., non-compliance with the Terms and Conditions in an award or grant). Each finding contains several elements:
 - (1) The criteria or basis for determining that a problem does exist;
 - (2) The condition or situation that was observed;
 - (3) The effect or impact of the condition;
 - (4) The root cause of the problem to the extent that it can be determined; and
 - (5) A recommendation to help management resolve the issue.

Table 4 (page 9) shows the single audit findings for FY 2010 – FY 2014. The data is reported by area of compliance failure, audit finding category, and fiscal year.

APPENDIX D – A-133 Audit Definitions

Ohio Department of Education Single Audit Actions

Single audit review letter - The department sends out single audit exception letters identifying findings in the A-133 single audit report. In addition, the letter outlines the department’s response, and where applicable, includes corrective actions and recommendations to be implemented by the entity with associated deadlines.

APPENDIX E – Sample Ohio Department of Education Audit Review Letter and Corrective Action Plan

Throughout the single audit review process, the department works with the schools to resolve audit issues and provide technical assistance. The amount of involvement the department needs to invest depends on the severity of the issues identified. Examples include collecting refunds, final expenditure report corrections, recommending board policy and procedures to comply with federal and state requirements, providing time and effort support documentation, and monitoring of activities for compliance and future technical assistance. Significant findings may require the creation and submission of a corrective action plan from the community school. Department staff members review the corrective action plans, and once approved, send an acknowledgment letter of the corrective action plan approval.

Corrective action plans - The corrective action plan summarizes the audit findings and a corrective and preventative action plan that both the auditor and the school believe is reasonable to ensure conformity with applicable local, federal and state laws and additional audited requirements. After the initial audit, the form is used to re-record actions taken and to categorize the status of the non-compliances.

Table 4: Financial Audits – Summary by A-133 Single Audit Findings

Compliance Failure	Audit Finding	2010*	2011	2012	2013	2014
Activities Allowed/Not Allowed	Noncompliance	5	3	1	2	0
	Questioned Costs	0	5	0	2	0
	Material Weakness	0	0	2	0	0
Allowable Costs/Cost Principle	Noncompliance	13	4	2	1	10
	Questioned Costs	0	14	12	2	3
	Material Weakness	0	2	0	0	6
Cash Management	Noncompliance	3	1	0	3	0
	Questioned Costs	0	2	2	1	0
	Material Weakness	0	0	3	0	0
	Significant Deficiency	0	0	1	0	0
Eligibility	Noncompliance	1	4	3	1	2
	Questioned Costs	0	0	0	0	0
	Material Weakness	0	0	2	2	0
Period of Availability	Questioned Costs	0	1	0	0	0
	Noncompliance	2	0	0	0	0
Reporting	Noncompliance	21	3	2	3	7
	Questioned Costs	0	4	0	0	0
	Material Weakness	0	2	6	0	0
	Significant Deficiency	0	2	0	0	0
Procurement Suspension and Debarment	Material Weakness	0	0	0	0	1
Special Test and Provisions	Noncompliance	0	4	4	1	0
	Questioned Costs	0	2	0	0	0
	Material Weakness	0	4	0	0	0
	Significant Deficiency	0	0	0	2	0
Equipment and Real Property	Noncompliance	1	0	0	0	0
Total Number of Findings**		46	57	40	20	29

*For 2010, A-133 single audit findings were only classified as noncompliance.

** Increase in A-133 single audits findings due to ARRA Stimulus funds.

Other Audit Findings

Twenty-seven audit reports were issued for other audit types from 2008 to 2014. Details can be found in APPENDIX F – Summary of Other Audits Performed with Resolutions.

- **Retirement system compliance examinations** are an examination of the schools' census data and pensionable wages. There were no findings in any of the 12 retirement system reports issued in 2014.
- **Special audits** can be independent, standalone examinations or conducted during the course of a regular financial audit. Special audits are necessary when an allegation requires extensive detailed testing or if a timely review is not possible during a regular financial audit.

Six special audit reports were issued during the seven-year period (four in 2010 and two in 2014). Special audit findings may include findings for recovery, management recommendations, management comments and noncompliance citations.

Appendix F provides details of the audit findings and actions taken to resolve the issues. Table 5 summarizes the types of findings from these audits.

Table 5: Summary of Special Audit Findings

Audit Comment Category	2010 Four Audits	2014 Two Audits
Finding for Recovery	58	1
Management Recommendations	23	0
Management Comment	7	1
Noncompliance Citation	5	3
Totals	93	5

- **Agreed upon procedures** - Nine agreed upon procedures audit reports were issued during the seven-year period. These reports included three categories: financial statement audit with compliance review, school closure, and FTE calculation. Appendix F provides additional details and resolutions.

4. STATEWIDE AUDITS

During the period from 2008 to 2014, the state auditor completed two statewide audits that made recommendations related to community schools.

- **Statewide Audit of Student Attendance Data and Accountability System – Released Feb. 11, 2013**
https://ohioauditor.gov/publications/Attendance_FINAL_2-11-13.pdf

The state auditor completed a review and assessment of school district student attendance, enrollment and withdrawal practices and included a review and assessment of the department's accountability policies, procedures and data.

APPENDIX G – Summary – Phase 3 Community School Enrollment Testing

Recommendation Related to Community Schools: Establish separate tracking for community school withdrawals. The state auditor recommended the department create a separate and distinct withdrawal code for community schools in the Education Management Information System (EMIS), because of unique requirements for community school funding and monitoring.

Actions Taken by the State

The department revised its EMIS manual as a result of the issues identified by the state auditor.

- **Report on Community School Student Attendance Counts – Released Jan. 22, 2015**
https://ohioauditor.gov/auditsearch/Reports/2015/Community_School_Attendance_Report_01222015_FINAL.pdf

The state auditor’s office conducted an unannounced student head count at 30 of Ohio’s site-based charter schools. See Appendix H – Letter from the Ohio Department of Education to the State Auditor Regarding the Attendance Audit.

The report provided four policy recommendations to the Ohio Department of Education and one policy recommendation to charter school sponsors. Tables 6 and 7 (page 12) summarize the policy recommendations and actions taken by the state.

Table 6: State Auditor’s Policy Recommendations for Sponsors

Policy Area	State Auditor’s Recommendations for Sponsors	Sponsor/Ohio Department of Education Action
Enrollment Monitoring	1. Sponsors should actively review community school enrollment and student attendance information and conduct on-site FTE reviews.	State law requires that sponsors conduct monthly enrollment reviews. Additionally, the department conducts annual FTE reviews of community schools based on several criteria, including: five-year annual reviews, significant previous fiscal year final payment differences, FTE review findings (FTE adjustments), recommendations from the department program offices, etc.
	2. Blended learning - Review login records to determine whether login hours and completion of lesson plans match daily hours of instruction listed in the sponsor contract education plan and school's entity profile in EMIS.	<p>The department is in the process of updating the FTE review manual to require schools to document non-computer, non-classroom based learning activities. This would allow the department to review learning opportunities and to ensure that the documented time matches the reported FTE.</p> <p>The department also is in the process of updating the FTE review manual to outline how the department should request computer logs to ensure that schools using computer-based learning opportunities are reporting FTEs correctly.</p> <p>In addition, the department will soon release a guidance document about blended learning, offering details to assist sponsor enrollment reviews.</p>
	3. The Ohio Department of Education requires sponsors to review and investigate the schools reviewed with large or unusual variances between head count and EMIS enrollment information.	<p>The department reviewed schools in the report and found no evidence the schools over-reported or misreported enrollment.</p> <p>The department includes schools with large or unusual variances in FTEs in the previous year for FTE reviews in the following fiscal year. Schools with the most significant attendance variances were included in the FTE reviews in the upcoming school year.</p> <p>The department uses state auditor findings, FTE reviews and final payment adjustments to determine schools with significant variances. These schools are then added to the FTE review list for the following fiscal year.</p>

	4. Consider subjecting the community schools to an Ohio Department of Education FTE review to confirm compliance with Ohio community school enrollment statutes and rules.	If the state auditor detects issues with a community school's enrollment/EMIS data, then it is added to the FTE review list for the following fiscal year.
--	--	--

Table 7: State Auditor's Policy Recommendations for the Ohio Department of Education

Policy Area	Recommendations for Ohio Department of Education	Ohio Department of Education Action
Update of Manuals	Update EMIS Manual and SOES Manual for FY15 changes made during the EMIS-rewrite and consolidation of SOES.	<p>The updated EMIS Manual is posted on the department's website at http://education.ohio.gov/Topics/Data/EMIS/EMIS-Documentation/Current-EMIS-Manual.</p> <p>The department maintains an ODDEX application Web page that provides guidance and information on SOES and SCR at https://wiki.ssd-ohio.org/pages/viewpage.action?pageId=21135503.</p>
Monthly Reporting of FTE Estimates	Monthly reporting of student enrollments should be based on actual data rather than projections.	<p>The department uses actual data reported by community schools for the calculation of FTEs and monthly payments. Estimated enrollment data is not used for the calculation of FTEs or payments.</p> <p>If current fiscal data is not available, updated data from the previous fiscal year is utilized until current year data becomes available once the new school year begins.</p>
SOES Flagging System	Review the errors identified by the SOES flagging system for potential errors during September-November 2014, which may necessitate adjustments to the schools' foundation payments during the months.	<p>The department's foundation funding system recalculates payment amounts and annualizes those amounts every time a payment is run. Several reconciliation payments are made after the end of the fiscal year. Any overpayments related to incorrect data submissions are reconciled as soon as updated data is submitted.</p> <p>The department worked with community schools and districts of residence to address and resolve FY15 flags.</p> <p>Area coordinators are responsible for working with school districts and community schools to resolve enrollment issues. The department's area coordinators gathered flag removal requests from community schools, if the community school was not able to resolve the issues with the district of residence. If the area coordinator was provided with sufficient evidence that the flag should be removed, it was turned over to the department for the removal of the flag(s) in question.</p>

Blended Learning	Develop minimum documentation standards and provide best practices policies and tools to sponsors. Discourage sponsors from using boilerplate language in sponsor contracts with community schools.	<p>Many blended learning models utilize non-classroom, non-computer based learning opportunities and computer based learning opportunities.</p> <p>The Ohio Department of Education is in the process of updating the FTE review manual to require schools to document non-computer, non-classroom based learning activities. These updates will be in place in the next 90 days and incorporated into the 2015-2016 school year FTE reviews, with community schools being held accountable for those changes starting with the 2016-2017 school year. This will allow the department to review learning opportunities and to ensure that the documented time matches the reported FTE.</p> <p>The updated FTE review manual would include templates for documenting non-classroom, non-computer based learning opportunities and minimum documentation requirements.</p> <p>The department also is in the process of updating the FTE review manual to outline how the department should request computer logs to ensure that schools using computer-based learning opportunities are reporting FTEs correctly.</p>
------------------	---	--

- Community School Sponsorship - Special Audit Released**
https://ohioauditor.gov/auditsearch/Reports/2015/Community_School_Sponsorships_16-Franklin_SA.pdf

The state auditor reviewed three sponsors' practices related to granting new contracts (charters) during the period of Jan. 1–Dec. 31, 2013. The report was released on Sept. 3, 2015.

The state auditor identified four objectives: (1) vetting of schools applying for sponsorship; (2) potential conflicts of interest; (3) use of funds by schools, sponsors and management companies; and (4) continuous monitoring activities.

Table 8: State Auditor's Review of Three Community School Sponsors

Policy Area	State Auditor's Comments	Ohio Department of Education Action
Vetting of schools applying for sponsorship	The state auditor observed that Ohio law lacks direction about evaluating applications for new schools, or minimum standards for academic and financial sustainability and the department lacked guidance for sponsors with respect to evaluating applications.	In the spring of 2013, the department implemented a review procedure of all sponsors' newly proposed community schools, sharing the checklist of items to be reviewed and rubric for scoring, clearly indicating the importance of comprehensive vetting with respect to developers' historical performance, market research and financial viability.

Potential conflicts of interest	The state auditor's report stated that it did not identify any evidence of an improper interest in a public contract but remained concerned that Ohio laws allow various methods of structuring relationships among community schools, sponsors and management companies and allows arrangements that produce competing interests that in other contexts might be considered improper conflicts of interest.	The department addressed the sponsors' selling of services in administrative rule in 2013. Recently enacted House Bill 2 made more direct changes to limit the risk of such conflicts.
Use of funds by schools, sponsors and management companies	Examination of disbursements by schools and management companies found two instances where expenditures of state funds were not considered for a proper public purpose. The state auditor issued findings for recovery against two community school directors.	No action for the department. One director has repaid, the other has not as of this date.
Continuous monitoring activities	The three sponsors' monitoring of schools was consistent with the obligations under rule and law; however, the state auditor's report pointed out inconsistencies in the sponsors' processes (e.g., failing to report the name of the reviewer; timeliness of sharing the results with schools).	This information will be used, where appropriate, as part of sponsor development activities in calendar year 2016.

5. OHIO DEPARTMENT OF EDUCATION AUDIT RESULTS

The Ohio Department of Education did not receive any single audit comments related to the Federal Charter Schools grant funds or related program administration during FY08-14. The state auditor issued several management letter comments to the department during the period.

Management letters relate to improvements in compliance, internal controls or operational efficiencies. The comments are not required to be included in the single audit report. Table 9 (page 15) lists the management letter finding and recommendation, by comment area and fiscal year. The department did not receive management letter comments during FY11-14. Details of the

management letter comments are listed in APPENDIX I – Summary of Ohio Department of Education Management Letter Comments.

Table 9: Summary of Management Letter Comments

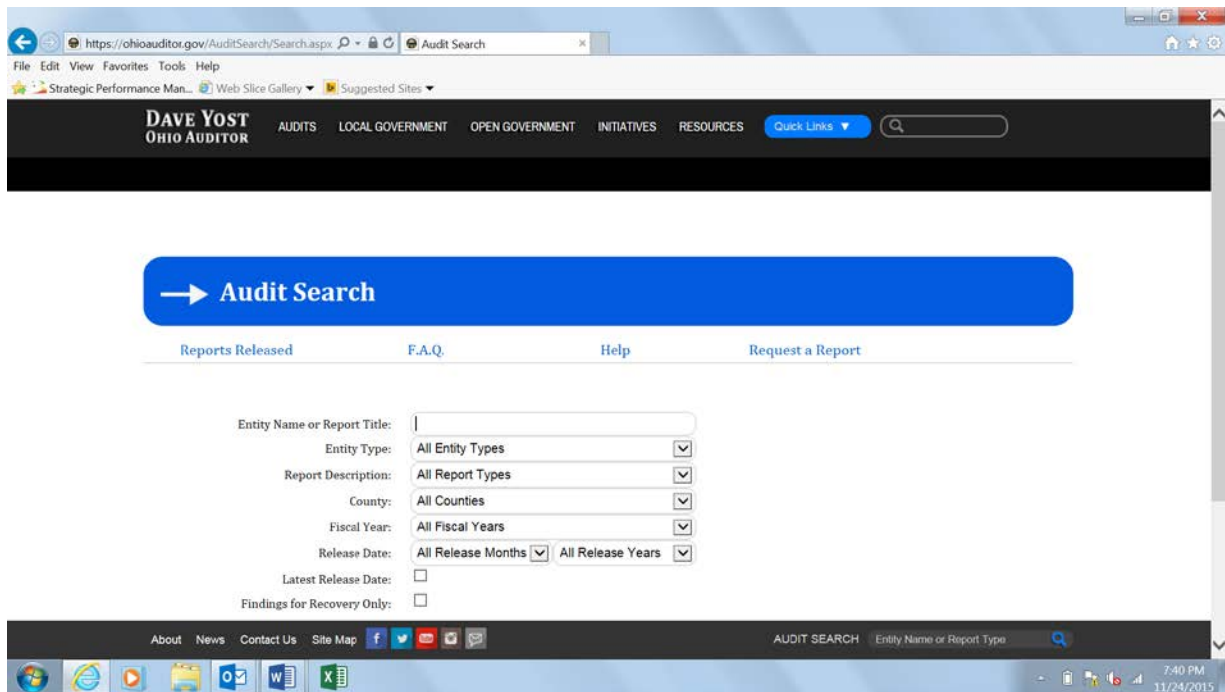
Management Letter Recommendation	2008	2009	2010
Subrecipient Monitoring	1	1	1
Cash Management	1	0	0
Schedule of Federal Awards	1	0	0
Total	3	1	1

6. SUMMARY OF HOUSE BILL 2 AUDIT-RELATED CHANGES

See Appendix J – Summary of House Bill 2 Audit-Related Changes.

Appendix A – Link and Guidance to Search the State Auditor’s Website

Audit reports issued by the Ohio Auditor of State’s Office are available by accessing the following audit search link: <https://ohioauditor.gov/auditsearch/Search.aspx>.



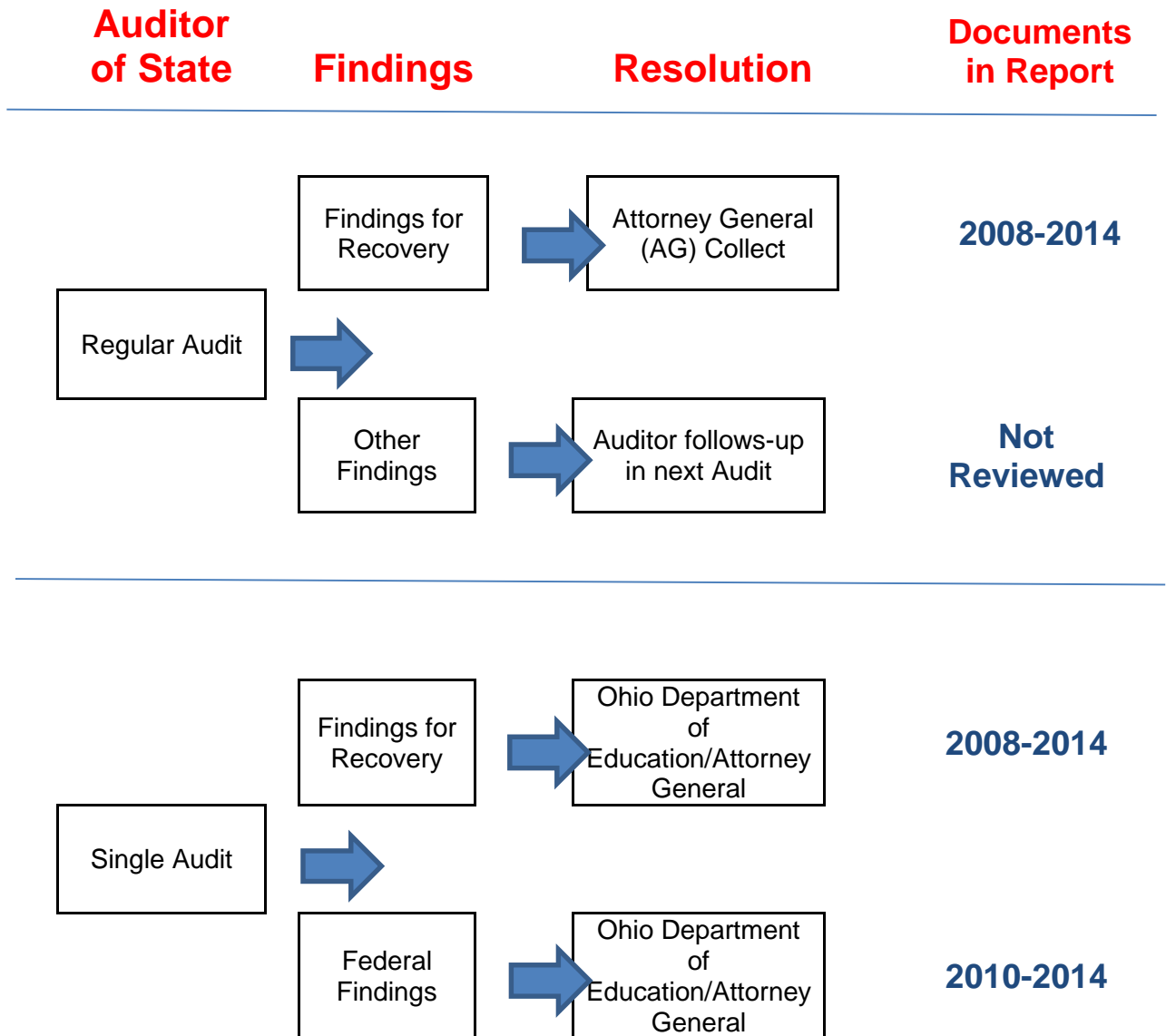
Eight search options are available. The following options are recommended.

- **Entity Name or Report Title:** Enter the exact name of the entity or report title to limit the search results. Entering a partial name will yield greater results. Community school audit reports can be obtained without entering information in this section.
- **Entity Type:** Click the drop-down arrow. Select “Community School District” to view all audit reports issued to community schools. Refine the search results by selecting at least one other search criteria (e.g., report description, fiscal year, findings for recovery only).
- **Report Description:** Click the drop-down arrow. Select the type of audit report to review. Options referenced in the Ohio Department of Education’s response include: agreed upon procedures, financial audit (single audit reports are included in the financial audit group), SERS compliance examination, special audit, and State Teachers Retirement System compliance examination.
- Combining search options will decrease the number of results listed.

Note: There are instances when a community school will be found under “School” or “Other” as opposed to “Community School District.”

Appendix B – Financial Audit Process

FINANCIAL AUDIT PROCESS



Appendix C – Summary of All Findings for Recovery from 2008 to 2014 and A-133 Audits from 2010 to 2014

See Excel spreadsheet titled Appendix C.

Appendix D – A-133 Audit Definitions

A-133 – Compliance Requirements Defined

- A. **Activities allowed or unallowed:** Provides guidance on activities that can or cannot be funded under a specific program.
- B. **Allowable costs/cost principles:** Describes the cost accounting requirements associated with federal awards. These include OMB Circular A-21, “Cost Principles for Educational Institutions”; Circular A-87, “Cost Principles for State, Local, and Indian Tribal Governments”; Circular A-122, “Cost Principles for Nonprofit Organizations”; and HHS CFR Title 45, Part 74, Appendix E, “Hospital Cost Principles for R&D.”
- C. **Cash Management:** Requires the adoption of procedures to minimize the time elapsing between the transfer of funds from the U.S. Treasury and disbursement by the grantee. It applies only to grants with advance payments but not to cost-reimbursement grants.
- D. **Davis-Bacon Act:** Requires that wages for “laborers and mechanics” employed by contractors (including subcontractors) of federally-funded projects be paid in accordance with the prevailing local wage established by the Secretary of Labor.
- E. **Eligibility:** Specifies the criteria for determining the individuals, groups of individuals, or subrecipients that can participate in the program and the amounts of assistance for which they qualify.
- F. **Equipment and real property management:** Provides standards for the use and disposition of equipment and real property purchased with federal funds. These requirements cover records and inventory management.
- G. **Matching, level of effort and earmarking:** Requires the auditor to determine whether the minimum amount (or percentage) of grantee contributions or matching funds was provided, specified services or expenditure levels were maintained and minimum or maximum limits for specified purposes were met.
- H. **Period of availability of federal funds:** Requires that only those costs resulting from obligations incurred during the funding period for a federal award may be charged to the award (unless otherwise permitted by the specific grant).
- I. **Procurement and suspension and debarment:** Prohibits recipients of federal awards from contracting with parties that have been suspended or debarred by a federal agency.
- J. **Program income:** Requires that income generated from a federal program be recorded correctly and used as a deduction from outlays, as an addition to the project budget or to meet matching requirements.
- K. **Real property acquisition and relocation assistance:** Requires that people displaced from their homes, businesses or farms by a federal program be treated equitably and in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.
- L. **Reporting:** Requires the use of standard financial and other reporting forms authorized by the Office of Management and Budget (OMB) or the awarding agency and establishes the due dates for report submission.
- M. **Subrecipient monitoring:** Requires entities to monitor the activities of subrecipients relative to their federal awards to ensure compliance with requirements of the awards.
- N. **Special tests and provisions:** Requires the consideration of special provisions related to each federal program, if any, as required by the terms of the award.

A-133 – Audit Finding Types Defined

- A. **Questioned Cost:** A finding that, at the time of the audit, such cost is not supported by adequate documentation.
- B. **Non Compliance:** Non-conformity.
- C. **Material Weakness:** A misstatement could occur from a deficiency or combination of deficiencies, in internal controls.
- D. **Internal Weakness Control:** A defect in the design or operation of internal controls.
- E. **Significant Deficiency:** A deficiency, or a combination of deficiencies, in internal controls over financial reporting.

Appendix E – Sample Ohio Department of Education Audit Review Letter and Corrective Action Plan

Pages 21-24 – Sample of an A-133 Single Audit Report Review Letter

Page 24 – Sample of an A-133 Single Audit Corrective Action Plan



John R. Kasich, Governor
Dr. Richard A. Ross, Superintendent of Public Instruction

Date: May 12, 2015

To: Tammy Emrick, Treasurer
Dayton Leadership Academies-Dayton View Campus (133454) - Montgomery County
temrickcpa@gmail.com

From: Ohio Department of Education, Office of Grants Management

RE: A-133 Single Audit Report review

Dear Treasurer,

The Office of Management and Budget's (OMB), Circular A-133, Subpart D §____.400 necessitates that the Grants Management Office, of the Ohio Department of Education (ODE) to monitor the activities of its subrecipients as necessary to ensure that Federal awards are used for authorized purposes in compliance with laws, regulations, and the provisions of contracts or grant agreements and that performance goals are achieved. It is the ODE's responsibility to ensure that subrecipients who expend \$500,000 or more in Federal awards during the subrecipient's fiscal year have met the audit requirements.

We have reviewed your school district's FY14 Federal Awards Receipts and Expenditures Schedule as audited by The Ohio Auditor of State and found noncompliance.

#2014-001- Title I Grants to States

Section 9521 of ESEA (20 USC 7901) and 34 CFR section 299.5 states that an LEA receiving funds under an applicable program listed in paragraph (b) of this section may receive its full allocation of funds only if the SEA finds that either the combined fiscal effort per student or the aggregate expenditures of State and local funds with respect to the provision of free public education in the LEA for the preceding fiscal year was not less than 90 percent of the combined fiscal effort per student or the aggregate expenditures for the second preceding fiscal year.

ODE Education Management Information System (EMIS) Manual, Chapters 1, 2, 4 and Appendix I require LEAs to report the annual average daily membership per student for Period N (Year End). ODE Reporting School District Revenue and Spending Per Pupil Handbook (aka: Expenditure Flow Model Handbook) requires LEAs to report District- and Building-level financial data for aggregate "general expenditures" using the Expenditure Flow Model for Period H.

As cited by your Auditor, the Academy reported its average daily membership in EMIS of 483.3 students while the Expenditure Flow Model used 517.44 students to calculate the per student expenditures. The variance may be the result of the EMIS system accurately reporting 188 school days and the Secure Data Center reporting 189 school days. The District was unable to provide documentation as to the reason for the variances. These differences made it difficult to determine if the

District met the level of effort requirements of the Title I federal program. Failure to meet the level of expenditure requirements may result in loss of funding for the Academy.

Your Auditor recommends, that the Academy retain all documentation and any variances be explained.

Officials' Response: The school has implemented backup procedures in order to capture “snapshots” of enrollment data which will enable the staff to easily find older reports and information. Current staff is also in the process of being cross trained on the program used to report enrollment data, which is Infinite Campus. The Expenditure Flow Model is no longer being used by the Ohio Department of Education, which by design allowed for different enrollment numbers to be used in order to calculate expenditure per pupil. The new expenditure per pupil calculation will pull enrollment data directly from the Educational Management Information System.

ODE agrees with your Auditor’s recommendation that the Academy retain all documentation and any variances be explained.

The District’s corrective action is sufficient, no further action is required.

#2014-002 - Title I Grants to States

2 C.F.R. Part 225, Appendix B(8)(h) Support of salaries and wages states:

- (1) Charges to Federal awards for salaries and wages, whether treated as direct or indirect costs, will be based on payrolls documented in accordance with generally accepted practice of the governmental unit and approved by a responsible official(s) of the governmental unit.
- (2) No further documentation is required for the salaries and wages of employees who work in a single indirect cost activity.
- (3) Where employees are expected to work solely on a single federal award or cost objective, charges for their salaries and wages will be supported by periodic certifications that the employees worked solely on that program for the period covered by the certification. These certifications will be prepared at least semi-annually and will be signed by the employee or supervisory official having first-hand knowledge of the work performed by the employee. Where employees work on multiple activities or cost objectives, a distribution of their salaries or wages will be supported by personnel activity reports or equivalent documentation which meets the standards in 2 C.F.R. Part 225, Appendix B 8.h.(5) of this appendix (below) or other substitute system has been approved by the cognizant federal agency. Such documentary support will be required where employees work on:
 - a. More than one Federal award
 - b. A Federal award and a non-Federal award
 - c. An indirect cost activity and a direct cost activity
 - d. Two or more indirect activities which are allocated using different allocation bases
 - e. An unallowable activity and a direct or indirect cost activity
- (4) Personnel activity reports or equivalent documentation must meet the following standards:
 - a. They must reflect an after-the-fact distribution of the actual activity of each employee
 - b. They must account for the total activity for which each employee is compensated
 - c. They must be prepared at least monthly and must coincide with one or more pay periods
 - d. They must be signed by the employee

As cited by your Auditor, Three employees submitted semi-annual time certificates certifying that they worked a percentage less than the percentage of their salary charged to the Title I fund. This resulted in a questioned cost of \$13,447 in the Title I program. A lack of accurate supporting documentation for charges to Federal funds could lead to a loss of Federal funding and a requirement to repay funds.

Your Auditor recommends, that the School establish time and effort certification procedures that conform to the time and effort reporting requirements detailed in 2 C.F.R. Part 225, Appendix B(8)(h) or the alternative time and effort documentation system approved by the Ohio Department of Education and review this documentation for accuracy and adherence to the required standards for time and effort documentation.

Officials' Response: The school has implemented review procedures to make sure that the time and effort sheets match the percentages of time written into the grant.

ODE agrees with the Auditor's recommendation that the District establish time and effort certification procedures that conform to the time and effort reporting requirements detailed in 2 C.F.R. Part 225, Appendix B(8)(h) or the alternative time and effort documentation system approved by the Ohio Department of Education and review this documentation for accuracy and adherence to the required standards for time and effort documentation, and acknowledges the Corrective Action Plan (CAP) submitted with the audit report. ODE also requires the District to provide "corrected" after-the-fact documentation for the three (3) staff compensated with funds for payroll by May 22, 2015.

If you have any questions regarding this notice please contact me at 614-995-3578.

Sincerely,

Leona Skunza-Keith, External Auditor
Office of Grants Management-Ohio Department of Education



Date: June 8, 2015

To: Tammy Emrick, Treasurer
Dayton Leadership Academies-Dayton View Campus (133454) - Montgomery County
temrickcpa@gmail.com

From: Leona A Skunza-Keith, External Auditor
Office of Federal and State Grants Management

Re: A-133 Audit Corrective Action Plan

We are in receipt of your Corrective Action Plan (CAP) in response to the Fiscal Year FY 14 **2014-002** audit findings. The CAP has been accepted and will be filed with the A-133 report. There are currently no unresolved issues with respect to federal financial assistance programs.

Our office will retain a copy of this official report along with all other documents for review by federal officials and other interested persons. At this time, no further action is required of your school district or agency except the retention of all report documents. At a later date, the Office of Grants Management may test the Schedule of Federal Awards for any discrepancies. If any discrepancies are found, your school district or agency will be contacted at that time.

Thank you for your assistance and cooperation.

Appendix F – Summary of Other Audits Performed with Resolutions

Special Audit Summary

Community School	Year	Summary of Findings	Resolution
Cincinnati College Preparatory Academy, Inc.	2010	<u>Summary:</u> There was a lack of internal control and monitoring of CCPA credit card activity. Employees were compensated amounts greater than approved by CCPA's governing board – timesheets were inaccurate, there was inconsistent supervisory review, and no monitoring of employee leave usage. Findings for recovery totaling \$519,499 were issued for improper/abuse of public funds.	<p>The department worked with state auditor in support of legal action taken by the Hamilton County prosecutor; individuals partially repaid the findings for recovery.</p> <p>The department's Office of Professional Conduct took action against the school leader and others (treasurer and principal).</p> <p>Current status: AG Collection/Litigation & AG/ODE Licensure action</p>
Cleveland Academy for Scholarship Technology and Leadership	2010	<u>Summary:</u> There was no support documentation for numerous vendor payments. Payments were made to companies owned by board members. Findings for recovery totaling \$1,352,501 were issued.	<p>The findings for recovery are unresolved; however, one individual is paying restitution per a court order.</p> <p>The governing board suspected improprieties and requested the special audit. Ultimately, criminal charges were filed against five individuals. The CEO of the management company pled guilty and is paying \$275K in restitution. Subsequent audits have either been clean or have contained unrelated findings addressed with corrective action plans.</p> <p>Current status: AG Collection/Litigation & AG/ODE Licensure action</p>

Community School	Year	Summary of Findings	Resolution
Legacy Academy for Leaders and the Arts	2010	<u>Summary:</u> Payments were made to vendors without appropriate supporting documentation. The school received comments that included records retention — lack of policies, financial accountability and monitoring, and bank account reconciliations. Findings for recovery totaling \$352,062 were issued.	The 2010 special audit report was released on July 7, 2011, after the school's closure. \$233,923 of the findings for recovery was addressed through Ohio Department of Education licensure action. Current status: AG Collection/Litigation & AG/ODE Licensure action
Richard Allen Academy	2010	<u>Summary:</u> There was noncompliance with ethics/conflicts of interest laws. Also, there were issues with retirement system withholdings, various vendor and payroll disbursements — fuel purchases and accrual of credit card rewards. Findings for recovery totaling \$888,411 were issued for public monies illegally expended.	As a consequence of the department's intervention with the school's former sponsor, Kids Count, all schools affiliated with the Richard Allen name were assigned to Office of School Sponsorship in 2012. While there is ongoing litigation with respect to the findings for recovery, \$11,080 has been repaid. Current status: AG Collection/Litigation
General Chappie James Leadership Academy	2014	<u>Summary:</u> The academy reported 459 students in attendance during the period for which it received foundation funding. For 220 of those students, available documentation did not support that students actually attended the academy during the period for which it received funding. One finding for recovery for \$1,179,879 for public monies illegally expended.	School closed. The sponsor initiated actions leading to the finding for recovery — intervened with the school, suspending and ultimately closing it. These issues were referred to the Montgomery County Prosecutor. The finding for recovery is unresolved. Current status: AG Collection/Litigation
Horizon Science and Noble Academies	2014	<u>Summary:</u> The policies and procedures surrounding administration of state assessments was reviewed for a network of 19 community schools affiliated with the operator, Concept Schools, Inc. The audit found a number of the schools lacked written procedures for administration of state assessments and lacked clear understanding of the specific requirements related to ethical assessment practices and written security and investigation procedures.	Sponsors of the community schools in the network provided technical assistance and reviewed the schools' testing policies and procedures during site visits to ensure that compliance issues noted in the report are addressed and corrected.

Agreed Upon Procedures Audits

Community School	Year	Summary of Findings	Status of Findings in Next Fiscal Year
Academy of Columbus	2009	No findings.	N/A
Hamilton County Mathematics and Science Academy	2009	Noncompliance with Ohio law (Ohio Administrative Code 117-2-01: Ineffective internal controls over financial reporting). One item not recorded; one item recorded incorrectly.	No audit findings in the FY10 report.
Arts and College Preparatory Academy	2011	Noncompliance. No student withdrawal documentation for two students. No public notification of school board meetings.	Findings no longer valid in FY12.
London Academy	2012	No findings.	N/A
Barnett Academy of Columbus East	2014	<p><u>Review of Financial Records:</u> A \$15 variance between book and bank account balances. Student file information not maintained to test academy FTEs.</p> <p><u>Closeout Procedures:</u> No notice to the department of school closure. Student file information not maintained, and no student file information was provided to resident districts upon closure. The governing authority did not notify the academy staff of the school closure. Liabilities for employee wages, audit preparation and audit costs not listed on the financial statements or notes to the cash basis financial statements.</p>	<p>Report released on May 12, 2015¹⁵; school closed on Sept. 30, 2014.</p> <p>The department remained in communication with the sponsor through the school's suspensions and ultimate closure and discussed with the sponsor, at length, the department's concerns about the school's failure to launch and steps to prevent any future instances.</p>
Board of Olympus High Schools - Columbus	2014	<p><u>Review of Financial Records:</u> The remittance of \$399,501.48 for the FTE evaluation had not been made to the department. Retirement amounts not paid. <u>Closeout Procedures:</u> Copies of student records sent to resident districts after the seven-day required timeline. Contributions of \$40,690.39 owed to the retirement system. Final payments and adjustments of \$539.92 remained in two bank accounts.</p>	<p>School closed.</p> <p>The department remained in communication with the sponsor through the school's suspensions and ultimate closure and discussed with the sponsor, at length, the department's concerns about the school's failure to launch and steps to prevent any future instances.</p>

Board of Olympus High Schools - Dayton	2014	<p><u>Review of Financial Records:</u> The remittance of \$377,337.56 for the FTE evaluation had not been made to the department. Amounts to retirement system not paid. <u>Closeout Procedures:</u> Copies of student records sent to resident districts after the seven-day required timeline. Contributions of \$42,277.80 owed to retirement system. Final payments and adjustments of \$499.52 remained in two bank accounts.</p>	<p>School closed. As noted above, the department remained in communication with the sponsor through the school's suspensions and ultimate closure and discussed with the sponsor, at length, the department's concerns about the school's failure to launch and steps to prevent any future instances.</p>
Electronic Classroom of Tomorrow	2014	<p>Incorrect withdrawal code used in two of 60 instances. The truancy code was used instead of the transfer code.</p>	<p>Report released on March 10, 2015; FY15 audit report not released.</p> <p>Coding mistakes such as these, if noted, are reconciled monthly. Otherwise, coding areas are addressed during the department's enrollment reviews and funding reconciled at the end of each fiscal year. The department updated its enrollment reporting system beginning in the 2014-2015 school year, reducing the risk of coding errors.</p>
The ISUS Institute of Health Care	2014	<p><u>Closeout Procedures:</u> The department and parents were not notified within 24 hours of action; original student records sent to resident districts and sponsor did not retain copies; resident district schools could not locate student records; sponsor retained but not a signer on the school's checking account; capital asset listing did not identify source of funds used to purchase assets; sponsor unable to identify if computer hardware or software received from Ohio SchoolNet or former eTech Ohio commission; asset listing did not identify proper USAS codes, price of each item, source of funds, and disposition plan for remaining items; unable to determine if assets were purchased with Federal Title funds; unable to determine if assets were purchased with public charter school program funds, so could not determine if items should be offered to other community schools; could not determine if assets were purchased with National School Lunch Program funds; the school owed monies to the other ISUS Institutes that were closed; list of unused checks not provided; one checking account had not been closed; school did not have a copy of the signed certification for the FTE review; school did not sign a representation letter for its responsibilities.</p>	<p>Report released on Dec. 12, 2014; school closed.</p> <p>The school suspended operations Aug. 30, 2012. The contract expired on June 30, 2013, and the sponsor began closing procedures.</p> <p>The students would have re-enrolled in the fall of 2012, and their records would have followed them to their new schools. The treasurer should have been responsible for closing out the books. Generally speaking, most, but not all, of the closeout procedures were followed, per the agreed upon procedures audit.</p>

Retirement System Audits

Community School	FY 2014 SERS Compliance Examination	FY14 State Teachers Retirement System Compliance Examination
GOAL Digital Academy Community School	No findings	No findings
Great Western Academy	No findings	No findings
Horizon Science Academy Dayton Downtown	No findings	No findings
Mount Auburn International Academy	No findings	No findings
Parma Community School	No findings	No findings
Value Learning and Teaching Academy	No findings	No findings

Appendix G – Summary Phase 3 – Community School Enrollment Testing

Statewide Audit of Student Attendance Data and Accountability System – Released Feb. 11, 2013

The following table describes the results identified during the 2010-2011 school year for Phase Three community schools selected for testing. To select these community schools, state auditor obtained and analyzed a list of community schools in Academic Watch or Academic Emergency during the 2009-2010 and 2010-2011 school years. From this list, the state auditor randomly selected five schools for testing.

Community School	Tested Roll Up Students	Issues Identified	Results Reported by State Auditor	Ohio Department of Education Response/Actions
Life Skills Center of Summit County	30	0	Note: Ten students were coded as 71 withdrawals. Each of these students was over the age of 18 and technically fell under code 73 classifications. However, through inquiry with the department, these students had to be coded as 71 based on current guidelines of the 105-hour rule and corresponding funding requirements. See recommendation within the body of this report.	As noted, the department clarified that the coding was appropriate.
Cincinnati Leadership Academy	7	0	Clean	Nothing needed.
Cleveland Arts and Social Sciences Academy	26	0	Clean	Nothing needed.
London Academy	30	0	Note: As noted above, the state auditor referred to the department a matter involving students who are unable to pass the Ohio Graduation Tests transferring to the state of Illinois to receive diplomas.	The department was already aware of the circumstances and actively involved with the sponsor to make appropriate changes in the school's charter/contract and operations.

Toledo Preparatory Academy	22	10	<p>Four students coded as code 41 withdrawal (withdrawn to another Ohio school district) for which student files could not be located.</p> <p>Two students coded as code 41 withdrawal for which the district to which the student transferred was not noted and no additional evidence was noted confirming student enrolled in the other district.</p> <p>Four students for which a mid-year enrollment was noted, but no supporting documentation was available to provide evidence of the mid-year enrollment.</p>	<p>No immediate action required as coding mistakes such as these are addressed during the department's enrollment reviews. Lack of appropriate documentation results in year-end funding reconciliation. In addition, traditional school districts review community school enrollment records monthly and flag students that the traditional district questions, resulting in non-payment until fully resolved. The department updated its enrollment reporting system beginning in the 2014-2015 school year, reducing the risk of coding errors.</p>
----------------------------	----	----	--	--

Appendix H – Letter from the Ohio Department of Education to the State Auditor Regarding the Attendance Audit

May 8, 2015

VIA REGULAR MAIL AND EMAIL

Marnie Carlisle
Assistant Chief Deputy Auditor
Audit Administration
88 East Broad Street
Columbus, Ohio 43215

Re: Update on investigation request regarding community school attendance

Dear Ms. Carlisle:

Thank you again for the work of you and your staff in preparing the “Report on Community School Student Attendance Counts” released in January. The Department of Education has reviewed your report and recommendations along with Auditor Yost’s request for further investigation received February 13, 2015. The following is an update as to the progress of our investigation.

Pursuant to section 3314.08 of the Revised Code, section 3301-102-06 of the Administrative Code, and Department of Education policies and procedures, community schools receive a review of enrollment and attendance (FTE Review) during the first year of operation, every five years, and whenever a potential problem has been identified. Following receipt of your report, my staff reviewed the most recent FTE Review for every community school identified as Category 1 or Category 2. There was no evidence in those reports that any of the Category 1 or Category 2 schools over reported or misreported attendance.

However, in light of the information provided in your report, all Category 1 community schools have been scheduled for an FTE Review for the upcoming school year. The standard FTE Review performed by the Department of Education is designed to identify and correct situations where a community school has over reported or misreported enrollment. Consistent with our past practices, the results of these FTE Reviews will be forwarded to your office.

I will continue to provide you with updates on the progress of our investigation over the next few months. If you have any questions, please feel free to contact me at (614) 644-2602.

Page 2
May 8, 2015
Community School Attendance

Sincerely,

A handwritten signature in black ink, appearing to read "Don Leming", with a long horizontal flourish extending to the right.

Donald K. Leming
Assistant Legal Counsel

cc: Dr. Richard A. Ross, Superintendent of Public Instruction
P.R. Casey IV, Chief Legal Counsel

Appendix I – Ohio Department of Education Management Letter Comments

State FY	Comment Summary	Ohio Department of Education Action
Subrecipient Monitoring		
FY08	<p><u>Summary Finding:</u> The monitoring system improved but still had weaknesses.</p> <p><u>Recommendation:</u> Continue to improve onsite monitoring procedures already developed.</p>	Developed an annual on-site review to evaluate accounting records, reports and other documents using forms implemented at the beginning of FY09. Review letters, corrective action plans and Office of Community Schools' approval of the plans was required.
FY09	<p><u>Summary Finding:</u> Weaknesses noted in the monitoring process.</p> <p><u>Recommendation:</u> Continue working to improve on-site monitoring procedures already developed.</p>	The monitoring process was enhanced to include issuing review letters to subrecipients and requiring corrective action plans that would be reviewed and approved by Office of Community Schools' personnel.
FY10	<p><u>Summary Finding:</u> Monitoring review letters, corrective action plans and corrective action plan approval letters could not be found.</p> <p><u>Recommendation:</u> Create policies to ensure documentation is maintained in accordance with the records retention schedule.</p>	A grants coordinator was hired to fill a position vacancy, complete the remaining review segments and develop records retention policies.
FY11	The subrecipient monitoring comment was not reissued in FY11.	
Cash Management		
FY08	<p><u>Summary Finding:</u> Noncompliance with cash management requirements for six draws tested. Cash was on hand for an average of six excess days.</p> <p><u>Recommendation:</u> Implement or strengthen controls to reasonably ensure compliance with the Cash Management Improvement Act, and monitor cash balances of federal funds.</p>	The department enhanced cash management procedures.
FY09	The cash management comment was not reissued for the charter schools program funds in FY09.	
Schedule of Federal Awards		
FY08	<p><u>Summary Finding:</u> The amount reported for the charter schools program grant was overstated by \$24,228.</p> <p><u>Recommendation:</u> Ensure amounts reported on the Schedule of Federal Awards is complete and accurate.</p>	The department enhanced reporting procedures.

FY09	The Schedule of Federal Awards comment was not reissued for the charter schools program funds in FY09.	
------	--	--

Appendix J – Summary of House Bill 2 Audit-Related Changes

Switching sponsors

- Prohibits a school from changing sponsors if the school (1) received a “D” or “F” for Performance Index and an overall “D” or “F” for the value-added measure on its last report card; or (2) is a dropout prevention and recovery school and was rated “does not meet standards” for the student growth measure and combined graduation rates on its last report card (ORC 3314.034(A)).
 - Exception: The school may change sponsors if (1) the proposed sponsor is the department’s Office of School Sponsorship or was rated “effective” or better on its last evaluation, (2) the school submits a request to change sponsors to the department by Feb. 15 and has not had a prior request granted, and (3) the department approves the request (ORC. 3314.034(B)).
- Allows a school whose request is denied to appeal to the State Board of Education, which must hold a hearing and issue a final decision by June 25 (ORC 3314.034(C)).
- Specifies that the factors to be considered in the State Board of Education’s decision include:
 - The school’s impact on its students and community;
 - The quality and quantity of academic and administrative support received from the current sponsor;
 - The current sponsor’s last three evaluations of the school;
 - The school’s academic performance, taking into account the school’s demographics;
 - The academic performance of alternative schools serving comparable populations;
 - The school’s fiscal stability;
 - Audit results;
 - The length of time the school has been with its current sponsor;
 - The number of times the school has changed sponsors in the past;
 - Parent and student satisfaction rates (ORC 3314.034(D)).

Contract between a community school and sponsor must include a provision that requires the school’s attendance and participation records to be made available to the department, the state auditor and the school’s sponsor to the extent allowed by FERPA and state student privacy laws (ORC 3314.03(A)(28)).

Requires any attorney, accountant or entity specializing in audits contracted by the governing authority to be independent from the school’s operator (ORC 3314.03(A)(31)).

Bonds

- Eliminates the requirement that the bond posted by a school’s governing authority prior to operation must be a surety bond (ORC 3314.50).
- In lieu of a bond, permits (1) the school’s sponsor or operator (in addition to the school’s governing authority as in current law) to deposit cash with the state auditor or (2) the school’s sponsor or operator to provide a written guarantee that it will pay the costs of audits up to \$50,000 (ORC 3314.50).
- Specifies that a written guarantee of payment is binding upon any successor sponsor or operator and that the successor must acknowledge as much prior to contracting with the school (ORC 3314.50).
- Requires the department to notify the state auditor of the proposed operation of a community school and to provide the state auditor with the sponsor’s certification that the school has complied with all legal preconditions for opening (ORC 3314.50).

Requires (rather than permits, as under former law) the state auditor to make the fiscal officer execute a bond conditioned on faithful performance of duties (ORC 3314.011(B)).

Directs the sponsor to seek recovery of funds owed as a result of a finding of recovery by the state auditor against the fiscal officer (ORC 3314.023).

Audits

- Requires a community school sponsor to communicate with the state auditor regarding audits of the school or the condition of the school's financial and enrollment records and to be present at meetings with the state auditor (ORC 3314.019).
- Requires a sponsor to annually verify that no finding for recovery has been issued by the state auditor against a person who proposes to create a community school, serves on the governing authority, operates the school or is employed by the school (ORC 3314.02(E)(2)(c)).

Regarding operator expenditure reporting, specifies that the detailed accounting is subject to verification through examination of the school's records during its regular audit (ORC 3314.024(D))

Requires eSchools to keep accurate records of each student's daily participation in learning opportunities in a manner that can be easily submitted to the department, upon request from the department or the state auditor (ORC 3314.27).

Requires each school to annually report to the department and the state auditor each instance in which one of the school's students resides in a children's residential center (ORC 3314.038).

John R. Kasich, Governor
Dr. Lonny J. Rivera, Interim Superintendent of Public Instruction

Sent via email

January 29, 2016

Stefan Huh
Director
Charter Schools Program
U.S. Department of Education
400 Maryland Avenue S.W.
Washington, D.C. 20202

Dear Director Huh:

Thank you for your recent request for additional information in support of Ohio's Charter School Program grant award of Sept. 28, 2015. We appreciate the ability to demonstrate the increasing rigor of Ohio's school accountability system and how these higher expectations compare to federal school-rating criteria.

Ohio's fundamental education goal is to increase the quality of public instruction and academic opportunities for every child through the implementation of local report cards and the sponsor evaluation process. Since the 2012-2013 school year, the state has introduced additional measures to its annual report cards for schools and districts, progressively implementing an A-F grade scale for measures and "components," or groups of measures. All public schools and districts will receive overall letter grades based on their combined measurements beginning in 2018. An independent advisory panel was appointed to review the state's sponsor evaluation system and make recommendations. The panel's recommendations were accepted by the State Superintendent in December and are being implemented. The transparent accountability and sponsor evaluation systems will guide the implementation of Ohio's Charter School Program grant.

Ohio's original grant application identified 93 charter schools as high quality/high performing using the federal definition. Subsequent legislation and agency-approved guidelines created a new state definition for high quality/high performing charter schools. This newly implemented state definition utilizes more rigorous criteria than the federal definition. This change prompted a review and revision to Ohio's definition of poor performing charter schools. While the state definition has not changed, the numbers have been updated due to a correction in the underlying business rules, which now align with the definition. Ohio now identifies 59 charter schools as high quality/high performing compared to 93 originally identified under the federal definition. Under the federal definition, six schools were identified as poor performing in the original grant application, but after applying the new definition, Ohio has identified 57 charter schools as poor performing based on performance data from the 2013-2014 school year.

In part, the increased rigor of Ohio's definition of high quality/high performing charter schools comes from the use of multiple measures of academic performance. The combination of Performance Index and Value-Added measures provide a more robust indicator of overall quality. The Four-Year Graduation Rate and K-3 Literacy are measures applied to schools in the absence of a Performance Index or Value-Added grade. More information on this appears on the following pages.

Per your request, please find enclosed:

- A comparison of definitions (federal and state) for high quality/high performing and poor performing charter schools (Addendum 1);
- An explanation of how Ohio's new definitions of high quality/high performing and poor performing are more rigorous than federal definitions (Addendum 2);
- A list of all charter schools classified as high quality/high performing and poor performing under the federal definition (Addendum 3);
- A list of all charter schools classified as high quality/high performing and poor performing under the state definition (Addendum 4);
- Updates to Figures 2, 3, 5 and 6 from the grant application based on Ohio's new definitions of high quality/high performing and poor performing (Figure 4 remains unchanged under the new definitions) (Addendum 5);
- An updated timeline for subgrant distribution (Addendum 6); and
- Additional explanation of the terms quarterly and annually as applied to grant activities, including the months when they start and occur (Addendum 7).

Our team looks forward to continuing collaboration between the Ohio Department of Education and the U.S. Department of Education as we work to provide the best possible quality of education to Ohio's charter school students.

Sincerely,

A handwritten signature in black ink that reads "Lonny J. Rivera". The signature is written in a cursive, flowing style.

Dr. Lonny J. Rivera
Interim Superintendent of Public Instruction

ADDENDUM 1 Comparison of Federal and State Definitions of High Quality/High Performing and Poor Performing Charter Schools

FEDERAL DEFINITION	STATE DEFINITION
High Quality/High Performing Definitions	
Meeting any of the following criteria in each of the last three years:	Meeting any of the following criteria:
<ul style="list-style-type: none"> • Attendance rate ≥ 93 percent and Value-Added grade of C (Met) or better • Attendance rate ≥ 93 percent and Performance Index Score grade of C (70 percent) or better • Attendance rate ≥ 93 percent and 4-Year Graduation Rate grade of C (84 percent) or better • Annual Measureable Objectives grade of C (Met) or better 	<ul style="list-style-type: none"> • Value-Added grade of A or B and Performance Index grade of C or better -OR- Value-Added Grade of B or better and Performance Index must increase for each of the previous three years • If Value-Added grade is not available, 4-Year Graduation Rate grade of A or B and Performance Index grade of C or better -OR- If Value-Added grade is not available, 4-Year Graduation Rate grade of A or B and Performance Index must increase for each of the previous three years • If Value-Added and 4-Year Graduation Rate grades are unavailable, K-3 Literacy Improvement grade of A or B
AND	
Auditable and Partial or Overall Compliance with Contract	
Poor Performing Definitions	
Ranked in the lowest 5 percent of schools based on the Performance Index Score in each of the last three years	Value-Added grade of D or F
AND	AND
Value-Added grade of D or F (Below) in each of the last three years	Performance Index grade of D or F

Note: Refer to Addendum 3 for schools identified as high quality/high performing under the federal and original state definitions and Addendum 4 for schools identified as poor performing under the federal and updated state definitions.

ADDENDUM 2

High Quality/High Performing and Poor Performing Schools (Federal Definition)

High Quality/High Performing Schools

The initial business rules used to determine Ohio's number of high quality/high performing community schools for each of school years 2014, 2013, 2012, 2011 and 2010 relied on school-level data pertaining to academic performance and compliance. The analysis for each year used up to three years of data including data for the current year (e.g., 2014 in the 2014 analysis) and the prior two years (e.g., 2013 and 2012 in the 2014 analysis). Fewer than three years of data could be used for new schools not open during all years under analysis (e.g., only 2014 and 2013 data would be used in the 2014 analysis for a school first operating in 2013). To be labeled high quality/high performing, a school needed to meet one of four academic performance criteria and also compliance criteria. To meet the academic performance criteria, a school needed, in each of the three most recent years, to have: (1) an Attendance Rate of at least 93 percent and a Value-Added grade of C or better, or rating of "Met" or better; or (2) an Attendance Rate of at least 93 percent and a Performance Index grade of C or better, or rate of 70 percent or above; or (3) an Attendance Rate of at least 93 percent and a 4-Year Graduation grade of C or better, or rate of 84 percent or above; or (4) an Annual Measurable Objective grade of C or above, or Adequate Yearly Progress rating of "Met." Schools meeting the academic performance criteria were labeled high quality/high performing if they were auditable and received ratings of partial or overall compliant from their sponsors.

Poor Performing Schools

The initial business rules to determine Ohio's number of poor performing community schools for 2014, 2013, 2012, 2011 and 2010 relied solely on school-level academic performance data. Compliance criteria did not play a role in identifying the number of poor performing schools. To be included in the analysis for a year, a community school had to have been open for at least three years. The school had to be ranked in the lowest 5 percent of schools based on Performance Index Score in each of the three most recent school years and had to have received a Value-Added grade of D or F, or Rating of Below in each of those three school years.

High Quality/High Performing and Poor Performing (State Definition)

High Quality/High Performing Schools

The business rules used to determine Ohio's number of high quality/high performing community schools for school year 2014, the same definition that was used in Ohio's Facilities Grant, relies solely on school-level academic performance data. To be high performing/high quality, a school must have: (1) a Value-Added grade of B or better and a Performance Index grade of C or better; or, a Value-Added grade of B or better and Performance Index increase for the previous three years, or if the school had no Value-Added grade, (2) a 4-Year Graduation Rate of B or better and a Performance Index grade of C or better; or, a 4-Year Graduation Rate of B or better and Performance Index increase for the previous three years or, if the school had neither a Value-Added grade nor a 4-Year Graduation Rate, (3) a K-3 Literacy Improvement grade of B or better.

Poor Performing Schools

To be poor performing under the second update to the business rules, a school would need to have a Value-Added grade of D or F and a Performance Index grade of D or F.

Comparison of Federal to State Criteria

The high quality/high performing portion of the federal criteria for high quality/high performing schools relied on one academic measure meeting a grade of C or higher or the equivalent under Ohio's old report card system (Value-Added, Performance Index, 4-Year Graduation or Annual Measureable Objectives), one arguably nonacademic performance measure (Attendance Rate), and two compliance measures (Auditability and Legal Compliance). Identifying schools as high quality/high performing on the basis of any one of four academic measures meant that a school could be viewed favorably in the analysis if it performed poorly on each of the other three measures and risked identifying schools as high quality/high performing when they would not be considered high quality/high performing within the context of Ohio's report

card system. The updated criteria are believed to improve the comparability of results to Ohio's report card system and limit the number of schools viewed favorably by relying on two academic measures for most schools and requiring a higher level of performance, a grade of A or B on Value-Added and 4-Year Graduation.

The updated criteria for poor performing schools exchanged Performance Index Ranking (lowest 5 percent of schools) for Performance Index grade (D or F), greatly increasing the number of schools that could be identified as poor performing. Furthermore, identifying schools as poor performing in a given year, rather than in each of three years as required by the federally indicated analysis, increases the number of schools identified as poor performing.

Note: Only general and special education site-based community schools were included in the original and updated analyses of high quality/high performing and poor performing schools.

ADDENDUM 3

Schools Identified as High Quality/High Performing under Federal definition:

A.B. Graham Academy	Constellation Schools: Puritas Community Elementary
Akros Middle School	Constellation Schools: Puritas Community Middle
Apex Academy	Constellation Schools: Westpark Community Elementary
Arts & College Preparatory Academy	Constellation Schools: Westpark Community Middle
Aurora Academy	Constellation Schools: Westside Community School of the Arts
Beacon Hill Academy	Cornerstone Academy Community School
Bennett Venture Academy	Dayton Early College Academy, Inc
Central Academy of Ohio	DECA PREP
Cincinnati College Preparatory Academy	Emerson Academy
Citizens Academy	Entrepreneurship Preparatory School - Woodland Hills Campus
Citizens Leadership Academy	Falcon Academy of Creative Arts Foundation Academy
Clay Avenue Community School	Global Village Academy
Cleveland Arts and Social Sciences Academy	Greater Summit County Early Learning Center
Cleveland Entrepreneurship Preparatory School	Green Inspiration Academy
Columbus Arts & Technology Academy	Hamilton Cnty Math & Science
Columbus Bilingual Academy	HBCU Preparatory School 1
Columbus Bilingual Academy-North	Heir Force Community School
Columbus Collegiate Academy	Horizon Science Acad Cleveland Columbus
Columbus Humanities, Arts and Technology Academy	Horizon Science Academy Columbus Middle School
Columbus Preparatory Academy	Horizon Science Academy Denison Elementary School
Columbus Preparatory and Fitness Academy	Horizon Science Academy Elementary School
Constellation Schools: Elyria Community	Horizon Science Academy Lorain Youngstown
Constellation Schools: Lorain Community Elementary	Horizon Science Academy-Cleveland Middle School
Constellation Schools: Lorain Community Middle	Imagine Leadership Academy
Constellation Schools: Mansfield Community Middle	Imani Learning Academy
Constellation Schools: Old Brooklyn Community Elementary	Intergenerational School, The
Constellation Schools: Old Brooklyn Community Middle	
Constellation Schools: Parma Community	

ADDENDUM 3

International Acad Of Columbus
KIPP Columbus
Madison Avenue School of Arts
Madisonville SMART Elementary
Menlo Park Academy
Middlebury Academy
Middletown Fitness & Prep Acad
Mt. Healthy Preparatory and
Fitness Academy
Near West Intergenerational
School
Newbridge Math & Reading
Preparatory Academy
Noble Academy-Cleveland
Noble Academy-Columbus
North Dayton School Of Science
& Discovery
Northland Preparatory and
Fitness Academy
Oakstone Community School
Orion Academy
Par Excellence Academy
Pathway School of Discovery
Patriot Preparatory Academy
Phoenix Community Learning Ctr
Pinnacle Academy
Richland Academy School of
Excellence
Sciotoville Elementary Academy
Springfield Preparatory and
Fitness Academy
Summit Academy Community
School - Painesville
Summit Academy Community
School Alternative Learners -
Xenia
T.C.P. World Academy
Toledo Preparatory and Fitness
Academy
Toledo School For The Arts
Village Preparatory School
Washington Park Community
School
Westside Academy
Wildwood Environmental
Academy
Winterfield Venture Academy

Youngstown Community School
Zenith Academy East

ADDENDUM 3

Schools Identified as Poor Performing under Federal definition:

Broadway Academy

Mollie Kessler

OAK Leadership Institute

Summit Academy Community

School-Toledo

Virtual Schoolhouse, Inc.

Woodland Academy

ADDENDUM 4

Schools Identified as High Performing under State definition

Arts & College Preparatory Academy	Horizon Science Academy Cleveland Elementary School
Arts and Science Preparatory Academy	Horizon Science Academy Columbus Middle School
Aurora Academy	Horizon Science Academy-Cleveland Middle School
Canton College Preparatory School	Intergenerational School, The
Citizens Academy	King Academy Community School
Citizens Academy East	Klepinger Community School
Cleveland Arts and Social Sciences Academy	Lakeland Academy Community School
Cleveland Entrepreneurship Preparatory School	Lincoln Preparatory School
Columbus Arts & Technology Academy	Miami Valley Academies
Columbus Collegiate Academy	Middletown Fitness & Prep Acad
Columbus Collegiate Academy - West	Midnimo Cross Cultural Community School
Columbus Humanities, Arts and Technology Academy	Mt. Healthy Preparatory and Fitness Academy
Columbus Preparatory Academy	Near West Intergenerational School
Constellation Schools: Lorain Community Elementary	Noble Academy-Columbus
Constellation Schools: Lorain Community Middle	Northeast Ohio College Preparatory School
Constellation Schools: Mansfield Community Elementary	Northland Preparatory and Fitness Academy
Constellation Schools: Parma Community	Par Excellence Academy
Constellation Schools: Westpark Community Elementary	Patriot Preparatory Academy
Constellation Schools: Westside Community School of the Arts	Phoenix Community Learning Ctr
Cornerstone Academy Community	Pinnacle Academy
Dayton Early College Academy, Inc	Stambaugh Charter Academy
Emerson Academy	Star Academy of Toledo
Entrepreneurship Preparatory School - Woodland Hills Campus	STEAM Academy of Warren
Focus Learning Academy of Northern Columbus	Summit Academy Akron Middle School
Foundation Academy	Summit Academy Community School
Graham Expeditionary Middle School	Alternative Learners-Lorain
Groveport Community School	Summit Academy Middle School - Columbus
Hamilton Cnty Math & Science	Toledo Preparatory and Fitness Academy
HBCU Preparatory School 1	Zenith Academy
Heir Force Community School	Zenith Academy East

ADDENDUM 4

Schools Identified as Poor Performing under State definition

A+ Children's Academy
Alliance Academy of Cincinnati
Believe to Achieve-Canton
Bella Academy of Excellence
Broadway Academy
Brookwood Academy
Brown Street Academy
Chapelside Cleveland Academy
Cincinnati Leadership Academy
Cincinnati Learning Schools
Cincinnati Speech & Reading
Intervention Center
Cincinnati Technology Academy
City Day Community School
Columbus Performance Academy
Constellation Schools: Collinwood
Village Academy
Constellation Schools: Stockyard
Community Middle
Dayton Leadership Academies-
Dayton View Campus
Eagle Academy
East Academy
Edge Academy, The
FCI Academy
Foxfire Intermediate School
Great Western Academy
Harvard Avenue Community School
Hope Academy Northwest Campus
Horizon Science Academy Dayton
High School
Horizon Science Academy-Cincinnati
Horizon Science Academy-Denison
Middle School
Imagine Hill Avenue
Impact Academy Cincinnati
Lake Erie Academy
Lincoln Park Academy
Main Street Preparatory Academy
Mansfield Elective Academy
Mollie Kessler
Mount Auburn International Academy
North Central Academy
OAK Leadership Institute
Pearl Academy
Performance Academy Eastland
Renaissance Academy
Richard Allen Academy
Richard Allen Academy II
Richard Allen Academy III
STEAM Academy of Akron
Summit Academy Akron Elementary
School
Summit Academy Community School-
Toledo
Summit Academy Secondary -
Youngstown
Summit Academy Secondary School -
Middletown
V L T Academy
Villaview Community School
Virtual Schoolhouse, Inc.
West Park Academy
West Preparatory Academy
Whitehall Preparatory and Fitness
Academy
Woodland Academy
Young Scholars Prep School

ADDENDUM 5

Figure 2: High Performing Site-Based General Education Community Schools in Ohio

	High Performing School Count	Total General Education Schools	% of Site-Based General Education Schools High Performing
2013-2014	58	290	20.00%

*The State definition of high performance for community schools incorporates the K3 Literacy Improvement Grade, which is not available prior to the 2013-2014 report card.

Figure 5: Percentage of High Performing Site-Based General Education Community Schools and Ohio 8 Traditional Public Schools

Year	High Performing Community Schools	High Performing Ohio 8 Traditional Public Schools
2013-2014	20.00%	18.57%

Figure 3: Poor Performing Site-Based General Education Community Schools in Ohio

	Poor Performing School Count	Total General Education Schools	% of Site-Based General Education Schools Poor Performing
2009-2010	37	236	15.68%
2010-2011	26	244	10.66%
2011-2012	31	256	12.11%
2012-2013	53	271	19.56%
2013-2014	57	290	19.66%

Figure 6: Percentage of Poor Performing Site-Based General Education Community Schools and Ohio 8 Traditional Public Schools

Year	Poor Performing Community Schools	Poor Performing Ohio 8 Traditional Public Schools
2009-2010	15.68%	33.77%
2010-2011	10.66%	20.00%
2011-2012	12.11%	21.40%
2012-2013	19.56%	37.44%
2013-2014	19.66%	27.08%

Figure 4: Ohio Charter Schools Closed Since FY11
No updates were made to this table.

Year	Academic Closure Criteria	Contractual Non-compliance	Closed Voluntarily
FY11	4	8	2
FY12	4	6	3
FY13	2	10	8
FY14	1	36	3
FY15	0	8	4
Total	11	68	20

ADDENDUM 6

The Ohio Department of Education's CSP Program Work Plan

Strategy 1: Disseminate information about the CSP grant program to interested parties including potential developers, authorizers, teachers, parents, communities and other stakeholders.

Activity	Responsible Staff	Milestones	Timelines
Develop a detailed dissemination and engagement plan; identify dissemination opportunities and partners; identify dissemination channels; create informational materials	Program Administrator	Completion of dissemination plan; first contact with key partners and interested parties; communication calendar showing key dates and information dissemination activities	Feb. 1 thru March 30, 2016 Update the Plan Nov. thru Dec. 2017 Update the Plan Nov. thru Dec. 2018 Update the Plan Nov. thru Dec. 2019 Update only as needed in Nov/Dec 2020
Initiate dissemination and engagement plan; establish routine communications	Program Administrator	Completion of regular engagement activity pursuant to the communications plan and calendar	April 1, 2016 thru Dec. 30, 2017 Jan. 1, 2017 thru June 30 2018 Jan. 1 2018 thru June 30, 2019 Jan. 1, 2019 thru June 30, 2020 Jan. 1, 2020 thru June 30, 2021

Strategy 2: Conduct subgrantee award rounds for planning, year one implementation and year two implementation grants.

Activity	Responsible Staff	Milestones	Timelines
Develop detailed written subgrant guidelines explaining grant requirements, competitive preferences, scoring criteria, deadlines, etc.; stakeholder engagement around grant guidelines	Program Administrator	Completion of subgrant guidelines and application instructions	May 1, 2016 thru July 30, 2016 Nov. 1, 2016 thru Jan 1, 2017 Nov. 1, 2017 thru Jan 1, 2018 Nov. 1, 2018 thru Jan 1, 2019 Nov. 1, 2019 thru Jan 1, 2020
Issue Notice of Grant Opportunity	Program Administrator	Timely issuance of Notice of Grant Opportunity; targets for dissemination of notice met	Aug. 30, 2016 thru Nov. 18, 2016 Jan. 3, 2017 thru April 30, 2017 Jan. 2, 2018 thru April 30, 2018 Jan. 2, 2019 thru April 30, 2019 Jan. 2, 2020 thru April 30, 2020
Receive applications	Program Administrator	Application received: prepared for distribution to peer reviewers	Oct. 17, 2016 thru Nov. 18, 2016 Feb. 02, 2017 thru April 30, 2017 Feb. 1, 2018 thru April 30, 2018 Feb. 1, 2019 thru April 30, 2019 Feb. 1, 2020 thru April 30, 2020
Conduct peer review process -- prepare for peer review process; identify peers; provide training	Program Administrator	Peer reviewers identified; reviewers conduct and submit reviews; compilation of scores; review session with reviewers	Nov. 21 thru Dec 30, 2016 May 16 thru June 17, 2017 May 14 thru June 15, 2018 May 20 thru June 21, 2019 May 18 thru June 19, 2020
Make grant awards	Program Administrator	Grants awarded; Subgrantee activity begins	Jan 9 thru June 30, 2017 (2017 Award 1) Year 1, w/Waiver: Jan 9, 2017 thru June 30, 2018 July 1, 2017 thru June 30, 2018 (2017 Award 2) July 1, 2018, thru June 30, 2019 July 1, 2019, thru June 30, 2020 July 1, 2020, thru June 30, 2021

Strategy 3: Monitoring and technical assistance/support activity

Activity	Responsible Staff	Milestones	Timelines
Develop detailed monitoring and support plan for all aspects of monitoring and technical assistance/support activity provided by both the department and authorizers	Program Administrator	Complete detailed monitoring and support plan	Aug. 1 thru Sept 30, 2016 Update the Plan, December 2017 Update the Plan, December 2018 Update the Plan, December 2019 Update the Plan, December 2020
Identify types of high quality technical assistance/support required by proposed schools and design strategies for providing it	Program Specialists	Identification of types of needed technical assistance/support and development of strategies for providing technical assistance/support	Aug. 1 thru Dec 30, 2016 December 2017 December 2018 December 2019 December 2020
Ensure authorizers conduct monitoring and technical assistance/support activity pursuant to plan	Program Specialists	Required reviews completed; reviews shared with schools; deficiencies rectified or corrective action plans developed; planned support activities completed per plan	Jan. 1 thru Dec. 30, 2017 Jan. 1 thru Dec 30, 2018 Jan. 1 thru Dec. 30, 2019 Jan. 1 thru June 20, 2021
Conduct Ohio Department of Education monitoring review and technical assistance/support activities	Program Specialists	Required reviews completed; reviews shared with schools/authorizers; deficiencies rectified or corrective action plans developed; planned support activities completed per plan	March thru Dec. 30, 2017 January thru June 30, 2018 January thru December 2019 January 2020 thru June 30, 2021
Department review of authorizer compliance with monitoring and technical assistance/support activities	Program Specialists	Required reviews completed; deficiencies rectified or corrective action plans developed	Oct. 1, 2016 thru June 30, 2017 July 1, 2017 thru June 30, 2018 July 1, 2018, thru June 30, 2019 July 1, 2019, thru June 30, 2020 July 1, 2020, thru June 30, 2021

Strategy 4: Data collection, analysis and synthesis

Activity	Responsible Staff	Milestones	Timelines
Data Governance Committee Review	Data Manager	Data Governance approval	Year 1: Bi-weekly* Year 2: Bi-weekly* Year 3: Bi-weekly* Year 4: Bi-weekly* Year 5: Bi-weekly*
Develop detailed project data collection and analysis plan	Data Manager	Plan development completed	Quarterly, beginning in Jan 2017 thru Dec 2021 Months: January, April, July and October
Collection of relevant data	Data Manager	100 percent of required data collected timely	Ongoing: from October 2016 thru December 2021
Prepare data analysis and synthesis reports	Data Manager	Data analysis report prepared	Annually, to coincide with the Federal annual performance reports
Convene stakeholders to review data and discuss strategies to continually improve activities/outcomes	Data Manager	Completed stakeholder data review meetings; plan for improvements	Annually, to coincide with the Federal annual performance reports

*Data Governance Committee (DGC) meets on a Bi-Weekly basis throughout the year.

APPENDUM 7

YEAR	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
2015									Ohio receives Federal Grant approval Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly

YEAR	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
2016	Ohio responds to follow up questions from USDOE Data Governance Committee meets bi-weekly	Develop dissemination/eng agement plan Data Governance Committee meets bi-weekly	Develop dissemination/eng agement plan Data Governance Committee meets bi-weekly	Inmate dissemination/eng agement plan Data Governance Committee meets bi-weekly	Conduct dissemination plan Data Governance Committee meets bi-weekly	Conduct dissemination plan Develop detailed written subgrant guidelines Data Governance Committee meets bi-weekly	Conduct dissemination plan Develop detailed written subgrant guidelines Data Governance Committee meets bi-weekly	Conduct dissemination plan Year 1 Notice of Grant Opportunity Develop detailed monitoring/support plan Identify types of HQ technical assistance/support Data Governance Committee meets bi-weekly	Conduct dissemination plan Ohio receives Federal Grant approval Data Governance Committee meets bi-weekly	Conduct dissemination plan Year 1 Notice of Grant Opportunity Year 1 Receive Applications Identify types of HQ technical assistance/support Data Governance Committee meets bi-weekly	Conduct dissemination plan Year 1 Notice of Grant Opportunity Year 1 Receive Applications Update subgrant guidelines Identify types of HQ technical assistance/support Data Governance Committee meets bi-weekly	Conduct dissemination plan Year 1 Peer Review process Update subgrant guidelines Identify types of HQ technical assistance/support Collection of relevant data Data Governance Committee meets bi-weekly

YEAR	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
2017	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan
	Make Subgrant awards, Year 1	Year 1 Subgrants period of availability	Year 1 Subgrants period of availability	Year 1 Subgrants period of availability	Year 1 Subgrants period of availability	Year 1 Subgrants period of availability; ends 06/30/2017	Year 2 Make grant awards	Year 2 subgrants period of availability	Year 2 subgrants period of availability	Year 2 subgrants period of availability	Year 2 subgrants period of availability	Year 2 subgrants period of availability
	Year 1 Subgrants period of availability begins 01/09/2017	Year 2 Notice of Grant Opportunity	Year 2, Notice of Grant Opportunity	Year 2, Notice of Grant Opportunity	Year 2 Conduct peer review process	Year 2 Conduct peer review process	Year 2 Subgrants period of availability begins 07/01/2017	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Update subgrant guidelines	Update subgrant guidelines
	Year 2, Notice of Grant Opportunity	Year 2 Receive applications	Year 2 Receive applications	Year 2 Receive applications	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support
	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities
	Review of authorizer compliance with monitoring, TA, support requirements	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Collection of relevant data	Collection of relevant data	Collection of relevant data	Review of authorizer compliance with monitoring, TA, support requirements	Update monitoring and support plan
	Collection of relevant data	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data	Review of authorizer compliance with monitoring, TA, support requirements
	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Collection of relevant data
	Update project data collection and analysis plan	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Convene stakeholders to review data and discuss strategies to continually improve outcomes	Convene stakeholders to review data and discuss strategies to continually improve outcomes	Data Governance Committee meets bi-weekly	Update project data collection and analysis plan			Update project data collection and analysis plan	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly
		Prepare data analysis and synthesis reports	Prepare data analysis and synthesis reports	Prepare data analysis and synthesis reports	Prepare data analysis and synthesis reports	Prepare data analysis and synthesis reports						Data Governance Committee meets bi-weekly

YEAR	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
2019	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan
	Year 3 subgrants period of availability	Year 3 subgrants period of availability	Year 3 subgrants period of availability	Year 3 subgrants period of availability	Year 3 subgrants period of availability	Year 3 subgrants period of availability, ends 06/30/2019	Year 4 Make grant awards	Year 4 subgrants period of availability	Year 4 subgrants period of availability	Year 4 subgrants period of availability	Year 4 subgrants period of availability	Year 4 subgrants period of availability
	Year 4 Issue Notice of Grant Opportunity	Year 4 Issue Notice of Grant Opportunity	Year 4 Issue Notice of Grant Opportunity	Year 4 Issue Notice of Grant Opportunity	Year 4 Conduct peer review process	Year 4 Conduct peer review process	Year 4 Subgrants availability begins 07/01/2019	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Update subgrant guidelines
	Ensure authorizers conduct monitoring, TA/support	Year 4 Receive applications	Year 4 Receive applications	Year 4 Receive applications	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support
	Implement monitoring reviews and TA/support activities	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities
	Review of authorizer compliance with monitoring, TA, support requirements	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Collection of relevant data	Collection of relevant data	Collection of relevant data	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements
	Collection of relevant data	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data
	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly
	Update project data collection and analysis plan	Collection of relevant data	Collection of relevant data	Convene stakeholders to review data and discuss strategies to continually improve outcomes	Convene stakeholders to review data and discuss strategies to continually improve outcomes	Convene stakeholders to review data and discuss strategies to continually improve outcomes	Update project data collection and analysis plan	Update project data collection and analysis plan	Update project data collection and analysis plan	Update project data collection and analysis plan	Update project data collection and analysis plan	Data Governance Committee meets bi-weekly
		Prepare data analysis and synthesis reports	Prepare data analysis and synthesis reports	Prepare data analysis and synthesis reports	Prepare data analysis and synthesis reports	Prepare data analysis and synthesis reports						Data Governance Committee meets bi-weekly
												Data Governance Committee meets bi-weekly

YEAR	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
2020	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan
	Year 4 subgrants period of availability	Year 4 subgrants period of availability	Year 4 subgrants period of availability	Year 4 subgrants period of availability	Year 4 subgrants period of availability	Year 4 subgrants period of availability ends 06/30/2020	Year 5 Make grant awards	Year 5 subgrants period of availability	Year 5 subgrants period of availability	Year 5 subgrants period of availability	Year 5 subgrants period of availability	Year 5 subgrants period of availability
	Year 5 Notice of Grant Opportunity	Year 5 Notice of Grant Opportunity	Year 5 Notice of Grant Opportunity	Year 5 Notice of Grant Opportunity	Year 5 Peer Review process	Year 5 Peer Review process	Year 5 subgrants period of availability begins 07/01/2020	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support
	Ensure authorizers conduct monitoring, TA/support	Year 5 Receive applications	Year 5 Receive applications	Year 5 Receive applications	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities
	Implement monitoring reviews and TA/support activities	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements
	Review of authorizer compliance with monitoring, TA, support requirements	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data
	Collection of relevant data	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data
	Data Governance Committee meets bi-weekly	Collection of relevant data	Collection of relevant data	Collection of relevant data	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly
	Update project data collection and analysis plan	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Convene stakeholders to review data and discuss strategies to continually improve outcomes	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Update project data collection and analysis plan	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Update project data collection and analysis plan	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly
		Prepare data analysis and synthesis reports	Prepare data analysis and synthesis reports	Prepare data analysis and synthesis reports	Prepare data analysis and synthesis reports	Prepare data analysis and synthesis reports						

YEAR	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
2021	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan	Conduct dissemination plan			Year 5 Subgrants Final Expenditure Reports due 09/30/2021			Ohio's Final Performance Report and Data Collection Form due by 12/30/2021
	Year 5 subgrants period of availability	Year 5 subgrants period of availability	Year 5 subgrants period of availability	Year 5 subgrants period of availability	Year 5 subgrants period of availability	Year 5 subgrants period of availability ends 06/30/2021						
	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support	Ensure authorizers conduct monitoring, TA/support						
	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities	Implement monitoring reviews and TA/support activities						
	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements	Review of authorizer compliance with monitoring, TA, support requirements						
	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data	Collection of relevant data						
	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Convene stakeholders to review data and discuss strategies to continually improve outcomes	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly						
	Update project data collection and analysis plan	Prepare data analysis and synthesis reports	Prepare data analysis and synthesis reports	Data Governance Committee meets bi-weekly	Data Governance Committee meets bi-weekly	Prepare data analysis and synthesis reports						
				Update project data collection and analysis plan	Update project data collection and analysis plan	Update project data collection and analysis plan						

John R. Kasich, Governor
Dr. Lonny J. Rivera, Interim Superintendent of Public Instruction

February 24, 2016

Stefan Huh
Director
Charter Schools Program
U.S. Department of Education
400 Maryland Ave. S.W.
Washington, D.C. 20202

Dear Director Huh:

Thank you for your recent request for additional information in support of Ohio's Charter School Program Grant Award of September 2015. The Ohio Department of Education appreciates your commitment to ensuring rigorous community school accountability. Please find enclosed the requested definitions and school lists of academically high-quality and poor-performing community schools.

I hope this provides needed clarity to Ohio's definitions of academically poor-performing and high-quality community schools. Once again, thank you for the opportunity to offer more information on how Ohio holds its community schools accountable. If you have additional questions, please contact Dr. Steve Gratz at Steve.Gratz@education.ohio.gov.

Sincerely,



Dr. Lonny J. Rivera
Superintendent of Public Instruction

Ohio		
ED Definition	State Operationalization of ED Definition, July 2015	State Definition, Fall 2015
<p><u>Academically poor-performing charter school</u> means—</p> <p>(a) A charter school that has been in operation for at least three years and that –</p> <p>(1) Has been identified as being in the lowest-performing five percent of all schools in the State and has failed to improve school performance (based on the SEA’s accountability system under the ESEA) over the past three years; and</p> <p>(2) Has failed to demonstrate student academic growth of at least an average of one grade level for each cohort of students in each of the past three years, as demonstrated by statewide or other assessments approved by the authorized public chartering agency;</p>	<p><u>Academically poor-performing charter school</u> means—^{1,2}</p> <p>(a) A charter school that has been in operation for at least three years and that –</p> <p>(1) Has been identified as being in the lowest-performing five percent of Performance Index Scores of all schools in the State over the past three years; and</p> <p>(2) Has failed to demonstrate student academic growth of at least an average of one grade level in each of the past three years, operationalized as a Value-Added Grade of D or F, or Value-Added Rating of Below.</p>	<p><u>Academically poor-performing charter school</u> means—^{1,2}</p> <p>General Education Charter School:</p> <p>(a) A charter school that in a given year –</p> <p>(1) Received a Performance Index Grade of D or F, or a score below 70%; and</p> <p>(2) Failed to demonstrate student academic growth of at least an average of one grade level, operationalized as a Value-Added Grade of D or F, or Value-Added Rating of Below.</p> <p>Dropout Prevention and Recovery Charter School:</p> <p>(a) A charter school that in a given year –</p> <p>(1) Received an Overall Rating of Does Not Meet Expectations</p> <p>Ohio considers the state definition to be more rigorous because:</p> <p>In contrast to the federal definition, the state definition allows a school to be identified as poor performing prior to being in operation for three years. In addition, it allows a school to be identified as poor performing in a single year whereas the ED definition limits to only those schools with low performance in three consecutive years. Using the Performance Index Grade, rather than lowest 5% of Performance Index Scores, also significantly increases the number of schools that can be identified as poor performing.</p>

ED Definition	State Operationalization of ED Definition	State Definition
<p><u>High-quality charter school</u> means—</p> <p>(a) A charter school that shows evidence of strong academic results for the past three years (or over the life of the school, if the school has been open for fewer than three years), based on the following factors:</p> <p>(1) Increased student academic achievement and attainment (including, if applicable and available, high school graduation rates and college and other postsecondary education enrollment rates) for all students, including, as applicable, <u>educationally disadvantaged students</u> served by the charter school;</p> <p>(2) Either—</p> <p>(i) Demonstrated success in closing historic achievement gaps for the subgroups of students described in section 1111(b)(2)(C)(v)(II) of the ESEA (20 U.S.C. 6311(b)(2)(C)(v)(II)) at the charter school; or</p> <p>(ii) No significant achievement gaps between any of the subgroups of students described in section 1111(b)(2)(C)(v)(II) of the ESEA (20 U.S.C. 6311) at the charter school and significant gains in student academic achievement for all populations of students served by the charter school;</p> <p>(3) Results (including, if applicable and available, performance on statewide tests, annual student attendance and retention rates, high school graduation rates, college and other postsecondary education attendance rates, and college and other postsecondary education persistence rates) for low-income and other <u>educationally disadvantaged students</u> served by the charter school that are above the average</p>	<p><u>High-quality charter school</u> means—^{1,2}</p> <p>(a) A charter school that shows evidence of strong academic results for the past three years (or over the life of the school, if the school has been open for fewer than three years), based on the following factors:</p> <p>(1) Demonstrated student academic achievement or growth as operationalized as either —</p> <p>(i) A Value-Added grade of A,B or C, or a Value-Added rating of Met and an Attendance Rate of at least 93%; or</p> <p>(ii) A Performance Index Grade of A, B or C or 70% and an Attendance Rate of at least 93%; or</p> <p>(iii) A Four-Year Graduation Rate Grade of A, B or C or 84% and an Attendance Rate of at least 93%;</p> <p>OR—</p> <p>(2) No significant achievement gaps between any of the subgroups of students operationalized as an Annual Measurable Objectives (AMO) Grade of A, B or C, or Adequate Yearly Progress (AYP) Rating of Met.</p> <p>AND—</p> <p>(3) No <u>significant compliance issues</u>, particularly in the areas of student safety, financial management, and equitable treatment of students operationalized as the school being rated in partial or overall compliance with their contract by the school’s sponsor, and auditable by the Ohio Auditor of State.</p>	<p><u>High-quality charter school</u> means—²</p> <p>General Education Charter School:</p> <p>(a) A charter school that shows evidence of strong academic results based on the following factors:</p> <p>(1) Demonstrated student academic achievement or growth as operationalized as either —</p> <p>(i) A Value-Added grade of A or B and</p> <p>a. Performance Index Grade of A, B or C or an increase in Performance Index for the last three years. Or, if the school did not receive a Value-Added Grade</p> <p>(ii) A Four-Year Graduation Rate Grade of A or B and</p> <p>a. Performance Index Grade of A, B or C or an increase in Performance Index for the last three years. Or, if the school received neither a Value-Added Grade or Four-Year Graduation Rate Grade</p> <p>(iii) A K-3 Literacy Improvement Grade of A or B.</p> <p>*Only one year of data (2013-2014) available because the K-3 Literacy Improvement Grade was new in 2014.</p> <p>Dropout Prevention and Recovery Charter School:</p> <p>(a) A charter school that in a given year –</p> <p>(2) Received an Overall Rating of Exceeds Expectations</p>

ED Definition	State Operationalization of ED Definition	State Definition
<p>academic achievement results for such students in the State;</p> <p>(4) Results on a performance framework established by the State or authorized public chartering agency for the purpose of evaluating charter school quality; and</p> <p>(5) No <u>significant compliance issues</u>, particularly in the areas of student safety, financial management, and equitable treatment of students.</p>		<p>Ohio considers the state definition to be more rigorous because:</p> <p>The ED definition of high quality schools relied on one academic measure, meeting a Grade of C or higher or the equivalent under Ohio’s old report card system (Value-Added, Performance Index, 4-Year Graduation Rate, or Annual Measureable Objectives). Identifying schools as high quality on the basis of any one of four academic measures allows a school to be identified as high quality while performing poorly on other measures, and risks identifying schools as high quality when they would not be considered high performing within the context of Ohio’s Report Card system. The updated criteria are believed to improve the comparability of results to Ohio’s Report Card system, and limit the number of schools viewed favorably, by relying on two academic measures for most schools and requiring a higher level of performance, a Grade of A or B, on Value-Added and 4-Year Graduation Rate. Please see the attached technical documentation for additional details on the calculation of Ohio’s local report card measures.</p>

¹The calculation of Ohio’s report card measures changed over the analysis time period. In addition to calculation changes, report card measures also went from being rated to graded. The federally approved gap closing measure changed from AYP to AMO in 2013.

²schools are not included in the data provided since they are not eligible for the CSP subgrant as originally outlined in our proposal. Dropout prevention and recovery schools are not included in the data provided because they have a separate accountability system, which is not yet fully implemented.

Schools Identified as High Quality under Federal Definition:

School IRN	School Name
000138	Pathway School of Discovery
000222	Wildwood Environmental Academy
000316	Constellation Schools: Westpark Community Middle
000318	Menlo Park Academy
000320	Constellation Schools: Lorain Community Middle
000321	Constellation Schools: Old Brooklyn Community Middle
000420	Columbus Bilingual Academy
000510	Springfield Preparatory and Fitness Academy
000511	Northland Preparatory and Fitness Academy
000534	Constellation Schools: Puritas Community Middle
000543	Pinnacle Academy
000546	Winterfield Venture Academy
000553	Columbus Humanities, Arts and Technology Academy
000557	Columbus Arts & Technology Academy
000558	Columbus Preparatory Academy
000559	Orion Academy
000560	Apex Academy
000577	Emerson Academy
000613	Heir Force Community School
000629	Summit Academy Community School - Painesville
000679	Oakstone Community School
000736	HBCU Preparatory School 1
000843	Bennett Venture Academy
000858	Horizon Science Academy-Cleveland Middle School
000875	Westside Academy
000930	Cleveland Entrepreneurship Preparatory School
000941	Par Excellence Academy
000951	Toledo Preparatory and Fitness Academy
000952	Columbus Preparatory and Fitness Academy
000953	Mt. Healthy Preparatory and Fitness Academy
007995	Cleveland Arts and Social Sciences Academy
008065	Imani Learning Academy
008278	Noble Academy-Cleveland
008280	Noble Academy-Columbus
009122	Columbus Collegiate Academy
009149	Constellation Schools: Westside Community School of the Arts
009164	Central Academy of Ohio
009179	Horizon Science Academy Columbus Middle School
009181	Clay Avenue Community School
009192	Foundation Academy
009283	Dayton Early College Academy, Inc
009909	Constellation Schools: Mansfield Community Middle
009955	Madison Avenue School of Arts
009964	Sciotoville Elementary Academy
009990	Horizon Science Academy Elementary School
009997	KIPP Columbus
010007	Horizon Science Academy Denison Elementary School
011291	Village Preparatory School
011381	Greater Summit County Early Learning Center
011468	Columbus Bilingual Academy-North
011470	A.B. Graham Academy
011487	Falcon Academy of Creative Arts
011533	Horizon Science Academy Lorain
011967	Richland Academy School of Excellence
011986	Horizon Science Academy Youngstown
011986	Horizon Science Academy Youngstown

Schools Removed from High Quality under State Definition:

School IRN	School Name
000138	Pathway School of Discovery
000222	Wildwood Environmental Academy
000316	Constellation Schools: Westpark Community Middle
000318	Menlo Park Academy
000321	Constellation Schools: Old Brooklyn Community Middle
000420	Columbus Bilingual Academy
000510	Springfield Preparatory and Fitness Academy
000534	Constellation Schools: Puritas Community Middle
000546	Winterfield Venture Academy
000559	Orion Academy
000560	Apex Academy
000629	Summit Academy Community School - Painesville
000679	Oakstone Community School
000843	Bennett Venture Academy
000875	Westside Academy
000952	Columbus Preparatory and Fitness Academy
008065	Imani Learning Academy
008278	Noble Academy-Cleveland
009164	Central Academy of Ohio
009181	Clay Avenue Community School
009909	Constellation Schools: Mansfield Community Middle
009955	Madison Avenue School of Arts
009964	Sciotoville Elementary Academy
009990	Horizon Science Academy Elementary School
009997	KIPP Columbus
010007	Horizon Science Academy Denison Elementary School
011291	Village Preparatory School
011381	Greater Summit County Early Learning Center
011468	Columbus Bilingual Academy-North
011470	A.B. Graham Academy
011487	Falcon Academy of Creative Arts
011533	Horizon Science Academy Lorain
011967	Richland Academy School of Excellence
011986	Horizon Science Academy Youngstown
012029	Citizens Leadership Academy
012060	Akros Middle School
012501	Beacon Hill Academy
012513	Madisonville SMART Elementary
012536	Newbridge Math & Reading Preparatory Academy
012558	Global Village Academy
012924	DECA PREP
014121	Imagine Leadership Academy
132761	Summit Academy Community School Alternative Learners -Xenia
132969	Constellation Schools: Elyria Community
133280	Washington Park Community School
133330	T.C.P. World Academy
133512	Cincinnati College Preparatory Academy
133629	Horizon Science Acad Cleveland
133660	Horizon Science Academy Columbus
133942	Toledo School For The Arts
134072	Youngstown Community School
134098	Constellation Schools: Old Brooklyn Community Elementary
134197	Green Inspiration Academy
134213	Middlebury Academy
143172	International Acad Of Columbus

Additional Schools Identified as High Quality under State Definition:

School IRN	School Name
000576	King Academy Community School
000610	Summit Academy Middle School - Columbus
000725	Zenith Academy
000780	Midnimo Cross Cultural Community School
000855	Stambaugh Charter Academy
008061	Arts & Sciences Preparatory Academy
008287	Groveport Community School
009171	Star Academy of Toledo
009957	Klepinger Community School
010005	Horizon Science Academy Cleveland Elementary School
011511	Lakeland Academy Community School
011923	Northeast Ohio College Preparatory School
011972	Graham Expeditionary Middle School
012644	STEAM Academy of Warren
012852	Citizens Academy East
012951	Columbus Collegiate Academy - West
013255	Canton College Preparatory School
132779	Summit Academy Akron Middle School
132944	Miami Valley Academies
133322	Summit Academy Community School Alternative Learners-Lorain
133819	Lincoln Preparatory School
142943	Focus Learning Academy of Northern Columbus
143495	Constellation Schools: Mansfield Community Elementary

Schools Identified as High Quality under Federal Definition:

School IRN	School Name
012009	Zenith Academy East
012029	Citizens Leadership Academy
012030	Near West Intergenerational School
012031	Entrepreneurship Preparatory School - Woodland Hills Campus
012045	Patriot Preparatory Academy
012060	Akros Middle School
012501	Beacon Hill Academy
012513	Madisonville SMART Elementary
012536	Newbridge Math & Reading Preparatory Academy
012558	Global Village Academy
012924	DECA PREP
014121	Imagine Leadership Academy
132761	Summit Academy Community School Alternative Learners -Xenia
132951	Constellation Schools: Lorain Community Elementary
132969	Constellation Schools: Elyria Community
132993	Constellation Schools: Westpark Community Elementary
133215	Intergenerational School, The
133256	Constellation Schools: Parma Community
133280	Washington Park Community School
133330	T.C.P. World Academy
133439	Cornerstone Academy Community
133504	Phoenix Community Learning Ctr
133512	Cincinnati College Preparatory Academy
133520	Citizens Academy
133629	Horizon Science Acad Cleveland
133660	Horizon Science Academy Columbus
133942	Toledo School For The Arts
134072	Youngstown Community School
134098	Constellation Schools: Old Brooklyn Community Elementary
134148	Aurora Academy
134197	Green Inspiration Academy
134213	Middlebury Academy
143172	International Acad Of Columbus
143214	Middletown Fitness & Prep Acad
143479	Constellation Schools: Puritas Community Elementary
143529	North Dayton School Of Science & Discovery
143602	Hamilton Cnty Math & Science
143610	Arts & College Preparatory Academy

Schools Removed from High Quality under State Definition:

School IRN	School Name
143479	Constellation Schools: Puritas Community Elementary
143529	North Dayton School Of Science & Discovery

Additional Schools Identified as High Quality under State Definition:

School IRN	School Name
------------	-------------

*Schools that were previously identified as high quality under the federal definition that are not identified as high quality or poor performing under Ohio’s definition did not meet either category. The definitions of high quality and poor performing are not exhaustive, resulting in unrated schools. The differences between the federal and Ohio’s definitions resulted in the exclusion of schools which met neither the definition of high quality nor poor performing.

* eschools are not included in the data provided since they are not eligible for the CSP subgrant as originally outlined in our proposal. Dropout prevention and recovery schools are not included in the data provided because they have a separate accountability system, which is not yet fully implemented.

Schools Identified as Poor Performing under Federal Definition:

School IRN	School Name
012684	Broadway Academy
143453	Mollie Kessler
012626	OAK Leadership Institute
000304	Summit Academy Community School-Toledo
000564	Virtual Schoolhouse, Inc.*
012557	Woodland Academy

*Virtual Schoolhouse, Inc. is a site-based community school

***No schools originally identified as poor performing were removed under the state definition.**

Additional Schools Identified as Poor Performing under State Definition:

School IRN	School Name
013232	A+ Children's Academy
000139	Alliance Academy of Cincinnati
013164	Believe to Achieve-Canton
011390	Bella Academy of Excellence
013198	Brookwood Academy
014060	Brown Street Academy
014061	Chapelside Cleveland Academy
009154	Cincinnati Leadership Academy
013967	Cincinnati Learning Schools
000781	Cincinnati Speech & Reading Intervention Center
013864	Cincinnati Technology Academy
134247	City Day Community School
012011	Columbus Performance Academy
012026	Constellation Schools: Collinwood Village Academy
012025	Constellation Schools: Stockyard Community Middle
133454	Dayton Leadership Academies-Dayton View Campus
143552	Eagle Academy
014187	East Academy
133538	Edge Academy, The
000585	FCI Academy
012033	Foxfire Intermediate School
143198	Great Western Academy
008286	Harvard Avenue Community School
000575	Hope Academy Northwest Campus
011534	Horizon Science Academy Dayton High School
000804	Horizon Science Academy-Cincinnati
000838	Horizon Science Academy-Denison Middle School
013173	Imagine Hill Avenue
012631	Impact Academy Cincinnati
143503	Lake Erie Academy
014065	Lincoln Park Academy
014066	Main Street Preparatory Academy
000396	Mansfield Elective Academy
010180	Mount Auburn International Academy
012054	North Central Academy
012556	Pearl Academy
010182	Performance Academy Eastland
011439	Renaissance Academy
133736	Richard Allen Academy
143560	Richard Allen Academy II
143578	Richard Allen Academy III
012627	STEAM Academy of Akron
133587	Summit Academy Akron Elementary School
000303	Summit Academy Secondary - Youngstown
000634	Summit Academy Secondary School - Middletown
000909	V L T Academy
000949	Villaview Community School
014189	West Park Academy
143313	West Preparatory Academy
000509	Whitehall Preparatory and Fitness Academy
013174	Young Scholars Prep School

* eschools are not included in the data provided since they are not eligible for the CSP subgrant as originally outlined in our proposal. Dropout prevention and recovery schools are not included in the data provided because they have a separate accountability system, which is not yet fully implemented.

2013-2014 AMO Gap Closing Measure

Annual Measurable Objectives (AMOs) Calculation

Introduction

In July, 2013, Ohio submitted an ESEA Flexibility Waiver to the U.S. Department of Education. The waiver included a proposal to stop using the old Adequate Yearly Progress (AYP) calculation and to replace it with a new Annual Measurable Objectives (AMO) Calculation. Some of the features of the AMO calculation are very similar to the AYP calculation. Other features are very different.

Like AYP, the AMO calculation measures the academic performance of specific groups of students using racial, ethnic and demographic data. Each of these groups is compared against the collective performance of all students in Ohio to determine if there are gaps in academic achievement between the different groups of students. The ten subgroups that are evaluated for the AMOs are: All Students; American Indian/Alaskan Native Students; Asian/Pacific Islander Students; Black, non-Hispanic Students; Hispanic Students; Multi-Racial Students; White, non-Hispanic Students; Economically Disadvantaged Students; Students with Disabilities (IEP); and Students with Limited English Proficiency (LEP).

As written in Ohio's ESEA waiver, there are three AMOs with targets that increase each year; one for reading proficiency, one for math proficiency, and one for graduation rate and each student group is expected to meet each AMO. The reading and math AMOs are based on Ohio's current assessments and the waiver included a statement that the annual targets would be revisited in 2015 when Ohio implements its new assessments.

AMO Annual Targets

The table below outlines the AMOs as they were approved by the U.S. Department of Education for each school year. This table can be interpreted to mean that for the 2013-14 school year, in order to reach the reading proficiency AMO, all subgroups of sufficient size are expected to have at least 84.9%% of the students score Proficient or higher; to reach the math AMO all subgroups of sufficient size will be expected to have at least 80.5% of the students score Proficient or higher; and to reach the graduation AMO all subgroups of sufficient size will be expected to have a four-year on-time graduation rate of at least 78.2%. The graduation rate data will continue to be lagged by a year as it was in the old AYP calculation, so the 2013-14 AMO will be applied to the graduating Class of 2013.

Annual Measurable Objectives (AMOs)								
Subject Area	2011-12 (Baseline Targets)	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
Reading	81.9%	83.4%	84.9%	86.4%	87.9%	89.4%	90.9%	
Mathematics	76.5%	78.5%	80.5%	82.5%	84.5%	86.5%	88.5%	
Four-Year Graduation Rate	73.6%	75.9%	78.2%	80.5%	82.8%	85.1%	87.4%	90.0%

Note: Per Ohio's waiver, the AMOs that are highlighted will be revisited when Ohio implements the new assessments in 2015.

2013-2014 AMO Gap Closing Measure

General Business Rules for Reading and Math Proficiency

Just like the old AYP calculation, the reading and math proficiency calculations include the scores of full academic year students taking the 3rd, 4th, 5th, 6th, 7th, and 8th grade Ohio Achievement Assessments and the 10th grade Ohio Graduation Tests. 11th Grade cumulative OGT results are not included. Each subgroup's results are aggregated across all tested grades within a school building or school district to determine if the AMO is met.

A subgroup must have at least 30 "accountable" students who meet the Full Academic Year to be evaluated for the reading and math AMOs. If the number of accountable students in a particular subgroup taking the reading and/or math test is less than 30 in the current year, the student group is not evaluated for the AMO on that test and the building/district will receive an "NR" ("Not Rated") designation for that student group.

The "Where Kids Count" accountability rules used to determine which test scores are included in the reading and math AMO calculations are identical to those used for the state performance indicators EXCEPT no 11th grade test data are used in the AMO calculations. Please refer to the technical documentation on the Performance Indicators for additional information and to see the coding associated with each student's scores that are included in the various proficiency calculations.

LEP students enrolled in U.S. schools for no more than 180 days of the 2013-2014 school year are not included in either the numerator or the denominator of the percent proficient calculation as long as they have not been exempted in a prior year.

10th grade foreign exchange students who have been enrolled for less than 180 days also are not included in either the numerator or the denominator of the percent proficient calculation.

Per federal guidance, percent proficient calculations are subject to the 1.0% cap on alternate assessment scores that may count as proficient for an LEA.

General Business Rules Graduation Rate

To be evaluated for the graduation rate AMO, a student group must have at least 30 students in the denominator of the calculation. Students are accountable to the last school and district where they are enrolled and the Full Academic Year Rules do not apply. If the number of accountable students in a particular subgroup is less than 30, the student group is not evaluated for the graduation rate AMO and the building/district will receive an "NR" ("Not Rated") designation for that student group.

For the graduation rate AMO, the Where Kids Count accountability rules are identical to those used for the four-year graduation rate measure. Please refer to the technical documentation on the Four-Year Graduation Rate Measure for additional information about which students are included in the graduation calculation.

For the graduation rate AMO, only the data from the four-year longitudinal graduation rate are used. This rate is calculated by dividing the number of students who graduate in four years or less with a regular or honors diploma by the number of students who form the *final adjusted cohort* for the graduating class. This final adjusted cohort includes students who are identified as first-time 9th graders four years earlier and is adjusted by:

2013-2014 AMO Gap Closing Measure

- Adding any students who transfer into the cohort either later in the 9th grade or sometime in any of the next three years; and
- Subtracting any students who transfer out, emigrate to another country, or die during that same period. *Note that students reported as transferring to another Ohio public school by a sending district must be reported as having been admitted to a receiving public district or the student will be returned to the sending district's cohort. In this document, these students are referred to as "reinstated transfers."*

Just as with the old AYP calculation, the new AMO calculation continues to count summer graduates as being "on-time" in the calculation. To allow such graduates to be included, the rate is lagged by one year which means that data on the 2014 report card represents the rate for the graduating class of 2013.

If a district has only one high school, the graduation rate for the high school may not be equal to the graduation rate for the district because some students may count in calculations only at the district level (please see the "Students Included in Calculations/WKC" document for further clarification).

For the 2014 report card, the following calculation will be used to determine the building's or district's graduation rate:

Four-Year Graduation Rate =	$ \begin{aligned} & \frac{\# \text{ of FY2013 Cohort Graduates (Summer Graduates Included)}}{\# \text{ of FY2013 Cohort Graduates (including summer grads)}} \\ & + \\ & \# \text{ of FY2013 Cohort Transfers In} \\ & + \\ & \# \text{ of FY2013 Cohort Dropouts (in any year from FY2010-FY2013)} \\ & + \\ & \# \text{ of FY2013 Cohort Non-Graduates} \\ & + \\ & \# \text{ of FY2013 Cohort Reinstated Transfers} \\ & - \\ & \# \text{ of FY2013 Cohort Transfers Out (Transfers Out to Other Ohio} \\ & \text{Public Schools Must Be Picked Up By Another District or they are} \\ & \textbf{Reinstated Transfers} \text{ that are returned to the withdrawing} \\ & \text{district's/school's denominator)} \end{aligned} $	X 100
--	--	--------------

Definitions

FY2013 Cohort Graduates: These are FY2010 First Time 9th Graders who are reported as having a *DIPLOMA DATE* and a *DIPLOMA TYPE* no later than the 2013 Graduate "G" reporting period, excluding students reported with Student Status = P or T.

FY2013 Cohort Transfers In: These are students who transfer to an Ohio public school sometime during their high school years (Grades 9-12). When a student enters the public school system for the first time, grade placement is a local decision and students are placed in the appropriate cohort based on the grade level reported in the first year that they are reported in any public school with a grade of nine or higher. The graduating Class of 2013 includes all

2013-2014 AMO Gap Closing Measure

students who transferred in and were first reported with a grade of 9 sometime during the 2009-10 school year; first reported with a grade of 10 in the 2010-11 school year; first reported with a grade of 11 in the 2011-12 school year and first reported with a grade of 12 in the 2012-13 school year.

FY2013 High School Dropouts: Are the number of students who are reported with a dropout withdrawal code (WITHDRAWAL REASON = '71', '72', '73', '74', '75', '76', '77', '79') from any school year from 2009-2010 through 2012-2013.

FY2013 Non-Graduates: Are students who remain in school at the end of four years who did not graduate for any reason including, but not limited to lack of credits, failure to pass the OGT, regular education students enrolled in a program that takes longer than four years to complete and special education students who remain in high school for more than four years per their IEP.

Reinstated Transfers: Are FY2013 cohort students reported as transferring to another Ohio Public School (WITHDRAWAL REASON = '41') who subsequently are not reported as being admitted to any receiving public district.

Transfers Out: Are students in the FY2013 cohort who are reported between the 2009-2010 and 2012-2013 school years with a withdrawal code (WITHDRAWAL REASON = '40', '41', '42', '43', '45', '46', '47') that indicates that the student transferred to some other school and is continuing with his or her education. ODE also removes students who become deceased (WITHDRAWAL REASON = '52') from the calculation. Note that students coded with a transfer code of 41 MUST be picked up by another school or district in order to be removed from withdrawing entity's graduation rate. Students who are not reported by some other public school or district become "reinstated transfers" which is defined above.

Additional Information

The calculations for the reading, math and graduation AMO sub-components are done separately. Subgroups receive between zero and 100 points based on the whether or not they meet the AMO, and if the AMO is not met they receive points based on the extent to which the gap has closed between the prior year and current year. The points earned by each subgroup are totaled separately for the three sub-components and then the three numbers are averaged to get a preliminary letter grade. Note that Dropout Recovery Community Schools do NOT receive letter grades. Instead, beginning in 2014 they will receive a rating of "Exceeds Standards", "Meets Standards" or "Does Not Meet Standards" for the AMO Measure.

For traditional entities, once the preliminary grade is determined, the calculation applies three additional criteria and if any of those conditions are met, it results in the preliminary grade being demoted by one letter grade.

Once those three demotion criteria are applied, the final grade (or designation for Dropout Recovery Schools) is issued.

2013-2014 AMO Gap Closing Measure

Reading and Math Proficiency Calculation

As was mentioned above, the reading and math proficiency AMOs are calculated separately, but the four rules governing how points are awarded are the same for both subject areas. The rules are as follows:

1. If the subgroup's current year percent proficient is greater than or equal to the current year's AMO, then 100 points are assigned.
2. If the subgroup fails to meet the AMO, but the amount of improvement in the passing percentage between the previous year and the current year is greater than or equal to the current year's gap, then 100 points are assigned (Note: this condition is met when the current year's gap is cut by more than half over the previous year's gap).
3. If the subgroup fails to meet the AMO, but the subgroup's passing percentage is improving and the amount of improvement is smaller than the current year's gap, then points awarded will be based on the following calculation:

$$\left(\frac{\text{Current Year Passing Percentage} - \text{Previous Year Passing Percentage}}{\text{AMO Goal} - \text{Current Year Passing Percentage}} \times 100 \right) = \left(\frac{\text{Amount of Improvement}}{\text{Current Year Gap}} \times 100 \right) = \text{Points Earned}$$

4. If the subgroup's current year passing percentage is less than the AMO and also is less than the previous year's passing percentage, then the gap grew and zero points are awarded.

Definitions and Business Rules

Current Year Passing Percentage: This is the number of students identified with a grade of 3 through 8 during the 2013-14 school year who took the Reading and Math Ohio Achievement Assessments (OAAs) or students with a grade of 10 who took the Reading and Math Ohio Graduation Tests (OGTs) and scored at or above the proficient level. All grades, 3 through 8 and 10, are combined into one total for each subject and for each student subgroup. Only those students who have been enrolled for a full academic year, who have taken the appropriate standard assessment (with or without accommodations) or the alternate assessment, and who meet student subgroup inclusion criteria are included in the total.

Previous Year Passing Percentage: This is the number of students identified with a grade of 3 through 8 during the 2012-13 school year who took the Reading and Math OAAs or students with a grade of 10 who took the Reading and Mathematics OGTs and scored at or above the proficient level. All grades, 3 through 8 and 10, are combined into one total for each subject and for each student subgroup. Only those students who have been enrolled for a full academic year, who have taken the appropriate standard assessment (with or without accommodations) or the alternate assessment, and who meet student subgroup inclusion criteria are included in the total.

2013-2014 AMO Gap Closing Measure

Amount of Improvement: This number is computed by subtracting the previous year's passing percentage from the current year's passing percentage. If the calculation yields a positive number, it means that improvement has been made; a negative number means that no improvement was shown and the gap has grown.

AMO Goal: This is the goal outlined in the table shown above. For 2013-14, the reading goal is 84.9% and the math goal is 80.5%

Current Year Gap: This number is computed by subtracting the current year's passing percentage from the AMO Goal. If the calculation yields a positive number, it means that the subgroup failed to meet the AMO and a gap exists; a negative number means that the AMO was met or exceeded and no gap exists. Note that if no gap exists, it will be displayed as N/A in the Secure Data Center.

In some cases, a subgroup may be gaining population and go from having fewer than 30 accountable students in the prior year (2013) to having 30 or more in the current year (2014). This means that the subgroup moves from the status of not being evaluated for the AMO to one where it is evaluated. Because the prior year's data (2013) were not used in the prior year's calculation (2013), those data also are NOT used to determine if the subgroup showed improvement in the current year (2014). In this situation, the only way that the subgroup can earn points is by having enough students pass the assessments in the current year to meet the AMO. A similar situation occurs when a new school building opens. Because the building is in its first year of operation, no prior year's data exists for any subgroup. In this case, the only way to earn points is for the subgroup to meet the current year's AMO by having enough students pass the test.

Graduation Rate Calculation

The formula for the graduation sub-component uses only the four-year adjusted cohort calculation. The five-year rate is not used. The four rules governing how points are awarded are identical to the methodology for awarding points for the reading and math AMOs. The rules are as follows:

1. If the subgroup's current year graduation rate is greater than or equal to the current year's AMO, then 100 points are assigned.
2. If the subgroup fails to meet the AMO, but the amount of improvement in the graduation rate between the previous year and the current year is greater than or equal to the current year's gap, then 100 points are assigned (Note: this condition is met when the current year's gap is cut by more than half over the previous year's gap).

2013-2014 AMO Gap Closing Measure

3. If the subgroup fails to meet the AMO, but the subgroup's graduation rate is improving and the amount of improvement is smaller than the current year's gap, then points awarded will be based on the following calculation:

$$\left(\frac{\text{Current Year Graduation Rate} - \text{Previous Year Graduation Rate}}{\text{AMO Goal} - \text{Current Year Graduation Rate}} \right) \times 100 = \left(\frac{\text{Amount of Improvement}}{\text{Current Year Gap}} \right) \times 100 = \text{Points Earned}$$

4. If the subgroup's current year graduation rate is less than the AMO and also is less than the previous year's graduation rate, then the gap grew and zero points are awarded.

Definitions and Business Rules

Current Year Graduate Rate: This is the percentage of students in the 2013 cohort who earned a regular or honors diploma within four years of entering high school.

Previous Year Graduation Rate: This is the percentage of students in the 2012 cohort who earned a regular or honors diploma within four years of entering high school.

Amount of Improvement: This number is computed by subtracting the previous year's graduation rate from the current year's graduation rate. If the calculation yields a positive number, it means that improvement has been made; a negative number means that no improvement was shown and the gap has grown.

AMO Goal: This is the goal outlined in the table above. For the 2013-14 report card, the graduation goal is 78.2%

Current Year Gap: This number is computed by subtracting the current year's graduation rate from the AMO Goal. If the calculation yields a positive number, it means that the subgroup failed to meet the AMO and a gap exists; a negative number means that the AMO was met or exceeded and no gap exists. Note that if no gap exists, it will be displayed as N/A in the Secure Data Center.

In some cases, a subgroup may be gaining population and go from having fewer than 30 students in the prior year (Class of 2012 reported in 2013) to having 30 or more in the current year (Class of 2013 reported in 2014). This means that the subgroup moves from the status of not being evaluated for the AMO to being evaluated. Because the prior year's data from the 2012 cohort were not used in the prior year's (2013) report card calculation, those data also are NOT used to determine if the subgroup showed improvement in the current year (2014 calculation). In this situation, the only way that the subgroup can earn points is by having enough students graduate to meet the AMO. A similar situation occurs when a new school building opens. In cases where no prior year data exists for any subgroup, the only way to earn points is for the subgroup to meet the current year's AMO by having enough students graduate.

2013-2014 AMO Gap Closing Measure

Preliminary Grade and Demotion Criteria

Once the points are awarded for each subgroup using the rules outlined above, they are averaged by AMO to get a sub-component score. Once each sub-component score is calculated, the three numbers are averaged to determine the Preliminary Letter Grade (or Preliminary Designation for Dropout Recovery Community Schools) that will be awarded.

It is common for districts and buildings to have a larger number of subgroups evaluated for the reading and math AMOs than are evaluated for the graduation rate AMO because the proficiency calculations can include more than one tested grade while the graduation rate only includes those students assigned to the Class of 2013 (FY2010 First Time Ninth Grade Cohort).

Ohio's ESEA Flexibility Waiver outlined that the business rule for averaging the three AMO scores would be to count each sub-component equally regardless of the number of subgroups that were evaluated for the purpose of obtaining that score.

In some cases, a school or district may not have all three sub-components. For example, an elementary or middle school will have no graduation rate and a high school that serves just 11th and 12th grade students will have no reading or math AMO scores. In those cases, the preliminary grade is based on an average of whatever sub-component scores are available.

Averaging the sub-component scores will yield a number between zero and 100 points. Once this number is computed, the three demotion criteria are applied to determine if points must be subtracted to reduce the both final number of points and the final letter grade (or designation for Dropout Recovery Schools) that are assigned.

Demotion Criteria

Four demotion criteria were originally included in Ohio's ESEA Flexibility Waiver, but Ohio received approval in August 2014 to amend its waiver for the 2013-14 school year so now there are just three criteria. For 2014, the attendance rate demotion, whereby a grade would be reduced for having a subgroup with an attendance rate less than 93% no longer applies. The three demotion criteria that still are used will be described below. Two of the criteria only apply if the preliminary grade is an "A". The other one applies to ALL letter grades.

A school or district is evaluated for all applicable demotion criteria, but can receive a maximum of only one letter grade demotion (or one designation for Dropout Recovery Schools) regardless of the number of conditions met.

In order to be subject to a demotion, the school or district must have had at least one subgroup evaluated for at least one AMO. If all of the school's or district's student groups are too small to meet the required evaluation size or if the entity has no tested grades and no graduation rate data (e.g. a single grade Kindergarten building) it will not be evaluated for any of the three demotion criteria, and will receive an "NR" for its AMO grade.

Low Performance by a Subgroup on Reading Proficiency or Math Proficiency

Ohio's waiver states that a school or district cannot earn a final letter grade of "A" if any evaluated subgroup has a proficiency percentage that is lower than 70% in either reading or math proficiency. Thus, if the preliminary grade is an "A," this calculation is applied to determine if a demotion is required.

2013-2014 AMO Gap Closing Measure

When applying this demotion, only those subgroups that have at least 30 accountable students are used in the calculation so the subgroup must have been evaluated for the reading or math AMO to have its data used to demote the final letter grade. As was explained above, the preliminary grade is awarded based on an average of the points earned for each of the three sub-components. The “low subgroup performance” demotion is made by deducting 10 points from this preliminary grade so that the “A” grade falls to the “B” range. In the one special case where a school or district has earned the maximum number of points for each subgroup and the average is a perfect 100 points, a deduction of 10.1 points is made to take the entity to the very top of the “B” range (see table below for the points that are required for each letter grade).

Note, this demotion criteria only applies to traditional schools and districts and to community schools that do not have the Dropout Recovery designation.

Low Graduation Rate by a Subgroup

Ohio’s waiver states that a school or district cannot earn a final letter grade of “A” if any evaluated subgroup has a graduation rate that is lower than 70%. Thus, this calculation is only applied if the preliminary grade is an “A”.

When applying this demotion, only those subgroups that have at least 30 students in the denominator of the graduation rate calculation evaluated, which means the subgroup must have been evaluated for the graduation AMO in order to have its data used to demote the final letter grade. As was explained above, the preliminary grade is awarded based on an average of the points earned for each of the three sub-components. The “low graduation” demotion is made by deducting 10 points from the preliminary grade so that the “A” grade falls to the “B” range. In the one special case where a school or district has earned the maximum number of points for each subgroup and the average is a perfect 100 points, a deduction of 10.1 points is made to take the entity to the very top of the “B” range (see table below for the points that are required for each letter grade).

Note, this demotion criteria only applies to traditional schools and districts and to community schools that do not have the Dropout Recovery designation.

Low Participation Rate by a Subgroup

Participation rate is used in the new calculation for traditional schools and districts and for community schools that do not have the Dropout Recovery designation to determine if any letter grade from “A” through “F” should have points deducted. The participation rate goal has not changed from the old AYP calculation; it remains at 95%.

Moreover, as with the former AYP calculation, a subgroup must have at least 40 students enrolled during the test window to be evaluated for participation. If the number of students in a particular student subgroup is less than 40, the subgroup is not evaluated for participation and the building/district will receive an “NR” for that subgroup.

2013-2014 AMO Gap Closing Measure

The following formula shows how the participation rate is calculated:

2013-2014 Participation Rate =	$\frac{\text{Number of Students in Grades 3-8 and 10 Taking the Test(Required Test Type of STR or ALT) for the 2013-2014 School Year}}{\text{Number of Students in Grades 3-8 and 10 Required to Take the Test(Required Test Type of STR or ALT) for the 2013-2014 School Year}}$	X 100
---	---	--------------

Number of students in tested grades taking the test: This is the total number of students who were enrolled in the district at the time of the March (10th grade OGT) or May (3-8 grade OAA) mathematics test administration who actually took the test. All grades, 3 through 8 and 10, are combined into one total for each subject and for each subgroup. This number includes students who had their test scores invalidated, (reported with a Score of “I”) as well as all students who took alternate assessments and received either a numerical score or had a non-scoreable assessment (reported with a Score of “S”).

Number of students in tested grades required to take the test: This is the total number of students who were enrolled in the district at the time of the March (10th grade OGT) or May (3-8 grade OAA) mathematics test administration who were required to take the tests. All grades, 3 through 8 and 10, are combined into one total for each subject and for each subgroup. This number includes all students reported in the numerator of the equation as well as students who did not take the tests even though they were required to take them.

It is important to understand that this total is **NOT** subject to “full academic year” criteria.

Note: Students reported as not taking the test because they received a waiver from ODE for a **medical emergency** are not included in either the numerator or the denominator of the participation rate calculation. LEP students enrolled in U.S. schools for the first time on or after the first day of school of the 2013-2014 school year (LEP Code = “L”) are not included in either the numerator or the denominator of the participation rate calculation for reading only. Newly arrived LEP students ARE required to take the math test and are included in that subject’s participation rate. Please note that a newly arrived LEP student also is required to take the science, social studies and writing assessments if such tests are given in the student’s grade.

For the purpose of determining if a letter grade demotion is required, the participation rate is calculated for each subgroup that has at least 40 students who are required to take the reading or math assessment and if one or more subgroups has a rate that is lower than 95%, a 10 point deduction is made to the preliminary score.

Because all students who are enrolled during the test window are expected to take the reading and math assessments, schools and districts could have situations where a subgroup does not have at least 30 “accountable” (i.e. Full Academic Year) students to be evaluated for the reading or math AMOs, but the subgroup does meet the required size of 40 “enrolled” students for the participation rate calculation. In those cases, if the subgroup has a participation rate below 95% it WILL demote the final letter grade even though that subgroup was not evaluated for the reading or math proficiency AMOs.

As was explained above, the preliminary grade is awarded based on an average of the points earned for each of the three sub-components. The “participation rate” demotion is made by

2013-2014 AMO Gap Closing Measure

deducting 10 points from this average so that a preliminary grade of “A” through “D” falls to the next lowest range.

In the one special case where a school or district has earned the maximum number of points for each subgroup and the average is a perfect 100 points, a deduction of 10.1 points is made to take the entity to the very top of the “B” range (see table below for the points that are required to be earned for each letter grade).

In cases where the school or district has an average score that is at least 10 points, but the average places the school or district in the “F” range, a demotion of ten points still is made so that the entity drops lower into the range. In cases where a building or district has fewer than 10 points when averaging its AMO scores, (e.g. a building’s average is 9.8 points) the demotion is made by deducting whatever number of points are needed to take the entity to the floor of zero points (9.8 points). Schools and districts cannot have a final score that is less than zero. Moreover, in that one case where a school or district earns zero points for each AMO and thus its sub-component average is zero, no demotion is made because that school or district is already at the floor.

Dropout Recovery Schools also are subject to the 95% participation rate and the calculation is identical to what is used for all other entities. The difference is that if a subgroup fails to meet the participation rate, a Dropout Recovery schools has just five (5) points deducted from its preliminary score and the deduction may or may not change its overall rating.

Low Attendance Rate by a Subgroup

Ohio’s original flexibility waiver included a provision to demote a letter grade in cases where a subgroup had an attendance rate lower than 93%. The state submitted an amendment to its waiver for the 2013-14 school year to remove this demotion and that proposal was approved by the U.S. Department of Education in August 2014. Therefore, for the 2014 report cards no attendance rate demotions will be made.

Final Letter Grade and Grading Scale

Once all of applicable demotion criteria are applied, a final letter grade is awarded to traditional districts, traditional schools and community schools that do not carry the Dropout Recovery designation. As was stated above, a school or district can have a maximum of ten points deducted (10.1 points will be deducted in the special case where the average is exactly 100 points). In addition, regardless of the number of demotion criteria that are met, the school or district will see its grade reduced by just one letter.

The table below shows the scale for each letter grade and the table on the following page shows an example of the AMO calculation.

Average Number of Points Earned	Letter Grade Awarded
90 - 100	A
80 - 89.9	B
70 - 79.9	C
60 - 69.9	D
Less than 60	F

2013-2014 AMO Gap Closing Measure

For Dropout Recovery Community Schools, once all of applicable demotion criteria are applied, a final designation is awarded. As was stated above, a Dropout Recovery Community School can have a maximum of five (5) points deducted. In addition, regardless of the number of demotion criteria that are met, the school will see its rating reduced by a maximum of just one level.

The table below shows the scale for each rating.

Average Number of Points Earned	Rating Awarded
33 - 100	Exceeds Standards
5 – 32.9	Meets Standards
Less Than 5	Does Not Meet Standards

Conclusions

The old AYP calculation yielded EVERY district and school an official rating of “met” or “not met.” Some schools that served students only in untested grades (e.g. a K-2 building) received the AYP rating of the school to which its students fed. ODE referred to this as a “feeder school rating.” The new AMO calculation does not use this methodology to award a letter grade to a school that, because of its grade configuration, has no proficiency or graduation rate data to evaluate.

Under the old AYP rules, a school or district also could have its AYP rating assigned using only participation rate or attendance rate data. For the new AMO calculation, these criteria are applied ONLY for the purpose of demoting a letter grade. To be evaluated for a letter grade demotion, the school must have had at least one subgroup evaluated for at least one AMO.

Because of the change to the business rules, some schools may not receive an AMO letter grade. As was explained, in order to receive a grade, a school or district must have at least one subgroup evaluated for at least one AMO among the three; reading proficiency, math proficiency or graduation rate.

If the school’s “accountable” tested student count or graduation cohort is too small to have any student group evaluated for any of the three AMOs, or if the grade configuration of the building is such that no test data and no graduation rate data exist, then no grade will be awarded and the school will see “NR” on its report card.

Finally, the old AYP calculation included a “growth” calculation that allowed schools and districts to count students who were on track towards proficiency as being proficient in the current year even though they really failed the current year’s assessments. The new AMO calculation does not include a growth calculation. Instead, each of the calculations described above are done using only the actual passing percentages from the current year and the prior year.

2013-2014 AMO Gap Closing Measure

Reading AMO Calculation									AMO Points	AMO Avg
Subgroup	2013-14% Passing	Reading AMO	Gap	AMO Status	2012-13% Passing	Improvement	Points	How Points Awarded	738.1/900 = 82.0 Reading Points	82.0 + 90.0 + 100 = 272
All Students	85%	84.9%	N/A	Met	84.5%	0.5%	100.0	AMO Met		
Black	83.9%	84.9%	1.0%	Not Met	80.9%	3.0%	100.0	Gap cut >50%		
Am. Ind./ Alas.Natve	NR	84.9%	NR	NR	NR	NR	NR	NR <30		
Asian/P Isl	86.5%	84.9%	N/A	Met	87.1%	-0.6%	100.0	AMO Met		
Hispanic	74.4%	84.9%	10.5%	Not Met	70.4%	4.0%	38.1	Gap cut <50%		
Multi-Racial	84.9%	84.9%	N/A	Met	85.2%	-0.3%	100.0	AMO Met		
White	86.2%	84.9%	N/A	Met	85.9%	0.3%	100.0	AMO Met		
Economic Disadvantgd	85.6%	84.9%	N/A	Met	82.1%	3.5%	100.0	AMO Met		
IEP	74.9%	84.9%	10%	Not Met	60.1%	14.8%	100.0	Gap cut >50%		
LEP**	82.0%	84.9%	1.4%	Not Met	NR	NR	0	AMO Not Met		
Total Points Earned By All Subgroups							738.1			
Total Possible Points							900			

** - LEP subgroup was not evaluated in 2011-12, thus points can be awarded only for meeting the AMO

Math AMO Calculation									809.6/900 = 90 Math Points	Preliminary Letter Grade
Subgroup	2013-14 % Passing	Reading AMO	Gap	AMO Status	2012-13 % Passing	Improvement	Points	How Points Awarded		272/3 = 90.7 = "A"
All Students	82.3%	80.5%	N/A	Met	81.9%	0.4%	100.0	AMO Met		
Black	76.5%	80.5%	4.0%	Not Met	70.0%	6.5%	100.0	Gap cut >50%		
Am. Ind./ Alas.Natve	NR	80.5%	NR	NR	NR	NR	NR	NR <30		
Asian/P Isl	89.6%	80.5%	N/A	Met	93.9%	-4.3%	100.0	AMO Met		
Hispanic	72.6%	80.5%	7.9%	Not Met	67.0%	5.6%	70.9	Gap cut <50%		
Multi-Racial	80.5%	80.5%	N/A	Met	81.0%	-0.5%	100.0	AMO Met		
White	82.6%	80.5%	N/A	Met	82.9%	-0.3%	100.0	AMO Met		
Economic Disadvantgd	81.6%	80.5%	N/A	Met	78.0%	3.6%	100.0	AMO Met		
IEP	56.2%	80.5%	24.3%	Not Met	46.8%	9.4%	38.7	Gap cut <50%		
LEP**	80.6%	80.5%	N/A	Met	NR	NR	100.0	AMO Met		
Total Points Earned By All Subgroups							809.6			
Total Possible Points							900			
Math AMO Sub-Component Score							93.0			

** - LEP subgroup was not evaluated in 2011-12, thus points can be awarded only for meeting the AMO

Graduation Rate AMO									400/400 = 100 Graduation Points	Final Grade
Subgroup	2012-13 % Passing	Reading AMO	Gap	AMO Status	2011-12 % Passing	Improvement	Points	How Points Awarded		Preliminary Grade = "A"; IEP subgroup has low performance in math (56.2% passing). 90.7 - 10 = 80.7 = "B"
All Students	82.0%	75.9%	N/A	Met	83.0%	-1.0%	100.0	AMO Met		
Black	78.0%	75.9%	N/A	Met	74.0%	4.0%	100.0	AMO Met		
Am. Ind./ Alas.Natve	NR	75.9%	NR	NR	NR	NR	NR	NR <30		
Asian/P Isl	NR	75.9%	NR	NR	NR	NR	NR	NR <30		
Hispanic	NR	75.9%	NR	NR	NR	NR	NR	NR <30		
Multi-Racial	NR	75.9%	NR	NR	NR	NR	NR	NR <30		
White	88.0%	75.9%	N/A	Met	81.0%	7.0%	100.0	AMO Met		
Economic Disadvantgd	84.0%	75.9%	N/A	Met	84.0%	0.0%	100.0	AMO Met		
IEP	NR	75.9%	NR	NR	NR	NR	NR	NR <30		
LEP**	NR	75.9%	NR	NR	NR	NR	NR	NR <30		
Total Points Earned By All Subgroups							400.0			
Total Possible Points							400			
Graduation AMO Sub-Component Score							100.0			

Ohio Department of Education

Technical Documentation of EVAAS Analyses

<http://education.ohio.gov/getattachment/Topics/Data/Report-Card-Resources/Progress-Measure/Technical-Documentation-of-EVAAS-Analysis.pdf.aspx>

2013-2014 Four-Year Five-Year Graduation Rate Measures

Four-Year Graduation Rate

The four-year adjusted cohort (“on time”) graduation rate is calculated by dividing the number of students who graduate in four years or less with a regular or honors diploma by the number of students who form the *final adjusted cohort* for the graduating class. This final adjusted cohort includes students who are identified as first-time 9th graders four years earlier and is adjusted by:

- Adding any students who transfer into the cohort either later in the 9th grade or sometime in any of the next three years; and
- Subtracting any students who transfer out, emigrate to another country, or die during that same period. *Note that students reported as transferring to another Ohio public school by a sending district must be reported as having been admitted to a receiving public district or the student will be returned to the sending district’s cohort. In this document, these students are referred to as “reinstated transfers.”*

In order to include summer graduates in the graduation rate calculation, the four-year graduation rate is lagged by one year so the rate on the 2014 report card represents the Four-Year rate for the graduating class of 2013.

FY2013 Cohort Graduates: These are FY2010 First Time 9th Graders who are reported as having a *DIPLOMA DATE* and a *DIPLOMA TYPE* no later than the 2013 Graduate “G” reporting period, excluding students reported with Student Status = P, Q or T.

Grade placement is a local decision and students are placed in the appropriate cohort based on the grade level reported in the first year that they are reported in any public school with a grade of nine (9) or higher. The graduating Class of 2013 includes all students who had previously been in an Ohio public school and were first reported with a grade of 9 during the 2009-2010 school year.

The cohort also includes students who were new to Ohio and who transferred in with a grade of 9 sometime during the 2009-10 school year; transfers who were first reported with a grade of 10 in the 2010-11 school year; transfers who were first reported with a grade of 11 in the 2011-12 school year and transfers first reported with a grade of 12 in the 2012-13 school year.

- If a district has only one high school, the graduation rate for the high school may not be equal to the graduation rate for the district because some students may count in calculations only at the district level (please see the “Students Included in Calculations/WKC” document for further clarification).
- Graduation rates will only be calculated for a high school that includes students in grades 10-12, inclusive. If a building does not educate the entire 10-12 grade span then a graduation rate would not be calculated for that building. A graduation rate would be calculated for the district if the district includes grades 10 through 12.

2013-2014 Four-Year Five-Year Graduation Rate Measures

- The graduation rate formula is consistent with the U.S. Department of Education’s December 2008 guidance document regarding the adjusted cohort longitudinal graduation rate.
- Students from the 2013 cohort who do not receive a diploma prior to the start of the 2013-2014 school year are counted as non-graduates and are included in the denominator of the calculation regardless of the reason that they did not graduate. This includes:
 - Students who drop out during any of the four years that the cohort is in high school
 - Non-graduates who remain in school, but did not graduate for any reason (including students who remain for more than four years per an IEP, students in a program that takes longer than four years to complete, students who fail a required course and students who fail one or more parts of the OGT)
 - Reinstated transfers who were reported as transferring to another Ohio public school for whom no admission was ever reported by the receiving district.
- Once a student is assigned to a graduation cohort, the cohort will not change regardless of the situation.

2013-14 Four-Year Graduation Rate Measure (Class 2013 Reported on 2014 LRC)	
Definition:	<p>Percentage of students in the 2013 cohort that received a regular or honors diploma during or before the end of the 2012-13 school year (INCLUDING summer 2013 graduates).</p> <p><i><u>FY2013 Cohort Graduates:</u></i> Are FY2010 First Time 9th Graders assigned to the 2013 cohort who are reported during or before the FY2013 Period G (“graduate”) with a <i>DIPLOMA DATE</i> and a <i>DIPLOMA TYPE</i> (including summer graduates).</p> <p>NOTES: If the district has only one high school, the “Graduation Rate” on the Building LRC may not be equal to the district level “Graduation Rate.”</p> <p>Graduation rates will be calculated for a high school that includes grades 10-12. If a building does not educate students in the entire 10-12 grade span then a graduation rate would NOT be calculated for that building. A graduation rate would be calculated for the district if the district includes grades 10 through 12.</p> <p><i><u>High School Dropouts:</u></i> Are the number of dropouts (WITHDRAWAL REASON = ‘71’, ‘72’, ‘73’, ‘74’, ‘75’, ‘76’, ‘77’, ‘79’) from each school year (2010-2013) for that graduating cohort.</p> <p><i><u>Non-graduates:</u></i> Are students who remain in school at the end of four years who did not graduate for any reason including, but not limited to lack of credits, failure to pass the OGT, regular education students enrolled in a program that takes longer than four years to complete and special education students who remain in high school per their IEP.</p> <p><i><u>Transfers In:</u></i> These are students who transfer to an Ohio public school sometime during their high school years (Grades 9-12). When a student enters the public school system for the first time, grade placement is a local decision</p>

2013-2014 Four-Year Five-Year Graduation Rate Measures

2013-14 Four-Year Graduation Rate Measure (Class 2013 Reported on 2014 LRC)				
	<p>and students are placed in the appropriate cohort based on the grade level reported in the first year that they are reported in any public school with a grade of nine or higher. The graduating Class of 2013 includes all students who transferred in and were first reported with a grade of 9 sometime during the 2009-10 school year; first reported with a grade of 10 in the 2010-11 school year; first reported with a grade of 11 in the 2011-12 school year and first reported with a grade of 12 in the 2012-13 school year.</p> <p><u><i>Reinstated Transfers:</i></u> Are students reported as transferring to another Ohio Public School (WITHDRAWAL REASON = '41') who subsequently are not reported as being admitted to any receiving public district.</p> <p><u><i>Transfers Out:</i></u> Are students in the FY2013 cohort who are reported between the 2009-2010 and 2012-2013 school years with a withdrawal code (WITHDRAWAL REASON = '40', '41', '42', '43', '45', '46', '47') that indicates that the student transferred to some other school and is continuing with his or her education. ODE also removes students who become deceased (WITHDRAWAL REASON = '52') from the calculation. Note that students coded with a transfer code of 41 MUST be picked up by another school or district in order to be removed from withdrawing entity's graduation rate. Students who are not reported by some other public school or district become "reinstated transfers" which is defined above.</p>			
Calculation:	<table style="width: 100%; border: none;"> <tr> <td style="width: 15%;"></td> <td style="text-align: center; border: 1px solid black; border-radius: 15px; padding: 10px;"> <div style="text-align: center;"># of 2013 Cohort Graduates</div> <hr style="width: 80%; margin: 0 auto;"/> <div style="text-align: center;"> # of FY2013 Cohort Graduates (including summer grads) + # of FY2013 Cohort Transfers In + # of Dropouts (in any year from FY2010-FY2013) + # of FY2013 Cohort Non-Graduates + # of FY2013 Cohort Reinstated Transfers - # of FY2013 cohort Transfers Out (Transfers Out to Other Ohio Public Schools Must Be Picked Up By Another District or they are Reinstated Transfers that are returned to the withdrawing district's/school's denominator) </div> </td> <td style="width: 10%; vertical-align: middle; text-align: right;">X 100</td> </tr> </table>		<div style="text-align: center;"># of 2013 Cohort Graduates</div> <hr style="width: 80%; margin: 0 auto;"/> <div style="text-align: center;"> # of FY2013 Cohort Graduates (including summer grads) + # of FY2013 Cohort Transfers In + # of Dropouts (in any year from FY2010-FY2013) + # of FY2013 Cohort Non-Graduates + # of FY2013 Cohort Reinstated Transfers - # of FY2013 cohort Transfers Out (Transfers Out to Other Ohio Public Schools Must Be Picked Up By Another District or they are Reinstated Transfers that are returned to the withdrawing district's/school's denominator) </div>	X 100
	<div style="text-align: center;"># of 2013 Cohort Graduates</div> <hr style="width: 80%; margin: 0 auto;"/> <div style="text-align: center;"> # of FY2013 Cohort Graduates (including summer grads) + # of FY2013 Cohort Transfers In + # of Dropouts (in any year from FY2010-FY2013) + # of FY2013 Cohort Non-Graduates + # of FY2013 Cohort Reinstated Transfers - # of FY2013 cohort Transfers Out (Transfers Out to Other Ohio Public Schools Must Be Picked Up By Another District or they are Reinstated Transfers that are returned to the withdrawing district's/school's denominator) </div>	X 100		

2013-2014 Four-Year Five-Year Graduation Rate Measures

2013-14 Four-Year Graduation Rate Measure (Class 2013 Reported on 2014 LRC)	
Data Elements:	<p><i>FISCAL YEAR THAT STUDENT BEGAN NINTH GRADE ELEMENT</i></p> <p><i>STUDENT PERCENT OF TIME</i></p> <p><i>HOW RECEIVED AND SENT REASON ELEMENTS</i></p> <p><i>ATTENDING BUILDING IRN ELEMENT</i></p> <p><i>SENT TO PERCENT OF TIME ELEMENT</i></p> <p><i>DIPLOMA DATE</i></p> <p><i>DIPLOMA TYPE</i></p> <p><i>EFFECTIVE END DATE</i></p> <p><i>WITHDRAWAL REASON</i></p> <p><i>ADMISSION DATE</i></p> <p><i>PROGRAM CODE</i></p>
Filter(s):	<p>Includes students who meet the following criteria:</p> <ul style="list-style-type: none"> • How Received Element = “*”, “3”, “7”, “8”, “9”, “A”, “C”, “K”, “M”, “S”, “U”, “W”, and “Y”; AND Student Percent of Time > 0. <p>OR</p> <ul style="list-style-type: none"> • Contract vocational students, resident students attending an ESC, JVS or a post-secondary institution and students attending an MR/DD program or a State School Program [Sent Reason Element of ‘CT’, ‘JV,’ ‘ES’, ‘PS’, ‘MR’, ‘OS’ ‘CR’] <p>AND</p> <ul style="list-style-type: none"> • Were assigned to the 2013 graduation cohort; [<i>FISCAL YEAR THAT STUDENT BEGAN NINTH GRADE ELEMENT=2010</i>] <p>AND</p> <ul style="list-style-type: none"> • For Graduates – Includes all students enrolled in the district’s 2013 cohort who have a valid diploma date and diploma type reported during or before the 2013 G reporting period. <p>AND</p> <ul style="list-style-type: none"> • Tuition Type Element = “D and “T” <p>AND</p> <ul style="list-style-type: none"> • For Dropouts - # of 2013 Cohort dropouts in FY2010-FY2013 - taken from the FY2010-2013 data files that meet the criteria under “Other Criteria for Dropouts” below. <p>AND</p> <p>Other Criteria for Dropouts (FY2010-FY2013)</p> <ul style="list-style-type: none"> • Have a <i>WITHDRAWAL REASON</i>= ‘71’, ‘72’, ‘73’, ‘74 or ‘75’, ‘76’, ‘77’, ‘79’.

2013-2014 Four-Year Five-Year Graduation Rate Measures

2013-14 Four-Year Graduation Rate Measure (Class 2013 Reported on 2014 LRC)																					
	<p>AND</p> <ul style="list-style-type: none"> • For Non-Graduates - # of 2013 Cohort students who remain in school, and did not graduate prior to the start of the 2013-2014 school year for any reason. <p>AND</p> <ul style="list-style-type: none"> • For Reinstated Transfers - # of 2013 Cohort students - taken from the FY2010-2013 data files that meet the criteria under “Other Criteria for “Reinstated Transfers” below. <p>AND</p> <p>Other Criteria for Reinstated Transfers (FY2010-FY2013)</p> <ul style="list-style-type: none"> • Have a <i>WITHDRAWAL REASON</i> = ‘41’ and subsequently were never reported as being admitted to any receiving public school district. 																				
Data Source:	<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="width: 25%;">FY2013 Four-Year Graduation Rate</th> <th style="width: 25%;">Reported During</th> <th style="width: 25%;">School Year Dropouts</th> <th style="width: 25%;">Summer Dropouts</th> </tr> </thead> <tbody> <tr> <td>FY2010 First time 9th Graders</td> <td>FY2010 K or FY2010 N</td> <td>FY 2010 N</td> <td>FY 2011 K</td> </tr> <tr> <td>FY2011 First time 10th Graders</td> <td>FY2011 K or FY2011 N</td> <td>FY2011 N</td> <td>FY2012 K</td> </tr> <tr> <td>FY2012 First time 11th Graders</td> <td>FY2012 K or FY2012 N</td> <td>FY2012 N</td> <td>FY2013 K</td> </tr> <tr> <td>FY2013 First time 12th Graders</td> <td>FY2013 K or FY2013 N</td> <td>FY2013 N</td> <td>FY2014 K</td> </tr> </tbody> </table>	FY2013 Four-Year Graduation Rate	Reported During	School Year Dropouts	Summer Dropouts	FY2010 First time 9 th Graders	FY2010 K or FY2010 N	FY 2010 N	FY 2011 K	FY2011 First time 10 th Graders	FY2011 K or FY2011 N	FY2011 N	FY2012 K	FY2012 First time 11 th Graders	FY2012 K or FY2012 N	FY2012 N	FY2013 K	FY2013 First time 12 th Graders	FY2013 K or FY2013 N	FY2013 N	FY2014 K
FY2013 Four-Year Graduation Rate	Reported During	School Year Dropouts	Summer Dropouts																		
FY2010 First time 9 th Graders	FY2010 K or FY2010 N	FY 2010 N	FY 2011 K																		
FY2011 First time 10 th Graders	FY2011 K or FY2011 N	FY2011 N	FY2012 K																		
FY2012 First time 11 th Graders	FY2012 K or FY2012 N	FY2012 N	FY2013 K																		
FY2013 First time 12 th Graders	FY2013 K or FY2013 N	FY2013 N	FY2014 K																		

2013-2014 Four-Year Five-Year Graduation Rate Measures

Four-Year Graduation Rate Measure - Letter Grade Assigned	
Definition:	This calculation shows which letter grade will be assigned to the schools and districts for their Four-Year Graduation Rate Measure.
Calculation:	<p>Once the Four-Year Graduation Rate is calculated using the methodology described above, a letter grade is assigned based on the following scale:</p> <p>93% - 100% - "A" 89% - 92.9% - "B" 84% - 88.9% - "C" 79% - 83.9% - "D" 0% - 78.9% - "F"</p>
Data Elements:	N/A
Filter(s):	N/A
Data Source:	N/A

2013-2014 Four-Year Five-Year Graduation Rate Measures

Number of High School Graduates Class of 2012-13	
Definition:	<p>This is the numerator for the four-year graduation rate and includes the number of students in the 2013 cohort that received a regular or honors diploma during or before the 2012-13 school year (INCLUDING summer 2013 graduates).</p> <p><i>Graduates:</i> Are students assigned to the 2013 cohort who are reported during or before the FY2013 Period G (“graduate”) with a <i>DIPLOMA DATE</i> and a <i>DIPLOMA TYPE</i> (including summer graduates).</p> <p>NOTES: If the district has only one high school, the “Graduation Rate” on the Building LRC may not be equal to the district level “Graduation Rate.”</p> <p>Graduation rates will be calculated for a high school that includes grades 10-12. If a building does not educate students in the entire 10-12 grade span then a graduation rate would NOT be calculated for that building. A graduation rate would be calculated for the district if the district includes grades 10 through 12.</p>
Calculation:	A count is taken of the number of students in the 2013 cohort reported with a <i>DIPLOMA DATE</i> and <i>DIPLOMA TYPE</i> during or before the FY2013 Period G. The full academic year criterion does NOT apply to the graduation rate.
Data Elements:	<p><i>FISCAL YEAR THAT STUDENT BEGAN NINTH GRADE ELEMENT</i> <i>STUDENT PERCENT OF TIME</i> <i>HOW RECEIVED AND SENT REASON ELEMENTS</i> <i>ATTENDING BUILDING IRN ELEMENT</i> <i>SENT TO PERCENT OF TIME ELEMENT</i> <i>DIPLOMA DATE</i> <i>DIPLOMA TYPE</i> <i>EFFECTIVE END DATE</i> <i>WITHDRAWAL REASON</i> <i>ADMISSION DATE</i> <i>PROGRAM CODE</i></p>
Filter(s):	<p>Includes students who meet the following criteria:</p> <ul style="list-style-type: none"> • Received a diploma: <i>DIPLOMA TYPE</i> = ‘1’ (Regular diploma), or ‘2’ (diploma with honors). <p>AND</p> <ul style="list-style-type: none"> • How Received Element = “*”, “3”, “7”, “8”, “9”, “A”, “C”, “K”, “M”, “S”, “U”, “W” and “Y”; AND Student Percent of Time > 0. <p>OR</p> <ul style="list-style-type: none"> • Contract vocational students, students attending a JVS or a post-secondary institution full time and students attending an MR/DD program or a State School Program [Sent Reason Element of ‘CT’, ‘JV,’ ‘PS’, ‘ES’, ‘MR’ or ‘OS’ ‘CR’] <p>AND</p> <p>Were assigned to the 2013 graduation cohort; [<i>FISCAL YEAR THAT STUDENT BEGAN NINTH GRADE ELEMENT=2010</i>]</p> <p>AND</p>

2013-2014 Four-Year Five-Year Graduation Rate Measures

Number of High School Graduates Class of 2012-13	
	<ul style="list-style-type: none">Tuition Type Element = "D" and "T"
Data Source:	Reported by the district through EMIS in FY2013 Period G or earlier

2013-2014 Four-Year Five-Year Graduation Rate Measures

Number of Students in the Four-Year Graduation Rate Cohort for Class of 2013	
Definition:	<p>This is the denominator for the graduation rate, which includes the number of students from the FY2013 cohort that received a high school diploma during or before the 2012-13 school year <i>plus</i> students who transfer in during the 2009-2010 through 2012-2013 school years, <i>plus</i> the number of high school dropouts for that graduating cohort <i>plus</i> any students who remained in school, but who did not earn a diploma before the beginning of the 2013-2014 school year for any reason <i>plus</i> any students reported as transferring to another Ohio public high school who were not subsequently reported as having been admitted to any receiving district.</p> <p><u>2013 Cohort Graduates:</u> These are FY2010 First Time 9th Graders who are reported as having a <i>DIPLOMA DATE</i> and a <i>DIPLOMA TYPE</i> no later than the 2013 Graduate “G” reporting period, excluding students reported with Student Status = P, Q or T.</p> <p><u>Transfers In:</u> These are students who transfer to an Ohio public school sometime during their high school years (Grades 9-12). When a student enters the public school system for the first time, grade placement is a local decision and students are placed in the appropriate cohort based on the grade level reported in the first year that they are reported in any public school with a grade of nine or higher. The graduating Class of 2013 includes all students who transferred in and were first reported with a grade of 9 sometime during the 2009-10 school year; first reported with a grade of 10 in the 2010-11 school year; first reported with a grade of 11 in the 2011-12 school year and first reported with a grade of 12 in the 2012-13 school year.</p> <p><u>High School Dropouts:</u> Are the number of dropouts (WITHDRAWAL REASON = ‘71’, ‘72’, ‘73’, ‘74’, ‘75’, ‘76’, ‘77’, ‘79’) from each school year (2010-2013) for that graduating cohort.</p> <p><u>Non-graduates:</u> Are students who remain in school at the end of four years who did not graduate for any reason including, but not limited to lack of credits, failure to pass the OGT, regular education students enrolled in a program that takes longer than four years and special education students who remain in high school per their IEP.</p> <p><u>Transfers Out:</u> Are students in the FY2013 cohort who are reported between the 2009-2010 and 2012-2013 school years with a withdrawal code (WITHDRAWAL REASON = ‘40’, ‘41’, ‘42’, ‘43’, ‘45’, ‘46’, ‘47’) that indicates that the student transferred to some other school and is continuing with his or her education. ODE also removes students who become deceased (WITHDRAWAL REASON = ‘52’) from the calculation. Note that students coded with a transfer code of 41 MUST be picked up by another school or district in order to be removed from withdrawing entity’s graduation rate. Students who are not reported by some other public school or district become “reinstated transfers” which is defined above.</p> <p><u>Reinstated Transfers:</u> Are students reported as transferring to another Ohio Public School (WITHDRAWAL REASON = ‘41’) who subsequently are not reported as being admitted to any receiving public district.</p>

2013-2014 Four-Year Five-Year Graduation Rate Measures

Number of Students in the Four-Year Graduation Rate Cohort for Class of 2013	
Calculation:	<p>= # of 2013 Cohort Graduates Including Summer Graduates + # of 2013 Cohort Transfers In + # of 2013 Cohort Dropouts in FY2010 – 2013 + # of 2013 Cohort Non-Graduates + # of 2013 Cohort Reinstated Transfers - # of 2013 Cohort Transfers Out</p>
Data Elements:	<p><i>FISCAL YEAR THAT STUDENT BEGAN NINTH GRADE ELEMENT</i> <i>STUDENT PERCENT OF TIME</i> <i>HOW RECEIVED AND SENT REASON ELEMENTS</i> <i>ATTENDING BUILDING IRN ELEMENT</i> <i>SENT TO PERCENT OF TIME ELEMENT</i> <i>DIPLOMA DATE</i> <i>DIPLOMA TYPE</i> <i>EFFECTIVE END DATE</i> <i>WITHDRAWAL REASON</i> <i>ADMISSION DATE</i> <i>PROGRAM CODE</i></p>
Filter(s):	<p>Includes students who meet the following criteria:</p> <ul style="list-style-type: none"> • How Received Element = “*”, “3”, “7”, “8”, “9”, “A”, “C”, “K”, “M”, “S”, “U”, “W”, and “Y”; AND Student Percent of Time > 0. <p>OR</p> <ul style="list-style-type: none"> • Contract vocational students, resident students attending an ESC, JVS or a post-secondary institution and students attending an MR/DD program or a State School Program [Sent Reason Element of ‘CT’, ‘JV,’ ‘PS’, ‘ES’, ‘MR’, ‘OS’, ‘CR’] <p>AND</p> <ul style="list-style-type: none"> • Tuition Type Element = “D” and “T” <p>AND</p> <ul style="list-style-type: none"> • Were assigned to the 2013 graduation cohort; [<i>FISCAL YEAR THAT STUDENT BEGAN NINTH GRADE ELEMENT=2010</i>] <p>AND</p> <ul style="list-style-type: none"> • For Graduates – Includes all 2013 cohort students enrolled in the district who have a valid diploma date and diploma <p>AND</p> <ul style="list-style-type: none"> • For Dropouts - # of 2013 Cohort dropouts in FY2010-FY2013 - taken from the FY2010-2013 data files that meet the criteria under “Other Criteria for Dropouts” below.

2013-2014 Four-Year Five-Year Graduation Rate Measures

Number of Students in the Four-Year Graduation Rate Cohort for Class of 2013	
	<p>AND</p> <p>Other Criteria for Dropouts (FY2010-FY2013)</p> <ul style="list-style-type: none"> • Have a <i>WITHDRAWAL REASON</i> = '71', '72', '73', '74 or '75', '76', '77', '79'. <p>AND</p> <ul style="list-style-type: none"> • For Non-Graduates - # of 2013 Cohort students who remain in school, and did not graduate prior to the start of the 2013-2014 school year for any reason. <p>AND</p> <ul style="list-style-type: none"> • For Reinstated Transfers - # of 2013 Cohort students - taken from the FY2010-2013 data files that meet the criteria under "Other Criteria for "Reinstated Transfers" below. <p>AND</p> <p>Other Criteria for Reinstated Transfers (FY2010-FY2013)</p> <ul style="list-style-type: none"> • Have a <i>WITHDRAWAL REASON</i> = '41' who subsequently are not reported as being admitted to any receiving public district.
Data Source:	Reported by the district through EMIS in FY2010 Oct. K and Yearend N; FY2011 Oct. K and Yearend N; FY2012 Oct. K and Yearend N; FY2013 Oct. K and Yearend N; Graduate G for FY2013 or earlier and FY2014 Oct. K.

2013-2014 Four-Year Five-Year Graduation Rate Measures

Five-Year Graduation Rate

The five-year adjusted cohort graduation rate is calculated by dividing the number of students who graduate in five years or less with a regular or honors diploma by the number of students who form the *final adjusted cohort* for the graduating class. This final adjusted cohort includes students who are identified as first-time 9th graders five years earlier and is adjusted by:

- Adding any students who transfer into the cohort either later in the 9th grade or sometime in any of the next three years; and
- Subtracting any students who transfer out, emigrate to another country, or die during that same period. Note that students reported as transferring to another Ohio public school by a sending district must be reported as having been admitted to a receiving public district or the student will be returned to the sending district's cohort. In this document, these students are referred to as **"reinstated transfers."**

In order to include summer graduates in the graduation rate calculation, the five-year graduation rate is lagged by one year so the rate on the 2014 report card represents the rate for the graduating class of 2012.

2012 Cohort Graduates: Are students in the 2012 Graduating Cohort who are reported during or before the FY2013 G ("graduate") reporting period with a *DIPLOMA DATE* and a *DIPLOMA TYPE*.

- Grade placement is a local decision and students are placed in the appropriate cohort based on the grade level reported in the first year that they are reported in any public school with a grade of nine (9) or higher. The graduating Class of 2012 includes all students who transferred in and were first reported with a grade of 9 sometime during the 2008-09 school year; first reported with a grade of 10 in the 2009-10 school year; first reported with a grade of 11 in the 2010-11 school year and first reported with a grade of 12 in the 2011-12 school year.
- If the district has only one high school, the "Graduation Rate" on the Building Accountability Report may not be equal to the "Graduation Rate" on the District Accountability Report.
- Graduation rates will only be calculated for a high school that includes students in grades 10-12, inclusive. If a building does not educate the entire 10-12 grade span then a graduation rate would not be calculated for that building. A graduation rate would be calculated for the district if the district includes grades 10 through 12.
- The graduation rate formula is consistent with the U.S. Department of Education's December 2008 guidance document regarding the adjusted cohort longitudinal graduation rate.
- Students from the 2012 cohort who do not receive a diploma prior to the start of the 2013-2014 school year are counted as non-graduates and are included in the denominator of the calculation regardless of the reason that they did not graduate. This includes students who dropout during any of the five years that the cohort is in high school, non-graduates who remain in school, but who do not graduate for any reason (including students who remain for more than five years

2013-2014 Four-Year Five-Year Graduation Rate Measures

per an IEP, students in a program that takes longer than five years to complete, students who failed a required course and students who failed one or more parts of the OGT) and reinstated transfers who were reported as transferring to another Ohio public school for whom no admission was ever reported by the receiving district.

- Once a student is assigned to a graduation cohort, the cohort will not change regardless of the situation.

2013-14 Five-Year Graduation Rate Measure (Class 2012 Reported on 2014 LRC)	
Definition:	<p>Percentage of students in the 2012 cohort that received a regular or honors diploma during or before the end of the 2012-13 school year (INCLUDING summer 2013 graduates).</p> <p><u>Graduates:</u> Are students assigned to the 2012 cohort who are reported during or before the FY2013 Period G (“graduate”) with a <i>DIPLOMA DATE</i> and a <i>DIPLOMA TYPE</i> (including summer graduates).</p> <p>NOTES: If the district has only one high school, the “Graduation Rate” on the Building LRC may not be equal to the district level “Graduation Rate.”</p> <p>Graduation rates will be calculated for a high school that includes grades 10-12. If a building does not educate students in the entire 10-12 grade span then a graduation rate would NOT be calculated for that building. A graduation rate would be calculated for the district if the district includes grades 10 through 12.</p> <p><u>High School Dropouts:</u> Are the number of dropouts (WITHDRAWAL REASON = ‘71’, ‘72’, ‘73’, ‘74’, ‘75’, ‘76’, ‘77’, ‘79’) from each school year (2009-2013) for that graduating cohort.</p> <p><u>Non-graduates:</u> Are students who remain in school at the end of five years who did not graduate for any reason including, but not limited to lack of credits, failure to pass the OGT, regular education students enrolled in a program that takes longer than five years to complete and special education students who remain in high school per their IEP.</p> <p><u>Transfers In:</u> These are students who transfer to an Ohio public school sometime during their high school years (Grades 9-12). When a student enters the public school system for the first time, grade placement is a local decision and students are placed in the appropriate cohort based on the grade level reported in the first year that they are reported in any public school with a grade of nine or higher. The graduating Class of 2012 includes all students who transferred in and were first reported with a grade of 9 sometime during the 2008-09 school year; first reported with a grade of 10 in the 2009-10 school year; first reported with a grade of 11 in the 2010-11 school year and first reported with a grade of 12 in the 2011-12 school year.</p> <p><u>Reinstated Transfers:</u> Are students reported as transferring to another Ohio Public School (WITHDRAWAL REASON = ‘41’) who subsequently are not reported as being admitted to any receiving public district.</p> <p><u>Transfers Out:</u> Are students in the FY2012 cohort who are reported between the 2008-2009 and 2012-2013 school years with a withdrawal code (WITHDRAWAL REASON = ‘40’, ‘41’, ‘42’, ‘43’, ‘45’, ‘46’, ‘47’) that indicates that the student</p>

2013-2014 Four-Year Five-Year Graduation Rate Measures

2013-14 Five-Year Graduation Rate Measure (Class 2012 Reported on 2014 LRC)	
	<p>transferred to some other school and is continuing with his or her education. ODE also removes students who become deceased (WITHDRAWAL REASON = '52') from the calculation. Note that students coded with a transfer code of 41 MUST be picked up by another school or district in order to be removed from withdrawing entity's graduation rate. Students who are not reported by some other public school or district become "reinstated transfers" which is defined above.</p>
Calculation:	<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: auto;"> <div style="text-align: center; margin-bottom: 10px;"># of 2012 Cohort Graduates</div> <hr style="width: 80%; margin: auto;"/> <div style="text-align: center;"> # of FY2012 Cohort Graduates (including summer grads) + # of FY2012 Cohort Transfers In + # of Dropouts (in any year from FY2009-FY2013) + # of FY2012 Cohort Non-Graduates + # of FY2012 Cohort Reinstated Transfers - # of FY2012 Cohort Transfers Out (Transfers Out to Other Ohio Public Schools Must Be Picked Up By Another District or they are Reinstated Transfers that are returned to the withdrawing district's/school's denominator). </div> </div> <div style="text-align: right; margin-top: 10px;">X 100</div>
Data Elements:	<p><i>FISCAL YEAR THAT STUDENT BEGAN NINTH GRADE ELEMENT</i> <i>STUDENT PERCENT OF TIME</i> <i>HOW RECEIVED AND SENT REASON ELEMENTS</i> <i>ATTENDING BUILDING IRN ELEMENT</i> <i>SENT TO PERCENT OF TIME ELEMENT</i> <i>DIPLOMA DATE</i> <i>DIPLOMA TYPE</i> <i>EFFECTIVE END DATE</i> <i>WITHDRAWAL REASON</i> <i>ADMISSION DATE</i> <i>PROGRAM CODE</i></p>
Filter(s):	<p>Includes students who meet the following criteria:</p> <ul style="list-style-type: none"> • How Received Element = "*", "3", "7", "8", "9", "A", "C", "K", "M", "S", "U", "W", and "Y"; AND Student Percent of Time > 0. <p>OR</p> <ul style="list-style-type: none"> • Contract vocational students, resident students attending an ESC, JVS or a post-secondary institution and students attending an MR/DD program or a State School Program [Sent Reason Element of 'CT', 'JV,' 'PS', 'ES', 'MR', 'OS' 'CR']

2013-2014 Four-Year Five-Year Graduation Rate Measures

2013-14 Five-Year Graduation Rate Measure (Class 2012 Reported on 2014 LRC)	
	<p>AND</p> <ul style="list-style-type: none">• Were assigned to the 2012 graduation cohort; [<i>FISCAL YEAR THAT STUDENT BEGAN NINTH GRADE ELEMENT=2009</i>]
	<p>AND</p> <ul style="list-style-type: none">• For Graduates – Includes all students enrolled in the district's 2012 cohort who have a valid diploma date and diploma type reported during or before the 2013 G reporting period.
	<p>AND</p> <ul style="list-style-type: none">• Tuition Type Element = “D and “T”
	<p>AND</p> <ul style="list-style-type: none">• For Dropouts - # of 2012 Cohort dropouts in FY2009-FY2013 - taken from the FY2009-2013 data files that meet the criteria under “Other Criteria for Dropouts” below.
	<p>AND</p> <p>Other Criteria for Dropouts (FY2009-FY2013)</p> <ul style="list-style-type: none">• Have a <i>WITHDRAWAL REASON</i> = ‘71’, ‘72’, ‘73’, ‘74’, ‘75’, ‘76’, ‘77’, ‘79’.
	<p>AND</p> <ul style="list-style-type: none">• For Non-Graduates - # of 2012 Cohort students who remain in school, and did not graduate prior to the start of the 2013-2014 school year for any reason.
	<p>AND</p> <ul style="list-style-type: none">• For Reinstated Transfers - # of 2012 Cohort students - taken from the FY2009-2013 data files that meet the criteria under “Other Criteria for “Reinstated Transfers” below.
	<p>AND</p> <p>Other Criteria for Reinstated Transfers (FY2009-FY2013)</p> <ul style="list-style-type: none">• Have a <i>WITHDRAWAL REASON</i> = ‘41’ and subsequently were never reported as being admitted to any receiving public school district.

2013-2014 Four-Year Five-Year Graduation Rate Measures

2013-14 Five-Year Graduation Rate Measure (Class 2012 Reported on 2014 LRC)				
Data Source:	FY2012 Five-Year Graduation Rate	Reported During	School Year Dropouts	Summer Dropouts
	FY2009 First time 9 th Graders	FY2009 K or FY2009 N	FY 2009 N	FY 2010 K
	FY2010 First time 10 th Graders	FY2010 K or FY2010 N	FY2010 N	FY2011 K
	FY2011 First time 11 th Graders	FY2011 K or FY2011 N	FY2011 N	FY2012 K
	FY2012 First time 12 th Graders	FY2012 K or FY2012 N	FY2012 N	FY2013 K

Five-Year Graduation Rate Measure - Letter Grade Assigned	
Definition:	This calculation shows which letter grade will be assigned to the schools and district for their Five-Year Graduation Rate Measure.
Calculation:	<p>Once the Five-Year Graduation Rate is calculated using the methodology described above, a letter grade is assigned based on the following scale:</p> <p>95% - 100% - "A"</p> <p>90% - 94.9% - "B"</p> <p>85% - 89.9% - "C"</p> <p>80% - 84.9% - "D"</p> <p>0% - 79.9% - "F"</p>
Data Elements:	N/A
Filter(s):	N/A
Data Source:	N/A

2013-2014 Four-Year Five-Year Graduation Rate Measures

Number of High School Graduates Class of 2011-12	
Definition:	<p>This is the numerator for the five-year graduation rate and includes the cumulative number of students in the 2012 cohort that received a regular or honors diploma during or before the 2012-13 school year (INCLUDING summer 2013 graduates).</p> <p><i>Graduates:</i> Are students assigned to the 2012 cohort who are reported during or before the FY2013 Period G (“graduate”) with a <i>DIPLOMA DATE</i> and a <i>DIPLOMA TYPE</i> (including summer graduates).</p> <p>NOTES: If the district has only one high school, the “Graduation Rate” on the Building LRC may not be equal to the district level “Graduation Rate.”</p> <p>Graduation rates will be calculated for a high school that includes grades 10-12. If a building does not educate students in the entire 10-12 grade span then a graduation rate would NOT be calculated for that building. A graduation rate would be calculated for the district if the district includes grades 10 through 12.</p>
Calculation:	A count is taken of the number of students in the 2012 cohort reported with a <i>DIPLOMA DATE</i> and <i>DIPLOMA TYPE</i> during or before the FY2013 Period G. The full academic year criterion does NOT apply to the graduation rate.
Data Elements:	<p><i>FISCAL YEAR THAT STUDENT BEGAN NINTH GRADE ELEMENT</i> <i>STUDENT PERCENT OF TIME</i> <i>HOW RECEIVED AND SENT REASON ELEMENTS</i> <i>ATTENDING BUILDING IRN ELEMENT</i> <i>SENT TO PERCENT OF TIME ELEMENT</i> <i>DIPLOMA DATE</i> <i>DIPLOMA TYPE</i> <i>EFFECTIVE END DATE</i> <i>WITHDRAWAL REASON</i> <i>ADMISSION DATE</i> <i>PROGRAM CODE</i></p>
Filter(s):	<p>Includes students who meet the following criteria:</p> <ul style="list-style-type: none"> • Received a diploma: <i>DIPLOMA TYPE</i> = ‘1’ (Regular diploma), or ‘2’ (diploma with honors). <p>AND</p> <ul style="list-style-type: none"> • How Received Element = “*”, “3”, “7”, “8”, “9”, “A”, “C”, “K”, “M”, “S”, “U”, “W” and “Y”; AND Student Percent of Time > 0. <p>OR</p> <ul style="list-style-type: none"> • Contract vocational students, students attending a JVS or a post-secondary institution full time and students attending an MR/DD program or a State School Program [Sent Reason Element of ‘CT’, ‘JV,’ ‘PS’, ‘ES’, ‘MR’ or ‘OS’ ‘CR’] <p>AND</p> <p>Were assigned to the 2012 graduation cohort; [<i>FISCAL YEAR THAT STUDENT BEGAN NINTH GRADE ELEMENT</i>=2009]</p>

2013-2014 Four-Year Five-Year Graduation Rate Measures

Number of High School Graduates Class of 2011-12	
	AND <ul style="list-style-type: none">Tuition Type Element = "D" and "T"
Data Source:	Reported by the district through EMIS in FY2013 Period G or earlier

2013-2014 Four-Year Five-Year Graduation Rate Measures

Number of Students in the Five-Year Graduation Rate Cohort for Class of 2012	
Definition:	<p>This is the denominator for the graduation rate, which includes the number of students from the FY2012 cohort that received a high school diploma during or before the 2012-13 school year <i>plus</i> students who transfer in during the 2008-2009 through 2012-2013 school years, <i>plus</i> the number of high school dropouts for that graduating cohort <i>plus</i> any students who remained in school, but who did not earn a diploma before the beginning of the 2013-2014 school year for any reason <i>plus</i> any students reported as transferring to another Ohio public high school who were not subsequently reported as having been admitted to any receiving district.</p> <p><u>2012 Cohort Graduates:</u> These are FY2009 First Time 9th Graders who are reported as having a <i>DIPLOMA DATE</i> and a <i>DIPLOMA TYPE</i> no later than the 2013 Graduate “G” reporting period, excluding students reported with Student Status = P or T.</p> <p><u>Transfers In:</u> These are students who transfer to an Ohio public school sometime during their high school years (Grades 9-12). When a student enters the public school system for the first time, grade placement is a local decision and students are placed in the appropriate cohort based on the grade level reported in the first year that they are reported in any public school with a grade of nine or higher. The graduating Class of 2012 includes all students who transferred in and were first reported with a grade of 9 sometime during the 2008-09 school year; first reported with a grade of 10 in the 2009-10 school year; first reported with a grade of 11 in the 2010-11 school year and first reported with a grade of 12 in the 2011-12 school year.</p> <p><u>High School Dropouts:</u> Are the number of dropouts (WITHDRAWAL REASON = ‘71’, ‘72’, ‘73’, ‘74’, ‘75’, ‘76’, ‘77’, ‘79’) from each school year (2009-2013) for that graduating cohort.</p> <p><u>Non-graduates:</u> Are students who remain in school at the end of five years who did not graduate for any reason including, but not limited to lack of credits, failure to pass the OGT, regular education students enrolled in a program that takes longer than five years and special education students who remain in high school per their IEP.</p> <p><u>Transfers Out:</u> Are students in the FY2012 cohort who are reported between the 2008-2009 and 2012-2013 school years with a withdrawal code (WITHDRAWAL REASON = ‘40’, ‘41’, ‘42’, ‘43’, ‘45’, ‘46’, ‘47’) that indicates that the student transferred to some other school and is continuing with his or her education. ODE also removes students who become deceased (WITHDRAWAL REASON = ‘52’) from the calculation. Note that students coded with a transfer code of 41 MUST be picked up by another school or district in order to be removed from withdrawing entity’s graduation rate. Students who are not reported by some other public school or district become “reinstated transfers” which is defined above.</p> <p><u>Reinstated Transfers:</u> Are students reported as transferring to another Ohio Public School (WITHDRAWAL REASON = ‘41’) who subsequently are not reported as being admitted to any receiving public district.</p>

2013-2014 Four-Year Five-Year Graduation Rate Measures

Number of Students in the Five-Year Graduation Rate Cohort for Class of 2012	
Calculation:	<p>= # of 2012 Cohort Graduates Including Summer Graduates + # of 2012 Cohort Transfers In + # of 2012 Cohort Dropouts in FY2009 – 2013 + # of 2012 Cohort Non-Graduates + # of 2012 Cohort Reinstated Transfers - # of 2012 Cohort Transfers Out</p>
Data Elements:	<p><i>FISCAL YEAR THAT STUDENT BEGAN NINTH GRADE ELEMENT</i> <i>STUDENT PERCENT OF TIME</i> <i>HOW RECEIVED AND SENT REASON ELEMENTS</i> <i>ATTENDING BUILDING IRN ELEMENT</i> <i>SENT TO PERCENT OF TIME ELEMENT</i> <i>DIPLOMA DATE</i> <i>DIPLOMA TYPE</i> <i>EFFECTIVE END DATE</i> <i>WITHDRAWAL REASON</i> <i>ADMISSION DATE</i> <i>PROGRAM CODE</i></p>
Filter(s):	<p>Includes students who meet the following criteria:</p> <ul style="list-style-type: none"> • How Received Element = “*”, “3”, “7”, “8”, “9”, “A”, “C”, “K”, “M”, “S”, “U”, “W”, and “Y”; AND Student Percent of Time > 0. <p>OR</p> <ul style="list-style-type: none"> • Contract vocational students, resident students attending an ESC, JVS or a post-secondary institution and students attending an MR/DD program or a State School Program [Sent Reason Element of ‘CT’, ‘JV,’ ‘PS’, ‘ES’, ‘MR’, ‘OS’, ‘CR’] <p>AND</p> <ul style="list-style-type: none"> • Tuition Type Element = “D” and “T” <p>AND</p> <ul style="list-style-type: none"> • Were assigned to the 2012 graduation cohort; [<i>FISCAL YEAR THAT STUDENT BEGAN NINTH GRADE ELEMENT=2009</i>] <p>AND</p> <ul style="list-style-type: none"> • For Graduates – Includes all 2012 cohort students enrolled in the district who have a valid diploma date and diploma <p>AND</p> <ul style="list-style-type: none"> • For Dropouts - # of 2012 Cohort dropouts in FY2009-FY2013 - taken from the FY2009-2013 data files that meet the criteria under “Other Criteria for Dropouts” below.

2013-2014 Four-Year Five-Year Graduation Rate Measures

Number of Students in the Five-Year Graduation Rate Cohort for Class of 2012	
	<p>AND</p> <p>Other Criteria for Dropouts (FY2009-FY2013)</p> <ul style="list-style-type: none"> • Have a <i>WITHDRAWAL REASON</i> = '71', '72', '73', '74', '75', '76', '77', '79'. <p>AND</p> <ul style="list-style-type: none"> • For Non-Graduates - # of 2012 Cohort students who remain in school, and did not graduate prior to the start of the 2013-2014 school year for any reason. <p>AND</p> <ul style="list-style-type: none"> • For Reinstated Transfers - # of 2012 Cohort students - taken from the FY2009-2013 data files that meet the criteria under "Other Criteria for "Reinstated Transfers" below. <p>AND</p> <p>Other Criteria for Reinstated Transfers (FY2009-FY2013)</p> <ul style="list-style-type: none"> • Have a <i>WITHDRAWAL REASON</i> = '41' who subsequently are not reported as being admitted to any receiving public district.
Data Source:	Reported by the district through EMIS in FY2009 Oct. K and Yearend N; FY2010 Oct. K and Yearend N; FY2011 Oct. K and Yearend N; FY2012 Oct. K and Yearend N; FY2013 Oct K and Yearend N; Graduate G for FY2013 or earlier and FY2014 Oct. K.

2013-2014 Performance Index Score

The Performance Index (PI) Score measures the achievement of every student regardless of their level of proficiency. Schools receive points for every level of achievement, with more points being awarded for higher passing scores. Untested students also are included in the calculation and schools and districts receive zero points for them.

For the purposes of assigning the letter grades, a PI Score of 120 is considered to be a "perfect" score. Districts and schools will receive one of five letter grades from "A" through "F" based on the percentage of total possible points earned.

Beginning with the 2012-13 school year and beyond, schools and districts will be rewarded for having students on a Formal Acceleration Plan where the student passes over a grade and takes an assessment that is in a higher grade than the student's overall grade provided the student scores Proficient or higher (such as might happen if a 5th grader takes a 6th grade math class and thus takes the 6th grade math OAA).

For the purpose of calculating the PI score, a formally accelerated student's assessment that scores in the "Proficient" range will count as if it is in the "Accelerated" range; an assessment in the "Accelerated" range will count as if it is in the "Advanced" range and an assessment in the "Advanced" range will be given a new weight of 1.3 points in the new "Advanced Plus" range.

Students who are formally accelerated with an accelerated-subject level of ten (10) or higher, but who have an "overall" grade of nine (9) or lower are NOT permitted to take the OGT early. They MUST wait until their overall grade is 10 to take the graduation test. However, when students who are accelerated do finally reach the 10th grade and take the OGT, their scores from any accelerated subjects WILL be included at the higher weight and districts will get credit for them despite the fact that they no longer are taking a test in a grade that is higher than their overall grade level.

The PI is calculated by using a weighted average of individual student performance levels on the achievement and graduation tests for grades three (3) through eight (8) and ten (10). For the purpose of creating the PI Score, ALL assessments (both standard and alternate) in ALL subject areas in the school or district are included. Note that 11th grade tests are NOT part of the PI Score calculation.

The calculation below shows the weights used in the Performance Index Score calculation.

Proficiency Level	Weight
Advanced Plus	1.3
Advanced	1.2
Accelerated	1.1
Proficient	1.0
Basic	0.6
Limited	0.3
Tests Not Taken	0.0

2013-2014 Performance Index Score

Each weighted score is multiplied by the percentage of student scores at that level. The “Where Kids Count” accountability rules used to determine which test scores are included in the PI score calculation are identical to those used for the state performance indicators EXCEPT no 11th grade test data are used in the PI Score calculation. Please refer to the technical documentation on the Performance Indicators for additional information and to see the coding associated with each student’s scores that are included in the calculation.

LEP students enrolled in U.S. schools for no more than 180 days of the 2013-2014 school year are not included in the calculation as long as they have not been exempted in a prior year.

10th grade foreign exchange students who have been enrolled for less than 180 days also are not included.

Per federal guidance, the calculation is subject to the 1.0% cap on alternate assessment scores that may count as proficient for an LEA. If a district exceeds its cap, scores are demoted from their “actual” level of Proficient, Accelerated or Advanced to the “Basic” level and will be counted at a weight of 0.6. The total count of all student scores can include up to five tests per student for students taking the OGT and two or three tests per student for those taking the OAA.

In order to have a Performance Index Score calculated, a school or district must have at least ten (10) accountable students taking one or more assessments. In cases where a school or district has fewer than ten unique students across all tested grades who have taken assessments, the data will be masked and the Performance Index Letter Grade will not be calculated.

Once the PI Score is calculated, a letter grade will be assigned based on the percentages shown below.

Percentage of Total Points Earned	Letter Grade Assigned
90% - 100%	A
80% - 89.9%	B
70% - 79.9%	C
50% - 69.9%	D
<50%	F

2013-2014 Value-Added Progress Dimension

Background

Ohio first incorporated a value-added progress dimension into its accountability system in 2007. The calculation is designed to estimate the influence of school districts and buildings have on the academic gain of student populations. Specifically, the calculation measures district and school value-added effects for each subject and grade tested in consecutive year/grade combinations.

From 2007 through 2012, the growth estimates were computed based on a single year's growth reported for the Ohio Achievement Assessments (OAAs) in math and reading for fourth through eighth grades using test data for all of the students in the school or district. Scores of "Above", "Met" or "Below" were assigned based on the amount of growth made by the students.

2012-2013 Report Card and Beyond

Beginning with the 2012-2013 school year, the value-added calculation is being used differently.

Under the "old" system, a school or district could see its final rating increase or decrease based on its value-added score. In the new system, this no longer is the case. Value-added results still are reported for the Ohio Achievement Assessments (OAA) in math and reading for fourth through eighth grades using the scores of "all students" in the school or district, but instead of receiving one of three possible ratings that affect the overall designation, districts and buildings now receive one of five letter grades of A, B, C, D, and F.

In addition, in 2013 and beyond, the calculation not only provides a single year's estimate for math, reading, and a composite for each grade and across grades, but where possible the letter grades are assigned using a multi-year average composite gain with up to three years of data.

Moreover, district and school value-added effects now are disaggregated for three subgroups of students. The subgroups that now receive reports include: a "gifted" value-added report; a "students with disabilities" value-added report; and a report that includes students whose performance places them in the "lowest quintile for achievement" on a statewide basis.

Each subgroup is a separate graded measure so districts and some schools receive up to four value-added letter grades on their report card. Just like the "overall" or "all students" value-added report, the value-added results for each subgroup analysis are reported for math, reading, and composite across grades. Because this is only the second year of disaggregating the data, a multi-year average using up to two years of data will be used to issue the letter grades for the three subgroup measures. In the future, these grades also will be assigned using a multi-year average with up to three years of data.

Once the growth estimate is calculated, each of the four value-added measures have the estimate divided by the standard error to obtain a gain index. The gain index is used to determine which letter grade the school or district receives. The letter grades are as follows:

2013-2014 Value-Added Progress Dimension

Gain Index	Grade
Greater than or equal to +2	A
Greater than or equal to +1 but less than +2	B
Greater than or equal to -1 but less than +1	C
Greater than or equal to -2 but less than -1	D
Less than -2	F

For the all students or 'overall' value-added grade, all students in grades 4-8 are used in the calculation. The paragraphs below describe which students are included in each of the three subgroup calculations.

Gifted Value Added

The Gifted value-added measure includes the math assessments from students identified as gifted in mathematics, the reading assessments of students identified as gifted in reading and both the reading and math assessments of students identified as being superior cognitive gifted.

Note that students are included in this calculation if they are *IDENTIFIED* with the appropriate gifted label; they need not be served.

The scale used to award the letter grades is as follows:

Gain Index	Grade
Greater than or equal to +2	A
Greater than or equal to +1 but less than +2	B
Greater than or equal to -1 but less than +1	C
Greater than or equal to -2 but less than -1	D
Less than -2	F

Students with Disabilities Value Added

The Students with Disabilities value added measure includes ALL students who are identified with ANY disability as of the first day of the testing window, not just those students whose disability requires an accommodation for reading or mathematics.

The scale used to award the letter grades is as follows:

Gain Index	Grade
Greater than or equal to +2	A
Greater than or equal to +1 but less than +2	B
Greater than or equal to -1 but less than +1	C
Greater than or equal to -2 but less than -1	D
Less than -2	F

2013-2014 Value-Added Progress Dimension

Lowest 20% Value Added

This calculation measures the growth of students whose test scores place them in the lowest 20% using a statewide distribution of all scores. More information on how students are identified as being in the lowest 20% can be found [here](#).

Because the current calculation is estimating the growth for the 2013-14 school year, students were identified as being in the lowest 20% by averaging their scores from the current and previous school years with each subject being averaged separately.

The scale used to award the letter grades is as follows:

Gain Index	Grade
Greater than or equal to +2	A
Greater than or equal to +1 but less than +2	B
Greater than or equal to -1 but less than +1	C
Greater than or equal to -2 but less than -1	D
Less than -2	F

Beginning in 2016, the four value added letter grades (Overall, Gifted, Students with Disabilities and Lowest 20%) will be combined to produce a Progress Component grade. The state board of education will be working on the methodology to combine the grades in the future.

High Mobility Value Added

Beginning in 2014, an additional value added letter grade is being produced for schools and districts that have a large percentage of students who are new to the school or district. This calculation, described below, is referred to as the 'high mobility' value added and it is calculated only for those entities that have a mobility rate of 25% or higher in the current school year (2013-14 for the 2014 report card). Because this grade is calculated only for a very small minority of schools and districts, it will not be used to generate the Progress Component Grade starting in 2016.

In cases where at least 25% of the students are new to the school or district in the current school year, the high mobility grade is calculated using only the test data from students who have been in the entity for at least two years. This report is designed to provide data about how well students are being served when they remain stable, in the same school or district, for multiple years in a row.

The scale used to award the letter grades is as follows:

Gain Index	Grade
Greater than or equal to +2	A
Greater than or equal to +1 but less than +2	B
Greater than or equal to -1 but less than +1	C
Greater than or equal to -2 but less than -1	D
Less than -2	F

2013-2014 Value-Added Progress Dimension

Because this is the first year that this calculation has been performed, it uses just a single year of data. In future years, a school or district will have a calculation based on up to three years of data if it has a high mobility rate for multiple years in a row.

SAS Technical Documentation

Ohio uses a contractor to calculate the value-added progress dimension scores. Additional technical documentation about the calculations can be found by clicking [here](#). This document will provide readers with information about the current calculation and about the calculation that will be used as Ohio transitions to the next generation of assessments for the 2014-15 school year.

2013-2014 K-3 Literacy Measure

K-3 Literacy Measure

Introduction

The K-3 Literacy Measure was created to report whether a school district or building is making progress in improving literacy in grades kindergarten through three. The measure uses the results from the fall reading diagnostics taken in grades Kindergarten through Grade 3 and the results from the third grade Ohio Achievement Assessments (OAA) to measure the improvement schools and districts are making moving students from “not on track” to “on track” and eventually to proficient on the OAA.

For the 2014 report card, the measure looks at which students were deemed to be “not on track” on the Kindergarten diagnostic taken in the fall of the 2012-2013 school year and gives credit for those students who improve to “on track” following the first grade diagnostic taken in the fall of the 2013-2014 school year.

Similarly, it measures the percentage of improvement from the fall 2012-13 school year first grade diagnostic to the fall 2013-14 school year second grade diagnostic, the fall 2012-13 second grade diagnostic to the fall 2013-14 third grade diagnostic and from the fall 2013-14 third grade diagnostic to the fall or spring 2013-14 school year third grade OAA.

Additionally, the measure identifies students who were never on or were removed from a Reading Improvement and Monitoring Plan** (RIMP), but do not achieve proficiency on the OAA by the spring of the third grade and uses such students to ‘demote’ the improvement percentage aggregated from the grade pairs described above.

***Note that schools must put students identified as “not on track” on the fall reading diagnostic on a Reading Improvement and Monitoring Plan within 60 days of when they take the assessment. The plan must identify the student’s specific reading deficiencies and must outline one or more interventions, services or supports that will be implemented to improve their level of literacy.*

The improvement for each grade pair is calculated separately, but the results are aggregated so that a school or district will receive just a single improvement percentage that is used to assign the K-3 Literacy letter grade.

Students Included in the Calculation

Like other accountability calculations, this measure relies on the “Where Kids Count” rules to determine whether a district or school should be held accountable for a student’s improvement. However, because the calculation follows some students across two school years, some of the timeframes are modified from what is used for other accountability calculations. The 2014 calculation includes two different timeframes for accountability.

Students who were in Kindergarten, Grade 1 or Grade 2 during the 2012-13 school year were required to be tested no later than **September 30, 2012** using whichever approved reading diagnostic that each district chose to use. Districts were required to place the K-2 students on a RIMP for the 2012-13 school year if they were deemed to be “not on track” with their literacy skills and they had to serve them with one or more reading interventions that were designed to improve their reading skills.

2013-2014 K-3 Literacy Measure

Students were then tested a second time before September 30, 2013 to determine whether those interventions were successful in improving the students' literacy levels by the time they moved to the next grade level. Because the reading interventions took place during the 2012-2013 school year, the calculation includes that school year when determining whether a district or school should be held accountable for a student's improvement. The business rules below outline which school year's data is used for each element when determining accountability. For students reported in Kindergarten through Grade 2 in the 2012-13 school year, a district will be held accountable if the following apply:

- The student was enrolled in a district for a full academic year as reported in the Majority of Attendance IRN element for the **2012-2013** school year.

AND

- The student was enrolled in the same district as of the Friday of October Count Week for the **2013-2014** School Year.

AND

- Student How Received Element for the **2012-2013** and **2013-2014** school year = "*", "3", "7", "8", "9", "A", "C", "M", "S", "U", "W", and "Y"; and Student Percent of Time for both school years > 0.

OR

- **2012-2013** and **2013-2014** school year Sent Reason Element = "CT," "JV," "ES", "PS," "MR," "OS" or "CR" (note that some codes may not be used for students in grades K-3).

OR

- For the **2012-2013** and **2013-2014** school years the student is one that your district sent to a special education cooperative program at another district. These students will be included in your district's calculation based upon the data reported by the district educating the student. The educating district would report the students with a How Received Element = "B".

AND

- For the **2012-2013** and **2013-2014** school years the Tuition Type Element = "D" and "T"

AND

- Excludes students with LEP = "L" and foreign exchange students who have been in US schools for fewer than 180 days during the **2012-2013** or **2013-14** school years.

2013-2014 K-3 Literacy Measure

Students in the third grade during the 2013-2014 school year were required to be tested no later than **September 30, 2013** and they, too, had to be placed on a RIMP and offered interventions if they were deemed to be “not on track.” The goal for districts was to improve the third graders’ reading level so that they would pass the OAA either in the October 2013 or May 2014 administrations. Since these interventions took place entirely during the 2013-14 school year, the calculation looks only at that timeframe when determining whether a district or school should be held accountable for the student’s improvement. A district will be held accountable for a third grade student if all of the following apply:

- The student was enrolled in a district for a full academic year as reported in the Majority of Attendance IRN element for the **2013-2014** school year.

AND

- Student How Received Element for the **2013-2014** school year = “*”, “3”, “7”, “8”, “9”, “A”, “C”, “M”, “S”, “U”, “W”, and “Y”; and Student Percent of Time for both school years > 0.

OR

- **2013-2014** school year Sent Reason Element = “CT,” “JV,” “ES,” “PS,” “MR,” “OS” or “CR” (note that some of these codes may not be used for 3rd grade students).

OR

- For the **2013-2014** school year the student is one that your district sent to a special education cooperative program at another district. These students will be included in your district’s calculation based upon the data reported by the district educating the student. The educating district would report the students with a How Received Element = “B”.

AND

- For the **2013-2014** school year the Tuition Type Element = “D” and “T”

AND

- Excludes students with LEP = “L” and foreign exchange students who have been in US schools for fewer than 180 days during the **2013-2014** school year.

Calculation

As was explained above, the measure focuses on students who are not on track and follows whether they improve on the next assessment to reach the on track status. The calculation is the percentage of not on track students who improve to on track or who score proficient on the OAA.

For example, a district will get credit for a student who was not on track on the kindergarten diagnostic, but improved to on track on the first grade diagnostic. If 40 out

2013-2014 K-3 Literacy Measure

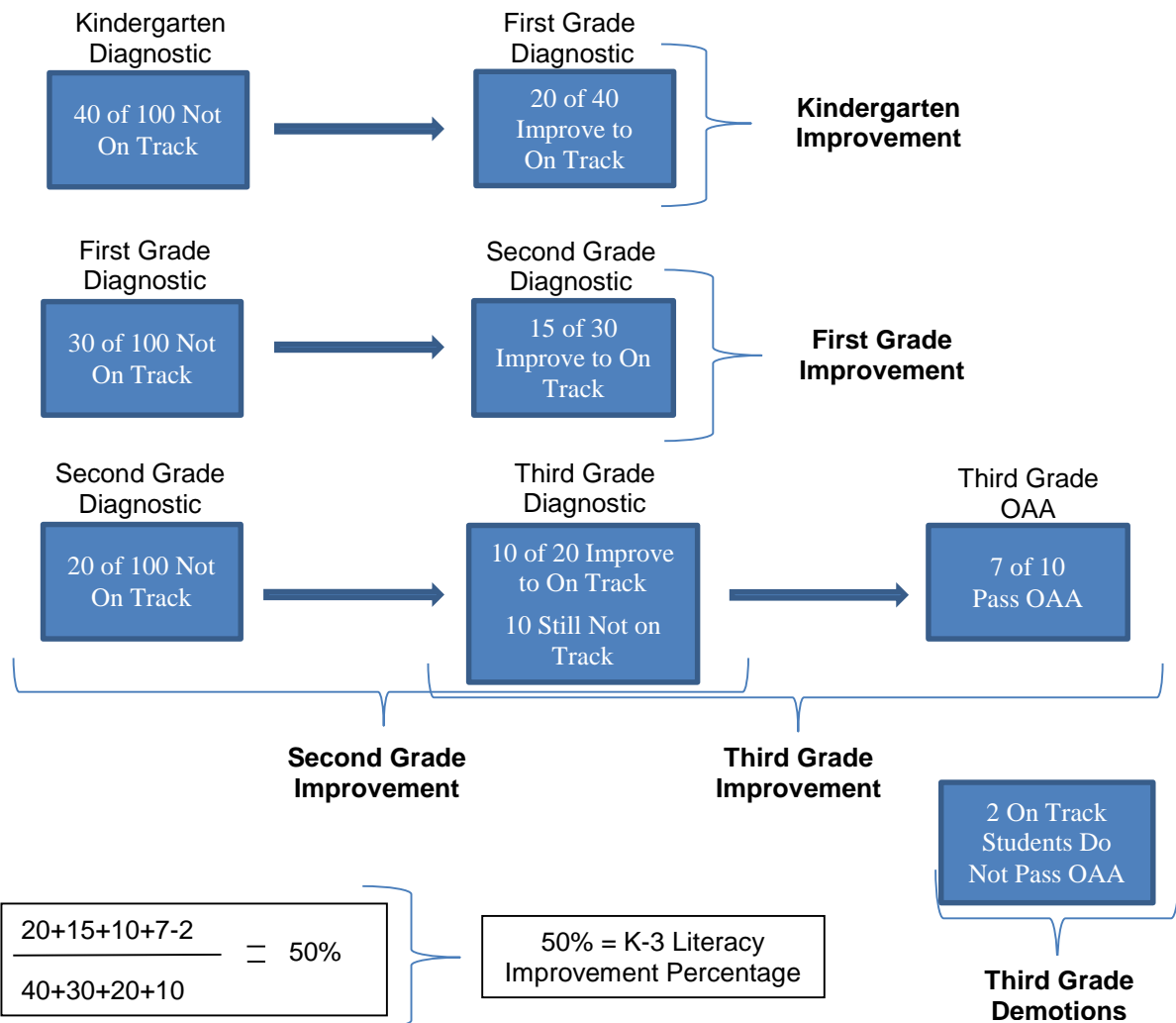
of 100 Kindergartners were not on track on the fall kindergarten test, then the percentage is calculated based on how many of those 40 students improve to be on track on the first grade test.

Similarly, the calculation provides credit for not on track first graders who improve to be on track in the second grade, and not on track second graders who improve to be on track in the third grade. In addition, credit is given for third grade students who were not on track on the fall third grade diagnostic but who score at least proficient on the third grade OAA either in the October or May administrations.

The measure also considers students who are not on a RIMP and do not reach proficient (score of 400) on the third grade Reading OAA. The K-3 Literacy score decreases the overall improvement percentage by one student for each student who has never been on or who was removed from a RIMP and does not meet the proficiency standard.

The state average will represent the minimum of the “C” range on the A-F report card. The grade range will depend on the yearly average and may change from year to year. The boxes below depict how the calculation will work.

2012-13 School Year → 2013-14 School Year



2013-2014 K-3 Literacy Measure

Additional Business Rules

Listed below are some additional business rules that are used in the K-3 Literacy calculation. It is important to understand that some of these rules are different from the business rules that allow a student to be promoted to the fourth grade. Thus it is possible for a school or district to have zero students retained, but to have less than 100% for the third grade improvement percentage.

A scaled score of 400 is needed for a student to reach the Proficient range on the third grade reading OAA and this is the minimum score that will place the student in the numerator when calculating the third grade improvement percentage. This is different than the score needed for a student to be promoted to the fourth grade. For the 2013-14 school year, a student needed a score of 392 or higher to be promoted. For 2014-15 the minimum promotion score will be 394.

Students who did not reach the promotion score on the fall or spring OAA had the opportunity to retake the test in the summer of 2014 and if they reached the minimum score they could be promoted over the summer to the fourth grade. For the purpose of the K-3 Literacy calculation, only the fall and spring OAA scores are used when calculating the third grade improvement percentage.

Students who failed to reach the promotion score on the third grade OAA also had the opportunity to take an alternative vendor assessment and if they reached the designated score for that assessment they could be promoted to the fourth grade. The K-3 Literacy calculation does not use alternative vendor assessments when calculating the third grade improvement percentage. For that calculation, only the state's fall and spring OAA scores are used.

Accountable students who were retained in Kindergarten, Grade 1 or Grade 2 between the 2012-13 and the 2013-14 school years are included in the calculation if they were deemed to be not on track in the 2012-13 school year. However, instead of looking at whether the student improved from not on track to on track across two grades (i.e. improving between Kindergarten and Grade 1) the calculation looks at whether the student improved from not on track to on track within the same grade (i.e. Kindergarten diagnostic taken in the 2012-13 school year to Kindergarten diagnostic taken in the 2013-14 school year).

Students who are retained in Grade 3 are NOT included in the calculation during their second year of third grade.

Students who are formally accelerated from Kindergarten to Grade 2 or Kindergarten to Grade 3 or who are formally accelerated from Grade 1 to Grade 3 are included if their 2012-13 reading diagnostic identified them as not being on track in that school year. The calculation will look at whether the student improved from not on track to become on track from the original grade to the accelerated grade (e.g. from Kindergarten to Grade 2).

Students who are formally accelerated from Grade 2 to Grade 4 are not included in the calculation.

2013-2014 K-3 Literacy Measure

Students who are exempt from taking the diagnostic assessments due to a ‘significant cognitive disability’ are not included in the calculation.

For ANY student with ANY disability, it is up to the student’s IEP team to decide whether he or she should be subject to retention in the third grade for failing to meet the promotion score on the third grade OAA and in some cases a student may be exempt from retention. It is important to understand that while some students are exempt from the consequences of not meeting the promotion score, their OAA data is still included in the K-3 Literacy measure for the purpose of calculating the third grade improvement percentage.

State law requires that a conversion community school’s data be rolled up to the public school district that sponsors the conversion school unless the school is a dropout recovery school. For the purpose of the K-3 Literacy measure, if the conversion school’s accountability data rolled up in both 2012-13 and 2013-14, then the K-3 Literacy data will be included in the list of elements that roll to the district that sponsors the school in 2014.

The law also permits a start-up community school to have a data roll up agreement with the school district where the start-up school is located if the two entities so desire. For the purpose of the K-3 Literacy measure, if the start-up school’s accountability data rolled up to its resident district in both 2012-13 and 2013-14, then the K-3 Literacy data will be included in the list of elements that roll to the district in 2014.

In some cases, a student who was required to be assessed with a diagnostic may not have been given the test in either the previous or current school year. The table below shows how students are counted based on whether the missing score is from the previous or current school year and based on the result from the test taken in the other year.

2012-13 School Year	2013-14 School Year	Result for K-3 Calculation
Tested with diagnostic – deemed to be not on track	Required to be tested, but test never administered	Deemed to be not on track; Included in denominator, but not numerator
Tested with diagnostic – deemed to be on track	Required to be tested, but test never administered	Not included in calculation because of 2012-13 “on track” status
Required to be tested, but test never administered	Tested with diagnostic – deemed to be not on track or tested with OAA and did not pass	Deemed to be not on track based on current year’s status; Included in denominator, but not numerator
Required to be tested, but test never administered	Tested with diagnostic – deemed to be on track or tested with OAA and passed	Not included in calculation because of the 2013-14 ‘on track’ or passing status

As was mentioned above, state law requires that the statewide average improvement percentage is the percentage that represents the bottom of the “C” grade range. The total range between the statewide average and 100% will be divided into three equal

2013-2014 K-3 Literacy Measure

intervals for the purpose of setting the “A”, “B” and “C” grade ranges. An equal interval will be subtracted from the statewide average for the purpose of setting the “D” grade range. Because the state average will not be known until all reporting is final, no letter grades will be awarded until just before the report cards are released.

Finally, a provision in state law says that any school or district that has fewer than five percent of their Kindergartners reading below grade level in the current school year (2013-14 for the 2014 report card) will not receive a letter grade for this measure.

Ohio's Dropout Recovery Community School Report Card

Ohio changed how it evaluated the academic performance of dropout recovery community schools with the introduction of the Dropout Recovery Community School Report Card, at the end of school year 2012-2013. The Dropout Recovery Community School Report Card is being phased in over several years, with full implementation occurring with the 2014-2015 publication.

Beginning in August 2013, qualifying schools were evaluated on this report card using measures and labels that were alternative to those applied to traditional public schools and districts and alternative to traditional community schools. The 2012-2013 report card presented data for several components and indicators, but no ratings were assigned. The measures were rated for the first time on the 2013-2014 report card and some additional measures were reported in the same year. When the 2014-2015 report card is published, all components and indicators will be reported and/or rated, and an overall rating will be applied to each school.

The measures and components that will be on the 2014-15 report card are:

Graduation: This component separately measures the percentage of students who graduate within four, five, six, seven or eight years of entering the 9th grade in five measure ratings. The numerators and denominators from each of the five rates will be combined to create the graduation component rating.

Achievement: This component measures the percentage of students who pass all five graduation tests by the time they reach the 12th grade or by the time they are within three months of turning age 22.

Gap Closing: This component measures how well a school is doing in narrowing gaps in reading, math and graduation rate among students identified in up to ten student subgroups.

Progress: This component measures the average annual gain made by the group of students in reading and mathematics.

Student Post-Secondary Outcomes: This component reports additional student outcome data relevant to the college and career readiness of students enrolled in dropout recovery schools. (Note - This is not a rated component)

History

In August, 2013, the Dropout Recovery Report Card reported performance on graduation (measured by the 4, 5 and 6 year graduation rates), achievement (measured by the assessment passage rate), and gap closing (measured by annual measurable objectives). Comparison data based on the data of all dropout recovery community schools was reported for graduation and achievement, but not for gap closing. The same measures were both reported AND rated on the 2013-2014 Dropout Recovery Report Card. In addition, a 7-year graduation rate was added in 2014 and it too received a rating.

Current Year

The 2014-2015 Dropout Recovery Report Card will add an 8-year graduation rate and a measure of progress, which will use scores from the NWEA MAP assessment to gauge how much growth students in each school made in reading and math. Ratings will be assigned for all measures, except for the Student Post-Secondary Outcomes measure, and an overall rating will also be assigned for each school.

The pages below outline in more detail how each measure is calculated and how the ratings are derived.

**Understanding Ohio's New
Dropout Recovery Community School Report Card**

Component:	Graduation
Measures:	Four-Year Graduation Rate and Rating Five-Year Graduation Rate and Rating Six-Year Graduation Rate and Rating Seven-Year Graduation Rate and Rating Eight-Year Graduation Rate and Rating
Description:	<p>Graduation is measured by on-time and extended year cohort graduation rates.</p> <ul style="list-style-type: none">• The Four-Year Graduation Rate includes as graduates only those students who earn a diploma within four years of entering the ninth grade for the first time.• The Five-Year Graduation Rate includes those students who graduate within five years of entering ninth grade for the first time.• The Six-Year Graduation Rate includes those students who graduate within six years of entering ninth grade for the first time.• The Seven-Year Graduation Rate includes those students who graduate within seven years of entering ninth grade for the first time.• The Eight-Year Graduation Rate includes those students who graduate within eight years of entering ninth grade for the first time. <p>According to the U.S. Department of Education, the median of earnings in 2013 for young adults without a high school diploma or its equivalent was \$23,900, for those with a high school diploma or its equivalent was \$30,000, for those with an associate's degree was \$37,500, and for those with a bachelor's degree was \$48,500. In other words, young adults with a bachelor's degree earned more than twice as much as those without a high school diploma or its equivalent in 2010.</p>
Technical Fact:	<p>In 2010, Ohio transitioned to a new method of calculating the graduation rate required by the federal government. This allows for comparisons of the Four-Year and Five-Year graduation rates between Ohio and other states. The Six-, Seven- and Eight-Year</p>

calculations are based on the same methodology used in calculating the earlier rates.

Rating: The ranges for the graduation rate measures vary. New ranges were adopted by the state board for the 2014-15 report card.

Four-Year Graduation Rate

Score	Rating
36% - 100%	Exceeds Standards
8% - 35.9%	Meets Standards
Less than 8%	Does Not Meet Standards

Five-Year Graduation Rate

Score	Rating
40% - 100%	Exceeds Standards
12% - 39.9%	Meets Standards
Less than 12%	Does Not Meet Standards

Six-Year Graduation Rate

Score	Rating
40% - 100%	Exceeds Standards
12% - 39.9%	Meets Standards
Less than 12%	Does Not Meet Standards

Seven-Year Graduation Rate

Score	Rating
40% - 100%	Exceeds Standards
12% - 39.9%	Meets Standards
Less than 12%	Does Not Meet Standards

Eight-Year Graduation Rate

Score	Rating
40% - 100%	Exceeds Standards
12% - 39.9%	Meets Standards
Less than 12%	Does Not Meet Standards

Component: The numerators from the five individual graduation rates and the denominators from the five rates are combined to calculate a graduation component percentage. A rating will be assigned using the following scale.

Graduation Component Rating

Score	Rating
40% - 100%	Exceeds Standards
12% - 39.9%	Meets Standards
Less than 12%	Does Not Meet Standards

**Understanding Ohio's New
Dropout Recovery Community School Report Card**

Component: Achievement

Measures: Assessment Passage Rate

Description: Achievement is measured by the assessment passage rate. Students in Ohio's dropout recovery community schools take the same tests required of other Ohio students in order to graduate, currently the Ohio Graduation Tests and the new end-of-course exams. In 2015, the new assessments were administered only to students in grades 9 and lower. Students in grades 10 and higher continued to be assessed using the Ohio Graduation Test, which covers the content areas of Reading, Writing, Mathematics, Science and Social Studies. The Assessment Passage Rate is a measure of the percentage of students in grade 12, or within three months of turning age 22, who have passed all tests required for graduation. Because the new assessments are being phased in, only the Ohio Graduation Test data will be used to calculate the 2015 ratings. In future years, when students in the 12th grade are taking the new assessments, the measure will incorporate these test scores into the calculation.

Technical Facts: The assessment passage rate calculation includes only students who are in grade 12 or are within three months of turning age 22.

Rating: Assessment passage rate was subject to a rating for the first time on the 2013-2014 Dropout Recovery Community School Report Card. New ranges were adopted by the state board of education for the 2014-15 report cards.

Assessment Passage Rate

Score	Rating
68% - 100%	Exceeds Standards
32% - 67.9%	Meets Standards
Less than 32%	Does Not Meet Standards

**Understanding Ohio's New
Dropout Recovery Community School Report Card**

Component: Gap Closing

Measures: Annual Measurable Objectives (AMOs)

Description: Gap closing is measured by annual measurable objectives. Annual measurable objectives (AMOs) examine the academic performance of specific subgroups of students in reading, mathematics and graduation. Each of these groups is compared against the collective performance of all students in Ohio to determine if there are gaps in academic achievement between groups of students.

Technical Facts: Annual measurable objectives compare school performance for up to 10 student groups in reading, math and graduation to state performance for all students, assigning a rating for efforts to close achievement gaps in all applicable groups. These student groups, which are the same groups measured previously by Adequate Yearly Progress (AYP), are:

- All Students
- American Indian/Alaskan Native
- Asian/Pacific Islander
- Black, non-Hispanic
- Hispanic
- Multiracial
- White, non-Hispanic
- Economically Disadvantaged
- Students with Disabilities
- Limited English Proficiency

Rating: The ranges for Gap Closing and Annual Measurable Objectives ratings are outlined in Ohio's ESEA flexibility waiver. New ranges were adopted by the state board of education for the 2014-15 report cards.

Annual Measurable Objectives

Score	Rating
36% - 100%	Exceeds Standards
1% - 35.9%	Meets Standards
Less than 1%	Does Not Meet Standards

**Understanding Ohio's New
Dropout Recovery Community School Report Card**

Component: Progress

Measures: Reading Gains
Mathematics Gains

Description: Progress is measured through the use of the NWEA Measure of Academic Progress (MAP) assessment. Students are tested at least twice a year in reading and mathematics, and the scores are used to measure the academic growth made by the students. Just because a school may have a low achievement level in a given year does not mean that students are not learning. In fact, there may be a great deal of academic growth taking place moving students toward academic success. Conversely, there is a misconception that high achievers have met their potential and can no longer advance their learning. This measure highlights the importance of providing the curriculum and instruction that will help *all* students to grow academically every year.

Technical Facts: NWEA's Measure of Academic Progress (MAP) assessment was identified through the competitive bidding process and students' scores will be used for this component.

Rating: The ranges for the Progress rating are as follows:

<u>Progress Score</u>	Rating
+2 and higher	Exceeds Standards
Greater or equal to -2 but less than +2	Meets Standards
Less than -2	Does Not Meet Standards

**Understanding Ohio's New
Dropout Recovery Community School Report Card**

Component:	Student Postsecondary Outcomes
Measures:	Postsecondary Credit Earned Nationally Recognized Career or Technical Certification Military Enlistment Job Placement Attendance Rate Progress on Closing Achievement Gaps
Description:	<p>Student Postsecondary Outcomes is a unique component that speaks to college and career readiness. It contains six measures that do not receive a grade; they are only reported on the Dropout Recovery Community School Report Card. Additionally there is no component grade based on the percentage of a dropout recovery community school's graduating class's demonstration of student postsecondary outcomes.</p> <p>Reporting multiple measures for postsecondary outcomes allows dropout recovery community schools to showcase their unique approaches for college and career readiness. For example, some schools may focus on military or other job placement while others focus on encouraging students to earn postsecondary credit.</p>
Technical Facts:	Schools were able to report some of these data for the first time in EMIS in late 2014 and early 2015. These data will be reported on the 2015 report card. Other data (such as military enlistment and job placement data) will be phased in as they become available to the department.
Rating:	There are no ratings associated with Post-Secondary Outcomes or its measures.

Understanding Ohio's New Dropout Recovery Community School Report Card

Rating: Overall Rating

Components: Graduation
Assessment Passage Rate
Gap Closing
Progress

Description: Schools are assigned points based on the rating assigned to each component using the table below.

Component	Exceeds Expectations	Meets Expectations	Does Not Meet Expectations
Graduation	30	20	0
Assessment Passage Rate	20	10	0
Gap Closing	20	10	0
Progress	30	20	0

The points are totaled for each school and the total is divided by the number of points possible.

Technical Facts: If a component is not rated, it does not factor into the calculation.

Rating: A final rating is assigned based on the percentage of points earned using the table below.

Component	Rating
At least 80% of Possible Points	Exceeds Expectations
At least 40% but Less than 80%	Meets Expectations
Less than 40%	Does Not Meet Expectations



UNITED STATES DEPARTMENT OF EDUCATION
Office of Innovation and Improvement

September 14, 2016

Paolo DeMaria
Superintendent of Public Instruction
Ohio Department of Education
25 South Front Street
Columbus, OH 43215

Re: Charter Schools Program; PR Award No. U282A150023

Dear Mr. DeMaria:

I am writing to inform you that the U.S. Department of Education (Department) has completed its supplemental review of the application for funds submitted by the Ohio Department of Education (ODE) under the Fiscal Year (FY) 2015 Charter Schools Program (CSP) State Educational Agencies (SEAs) grant competition. Our review, among other things, focused on verifying the accuracy of the information presented in ODE's grant application and on assessing ODE's ability to administer its grant consistent with the high standards for quality, accountability, and transparency that are critical components of effective charter school program administration and oversight. In this letter, we summarize the results of our review and the next steps in the grant process.

As you know, on September 28, 2015, the Department approved ODE's grant in the amount of \$32,671,373 and attached special conditions to the grant. In a letter dated November 4, 2015 to Dr. Richard Ross, former Superintendent of Public Instruction, we requested that ODE refrain from drawing down any funds under the grant and informed ODE of our intent to place the grant on "route payment," requiring all payment requests to be routed to the program office for approval prior to funds being released. The November 4th letter also requested specific information from ODE to assist the Department in verifying the accuracy and completeness of ODE's grant application and assessing whether ODE would be able to carry out its proposed project in accordance with statutory and regulatory requirements and the terms of the approved application, including all of ODE's grant-related assurances.

In our review of ODE's application and the additional information submitted by ODE, the Department did not identify any significant inaccuracies in ODE's approved grant application. However, as a matter of due diligence and based on the significant concerns described in the November 4th letter and additional concerns identified during our supplemental review, we determined that there was a need for a higher level of public transparency, public accountability, and public engagement regarding ODE's oversight of Ohio's charter school sector. In light of these considerations, the Department is designating ODE's CSP SEA grant as "high-risk" in accordance with 2 CFR §§ 200.207 and 3474.10. As part of this "high-risk" designation, we are imposing certain High-Risk Special Conditions on ODE's CSP SEA grant that will help ODE and the Department more clearly determine ODE's ongoing compliance with applicable requirements and the terms of the approved grant application and help ensure that any challenges related to the administration of the grant are identified early and in a transparent manner so that they can be addressed expeditiously.

In making this determination and designation, the Department has taken into consideration a number of factors, including, but not limited to: the circumstances under which a key ODE staff member departed; concerns expressed by various state and congressional leaders from Ohio; information contained in various investigatory and audit reports involving findings related to Ohio's charter schools and ODE's performance and capacity in implementing Federal and state program oversight functions; and implementation issues related to ODE's Authorizer Quality Performance Review system that could have a direct impact on ODE's administration of the grant. The Department's determination also reflects our assessment that ODE must put into place additional mechanisms to help earn the public's confidence in its ability to act as a proper steward of its Federal grant funds on behalf of Ohio's families and students. These additional High-Risk Special Conditions (as well as the Special Conditions attached to the Grant Award Notification (GAN)) will remain in place for the duration of the grant or until ODE is able to successfully demonstrate the establishment of internal controls, and a level of enhanced accountability and transparency that ensure that ODE can adhere to the requirements of the CSP SEA grant to the Department's satisfaction. While we expect that ODE will comply with the High-Risk Special Conditions and the Special Conditions in the GAN by implementing an effective and compliant program, please note that failure to meet these or other grant requirements and conditions may constitute a material failure to comply with the requirements of the grant, subject to further enforcement actions.

ODE may request reconsideration of the “high-risk” designation of this grant by submitting a written request for reconsideration to Nadya Chinoy Dabby, Assistant Deputy Secretary for Innovation and Improvement, within 10 days of the date of this letter. Any request for reconsideration must state the specific reasons ODE believes the “high-risk” designation for this grant is inappropriate. The request for reconsideration may be submitted via e-mail to Kathryn.Meeley@ed.gov.

ODE may begin conducting activities under its CSP SEA grant and drawing down funds from the Department’s G5 Grants Management System, subject to the High-Risk Special Conditions and the Special Conditions in the GAN as described in the Attachment to this letter (collectively, “the Special Conditions”) and applicable statutory and regulatory requirements. The Special Conditions are designed to help ensure effective grant performance and implementation of ODE’s CSP SEA grant. The Special Conditions will be reviewed and updated, as appropriate, by the Department throughout the grant performance period.

Of special note, ODE will continue on “route payment” so that all payment requests are routed to the Department for approval prior to any funds being released. Additionally, in order to address concerns related to ODE’s implementation of its authorizer evaluation system and broader accountability mechanisms, particularly with respect to dropout recovery charter schools, we have included High-Risk Special Conditions that will require Department approval of ODE’s plans for awarding subgrants, with additional prerequisites for awarding subgrants to dropout recovery charter schools. Additionally, to facilitate public transparency with respect to the administration of ODE’s CSP SEA grant, we have included a High-Risk Special Condition that requires ODE to submit semiannual reports to the Department that detail activities and expenditures related to its CSP SEA Grant. Finally, in order to address concerns regarding ODE’s internal controls, to strengthen transparency, and to provide visibility and reporting to the public with respect to ODE’s CSP SEA grant, we have included High-Risk Special Conditions that require ODE to hire an independent monitor and to form a Grant Implementation Advisory Committee (Advisory Committee). The independent monitor—with approval by the Department—will perform periodic “agreed-upon procedures” that address the major areas of program implementation risk, including procedures for monitoring and reporting of expenditures of the SEA and subgrantees. The Advisory Committee will consist of representatives from key stakeholder groups and will provide assistance and oversight to ODE throughout the implementation process. When forming the Advisory Committee, in addition to representatives from the Ohio charter school sector, we strongly encourage ODE to actively consult with educators, school leaders, and families with children currently or formerly enrolled in charter schools. The Department will work with ODE in operationalizing all Special Conditions and we will monitor and approve the selection process for the independent monitor and Advisory Committee.

The Special Conditions are in addition to statutory provisions that exclude for-profit charter schools from receiving CSP grants and subgrants. We also note that in accordance with ODE’s FY 2015 grant application, virtual charter schools are ineligible to receive CSP funds. Finally, we strongly encourage ODE to review and adhere to the standards in non-regulatory guidance that we have published regarding contracting relationships between charter school subgrantees and for-profit management companies (i.e., “education management organizations”, or EMOs). The guidance clarifies the systems that must be in place—and that will be monitored closely by the Department, including but not limited to systems that provide for increased public transparency— in the event that non-profit CSP subgrantees choose to contract with for-profit entities.

As ODE implements its CSP SEA grant, the Department will continue to work with ODE to monitor grant activities and provide technical assistance, as necessary, to ensure that CSP funds are awarded only to charter school developers demonstrating the capacity to create high-quality charter schools and to expand high-quality charter schools that are authorized by high-quality authorizers, as determined by ODE’s Authorizer Quality Performance Review system. The Department will also work with ODE, the independent monitor, and the Advisory Committee to support ODE’s efforts to develop accountability systems and structures that support the growth of high-quality charter schools and that hold authorizers, charter schools, and management organizations accountable.

We are encouraged by the reforms put in place by Ohio’s House Bill 2 (HB 2) to strengthen charter school authorizer oversight and charter school accountability and we appreciate the written and public assurance that ODE has provided to confirm that the state will be able to implement the requirements of HB 2, including the requirement to complete the Authorizer Quality Performance Review process by October 15, 2016. The Department recognizes that ODE has had some early challenges in implementing HB 2, and we will carefully monitor the execution of the review process and the results. The review process is critical to effective charter school program administration and oversight, and we expect that ODE will take performance and accountability for all schools into account in the context of awarding CSP SEA subgrants. We further expect that ODE will do all it can to ensure that the review process reflects the rigorous oversight of authorizers that was described in ODE’s approved grant application and establishes high standards for performance and accountability, and that ODE will be transparent with the

Department and the public if it experiences further challenges in this area, in particular with the implementation of the combined components for the overall authorizer rating.

As the charter sector continues to grow in Ohio, it is even more vital that ODE expend every effort to uphold the highest standards of quality, accountability, and transparency. The Department appreciates ODE's cooperation throughout our supplemental review process and supports Ohio's goal of improving educational opportunities for all of its students, especially educationally disadvantaged students, through high-quality public charter schools. We look forward to working with Ohio as the state continues to improve its system for developing high-quality public charter schools where all students can thrive. All public schools—whether traditional or public charter schools—must strive to provide an excellent education and be accountable to the students and families they serve. We will continue to work with ODE to ensure that all charter schools provide a high quality education, and to take action when charter schools do not meet that bar. Please let us know if you have any questions about any of the matters discussed in this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stefan Huh', written in a cursive style.

Stefan Huh
Director
Charter Schools Program
Enclosure

Ohio Department of Education's CSP SEA Grant (U282A150023)
High-Risk Special Conditions and Special Conditions in the Grant Award Notice
September 14, 2016

High-Risk Special Conditions:

1. ODE's CSP SEA grant shall continue on route payment so that all payment requests are routed to the program office for approval prior to any funds being released. In addition, within 10 days of being notified of this condition and subsequently at least thirty days before the beginning date of each six month budget period of the grant (October 1 and April 1), ODE must provide to the Department an itemized budget that the program office will review and approve, as appropriate. When a payment request is submitted in the G5 system, ODE must provide to the Department documentation of all expenditures and supporting evidence to justify the allowability of all costs included in the payment request. All requests shall be submitted to the Department in a timely manner and will allow for, at minimum, 48 hours turnaround time for program office review.
2. ODE shall hire an independent monitor—approved by the Department—to perform periodic “agreed-upon procedures” (AUPs) that address the major areas of program implementation risk, including monitoring the SEA and subgrantees. The independent monitor will be hired at least 30 days prior to publishing the first Request for Applications (RFA) under ODE's CSP SEA grant. The scope of these AUPs will be developed by ODE in a process monitored by the Department. The Department will have direct, unfiltered access to the independent monitor and the records of the monitor, and the Department will require that any reports produced by the independent monitor be made available to the public. The independent monitor may be paid out of CSP SEA grants funds. The independent monitor will cost no more than \$250,000 per year.
3. ODE must submit to the Department quarterly performance reports (January 1, April 1, July 1, and October 1 of each year for the duration of the grant).
 - a. The performance reports shall describe all grant activities and expenditures (capturing activity through the last day of the prior month), including the following information:
 - i. updates on grant project timelines;
 - ii. updates on the timeline for implementing the Authorizer Quality Performance Review, and how the implementation status impacts the grant budget; and
 - iii. updates on audit findings and resolutions of audits involving charter schools in Ohio including the authorizers' responsibility and involvement.
 - b. Semiannually (January 1 and July 1 of each year) the performance report shall also:
 - i. include a report on all obligations, expenditures, revenues, and activities under the grant, including:
 1. a listing of the specific entities awarded CSP subgrants and the amount of those subgrants;
 2. the authorizer of each subgrantee;
 3. a description of the process by which subgrantees were selected for funding, including the criteria for evaluating subgrant applicants, and the scores and comments from subgrant competition peer reviewers;
 4. other information that the Department may determine is necessary to ensure public transparency and accountability regarding ODE's CSP SEA grant program; and
 - ii. be made available to the public and reviewed by the independent monitor under the agreed-upon procedures discussed in condition 2 above.
4. ODE shall establish a Grant Implementation Advisory Committee (Advisory Committee). The Advisory Committee will consist of representatives from key stakeholder groups in Ohio such as nonprofits with relevant expertise in charter school authorizer quality; state charter school organizations; institutes of higher education with particular expertise in performance management; high-quality charter management organizations; and organizations that represent the interests of families with children in charter schools. In addition, ODE may wish to include representatives of national organizations with expertise in charter school oversight and quality. ODE will create a charter for the Advisory Committee that sets forth roles, responsibilities, and membership, and includes rules that will address any potential conflict of interest issues; the charter will be subject to review and approval by the Department. The Advisory Committee shall not receive any compensation from ODE's CSP SEA grant funds and shall be formed at least 30 days prior to ODE publishing the first RFA under ODE's CSP SEA grant. The Advisory Committee will provide and ensure additional accountability with respect to implementation of ODE's CSP SEA grant, to include co-signing the semiannual reports produced as part of condition 3 above.
5. ODE shall develop a comprehensive plan for administering its CSP SEA grant effectively and efficiently for the duration of the grant's performance period. This plan must be submitted for review and approval by the

Department prior to ODE conducting a CSP subgrant competition and at a minimum, must describe the systems and processes ODE will implement for the following:

- a. authorizer evaluation and quality control, including an assurance that ODE will, in the context of designing the subgrant competition, awarding, and monitoring CSP subgrants, take into account:
 - i. the final authorizer ratings from the authorizer review process as well as, if appropriate, any additional information that reflects on authorizer performance; and
 - ii. any additional information that may indicate increased risk when reviewing and monitoring compliance for an authorizer's full universe of charter schools;
 - b. subgrantee eligibility screening;
 - c. the RFA process, including a copy of the RFA for review and approval by the program office prior to publication;
 - d. the competitive subgrant awards process, including:
 - i. pre-application training;
 - ii. selection and training of reviewers;
 - iii. budget reviews, internal screening, and risk assessment; and
 - iv. award determination process;
 - e. processing of subgrantee payments; and
 - f. ensuring subgrantee adherence to all program requirements and the terms of their approved applications.
6. Prior to making any subgrant awards, ODE must develop a subgrantee monitoring protocol. At a minimum, the monitoring protocol must address financial accountability and include a risk rubric and timeline for conducting monitoring activities that will apply to all subgrantees for the duration of the grant. This subgrantee monitoring protocol must be reviewed and approved by the Department prior to ODE implementation. Department staff will be available to provide technical assistance to ODE, as necessary, to help ensure that ODE's monitoring protocol establishes strong internal controls and mitigates areas of risk throughout the performance period of this grant.
7. In consultation with the Department, ODE shall ensure it maintains and updates annually a centralized listing of all public charter schools that is easily accessible to the public—the listing will include the names of authorizers and show school performance under the state accountability framework as well as additional information that will help the public understand overall school performance (e.g., finance, operations, EMO relationships).
8. ODE shall be prohibited from awarding any CSP SEA grant funds to dropout recovery charter schools until ODE has developed and received the Department's approval on a plan to ensure that any subgrants to dropout recovery charter schools go to only schools that demonstrate the capacity to deliver a high-quality program and are authorized by the highest quality authorizers.

Special Conditions (revised from September 28, 2015 Grant Award Notification):

1. Given the time necessitated to conduct our supplemental review, the Department will work with ODE to revise ODE's CSP SEA grant budget. As of now, grant funds in the amount of \$32,671,373 have been awarded and this includes funding in the amount of \$7,118,964 for FY 2015, \$13,886,625 for FY 2016, and \$11,665,784 for FY 2017. Additional funding for continuations may be modified by the Department over the duration of the five year grant based on ODE's performance and compliance with the special conditions. ODE may not obligate or disburse funds designated for future fiscal years until the start of that fiscal year. ODE must track funds and activities separately for each of the three fiscal years that have already been awarded. Consistent with the current grant budget, for FY 2016, ODE will be awarded an additional \$1, and for FY 2017, ODE will be awarded the remaining continuation funds for FY 2017, contingent on satisfactory grant performance. FY 2018 and FY 2019 continuation funding is contingent on overall grant performance.
2. The total recommended award amount of \$71,058,319 is an estimate based on the subgrant projections included in the approved application. The Department reserves the right to reduce continuation amounts based on performance, including actual need for additional funding. ODE should consider the possibility of a reduction in continuation funding when incurring administrative costs.
3. ODE shall ensure that the Authorizer Quality Performance Review system continues to include periodic review and evaluation, at least once every five years, throughout the life of the grant. Although the Authorizer Quality Performance Review system will look at periodic review and evaluation, it is not clear that "effective" authorizer ratings require this element to be met. Therefore, ODE shall ensure that an authorizer that is not performing periodic reviews and evaluations as required by Absolute Priority 1 will be designated "ineffective" for purposes of the CSP program and that no subgrants will be awarded to charter school developers with charter schools authorized by an authorizer rated as "ineffective."

4. ODE's proposed definition of "high-quality charter school" is approved for use for purposes of this CSP SEA grant with the following conditions:
 - a. ODE must use its definition of "high-quality charter school" when designating charter schools as high-quality in relation to the CSP SEA grant; and
 - b. ODE must be able to demonstrate that any charter school that ODE designates as a high-quality charter school for purposes of this CSP SEA grant has no significant compliance issues. Per the standards described in ODE's approved application, this would be demonstrated through evidence that:
 - i. the charter school is in good standing with its authorizer; and
 - ii. audits of the charter school conducted by the State auditor or other independent auditor do not identify any significant compliance issues.

5. Prior to approving the use of weighted lotteries by charter school subgrantees under CSP grant award (U282A150023), ODE must submit current information that demonstrates that state law permits the use of weighted lotteries consistent with applicable Federal laws and regulations, and ODE must receive approval from the Department to move forward. For guidance on how ODE can demonstrate that State law permits the use of weighted lotteries taking into account educationally disadvantaged students, please see section E of the CSP Nonregulatory Guidance that is available at <http://www2.ed.gov/programs/charter/legislation.html>.

13. APPENDIX – 2015 USDE PEER TECHNICAL REVIEW FORMS

This Appendix includes the USDE Technical Review Forms completed by the peer reviewers that reviewed and scored ODE's 2015 Federal Charter School Program (CSP) application submitted to USDE on July 16, 2015. These forms include the peer reviewers comments and strengths and weaknesses they identified in the selection criteria for the competitive award.

**U.S. Department of Education - EDCAPS
G5-Technical Review Form (New)**

Status: Submitted

Last Updated: 08/06/2015 03:24 PM

Technical Review Coversheet

Applicant: STATE OF OHIO/DEPARTMENT OF EDUCATION (U282A150023)

Reader #1: *****

	Points Possible	Points Scored
Questions		
Selection Criteria		
State-Level Strategy		
1. State-Level Strategy	15	15
Sub Total	15	15
Selection Criteria		
Policy Context for Charter Schools		
1. Policy Context	5	5
Sub Total	5	5
Selection Criteria		
Past Performance		
1. Past Performance	10	7
Quality of Plan to Support Ed. Dis. Students		
1. Ed. Dis. Students	15	13
Vision for Growth and Accountability		
1. Growth and Accountability	10	4
Dissemination of Information and Best Practices		
1. Dissemination	10	6
Oversight of Public Chartering Agencies		
1. Oversight of Authorizers	15	12
Management Plan and Theory of Action		
1. Management Plan	10	10
Project Design		
1. Project Design	10	10
Sub Total	80	62
Priority Questions		
Competitive Preference Priority		
High-Quality Authorizing and Monitoring Processes		
1. CPP 1	15	15
Sub Total	15	15
Competitive Preference Priority		
Authorizer other than LEA or Appeal Process		

1. CPP 2

	5	5
Sub Total	5	5
Total	120	102

Technical Review Form

Panel #9 - SEA Panel - 9: 84.282A

Reader #1: *****

Applicant: STATE OF OHIO/DEPARTMENT OF EDUCATION (U282A150023)

Questions

Selection Criteria - State-Level Strategy

1. The Secretary considers the quality of the State-level strategy for using charter schools to improve educational outcomes for students throughout the State. In determining the quality of the State-level strategy, the Secretary considers the following factors:

1) The extent to which the SEA 's CSP activities, including the subgrant program, are integrated into the State s overall strategy for improving student academic achievement and attainment (including high school graduation rates and college and other postsecondary education enrollment rates) and closing achievement and attainment gaps, and complement or leverage other statewide education reform efforts;

2) The extent to which funding equity for charter schools (including equitable funding for charter school facilities) is incorporated into the SEA' s State-level strategy; and

3) The extent to which the State encourages local strategies for improving student academic achievement and attainment that involve charter schools, including but not limited to the following:

i. Collaboration, including the sharing of data and promising instructional and other practices, between charter schools and other public schools or providers of early learning and development programs or alternative education programs; and

ii. The creation of charter schools that would serve as viable options for students who currently attend, or would otherwise attend, the State 's lowest-performing schools.

Strengths:

The charter/choice strategies are well integrated to the State-level strategy (and RTTT plan, 10 items/components delineated on pp. 13-14).

Clear criteria and definitions are included within the components (pp. 13-14).

The funding parity includes 25M State funding for charter facilities (p. 14).

There is a provision for discrete funding (beyond CSP) for Recovery Districts, including charters (p. 14) and a commitment for parity: the 'ODE is enhancing the State's Academic Distress Commission concept, established by the State Superintendent pursuant to ORC 3302.10, by providing supplemental sources of funding to charters in "recovery districts" overseen by these Commissions'.

The application illustrates a well-established collaboration with Community Education Development Organizations (CEDOs) to target high-risk students and shared priorities (pp. 15f.)

The narrative includes 'Provoked' collaboration - Ohio Community Collaboration Model for school Improvement (OCCMSI), including targeted goals (Figure 1.

Specifically, there is a determined focus on the priority of serving at risk students; CEDO: Cleveland Transformation Alliance (CTA) to focus, collaboratively, on the highest priority, i.e., provides good options in the lowest performing

communities.

Overall, a very clear and carefully planned strategy.

Ohio has established high and exacting accountability expectations of authorizers (including evaluation against standards) and, inferentially, schools. This is critical to their plan and the priority of high quality authorizing permeates this and other sections of the application.

Weaknesses:

No weaknesses noted.

Reader's Score: 15

Selection Criteria - Policy Context for Charter Schools

1. The Secretary considers the policy context for charter schools under the proposed project. In determining the policy context for charter schools under the proposed project, the Secretary considers the following factors:

1) The degree of flexibility afforded to charter schools under the State's charter school law, including:

i. The extent to which charter schools in the State are exempt from State or local rules that inhibit the flexible operation and management of public schools; and

ii. The extent to which charter schools in the State have a high degree of autonomy, including autonomy over the charter school's budget, expenditures, staffing, procurement, and curriculum;

2) The quality of the SEA's processes for:

i. Annually informing each charter school in the State about Federal funds the charter school is eligible to receive and Federal programs in which the charter school may participate; and

ii. Annually ensuring that each charter school in the State receives, in a timely fashion, the school's commensurate share of Federal funds that are allocated by formula each year, particularly during the first year of operation of the school and during a year in which the school's enrollment expands significantly; and

3) The quality of the SEA's plan to ensure that charter schools that are considered to be LEAs under State law and LEAs in which charter schools are located will comply with sections 613(a)(5) and 613(e)(1)(B) of IDEA (20 U.S.C. 1400, et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101, et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

Strengths:

Charters are LEAs and as such, they have a high degree of autonomy; protected in Statute (operations, learning program, budgets, etc.), have access to the same State and Federal funding, and the same high measures of accountability (pp. 17ff.).

Annually the ODE apprises schools of the federal entitlement funding opportunities and provides technical assistance (e.g., Consolidated Application (pp. 18f.)).

ODE has well-defined processes so that payments to schools are timely. Five months after the initial allocation, a second review is conducted by the Office of Federal Student Programs to make allocations to new charter schools and adjust allocations to all other LEAs. This twice annual allocation calculation ensures that charter schools and all other LEAs

receive their share of federal education funding and title funds (.p 19).

In reference to Individuals with Disabilities Education Act (IDEA), the Age Discrimination Act, Civil Rights Act, Title X, and Section 504 of the Rehabilitation Act, Authorizers verify school compliance with all applicable State and Federal laws during twice annual site visits (p. 20).

Weaknesses:

No weaknesses noted

Reader's Score: 5

Selection Criteria - Past Performance

1. The Secretary considers the past performance of charter schools in a State that enacted a charter school law for the first time five or more years before submission of its application. In determining the past performance of charter schools in such a State, the Secretary considers the following factors:

1) The extent to which there has been a demonstrated increase, for each of the past five years, in the number and percentage of high-quality charter schools (as defined in this notice) in the State;

2) The extent to which there has been a demonstrated reduction, for each of the past five years, in the number and percentage of academically poor-performing charter schools (as defined in this notice) in the State; and

3) Whether, and the extent to which, the academic achievement and academic attainment (including high school graduation rates and college and other postsecondary education enrollment rates) of charter school students equal or exceed the academic achievement and academic attainment of similar students in other public schools in the State over the past five years.

Strengths:

Ohio has increased the number of school choices (strong growth) in the past five years (p. 20 and data on p. 21) and is dedicated to the priority of creating strategies to serve at-risk students by authorizing high-quality schools.

Included in the strategy is demonstrated evidence and willingness to close poor performing schools (p. 22).

Weaknesses:

Across the charter sector, especially for at-risk students (compared to the Ohio 8), performance has been disappointing since this is a priority focus (pp. 22f, e.g., graduation rates). It is critical that quality of school choice is a focus (not just quantity). Ohio should have a deep well of data and best practices as evidence for requesting CSP funds.

There is insufficient data to determine the extent to which the academic achievement and academic attainment (including high school graduation rates and college and other postsecondary education enrollment rates) of charter school students equal or exceed the academic achievement and academic attainment of similar students in other public schools in the State over the past five years.

Selective data sets suggest a focus on how to scale 'quantity' (rather than quality).

Contractual non-compliance issues have resulted in 60 school closures in the past five years. There is no evidence that this data has been used to shape the work moving forward so that these deleterious numbers are reduced significantly, either by not opening marginal schools and/or increasing the oversight by authorizers.

Selection Criteria - Quality of Plan to Support Ed. Dis. Students

1. The Secretary considers the quality of the SEA 's plan to support educationally disadvantaged students. In determining the quality of the plan to support educationally disadvantaged students, the Secretary considers the following factors:

1) The extent to which the SEA' s charter school subgrant program would--

i. Assist students, particularly educationally disadvantaged students, in meeting and exceeding State academic content standards and State student achievement standards; and

ii. Reduce or eliminate achievement gaps for educationally disadvantaged students;

2) The quality of the SEA 's plan to ensure that charter schools attract, recruit, admit, enroll, serve, and retain educationally disadvantaged students equitably, meaningfully, and, with regard to educationally disadvantaged students who are students with disabilities or English learners, in a manner consistent with, as appropriate, the IDEA (regarding students with disabilities) and civil rights laws, in particular, section 504 of the Rehabilitation Act of 1973, as amended, and title VI of the Civil Rights Act of 1964;

3) The extent to which the SEA will encourage innovations in charter schools, such as models, policies, supports, or structures, that are designed to improve the academic achievement of educationally disadvantaged students; and

4) The quality of the SEA 's plan for monitoring all charter schools to ensure compliance with Federal and State laws, particularly laws related to educational equity, nondiscrimination, and access to public schools for educationally disadvantaged students.

Strengths:

Through this section there is a focus on the penultimate agency of authority: the authorizers and the important of high-quality authorizers (including an evaluation), including renewed efforts to improve the authorizer performance (NACSA's Authorizer Quality Performance Review – AQPR, pp. 28f.) in special reference to the priority: to support educationally disadvantaged students.

Statutes, policies, and practices that advocate for and protect ED students and their access and rights, including the Ohio Improvement Process, p. 24.

There is an effort to aggressively replicate successful schools and models that serve at-risk students, primarily in the Ohio 8.

The Priority Focus is integral to the ESEA waiver (p. 24).

The MMR (4), includes a 'gap' closing focus (pp. 12, 12, 16, 24).

The QSC social science research will disseminate best practices - this 'social' focus is very innovative, in addition to the rich data banks of other data, especially the potential to measure school climate and 'discipline' (pp. 24f.)

Ohio has developed a Planning Tool and Funding Application guide the schools and monitor for compliance (pp. 25f.)

Weaknesses:

The application lacks examples of extant innovation in the high-quality schools (p. 25 and Past Performance).

The application lacks references to data collected from past experiences in reference to the 'Social' and 'climate' in focus schools.

The application lacks a specific plan to promote the dissemination of innovative practices (though a 'comprehensive' plan is referenced) or what 'innovation' means (p. 25).

The application lacks references to cloud-based, best-in-class compliance tools and processes (i.e., only mentions electronically filing of application materials, p. 26).

Reader's Score: 13

Selection Criteria - Vision for Growth and Accountability

1. The Secretary determines the quality of the statewide vision, including the role of the SEA, for charter school growth and accountability. In determining the quality of the statewide vision, the Secretary considers the following factors:

1) The quality of the SEA' s systems for collecting, analyzing, and publicly reporting data on charter school performance, including data on student academic achievement, attainment (including high school graduation rates and college and other postsecondary education enrollment rates), retention, and discipline for all students and disaggregated by student subgroup;

2) The ambitiousness, quality of vision, and feasibility of the SEA' s plan (including key actions) to support the creation of high-quality charter schools during the project period, including a reasonable estimate of the number of high-quality charter schools in the State at both the beginning and the end of the project period; and

3) The ambitiousness, quality of vision, and feasibility of the SEA' s plan (including key actions) to support the closure of academically poor-performing charter schools in the State (i.e., through revocation, non-renewal, or voluntary termination of a charter) during the project period.

Note: In the context of closing academically poor-performing charter schools, we remind applicants of the importance of ensuring adherence to applicable laws, policies, and procedures that govern the closure of a charter school, the disposition of its assets, and the transfer of its students and student records.

Strengths:

Ohio consistently places a focus on the penultimate agency of authority: the authorizers (pp. 27f.), including a renewed efforts to improve the authorizer performance (NACSA's Authorizer Quality Performance Review - AQPR), pp. 27-30.

The data mines are deep, rich, and accessible (p. 27; cf. Appendix E).

Data reports are required at every level and are published and accessible to the public (p. 28; cf. Appendix E).

There is strong and clear closure criteria and processes (pp. 29f.).

Weaknesses:

Ohio's proposal is predicated on authorizer capacity. While there is clear language reading authorizer accountability throughout the application, there is no mention of this aspect. The application makes assertion that the authorizers are key and success is predicated on the assumption that there is capacity in the current and/or planned authorizer

community. Yet, with increased accountability, authorizers will need to build capacity and the addition of new schools that require approval and oversight requires some documentation regarding capacity.

Related to the above comment, there is no mention of commensurate efforts to fund the capacity building efforts required in the authorizing community/sector.

There is no mention of how involved the authorizers were in the NACSA work and the Gantt for authorizer reviews. Concern: with increased responsibilities, increasing the size of the portfolio might be difficult.

The application materials place an unbalanced focus on 'compliance' to the neglect of 'innovation' and demonstrable evidence of 'successful' schools that will be replicated.

The numbers are very aggressive and not adequately informed by data, especially Past Performance.

Reader's Score: 4

Selection Criteria - Dissemination of Information and Best Practices

1. The Secretary considers the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools to each LEA in the State as well as to charter schools, other public schools, and charter school developers (20 U.S.C. 7221b(b)(2)(C) and 7221(c)(f)(6)). If an SEA proposes to use a portion of its grant funds for dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221c(f)(6)(B)), the SEA should incorporate these subgrants into the overall plan for dissemination. In determining the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools, the Secretary considers the following factors:

1) The extent to which the SEA will serve as a leader in the State for identifying and disseminating information and research (which may include, but is not limited to, providing technical assistance) about best or promising practices in successful charter schools, including how the SEA will use measures of efficacy and data in identifying such practices and assessing the impact of its dissemination activities;

2) The quality of the SEA's plan for disseminating information and research on best or promising practices used by, and the benefits of, charter schools that effectively incorporate student body diversity, including racial and ethnic diversity and diversity with respect to educationally disadvantaged students, consistent with applicable law;

3) The quality of the SEA's plan for disseminating information and research on best or promising practices in charter schools related to student discipline and school climate; and

4) For an SEA that proposes to use a portion of its grant funds to award dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221a(f)(6)(B)), the quality of the subgrant award process and the likelihood that such dissemination activities will increase the number of high-quality charter schools in the State and contribute to improved student academic achievement.

Strengths:

The plan for dissemination is promising, including: Charter School Promising Practices Dissemination Network, lead by a steering committee represented by a very a broad group of stakeholders (p. 31 and Figure 8), including associations, schools, and authorizers.

Ohio proposes to establish a 'clearinghouse' of best practices, especially for at-risk students and schools that serve more than 40% at-risk students.

The Ohio Improvement Process requires schools to analyze various aspects of school climate. ODE will engage resources at the Ohio Educational Research Center (p. 34) identify strategies to ensure and improve quality data collection around these issues – especially identify Ohio-specific examples – and disseminate (p. 34).

Weaknesses:

The anticipated growth is not predicated on the research and dissemination of best practices. This work is in 'plan' mode, including the 'social' aspects that affect climate and 'discipline'.

In this application, growth overshadows quality. Given the large number of extant charters and the anticipated growth, there is not sufficient evidence to suggest that replication and growth should be supported to the degree requested.

There is a lack of detail regarding 'identifiers' that will be used to determine what is worthwhile to disseminate, especially in reference to educationally disadvantaged students.

There is a lack of detail regarding 'identifiers' that will be used to determine what is worthwhile to disseminate, especially in reference to student discipline and school climate.

The application includes no evidence (from The Past Performances or otherwise in this section) of extant practices and/or schools that receive the 'seal of approval' (pp. 31, 32, 35).

Reader's Score: 6

Selection Criteria - Oversight of Public Chartering Agencies

- 1. The Secretary considers the quality of the SEA 's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA' s plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA' s plan will ensure that authorized public chartering agencies are --**
 - 1) Seeking and approving charter school petitions from developers that have the capacity to create charter schools that can become high-quality charter schools;**
 - 2) Approving charter school petitions with design elements that incorporate evidence-based school models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies with respect to educationally disadvantaged students, consistent with applicable law;**
 - 3) Establishing measureable academic and operational performance expectations for all charter schools (including alternative charter schools, virtual charter schools, and charter schools that include pre-kindergarten, if such schools exist in the State) that are consistent with the definition of high-quality charter school as defined in this notice;**
 - 4) Monitoring their charter schools on at least an annual basis, including conducting an in-depth review of each charter school at least once every five years, to ensure that charter schools are meeting the terms of their charter or performance contracts and complying with applicable State and Federal laws;**
 - 5) Using increases in student academic achievement as one of the most important factors in renewal decisions; basing renewal decisions on a comprehensive set of criteria, which are set forth in the charter or performance contract; and revoking, not renewing, or encouraging the voluntary termination of charters held by academically poor-performing charter schools;**
 - 6) Providing, on an annual basis, public reports on the performance of their portfolios of charter schools, including the performance of each individual charter school with respect to meeting the terms of, and expectations set forth in, the school 's charter or performance contract;**
 - 7) Supporting charter school autonomy while holding charter schools accountable for results and meeting the terms of their charters or performance contracts; and**
 - 8) Ensuring the continued accountability of charter schools during any transition to new State assessments or accountability systems, including those based on college- and career-ready standards.**

Strengths:

The application consistently places a focus on the penultimate agency of authority and authorizers are evaluated.

Authorizers are required to update contract and make evidence-based decisions (for approving, monitoring and renewing/non-renewing schools, pp. 36f.).

There are significant efforts to improve the authorizer performance (NACSA's Authorizer Quality Performance Review – AQPR, pp. 36-39). The section includes excellent delineation of the roles and responsibilities of authorizers.

Annual reports are published as public documents (p. 38f.).

Criteria regarding the approval of petitions (or applications) are covered in one of the six critical areas of the APQR (p. 35).

Weaknesses:

The application includes no indication that authorizers have been involved in this critical work. E.g., 'ODE insisted that authorizers...' (p. 37).

In reference to the Authorizers' accountability of charter schools through transitions to new assessments or accountability systems, there is a lack of detail regard Statute and/or authorizer evaluation criteria that delineates detail regarding the obligation (including terms and conditions) to insure that the contract reflect new assessment measures.

Reader's Score: 12

Selection Criteria - Management Plan and Theory of Action

- 1. The Secretary considers the quality of the management plan and the project 's theory of action. In determining the quality of the management plan and the project s theory of action, the Secretary considers the following factors:**

- 1) The quality, including the cohesiveness and strength of reasoning, of the logic model (as defined in 34 CFR 77.1(c)) and the extent to which it addresses the role of the grant in promoting the State-level strategy for using charter schools to improve educational outcomes for students through CSP subgrants for planning, program design, and initial implementation; optional dissemination subgrants; optional revolving loan funds; and other strategies;**

- 2) The extent to which the SEA' s project-specific performance measures, including any measures required by the Department, support the logic model; and**

- 3) The adequacy of the management plan to --**

- i. Achieve the objectives of the proposed project on time and within budget, including the existence of clearly defined responsibilities, timelines, and milestones for accomplishing project tasks; and**

- ii. Address any compliance issues or findings related to the CSP that are identified in an audit or other monitoring review.**

Note: The Secretary encourages the applicant to propose a comprehensive management plan and theory of action for assessing the achievement of the objectives, including developing performance measures and performance targets for its proposed grant project that are consistent with those objectives. The applicant should clearly identify the project-specific performance measures and performance targets in its plan and should review the logic model application requirement and performance measures section

of this notice for information on the requirements for developing those performance measures and performance targets consistent with the objectives of the proposed project. The applicant may choose to include a discussion of the project-specific performance measures and targets it develops in response to the logic model requirement when addressing this criterion.

Strengths:

The application includes a clear and detailed logic model (p. 40) that is well aligned to the narrative.

Overall, the plan is very cohesive, internally tight and well presented in Figure 10, including staffing responsibilities, timelines, and deliverables (pp. 47f.).

The application includes a well designed Organization and Staffing Plan (pp. 46f.) with good detail regarding roles and responsibilities.

Weaknesses:

No weaknesses noted.

Reader's Score: 10

Selection Criteria - Project Design

1. The Secretary considers the quality of the design of the SEA 's charter school subgrant program, including the extent to which the project design furthers the SEA' s overall strategy for increasing the number of high-quality charter schools in the State and improving student academic achievement. In determining the quality of the project design, the Secretary considers the following factors:

1) The quality of the SEA' s process for awarding subgrants for planning, program design, and initial implementation and, if applicable, for dissemination, including:

i. The subgrant application and peer review process, timelines for these processes, and how the SEA intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-quality charter schools; and

ii. A reasonable year-by-year estimate, with supporting evidence, of

a) the number of subgrants the SEA expects to award during the project period and the average size of those subgrants, including an explanation of any assumptions upon which the estimates are based; and

b) if the SEA has previously received a CSP grant, the percentage of eligible applicants that were awarded subgrants and how this percentage related to the overall quality of the applicant pool;

2) The process for monitoring CSP subgrantees;

3) How the SEA will create a portfolio of subgrantees that focuses on areas of need within the State, such as increasing student body diversity or maintaining a high level of student body diversity, and how this focus aligns with the State-Level Strategy;

4) The steps the SEA will take to inform teachers, parents, and communities of the SEA' s charter school subgrant program; and

5) A description of any requested waivers of statutory or regulatory provisions over which the Secretary exercises administrative authority and the extent to which those waivers will, if granted, further the objectives of the project.

Strengths:

There are preference (weighted) priorities aligned with the State priorities and the Federal CSP priorities (pp. 51f.), including Strategic Placement (10 points); High Need Location (8 points); Educationally Disadvantaged Students (5 points); Proven Education Model (5 points); Dropout Prevention and Recovery (3 points). Alone, each of these indicators have added value and because most are not mutually exclusive, the weights augment and effectively reach at-risk students.

The application delineates a clear understanding of the importance of 'exemplary' authorizers, including the support of ODE and training (in collaboration with NACSA).

There is collaboration among and engagement of stakeholders (e.g., CEDO, p. 54). This is critical so that limited resources have a laser focus.

The application includes clear and well-defined processes, including monitoring for compliance of subgrantees (pp. 58f.).

A waiver is requested and reasonable in light of the Vision and Growth plan (p. 60).

Weaknesses:

No weaknesses noted.

Reader's Score: 10

Priority Questions**Competitive Preference Priority - High-Quality Authorizing and Monitoring Processes****1. Competitive Preference Priority 1: High-Quality Authorizing and Monitoring Processes**

To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

a) Frameworks and processes to evaluate the performance of charter schools on a regular basis that include--

1) Rigorous academic and operational performance expectations (including performance expectations related to financial management and equitable treatment of all students and applicants);

2) Performance objectives for each school aligned to those expectations;

3) Clear criteria for renewing the charter of a school based on an objective body of evidence, including evidence that the charter school has (a) met the performance objectives outlined in the charter or performance contract; (b) demonstrated organizational and fiscal viability; and (c) demonstrated fidelity to the terms of the charter or performance contract and applicable law;

4) Clear criteria for revoking the charter of a school if there is violation of law or public trust regarding student safety or public funds, or evidence of poor student academic achievement; and

5) Annual reporting by authorized public chartering agencies to each of their authorized charter schools that summarizes the individual school 's performance and compliance, based on this framework, and identifies any areas that need improvement.

b) Clear and specific standards and formalized processes that measure and benchmark the performance of the authorized public chartering agency or agencies, including the performance of its portfolio of charter schools, and provide for the annual dissemination of information on such performance;

c) Authorizing processes that establish clear criteria for evaluating charter applications and include a multi-tiered clearance or review of a charter school, including a final review immediately before the school opens for its first operational year; or

d) Authorizing processes that include differentiated review of charter petitions to assess whether, and the extent to which, the charter school developer has been successful (as determined by the authorized public chartering agency) in establishing and operating one or more high-quality charter schools.

Strengths:

Ohio has established Frameworks that include strong and clear language for the expectations and evaluations of charters AND authorizers. The Frameworks and monitoring are based on NACSA's P&S (pp. 7-10).

By January 2016, authorizers overseeing 90% of the charters will have been evaluated (p. 10). This is exemplary.

The Frameworks include five comprehensive components (p. 7) that are evaluated a minimum of twice annually (p. 7).

The application includes clear criteria for revocation and nonrenewal (p. 9).

Ohio requires authorizer annual reports for each school, reported out to the community (and parents) (p. 9).

The Office of Quality School Choice (QSC) evaluates authorizers and posts the reviews for public consumption, Authorizer Quality Performance Review (AQPR) with metrics (Exhibit E).

Ohio respects various 'types' of authorizers and schools and a differentiated review of authorizers based on evidence (p. 11).

Weaknesses:

No weaknesses noted.

Reader's Score: 15

Competitive Preference Priority - Authorizer other than LEA or Appeal Process

1. Competitive Preference Priority 2: One Authorized Public Chartering Agency Other than a LEA, or an Appeals Process

To meet this priority, the applicant must demonstrate that the State--

a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

b) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

Note: In order to meet this priority under paragraph (b) above, the entity hearing appeal must have the authority to approve the charter application over the objections of the LEA.

Strengths:

Ohio meets the criteria: there are 65 active authorizers. most of which are LEAs. However, the majority of schools are chartered by non-LEA authorizers: federal non-profit organizations, a state university, and a number of educational service centers. ODE is also an authorizer through its Office of School Sponsorship. There is no statutory appeal rights for an applicant; however, there are a multitude of authorizers available to any applicant (p. 12).

Weaknesses:

No weaknesses noted.

Reader's Score: 5

Status: Submitted

Last Updated: 08/06/2015 03:24 PM

Status: Submitted

Last Updated: 08/03/2015 11:36 AM

Technical Review Coversheet

Applicant: STATE OF OHIO/DEPARTMENT OF EDUCATION (U282A150023)

Reader #2: *****

	Points Possible	Points Scored
Questions		
Selection Criteria		
State-Level Strategy		
1. State-Level Strategy	15	13
Sub Total	15	13
Selection Criteria		
Policy Context for Charter Schools		
1. Policy Context	5	4
Sub Total	5	4
Selection Criteria		
Past Performance		
1. Past Performance	10	10
Quality of Plan to Support Ed. Dis. Students		
1. Ed. Dis. Students	15	14
Vision for Growth and Accountability		
1. Growth and Accountability	10	7
Dissemination of Information and Best Practices		
1. Dissemination	10	8
Oversight of Public Chartering Agencies		
1. Oversight of Authorizers	15	8
Management Plan and Theory of Action		
1. Management Plan	10	7
Project Design		
1. Project Design	10	10
Sub Total	80	64
Priority Questions		
Competitive Preference Priority		
High-Quality Authorizing and Monitoring Processes		
1. CPP 1	15	14
Sub Total	15	14
Competitive Preference Priority		
Authorizer other than LEA or Appeal Process		

1. CPP 2

	5	5
Sub Total	5	5
Total	120	100

Technical Review Form

Panel #9 - SEA Panel - 9: 84.282A

Reader #2: *****

Applicant: STATE OF OHIO/DEPARTMENT OF EDUCATION (U282A150023)

Questions

Selection Criteria - State-Level Strategy

1. The Secretary considers the quality of the State-level strategy for using charter schools to improve educational outcomes for students throughout the State. In determining the quality of the State-level strategy, the Secretary considers the following factors:

1) The extent to which the SEA 's CSP activities, including the subgrant program, are integrated into the State s overall strategy for improving student academic achievement and attainment (including high school graduation rates and college and other postsecondary education enrollment rates) and closing achievement and attainment gaps, and complement or leverage other statewide education reform efforts;

2) The extent to which funding equity for charter schools (including equitable funding for charter school facilities) is incorporated into the SEA' s State-level strategy; and

3) The extent to which the State encourages local strategies for improving student academic achievement and attainment that involve charter schools, including but not limited to the following:

i. Collaboration, including the sharing of data and promising instructional and other practices, between charter schools and other public schools or providers of early learning and development programs or alternative education programs; and

ii. The creation of charter schools that would serve as viable options for students who currently attend, or would otherwise attend, the State 's lowest-performing schools.

Strengths:

The State has in place a broad set of strategies school to support effectiveness. The process indicates a clear integration into the State's overall vision for improving student achievement. This initiative is important and serves as a means to ensure the a solid connection to on-going development of school options statewide. (page 13) The key strategies are:

- academic content standards
- statewide assessments
- high standards for high school graduation
- accountability system
- third grade reading guarantee
- performance standards for school leadership
- options to expand access to students attending lowest performing schools
- innovation
- equitable funding

Efforts to ensure Charter funding equity is evident in the state level strategy. (Page 14) Efforts include:

- Equitable funding formula for charter schools
- Tax levies
- Facilities funding for high quality schools
- Supplemental funding for recovery districts

An innovative plan is described to collaborate with established urban community consortium, known as community education development organizations, to support student academic achievement. The

State Department of Education will work with these groups to: (Page 15)

- connect school efforts to "accelerator activities" fostered by the community groups
- determine subgrant priorities
- prioritize awards
- foster fiscal and political support

The applicant describes the Cleveland Transformation Alliance as the catalyst to support efforts to develop charter school options for students currently attending the state's lowest performing schools. (Page 16) It is the role of this organization to:

- assess school quality
- build awareness of quality school options
- engage families in the school choice decision making process
- monitor the quality of schools
- monitor school growth

Weaknesses:

The Ohio Community Collaboration Model for School Improvement (Page 16) does not clearly indicate a rigorous process to support ongoing, effective collaboration between charter schools and public schools throughout the state. The response would be improved with the addition of details explaining how the plan will be sustained over time.

Reader's Score: 13

Selection Criteria - Policy Context for Charter Schools

1. The Secretary considers the policy context for charter schools under the proposed project. In determining the policy context for charter schools under the proposed project, the Secretary considers the following factors:

1) The degree of flexibility afforded to charter schools under the State's charter school law, including:

i. The extent to which charter schools in the State are exempt from State or local rules that inhibit the flexible operation and management of public schools; and

ii. The extent to which charter schools in the State have a high degree of autonomy, including autonomy over the charter school's budget, expenditures, staffing, procurement, and curriculum;

2) The quality of the SEA's processes for:

i. Annually informing each charter school in the State about Federal funds the charter school is eligible to receive and Federal programs in which the charter school may participate; and

ii. Annually ensuring that each charter school in the State receives, in a timely fashion, the school's commensurate share of Federal funds that are allocated by formula each year, particularly during the first year of operation of the school and during a year in which the school's enrollment expands significantly; and

3) The quality of the SEA's plan to ensure that charter schools that are considered to be LEAs under State law and LEAs in which charter schools are located will comply with sections 613(a)(5) and 613(e)(1)(B) of IDEA (20 U.S.C. 1400, et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101, et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

Strengths:

The narrative describes high levels of school autonomy and flexibility that are bolstered by state statute ORC 3314.05 exempting schools from significant school laws. These elements are likely to ensure flexibility and autonomy for the state's in key education areas including: (Pages 17-18)

- curriculum design
- establishing academic goals
- instructional methods
- open enrollment
- board rules and structure

An appropriate process is in place to ensure schools receive federal funds in a timely manner, which provides the charters the resources needed for effective operations and management. Page 19) Efforts include:

- notifications
- Online platform to access federal funding
- dis-aggregate data collection for students in low social economic settings
- mid-year enrollment review and subsequent funding adjustment

The applicant describes appropriate oversight of LEA charter schools to ensure federal compliance for IDEA, Age Discrimination Act, the Civil Rights Act, Title X, the Rehabilitation Act. (Page 20)

Weaknesses:

The plan to inform charter schools about available federal funding does not clearly describe a strong follow up or evaluation process to ensure schools are notified about available funding options. It is also not clear whether the SEA provides continuous support for school efforts to acquire federal funding for which they are eligible. (Pages 19-20)

Reader's Score: 4

Selection Criteria - Past Performance

1. The Secretary considers the past performance of charter schools in a State that enacted a charter school law for the first time five or more years before submission of its application. In determining the past performance of charter schools in such a State, the Secretary considers the following factors:

1) The extent to which there has been a demonstrated increase, for each of the past five years, in the number and percentage of high-quality charter schools (as defined in this notice) in the State;

2) The extent to which there has been a demonstrated reduction, for each of the past five years, in the number and percentage of academically poor-performing charter schools (as defined in this notice) in the State; and

3) Whether, and the extent to which, the academic achievement and academic attainment (including high school graduation rates and college and other postsecondary education enrollment rates) of charter school students equal or exceed the academic achievement and academic attainment of similar students in other public schools in the State over the past five years.

Strengths:

The applicant provides a variety of charts as evidence of effective past performance. The data found within the charts and the narrative indicate:

- a significant increase in the number of high quality charter schools in the state (figure 2, page 21)
- a reduction in the number of poor performing charter schools throughout the state (figure 3 and figure 4, Page 22)
- similar achievement levels in high performing charter and high performing traditionally public (figure 5, Page 22)
- the percentage of academically poor-performing charter schools in the State (Figure 6, Page 23)

The data indicates progress over the previous five years in key areas overall in the areas of increasing the number of high quality charter schools in the state, reducing the number of poor performing schools in the state, and providing promising educational options for the targeted student population. (pages 21-23)

Weaknesses:

There are no weaknesses evident in this area.

Reader's Score: 10

Selection Criteria - Quality of Plan to Support Ed. Dis. Students

1. The Secretary considers the quality of the SEA 's plan to support educationally disadvantaged students. In determining the quality of the plan to support educationally disadvantaged students, the Secretary considers the following factors:

1) The extent to which the SEA' s charter school subgrant program would--

i. Assist students, particularly educationally disadvantaged students, in meeting and exceeding State academic content standards and State student achievement standards; and

ii. Reduce or eliminate achievement gaps for educationally disadvantaged students;

2) The quality of the SEA 's plan to ensure that charter schools attract, recruit, admit, enroll, serve, and retain educationally disadvantaged students equitably, meaningfully, and, with regard to educationally disadvantaged students who are students with disabilities or English learners, in a manner consistent with, as appropriate, the IDEA (regarding students with disabilities) and civil rights laws, in particular, section 504 of the Rehabilitation Act of 1973, as amended, and title VI of the Civil Rights Act of 1964;

3) The extent to which the SEA will encourage innovations in charter schools, such as models, policies, supports, or structures, that are designed to improve the academic achievement of educationally disadvantaged students; and

4) The quality of the SEA 's plan for monitoring all charter schools to ensure compliance with Federal and State laws, particularly laws related to educational equity, nondiscrimination, and access to public schools for educationally disadvantaged students.

Strengths:

The State will focus efforts to assist educationally disadvantaged students in meeting and exceeding State academic goals by focusing on building the capacity of charter authorizers. (Page 23) It is evident this strategy is likely to increase the replication of successful school models within under resourced school districts. These efforts are bolstered by state flexibility waivers, State Department of Education tracking, and prioritizing the geographic regions of greatest need. As such, this model is likely to ensure an increase in the number of charter schools serving academically disadvantaged students in struggling communities. (pages 23 & 24)

The SEA reports it will embed applicant requirements that address the needs of the targeted student population. Efforts include embedding requirements in the subgrant application process addressing

--recruitment, enrollment and dissemination

--program innovation based on best practices. (page 25)

The applicant describes a robust set of processes intended to support efforts to reduce achievement gaps for academically disadvantaged students. State grant guidelines will hold subgrantees accountable for measurable improvements in academic progress for economically disadvantaged students. Also, research outcomes will be used to identify best practices to be shared with subgrantees through a variety of formats. (page 24)

A variety of practical actions are planned to reduce or eliminate achievement gaps including:

- identifying issues and addressing them through targeted actions steps and measures
- focusing efforts on sub group achievement
- supporting funding changes to expand resource options
- early learning strategies
- career and college readiness strategies

The applicant plans to embed innovation into the subgrantee application process by awarding subgrants to candidates with rigorous innovation models. (Page 25)

Subgrantees are monitored quarterly in pertinent areas to ensure solid compliance of governing entities. The applicant describes the response for schools requiring improvement based on a corrective action plan. (Page 26) and provides detail on how the grants application and verification system is used to monitor subgrantees compliance. (Page 26)

Weaknesses:

The applicant does not clearly articulate a specific plan describing how innovation will be implemented. (Criteria 3) The response in this area could have been strengthened if the applicant had provided details describing goals and indicators of success to be used for ensuring school instructional and programmatic innovation to meet the needs of educationally disadvantaged students.

Reader's Score: 14

Selection Criteria - Vision for Growth and Accountability

1. The Secretary determines the quality of the statewide vision, including the role of the SEA, for charter school growth and accountability. In determining the quality of the statewide vision, the Secretary considers the following factors:

1) The quality of the SEA' s systems for collecting, analyzing, and publicly reporting data on charter school performance, including data on student academic achievement, attainment (including high school graduation rates and college and other postsecondary education enrollment rates), retention, and discipline for all students and disaggregated by student subgroup;

2) The ambitiousness, quality of vision, and feasibility of the SEA' s plan (including key actions) to support the creation of high-quality charter schools during the project period, including a reasonable estimate of the number of high-quality charter schools in the State at both the beginning and the end of the project period; and

3) The ambitiousness, quality of vision, and feasibility of the SEA' s plan (including key actions) to support the closure of academically poor-performing charter schools in the State (i.e., through revocation, non-renewal, or voluntary termination of a charter) during the project period.

Note: In the context of closing academically poor-performing charter schools, we remind applicants of the importance of ensuring adherence to applicable laws, policies, and procedures that govern the closure of a charter school, the disposition of its assets, and the transfer of its students and student records.

Strengths:

The application indicates a comprehensive vision for increasing high quality charter school options for educationally disadvantaged students. The SEA reports an ambitious goal for charter school expansion and oversight that includes

- a focus on authorizers accountability
- eliminating low-performing schools
- providing support to build capacity of current schools to meet high quality school goals. (Pages 26-27)

This vision is likely to expand the options for high quality charter schools for the targeted populations.

The applicant reports a robust data collection system is in place to collect, analyze and share data on charter school performance. (Page 27) The Education Management System is used by traditional and charter school sites and is used to provide annual report to determine school grades throughout the state. This effort indicates a commitment to. (Page 28).

On pages 28-29 the proposal describes 4 key actions to drive the SEA goal of creating high quality schools. The key actions indicate an appropriately ambitious effort and feasible expectations. Key actions include:

- Implementing APQR authorizer rating process
- focus on monitoring and rating charter authorizers
- annual grant opportunities targeting successful charter school networks
- limited authorization to include only applicants most likely to create a high-performing school

Expected outcomes from the actions include: (Page 30)

- Decreasing the number of low performing schools
- Increase the number of high performing schools
- Improve school quality of portfolios

The narrative indicates a clear plan to support the closure of academically poor performing charter schools in the state during the project period. The primary actions is to use the AQPR for decision making regarding the closure of poor performing schools.

Weaknesses:

The applicant does not clearly articulate targeted training or resources or support for new charters as an effort to build school capacity to function as a high quality charter school.

The plan appears somewhat over ambitious with regard to a goal of 400 total charter schools to be established by the end of the grant cycle. (Page 27) The response in this area would be improved with greater detail on specific steps, such as SEA staffing changes or training to build authorizer capacity to ensure the likelihood that the ambitious goals have appropriate support during the grant cycle.

Reader's Score: 7

Selection Criteria - Dissemination of Information and Best Practices

1. The Secretary considers the quality of the SEA' s plan to disseminate information about charter schools and best or promising practices of successful charter schools to each LEA in the State as well as to charter schools, other public schools, and charter school developers (20 U.S.C. 7221b(b)(2)(C) and 7221 (c)(f)(6)). If an SEA proposes to use a portion of its grant funds for dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221c(f)(6)(B)), the SEA should incorporate these subgrants into the overall plan for dissemination. In determining the quality of the SEA s plan to disseminate information about charter schools and best or promising practices of successful charter schools, the Secretary considers the following factors:

1) The extent to which the SEA will serve as a leader in the State for identifying and disseminating information and research (which may include, but is not limited to, providing technical assistance) about best or promising practices in successful charter schools, including how the SEA will use measures of efficacy and data in identifying such practices and assessing the impact of its dissemination activities;

2) The quality of the SEA' s plan for disseminating information and research on best or promising practices used by, and the benefits of, charter schools that effectively incorporate student body diversity, including racial and ethnic diversity and diversity with respect to educationally disadvantaged

students, consistent with applicable law;

3) The quality of the SEA' s plan for disseminating information and research on best or promising practices in charter schools related to student discipline and school climate; and

4) For an SEA that proposes to use a portion of its grant funds to award dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221a(f)(6)(B)), the quality of the subgrant award process and the likelihood that such dissemination activities will increase the number of high-quality charter schools in the State and contribute to improved student academic achievement.

Strengths:

Based on the information found in the narrative, the SEA has identified an appropriate plan to identify, disseminate and support efforts to ensure best practices in charter schools throughout the state. This plan is based on approaches currently in use and will rely on the development of a network to share promising practices, (page 31). Key elements of the network include identifying current best practices based on research and making the outcomes available in an online resource clearinghouse. A steering committee will guide the development of the plan, and dissemination will be conducted using a variety of face to face and computer based platforms. (page 32)

The applicant also plans to focus on racial and ethnic diversity by identifying national research to support efforts to select state schools with a track record of success with diverse populations (page 33) The selected schools will be used as "case studies" (page 33) to accentuate key elements of charter schools success including academic progress and operational management.

The narrative describes a solid statewide dissemination plan, which includes a solid plan of action, expected activities, deliverables, and timelines to research and share with stakeholders. The plan also includes research based efforts to identify and expand school climate and discipline goals. The SEA will collaborate with the Ohio Education Research center to meet goals in this area. These strategies appear appropriately robust and are likely to ensure a broad group of stakeholders are kept abreast of initiatives, expectations, and outcomes. (Page 34)

Weaknesses:

The dissemination plan does not indicate what specific elements will be targeted within the dissemination plan. (Criteria 3) The response in this area would be strengthened with the addition of details describing specific objectives, requirements, and indicators of success that will guide decisions to renew, revoke, or place a charter in a probationary status.

Reader's Score: 8

Selection Criteria - Oversight of Public Chartering Agencies

The Secretary considers the quality of the SEA 's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA' s plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA' s plan will ensure that authorized public chartering agencies are --

1) Seeking and approving charter school petitions from developers that have the capacity to create charter schools that can become high-quality charter schools;

2) Approving charter school petitions with design elements that incorporate evidence-based school models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies with respect to educationally disadvantaged students, consistent with applicable law;

3) Establishing measureable academic and operational performance expectations for all charter schools (including alternative charter schools, virtual charter schools, and charter schools that include pre-kindergarten, if such schools exist in the State) that are consistent with the definition of high-quality charter school as defined in this notice;

4) Monitoring their charter schools on at least an annual basis, including conducting an in-depth review of each charter school at least once every five years, to ensure that charter schools are meeting the terms of their charter or performance contracts and complying with applicable State and Federal laws;

5) Using increases in student academic achievement as one of the most important factors in renewal decisions; basing renewal decisions on a comprehensive set of criteria, which are set forth in the charter or performance contract; and revoking, not renewing, or encouraging the voluntary termination of charters held by academically poor-performing charter schools;

6) Providing, on an annual basis, public reports on the performance of their portfolios of charter schools, including the performance of each individual charter school with respect to meeting the terms of, and expectations set forth in, the school 's charter or performance contract;

7) Supporting charter school autonomy while holding charter schools accountable for results and meeting the terms of their charters or performance contracts; and

8) Ensuring the continued accountability of charter schools during any transition to new State assessments or accountability systems, including those based on college- and career-ready standards.

Strengths:

On page 36 of the proposal, the applicant describes a comprehensive process to support efforts seeking effective authorizers. The plan is guided by state statute (ORC 3314.016, Page 36) and includes 3 indicators to rate authorizer capacity based on

- academic performance of operating school in the authorizers region
- effective school monitoring
- following quality practices with fidelity.

Additionally, authorizer expectations include: (Page 37)

- proving a comprehensive applications, review, and approval procedures are in place
- using extensive data for evaluation of submitted charter school applications
- thorough interview processes
- comprehensive review of applicant capacity

The proposal provides a description of annual charter school monitoring policies that are in keeping with grant criteria. Policies are support by state law (ORC 3314.03(D), Page 37) and are likely to ensure rigorous oversight of the state authorizing bodies. The key areas of oversight require authorizers to:

- monitor contract compliance
- annually evaluate academic and fiduciary effectiveness
- perform multiple site visits throughout the school year.

The use of achievement data is evident in renewal decision making according to the indicators found in the authorizer's rubric and the SEA policy mandates authorizers to report evaluation outcomes annually. Additionally, state laws bolster charter school autonomy and the authorizer review process includes adherence to school flexibility. (Page 38)

The SEA proposal indicates the State is experiencing assessment transitions. (Page 40) The narrative summarizes the expectations for authorizers to ensure charter schools receive appropriate support during this transition based on provisions embedded in charter school contracts.

Weaknesses:

It is not clear how the SEA will evaluate evidence based efforts are in place for specific school models and practices or in what ways the SEA expects the models to impact racial and ethnic diversity in student bodies with respect to educationally disadvantaged students. (Criteria 2). To improve the response in this area, the application would require details on the expectations and indicators of success in this area to be embedded in the monitoring process.

The applicant does not clearly articulate how the established academic and performance expectations of state charter schools are specifically consistent with the definition of high-quality charter schools. (Criteria 3) A detailed description of the alignment between the evaluation process and the ways in which this is likely to ensure the creation of high quality schools would improve the response in this area.

The proposal does not summarize a policy or process to ensure timely in-depth reviews that ensure schools are meeting the terms of their contracts according to state and federal laws. (Criteria 7). The application would be improved with a description of indicators of success in this area.

Reader's Score: 8

Selection Criteria - Management Plan and Theory of Action

1. The Secretary considers the quality of the management plan and the project 's theory of action. In determining the quality of the management plan and the project s theory of action, the Secretary considers the following factors:

1) The quality, including the cohesiveness and strength of reasoning, of the logic model (as defined in 34 CFR 77.1(c)) and the extent to which it addresses the role of the grant in promoting the State-level strategy for using charter schools to improve educational outcomes for students through CSP subgrants for planning, program design, and initial implementation; optional dissemination subgrants; optional revolving loan funds; and other strategies;

2) The extent to which the SEA' s project-specific performance measures, including any measures required by the Department, support the logic model; and

3) The adequacy of the management plan to --

i. Achieve the objectives of the proposed project on time and within budget, including the existence of clearly defined responsibilities, timelines, and milestones for accomplishing project tasks; and

ii. Address any compliance issues or findings related to the CSP that are identified in an audit or other monitoring review.

Note: The Secretary encourages the applicant to propose a comprehensive management plan and theory of action for assessing the achievement of the objectives, including developing performance measures and performance targets for its proposed grant project that are consistent with those objectives. The applicant should clearly identify the project-specific performance measures and performance targets in its plan and should review the logic model application requirement and performance measures section of this notice for information on the requirements for developing those performance measures and performance targets consistent with the objectives of the proposed project. The applicant may choose to include a discussion of the project-specific performance measures and targets it develops in response to the logic model requirement when addressing this criterion.

Strengths:

The State Department of Education proposes a project model that clearly describes the extent to which state wide plans will promote strategies for the creation of high quality charter schools throughout the state. The logic model indicates specific goals are in place, including quality plans for schools, expanding the number of high quality charter schools, and improved outcomes for students. These goals, if implemented with fidelity, are likely to ensure the effective implementation of the Management Plan while providing rigorous leadership and oversight of the State's charter school

projects. (Page 40)

The applicant proposes implementing a set of research based rubrics to establish state wide performance measures for the application process, and meeting state standards. The 80% target appears appropriately ambitious and includes a priority to meet the needs of academically disadvantaged students in targeted, under-resourced communities. The implementation of this rubric is likely to ensure robust, consistent applicant evaluation. (Pages 44-46)

The applicant provides a comprehensive logic model that includes a broad set of planning expectations. It is evident that the indicators found within the logic model align with the overall Management Plan, particularly the SEA focus on using CSP funding to create high quality charter schools throughout the state.

The proposal describes two key areas of evaluation within the state project management plan and indicates a model is in place to support meeting the objectives within budget in a timely manner. The applicant provides a detailed action plan that clearly outlines the strategies and focuses on the target student population. The strategies, if implemented with fidelity, are likely to ensure the expansion of high quality charter schools throughout the state. The key components of the overall plan include:

- organization and staffing
- Strategies/Activities Work Plan (Page 45)

Weaknesses:

The applicant's response does not fully describe strategies to be embedded in the subgrant application that will guide applicants to identify specific ways in which their projects are expected to ensure the establishment of high quality schools. (Criteria 1). The response in this area would be improved with the addition of application incentives, such as competitive priority points, to ensure the selection of developers committed to the SEA goal to expand high quality charter school options throughout the state.

The management plan does not clearly describe specific ways in which the model is likely to ensure an increase in high quality schools. (Criteria 2) The addition of a explanation of indicators of success for this area would improve the application.

Reader's Score: 7

Selection Criteria - Project Design

1. The Secretary considers the quality of the design of the SEA 's charter school subgrant program, including the extent to which the project design furthers the SEA' s overall strategy for increasing the number of high-quality charter schools in the State and improving student academic achievement. In determining the quality of the project design, the Secretary considers the following factors:

1) The quality of the SEA' s process for awarding subgrants for planning, program design, and initial implementation and, if applicable, for dissemination, including:

i. The subgrant application and peer review process, timelines for these processes, and how the SEA intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-quality charter schools; and

ii. A reasonable year-by-year estimate, with supporting evidence, of

a) the number of subgrants the SEA expects to award during the project period and the average size of those subgrants, including an explanation of any assumptions upon which the estimates are based; and

b) if the SEA has previously received a CSP grant, the percentage of eligible applicants that were awarded subgrants and how this percentage related to the overall quality of the applicant pool;

2) The process for monitoring CSP subgrantees;

3) How the SEA will create a portfolio of subgrantees that focuses on areas of need within the State, such as increasing student body diversity or maintaining a high level of student body diversity, and how this focus aligns with the State-Level Strategy;

4) The steps the SEA will take to inform teachers, parents, and communities of the SEA's charter school subgrant program; and

5) A description of any requested waivers of statutory or regulatory provisions over which the Secretary exercises administrative authority and the extent to which those waivers will, if granted, further the objectives of the project.

Strengths:

The applicant provides a comprehensive description of the subgrant application process that includes:

--Grant types (planning and implementation grants)

--Stakeholder Collaboration

--Application Guidelines

--Review Process

--Award Policy (Page 47-51)

Additionally the proposal includes a summary of the Recover District Research that serves as a pool of funding set aside to support the creation of high quality schools. (Page 54) It appears evident that the SEA has developed a robust plan for identifying and awarding subgrants that is likely to ensure the SEA goal of expanding high quality charter school options to the targeted student population.

The applicant provides a chart (Figure 11, page 55) to describe the expected subgrant activities during the grant cycle along with funding allotment estimations that indicate a total of 25 grants averaging \$250,000 to be awarded during the grant cycle. Additionally, the applicant describes the outcomes of previous CSP state funding and the impact on academic achievement among educationally disadvantaged students. (Page 57). The evidence provides detail on the percentage of previous CSP subgrants that were awarded, and explains that past subgrant awards were utilized to create a significant percentage of effective charter schools during the grant period. These efforts indicate the State has effectively implemented a CSP project and is likely to continue to use CSP funding to expand the creation of quality charter schools to meet the needs of the targeted student populations.

The applicant includes a unique authorizer engagement process that identifies authorizes who have a track record of success meeting the needs of the targeted student population to work with charter school developers. Activities included in this effort, such as a meeting with quality developers early in the project to identify probable assistance that will be needed, supports efforts to ensure the creation of a pool of quality applicants, and bolster the likelihood of creating high quality schools. (Page 53)

Weaknesses:

There are no weaknesses evident in this area.

Reader's Score: 10

Priority Questions

Competitive Preference Priority - High-Quality Authorizing and Monitoring Processes

1. Competitive Preference Priority 1: High-Quality Authorizing and Monitoring Processes

To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

a) Frameworks and processes to evaluate the performance of charter schools on a regular basis that include--

1) Rigorous academic and operational performance expectations (including performance expectations related to financial management and equitable treatment of all students and applicants);

2) Performance objectives for each school aligned to those expectations;

3) Clear criteria for renewing the charter of a school based on an objective body of evidence, including evidence that the charter school has (a) met the performance objectives outlined in the charter or performance contract; (b) demonstrated organizational and fiscal viability; and (c) demonstrated fidelity to the terms of the charter or performance contract and applicable law;

4) Clear criteria for revoking the charter of a school if there is violation of law or public trust regarding student safety or public funds, or evidence of poor student academic achievement; and

5) Annual reporting by authorized public chartering agencies to each of their authorized charter schools that summarizes the individual school 's performance and compliance, based on this framework, and identifies any areas that need improvement.

b) Clear and specific standards and formalized processes that measure and benchmark the performance of the authorized public chartering agency or agencies, including the performance of its portfolio of charter schools, and provide for the annual dissemination of information on such performance;

c) Authorizing processes that establish clear criteria for evaluating charter applications and include a multi-tiered clearance or review of a charter school, including a final review immediately before the school opens for its first operational year; or

d) Authorizing processes that include differentiated review of charter petitions to assess whether, and the extent to which, the charter school developer has been successful (as determined by the authorized public chartering agency) in establishing and operating one or more high-quality charter schools.

Strengths:

Narrative indicates a rigorous process is in place to evaluate the performance of charter schools. The applicant relies on state and federal guidelines to inform the charter school framework and processes to evaluate school performance. The proposal identifies 5 key indicators to evaluate academic and organizational effectiveness. Schools Indicators include:

- Education programs
- Health and safety
- governance
- finance
- operations (Page 8)

The narrative specifies a clear criteria for renewing school charters based on criteria set forth in the Authorizer's Quality Practices Rubric. This comprehensive framework evaluates school commitment, capacity, oversight, performance and termination and renewal policies of state charter authorizes . The framework also establishes robust evaluation criteria a pre-opening monitoring for 1st year school sites. The framework provides insight into the level at which the charter school authorizers have been successful. (Appendix E)

Weaknesses:

While the applicant states violations are grounds for termination or charter revocation, it does not fully explain a clear plan of action for violations such as probation or timelines to correct issues.

Reader's Score: 14

Competitive Preference Priority - Authorizer other than LEA or Appeal Process

1. Competitive Preference Priority 2: One Authorized Public Chartering Agency Other than a LEA, or an Appeals Process

To meet this priority, the applicant must demonstrate that the State--

a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

b) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

Note: In order to meet this priority under paragraph (b) above, the entity hearing appeal must have the authority to approve the charter application over the objections of the LEA.

Strengths:

The proposal describes a variety of authorizing agencies for charter school applicants and states there are 65 available authorizers from which applicant can elect to submit a charter school application. Additionally the narrative reveals non-profit organizations authorize the majority of the state's charter schools and the State Department of Education authorizes charters as well. (Page 12)

Weaknesses:

There are no weaknesses noted in this area.

Reader's Score: 5

Status: Submitted
Last Updated: 08/03/2015 11:36 AM

Status: Submitted

Last Updated: 08/03/2015 11:36 AM

Technical Review Coversheet

Applicant: STATE OF OHIO/DEPARTMENT OF EDUCATION (U282A150023)

Reader #3: *****

	Points Possible	Points Scored
Questions		
Selection Criteria		
State-Level Strategy		
1. State-Level Strategy	15	13
Sub Total	15	13
Selection Criteria		
Policy Context for Charter Schools		
1. Policy Context	5	5
Sub Total	5	5
Selection Criteria		
Past Performance		
1. Past Performance	10	6
Quality of Plan to Support Ed. Dis. Students		
1. Ed. Dis. Students	15	11
Vision for Growth and Accountability		
1. Growth and Accountability	10	7
Dissemination of Information and Best Practices		
1. Dissemination	10	8
Oversight of Public Chartering Agencies		
1. Oversight of Authorizers	15	12
Management Plan and Theory of Action		
1. Management Plan	10	10
Project Design		
1. Project Design	10	9
Sub Total	80	63
Priority Questions		
Competitive Preference Priority		
High-Quality Authorizing and Monitoring Processes		
1. CPP 1	15	13
Sub Total	15	13
Competitive Preference Priority		
Authorizer other than LEA or Appeal Process		

1. CPP 2

	5	5
Sub Total	5	5
Total	120	99

Technical Review Form

Panel #9 - SEA Panel - 9: 84.282A

Reader #3: *****

Applicant: STATE OF OHIO/DEPARTMENT OF EDUCATION (U282A150023)

Questions

Selection Criteria - State-Level Strategy

1. The Secretary considers the quality of the State-level strategy for using charter schools to improve educational outcomes for students throughout the State. In determining the quality of the State-level strategy, the Secretary considers the following factors:

1) The extent to which the SEA 's CSP activities, including the subgrant program, are integrated into the State s overall strategy for improving student academic achievement and attainment (including high school graduation rates and college and other postsecondary education enrollment rates) and closing achievement and attainment gaps, and complement or leverage other statewide education reform efforts;

2) The extent to which funding equity for charter schools (including equitable funding for charter school facilities) is incorporated into the SEA' s State-level strategy; and

3) The extent to which the State encourages local strategies for improving student academic achievement and attainment that involve charter schools, including but not limited to the following:

i. Collaboration, including the sharing of data and promising instructional and other practices, between charter schools and other public schools or providers of early learning and development programs or alternative education programs; and

ii. The creation of charter schools that would serve as viable options for students who currently attend, or would otherwise attend, the State 's lowest-performing schools.

Strengths:

- The applicant's Charter Schools Program activities are clearly aligned with the 10 key components of the state's overall education strategy (p.12-14).
- Not only is the state's funding formula the same for charter schools as it is for traditional public schools (p.14), it also a) provides charter schools the opportunity to seek additional funding including tax levies; b) includes a line item in the state's budget for charter school facilities; and c) has an Academic Distress Commission that provides funding to charters in "recovery districts" (p.14).
- The state has begun the process of creating charter schools that serve as viable options for students that attend the lowest performing charter schools with the Cleveland Transformation Alliance (p. 16). The Cleveland Transformation Alliance is a community development education organization (CEDO) that promotes the development of high-quality charter schools in the Cleveland area by increasing family awareness about school options; empowering families to make informed choices; and by monitoring the growth and quality of charter schools.

Weaknesses:

While it has a commitment to expanding the strategies across the state (p. 16), current efforts are focused in metropolitan areas. A clear plan for initiating these efforts throughout the state needs to be developed and to include rural areas.

Selection Criteria - Policy Context for Charter Schools

1. The Secretary considers the policy context for charter schools under the proposed project. In determining the policy context for charter schools under the proposed project, the Secretary considers the following factors:

1) The degree of flexibility afforded to charter schools under the State's charter school law, including:

i. The extent to which charter schools in the State are exempt from State or local rules that inhibit the flexible operation and management of public schools; and

ii. The extent to which charter schools in the State have a high degree of autonomy, including autonomy over the charter school's budget, expenditures, staffing, procurement, and curriculum;

2) The quality of the SEA's processes for:

i. Annually informing each charter school in the State about Federal funds the charter school is eligible to receive and Federal programs in which the charter school may participate; and

ii. Annually ensuring that each charter school in the State receives, in a timely fashion, the school's commensurate share of Federal funds that are allocated by formula each year, particularly during the first year of operation of the school and during a year in which the school's enrollment expands significantly; and

3) The quality of the SEA's plan to ensure that charter schools that are considered to be LEAs under State law and LEAs in which charter schools are located will comply with sections 613(a)(5) and 613(e)(1)(B) of IDEA (20 U.S.C. 1400, et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101, et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

Strengths:

- Under ORC 3314.04 charter schools are "exempt from all state laws and rules pertaining to schools, school districts, and boards of education, except those laws and rules that grant certain rights to parents" (p. 17). The applicant provides examples of flexibility in curriculum design, instructional methods, select members of the governing board, hire and fire employees, and contract with service providers. Each of these areas of autonomy provides schools the flexibility they need to create and operate programs that improve educational effectiveness.

Ohio provides charter schools high degrees of flexibility and autonomy given the fact that they are exempt from most laws and rules less significant and reasonable accountability measures.

- The state informs each school about funds for which they are eligible to receive through seminars, webinars, the Superintendent's Memo, and the state's consolidated grant application platform (p. 18-19). These efforts incorporate multiple modes and methods thereby increasing the likelihood that all schools have the same opportunity to access state and/or federal funds.

- ORC 3314.01(B) clearly states that charter schools are required to comply with anti-discrimination laws (p. 20). As a part their required twice annual visits, authorizers monitor compliance with such laws. Monitoring during twice annual site visits provides a reasonable level of checks and balances when combined with the performance expectations surrounding these site visits found within the state's Authorizer Quality Practices Rubric (AQPR). Items E, F, G, and H of the Oversight & Evaluation Section of the AQPR provide additional guidance on site visits as they relate to compliance with federal equity laws.

Weaknesses:

No weaknesses noted.

Reader's Score: 5

Selection Criteria - Past Performance

1. The Secretary considers the past performance of charter schools in a State that enacted a charter school law for the first time five or more years before submission of its application. In determining the past performance of charter schools in such a State, the Secretary considers the following factors:

1) The extent to which there has been a demonstrated increase, for each of the past five years, in the number and percentage of high-quality charter schools (as defined in this notice) in the State;

2) The extent to which there has been a demonstrated reduction, for each of the past five years, in the number and percentage of academically poor-performing charter schools (as defined in this notice) in the State; and

3) Whether, and the extent to which, the academic achievement and academic attainment (including high school graduation rates and college and other postsecondary education enrollment rates) of charter school students equal or exceed the academic achievement and academic attainment of similar students in other public schools in the State over the past five years.

Strengths:

- Ohio has demonstrated a steady increase in the number and percentage of high quality charter schools over the past four years from 2009-2012 (p. 21). Although Ohio has not demonstrated an increase for each of the past five years in the number and percentage of high-quality charter schools, it understands that the decrease in high-quality schools was commensurate with increased performance expectations. Furthermore, the number and percentage has increased in the single, reportable year since then.

- Despite the fact that the applicant has not consistently reduced the percentage of poor-performing schools over the past five years, it has aggressively decreased the number of such schools (99 since FY11) (p. 21-22). These closures demonstrate the state's understanding of the importance of school closure and willingness to do so to ensure that students are being served by schools that provide the highest quality education to students.

Weaknesses:

- Ohio demonstrated an increase in the number and percentage of high-quality charter schools in only four of the past five years (p. 21).

- The state has not demonstrated a steady decrease in the percentage of poor-performing charter schools over the past five years (p. 21).

- The percentage of high-quality charter schools is lower than the percentage of high-quality traditional Ohio 8 schools (the eight largest urban districts in the state) in three of the five reported years (p. 22).

- The applicant does not provide overall academic performance data, specific results in reading or mathematics, nor graduation rates. Therefore, it is difficult to determine the extent to which the performance of charter school students equals or exceeds the attainment of similar students in other public schools.

Selection Criteria - Quality of Plan to Support Ed. Dis. Students

1. The Secretary considers the quality of the SEA 's plan to support educationally disadvantaged students. In determining the quality of the plan to support educationally disadvantaged students, the Secretary considers the following factors:

1) The extent to which the SEA' s charter school subgrant program would--

i. Assist students, particularly educationally disadvantaged students, in meeting and exceeding State academic content standards and State student achievement standards; and

ii. Reduce or eliminate achievement gaps for educationally disadvantaged students;

2) The quality of the SEA 's plan to ensure that charter schools attract, recruit, admit, enroll, serve, and retain educationally disadvantaged students equitably, meaningfully, and, with regard to educationally disadvantaged students who are students with disabilities or English learners, in a manner consistent with, as appropriate, the IDEA (regarding students with disabilities) and civil rights laws, in particular, section 504 of the Rehabilitation Act of 1973, as amended, and title VI of the Civil Rights Act of 1964;

3) The extent to which the SEA will encourage innovations in charter schools, such as models, policies, supports, or structures, that are designed to improve the academic achievement of educationally disadvantaged students; and

4) The quality of the SEA 's plan for monitoring all charter schools to ensure compliance with Federal and State laws, particularly laws related to educational equity, nondiscrimination, and access to public schools for educationally disadvantaged students.

Strengths:

OH's CSP subgrant will assist educationally disadvantaged students' academic achievement by increasing the number of high quality schools where they are most needed (p.24).

The state has several strategies in place to reduce or eliminate achievement gaps. These strategies encompass compliance/reporting, best practice dissemination, and funding opportunities (p.24-25).

The state intends to require sub-grant applicants to articulate in their applications how they will recruit and retain disadvantaged students. Furthermore, the ODE is planning to disseminate best practice information related to this matter (p. 25).

The applicant ensures compliance through multiple measures and on a frequent and regular basis. These efforts include a CSP Grant Site Monitoring Form to be used by the grants manager and the assurance of compliance through the grants management system. Not only does the state have a plan to monitor, but a clear vision of intervention through Corrective Action Plans (p. 26).

Weaknesses:

It is difficult to discern the extent to which the state will encourage innovation given the fact the application includes only a statement of assurance rather than detail related to the effort.

The application lacks detail regarding access to schools for educationally disadvantaged youth.

Selection Criteria - Vision for Growth and Accountability

1. The Secretary determines the quality of the statewide vision, including the role of the SEA, for charter school growth and accountability. In determining the quality of the statewide vision, the Secretary considers the following factors:

1) The quality of the SEA's systems for collecting, analyzing, and publicly reporting data on charter school performance, including data on student academic achievement, attainment (including high school graduation rates and college and other postsecondary education enrollment rates), retention, and discipline for all students and disaggregated by student subgroup;

2) The ambitiousness, quality of vision, and feasibility of the SEA's plan (including key actions) to support the creation of high-quality charter schools during the project period, including a reasonable estimate of the number of high-quality charter schools in the State at both the beginning and the end of the project period; and

3) The ambitiousness, quality of vision, and feasibility of the SEA's plan (including key actions) to support the closure of academically poor-performing charter schools in the State (i.e., through revocation, non-renewal, or voluntary termination of a charter) during the project period.

Note: In the context of closing academically poor-performing charter schools, we remind applicants of the importance of ensuring adherence to applicable laws, policies, and procedures that govern the closure of a charter school, the disposition of its assets, and the transfer of its students and student records.

Strengths:

The data that charter schools are required to submit in Ohio's Education Management Information System results in the output of information in at least two types of public reports, individual school report cards and the ODE's report on ALL charter schools (p. 27-28). Both types of documents provide a wealth of information regarding growth and accountability.

Ohio law (ORC 3314.35) mandates the permanent closure of charter schools after poor performance (D or F on their report card) when/if it occurs in two of the three most recent years (p. 30).

Ohio has impressive and stringent criteria for school closure (p. 30) including in the event of extreme underperformance; an egregious violation of the law; a violation of public trust that jeopardizes students' health or public funds; or unfaithfulness to the terms of the contract (p. 30).

Weaknesses:

The state's plan to grow to 400 charter schools (p. 27) appears to be overly-ambitious given the state's historical growth rate of charter schools combined with their rate of school closures.

No clear plan is provided for ensuring that the state's 65 authorizers have the capacity to support this ambitious increase in the total number of schools within the proposed project period.

Reader's Score: 7

Selection Criteria - Dissemination of Information and Best Practices

1. The Secretary considers the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools to each LEA in the State as well as to charter schools, other public schools, and charter school developers (20 U.S.C. 7221b(b)(2)(C) and 7221(c)(f)(6)). If an SEA proposes to use a portion of its grant funds for dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221c(f)(6)(B)), the SEA should incorporate these subgrants into the overall plan for dissemination. In determining the quality of the SEA's plan to disseminate information about charter schools and best or promising practices of successful charter schools, the Secretary considers the following factors:

1) The extent to which the SEA will serve as a leader in the State for identifying and disseminating information and research (which may include, but is not limited to, providing technical assistance) about best or promising practices in successful charter schools, including how the SEA will use measures of efficacy and data in identifying such practices and assessing the impact of its dissemination activities;

2) The quality of the SEA's plan for disseminating information and research on best or promising practices used by, and the benefits of, charter schools that effectively incorporate student body diversity, including racial and ethnic diversity and diversity with respect to educationally disadvantaged students, consistent with applicable law;

3) The quality of the SEA's plan for disseminating information and research on best or promising practices in charter schools related to student discipline and school climate; and

4) For an SEA that proposes to use a portion of its grant funds to award dissemination subgrants under section 5204(f)(6)(B) of the ESEA (20 U.S.C. 7221a(f)(6)(B)), the quality of the subgrant award process and the likelihood that such dissemination activities will increase the number of high-quality charter schools in the State and contribute to improved student academic achievement.

Strengths:

The applicant articulates a strong commitment to the dissemination of information. Its approach includes the formation of a Charter Schools Promising Practices Dissemination Network led by a Steering Committee with a broad base and experience (p. 31). In addition, it includes data analysis and research via the Ohio Educational Research Center (p. 32). Finally, the network has a clear vision for a dissemination plan (p.34-35).

The SEA has developed a partnership with the Ohio Educational Research Center (p.31-34) that will enrich the data analysis and research process they will use to determine which practices are worthy of dissemination.

Weaknesses:

The applicant does not describe how it will use measures of efficacy and data in identifying best and promising practices. Rather than describing how it will use measures of efficacy and data to assess the impact of its dissemination activities, the SEA simply states, "ODE will assess impact by reviewing the prior year's activities and use the results to inform future plans" (p.33). A lack of the use of efficacy and data to identify the promising practices that will be disseminated may lead to ineffective or low quality information to be released thereby potentially misleading schools and poorly using grant funds.

The state does not describe a specific plan regarding the dissemination of information regarding diversity (p. 33-34) or school discipline/climate (p. 34). To simply state that the SEA intends to do so results in uncertainty about the plan's goals, objectives, and anticipated outcomes.

Reader's Score: 8

Selection Criteria - Oversight of Public Chartering Agencies

The Secretary considers the quality of the SEA's plan (including any use of grant administrative or other funds) to monitor, evaluate, assist, and hold accountable authorized public chartering agencies. In determining the quality of the SEA's plan to provide oversight to authorized public chartering agencies, the Secretary considers how well the SEA's plan will ensure that authorized public chartering agencies are --

1) Seeking and approving charter school petitions from developers that have the capacity to create charter schools that can become high-quality charter schools;

2) Approving charter school petitions with design elements that incorporate evidence-based school models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies with respect to educationally disadvantaged students, consistent with applicable law;

3) Establishing measureable academic and operational performance expectations for all charter schools (including alternative charter schools, virtual charter schools, and charter schools that include pre-kindergarten, if such schools exist in the State) that are consistent with the definition of high-quality charter school as defined in this notice;

4) Monitoring their charter schools on at least an annual basis, including conducting an in-depth review of each charter school at least once every five years, to ensure that charter schools are meeting the terms of their charter or performance contracts and complying with applicable State and Federal laws;

5) Using increases in student academic achievement as one of the most important factors in renewal decisions; basing renewal decisions on a comprehensive set of criteria, which are set forth in the charter or performance contract; and revoking, not renewing, or encouraging the voluntary termination of charters held by academically poor-performing charter schools;

6) Providing, on an annual basis, public reports on the performance of their portfolios of charter schools, including the performance of each individual charter school with respect to meeting the terms of, and expectations set forth in, the school's charter or performance contract;

7) Supporting charter school autonomy while holding charter schools accountable for results and meeting the terms of their charters or performance contracts; and

8) Ensuring the continued accountability of charter schools during any transition to new State assessments or accountability systems, including those based on college- and career-ready standards.

Strengths:

The SEA's plan to provide oversight to authorizers is based on clear and objective criteria outlined in its Authorizer Quality Practices Rubric (AQPR) and charter law (ORC 3314.03). The rubric is the evaluation document used by the state.

Below is a description of the rigorous components of the rubric and/or regulation:

- Criteria for Seeking and Approving Petitions is found in the following sections of the AQPR: Application Process & Decision Making, Rigorous Criteria for New Applicants; and Rigorous Criteria for Existing Schools.
- Criteria for Establishing Measureable Academic and Operational Performance Expectations is found in the following sections of the AQPR: Performance Contracting. The Contract Student Performance Measures in this section include the use of multiple measures of student performance (proficiency rates, academic growth, graduation rates, and attendance.
- Monitoring on an Annual Basis is a requirement of charter law ORC 3314.03 and is found in the following sections of the AQPR: Oversight & Evaluation and Cumulative Report & Performance.
- Criteria for Renewal Using Increases in Student Achievement is found in the following section of the AQPR: Termination & Renewal Decision Making which includes subsections on Evidence Based Renewal, Renewal & Non-Renewal Decisions.
- Reports to the Public is found in the following section of the AQPR: Oversight & Evaluation with the Oversight & Evaluation Report to Schools and Annual Report to Public subsections.
- Supporting Autonomy While Upholding Accountability is a requirement of charter law ORC 3314.03 and is found in the following section of the AQPR: Oversight & Evaluation.

Given the fact that the rubric is the tool the state uses to evaluate authorizer's it is highly likely that this method of oversight of authorizers is highly effective.

Weaknesses:

The state does not have clear and measurable checks and balances for ensuring that authorizers approve charter school petitions with design elements that incorporate evidence-based school models and practices (p. 36-37) as requested by the CSP criteria.

The state does not have clear and measurable checks and balances for ensuring authorizer's accountability of charter schools through transitions to new assessments or accountability systems (p. 39) as requested by the CSP criteria.

Selection Criteria - Management Plan and Theory of Action

1. The Secretary considers the quality of the management plan and the project's theory of action. In determining the quality of the management plan and the project's theory of action, the Secretary considers the following factors:

- 1) The quality, including the cohesiveness and strength of reasoning, of the logic model (as defined in 34 CFR 77.1(c)) and the extent to which it addresses the role of the grant in promoting the State-level strategy for using charter schools to improve educational outcomes for students through CSP subgrants for planning, program design, and initial implementation; optional dissemination subgrants; optional revolving loan funds; and other strategies;

- 2) The extent to which the SEA's project-specific performance measures, including any measures required by the Department, support the logic model; and

- 3) The adequacy of the management plan to --

- i. Achieve the objectives of the proposed project on time and within budget, including the existence of clearly defined responsibilities, timelines, and milestones for accomplishing project tasks; and

- ii. Address any compliance issues or findings related to the CSP that are identified in an audit or other monitoring review.

Note: The Secretary encourages the applicant to propose a comprehensive management plan and theory of action for assessing the achievement of the objectives, including developing performance measures and performance targets for its proposed grant project that are consistent with those objectives. The applicant should clearly identify the project-specific performance measures and performance targets in its plan and should review the logic model application requirement and performance measures section of this notice for information on the requirements for developing those performance measures and performance targets consistent with the objectives of the proposed project. The applicant may choose to include a discussion of the project-specific performance measures and targets it develops in response to the logic model requirement when addressing this criterion.

Strengths:

Ohio's logic model is simple and sound. It depends on CSP grant funding to attract the best proposals and award subgrants to allow developers to create quality plans and operate high quality schools that will ultimately improve educational outcomes for students (p. 40).

The applicant's performance measures not only support their logic model, but the assessment of each measure will be determined by the creation of rubrics based on NACSA resources (p. 44-45).

Ohio's organization (p.47-50) and staffing plan are designed to achieve their objectives on time and within their budget (p. 46-47). The current ODE staff supporting the program have exceptional levels of education and experience (p.47).

The applicant has a plan for authorizers to act as the primary point of contact regarding compliance issues. The authorizer will work with the developer to rectify the issue and/or draft a corrective action plan (p. 50).

Weaknesses:

No weaknesses noted.

Selection Criteria - Project Design

1. The Secretary considers the quality of the design of the SEA 's charter school subgrant program, including the extent to which the project design furthers the SEA' s overall strategy for increasing the number of high-quality charter schools in the State and improving student academic achievement. In determining the quality of the project design, the Secretary considers the following factors:

1) The quality of the SEA' s process for awarding subgrants for planning, program design, and initial implementation and, if applicable, for dissemination, including:

i. The subgrant application and peer review process, timelines for these processes, and how the SEA intends to ensure that subgrants will be awarded to eligible applicants demonstrating the capacity to create high-quality charter schools; and

ii. A reasonable year-by-year estimate, with supporting evidence, of

a) the number of subgrants the SEA expects to award during the project period and the average size of those subgrants, including an explanation of any assumptions upon which the estimates are based; and

b) if the SEA has previously received a CSP grant, the percentage of eligible applicants that were awarded subgrants and how this percentage related to the overall quality of the applicant pool;

2) The process for monitoring CSP subgrantees;

3) How the SEA will create a portfolio of subgrantees that focuses on areas of need within the State, such as increasing student body diversity or maintaining a high level of student body diversity, and how this focus aligns with the State-Level Strategy;

4) The steps the SEA will take to inform teachers, parents, and communities of the SEA' s charter school subgrant program; and

5) A description of any requested waivers of statutory or regulatory provisions over which the Secretary exercises administrative authority and the extent to which those waivers will, if granted, further the objectives of the project.

Strengths:

The state has created a comprehensive and high quality application process that includes components ranging from grant types to a peer reviewer rubric. Specific strengths of the process include competitive preference priorities that match CSP priorities and meet the state of Ohio's unique needs (p. 51-52); assurance that subgrants will only be awarded to applicants that have demonstrated the capacity to create high-quality schools by only allowing authorizers that are rated as "exemplary" or "effective" apply (p. 53); and thoughtful collaboration with the Community Education Development Organization to coordinate decisions about disadvantaged students served by urban schools (p. 54).

An impressive 72% of the schools that previously received CSP subgrants achieved a value-added grade of A-C on the state's report card.

Subgrantees will be monitored both by their authorizer and the state. This will include two reviews by authorizers and "multiple" reviews by the state. To further ensure quality implementation, ODE will conduct yearly reviews of the authorizers (p. 58).

The applicant has identified five competitive preference priorities including strategic replacement, high need location, educationally disadvantaged students, proven educational models, and dropout prevention and recovery (p. 51-52) that will assist them in creating a portfolio of subgrantees that address the needs in the state. In addition they have identified objectives with regard to geographic needs, student needs, and innovative models.

The state plans on using multiple methods and types of media to reach a wide variety of individuals who may have interest in the subgrant program (p. 59-60).

Ohio is requesting a grant period of five rather than three years (p.60). The application provides justified reasoning for the request that will ensure that the state will have the necessary time and resources to meet their ambitious goals.

Weaknesses:

The SEA's plan to award 23 planning grants, 12 year-one and year-two implementation subgrants in the first year of the award and 23 year-one and year-two implementation subgrants per year after that (p. 56-57) seems to be overly ambitious given the rate of growth in the past and the potential for market saturation over time.

Reader's Score: 9

Priority Questions

Competitive Preference Priority - High-Quality Authorizing and Monitoring Processes

1. Competitive Preference Priority 1: High-Quality Authorizing and Monitoring Processes

To meet this priority, an applicant must demonstrate that all authorized public chartering agencies in the State use one or more of the following:

a) Frameworks and processes to evaluate the performance of charter schools on a regular basis that include--

1) Rigorous academic and operational performance expectations (including performance expectations related to financial management and equitable treatment of all students and applicants);

2) Performance objectives for each school aligned to those expectations;

3) Clear criteria for renewing the charter of a school based on an objective body of evidence, including evidence that the charter school has (a) met the performance objectives outlined in the charter or performance contract; (b) demonstrated organizational and fiscal viability; and (c) demonstrated fidelity to the terms of the charter or performance contract and applicable law;

4) Clear criteria for revoking the charter of a school if there is violation of law or public trust regarding student safety or public funds, or evidence of poor student academic achievement; and

5) Annual reporting by authorized public chartering agencies to each of their authorized charter schools that summarizes the individual school 's performance and compliance, based on this framework, and identifies any areas that need improvement.

b) Clear and specific standards and formalized processes that measure and benchmark the performance of the authorized public chartering agency or agencies, including the performance of its portfolio of charter schools, and provide for the annual dissemination of information on such performance;

c) Authorizing processes that establish clear criteria for evaluating charter applications and include a multi-tiered clearance or review of a charter school, including a final review immediately before the school opens for its first operational year; or

d) Authorizing processes that include differentiated review of charter petitions to assess whether, and the extent to which, the charter school developer has been successful (as determined by the authorized public chartering agency) in establishing and operating one or more high-quality charter schools.

Strengths:

All authorized public chartering agencies in Ohio are required to employ processes to evaluate the performance of their charter schools at least twice annually. These frameworks include:

- Clear and rigorous academic and operational performance expectations (p. 7-8). The expectations are outlined in state law, each charter contract, and their Authorizer Quality Practices Rubric. Each of the documents provided clarity to the state, the authorizer, and the school. The Rubric is of exceptional content and quality (Appendix E).
- Performance objectives are comprehensive and include depth in content, therefore align with the performance expectations (p. 8).
- The state requires that authorizers set forth clear criteria for renewal decisions and use objective data to evaluate meeting the criteria. Furthermore, states have written policies regarding renewal (p. 8).
- OAC 3301-102-05(A)(2)(a) dictates that authorizers not only make twice annual site visits, but include assessment of adherence to rule and law during those visits (p. 9).
- OAC 3301-102-5 mandates that authorizers write and submit annual reports for each of their schools ensuring that schools, parents, and the ODE understand their performance (p.9).

Weaknesses:

It is unclear from the application whether or not Ohio's authorizing process includes determining if the developer has been successful in establishing and operating one or more high-quality charter schools.

Reader's Score: 13

Competitive Preference Priority - Authorizer other than LEA or Appeal Process**1. Competitive Preference Priority 2: One Authorized Public Chartering Agency Other than a LEA, or an Appeals Process**

To meet this priority, the applicant must demonstrate that the State--

a) Provides for one authorized public chartering agency that is not an LEA, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

b) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

Note: In order to meet this priority under paragraph (b) above, the entity hearing appeal must have the authority to approve the charter application over the objections of the LEA.

Strengths:

The application clearly indicates that the state has a multi-authorizer system comprised of 65 authorizers including LEAs as well as non-profits, a state university, educational service centers, and the ODE.

Weaknesses:

No weaknesses noted.

Reader's Score: 5

Status: Submitted

Last Updated: 08/03/2015 11:36 AM

14. APPENDIX – MARCH 7, 2014 JOINT E-SCHOOL LETTER TO ODE

On March 7, 2014, representatives of Connections Education, K-12 Inc., the Electronic Classroom of Tomorrow (ECOT), and Altair Learning Management sent a joint letter to ODE regarding their Value-Added score analysis for the 2011-12, 2012-13 school years. This Appendix includes a copy of the letter.

March 7, 2014

To: David Hansen, Executive Director
Office of Quality School Choice

From: Susan Stagner, Connections Education
Peter Robertson, Connections Education
Bert Wiser, Electronic Classroom of Tomorrow
Scott Kern, Altair Learning Management
Margie Jorgensen, Ph.D., K12 Inc.
Mary Gifford, K12 Inc.

Subject: Value-added score analysis for the 2011-12, 2012-13 School Years

David,

Thank you for the productive meeting last month to discuss the value-added calculation changes made in the Spring of 2012 and their impact on the statewide eSchools. As stated in that meeting, each of the organizations represented is committed to an aggressive continuous improvement effort in the best interest of students who want and need this innovative model of education – and to accountability for the results. Yet, the changes made to the value-added calculation in the Spring of 2012 and since then are raising questions that we cannot answer and are undermining our accountability – literally our ability to account. These are statistical questions about the robustness and fairness of the business rules developed and how they may be affecting the statewide eSchools as compared to other public schools. No other subset of public schools in the state draws from a statewide population of students and for this reason puts the statewide eSchools in a unique group for statistical analysis. All other public schools are limited by their geographic reach which limits both the number and relative demographics of the potential students- essentially a much more steady state situation.

Here is what we know to date, and questions that we have:

- A change was made in the Spring of 2012 that would allow more first year students to be included in the value-added calculation of charter schools, by dropping a rule that had excluded students from a school “sending” fewer than 5 students. (See SAS PDF document on this topic). At the time, this change was only made for charter schools, not district schools. None of the charter schools in Ohio, including the statewide eSchools, were informed of this proposed change and no statistical modeling was presented for public review or to help those affected to understand the change and its impact. To our knowledge, the charter authorizers were not consulted on this change either. In the past, ODE reviewed assessment methodology and resulting assessment statistics with the Technical Advisory Committee, (TAC). Would it make sense to have an independent review of the changes using TAC?
- Two meetings were held between the statewide eSchools and ODE’s office of accountability in the Fall of 2012 after the value-added business rule change had been instituted under the prior administration. In the last meeting in December of 2012, Dr. White from SAS attended and provided some explanation of trends that might be causing the dramatic change in scores and the methodology used. Below are some key points made in that meeting:
 - ODE created “pseudo schools” to use in the calculations involving these newly added students in the value-added calculations. It was explained that this was needed because the model incorporates “school effects” and those could not be reliably calculated for a school “sending” fewer than 5 students. We have questions about the statistical

methodology of this unique approach for the statewide eSchools and how and why does this approach differ to how ODE is comparing students in all other public schools in the state?

- Dr. White also shared that a significant number of the new students entering statewide eSchools each year are entering with “negative” growth patterns. This is no surprise and we are aware of the at-risk population we serve. This could represent up to 50% of an eSchools’ population of students each year. Knowing this is true and that the value added model “assumes” normal grade level growth as the minimum or default for students, does this put the statewide eSchools on a fair statistical playing field even though the model fails to “handicap” for that negative growth? Has any mathematical modeling been done to show that this is the case as compared to all other public schools?

- In this last meeting in December of 2012, we requested the count of students considered in the value-added calculations for each of the years that value-added has been used as part of the state accountability system, by school for every school in the state (along with the IRN for each school so we can easily connect this information to other data for those schools). We are interested in understanding what other schools experienced significant changes in the number of students involved in the calculations so that we can look for patterns in what happened as a way to try and understand why. ODE agreed to this request a year and a half ago and still has not met it.

- The results for the 2011-2012 school year were a dramatic negative change for all the statewide eSchools. (See the chart below)

e-school	Value-Added Composite Results Over Time					Change in ODE VA Business Rules	
	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013
BOSS	Met	Met	Met	Above	Met	Below	F
CONNECTIONS	Above	Met	Above	Above	Met	Below	F
ECOT	Above	Met	Above	Met	Met	Below	F
OHDELA	Above	Above	Above	Met	Met	Below	F
OHVA	Met	Below	Above	Below	Above	Below	F
TRECA	Above	Met	Above	Below	Met	Below	F
VCS	Met	Below	Above	Met	Met	Below	D

Dr. Matt Cohen testified in November, 2012 in the House Education Committee on HB 555 that ODE was not clear on the exact cause of the above result. Certainly, there is room for improvement for all the statewide eSchools in ensuring that first year students are on-boarded properly. However, we think this warrants additional review since all of the schools were performing fairly well on progress and then dramatically changed to below expectations for growth for two consecutive years. And if ODE itself was not “able to account” for the change, then the schools themselves cannot be expected to be “accountable” for that change.

We are respectfully requesting three actions by ODE:

- 1) Please share any business rule or policy changes that ODE made in value-added calculations from 2006-2013 and the reasons for the changes or processes applied to substantiate the change. Please identify if these were made for any subset of public schools and if statewide eSchools were included in this change.
- 2) Please rerun the value-added scores for the 2011-2012 and 2012-2013 school years for all Ohio public schools including the statewide eSchools using the previous business rules, if in fact they were the same rules from 2006-2011. If they were not the same business rules, please let us know what the most relevant year of business rules to run and why. 2010-2011? When this is complete, please run the charter school closure methodology using these results for all charter schools?
- 3) In this most recent report card, a three year averaging is being used for community school closure laws but there is a lack of understanding on this methodology as well. What is the intent of the three-year averaging of value-added scores in light of this conversation and what is the impact on the community school closure laws?

Finally, this group wants to be clear that we support Dr. Sanders' value-added measure as an effective metric for understanding annual student gains. The business rule changes are the concern and we would recommend that ODE default back to the original business rules (prior to the Spring 2012), at least until there is additional data to support this most recent change.

Thank you for your willingness to assist in this matter. We look forward to working with ODE to better understand this issue!

15. APPENDIX – OHIO EDUCATIONAL RESEARCH CENTER E-SCHOOLS STUDY

The ODE Accountability Office contracted with the Ohio Education Research Center (OERC) through The Ohio State University, to conduct an independent *Ohio’s E-schools Study: An Assessment of Student Demographics, Performance and Dropout Risk*. This Appendix includes a copy of the Study.



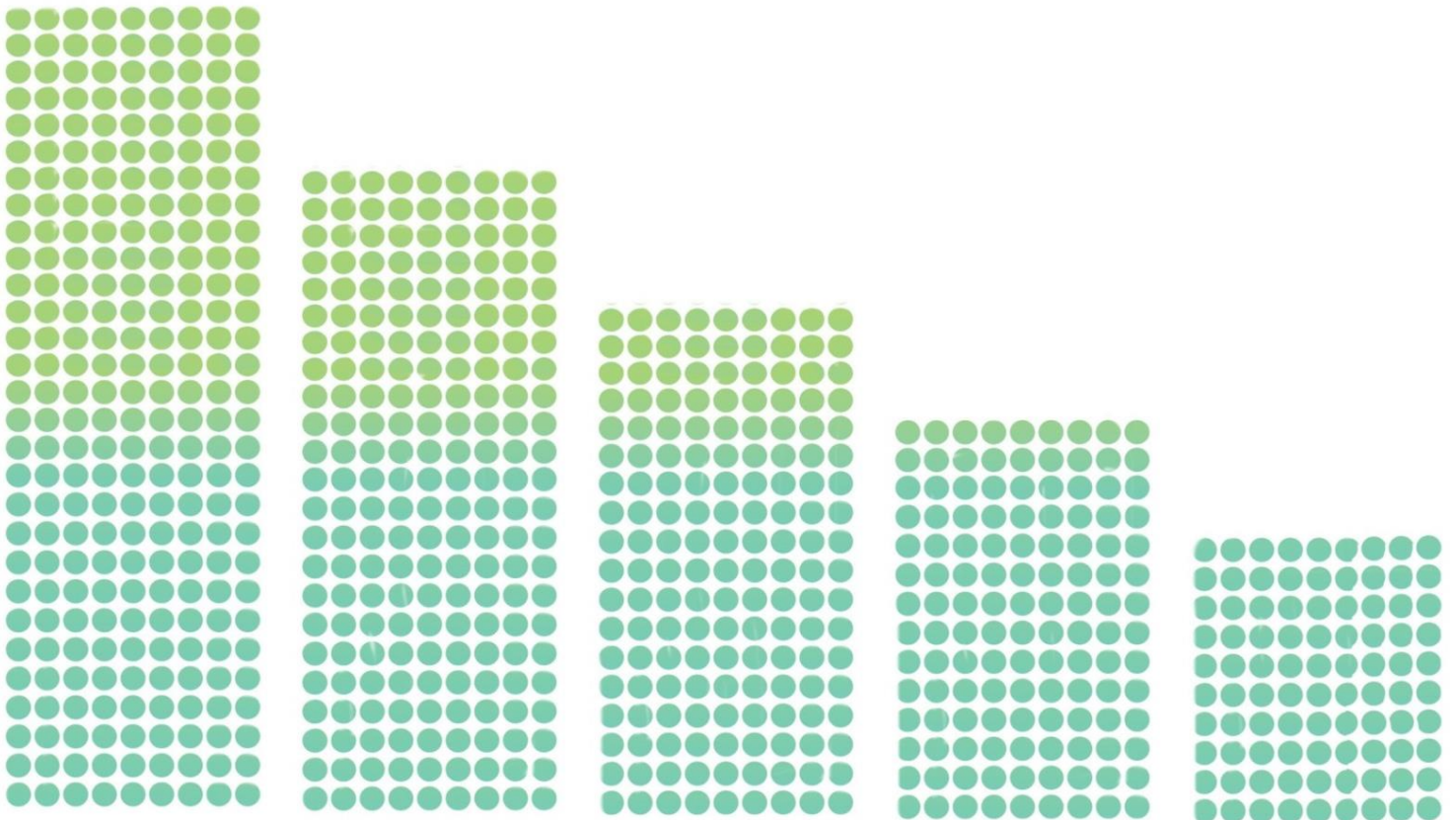
OHIO EDUCATION RESEARCH CENTER

Making Research Work for Education

Ohio's E-Schools: An Assessment of Student Demographics, Performance and Dropout Risk

Jay L. Zagorsky, Ph.D., The Ohio State University
Lauren Porter, MA, The Ohio State University

July 15, 2015





OHIO EDUCATION RESEARCH CENTER

The Ohio Education Research Center (OERC) is a **COLLABORATIVE** of Ohio-based researchers from six universities (Case Western Reserve University, Miami University, Ohio University, The Ohio State University, University of Cincinnati, and Wright State University) and four research institutions (Battelle, Battelle for Kids, Community Research Partners and Strategic Research Group). The founding partners coordinate the work of the OERC through the Governance Committee and three standing committees (Research Agenda, Data, and Outreach). Membership includes key participants from State of Ohio agencies and partner organizations. Administratively, the OERC reports to the State of Ohio through the Policy Council. The OERC is headquartered at The Ohio State University.

The **MISSION** of the OERC is to develop and implement a statewide, preschool-through-workforce research agenda addressing critical issues of education practice and policy. The OERC identifies and shares successful practices, responds to the needs of Ohio's educators and policymakers, and signals emerging trends. The OERC communicates its findings broadly, through multiple platforms and networks, producing materials, products and tools to improve educational practice, policy and outcomes.

The **VISION** of the OERC is to be the source for cutting edge knowledge and resources regarding education and training for Ohio's educators, policymakers and community leaders creating a dynamic cycle of research and practice where the needs of practitioners drive the research agenda and high-quality research has a rapid impact upon practice in the field.

Core **FUNDING** for the OERC is provided by the Ohio Department of Education. Additional funding comes from the Ohio Department of Job and Family Services in collaboration with the Ohio Board of Regents.

Funding for this report was provided by the Ohio Department of Education.

Research Team:

Jay L. Zagorsky, Ph.D., The Ohio State University (PI)

Lauren Porter, MA, The Ohio State University

For questions about this report, contact Dr. Jay L. Zagorsky at: Zagorsky.1@osu.edu.

CONTENTS

EXECUTIVE SUMMARY	1
I. INTRODUCTION	3
II. DEMOGRAPHIC INFORMATION	5
Enrollment	5
Grade Levels.....	8
Student School District History	11
Socioeconomic Characteristics	14
III. COMPARATIVE DROPOUT RISK	20
IV. COMPARATIVE PERFORMANCE ANALYSIS.....	23
V. DATA APPENDIX.....	26
VI. WORKS CITED.....	28

TABLES

Table 1. Amount of Time Students Spend in E-schools	7
Table 2. Number and Percentage of Enrollment by Grade at ECOT	10
Table 3. Percent of Students Entering and Leaving E-schools by Grade Level, all E-School Students	11
Table 4. Type of School E-school Student Attended in Prior Year	12
Table 5. Percentage of Enrollment by Type of Disability in E-Schools and All Public Schools	18
Table 6. Factors Used in the Early Warning System Dropout Model.....	20
Table 7. Odds-Ratio from Early Warning System Dropout Model	21
Table 8. Number of Years Spent in High School.....	22
Table 9. Average Reading and Math Using SAS Institute's NCE Score.....	24
Table 10. Average Reading and Math Percentile Score (0% to 100%) Using ODE Score.....	24
Table 11. Change in Math and Reading Percentile Score	25
Table 12. List of E-schools Used in This Report.....	26
Table 13. Number of Student Records	26

FIGURES

Figure 1. Enrollment in All Types of Ohio Public Schools and in Ohio E-Schools.....	5
Figure 2. Enrollment in Percent by Type of E-School.....	6
Figure 3. Enrollment in Number of E-School Students.....	7
Figure 4. Average Percent of Time Spent in Ohio E-Schools and All Public Districts from 2005-14....	8
Figure 5. Percent in each Grade for Ohio E-Schools and All Public Schools in 2013-2014.....	9
Figure 6. Percent in each Grade for Big 3 Versus All Other E-Schools	9
Figure 7. Percent of Students Who Could Attend a Community, Vocational or Private School	13
Figure 8. Percent of Students Who Had Community School Choices in Their County.....	13
Figure 9. Percent of Students who are economically disadvantaged in Ohio E-Schools and All Public Schools	15
Figure 10. Percent by Race and Ethnicity in Ohio E-Schools and All Public Schools in 2013-2014 ...	16
Figure 11. Percent by Race and Ethnicity for Big 3 versus All Other E-Schools.....	16
Figure 12. Disability Status Ohio E-Schools and All Public Schools.....	17
Figure 13. Disability Status Big 3 E-Schools Compared to All Other E-Schools.....	18

EXECUTIVE SUMMARY

As the importance of School Choice has increased so too have the number and types of publicly-funded education choices for Ohio's K-12 students. Technology has played a role in providing new methods for students to learn and schools to teach. In recent years, technology has enabled the development of electronic schools (e-schools), a new type of virtual school where students attend classes from home via the Internet and receive follow-up support from teachers over the telephone. This report provides information on e-school students' demographic characteristics, impacts resulting from the transition from a brick-and-mortar public school to an e-school, and the effect e-school enrollment has on a students' dropout risk factor. Highlights of the report are discussed below.

Demographic Characteristics

- E-schools have experienced tremendous enrollment growth while overall public school enrollment has fallen. From the 2005-06 school year to the 2013-14 school year e-school enrollment grew by 113%, while total public school enrollment fell by 7%. Most of the e-school enrollment growth occurred in three statewide e-schools: Electronic Classroom of Tomorrow (ECOT), Ohio Connections Academy and Ohio Virtual Academy.
- E-schools primarily serve high school students with 57% of e-school enrollees attending grades 9 to 12, compared to just 31% of Ohio's public school students in the same grades.
- E-schools are slightly less diverse than all public schools. The e-school student population is 78% white, 13% black, 4% Hispanic and 5% other, while the student population in all public schools comprised of 73% white, 16% black, 5% Hispanic and 7% other.
- In the 2005-06 school year nearly 65% of e-school students were economically disadvantaged. That number had declined to approximately 50% in the 2013-14 school year, which is approximately the same percent of economically disadvantaged students as in all public schools.
- E-schools have about the same percentage of disabled students (~16%) as all public schools (~15% disabled) and the gap has decreased over time.
- E-school students come from all types of school systems. The most likely type of school an e-school student attended previously was a high poverty, average student population, urban district (20%), like Lima, Whitehall and Findlay. The least likely type of school an e-school student attended previously are wealthy suburban school systems (6%), like Shaker Heights, Bexley or New Albany.

- The majority of e-school students (~80%) had at least one community, vocational or private school option in their county, in addition to the e-school in which they enrolled. Approximately 54% of e-school students had at least one community school option in their county, in addition to the e-school in which they enrolled.
- A sizable number of e-school students (27%) go back-and-forth between e-schools and brick-and-mortar schools instead of continuously attending an e-school. The typical student spends 2 years in a particular e-school.

Comparative Dropout Risk

- E-school students in grades 9 to 12 are over four times more likely to drop out of school than a student with similar characteristics who attends a brick-and-mortar public school. Among students who do drop out, those who attended an e-school stay in the Ohio public school system approximately 4 months longer than dropouts who did not attend an e-school.

Comparative Performance Analysis

- E-school students' performance on standardized tests are dramatically lower, especially for math, compared to those students who attend a brick-and-mortar school. Test scores plummet the year a student transitions to an e-school. E-school students' scores see incremental increases in the subsequent years. However, it is important to note, that despite subsequent increases their scores remain below the scores they received prior to entering an e-school.

I. INTRODUCTION

School choice, the availability of different options of publicly funded primary and secondary education, has become an important issue among parents, students and the education community in Ohio. The increase in school choice across the state brings with it the need to understand the student composition and performance of the various types of publicly-funded education institutions. Today, there are 382 publicly-funded charter schools in Ohio, of which 24 are electronic schools (e-schools). These 24 e-schools served 38,502 enrolled students during the October 2014 enrollment headcount (ODE, 2015). Only 11 of the 24 e-schools accept enrollment from students anywhere in the state of Ohio. These 11 statewide e-schools serve the vast majority of all e-school students, serving 37,033 students during the October 2014 headcount. With an increasing number of Ohio's publicly-educated students choosing e-school environments, a necessary consideration is how e-school enrollment impacts the final goal of secondary education: graduation from high school. Currently, little is known about e-school students, including their demographic characteristics, school history, and the impact transition from a brick-and-mortar public school to an e-school has on academic performance.

A 2010 study found that only eight percent of Ohio's virtual schools were categorized as "Effective" schools and 44.4% of virtual schools were categorized as "Academic Watch" or "Academic Emergency" (Wang & Decker, 2014). Recent work by CREDO has shown reductions in student learning in reading and math for students in charter schools (referred to as "community schools" in Ohio) as opposed to traditional public school students (CREDO, 2014). However, the CREDO report did not distinguish between physical community and virtual community schools. Prior analytical work done by SAS provided detailed group comparisons of the performance of students enrolled in e-schools to a comparison group of students in traditional public schools. Using these group level comparisons, SAS calculated average gains in the Normal Curve Equivalent (NCE) scores for both those that enrolled in e-schools and the comparison group in traditional public schools. Using these data, SAS was able to state that students in virtual schools saw greater reductions in student performance on core subjects such as math (White, ND). White's (ND) report did not, however, examine individual student level performance over time.

This report advances the analysis of e-school student performance in Ohio by examining individual student level data over time for both students who transferred to an e-school and a control group of students who remained in the brick-and-mortar public school. This report creates a comparison group of matched peers, from the same brick-and-mortar public school, wherein one member of the pair transitions to an e-school and the other member of the pair remained at the brick-and-mortar public school. In doing so, the performance impacts of transitioning to an e-school rather than remaining in the brick-and-mortar public school can be examined. This report will examine demographic characteristics of e-school students, the academic performance impacts resulting from transition from a brick-and-mortar public school to an e-school, and the effect e-school enrollment has on students' dropout risk factor.

The analysis in this report focuses on the 11 statewide e-schools and the students they serve. This report presents data from Ohio's interactive local report card (iLRC) and Ohio's Education Management Information System (EMIS) obtained through the Ohio Longitudinal Data Archive (OLDA). For the purposes of this report "traditional school" refers to traditional brick-and-mortar public schools and brick-and-mortar charter schools.

II. DEMOGRAPHIC INFORMATION

Enrollment

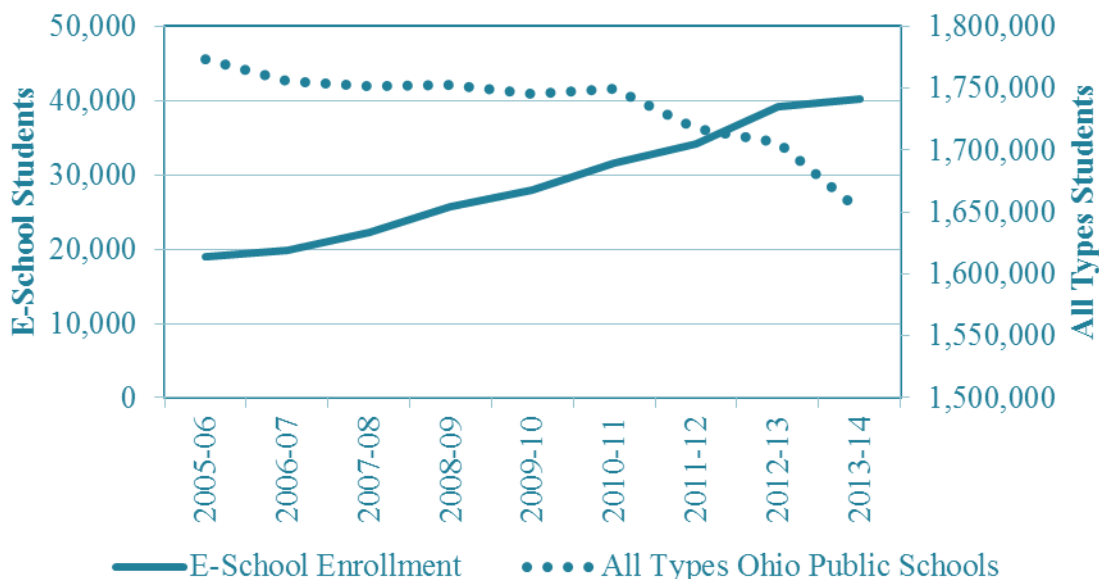
Question: What is the historic and current enrollment in e-schools?

Answer: E-schools have experienced tremendous growth over the last few years, while overall public enrollment has fallen slightly.

Figure 1 tracks enrollment in e-schools and in all types of public schools in Ohio from the 2005-06 school year to the 2013-14 school year. The solid line and left-hand vertical axis shows trends in e-school enrollment. In the 2005-06 school year there were approximately 19,000 students enrolled in Ohio's e-schools. By the 2013-14 school year enrollment in e-schools had climbed to approximately 40,000 students. Over this time period e-school enrollment has roughly doubled (+113%).

While enrollment in Ohio's e-schools has risen sharply, the overall number of students in Ohio's public school system has experienced a decline. The dotted line and right hand vertical axis shows that in the 2005-06 school year there were about 1,773,000 students enrolled in Ohio's public schools. However, by 2013-14 the number of students in Ohio's public schools had fallen to about 1,651,000, a reduction of 7%.

Figure 1. Enrollment in All Types of Ohio Public Schools and in Ohio E-Schools



Notes: Data from the Ohio Student Report Cards website's "Enrollment by Student Demographics" (<http://reportcard.education.ohio.gov/Pages/Power-User-Reports.aspx>).

Question: Which type of e-school has seen the largest increase in enrollment?

Answer: Independent statewide e-schools have experienced the largest growth.

There are three different types, based on governance structure, of e-schools operating in Ohio. Of the 24 e-schools in Ohio, three are Independent Statewide e-schools: Electronic Classroom of Tomorrow (ECOT), Ohio Connections Academy and Ohio Virtual Academy. Figure 2 shows that these three Independent Statewide e-schools comprise the bulk of e-school enrollment. Additionally, these three schools have seen significant growth from over 56% (10,500 students) of all e-school enrollments in the 2005-06 school year to over 76% (30,600 students) of enrollment in the 2013-14 school year (Figure 2). Throughout this report these three large e-schools are referred to as the “Big 3.”

The second type of e-school is a Statewide District Sponsored e-school. There are nine Statewide e-schools: Akron Digital, Alternative Education, The Buckeye On-Line School for Success, Greater Ohio Virtual, Insight School of Ohio, Provost Ohio, Quaker Digital, Treca Digital and Virtual Community School of Ohio. Enrollment in the nine Statewide e-schools has stayed relatively consistent at about 8,000 students per year. However, because overall e-school enrollment has grown significantly, this type of e-school currently comprises a significantly smaller percent of e-school enrollment falling from 41% of all e-school students in 2005-06 to just over 20% in 2013-14.

The final type of e-school is a Local District Sponsored e-school, whose enrollment is restricted to students in the local district. The Local District e-schools are: Auglaize County Educational, Fairborn Digital, Findlay Digital, Goal Digital, Lakewood Digital, Lorain High School Digital, Mahoning Unlimited Classroom, Marion City Digital, Massillon Digital, Newark Digital, Southwest Licking Digital and West Central Learning II. Enrollment in the Local District e-schools increased from more than 500 in the 2005-06 school year to over 1,300 in the 2013-14 school year. However, this type of e-school only represents about 3% of all e-school enrollment.

Figure 2. Enrollment in Percent by Type of E-School

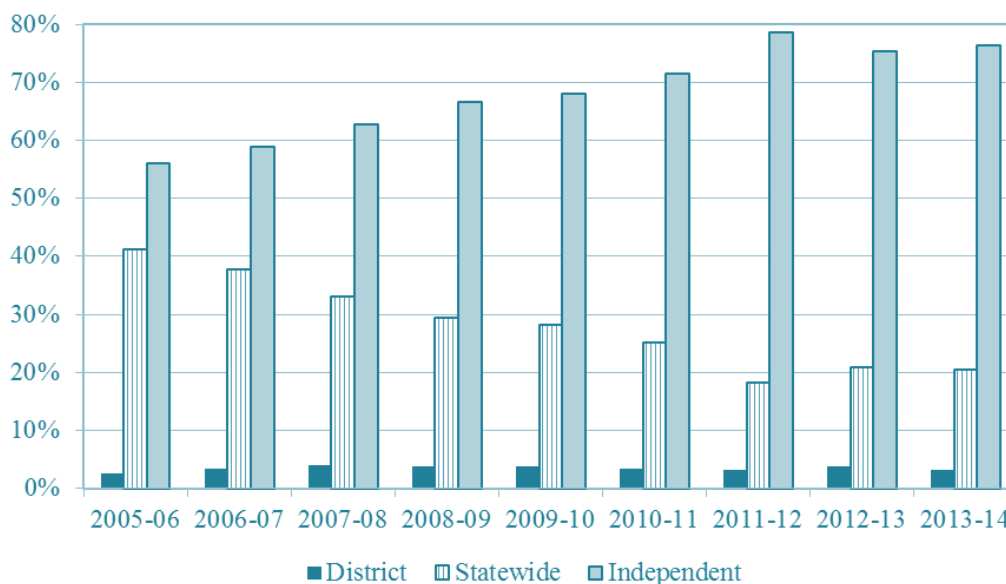
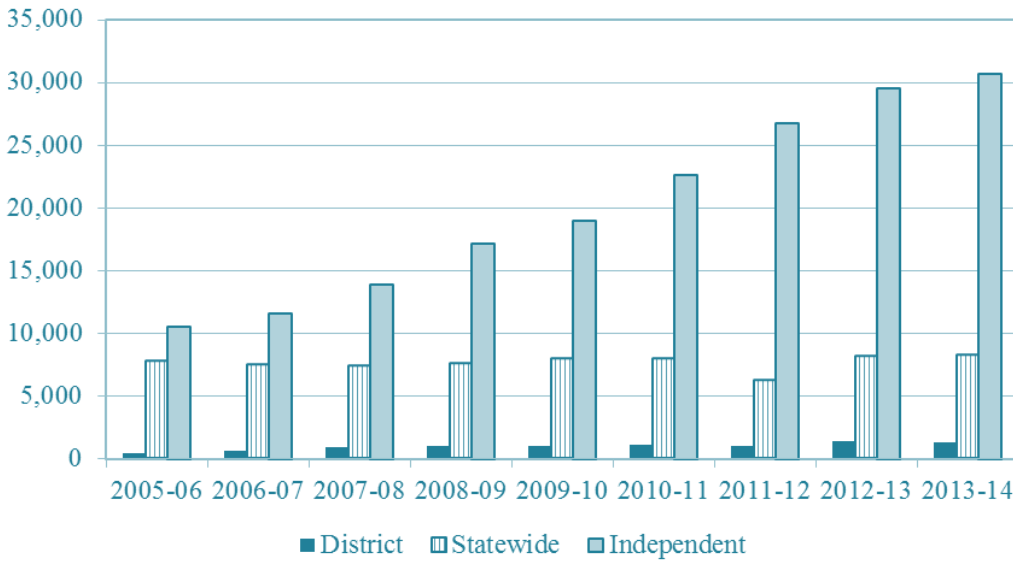


Figure 3. Enrollment in Number of E-School Students



Question: Are students attending e-schools for similar lengths of time as in other public schools?

Answer: E-school enrollees spend significantly less time in this form of instruction.

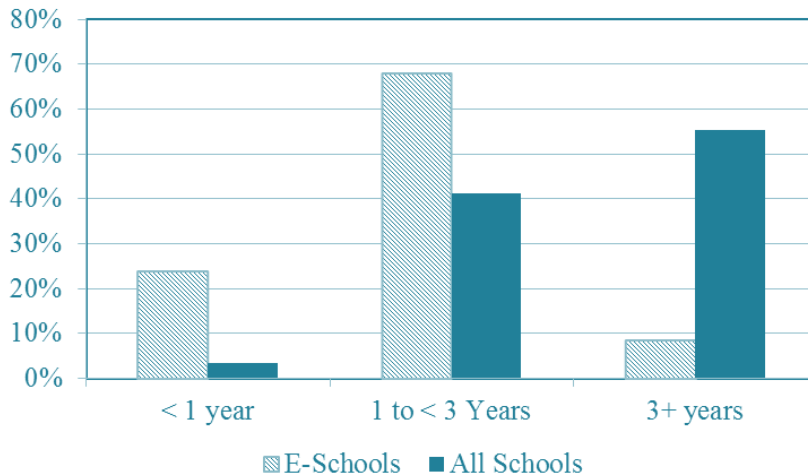
EMIS data tracks how long a student spends in a particular district. Each e-school is classified by the state of Ohio as a separate district. Table 1 below shows the amount of time students spend in e-schools. The most common length of time spent in an e-school is one year. Only a very small number of students spend most or all of their schooling in e-schools.

Table 1. Amount of Time Students Spend in E-schools

Years	Percent
1 Year	37%
2 Years	23%
3 Years	16%
4 Years	11%
5 Years	7%
6 Years	6%
7 Years	0.4%
8 Years	0.02%
9 Years	0% (6 students)
10 Years	0% (4 students)
11 Years	0% (2 students)
12 Years	0% (2 students)

Figure 4 below shows the variance in the length of enrollment at a district between e-school students and all public school students. Nearly 70% of e-school students spend only one to three years in a district. Whereas approximately 55% of all public school students spend three or more years in a district.

Figure 4. Average Percent of Time Spent in Ohio E-Schools and All Public Districts from 2005-14.



Grade Levels

Question: What grade levels are students enrolled in at e-schools?

Answer: E-schools primarily serve high school students.

Figure 5 shows that the majority (57%) of students enrolled in e-schools are attending grades 9 through 12. In all of Ohio's public schools, however, just 31% of students are enrolled in grades 9 to 12. Figure 5 shows that students in all public schools are dispersed fairly evenly across kindergarten through 12th grade (between 6-8% per grade). Conversely, e-schools have an uneven distribution of students per grade level. In e-schools, the percent of students in each grade from kindergarten to 5th grade is relatively small at less than 4%. However, the percent of students in high school (grades 9-12) is significantly higher at 12-16%.

Figure 5. Percent in each Grade for Ohio E-Schools and All Public Schools in 2013-2014

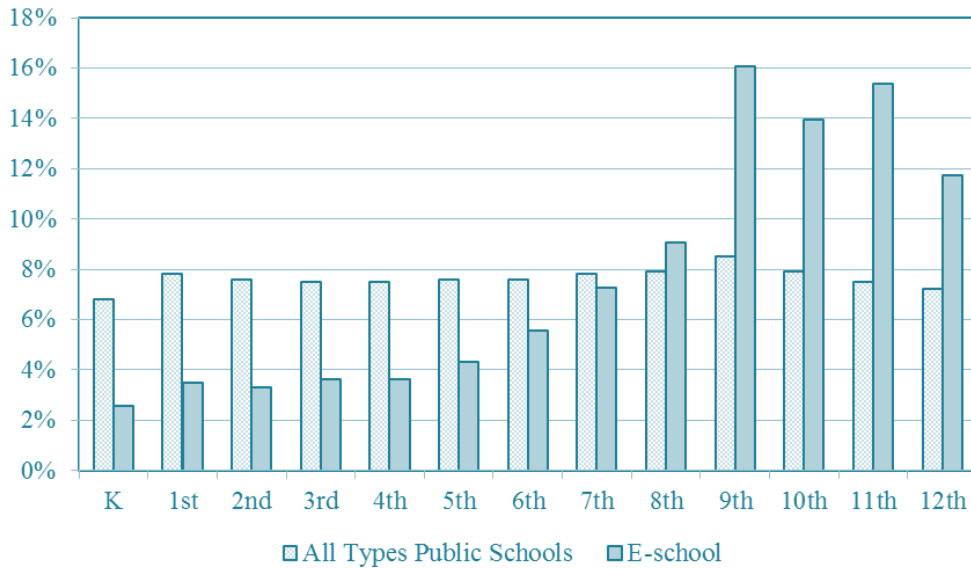
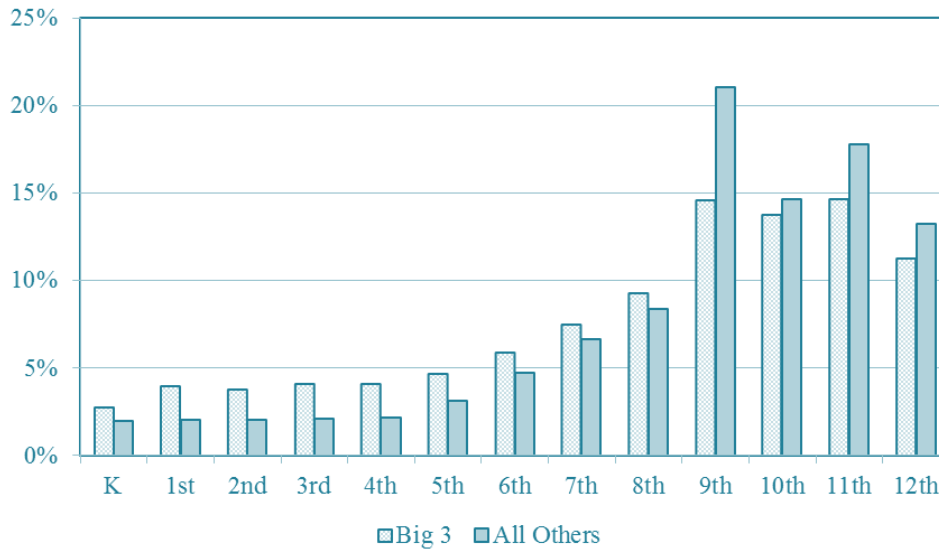


Figure 6 shows the percentage of students enrolled in each grade level attending the Big 3 e-schools compared to all other Ohio e-schools. Figure 6 shows that the Big 3 e-schools have a more even distribution of students in grades K-12 than all other e-schools. All other e-schools are more concentrated in serving high school (9th to 12th grade) students than K to 8 students.

Figure 6. Percent in each Grade for Big 3 Versus All Other E-Schools



Within the Big 3 e-schools, there are significant differences between ECOT (Electronic Classroom of Tomorrow) and Ohio Connections Academy and Ohio Virtual Academy. Table 2 shows that ECOT primarily serves high school students since almost three-quarters of all ECOT students are enrolled in grades 9 through 12.

Table 2. Number and Percentage of Enrollment by Grade at ECOT

Grade Level	Number of Students	Percent
1st	194	1.3%
2nd	195	1.3%
3rd	230	1.6%
4th	266	1.8%
5th	356	2.4%
6th	538	3.7%
7th	787	5.4%
8th	1,177	8.1%
9th	2,603	17.8%
10th	2,430	16.7%
11th	3,092	21.2%
12th	2,498	17.1%

Question: What grade levels do students enter and leave e-schools?

Answer: The most likely grade level for a student to enter is 9th and the most likely for them to leave is 12th.

By examining student history it is possible to determine the first grade level a student attends and the last grade level a student attends at an e-school. Table 3 below depicts the percentage of students entering and leaving e-schools, by grade level, for all e-school students in Ohio.

Table 3. Percent of Students Entering and Leaving E-schools by Grade Level, all E-School Students

Grade Level	Percent Entering	Percent Leaving
Kindergarten	6%	2%
1 st Grade	3%	2%
2 nd Grade	3%	2%
3 rd Grade	3%	3%
4 th Grade	4%	3%
5 th Grade	5%	3%
6 th Grade	6%	4%
7 th Grade	8%	5%
8 th Grade	9%	6%
9 th Grade	20%	15%
10 th Grade	13%	13%
11 th Grade	12%	17%
12 th Grade	7%	24%

Student School District History

The Center for Human Resource Research (CHRR) at The Ohio State University manages a large database, the Ohio Longitudinal Data Archive (OLDA), which links all EMIS files from 2003 to 2014. All EMIS files in the OLDA are de-identified. Currently, the OLDA contains data on over 4.1 million Ohio students. Each student record has multiple data points and contains a historical record of student enrollment and performance. For some students, such as those that attend the same school for all years (K-12) each student record has relatively little data. While other student records, for students who have attended several different districts or have a number of disciplinary events, there is a larger amount of information. Using individual student history it is possible to answer more detailed questions than is possible from examining cross-sectional demographic information.

Question: Do e-school students transfer in from a specific type of public school?

Answer: First year e-school students come from all types of public schools.

Having a student history provides a simple way to determine the type of school a student was attending in the year before they transferred into an e-school. Ohio has created an eight item typology for classifying all schools and districts.¹

Combining the typology and each e-school students' history creates Table 4, which shows the most likely type of school an e-school student attended previously was a high poverty, average student population, urban district (20%). This includes districts such as Lima, Whitehall and Findlay. The

¹ <http://education.ohio.gov/Topics/Data/Frequently-Requested-Data/Typology-of-Ohio-School-Districts>

least likely brick-and-mortar public school an e-school student comes from are wealthy suburban school districts (6%), such as Shaker Heights, Bexley or New Albany.

Table 4. Type of School E-school Student Attended in Prior Year

Type of School	Percent
Rural (High Pov. & Small Pop.)	11%
Rural (Avg. Pov. & Very Small Pop.)	6%
Small Town (Low Pov. & Small Pop.)	10%
Small Town (High Pov. & Avg. Pop.)	13%
Suburban (Low Pov. & Avg. Pop.)	15%
Suburban (Very Low Pov. & Large Pop)	6%
Urban (High Pov. & Avg. Student Pop)	20%
Urban (Very High Pov & Very Large Pop)	15%
Community / Charter School	4%

Question: How much choice in public schools did e-school students have?

Answer: Most students had a variety of educational options in their county.

One potential reason for the dramatic rise in e-school enrollment is that students attending brick-and-mortar public schools have no other school choice except an e-school. Figures 7 and 8 below show that this is not the case for most e-school enrollees. Figure 7 assesses the amount of school choice available to each e-school enrollee in their county. School choice is defined as the number of community, vocational or private schools available in the grade the child attends.

Figure 7 shows that for grades one through six only 20% of e-school enrollees had no community, vocational or private school option available in their county. For grades 9 through 12, approximately 20-30% of e-school enrollees had no community, vocational or private school option available in their county. For these students, the school choice available to them was to attend an e-school or continue to attend their local public brick-and-mortar school. Approximately 8% of e-school enrollees had just one choice beyond their local brick-and-mortar school. For grades one through six over 70% of e-school enrollees had more than one community, vocational or private school option available in their county. For grades 9 through 12, over 60% of e-school enrollees had more than one community, vocational or private school option available in their county.

Figure 7. Percent of Students Who Could Attend a Community, Vocational or Private School

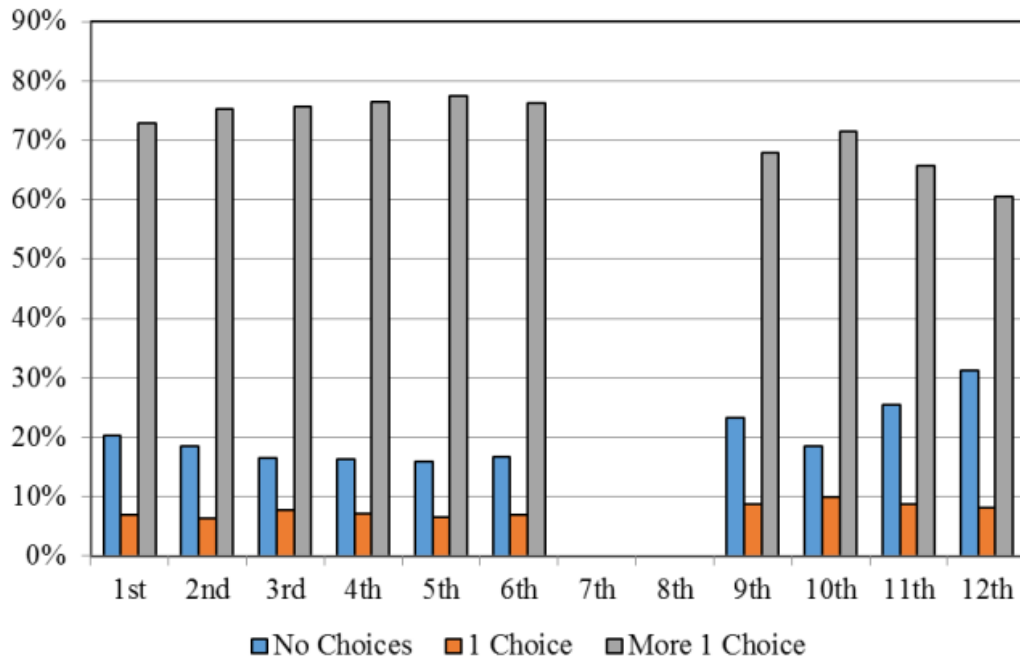
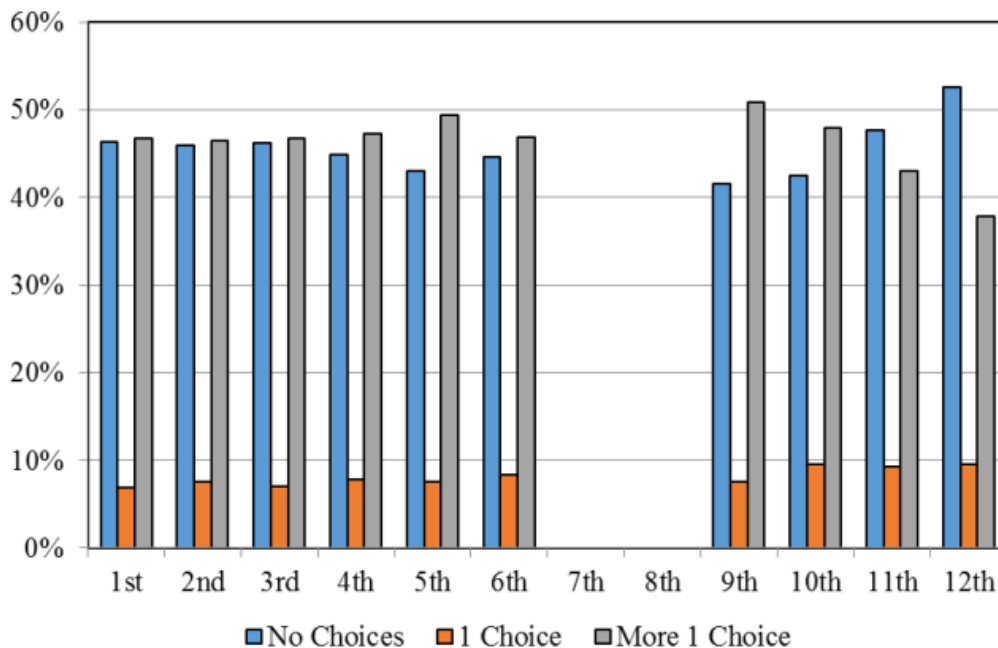


Figure 8 only assesses the number of community schools serving the grade level the child attends in the e-school enrollee’s county. Because some 7th and 8th grade schools are part of elementary schools and some are standalone, the data for 7th and 8th grade are not shown. Community schools, like public schools are free to attend. The graph shows that 46% of e-school enrollees had no community school in their county, 8% had just one community school that offered the appropriate grade level and 46% had two or more community school options in their county.

Figure 8. Percent of Students Who Had Community School Choices in Their County



Question: Once enrolled, do e-school students remain in that e-school?

Answer: Most e-school students are unlikely to change e-schools or go back and forth between an e-school and brick-and-mortar public school.

An analysis of the longitudinal EMIS histories showed that only 7% of e-school students had attended more than one e-school. In addition, analysis of the longitudinal EMIS histories for all students who attended an e-school for more than one year revealed that only about 27% returned to a brick-and-mortar public school before leaving again and re-enrolling in an e-school. Once enrolled in an e-school, most students remain in that school until they graduate or dropout of school.

Socioeconomic Characteristics

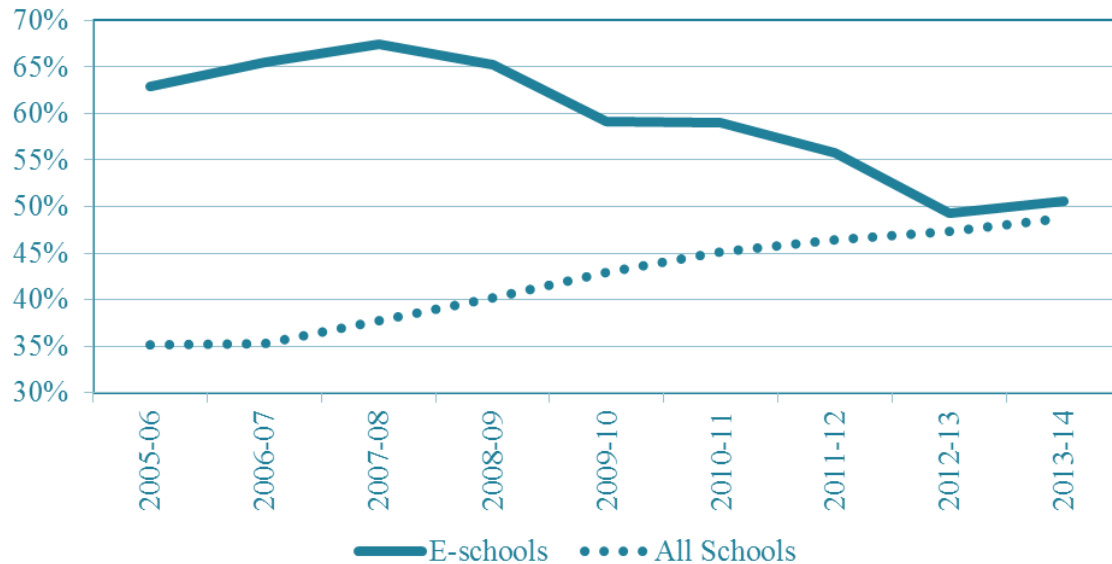
Question: What is the economic status of e-school students?

Answer: Historically, e-school enrollees were overwhelmingly economically disadvantaged but are much less so today.

Each student record in Ohio's EMIS database is classified as economically disadvantaged or not. A student is classified as economically disadvantaged if he or she participates in the free or reduced price lunch program, which is based on financial need. It is important to note that some students who are poor are not classified as economically disadvantaged because they have not applied for any economic assistance through the school. For example, some e-school students do not apply for the free or reduced price lunches because the program is not available through virtual schools. If most e-school students are transferring from a brick-and-mortar school then any students that have participated in the free and reduced price lunch program will have the economically disadvantaged marker on their student record. In this case, the data accurately depicts economically disadvantaged status for students in their first year at an e-school. However, the longer a student remains in an e-school, the less reliable the economically disadvantaged indicator becomes, as students are unlikely to apply for a program for which they will not receive any benefits. As a result, the true picture of the percent of disadvantaged students in the e-school system is unclear.

Figure 9 displays the change in the percent of students classified as economically disadvantaged in Ohio's e-schools and all public schools. The graph shows that roughly two-thirds of all e-school students were classified as economically disadvantaged in the 2005-2009 school year. The percentage has declined over time and by 2013-14 was roughly 50%. In all public schools in Ohio the amount of poverty has been steadily growing. In 2005-2007 about one third of all students were classified as economically disadvantaged. This number climbed to about 50% in 2013-14.

Figure 9. Percent of Students who are economically disadvantaged in Ohio E-Schools and All Public Schools



Question: What is the racial and ethnic composition of students attending e-schools?

Answer: E-school students are overwhelmingly white and slightly less diverse than all public school students.

Figure 10 shows the racial and ethnic composition of students in e-schools and in all public schools during the 2013-2014 school year. In 2013-14 78% of e-school students were white, non-Hispanic (Figure 10). The percentage of white, non-Hispanic students in e-schools is about five percentage points higher than the percentage of white, non-Hispanic students (73%) in all of Ohio’s public schools. E-schools have a slightly smaller percentage of black students (13%) than in all public schools (16%) and a slightly smaller percentage of Hispanic students (4%) than in all public schools (5%). E-schools (5%) have a slightly smaller percentage (5%) of other races and ethnicities, which include Native American, Asian and mixed race students than all public schools (7%).

Figure 10. Percent by Race and Ethnicity in Ohio E-Schools and All Public Schools in 2013-2014

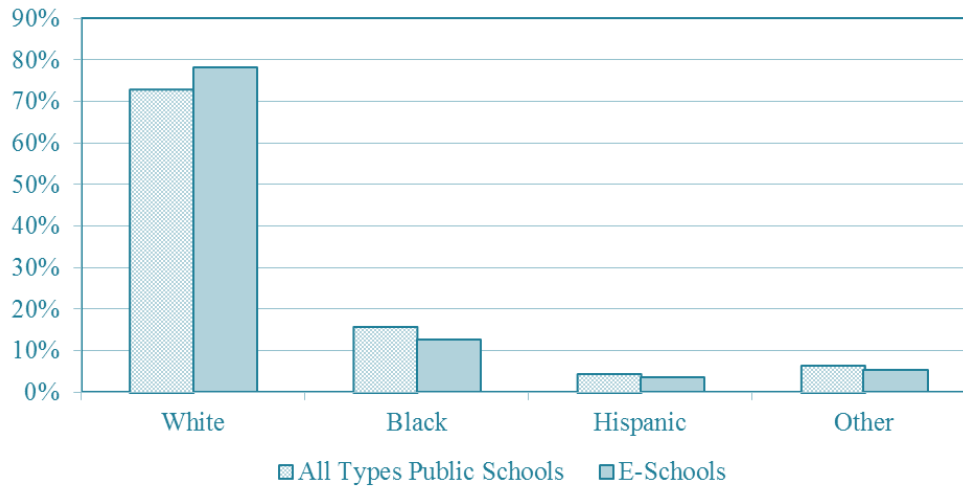
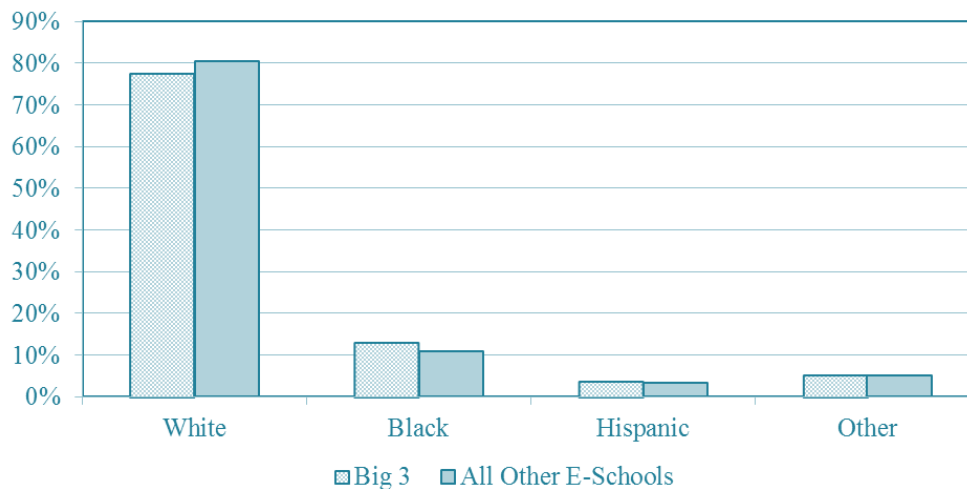


Figure 11 compares the racial and ethnic composition of the Big 3 e-schools to all other e-schools. As seen in the graph, there is minimal difference in the racial and ethnic composition of the Big 3 e-schools and the other e-schools (Figure 11).

Figure 11. Percent by Race and Ethnicity for Big 3 versus All Other E-Schools



Question: Do e-schools have any Limited English Proficiency (LEP) students enrolled?

Answer: Yes, although the number of LEP students is very small.

Ohio public schools record if a student has been classified as Limited English Proficiency (LEP). The number of LEP students in all Ohio public schools is relatively small, comprising only 2.7% of total enrollment in the 2013-14 school year. E-schools, which require a child to speak on the telephone and type responses on a computer, have even fewer LEP students, comprising only 0.3% of total e-school enrollment in the 2013-14 school year. All LEP e-school students attend classes in one of the Big 3 e-schools. Of the 117 LEP e-school students 61 attend ECOT, 44 Ohio Virtual Academy and 12 Ohio Connections Academy.

Question: Do e-schools serve a disproportionate number of disabled students compared to all public schools?

Answer: No. E-schools serve a slightly higher number of students with disabilities than all public schools.

One reason why students and parents choose an e-school is because the student is having trouble adjusting or fitting in with other students in a brick-and-mortar school. As a result, e-schools may lend themselves to serving a higher percentage of disabled students than brick-and-mortar public schools. Figure 12 shows that in the 2013-14 school year e-schools had a slightly higher percentage of disabled students (16.3% disabled) than all public schools (14.7% disabled). The difference, however, between the population size in e-schools and all public schools is rather small (~1.6%). In addition, the difference in population size has remained fairly consistent from the 2005-06 school year through the 2013-14 school year. Figure 13 shows that the Big 3 e-schools have a slightly lower percentage of disabled students than other e-schools. During the 2005-06 school year through the 2013-14 school year the average percent of disabled students in the Big 3 was 15.6%. During this same time the average percent of disabled students was 17.8% in all other e-schools and 14.7% for all public schools.

Figure 12. Disability Status Ohio E-Schools and All Public Schools

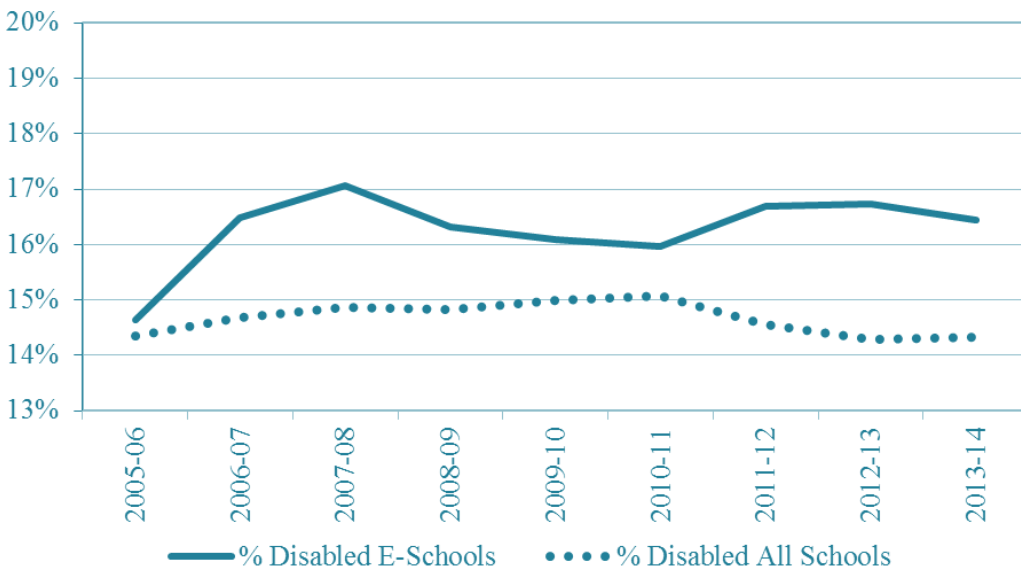


Figure 13. Disability Status Big 3 E-Schools Compared to All Other E-Schools

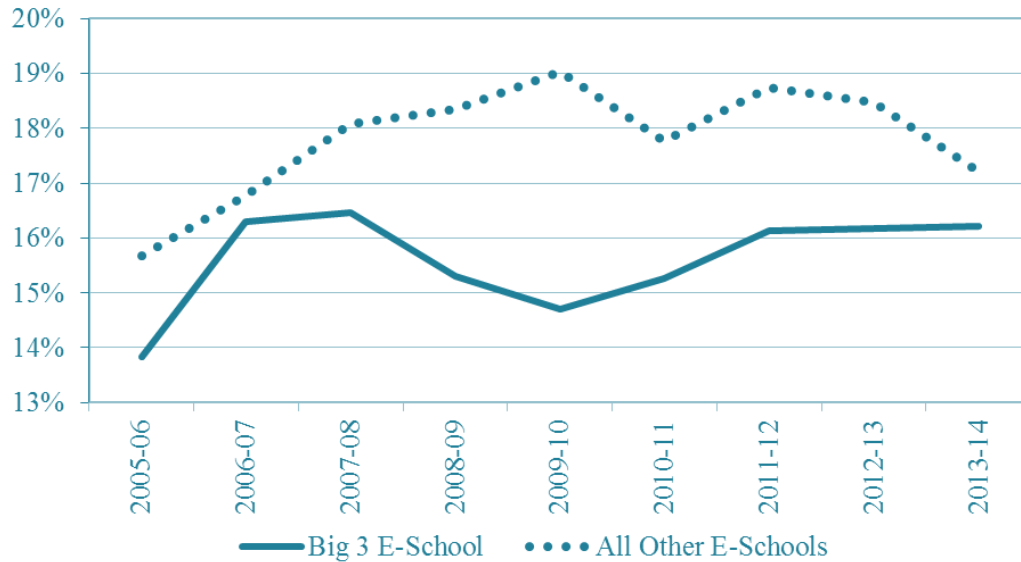


Table 5 depicts the enrollment of students by specific disability for the 2013-14 school year. The table shows that e-schools have slightly more students with specific learning disabilities (7.6%) than all public schools (6.1%).

Table 5. Percentage of Enrollment by Type of Disability in E-Schools and All Public Schools

Type of Disability	All Schools	E-Schools	Difference
No Disability	85.3%	84.1%	-1.2%
Specific Learning Disabilities	6.1%	7.6%	1.5%
Other Health Impaired - Minor	2.2%	2.8%	0.6%
Speech and Language Impairments	1.7%	0.7%	-1.0%
Cognitive Disabilities	1.3%	1.7%	0.4%
Emotional Disturbance (SBH)	1.0%	1.4%	0.4%
Autism	1.0%	1.0%	0.0%
Multiple Disabilities (other than Deaf-Blind)	0.8%	0.3%	-0.5%
Developmental Delay	0.2%	0.0%	-0.2%
Deafness (Hearing Impairments)	0.1%	0.1%	0.0%
Visual Impairments	0.1%	0.0%	-0.1%
Orthopedic Impairments	0.1%	0.1%	0.0%
Traumatic Brain Injury (TBI)	0.1%	0.1%	0.0%

Question: What is the enrollment of homeless students in e-schools?

Answer: A very small number of homeless students attend e-schools.

Student records contain a marker for homelessness if a student is homeless or living in a temporary housing situation like a hotel or motel. In all public schools, homeless students comprise a relatively small percent of the student population at only 1.2% of total enrollment. E-schools, which require a telephone and a relatively high speed computer connection, have even fewer homeless students, which represented only 0.5% of total enrollment in the 2013-14 school year.

III. COMPARATIVE DROPOUT RISK

Question: Are e-school students at a higher, lower or similar risk for dropping out of school?

Answer: E-schools students in grades 9 through 12 are over 4 times more likely to drop out than a student with similar characteristics who attends a brick-and-mortar school.

The Ohio Department of Education (ODE) has supported the creation of an Early Warning System (EWS) for Ohio public school students. The EWS is a statistical model that uses roughly 40 different indicators to predict a students' risk of dropping out of high school. A student is flagged as a dropout risk if EMIS data shows they withdrew due to truancy or nonattendance, left to pursue employment, left school after age 18, moved, not known to have continued schooling or completed courses but failed the Ohio Graduation Test. The set of indicators used in the 9th grade EWS model are displayed in Table 6.

Table 6. Factors Used in the Early Warning System Dropout Model

Demographic	Behavioral	Academic
Is Female	More than 10 Absences in Year	Academically gifted
Age	Unexcused Absences as % Attendance	Attend Rural School
Is Black	# Excused Absences	Attend School in a Small Town
Is Hispanic	# Unexcused Absences	Attend a Suburban School
Is Other Race	# Days Attended School	8 th grade Test Bottom Quartile of Reading
Homeless During Year	# of Days Disciplined	8 th Grade Test Bottom Quartile Math
Previously Homeless	# of Times Disciplined	8 th Grade Test Top Quartile Reading
Currently Disabled	# Discipline Days for all Years Prior	8 th Grade Test Top Quartile Math
Ever Limited English	# Times Disciplined for all Years Prior	7 th Grade Test Bottom Quartile in Reading
Poor	Missed Taking Std Test in 8 th Grade	7 th Grade Test Bottom Quartile in Math
	Missed Taking Std Test in 7 th Grade	7 th Grade Test Top Quartile in Reading
	# Schools Attended During Year	7 th Grade Test Top Quartile in Math
	# Times Student changed Type of School	Ever Repeat a Grade
		Ever Skip a Grade
		# Years in Ohio Schools
		Calendar Year

An additional variable was included in the model to track e-school attendance to understand the impact enrollment in an e-school has on a students' risk of dropping out. Table 7 below contains the odds-ratio on dropping out for e-school students in grades 9 through 12. The odds-ratio compares the chance an e-school student drops out to the chance a student attending a brick-and-mortar urban school drops out. For example, the 5.3 in the row labeled 9th grade indicates that an e-school student is over five times more likely to drop out of school than an urban student in a brick-and-mortar school with the same demographic, behavioral and academic characteristics. The average of the odds-ratio column is 4.2, which suggests that e-school students are over four times more likely to drop out of school than their peers in a brick-and-mortar school.

Table 7. Odds-Ratio from Early Warning System Dropout Model

Grade	Odds-Ratio	Lower 95% Range	Upper 95% Range	Explanation
9 th	5.3	5.1	5.5	9 th grade e-school student is 5.1 to 5.5 times more likely to drop out of school as someone with identical characteristics, like age, gender and test score but who attends a bricks and mortar building.
10 th	4.3	4.2	4.5	10 th grade e-school student is 4.2 to 4.5 times more likely to drop out
11 th	5.0	4.8	5.2	11 th grade e-school student is 4.8 to 5.2 times more likely to drop out
12 th	2.2	2.1	2.3	12 th grade e-school student is 2.1 to 2.3 times more likely to drop out

Question: Do e-schools retain dropouts in school longer than other public schools?

Answer: High school dropouts who attend an e-school stay in the Ohio public school system approximately half a school year (4+ months) longer than dropouts who do not go to an e-school.

Data from the longitudinal EMIS system can calculate how long a student spends in high school. While the goal is for each student to spend four years in high school and then graduate, some students repeat grades and spend more time in school, while other students drop out of high school and spend less time in school. Table 8 analyzes the average amount of time dropouts spent in high school for both e-school dropouts and dropouts who never attended an e-school. Table 8 indicates that e-school attendance increases the amount of time a student spends in the Ohio public school system by roughly half a school year, which is slightly more than 4 months of class time.

Table 8. Number of Years Spent in High School

Type	School Years
E-school Dropouts	3.52
Dropouts Never Attended E-School	3.03
Difference	0.49

To check the above result, a regression model was run that examines the number of years a dropout student spends in high school using the demographic factors of gender, age, race, ethnicity and economically disadvantaged status. The results of this model indicated that being in an e-school increased the amount of time a student spent in high school by approximately 0.48 school years. This results support the above analysis, which showed that e-school students spend 0.49 school years more in public schools.

IV. COMPARATIVE PERFORMANCE ANALYSIS

Question: How do e-school students perform on standardized tests compared to their peers in brick-and-mortar schools?

Answer: Overall, e-school students test scores are dramatically lower, especially for math.

The SAS Institute previously did an analysis that compared brick-and-mortar public school students and e-school students. They found that test scores were dramatically lower for e-school students. This report uses a similar style of analysis. However, because the authors of this report have a full academic history for each student, this analysis is able to examine the performance of students by school enrollment history. School history allows for students to be placed into three categories: (1) always enrolled in a brick-and-mortar school, (2) always enrolled in an e-school from 3rd to 8th grade, which comprises about 660 students, and (3) enrolled in a brick-and-mortar school then were enrolled in an e-school any time between 3rd and 8th grade.

Table 9 shows the Normal Curve Equivalent (NCE) scores for reading and math in grades three through eight. Table 9 was created using results from the SAS Institute's prior analysis using NCE scores. Table 10 shows reading and math scores in percentiles for grades three through eight. A percentile score close to 0% indicates a student is very poor at the tested subject, while scores close to 100% indicates he or she is very good in the tested subject.

Reading and math NCE scores for students always enrolled in brick-and-mortar schools start at 51 NCE or the 52nd percentile and show steady improvement with grade level progression. The reading NCE score for students always enrolled in an e-school starts lower at 48 NCE or the 48th percentile and sees a fairly steady improvement with grade level progression. The math NCE score for students always enrolled in an e-school starts significantly lower at 40 NCE or the 36th percentile and shows a steady improvement with grade level progression. It is important to note, however, that although students always enrolled in an e-school see improvements in their NCE scores in reading and math, their scores start out lower and remain lower than their peers who were always enrolled in a brick-and-mortar school.

Performance in reading and math for students who have attended both brick-and-mortar schools and e-schools is low and has a negative trend with grade level progression. The reading NCE score for students who have attend both types of schools begins at 45 NCE and has a steady decline to 39 NCE by the 8th grade. The math NCE score for students who have attended both types of schools begins at 40 NCE and has a steady decline to 35 NCE in the 8th grade. Compared to their peers who always attended a brick-and-mortar school, the NCE score for these students is 13.8 points lower in reading and 18 points lower in math.

Table 9. Average Reading and Math Using SAS Institute’s NCE Score

Test Grade	Reading			Math		
	Always in Traditional School	In Both Trad. & E-School	Always in E-school	Always in Traditional School	In Both Trad. & E-School	Always in E-school
3rd Grade	51.4	45.3	47.9	51.3	39.9	39.7
4th Grade	51.6	43.5	48.0	51.7	39.4	41.8
5th Grade	51.8	43.0	48.5	52.0	39.0	43.7
6th Grade	52.1	41.8	48.8	52.2	38.0	45.6
7th Grade	52.4	41.8	50.8	52.7	37.6	46.2
8th Grade	52.5	38.7	50.9	52.9	34.9	47.5

Table 10. Average Reading and Math Percentile Score (0% to 100%) Using ODE Score

Test Grade	Reading			Math		
	Always in Traditional School	In Both Trad. & E-School	Always in E-school	Always in Traditional School	In Both Trad. & E-School	Always in E-school
3rd Grade	51.9%	43.7%	47.6%	51.8%	36.4%	36.4%
4th Grade	52.2%	41.3%	47.8%	52.3%	35.5%	39.0%
5th Grade	52.6%	40.4%	48.1%	52.8%	34.8%	41.4%
6th Grade	53.0%	38.7%	48.4%	53.2%	33.2%	43.8%
7th Grade	53.4%	38.6%	51.2%	53.8%	32.5%	45.0%
8th Grade	53.6%	34.1%	51.0%	54.1%	28.6%	47.0%

Question: What happens to students’ test scores when they transition from brick-and-mortar school to an e-school?

Answer: Test scores plummet the year a student transitions to an e-school. Despite subsequent increases students’ scores do not recover after 5 years.

This section examines the change in students NCE and percentile test scores in the year the student transitioned to an e-school and yearly changes for five years after the transition. For example, if a student enrolled in a brick-and-mortar school in 3rd grade was ranked in the 60th percentile in reading but transitioned to an e-school and in 4th grade was ranked in the 50th percentile their point change would be -10. Conversely, if a student was ranked in the 40th percentile and the following year was ranked in the 43rd percentile they would have a +3 point change.

Table 11 below shows that in the year the student transitioned from a brick-and-mortar school to an e-school the typical (mean) student lost almost 3.5 NCE points in reading and 5.2 points in math. In the first year of transition to an e-school students experience a significant drop in their NCE scores for both reading and math. In general, for students who stay in an e-school over the subsequent five years the mean student experiences small increases in their NCE scores for both reading and math. However, it is important to note, that despite subsequent increases, the mean student never recovers from the initial drop in their NCE scores. For reading, in the fifth year after transition, the average student is 0.58 points below their NCE score prior to transferring to the e-school. For math, in the fifth year after transition, the average student is 2 points below their NCE score prior to transferring to the e-school.

Table 11. Change in Math and Reading Percentile Score

Year	Point Change in Reading NDE Score	Point Change in Math NDE Score	Point Change in Reading Percentile Score	Point Change in Math Percentile Score	Number of Students
Year of Transition To E-school	-3.5 Points	-5.2 Points	-4.8 Pct. Points	-7.1 Pct. Points	37,530
1 Year after Transition	+1.2	+1.7	+1.6	+2.2	30,036
2 Years after Transition	+0.6	+0.6	+0.8	+0.9	16,298
3 Years after Transition	-0.04	+0.3	-0.1	+0.5	9,920
4 Years after Transition	+1.1	+0.3	+1.7	+0.5	4,534
5 Years after Transition	+0.06	+0.3	+0.1	+0.7	1,160

V. DATA APPENDIX

Section - Basic Demographic Facts: All data from this section came from the interactive local report card (iLRC) system that is available online at <http://reportcard.education.ohio.gov>. The data for each question in this section were taken by first picking “Advanced Reports” and then “Enrollment” at the previous URL.

The data on e-schools came from “Enrollment by Student Demographic (District)” while the data on all schools came from “Enrollment by Student Demographic (State).” The 24 e-schools used in this section are found in Table 12 below.

Table 12. List of E-schools Used in This Report

IRN	E-School Name	Grades	County	Big 3
149054	Akron Digital Academy	K-12	Summit	
143396	Alternative Education Academy	K-12	Lucas	
000417	Buckeye On-Line School for Success	K-12	Columbiana	
133413	Electronic Classroom Of Tomorrow	K-12	Franklin	YES
000282	Greater Ohio Virtual	7-12	Warren	
000236	Ohio Connections Academy, Inc.	K-12	Cuyahoga	YES
142950	Ohio Virtual Academy	K-12	Lucas	YES
014148	Provost Academy Ohio	K-12	Franklin	
000241	Quaker Digital Academy	K-12	Tuscarawas	
143537	Virtual Community School Of Ohio	K-12	Franklin	

Not all data requests to the iLRC system provided complete information. If the number of students in a particular category was less than 10, the iLRC returned no information to protect student privacy. This means the “true” answers in this section using unmasked data are slightly different than the results reported. The number of students in the analysis varied by year and listed in Table 13 below.

Table 13. Number of Student Records

School Year	N
2005-06	18,898
2006-07	19,764
2007-08	22,199
2008-09	25,717
2009-10	27,997
2010-11	31,650
2011-12	34,098
2012-13	39,223
2013-14	40,176

All Other Sections: Data for the other sections came from the Ohio Education Research Center's (<http://oerc.osu.edu>), longitudinal EMIS database. The longitudinal EMIS database merges each year of Ohio school records into one file that consolidates all data for each student into a single record.

VI. WORKS CITED

- CREDO. (2011). Charter School Performance in Pennsylvania. Stanford University.
- Ohio Department of Education. (2015a). Enrollment Data [Data file]. Retrieved from <http://education.ohio.gov/Topics/Data/Frequently-Requested-Data/Enrollment-Data>
- Ohio Department of Education. (2015b). School Report Cards [Data file]. Retrieved from <http://reportcard.education.ohio.gov/Pages/Power-User-Reports.aspx>
- Ohio Revised Code §3314. (n.d.).
- Wang, Y., & Decker, J. (2014). Can virtual schools thrive in the real world? *TechTrends*, 52 (6).
- White, John. Value-Added Results for E-Schools in Ohio. (2013). [PowerPoint Slides].

16. APPENDIX – ODE 2015 SPONSOR PERFORMANCE EVALUATION LETTERS

This Appendix includes copies of the final sponsor performance evaluation and other related letters ODE prepared and sent to sponsors between the months of March and June 2015.

John R. Kasich, Governor
Dr. Richard A. Ross, Superintendent of Public Instruction

USPS Standard Mail, Email

June 9, 2015

Dear Peggy,

Effective on January 1st of this year, state law requires the Department to comprehensively evaluate charter school authorizers for their oversight of schools compliance with rule and law, their use of best practices for authorizing, and the academic outcomes of their schools (ORC 3314.016).

This is to notify you that the Buckeye Hope Community Foundation (BHCF) is awarded an overall authorizer quality rating of Exemplary. This overall evaluation is based on the three equally weighted components specified in code and which are each scored on zero-to-100 scales.

Buckeye Hope scored a 94.5 on the critical Authorizer Quality Practices review, 85.7 on the Academic Outcomes measure and 100 on the Compliance measure for an average of 93.4. The Department has set a 90.0 or greater score average score for an authorizer to receive an overall rating of Exemplary.

Evaluation Summary

Compliance. The Department treats the health and safety of children and staff as non-negotiable. BHCF is effectively carrying out the oversight of required compliance to law and rule by school and receives a 100 score in this portion of the Authorizer Evaluation.

Authorizer Quality Practices. BHCF scored 94.5 on the Authorizer Quality Practices review. This review examines in detail all phases of an authorizer's work including: application; performance contracting; ongoing oversight; renewal, revocation and closure; technical assistance; and agency commitment.

According to Quality Practices review, Buckeye Hope received the highest rating in five of six categories, including the critical area of commitment and capacity to carry out effective authorizing. Reviewers noted that BHCF met the exemplary level of performance in this area as indicated by, for example, its clear mission for charter authorizing, by BHCF's fidelity to self-evaluation and improvement, and by the significant staff expertise it had acquired and the professional development it provided for all of its charter authorizing staff.

Academic Outcomes. For brick and mortar K-12 schools, BHCF achieves 85.7% of target for ratio of students in effective schools to seats in ineffective schools. The academic performance outcomes of authorizers' portfolios are evaluated on the learning gains made by students at different levels of proficiency in each school. The performance is expressed as a ratio of students in schools making on-pace or catch-up learning gains against students at schools which are not.

Buckeye Hope's portfolio ratio of 0.60 to 1 is compared to the Department's overall target for charter schools of 0.70 to 1 for 2013-14 and this translates into its 85.7 score on this component. The Department's target for this category of charter schools will increase to 0.85 for this school year, 1.05 for 2015-16 and 1.25 in 2016-17. BHCF's results compared to these goals will be posted annually.

For Dropout Prevention and Recovery schools, an outcomes rating for Dropout Prevention and Recovery schools will be given once growth measures from new assessments are available beginning next school year 2015-16. This rating will include eschool delivery of dropout recovery and prevention learning opportunities.

For Eschools, the State's report card assessments of eschool learning gains show that this category struggles with particularly the first year experience of students. The Department is committed to working with the authorizers and providers of eschool learning opportunities to both lift the academic success of every student choosing fulltime virtual learning as well as to improve how this highly innovative learning delivery approach is assessed.

The assessment results for 2013-14 will be a base year for evaluating the outcomes of the eschool seats in authorizer portfolios. The Department is targeting a ratio of fulltime, full year eschool students learning at pace, against those not learning at pace, of 1 to 1 by 2016-17.

At the end for 2013-2014, the fulltime equivalent enrollment (FTE) of BCHF's schools combined was 13,234 FTE. Of its schools, 44 were K-12 schools reporting a student enrollment of 11,386 FTE; 7 were dropout prevention and recovery schools with an enrollment of 1,362 FTE and one was an eSchool with an enrollment of 485 FTE.

Academic Outcomes Summary: BHCF's portfolio of charter schools receives an 85.7 score.

Future Evaluations

Buckeye Hope's Compliance and Academic Outcomes will be evaluated and reported on annually. The Department intends on carrying out the Authorizer Quality Practices review of BHCF next during the spring of 2018. Evaluation results and a new overall rating designation will be released at that time and will be effective beginning for school year 2018-2019.

Respectfully,



David J. Hansen
Executive Director
Office of Quality School Choice

cc:

Steve J. Boone, Board President, Board Chair
Joni Hoffman, Office of Quality School Choice
Frank Stoy, Office of Quality School Choice

Overview of the Authorizer Evaluation Process

Community school authorizers (aka sponsors) are evaluated on three components: 1) the overall academic performance of their community schools; 2) the completeness of their monitoring of schools' compliance with laws and rules; and 3) their adherence to quality practices (see [Ohio Revised Code Section 3314.016](#)).

The annual Authorizer Evaluation replaced the Sponsor Ranking, which was based upon two measures: 1) an academic measure (called the sponsor Performance Index Score and derived from aggregating test data for schools) and 2) a reporting measure (the sponsor's annual report of its schools' compliance and annual assurances for each school). With the Authorizer Evaluation, the reporting requirement remains in place. However, the Performance Index Score no longer applies.

The overall evaluation rating for each authorizer is derived from three components' ratings.

- I. **Monitoring of school's compliance** with rule and law follows the same approach as in the past two pilot years, in which a sponsor describes how it monitors compliance and that process is verified for a subset of the sponsor's schools. A copy of the verification tool can be found on the website.
- II. **Adherence to quality practice**, which is the most time intensive of the three components, is comprised of assessing the degree to which a sponsor uses practices consistent with national quality standards. Documents, surveys and interview information are used to assess the practices against the national standards. More information, including the rubric, is on the website.
- III. **Academic performance of schools** is calculated similar to the sponsor's performance ranking, but with greater weighting on value-added gains. Results for eSchools will be phased in over four years, using 2013-2014 as the baseline year. Similarly, results for dropout prevention schools will be used when these schools receive an overall Report Card rating, which takes effect with the 2014-2015 reporting year.

Under current law, each component- academics, compliance monitoring, and quality practice- has equal weight in making up the overall evaluation rating. As with the Sponsor Ranking, a sponsor's ability to authorize new schools or take on sponsorship of a currently operating school is effected by the overall rating. Authorizers with an overall rating of "Effective" or "Exemplary" may continue to expand the number of schools under their authority. Language proposed in the Governor's budget bill, HB 64, would add rewards for sponsors receiving the highest rating of Exemplary.

For authorizers who hold a sponsorship agreement with the department, the evaluation rating will be a factor in renewing the sponsorship agreement and if renewed, the terms of the agreement. Similarly, for operating authorizers that wish to enter into an agreement with the department, the authorizer evaluation results will be a factor in that approval, as well.

John R. Kasich, Governor
Dr. Richard A. Ross, Superintendent of Public Instruction

October 17, 2014

Peggy Young, Director
Education Division
Buckeye Community Hope Foundation
3201 E. Dublin Granville Road
Columbus, OH 43213

Re: Evaluation of Sponsor Performance in Monitoring School Compliance with Rule and Law

Dear Peggy:

The Office of Community School recently completed another round of the Sponsor Compliance Review for your organization. The purpose of this review is to determine the extent to which a sponsor has met its obligations to monitor school compliance with rule and law. Below please find a summary of the visit and the team's findings.

The review of sponsor performance is divided into two sections: an assessment of compliance and an assessment of quality practices. The compliance review consists of 20 core areas of compliance (i.e., these areas are mandatory) and three items chosen at random by the Ohio Department of Education. These items encompass five larger areas of review, including governance, operations, finance, health and safety, and education programs and are drawn directly from section 3314.03 of the Ohio Revised Code. The review team was tasked with conducting the compliance review only as part of the current visit.

Of the 23 items reviewed, documentation was found to verify compliance with 22 items, while one items (bus driver qualifications) was found to be not applicable to this school.

As the following table illustrates, findings from the compliance review place sponsors into one of three categories: exemplary, effective, or ineffective. A fourth category of emerging is assigned to sponsors in operation for not more than two years.

Number of Items Not Verified	Rating
0	Exemplary
1-2	Effective
3 or More	Ineffective

In that one item could not be verified as part of the current assessment, the Buckeye Community Hope Foundation would have been assigned a rating of **Exemplary** for the compliance portion of the review had this not been a pilot study.

Please note that Ohio law mandates that findings from the assessment of compliance be pooled with findings from the assessment of quality practices and school performance data to form a composite rating for each sponsor. Thus, a final sponsor rating for the SPR is not determined until all data are collected and combined.

Please contact me should you have any questions about any of the information provided here at (614) 387-2260 or by email at steve.tate@education.ohio.gov. Thank you for your participation in the pilot. We hope that the information provided here is found to be useful in monitoring your schools' compliance with rule and law.

Sincerely,

Steven Tate

Steven Tate, Ph.D.
Office of Community Schools

Compliance Monitoring

Compliance monitoring is one of three components comprising the Authorizer Evaluation. The purpose of the compliance monitoring component is to assess how well an authorizer/sponsor monitors each of its community schools' compliance with state and federal laws, and the terms of the contract.

In addition to speaking with school leaders, the compliance monitoring evaluation involves a review of 23 items that encompass five larger areas of review- health and safety, education programs, governance, finance, and operations. Of the items reviewed, 20 are mandatory areas of compliance and three are randomly selected by the Ohio Department of Education (ODE). The items are drawn directly from Chapter 3314 of the Ohio Revised Code.

To conduct the compliance monitoring review, ODE first requires the authorizer to complete the *Authorizer Monitoring Review Instrument*, with the authorizer providing a written description and supporting documentation of how it monitors the statutory regulations of its schools. Once the authorizer has completed the instrument and returned it to ODE, ODE then randomly selects one or more of the authorizer's schools, up to 10%, for site visits to review the 23 compliance items.

As the table below illustrates, findings from the compliance monitoring review place authorizers into one of three categories: Exemplary, Effective or Ineffective. Authorizers, for example, for which two or fewer of the 23 items could not be verified during the onsite school reviews would receive an Exemplary rating.

Number of Items Verified	Rating
Twenty-one or more	Exemplary
Nineteen or Twenty	Effective
Fewer than Nineteen	Ineffective

The rating from the compliance monitoring review is combined with the ratings from the quality practices review and academic performance review to form an overall evaluation rating for the authorizer.

Authorizer: Buckeye Community Hope Foundation

In reviewing compliance monitoring for one charter school, 22 items out of 23 items were verified, resulting in a rating of Exemplary.

**Authorizer Monitoring Review Instrument
(Mandatory Areas of Review)**

Area of Review	Areas of Compliance/Explanation	Verified	Not Verified	Description of Authorizer Methods for Monitoring School Compliance with Statute
Health & Safety	Bus Driver Qualifications		X	
Health & Safety	Certificate of Occupancy	X		
Health & Safety	Criminal Background Checks (BCI&I and FBI)	X		
Health & Safety	Current Fire Inspection	X		
Health & Safety	Heimlich Maneuver Training	X		
Health & Safety	School Emergency Evacuation-Tornado-School Safety Drill	X		
Health & Safety	School Environment Inspection - Health Department	X		
Health & Safety	School Safety Plan	X		
Education Program	Academic Prevention/Intervention Services Policy	X		
Education Program	Implementation of the Education Plan	X		
Education Program	Special Education & related services plan, including 504 Implementation Plan	X		
Education Program	Special Education Student Files	X		
Governance	Certification of non-profit status	X		
Governance	Governing Authority Approved Meeting Minutes and Resolutions; signed and available to the public	X		
Finance	Monthly Financial Review	X		
Finance	Treasurer/Fiscal Officer Licensure/Qualifications & Bond	X		
Operations	Liability Insurance	X		
Operations	Licensed Employees	X		
Operations	Resident Educator Program; Mentor Program	X		
Operations	Review of enrollment records	X		

Sponsor:	Buckeye Community Hope Foundation
Board Chair:	Steve Boone
Executive Director:	Peggy Young
Review Team Members	Karlyn Geis, ITO-Project Managers, Data Manager, ODE Joni Hoffman, Authorizer & Accreditor Evaluation, Director, ODE Tamara Lumpkin, Consultant, NACSA Authorizer Practices Reviewer Sherry Panizo, Office of Policy and Research, Program Manager, ODE
Date of Interview	October 28, 2014

Overview of the Authorizer Quality Practice Review

Legislation requires the Ohio Department of Education (ODE) to develop and implement a sponsor evaluation system. The purpose of the system is to assist ODE in its oversight of community school sponsors and to improve the quality of community school sponsor practices. This may in turn improve community school operations and the academic performance of community school students. The system has three components: academic performance of students enrolled in community schools sponsored by the same entity; adherence to quality sponsoring practices prescribed by ODE (this Authorizer Quality Practice Review); and compliance with applicable laws and administrative rules.

The Authorizer Quality Practice Review is modeled after ODE's School Improvement Diagnostic Review process and ODE's Supplemental Educational Services Quality of Provider Services rubric rating tool as well as standards and sponsor evaluation methods utilized by the National Association of Charter School Authorizers. Six areas of practice are the focus of the review:

1. Organizational commitment and capacity,
2. Community school application process and decision making,
3. Performance contracting,
4. Oversight and evaluation of community schools,
5. Contract termination and renewal decision making, and
6. Technical Assistance.

Overview of Ratings System

For the Authorizer Quality Practice Review, each indicator in the six areas of practice is assigned one of four ratings. These are as follows:

- **Exemplary** (4 points): Exception in that it exceeds the expectations of Ohio's Quality Sponsor Practices and warrants notice from and emulation by other sponsors
- **Effective** (3 points): Commendable in that it materially satisfies expectations
- **Ineffective** (2 points): Approaching full development in that it exhibits aspects of a well-developed practice but is missing key components, is incomplete in its execution, or otherwise falls short of meeting expectations
- **Poor/Undeveloped** (1 point): Wholly inadequate in that the sponsor has not undertaken the practice or is carrying it out in a way that falls far short of satisfying expectations

Ratings are assigned based upon a review of sponsor documents, surveys of sponsor schools, and an on-site visit to the sponsor. These indicator ratings result in an overall rating. Perhaps more importantly, feedback is given to the sponsor in each of the six practice areas which can assist the sponsor in improving practices.

Authorizer Quality Practice Review Rating System

Rating	Point Value	Percentage Range	
		Minimum Score	Maximum Score
Exemplary	4	90.0%	100%
Effective	3	75.0%	89.9%
Ineffective	2	55.0%	74.9%
Poor	1	0%	54.9%

Critical Area of Quality (Capacity, Application, Termination & Renewal weighted twice* the other critical areas)	Possible Number of Points	Points Earned	Percent of Possible Points	Rating for Each Area	Points
Sponsor Commitment & Capacity*	28	27	96%	Exemplary	8
Sponsor Application Process & Decision Making*	32	30	94%	Exemplary	8
Sponsor Performance Contracting	16	15	94%	Exemplary	4
Sponsor Oversight & Evaluation	48	44	92%	Exemplary	4
Sponsor Termination & Renewal*	28	24	86%	Effective	6
Sponsor Technical Assistance & Requirements in Rule and Law	16	16	100%	Exemplary	4
Total Points Earned (of maximum 36 possible)					34
Overall Rating for Quality of Sponsor Practices (one of three components)	Exemplary				94%



Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
A. Clear Mission for Authorizing Charter Schools	<ul style="list-style-type: none"> The authorizer’s mission for chartering schools is broad or it has no mission. The authorizer’s vision for chartering is vague, with no defined priorities and no strategic goals. The authorizer’s governing board designates all contract decisions to staff and/or accepts contract decision-making recommendations with only a cursory review, taking action perfunctorily as part of routine business. 	<ul style="list-style-type: none"> The authorizer states a clear mission for authorizing charter schools. The authorizer articulates a broad vision for chartering, with broad goals over an undefined period of time. The authorizer’s governing board typically designates contract decisions to staff, which provides the board with general recommendations for which contracts to approve. Decisions are typically made with limited information provided by the staff and without consideration of the authorizer’s broad vision. 	<ul style="list-style-type: none"> The authorizer states a clear mission for quality authorizing. The authorizer articulates and implements a vision and plan for chartering, including general goals and timelines for achievement. The authorizer’s governing board, while formally making all contract decisions, relies upon their staff to carefully review and recommend contract decisions aligned with their chartering vision and plan. 	<ul style="list-style-type: none"> The authorizer states a clear mission for quality authorizing. The authorizer articulates and implements an intentional strategic vision and plan for chartering, including clear priorities, specific goals, and time frames for achievement. The authorizer’s governing board actively participates in all contract decision-making (approval and renewal) to ensure that all such actions are consistent with the authorizer’s strategic vision and plan for quality authorizing.



Commitment & Capacity

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating – 4 Exemplary

BCHF offers a clear mission for quality authorizing: “The Education Division of Buckeye Community Hope Foundation is committed to promoting academic excellence by providing focused monitoring and technical assistance to the schools we sponsor in Ohio.” BCHF further clarifies its values: “Quality authorizing plays a critical role in creating and sustaining quality charter/community schools. A quality charter school is characterized by high student achievement, financial stewardship, and responsible governance. Buckeye Community Hope Foundation will improve public education by creating greater educational opportunities for students and educators and higher educational accountability for public community schools.” This mission and complementary values are featured on BCHF’s website and on application materials.

The authorizer’s governing board actively participates in all contract decision-making through formal board meetings and also provides advice and counsel through informal discussions with division leadership. It is clear that BCHF leadership is passionate about providing quality school opportunities for Ohio’s students. BCHF’s education division operates under an overarching strategic plan and an annual (or continuous) improvement plan. The continuous improvement plan contains goals, action steps, responsible persons, and deliverable dates.

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
B. Self-Evaluation & Improvement	<ul style="list-style-type: none"> The authorizer rarely examines its work to ensure it is meeting its Ohio authorizing obligations and applicable laws. The authorizer does not examine its operations for the purpose of improvement. Does not evaluate self as an authorizer. 	<ul style="list-style-type: none"> The authorizer sporadically examines its work to ensure it is meeting its Ohio authorizing obligations and applicable laws. The authorizer occasionally looks to improve its operations, but does not follow a structured process. 	<ul style="list-style-type: none"> The authorizer regularly examines its work to ensure it is meeting its Ohio authorizing obligations and applicable laws. The authorizer follows a defined improvement process to evaluate its work against its goals and outcomes. The authorizer uses the findings from its self-evaluation when making improvements in its practices. 	<ul style="list-style-type: none"> The authorizer continuously uses a defined improvement process to evaluate its work against its goals and outcomes and to ensure it is meeting its Ohio authorizing obligations and applicable laws. The authorizer implements strategic action steps based upon the findings from its rigorous self-evaluation to improve its performance as an authorizer. The authorizer continuously and rigorously evaluates its work against national standards for quality charter school authorizers. The authorizer reports annually to its governing entity the progress it is making on its strategic goals.



Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating: 4 – Exemplary</p> <p>BCHF utilizes a Continuous Improvement Plan (CIP) as a self-evaluation system to guide its authorizing work. This plan includes overarching goals and associated activities denoting responsible persons and timeline. The CIP is a “living document” in that it is constantly referenced and used by leadership, including guiding the formation of the annual budget. The CIP is formally reviewed and developed at an annual staff retreat. The CIP is developed through review of school data, information from regional representatives, national best practices, and ODE guidance. For example, BCHF identified the need for more stringent fiscal monitoring so it was included in the CIP and a fiscal oversight department lead was hired. Next year, BCHF is anticipating the need to strengthen their ELL oversight and assistance. Progress on goals contained within the CIP is formally reported to the BCHF board on a quarterly basis and more frequently on an informal basis as the board chair shares office space with authorizing staff.</p>				
C. Defined Relationships In Practice	<ul style="list-style-type: none"> • Beyond what is stated in the contract, the authorizer cannot explain the distinction in roles and responsibilities between the authorizer staff and the charter schools it authorizes. 	<ul style="list-style-type: none"> • While not documented beyond what is in the contract, the authorizer is able to explain in general terms how the roles and responsibilities differ between its staff and the charter schools it authorizes. • The charter schools it authorizes do not understand the responsibilities of the authorizer. 	<ul style="list-style-type: none"> • While not documented beyond what is in the contract, the authorizer has and is able to clearly explain the roles and responsibilities of its staff relative to those of the charter schools it authorizes. • The charter schools it authorizes generally understand the responsibilities of the authorizer. 	<ul style="list-style-type: none"> • Roles and responsibilities of the authorizing staff are clearly separated, documented and delineated from the charter schools it authorizes. • The charter schools it authorizes clearly understand the responsibilities of the authorizer.



Commitment & Capacity

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

BCHF provides clear, written guidance on the roles and responsibilities of the authorizing staff and disseminates this to schools through various channels including charter contracts and school board training manuals. Roles and responsibilities are also described during board training. BCHF’s stated roles and responsibilities are appropriately distinguished from those of the school itself.

While a portion of schools that responded to ODE’s survey noted that BCHF is sometimes involved in schools’ daily operations, school interviews did not present any evidence that BCHF oversteps the authorizer role.

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
D. Conflicts of Interest In Practice	<ul style="list-style-type: none"> • Schools chartered by the authorizer have limited or no autonomy. • Numerous conflicts of interest exist between the authorizer and the charter schools it authorizes. [e.g., <i>staff and boards may overlap, authorizer may require school to purchase services from authorizer, schools may not be afforded appropriate autonomy, funds may be co-mingled, etc.</i>] • Decision making is not transparent; it is unclear what or if criteria are being used by the authorizer to make decisions. • Charter schools are improperly offered incentives by the authorizer and/or required by the authorizer to make choices that may not be in their best interest. [e.g., <i>may only contract with the authorizer for various services, contract services from authorizer in exchange for reduced chartering fee, etc.</i>] 	<ul style="list-style-type: none"> • Evidence of conflicts of interest exists between the authorizer and the charter schools it authorizes. [e.g., <i>the authorizing district's superintendent fills the role of the charter school's superintendent with no accommodations for independent oversight of his/her role as charter school superintendent.</i>] • Decision making is not transparent and the criteria used to make them are inconsistently applied and not fully understood by authorizer staff. • In some instances, the authorizer's decisions are improperly influenced by a management company or a charter school's governing authority. [e.g., <i>for example, a management company with multiple affiliated schools implies action related to one school will impact the others.</i>] 	<ul style="list-style-type: none"> • No conflicts of interest (both in staffing and funding) exist between the authorizer and the charter schools it authorizers. • While decision making is transparent to charter schools and appears to be based upon merit, the process and criteria for making decisions are not fully transparent to the public. 	<ul style="list-style-type: none"> • No conflicts of interest (both in staffing and funding) exist between the authorizer and the charter schools it authorizers. • The authorizer has a written policy that effectively prevents conflicts of interest, assures decision making is transparent and based upon merit. • The authorizer's funding is structured in a manner that avoids conflicts of interest, inducements, incentives, or disincentives that might compromise its judgment in charter approval and accountability decision making.



Commitment & Capacity

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

BCHF requires trustees, employees, and agents to sign an Annual Conflict of Interest Disclosure document that effectively serves as their conflict of interest policy. The board makes all contract-related decisions in open meetings and funding is structured in a manner to prevent conflicts, as BCHF does not charge schools for additional services beyond the 3 percent administrative fee allowed by law. BCHF is also committed to mitigating the perception of conflicts as evidenced by a recent decision to sell property developed by another division of BCHF and leased to a BCHF charter school. BCHF was attempting to assist schools in locating suitable facilities and first offered the property to other Ohio charter schools. When there were no takers except for a BCHF-authorized school, a separate division of BCHF negotiated the lease with the school. Although there does not appear to be a current conflict of interest the board understands that the perception of an interested party transaction could exist.

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>E. Staff Expertise</p> <p><i>Deep understanding of essential principles, gained through training and/or several years working in the field and mastering the principles.</i></p>	<ul style="list-style-type: none"> • The authorizer’s dedicated staff member(s) have little to no experience working in or authorizing charter schools. At least one staff member is trained in school finance, but has limited experience applying the knowledge. • No external sources are sought in education related areas for which the authorizing staff lacks expertise. These areas include: <ul style="list-style-type: none"> ○ Charter schools; ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and, ○ School governance. 	<ul style="list-style-type: none"> • The authorizer has at least one dedicated staff member with less than two years of experience working in or authorizing charter schools, and a member who is trained and has limited experience working in the area of school finance. • Other staff have limited training and limited experience working in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and, ○ School governance. • When existing staff do not have the range of expertise needed, the authorizer sometimes contracts with external sources to complete particular aspects of work. 	<ul style="list-style-type: none"> • The authorizer has at least one dedicated staff member with two or more years of experience working in or authorizing charter schools, and a member who is trained and experienced in the area of school finance. • Other staff are certified and have experience working in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; and, ○ School finance; and, ○ School governance. • When existing staff do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of work. 	<ul style="list-style-type: none"> • Many of the authorizing staff have practiced in charter schools or authorizing charter schools for several years, and have diverse expertise in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; and, ○ School finance; and, ○ School governance. • When existing staff do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of work.



Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating: 4 – Exemplary</p> <p>BCHF’s education division boasts a staff knowledgeable about and experienced in charter school authorizing including curriculum, instruction, and assessment; special education; school accountability; school facilities; school finance; and school governance. Both the Director and Associate Director have been at BCHF for several years and the Associate Director has authorizing experience prior to BCHF. The “department heads” of finance, compliance, and school improvement are very well qualified for their respective roles.</p> <p>When staff does not have expertise in a particular area, they are proactive in identifying and contracting with knowledgeable individuals. Examples provided included contracting with an attorney to assist with contract formation and contracting with a special education expert when a school was in need of compliance expertise. BCHF staff also seeks out expertise in ELL and plan on hiring to supplement this area in the near future.</p>				
F. Staff Professional Development	<ul style="list-style-type: none"> • Authorizer staff rarely participates in professional development, internally or externally provided. • PD shows no alignment with the authorizer’s functions. 	<ul style="list-style-type: none"> • Authorizer staff sporadically participates in professional development internally or externally provided, and typically only what is required by ODE. • PD shows some alignment with the authorizer’s functions or in response to needed corrections. 	<ul style="list-style-type: none"> • Authorizer staff regularly participates in professional development, internally or externally provided, and beyond what is required by ODE. • PD is aligned with authorizer functions and takes into account identified needs (as determined by its self-improvement process). • Authorizer staff attends national conferences with PD focus (e.g., NACSA, iNACOL, etc.) 	<ul style="list-style-type: none"> • Authorizer staff continuously participates in professional development beyond what is required by ODE and that complements the authorizer’s improvement efforts and that takes into account staff member’s strengths and weaknesses. • The authorizer is able to provide examples of how professional development is incorporated into its ongoing work.



Commitment & Capacity

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

BCHF provided lengthy lists of professional development for each staff member. PD included attendance at annual National Association of Charter School Authorizers and National Alliance of Public Charter Schools conferences and specific examples were provided of how attendance at those conferences influenced improvements to BCHF work, including application and oversight processes. Staff members in various divisions attend job-specific trainings. For example, the Business and Fiscal Oversight Department Lead noted financial-related PD that helped him to stay on the cutting edge of new developments in his area. BCHF staff also recently attended the International Association for K-12 Online Learning conference to ensure they were prepared to support an online school. Staff also undertake what they call “informal PD” by ensuring they are up-to-date on the most recent state law and guidance related to charter schools and working with each other to have a cursory knowledge of work in other substantive aspects of authorizing (e.g. the finance person endeavors to understand academic programming as necessary to fully execute his duties regarding fiscal oversight).



Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
G. Allocation of Resources <i>Resources include human and financial capital.</i>	<ul style="list-style-type: none"> Resource decisions are not data driven. The authorizer has inadequate staff (or contracted services) to adequately carry out its roles and responsibilities. No evidence that the authorizer has examined and allocated its resources to fulfill its authorizer obligations. 	<ul style="list-style-type: none"> Some resource decisions are data driven. The authorizer sporadically examines its needs and allocates its resources to fulfill its statutory requirements. Resource allocations are not commensurate with the scale of its portfolio of charter schools. 	<ul style="list-style-type: none"> Most resource decisions are data driven. The authorizer examines its portfolio of schools needs and allocates its resources to improve school performance and its responsibilities as an authorizer. 	<ul style="list-style-type: none"> All resource decisions are data driven. The authorizer determines its portfolio of schools needs and devotes resources to improve school performance, fulfill its responsibilities as an authorizer, and meet national quality standards for authorizing (e.g., the authorizer provides math coach, software, PD consortiums, banners, specialized staff for job coaching, etc.) Resource allocations are commensurate with the authorizer’s identified needs.
<p>Rating: 3 – Effective</p> <p>Evidence provided during the interview demonstrates that resource decisions are data driven and BCHF examines its needs and allocates resources accordingly. For example, a position was recently created to monitor school fiscal operations. Further, there was no evidence that BCHF authorizing operations and schools are not getting what they need due to lack of funding. However, BCHF declined to provide a copy of its most recent independent financial audit and budget citing its legal configuration as a private foundation. Absence of this requested documentation does not provide the review team sufficient evidence to award an exemplary rating.</p>				

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
A. Application Process, Timeline, & Clarity of Directions	<ul style="list-style-type: none"> The authorizer has no formal application process – no written application. The authorizer’s application timeline is not defined. Application guidance is absent or undocumented and varies depending upon which staff member responds to questions by the public. The application process does not include interviewing applicants. 	<ul style="list-style-type: none"> The authorizer has an application process; however, it is undocumented and loosely defined. Timelines are loosely defined. Applications are accepted close to the statutory contract adoption date, leaving little time for contract negotiations. The application is not readily available to the public. The application provides limited directions on the content and format expected of applicants. The authorizer does not document the criteria it uses to evaluate its applications. The application process may include an interview with applicants. 	<ul style="list-style-type: none"> The authorizer follows and explains a systemic application process; however, it is not fully documented. The authorizer typically follows a defined timeline for reviewing charter applications. The planning stage is at least six months long. The application is readily available to the public. The application provides general directions on content and format expected of applicants. (e.g., does not include resources or references to assist the applicant.) The authorizer documents the general criteria it uses to evaluate its applications. However, these criteria are not publicized as part of the application process. The application process includes interviewing final applicants. 	<ul style="list-style-type: none"> The authorizer follows a documented systematic application process. The authorizer’s timeline allows for a pre-opening stage of least nine months so that the application process is carried out with quality and integrity. It aligns with the school year and provides ample time to adequately complete the application, plan, and prepare for the school’s opening. The authorizer’s application guidance is documented, detailed and readily available to the public through the authorizer’s website. (e.g., includes the procedure to submit (word length, font size, electronic/paper), includes references to assist the applicant, etc.). The application provides clear directions on required content and format. The authorizer documents and clearly communicates to applicants the criteria it uses to evaluate its applications. Application clearly states the authorizer’s chartering priorities. The process includes interviewing final applicants before adopting a contract.



Application Process & Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

BCHF’s application process is detailed and transparent. Applications are posted on the BCHF website. The application package includes a timeline for the application process, including all relevant due dates, detailed instructions on formatting, the application itself, and evaluation criteria. Notably, the application package also includes BCHF’s mission, chartering priorities, and contact information for questions regarding the application. Applicants get a good sense of the authorizer’s operations from the application package itself. Directions regarding formatting and substance are clear. BCHF only accepts electronic versions of the application, but requires a signature cover sheet to be sent hard copy to BCHF offices. Final applicants are granted an in-person interview with the BCHF evaluation team.

Approved applicants are notified in a timely manner so that operators have at least 9 months to prepare for opening. The entire application process is modeled after NACSA Principles and Standards.

Recommendations:

Although BCHF is widely noted for its support of applicants and schools, it must be vigilant to ensure this support does not compromise fairness. While it is understandable that BCHF would grant application deadline extensions to applicants with extenuating circumstances, this may provide an unfair advantage to some applicants over others. Further, meeting deadlines is one way to assess the capacity of applicants.

Given that the number of applicants varies year to year, it is understandable that in some years BCHF can interview all applicants and in others, it must only interview the most promising applicants. Again, in furtherance of parity among applications, BCHF should consider initiating an objective measure for determining which applicants are moved to the interview stage, no matter how many applicants there are in one year.

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
B. Application Depth	<ul style="list-style-type: none"> The authorizer does not have a written application. 	<ul style="list-style-type: none"> The application includes few questions. The questions are very broad in nature and do not provide enough data to thoroughly evaluate the applicant's educational and business plans and capacities. 	<ul style="list-style-type: none"> General application questions, covering four main areas of school planning and operations [education plan, governance, finance (including market research) and accountability] along with suggested attachments, provide adequate data for analyzing an applicant's plans and capacities. <p><i>For example: Describe the demographics of the students that your school will serve and of the charter in which the school will be located. Why are you proposing this school in this location?</i></p> <p><i>Generally describe your school's curriculum plan and provide an overview of the instructional design and program to be emphasized by the school.</i></p>	<ul style="list-style-type: none"> Comprehensive, detailed application questions cross-reference the four main areas of school planning and operations [education plan, governance, finance (including market research) and accountability] provide extensive data for rigorous evaluation of the applicant's plans and capacities. <p><i>For example: Describe the needs assessment of the school's target neighborhood and student population, including current student demographics and academic performance of other schools in the charter in which the school will be located. Explain the academic impact of the proposed school model on the students and charter. Describe the process used to assess local need and provide evidence that the charter approves of the proposed school.</i></p> <p><i>Explain the school's curriculum, its alignment to the Ohio Standards and benchmarks, specific instructional materials to be used to implement the curriculum, and the process your school will follow to evaluate, review and revise its curriculum on an annual basis.</i></p>



Application Process & Decision Making			
	Poor or Undeveloped	Ineffective	Effective
<p>Rating: 4 – Exemplary</p> <p>BCHF’s application notes that the “strongest charter school proposals are ones where all aspects of the proposed charter ... are fully in alignment with and support the implementation of the school’s mission and key design elements.” BCHF’s applications are designed to solicit strong proposals by cross-referencing the four main areas of school planning. For example, applicants must explain how design elements of its academic program will allow the school to achieve its mission with the students it intends to serve. The entire application asks comprehensive and detailed questions that will solicit extensive data for rigorous evaluation.</p>			

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>C. Rigorous Criteria for New Applicants, including any affiliated with previously operating schools.</p>	<ul style="list-style-type: none"> The authorizer may require applicants to outline some of the following: <ul style="list-style-type: none"> an educational program; staffing plan; a business plan; governance; and/or management structure. Application criteria are minimal and focus mainly on meeting state and federal statutory requirements. 	<ul style="list-style-type: none"> The authorizer requires all applicants to describe in general terms some of the following: <ul style="list-style-type: none"> a mission and vision; an educational program; staffing plan; a business plan; governance; and/or management structure. 	<ul style="list-style-type: none"> The authorizer requires all applicants to present in detail all of the following: <ul style="list-style-type: none"> a mission and vision; an educational program; staffing plan; a business plan (including market research); governance and management structure; and capacity to carry out its plan. The applicant must explain any never-opened, terminated, or non-renewed schools. <p>(Market research includes examining the types of schools and students in the area; it does <u>not</u> include an examination of the needs of the charter.)</p>	<ul style="list-style-type: none"> The authorizer requires all applicants to provide strong evidence and great detail on all of the following: <ul style="list-style-type: none"> a clear and compelling mission and vision; a quality educational program; a solid business plan (including market and charter research); an effective governance and management structure; staffing for people with diverse knowledge in education, school finance, etc.; and clear evidence of capacity to successfully execute its plan. The applicant must explain any never-opened, terminated, or non-renewed schools. <p>(Charter research includes examining the proximity of choice options and niche schools, and examining unmet charter needs, such as lack of schools with specialized focus.)</p>



Application Process & Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

BCHF’s application asks for all of the required components of a solid school plan and does so in a way that requires the applicant to provide strong evidence and detail. Applicants are not required to disclose any never-opened, terminated, or non-renewed schools, but BCHF conducts due diligence to determine if this is the case.

BCHF is also committed to ensuring the location in which the school proposes to operate boasts a strong market (demand/need) to support the anticipated student enrollment. For example, Section 4 (Community Need and Impact) of the application asks for programmatic impact on other schools in the area and if the locating district has more than 5% of students enrolled in a charter school, the applicant must “provide evidence that the community of location approved of the establishment of the proposed charter school or explain how the proposed charter school will have a significant educational benefit to students who attend that school.” BCHF leaders note that market research is often an area that is focused on intently during the interview phase of the application process.

Recommendations: Consider adding additional application components for unique school configurations such as online/virtual education and dropout recovery.

Consider adding a component to the application requesting applicants provide detail on any never-opened, terminated, or non-renewed schools. Applicant responses could be taken into consideration with BCHF’s due diligence investigating such issues.

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>D. Rigorous Criteria for Existing Charter School Operators / Replicators</p> <p><i>Whichever school is being replicated, it must have been in operation for two or more school years.</i></p>	<ul style="list-style-type: none"> • No additional criteria are required of existing school operators and/or replicators of existing schools. • Authorizer does not look for any evidence of past success or the capacity for growth. 	<ul style="list-style-type: none"> • While no additional criteria are required, the authorizer completes a cursory look of the current school’s academic success or a consideration for the school’s capacity to expand. 	<ul style="list-style-type: none"> • Authorizer requires the applicant to meet the following criteria: <ul style="list-style-type: none"> ○ Clear evidence of capacity to operate a new school successfully while maintaining quality in existing schools; ○ Document educational, organizational, and financial performance records based on all existing schools; ○ Must explain any never-opened, terminated, or non-renewed schools; ○ Must present a growth plan, business plan, and most recent financial audits; and ○ Meet at least one of the following indicators of effectiveness to earn approval for replication: high academic, organization, and/or financial success to earn approval for replication. 	<ul style="list-style-type: none"> • Authorizer requires the applicant to meet the following criteria: <ul style="list-style-type: none"> ○ Clear evidence of capacity to operate a new school successfully while maintaining quality in existing schools; ○ Document educational, organizational, and financial performance records based on all existing schools; ○ Must explain any never-opened, terminated, or non-renewed schools; ○ Must present a growth plan, business plan, and most recent financial audits; and ○ Meet multiple indicators of effectiveness in all of the following areas: high academic, organization, and financial success to earn approval for replication. <p><i>Examples of success include: never had an un-auditable school; no general education or special education school rated below the top two LRC categories; no dropout prevention and recovery schools rated below “meets”, etc.</i></p>



Application Process & Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 3 – Effective

BCHF uses the same application for all applicants. This application does require schools partnering with EMOs to have the EMO provide evidence of capacity to operate a new school successfully while maintaining quality in existing schools (See Appendix A of application). However, the application misses key components essential to evaluate existing operators / replicators. Namely, BCHF does not ask for information on a replicator’s prior school performance. BCHF does conduct informal due diligence through web searches and contacts in other states, but this may miss key information. BCHF provided an example of not approving a replication school although its application was strong, because its informal due diligence process uncovered academic deficiencies in prior schools. While this is positive, this process should be systematized. Further, part of the benefit of due diligence is substantiating (or not) data already provided by the operator.

Recommendations: BCHF should consider augmenting its application for existing operators / replicators to conform to NACSA Principles & Standards (see Box 1 of the Principles and Standards) to include specific information on prior performance.

Consider adding a component to the application requesting applicants provide detail on any never-opened, terminated, or non-renewed schools.



Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
E. Rigorous Criteria for Charter Schools Changing Authorizer/Assignment of Contract (if applicable)	<ul style="list-style-type: none"> • No additional criteria are required of the existing school seeking to be switch authorizers. • Authorizer does not look for any evidence of past success or the capacity to operate successfully. 	<ul style="list-style-type: none"> • While no additional criteria are required, the authorizer completes a cursory look of the current school’s academic success or considers the school’s capacity to operate successfully. 	<ul style="list-style-type: none"> • While no additional criteria are required, the authorizer reviews the existing school’s financial audits (where available), academic success and the school’s capacity to operate successfully, meeting and/or exceeding it performance targets. • The application process may include either a face to face interview with the applicant or contact with the school’s current authorizer. • The authorizer does not consider contracting with a charter school that is being non-renewed by its current authorizer. 	<ul style="list-style-type: none"> • Authorizer requires the applicant to provide educational, organizational, and financial performance records to evaluate the school’s capacity to operate successfully, meeting and/or exceeding its performance targets. • The application process includes a face to face interview with the applicant and contact with the school’s current authorizer. • The application process may include visiting the school and/or attending a board meeting. • The authorizer does not consider contracting with a charter school that is being non-renewed by its current authorizer. • The authorizer’s process to consider authorizing a currently operating school is publicly available.

Application Process & Decision Making			
Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating: 4 – Exemplary</p> <p>There is a separate application for schools wanting to transfer authorization to BCHF and it contains many of the same sections as the application for new/replicating entities as applicants have to describe their academic, organizational, and financial plan in detail. However, additional components are included for the transfer applicant to describe including: prior local report card (academic) performance, authorizer evaluations for the prior 3 years (compliance and fiscal monitoring reports), and prior fiscal year budget/audit reports. The application also asks for a copy of any non-renewal notices, a copy of the current authorizer agreement/contract, a copy of any disciplinary actions taken over the last 3 years, a copy of any Corrective Action Plans from the past 3 years, and the current board roster. A sample BCHF contract and evaluation criteria are part of the application package. Prior to considering a transfer applicant, BCHF attends school board meetings and connects with the school’s current authorizer. The transfer application is not posted on the website and can only be obtained by contacting BCHF. BCHF states that it will not consider contracting with a school that has been non-renewed by its sponsor.</p> <p><i>Recommendation: BCHF should consider posting the transfer application on the web with the application for new schools to promote transparency of information. Reviewers understand that BCHF wishes to discuss a potential transfer applicant’s reasons for transfer prior to receiving an application, but it could include a pre-application meeting in the application process.</i></p>			

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>F. Reviewer Expertise</p> <p><i>Deep understanding of essential principles, gained through training and/or several years working in the field and mastering the principles.</i></p>	<ul style="list-style-type: none"> Review team members have little to no experience working in or authorizing charter schools. At least one review team member is trained in school finance, but has limited experience applying the knowledge. No external sources are sought in education related areas for which the review team members lack expertise. These areas include: <ul style="list-style-type: none"> Charter schools; Curriculum, instruction and assessment; Special education and ELL instruction; School accountability; School facilities; School law; School finance; and, School governance. 	<ul style="list-style-type: none"> The authorizer has at least one dedicated reviewer with limited experience (less than two years) working in or authorizing charter schools, and at least one other reviewer who may have limited knowledge in one or more of the following areas: <ul style="list-style-type: none"> Curriculum, instruction and assessment; Special education and ELL instruction; School accountability; School facilities; School law; School finance; and/or School governance. When existing reviewers do not have the range of expertise needed, the authorizer sometimes contracts with external sources to complete particular aspects of the application review. 	<ul style="list-style-type: none"> The authorizer has at least one dedicated reviewer with two or more years of experience working in or authorizing charter schools. Other reviewers are certified (where appropriate) and have experience working in the following areas: <ul style="list-style-type: none"> Curriculum, instruction and assessment; Special education and ELL instruction; School accountability; School facilities; School law; School finance; and, School governance. When existing reviewers do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of the application review. 	<ul style="list-style-type: none"> Many of the reviewers have practiced in charter schools or authorizing for several years, and have diverse expertise (and certification where appropriate) in the following areas: <ul style="list-style-type: none"> Curriculum, instruction and assessment; Special education and ELL instruction; School accountability; School facilities; School law; School finance; and, School governance. When existing staff do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of the application review.



Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
Rating: 4 – Exemplary				
<p>Internal BCHF staff act as the core reviewers for applications and as noted above, staff have a wealth of expertise in the various components of a charter school application (e.g. curriculum & instruction, facilities, governance, law). BCHF also regularly includes an external reviewer on application review teams. External reviewers augment internal expertise and are required to have expertise in charter school academic programs, as that is the largest part of the charter school application.</p>				

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
G. Protocols and Training	<ul style="list-style-type: none"> • No defined selection criteria or protocols are used to evaluate applications. • Review team members simply review the written application and only ask clarifying questions. • Reviewers receive no training. • No process is followed to ensure that all internal and external reviewers do not have a conflict of interest with the applicants they are reviewing. 	<ul style="list-style-type: none"> • Selection criteria are documented, but are broad or vague. • Review team members receive limited training on the selection criteria. • If a protocol is used to evaluate applications, limited evidence is documented to support whether or not the applicant meets the selection criteria. • Applicants are not interviewed. • All internal and external reviewers are responsible for identifying if a conflict of interest exists with the applicants they are reviewing. • The reviewer initiates their own removal from reviewing an application if he/she feels a conflict of interest exists. • The authorizer does not require a formal written conflict of interest statement to be signed by each person reviewing the applications. 	<ul style="list-style-type: none"> • Evaluation includes a careful review of the written application, a brief interview of all applicants to clarify points in the written application, and a careful review of the applicant’s experience and capacity. • While not always documented in protocols, all new review team members are trained on the selection criteria and protocols prior to reviewing applications for approval. • The review team documents evidence to support whether or not the applicant meets the selection criteria. • Review team members who have previously reviewed applications for the authorizer receive refresher training on the selection criteria and protocols prior to reviewing applications for approval. • The authorizer requires a formal written conflict of interest statement to be signed by every internal and external reviewer of applicants. • The authorizer initiates removal of an internal or external reviewer from evaluating an application. 	<ul style="list-style-type: none"> • Evaluation includes a detailed review of the written application, an in-depth interview with finalists, and a thorough background review of the applicant’s experience and capacity. • Application evaluators are trained annually on the selection criteria, the evaluation process and the protocols. <i>[e.g., interview guides used for all applicants, rubrics that require the evaluator to score and document how the applicant rates on the selection criteria, etc.]</i> • The review team documents in detail the evidence to support whether or not the applicant meets the selection criteria. • An established policy and process are consistently followed that ensures all internal and external reviewers do not have a real or perceived conflict of interest with the applicants they are reviewing. • The authorizer requires a formal written conflict of interest statement to be signed by every internal and external reviewer of applicants. • The authorizer initiates and documents the removal of an internal or external reviewer from evaluating an application if a formal conflict of interest is found.



Application Process & Decision Making			
	Poor or Undeveloped	Ineffective	Effective
<p>Rating: 4 – Exemplary</p> <p>Evaluation of applications submitted to BCHF is a multi-stage process consisting of an in-depth review by an evaluation team, interviews, and background reviews. All reviewers (internal and external) must participate in evaluation training annually. This training consists of an orientation by BCHF leaders and review of a completed evaluation rubric from the prior year. BCHF leaders recommend that reviewers read each application twice to ensure a full and thorough review of the application. To ensure thorough comments along with ratings, BCHF leaders review all reviewer evaluations to ensure ample evidence and consistency in ratings among reviewers. If there is not enough detail to support a rating, BCHF leaders will ask the reviewer to re-analyze relevant sections of the application. All reviewers complete a conflict of interest form. BCHF staff meet to debrief after each annual application process to identify any areas of concern and/or opportunities for future improvement.</p>			

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>H. Rigorous Decision Making</p> <p><i>Rigorous decisions are based upon a thorough analysis of a comprehensive body of objective evidence.</i></p>	<ul style="list-style-type: none"> • Almost all applicants that apply are approved, regardless of the strength of the application. • Preliminary agreements are made with schools that had previously closed and/or were non-renewed by their previous authorizer. 	<ul style="list-style-type: none"> • The majority of applications that meet a general framework of criteria are approved. • Preliminary agreements are made with charter schools that meet one or more of the following criteria: <ul style="list-style-type: none"> ○ Fail to clearly demonstrate the capacity to successfully operate (e.g., lack of staffing, lack of resources, questionable governance, history of poor performance, etc.); ○ Little or no market research data to support the school’s opening; ○ Little or no data to support a successful educational model; ○ Questionable business plan and limited resources to support the school’s launch (e.g., reliance on unsecured loans and/or management company financial support); or ○ Were previously closed and/or non-renewed by their previous authorizer. 	<ul style="list-style-type: none"> • Applicants that meet the majority of the criteria are approved. • Enters into preliminary agreements with schools that meet most of the following criteria: <ul style="list-style-type: none"> ○ Clear capacity to successfully operate a new school (e.g., lack of staffing, lack of resources, questionable governance, history of poor performance, etc.); ○ Researched data shows strong market demand for the proposed school (e.g., mission, location, grades served, proximity of high quality public & private school options) ○ Quality educational program; ○ Solid business plan and a start-up budget to support the school’s launch and sustained early operations; and, ○ The school has not been recycled: previously closed or non-renewed by its previous authorizer. 	<ul style="list-style-type: none"> • Only applicants meeting all, or almost all, of the criteria are approved. Any perceived minor deficiencies are addressed in the contract process. • Only enters into preliminary agreements with schools that meet all of the following criteria: <ul style="list-style-type: none"> ○ Clear capacity to successfully operate a new school (e.g., lack of staffing, lack of resources, questionable governance, history of poor performance, etc.); ○ Researched data shows strong market demand for the proposed school (e.g., mission, location, grades served, proximity of high quality public & private school options) ○ Quality educational program; ○ Solid business plan and a start-up budget to support the school’s launch and sustained early operations; and, ○ The school has not been recycled: previously closed or non-renewed by its previous authorizer.



Application Process & Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 3 – Effective

BCHF employs a structured decision-making process when considering applications. The majority of the reviewers are internal, but BCHF also regularly uses one or more external evaluators to review the applications. Recommendations for approval are presented to the board and discussed. Oftentimes potential applicants withdraw based upon preliminary conversations with BCHF staff about the process and requirements. BCHF exercises some discretion, separate from their criteria, when taking on existing schools with under-performing records. An example of this is allowing a school with an overall poor performance record to reconfigure its grade span and present its elementary grades as a new school. Understanding that the lower grades had better performance than the higher grades, the management company remained the same.

Recommendation: BCHF could consider adding additional external reviewers when considering “second chance” opportunities for applicants known to BCHF, and who have had mixed success. This would move the authorizer closer to ensuring that it enters into preliminary agreements only if the applicant meets all the criteria noted above.

Performance Contracting				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
A. Contract Student Performance Measures	<p>Most contracts include:</p> <ul style="list-style-type: none"> ○ Vague measures of student performance, such as local report card ratings or statewide assessments. ○ No specific metrics and targets for school-wide performance (e.g., “80% proficiency in 3rd grade reading and math OAA) 	<p>Most contracts include:</p> <ul style="list-style-type: none"> ● Multiple measures of student performance , which may include the following: <ul style="list-style-type: none"> ○ statewide assessments, ○ attendance, or ○ <i>if applicable</i>, graduation rates. ● Metrics and targets for school-wide performance are vague (e.g., meet state standards) ● Targets are for the all students group; they do not include subgroups of students. 	<p>All contracts may include the following:</p> <ul style="list-style-type: none"> ● multiple measures of student performance, such as <ul style="list-style-type: none"> ▪ proficiency rates on state assessments ▪ <i>if applicable</i>, student academic growth, ○ <i>if applicable</i>, ○ graduation rates, ○ attendance, and ○ <i>if applicable</i>, post-secondary enrollment after high school. ● Metrics and targets for school-wide performance are specific (e.g., 80% proficiency in 3rd grade reading, meet or exceed value added, etc.) ● Targets include all students and subgroups of students. 	<p>All contracts include all of the following student measures:</p> <ul style="list-style-type: none"> ○ proficiency rates on state assessments, ○ student academic growth, ○ graduation rates, ○ attendance, ○ <i>if applicable</i>, post-secondary enrollment after high school, and ○ <i>if applicable</i>, student performance on other valid and reliable assessments as laid out in the contract. ○ Metrics and targets are specific and rigorous. ○ Targets include all students and subgroups of students. ○ At a minimum, targets are set that compare the school’s student performance to the state, schools serving similar populations and/or schools in the same geographical area. ○ Mission-specific academic goals may be included; such goals include specific metrics and targets.

Performance Contracting				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating: 4 – Exemplary</p> <p>BCHF recently developed a comprehensive performance framework that covers academic, operational, and financial areas. This framework is part of schools’ contracts, referenced as an appendix. The academic portion of the performance framework examines school performance on the Ohio Local Report Card (including AMOs and Performance Index), academic growth compared to academic peers (including sub-groups for students with disabilities, lowest performing 20% of students), student progression as compared to Challenge Districts, graduation rates, and mission-specific goals. The framework also includes indicators for whether the school is protecting the rights of all students and whether it is meeting its attendance goals. For all indicators, schools are given a 0 – 3 rating. Targets are rigorous and ambitious. For example, on the indicator related to Local Report Card Grade, a school must earn an overall grade of “A” to earn 3 points (the highest) on the framework. To earn the maximum amount of points related to AMOs, a school must have met 90% or more of their AMOs. School performance on the framework is used in consideration of recognition, intervention, renewal, non-renewal, and termination decisions.</p> <p><i>Recommendation: BCHF should consider building upon the overall AMO grade measure already included in the performance framework by examining the performance of specific subgroups not already included in the framework (i.e., racial, ethnic, gender) to determine if gaps exist that a school needs to improve upon in the future.</i></p>				
<p>B. Contract Terms for High-Stakes and Ongoing Reviews</p> <p><i>A performance review upon which renewal decisions are made.</i></p>	<ul style="list-style-type: none"> Contract renewal is essentially automatic and contract language may specify automatic renewal as the default. Authorizer contracts rarely specify a high-stakes review to take place prior to contract renewal. 	<ul style="list-style-type: none"> Contract renewal is essentially automatic and contract language may specify automatic renewal as the default. Authorizer contracts occasionally specify a high-stakes review to take place prior to contract renewal, but at least every 5 years for extended contracts. 	<ul style="list-style-type: none"> Authorizer contracts regularly specify a required high-stakes review to take place prior to contract renewal, but at least every 5 years for extended contracts. 	<ul style="list-style-type: none"> All authorizer contracts specify a required high-stakes review to take place prior to contract renewal, and at least every 5 years for extended contracts.

Performance Contracting				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating: 4 – Exemplary</p> <p>BCHF’s contracts require an analysis of several factors prior to renewal. Together, these constitute a high-stakes review and include: the school’s progress in meeting academic program assurances, the school’s progress in meeting educational goals, the school’s progress in meeting performance standards, the degree to which the school is compliant with the terms of the contract, the school’s fiscal viability, and the school’s organizational viability. None of BCHF’s contracts have extended past 5 years given the term of BCHF’s own contract with ODE.</p>				
<p>C. Contract Terms for Renewal and Non-renewal</p>	<ul style="list-style-type: none"> • Contracts rarely define the performance standards and criteria and conditions for renewal. • Contracts rarely define the consequences for meeting or not meeting standards and conditions. 	<ul style="list-style-type: none"> • Most contracts broadly define the performance standards and criteria and conditions for renewal. • Most contracts broadly define the consequences for meeting or not meeting standards and conditions. 	<ul style="list-style-type: none"> • Most contracts define the performance standards and criteria and conditions for renewal. • Most contracts define the consequences for meeting or the consequences for not meeting standards and conditions. 	<ul style="list-style-type: none"> • All contracts clearly define and detail performance standards and criteria and conditions for renewal. • All contracts clearly define and detail the consequences for meeting or the consequences for not meeting standards and conditions.
<p>Rating: 3 - Effective</p> <p>Although the performance framework, which operationalizes and specifies the renewal conditions, contains finite ratings, there is no overall “cut-score” for renewals. BCHF does informally communicate with schools so that schools know their standing with BCHF regarding renewal, but the process may be made clearer with standards set in the contract.</p> <p><i>Recommendation: BCHF should consider defining the standards that should be met for renewal in the contract.</i></p>				

Performance Contracting				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>D. Contract terms for Amendments and Updates</p> <p><i>All/most authorizers have boiler-plate language noting that amendments may be made to all contracts.</i></p>	<ul style="list-style-type: none"> • No specific conditions for amendment or modifications are noted in the contract. • Authorizer does not modify the terms of a contract, even when it is renewed with the school. 	<ul style="list-style-type: none"> • General conditions for amendment or modifications are noted in the contract. • Authorizer regularly assesses contract language to ensure consistency with changes in state and/or federal law. • Authorizer has an updated contract template that it uses as it authorizes new schools; however, old contracts are not updated to reflect the more rigorous contract terms until the existing contract expires. 	<ul style="list-style-type: none"> • General conditions for amendment or modifications are noted in the contract. • Authorizer regularly assesses contract language to ensure consistency with changes in state and/or federal law. • Authorizer regularly updates all or most of its existing contracts to reflect changes in state and/or federal law. • If an authorizer updates its performance framework to support higher achievement and ensure better compliance in the new schools it authorizes, old contracts are not updated to reflect this new framework until the existing contract expires. 	<ul style="list-style-type: none"> • General conditions for amendment or modifications are noted in the contract. • Authorizer regularly assesses contract language to ensure consistency with changes in state and/or federal law. • Authorizer regularly updates its performance framework to support higher achievement or to ensure better compliance. • Authorizer regularly updates all or most of its existing contracts to reflect changes made in the template it uses for new schools.



Performance Contracting

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

BCHF contracts contain two provisions for amendments. First, there is a very specific chart that informs schools when updates, modifications, and changes may be necessary and whether those require authorizer approval, board approval, and/or notice to the authorizer. This is definitely a best practice that should be shared with other charter schools to give clarity to an often confusing issue. To handle periodic changes in relevant state law, the BCHF contracts contain provisions that require schools to adhere to any changes in laws that are referenced in the contract.

BCHF recently revised the performance framework for contracts and will be including in all school contracts upon renewal next year.

Oversight & Evaluation

	Poor or Undeveloped	Ineffective	Effective	Exemplary
A. System of Oversight & Evaluation	<ul style="list-style-type: none"> The authorizer’s oversight and evaluation system is reactive, focused only on the school’s compliance with laws. The authorizer rarely enforces consequences for failing to meet compliance requirements or performance expectations. 	<ul style="list-style-type: none"> The authorizer’s oversight and evaluation system is minimal; focusing mainly on the school’s compliance with laws and with limited examination of academic performance. The authorizer occasionally enforces consequences for failing to meet compliance requirements or performance expectations. 	<ul style="list-style-type: none"> The authorizer’s oversight and evaluation system is proactive, collecting and/or accessing and reviewing and/or analyzing data on the school’s compliance with laws and against performance targets stated in the contract. Combined, these sources of data inform contract renewal, termination, and intervention decisions. The authorizer regularly enforces consequences for failing to meet compliance requirements, and sometimes performance expectations. 	<ul style="list-style-type: none"> The authorizer implements a comprehensive performance accountability and compliance monitoring system that is defined by the charter contract and that provides the information necessary to make rigorous and standards-based renewal, termination, and intervention decisions. The authorizer predetermines intervention actions for failure to meet contract requirements and clearly articulates and enforces stated consequences for failing to meet performance expectations or compliance requirements.

Rating: 4 – Exemplary

BCHF’s contracts contain the authorizer’s provisions for oversight and evaluation. These include: annual file updates, on-site visits prior to the opening of each school and bi-monthly visits during the school year; monthly reviews of financials, enrollment records, and attendance monitoring; authorizer access (read only) to academic and financial data and data systems; and other appropriate requests. In practice, BCHF utilizes three separate divisions to carry out its oversight and evaluation process – Business & Fiscal Oversight; Authorizing & Operations; and Accountability & School Improvement. Business & Fiscal Oversight is led by an experienced charter finance professional that conducts the monthly monitoring. Authorizing & Operations conducts the compliance audits through a network of six regional representatives who are in the schools at least bi-monthly. Accountability & School Improvement consists of four professionals monitoring school academic performance and providing services as needed.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Intervention actions are predetermined and this is most clearly demonstrated by the tiered levels of academic intervention. For example, Tier 1 schools need no interventions except for relevant updates and routine monitoring. Tier 3 schools have significant academic issues and are more frequently and deeply assessed and offered more support. Schools are aware of what level of performance will put them in which tier.</p>				
<p>B. Transparency of Process</p>	<ul style="list-style-type: none"> The authorizer’s major oversight and evaluation processes for application, renewal and closure are not transparent. 	<ul style="list-style-type: none"> The authorizer’s major oversight and evaluation processes for application, renewal and closure are not transparent; however, the timelines are communicated. 	<ul style="list-style-type: none"> The authorizer’s major oversight and evaluation processes for application, renewal and closure are transparent - clearly communicated to schools through contract and documented guidance and acknowledging that some aspects of oversight necessitate flexibility (e.g., a testing investigation). 	<ul style="list-style-type: none"> The authorizer’s oversight and evaluation process is fully transparent; it defines and communicates to schools through the school contract and documented guidance the process, methods, and timing of gathering and reporting school performance and compliance data, while acknowledging that some aspects of oversight necessitate flexibility (e.g., a testing investigation).



Oversight & Evaluation

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

As noted above, BCHF’s contracts contain the authorizer’s provisions for oversight and evaluation. These include: annual file updates, on-site visits prior to the opening of each school and bi-monthly visits during the school year; monthly reviews of financials, enrollment records, and attendance monitoring; authorizer access (read only) to academic and financial data and data systems; and other appropriate requests. After a school is approved, and during the orientation process, schools receive a written list of documents that will be reviewed or must be submitted for compliance checks. This list provides the title of the document, the regulatory authority for requesting the document, a description of the document, and the timeline for submission. Throughout the year, BCHF uses Epicenter, a web-based tool for collecting and analyzing compliance materials/data. Epicenter provides frequent notice to schools when certain documents are due and is a good tool for communication between the schools and the authorizer.

Recommendation: BCHF should consider providing guidance (perhaps in the form of chart or table) to schools on all oversight and evaluation reports they will receive throughout the year.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>C. Enrollment & Financial Reviews</p> <p><i>Note: when an authorizer is reviewing certain EMO/CMO affiliated schools, it may not have access to all the financial records deemed necessary for the authorizer to do a full financial review. (Protocol issue)</i></p>	<ul style="list-style-type: none"> The authorizer rarely reviews the enrollment and financial records of each school. When or if reviewed, the authorizer provides few details and feedback that is rarely of value to the school. No consideration is given to the qualifications of the individual performing the review on behalf of the authorizer. 	<ul style="list-style-type: none"> The authorizer minimally reviews the enrollment and financial records of each school, and provides occasional feedback with limited details and that are of limited use to the school. Some consideration is given to appropriate qualifications of the authorizer’s reviewer. 	<ul style="list-style-type: none"> The authorizer reviews and provides monthly feedback on the enrollment and financial records of each school. All revenue sources are considered against the school’s annual budget. Consideration is given to the qualifications of the authorizer’s reviewer respecting school financial reviews. 	<ul style="list-style-type: none"> The authorizer reviews and provides monthly feedback on the enrollment and financial records of each school. The authorizer’s recommendations to the board are pro-active in that they help the school achieve greater efficiencies, and also results in timely interventions when problems arise. All revenue sources are considered against the school’s annual budget. The authorizer employs a licensed school treasurer or equivalent to conduct school financial reviews, which include the following: <ul style="list-style-type: none"> budget ledgers, transaction detail reports, five year forecasts, and previous Auditor of State reports.



Oversight & Evaluation

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

The Director of Business and Fiscal Oversight conducts monthly reviews of enrollment and financial records for each school. This includes a review of balance sheets, year to date income and expense statements, audits, and accounts payable. Schools also submit a monthly and annual monitoring questionnaire to BCHF. BCHF provides a report back to the school each month with observations on the fiscal review. Schools have five days to respond to any issues in the report. Along with monitoring, BCHF sees their role as interpreting the data for the board and school leaders to give an objective look at the fiscal health of the school.

The Director of Education is a licensed school treasurer and the Director of Business and Fiscal Oversight is in the process of getting his license renewed.

Oversight & Evaluation

	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>D. Financial Audit Follow-up</p> <p><i>Note: when an authorizer is reviewing certain EMO/CMO affiliated schools, it may not have access to all the financial records deemed necessary for the authorizer to do a full financial review. (Protocol issue)</i></p>	<ul style="list-style-type: none"> When it receives timely notice and the school agrees to the meeting, the authorizer never attends the school’s closing audit conference. The authorizer either rarely follows-up with schools on issues identified in a school’s annual audit by the Auditor of State or is excessive in its follow-up and direction to the school. 	<ul style="list-style-type: none"> When it receives timely notice and the school agrees to the meeting, the authorizer never or rarely attends less than half of the schools’ closing audit conferences. The authorizer may follow-up on legal compliance issues identified in a school’s annual audit by the Auditor of State. 	<ul style="list-style-type: none"> When it receives timely notice and the school agrees to the meeting, the authorizer attends the majority of the schools’ closing audit conferences. The authorizer addresses the majority of issues identified in a school’s annual audit by the Auditor of State, including findings for recovery, issues of material non-compliance, and so on. If the authorizer requires the school to engage in a Corrective Action Plan, the authorizer monitors the school’s implementation of the plan. 	<ul style="list-style-type: none"> When it receives timely notice and the school agrees to the meeting, the authorizer always attends the schools’ closing audit conferences. The authorizer thoroughly addresses issues identified in a school’s annual audit by the Auditor of State, including findings for recovery, issues of material non-compliance, and so on. These actions are evidenced by correspondence and/or meetings between the school and the authorizer. <p>Examples of a school’s corrective action could include but not limited to:</p> <ul style="list-style-type: none"> adopting or advising relevant policies, reducing deficiencies by implementing additional internal controls, and/or setting up a board audit committee; the follow-up to measure, along with school’s status of previous citations/concerns/comments from the Auditor; the authorizer engages in follow-up to measure the school’s progress in ensuring that similar future findings are avoided, with or without a formal Corrective Action Plan.



Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
Rating: 4 – Exemplary				
<p>BCHF’s Director of Business and Fiscal Oversight makes every effort to attend audit conferences when given due notice and will even contact auditors prior to the meeting to learn of any impending issues. If an issue is found during an audit, BCHF places the school on an immediate corrective action plan and the school’s rating on the relevant portion of the performance framework is lowered. Evidence of consistent follow-up by BCHF for schools with financial issues was provided.</p>				

Oversight & Evaluation

	Poor or Undeveloped	Ineffective	Effective	Exemplary
E. Site Visit Protocols & Training	<ul style="list-style-type: none"> • During an onsite review, data are collected from a school employee available at the school on the day of the review. • The authorizer’s onsite reviewers receive very little training on the site visit process and no protocols are used. 	<ul style="list-style-type: none"> • During an onsite review, data are collected from a school employee available at the school on the day of the review. • The authorizer has an onsite visit protocol; however, its onsite reviewers are not trained on the tool; and therefore, • There is no evidence of consistent use of the protocol across reviewers. 	<ul style="list-style-type: none"> • During an onsite review, data are collected from school administrators and a sample of instructors. • The authorizer’s onsite reviewers are trained on and regularly use observation and interview protocols. • There is evidence of consistent use of the protocols across reviewers. • Data may be collected through a variety of means and throughout the school year. 	<ul style="list-style-type: none"> • During an onsite review, data are collected consistently from a variety of stakeholders, which may include the charter school’s governing board members, administrators, teachers, students, parents, and staff from the management company (if applicable). • Reviewers receive ongoing training, formal or informal, on the purpose, criteria, process and protocols of conducting onsite visits. • Additionally, training is provided as needed to remain current with changes in law. • Data may be collected through a variety of means and throughout the school year.



Oversight & Evaluation

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

Site visits are conducted at least bi-monthly at every school and BCHF’s regional representatives are charged with following specific protocols, including classroom observations, file reviews, and attending governing board meetings. Regional representatives meet with a variety of stakeholders during the visit. Job duties and expectations for the regional representatives outline essential functions, job requirements, and expectations. All data gathered from the site visits are uploaded into Sharepoint, a web-based productivity tool used by BCHF.

There are several methods of training regional representatives and other BCHF staff that might visit schools. Senior staff members take the lead in providing training and conduct mock site visit reviews for new reviewers. The mock reviews include desk audits and onsite training. Senior staff members accompany any new compliance representative on his/her first couple of site visits.

To remain current with any changes in law or rule, BCHF leadership conduct quarterly calls with all regional representatives. This is supplemented by frequent emails and other informal communications. Examples of documents to be reviewed by regional representatives are collected and included in Sharepoint. This serves as resource sharing tool for all BCHF staff.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>F. Site Visit Reviewer Expertise</p> <p><i>Deep understanding of essential principles, gained through training and/or several years working in the field and mastering the principles.</i></p>	<ul style="list-style-type: none"> • Site visit reviewers have little or no experience working in or authorizing charter schools. At least one review team member is trained in school finance, but has limited experience applying the knowledge in reviewing charter school compliance data gathered from the site visit. • No external sources are sought in education related areas for which the authorizing staff lacks expertise. These areas include: <ul style="list-style-type: none"> ○ Charter schools; ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and, ○ School governance. 	<ul style="list-style-type: none"> • At least one dedicated site visit reviewer has limited experience (less than two years) working in or authorizing charter schools, and at least one other site visit reviewer has limited training and limited experience or knowledge in one or more of the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and/or ○ School governance. • When existing staff do not have the range of expertise needed, the authorizer sometimes contracts with external sources to complete particular aspects of the site visit review. 	<ul style="list-style-type: none"> • The authorizer has at least one dedicated site visit reviewer with two or more years of experience working in or authorizing charter schools. • Other reviewers are certified (where appropriate) and have experience working in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; and, ○ School finance; and, ○ School governance. • When existing reviewers do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of the site review. 	<ul style="list-style-type: none"> • Many of the reviewers have practiced in charter schools or authorizing for several years, and have diverse expertise (and certification where appropriate) in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; and, ○ School finance; and, ○ School governance. • If the charter school has a distinct focus (e.g., online delivery, special education, dropout recovery), the reviewers of these schools are knowledgeable in the area of the school’s focus. • When existing reviewers do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of the site visit review.

Oversight & Evaluation

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

BCHF staff, who are the primary site visit reviewers, have a wide range of relevant expertise as outlined above in previous sections of this rubric. If there is any area where, collectively, internal staff does not have expertise, BCHF will contract with an external reviewer. For example, during a routine site visit, regional representatives noted issues with special education compliance. While internal staff has special education expertise, they hired an external expert with specific expertise in federal compliance to conduct the review. To ensure a proficient level of knowledge for all site visit reviewers on all topics, best practices/documents are uploaded to Sharepoint for staff use.

Recommendation: BCHF should consider augmenting its pool of expertise (internal and/or external) for site visits to include unique areas of school focus (e.g. virtual schools, dropout prevention schools).

G. Site Visit Reports

- Based upon information from site visits, the authorizer **may provide** the school with a **written report** but **which fails to provide any relevant information** about the school’s operations.
- There is **no follow-up**.

- Based upon information from site visits, the authorizer **provides** the school with a **written report of general findings, may include areas needing improvement**.
- There **may or may not be follow-up for improvement areas**.

- Based upon information from site visits, the authorizer **provides** the school with a **written report** which includes the following:
 - **the information collected;** and
 - **areas needing improvement.**
- **Ongoing**, the authorizer requests and reviews status **updates from the school pertaining to any areas needing improvement.**

- Based upon information from site visits throughout the year, the authorizer **provides** the school with a **written report** which includes the following:
 - **the information collected;**
 - **areas of strength; and**
 - **areas needing improvement.**
- **Ongoing**, the authorizer requests and reviews status **updates from the school pertaining to any areas needing improvement.**



Oversight & Evaluation

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

BCHF recently updated their system of site visit reports. Schools now receive monthly authorizer reports that contain updates about accountability, compliance, and school improvement processes and note conducted and upcoming site visits to the school. They also contain recommendations for relevant professional development and any legislative updates. BCHF’s school improvement team also issues site visit reports after conducting classroom observations. These reports are very detailed as to what transpired in the classroom and also provide a summary for the school leader. If a school has compliance issues, a quarterly Compliance Progress Report is issued to the governing authority, school leader, and management company (if applicable) at a regular governing authority meeting. The report is recorded as part of the permanent record in the board packet and minutes. Based upon surveys and interviews, ODE confirmed that schools find BCHF’s written reports useful.

H. Communication with the Charter School

- The authorizer **fails to communicate with** the school’s **Governing Authority**; or
- The authorizer is **inappropriately overly involved in the school’s operations**, directing it or making decisions on the governing authority’s behalf.

- The authorizer’s **communication** with the school’s governing authority is **limited, vague and/or inconsistent**.

- The authorizer’s **communication** with the school’s governing authority is **frequent, specific and informative regarding the school’s operations**.

- The authorizer’s **communication is frequent, specific and informative regarding the school’s operations and includes both the school operator and governing authority**.



Oversight & Evaluation

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

There was ample evidence that BCHF communicates frequently with school operators and governing authorities. For example, the Director of Fiscal and Business Oversight provides a monthly report on the schools’ enrollment and financial health to each governing board. His intent is to translate the various points of data into an overview of the school’s fiscal health for the governing board’s use in decision-making. BCHF also attends all school governing authority meetings and presents compliance and/or programmatic updates as necessary. BCHF’s schools are very satisfied with the frequency, methods, and usefulness of BCHF’s communications. BCHF will also communicate with school management companies as appropriate and necessary.

Oversight & Evaluation

	Poor or Undeveloped	Ineffective	Effective	Exemplary
I. Respecting Governing Authority Autonomy in Operations	<ul style="list-style-type: none"> The authorizer is inappropriately overly involved in the day-to-day operational decisions of the schools it authorizes and/or operates more as a “program” of the authorizer. Regardless of demonstrated success, all schools have limited or no autonomy over decision-making. The authorizer collects data in a manner that is burdensome to the school, without thought to protect students and public interests. The authorizer never examines its own compliance requirements to possibly minimize burden and increase the autonomy of its schools. 	<ul style="list-style-type: none"> The authorizer is inappropriately slightly involved in the day-to-day operational decisions of the schools it authorizes. The authorizer collects data in a manner that is burdensome to the school, without thought to protect students and public interests. Authorizer may or rarely (no more than once every two years) examines its own compliance requirements to possibly minimize burden and increase the autonomy of its schools. 	<ul style="list-style-type: none"> The authorizer has limited involvement in the day-to-day operations of the schools it authorizes, targeting those that have demonstrated poor performance or non-compliance. The authorizer collects data in a manner that minimizes administrative burden on the school, and protects student and public interests. Authorizer occasionally (once or twice every two years) examines its own compliance requirements to possibly minimize burden and increase the autonomy of its schools. 	<ul style="list-style-type: none"> The authorizer has no involvement in any school’s authority over its day-to-day operations, unless required to as part of its contractual obligations pertaining to intervention. The authorizer collects data in a manner that minimizes administrative burden on the school, and protects student and public interests. The authorizer annually reviews its own compliance requirements and evaluates the potential to increase school autonomy based on flexibility in the law, streamlining requirements or other considerations.

Oversight & Evaluation

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 3 – Effective

BCHF understands that its governing authorities are entitled to autonomy in operations. However, BCHF also believes it is responsible for the performance of its schools. Therefore, it walks a thin line between conducting proper oversight and allowing schools to operate autonomously. This is a common and understandable issue for charter school authorizers. BCHF’s contracts mandate schools to participate in BCHF directed technical assistance. In practice, BCHF notes that it only “mandates” TA for schools in corrective action. Even then, schools have the option not to participate. The academic assurances document that schools must sign is quite detailed and could possibly border on infringing on a school’s autonomy – e.g. requiring submission of instructional pacing guides. However, BCHF states that it only wants to see that these documents exist and align with the educational program called for in the charter contract. At face value, the existence of a school improvement unit within BCHF produces some concern, as authorizers should not traditionally be in the business of improving schools’ academic programs. But again, BCHF notes that it only provides guidance to schools in creating their own improvement plans.

School interviews and surveys found no issue with the manner in which BCHF collects data and it appears that BCHF occasionally examines its compliance requirements to minimize burden on schools. For example, for authorizer transfer applicants, BCHF structured the application in a way to align with the contract so that should the school be approved, burden on the transfer applicant was minimized.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
J. Intervention	<ul style="list-style-type: none"> • The authorizer is unaware of its obligation to intervene in accordance with Ohio law. • The conditions that trigger intervention are never articulated by the authorizer to its schools. • The authorizer never or rarely provides schools with timely notice of contract violations and/or provides little to no information on performance deficiencies. • There is no evidence that the authorizer (based upon its own oversight or evidence from ODE and/or AOS that a compliance issue(s) exist), intervenes or follows-up on issues with schools in which compliance problems are identified. 	<ul style="list-style-type: none"> • The authorizer is generally aware of its obligation to intervene with a charter school in accordance with Ohio law. • The charter school contract states the conditions that may trigger intervention. • The authorizer occasionally provides schools with timely notice of contract violations, and/or minimal notice of performance deficiencies. • There minimal or limited evidence that the authorizer intervenes with problems related to compliance which are identified during its own oversight or when identified by an external agency, such as ODE or AOS. • When intervention occurs, it is usually very prescriptive in nature and/or the authorizer defaults to another entity, such as ODE or AOS, for intervention guidance. 	<ul style="list-style-type: none"> • The authorizer establishes and makes known to the school in the contract the conditions that may trigger intervention and the types of actions and consequences that may ensue. • The authorizer provides timely notice of contract violations and performance deficiencies. • There is evidence that the authorizer almost always intervenes in the charter school's operations to correct compliance issues or problems in the school's overall performance, based upon the authorizer's oversight, or evidence from ODE and/or AOS. 	<ul style="list-style-type: none"> • The authorizer establishes and makes known to schools at the outset an intervention policy stating the general conditions that may trigger intervention and the types of actions and consequences that may ensue. • The authorizer gives schools clear, adequate, evidence-based, and timely notice of contract violations and performance deficiencies. • The authorizer initiates intervention in the charter school's operations in a timely manner and clearly linked to correcting specific deficits in the school's overall performance. • The authorizer allows school reasonable time and opportunity for remediation in non-emergency situations. • Intervention strategies clearly preserve school autonomy and responsibility (e.g., identifying what the school must remedy without prescribing solutions; and understanding that the school may choose a different path).

Oversight & Evaluation

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

BCHF’s contracts state the general conditions that will trigger intervention in academic, operational, and financial areas. This is made more specific through guidance provided to schools once they are approved. Once a problem is identified, BCHF quickly and clearly makes the issue known to school leaders and the governing board, as appropriate, through a Letter of Correction. Technical assistance is offered to the school. For example, if a legal issue is identified, BCHF may provide a list of known, qualified attorneys to the school, but will not dictate whether one should be hired or whom it should be. In the academic area, schools are made aware of the Tiers of Intervention and what will place a school in a specific tier and what services may be provided to them in that tier. For example, schools in Tier 3 will receive in-depth and more frequent academic evaluations by BCHF.

K. Oversight & Evaluation Report to Schools

- Provides a report, **very broad in nature, when compliance problems arise** that must be addressed by the school.

- Provides a report to each school, **summarizing fiscal and operational compliance.**

- Provides a report to each school, **summarizing its performance and compliance to date.**

- Provides a report to each school, **summarizing its performance and compliance to date and identifying areas of strength and areas needing improvement.**

Rating: 3 - Effective

An annual year-end governance and compliance report is provided to each school. This report provides a comprehensive review of fiscal and compliance performance in an easy-to-understand format. The academic portion of this report notes the school’s performance index rating from the Ohio School Report Card and lists the school improvement activities BCHF conducted and/or offered to the school throughout the year. Because the year-end governance and compliance report is issued by BCHF prior to the year’s academic scores being reported, a data dashboard is subsequently provided to the school leader. This dashboard charts multiple years of student academic progress in several areas; however it does not seem to measure the school’s progress towards its stated goals as contained in the contract.

Recommendations: BCHF should consider augmenting its data dashboard to include a measure of school progress towards goals as stated in the contract so schools can know where they stand. BCHF should also consider highlighting in a narrative form, the strengths and weaknesses of the school’s academic performance and automatically provide to the governing authority rather than just upon request.



Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
L. Annual Report to the Public	<ul style="list-style-type: none">The authorizer provides the general public and ODE with a very brief report on the school's compliance with the laws for each of the schools it authorizes.	<ul style="list-style-type: none">The authorizer produces an annual report for each of the schools that it authorizes. These reports provide limited information on the school's compliance with the laws and meeting the terms of its contract.	<ul style="list-style-type: none">The authorizer produces an annual report on the individual schools that it oversees. These reports include informative data on the school's compliance with the laws and meeting the terms of its contract.	<ul style="list-style-type: none">The authorizer produces an annual public report that provides clear, accurate performance data for the charter schools it oversees, reporting on individual schools and its overall portfolio performance and progress toward achieving its authorizing mission.

Oversight & Evaluation

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 2 - Ineffective

BCHF’s annual report to the public includes a short narrative about BCHF and its role as an authorizer. It is then followed by a summary for each of BCHF’s authorized schools. The summary includes:

- School’s mission statement
- Grades served
- Years of operation
- School focus
- Overall value added grade
- Performance index score
- Management company affiliation (if applicable)
- Commentary by BCHF

BCHF’s annual report fulfills its legal requirement for authorizing charter schools in Ohio. However, the reports’ limited information does not provide the public with a clear indication of how the schools it authorizers are meeting the terms of their contracts. The commentary usually only notes if a school has closed and does not provide any indication of the performance of the school.

Recommendations: BCHF should consider substantially augmenting its annual report to the public to include data on the school’s compliance with the law, fiscal & organizational health, and academic performance data – essentially whether it is meeting the terms of its contract. Also, BCHF could aggregate these individual school reports into a portfolio report examining BCHF’s performance as a whole over time.

Termination & Renewal Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>A. Contract Termination</p> <p><i>Termination occurs when the authorizer chooses to close a charter school prior to the expiration date/term of the charter school contract.</i></p> <p><i>Non-renewal of a contract occurs at the end of a charter school's contract term.</i></p>	<ul style="list-style-type: none"> The criteria for terminating a school's contract during its charter term are defined in the contract. The authorizer does not have a written policy explaining the grounds for termination, nor the procedures to be followed if termination is required. Even when evidence is brought before it that an egregious violation of law has occurred, the authorizer never terminates a school's contract during its charter term. The authorizer relies upon the state's closure law. 	<ul style="list-style-type: none"> The criteria for terminating a school's contract during its charter term are defined in the contract. The authorizer does not have a written policy explaining the grounds for termination, nor the procedures to be followed if termination is required. The authorizer does not seek evidence that might result in termination of a school's contract during its charter term, but will consider evidence brought before it. The authorizer seldom terminates a school's contract when there is an egregious violation of law such as clear self-dealing (e.g., funneling school resources to family & friends of school board members and/or staff); falsifying data (financial or student) 	<ul style="list-style-type: none"> The criteria for terminating a school's contract during its charter term are clearly defined in the contract. The authorizer has a written policy explaining the grounds for termination and the procedures to be followed if termination is required. The authorizer's ongoing oversight and evaluation provides evidence for these decisions to be made. The authorizer may terminate a school's contract during its charter term when there is evidence of some or all of following: <ul style="list-style-type: none"> unacceptable academic performance; egregious violations of law; extreme financial mismanagement leading to the school's demise; or unfaithfulness to the terms of the contract (e.g., clear mismatch between school's mission and its actual program). 	<ul style="list-style-type: none"> The criteria for terminating a school's contract during its charter term are clearly defined in the contract. The authorizer has a written policy explaining the grounds and criteria for termination; the specific evidence it will collect and/or document, and the procedures both the school and the authorizer will follow to wind-up the school's operations. The authorizer terminates a school's contract during its charter term when there is clear evidence of some or all of following: <ul style="list-style-type: none"> extreme underperformance; an egregious violation of law; a violation of the public trust that imperils students health and well-being or public funds (theft); or unfaithfulness to the terms of the contract (e.g., clear mismatch between school's mission and its actual program).



Termination & Renewal Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 3 – Effective

To our knowledge, BCHF has never terminated a school’s contract prior to its expiration date. In the past, BCHF has allowed a school that was poor performing to move to another sponsor (Pschtecinc Public School) and has non-renewed, rather than terminated schools for poor performance. Using non-renewal in place of termination is not unusual among authorizers, due to the sometimes litigious nature of authorizer/charter school relationships.

Recommendations: BCHF should consider termination in place of non-renewal when taking action with a school that it truly believes should not educate boys and girls.

Termination & Renewal Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
B. Evidence Based Renewal	<ul style="list-style-type: none"> Contract renewal is almost always assumed or made based upon factors other than school performance. 	<ul style="list-style-type: none"> The contract renewal decision is based upon a limited body of academic and operational evidence (e.g., recent financial audits, recent compliance monitoring reports, or the school’s most recent state accountability report card). 	<ul style="list-style-type: none"> The contract renewal decision is based upon a substantial body of evidence of legal compliance and performance. These data inform renewal decisions. Evidence may include at least two of the following: <ul style="list-style-type: none"> multiple years of student achievement; multiple measures of student achievement, including statewide assessments and measures; financial audits; or site visit reports and/or other compliance reports. 	<ul style="list-style-type: none"> The authorizer bases the renewal process and renewal decisions on thorough analysis of a comprehensive body of objective evidence defined by the performance framework in the charter contract. Evidence includes at least all of the following: <ul style="list-style-type: none"> multiple years of student achievement; multiple measures of student achievement; financial audits; site visit reports and/or other compliance reports; and, status reports on corrective action plans or other required interventions, if necessary.



Termination & Renewal Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

According to BCHF school contracts, the following criteria is used in considering renewals: the school’s progress in meeting the academic program assurances, the school’s progress in meeting its educational goals and performance standards as outlined in the contract, the degree to which the school is compliant with the terms of the contract, the school’s fiscal viability, and the school’s organizational viability. To assess this criteria, BCHF uses the following sources of information over multiple years: local school report card data, quarterly benchmark assessments, financial audits, site visit reports (compliance and school improvement), and the degree of compliance with any corrective action plans.

C. Renewal and Non-Renewal Decisions

• The authorizer grants renewal to all schools regardless of failure to meet the terms and academic achievement targets in their contract, fiscal or organizational problems, or compliance with the law.

• The authorizer inconsistently grants renewal to schools, even those that have failed to meet the terms and academic achievement targets in their contract; have fiscal or organizational problems; or have been out of compliance with the law.

Note: This approach to renewal decisions is evident regardless of the strength of the performance framework.

• The authorizer grants renewal to schools that are fiscally and organizationally viable and that meet most of the following criteria:

- achieve their contractual academic standards and targets; or
• faithful to the terms of their contract.

Note: Even in the absence of a strong performance framework, the authorizer consistently applies performance-based criteria in making renewal decisions.

• The authorizer only grants renewal to schools that are fiscally and organizationally viable based on criteria in the school’s performance framework with rigorous, specific goals and targets:

- achieve their contractual academic standards and targets; and
• faithful to the terms of their contract.

Note: it is assumed that an exemplary authorizer uses a performance framework with rigorous, specific goals and targets.



Termination & Renewal Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 3 - Effective

BCHF grants renewal to schools that are fiscally and organizationally viable and meet most of their academic performance targets. In the authorizer interview, BCHF acknowledged that it retains discretion in making renewal and non-renewal decisions. For instance, if there is an upward trajectory in school performance, BCHF may grant renewal even if the performance targets are not met.

Termination & Renewal Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>D. Cumulative Report on Performance</p> <p><i>Note: Provided each year to the school's governing authority, the cumulative report builds a record of the school's performance over the charter term.</i></p> <p><i>The cumulative report is used as part of the evidence based renewal decisions described in Indicator B.</i></p>	<ul style="list-style-type: none"> • Does not provide the charter school a report on its cumulative performance, other than the Authorizer's Compliance Review report submitted annually to the department. 	<ul style="list-style-type: none"> • May annually provide the charter school with a report, but it does not relate to the school's performance against its contract; and/or • When a report is given, it does not include multiple years of performance data against its contract term. 	<ul style="list-style-type: none"> • Annually provides each charter school with a report of its performance; • The report includes multiple years but may not include the school's entire charter term. 	<ul style="list-style-type: none"> • As referenced in the school's contract, provides each charter school, in advance of the renewal decision, a cumulative performance report that summarizes the school's performance record over the charter term and states the authorizer's summative findings concerning the school's performance and its prospects for renewal.



Termination & Renewal Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 3 - Effective

BCHF’s contracts do not reference a cumulative pre-renewal report summarizing the school’s performance record and prospects for renewal. In practice, BCHF provides frequent communication to schools so that they are aware of their chances for renewal and BCHF does provide an annual report to the school of the its fiscal and organizational compliance as well as a data dashboard that provides multiple years of academic performance.

Recommendation: BCHF should consider developing and producing a cumulative report on performance for each school prior to renewal so that a school clearly understands, in documented form, its prospects for renewal.

Termination & Renewal Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
E. Transparent Renewal Application Process	<ul style="list-style-type: none"> The authorizer does not have an application process for contract renewal. 	<ul style="list-style-type: none"> The authorizer may have an application renewal process, but does not consistently require schools to follow the process, nor does it specify criteria for renewal. 	<ul style="list-style-type: none"> The authorizer has an application process and requires all schools seeking renewal to apply through a renewal application. The guidance regarding the renewal process is non-specific as to criteria, content and/or format; The process may allow a school to present additional evidence regarding its performance. 	<ul style="list-style-type: none"> The authorizer has an application process and requires all schools seeking renewal to apply through a renewal application. The requirements for renewal are publicly available and include written guidance regarding the process, content and format for renewal applications, as well as criteria/standards used to evaluate the applicant and a timeline. The application provides the school an opportunity and reasonable time to respond to the cumulative report; correct the record, if needed; and present additional evidence regarding its performance.



Termination & Renewal Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

BCHF is currently working through a renewal process for all 51 of its schools. BCHF notifies schools almost a year prior to the end of the current contract about procedures for renewal, which includes access to a school-specific, password-protected link to the online renewal application. The timeline and procedures (e.g. formatting) for submission are clear and specific. A scoring rubric for the written application and overall renewal evaluation are included with the renewal application so that schools understand the criteria and standards used for evaluation. The renewal application contains the same components as new applications. Rather than requesting schools to provide data on past performance, BCHF reviews its own collection of data on schools' performance. Schools are given the opportunity, as provided for in law, to appeal renewal decisions.

Recommendation: BCHF should consider posting the renewal application online so that all schools have advanced notice of the standards and criteria for renewal.

BCHF should consider adopting a comprehensive cumulative report for schools prior to renewal and perhaps allowing schools to address proposed evidence for the renewal decision in order to correct factual information and/or provide additional evidence.

Termination & Renewal Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
F. Prompt Notification and Explanation of Reasons for the Renewal Decision	<ul style="list-style-type: none"> The authorizer’s written notification of renewal decision rarely includes an explanation of the reasons for the decision. Parents and students have almost no time and no information to make informed choices for the coming school year. 	<ul style="list-style-type: none"> The authorizer’s written notification of renewal includes a very limited explanation of the reasons for the decision. Parents and students have little time and limited information to make informed choices for the coming school year. 	<ul style="list-style-type: none"> The authorizer promptly notifies each school of its renewal decision, including a written explanation of the reasons for the decision. Parents and students have enough time and information to make informed choices for the coming school year. 	<ul style="list-style-type: none"> The authorizer promptly notifies each school of its renewal decision, including a specific written explanation of the reasons for the decision (e.g., actual performance standard and performance level against the specific targets and goals in the contract). Parents and students have ample time and information to make informed choices for the coming school year when a school’s contract is non-renewed.
<p>Rating: 3 – Effective</p> <p>BCHF provides prompt notification of renewal or non-renewal decisions to schools. Non-renewal decision letters provide specific reasons for the denial and occur by February, at least four months prior to the end of the school year. BCHF only notifies parents and students of closure when all appeals or potential transfer avenues have been exhausted and it is sure the school will close. While reviewers understand BCHF’s desire to proceed carefully, this may not give ample time for parents and students to make informed choices for the coming school year.</p>				

Termination & Renewal Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
G. Closure Process	<ul style="list-style-type: none"> The authorizer is unaware of its obligation to oversee school closure. In the event of a school closure, the authorizer has no formal policy or procedure for school's to follow. The closing school might default to the ODE guidance. The authorizer does not oversee the closure process. 	<ul style="list-style-type: none"> The authorizer is aware of its obligation to oversee school closure; however, it lacks the capacity to oversee; when a school has closed, the authorizer may or may not have submitted the Closing Assurances to ODE. In the event of a school closure, the authorizer has no formal policy or procedure for school's to follow. The closing school might default to the ODE guidance. The authorizer does ensure that student records are returned to the home school district. 	<ul style="list-style-type: none"> The authorizer is aware of its obligation to oversee school closure. The authorizer may have a formal policy, but at a minimum follows ODE's guidance. In the event of a school closure, the authorizer oversees the school's governing board and leadership in carrying out a closure process that: <ul style="list-style-type: none"> informs parents, transitions student records to the home school district, disposes of school funds, property, and assets in accordance with law; and submits Closing Assurances to ODE 	<ul style="list-style-type: none"> The authorizer is aware of its obligation to oversee school closure. The authorizer has a formal policy for overseeing school closure. In the event of a school closure, the authorizer oversees and works with the school's governing board and leadership in carrying out a detailed closure protocol that ensures: <ul style="list-style-type: none"> timely notification to parents including assistance in finding new placements orderly transition of students records to home school district, disposition of school funds, property, and assets in accordance with law; and submits Closing Assurances to ODE The authorizer carries out or has the capacity and commitment to carry out the closure to the extent possible if school's governing authority fails to carry out the protocols.



Termination & Renewal Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

BCHF is aware of its obligation to oversee closure and demonstrates the capacity to carry out school closure if needed. It follows ODE’s guidance and the law regarding closure protocol as evidenced by documentation of previous BCHF’s closures.

Recommendation: BCHF should consider adopting a formal policy regarding closure that documents internal procedures in such cases.

Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>A. Ongoing Technical Assistance to Schools</p> <p>Note: the provision of technical assistance does not mean that the authorizer does work for the school; the authorizer provides guidance, including information about resources; but the authorizer does not do the work.</p>	<ul style="list-style-type: none"> • Technical assistance, if provided to schools, is reactive to problems that arise. • The authorizer does not assess the technical assistance needs of the schools it authorizes. 	<ul style="list-style-type: none"> • Most technical assistance provided by the authorizer is reactive to problems. • The authorizer occasionally solicits information about the technical assistance needs of the schools it authorizes. • The authorizer sporadically provides the technical assistance identified as needed by the schools. 	<ul style="list-style-type: none"> • The authorizer routinely provides timely comprehensive technical assistance in response to issues, problems and concerns identified by either the authorizer or the school. • The authorizer regularly assesses or solicits information about the technical assistance needs of the schools it authorizes. • The authorizer routinely provides the technical assistance identified as needed by the schools. • The authorizer regularly solicits feedback on the quality and impact of the technical assistance that it provides to the schools. 	<ul style="list-style-type: none"> • The authorizer always provides timely comprehensive technical assistance in response to issues, problems and concerns identified by either the authorizer or the school. • Almost all technical assistance is proactive, intended to prevent problems from arising in the schools it authorizes. • The authorizer regularly assesses or solicits information about the technical assistance needs of the schools it authorizes. • The authorizer always provides the technical assistance identified as needed by the schools. • The authorizer continuously solicits feedback on the quality and impact of the technical assistance that it provides to the schools it authorizes.

Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating: 4 – Exemplary</p> <p>Based upon the documents reviewed, and supported by school interviews, BCHF provides ongoing technical assistance, in multiple formats, both proactively and in response to requests from schools. Examples are found in the following: e-mail, routine attendance at schools’ board meetings; board training; monthly financial enrollment and financial review reports; school improvement services; the annual all-school meeting; and the hiring of staff to support the OIP process required of all schools.</p> <p>BCHF reaches out to its school to solicit feedback on the types of technical assistance needed. For instance, it surveyed its schools about preferred topics for a summer School Leader Symposium. It also solicits feedback from its schools after the technical assistance is given in order to improve their services.</p> <p>Surveys and interviews confirm that schools feel BCHP provides them the technical assistance they need and that BCHP solicits feedback from them about the technical assistance it provides.</p>				
<p>B. Ongoing Updates of Legal and Policy Changes</p>	<ul style="list-style-type: none"> The authorizer never or rarely updates schools on changes to rule and law that impact the schools’ operations. 	<ul style="list-style-type: none"> The authorizer sporadically updates schools on changes to rule and law that impact the schools’ operations, but has no process for doing so. The authorizer’s updates may include directing schools to another credible source for this information (e.g., OAPCS). 	<ul style="list-style-type: none"> The authorizer has a process that it uses to at least annually, informs schools on changes to rule and law that impact the schools’ operations. The authorizer’s updates may include directing schools to another credible source for this information (e.g., OAPCS, OCQE). 	<ul style="list-style-type: none"> The authorizer continually ensures that schools are informed in a timely manner of changes to rule and law that impact the schools’ operations, ensuring that schools are in compliance as quickly as needed. The authorizer’s updates may include directing schools to another credible source for this information (e.g., OAPCS, OCQE).



Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating: 4 – Exemplary</p> <p>BCHF communicates legal and legislative updates at its annual school meetings and through monthly newsletters and occasional emails. School site visits are another method of communicating any pertinent changes. Surveys and interviews confirm that BCHF always updates schools in a timely manner on changes in rule and law.</p>				
C. Ongoing Professional Development (PD) for Schools	<ul style="list-style-type: none"> The authorizer never provides information about PD opportunities for its schools. 	<ul style="list-style-type: none"> The authorizer sporadically provides information about PD opportunities for its schools. <p><i>Or</i></p> <ul style="list-style-type: none"> Is prescriptive or mandating that its schools participate in certain PD, excepting a topic specific training that is a requirement of the contract. 	<ul style="list-style-type: none"> The authorizer shares information about PD opportunities for its schools, which may or may not be charter school specific. The authorizer may provide PD directly on certain topics (e.g., annual meeting for updates) While the authorizer shares information about PD opportunities, it is the school’s independent decision as to whether or not it participates, excepting a topic specific training that is a requirement of the contract. 	<ul style="list-style-type: none"> The authorizer provides its schools with multiple sources of information about PD opportunities for its schools. <p><i>Or</i></p> <ul style="list-style-type: none"> The authorizer provides at least some of the PD directly to its schools, based upon school need. While the authorizer encourages and promotes high quality PD, it is the school’s independent decision as to whether or not it participates, excepting a topic specific training that is a requirement of the contract.



Technical Assistance and Authorizer Requirements in Rule and Law

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

BCHF provides multiple opportunities to schools for professional development. Some of the PD occurs through written updates such as the monthly newsletter to schools. Others PD includes governing authority training, new school leaders training, and school improvement services. These are conducted either in-person or through online modules. School improvement assistance often includes helping schools develop their school improvement plan.

BCHF contracts require schools to “participate regularly in training provided by the Sponsor and/or Ohio Department of Education, and receive technical assistance at the direction of the Sponsor.” While this provision may read as a potential threat to school autonomy, in practice BCHF states that it provides schools (even those in need of assistance) full discretion in deciding whether to participate in professional development opportunities. Further, as noted above in sections A and B, surveyed schools are satisfied with the provision of technical assistance and no issues arose during school interviews.

Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
D. Effective Working Relationships with Schools' Governing Authorities	<ul style="list-style-type: none"> Beyond what is stated in the charter school contract, the authorizer has no written policy and no explanation that differentiates its roles and responsibilities from those of the charter school's governing authority. In the absence of clarity, both parties frequently have misunderstandings and their mutual respect is low. The authorizer rarely works to maintain a solid relationship with their assigned schools' governing authority members (e.g., rare communication; no attendance at board meetings). The authorizer provides little guidance to its governing authorities. 	<ul style="list-style-type: none"> While not documented beyond what is stated in the charter school contract, the authorizer is able to explain in general terms how its roles and responsibilities differ from the school's governing authority. However, both parties may view the roles and responsibilities differently. While the authorizer tries to maintain a solid relationship with their assigned schools' governing authority members, differing opinions and misunderstandings between the authorizer and governing authorities occasionally leads to a lack of respect between both parties (e.g., limited communication, sporadically or not attending board meetings). 	<ul style="list-style-type: none"> While not documented beyond what is stated in the charter school contract, the authorizer and the school's governing authority describe roles and responsibilities that are understood and respected by both parties. The authorizer regularly works to maintain a solid relationship with their assigned schools' governing authority members (e.g., regular communication, attending at least two board meetings annually for each school). 	<ul style="list-style-type: none"> Beyond what is stated in the charter school contract, roles and responsibilities of the authorizing staff are clearly separated, documented and delineated from the governing authorities of the charter schools it authorizes. This clear delineation is understood and respected by both parties. The authorizer continuously works to maintain a solid relationship with their assigned schools' governing authority members [e.g., frequent communication (newsletters, for example), attending as many board meetings as possible; directly informing board members about compliance concerns, high stakes reviews, and so on].



Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
Rating: 4 – Exemplary				
<p>BCHF goes over authorizer versus governing authority responsibilities during board training and a copy of the presentation is included in the board training manual. BCHF maintains a very close working relationship with its schools through a variety of communications including: monthly newsletters, e-mails, written letters, attendance at monthly governing authority meetings, monthly financial compliance reports, monthly authorizer compliance reports, compliance quarterly progress reports (if the school is in corrective action), and year end governance and compliance reports.</p>				

Academic Performance of Schools

One component of the Authorizer Evaluation is the academic performance of the authorizer/sponsor's charter schools. School academic performance is calculated similar to the sponsor's performance ranking, with greater weight being given to value-added gains.

To determine the authorizer's academic performance component rating, the most recent school year's report card grades and average daily membership (ADM) are used to create authorizer/school-level summary tables (see Figures A and B below). Figure A is populated with the authorizer's schools, the numbers designating the grade they received for Overall Value-Added. Figure B is populated with the number of seats at each school, as determined by its Overall Value-Added grade.

Schools/seats are placed in the color-coded grade ranges A-F based on Overall Value-Added Grades. If a school did not receive an Overall Value-Added Grade, then its 4-Year Graduation Rate Grade was used. If a school had neither grade, it was not included.

School/Seats receiving a "C" on Overall Value-Added or 4yr Graduation Rate are further categorized based on Performance Index Grade. Schools are categorized as "C (a-b)" if they received a "C" on Overall Value-Added or 4-Year Graduation Rate and an "A" or "B" on Performance Index. Schools are categorized as "C (c)" if they received both a "C" on Overall Value-Added or 4-Year Graduation Rate and Performance Index. Schools with a "C" on Overall Value-Added or 4-Year Graduation Rate and a "D" or "F" on Performance Index are categorized as "C (d-f)".

Based on these categorizations, authorizer/operator summary tables and ratios are created, with schools rated an A, B or C (a-b) categorized as effective or green. Schools rated C (c) are categorized as yellow. Schools rated C (d-f), D or F are categorized as ineffective or red.

For each authorizer/operator, the ratio of effective to ineffective schools and seats is calculated as green schools/seats divided by red schools/seats. A ratio below 1 indicates that there are more ineffective/red schools or seats than effective/green schools or seats.

The final calculation in determining academic performance was dividing the schools/seats ratio by 0.7 (as 70% is the threshold for authorizers for the current school year). The resulting percentage represents the authorizer's level of academic performance.

Schools/Seats Summary Tables for Buckeye Community Hope Foundation

Figure A. Schools

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	8	--	--	--
B	--	4	--	--	--
C	a-b	--	--	--	--
	c	4	--	--	--
	d-f	4	--	--	--
D	--	9	--	--	--
F	--	7	--	--	--
No Measure	--	10	--	--	9
Total by Measure	--	46	1	9	46

↑	12
↔	4
↓	21
Total Graded Schools/Seats	37

Ratio	0.57
--------------	-------------

Figure B. Seats

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Schools/Seats
A	--	2,134	--	--	--
B	--	1,190	--	--	--
C	a-b	--	--	--	--
	c	1,189	--	--	--
	d-f	774	--	--	--
D	--	1,701	--	--	--
F	--	2,918	129	--	--
No Measure	--	1,658	--	--	1,529
Total by Measure	--	11,564	129	1,529	11,564

↑	3,324
↔	1,189
↓	5,522
Total Graded Schools/Seats	10,035

Ratio	0.60
--------------	-------------

Academic Performance Score = $.60 / .7 = .857 = 85.7\%$ (met the 2013-2014 target)

FY2014 Data
Data as of January 2015

All Authorizers

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	63	.	--	--
B	--	37	.	--	--
C	a-b	2	1	--	--
	c	11	.	--	--
	d-f	45	.	--	--
D	--	25	1	--	--
F	--	54	16	--	--
No Measure	--	127	--	--	109
Total by Measure	--	364	18	109	364

↑	103
↔	11
↓	141
Total Graded Schools	255

Ratio 0.73

All Authorizers

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	18,962	.	--	--
B	--	8,350	.	--	--
C	a-b	299	300	--	--
	c	3,226	.	--	--
	d-f	8,464	.	--	--
D	--	4,560	432	--	--
F	--	16,795	2,191	--	--
No Measure	--	16,326	--	--	13,403
Total by Measure	--	76982	2923	13,403	76982

↑	27911
↔	3226
↓	32442
Total Graded Seats	63579

Ratio 0.86

Buckeye Community Hope Foundation

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	8	.	--	--
B	--	4	.	--	--
C	a-b	.	.	--	--
	c	4	.	--	--
	d-f	4	.	--	--
D	--	9	.	--	--
F	--	7	1	--	--
No Measure	--	10	--	--	9
Total by Measure	--	46	1	9	46

↑	12
↔	4
↓	21
Total Graded Schools	37

Ratio 0.57

Buckeye Community Hope Foundation

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	2,134	.	--	--
B	--	1,190	.	--	--
C	a-b	.	.	--	--
	c	1,189	.	--	--
	d-f	774	.	--	--
D	--	1,701	.	--	--
F	--	2,918	129	--	--
No Measure	--	1,658	--	--	1,529
Total by Measure	--	11564	129	1,529	11564

↑	3324
↔	1189
↓	5522
Total Graded Seats	10035

Ratio 0.60

Average Authorizer

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	6	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	1	.	--	--
	d-f	3	.	--	--
D	--	2	.	--	--
F	--	2	.	--	--
No Measure	--	7	--	--	7
Total by Measure	--	21	0	7	21

↑	6
↔	1
↓	7
Total Graded Schools	14

Ratio	0.86
--------------	-------------

Average Authorizer

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	2,242	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	275	.	--	--
	d-f	379	.	--	--
D	--	349	.	--	--
F	--	663	.	--	--
No Measure	--	1,120	--	--	1,120
Total by Measure	--	5028	0	1,120	5028

↑	2242
↔	275
↓	1391
Total Graded Seats	3908

Ratio	1.61
--------------	-------------

All Authorizers

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	63	.	--	--
B	--	37	.	--	--
C	a-b	2	1	--	--
	c	11	.	--	--
	d-f	46	.	--	--
D	--	26	1	--	--
F	--	60	20	--	--
No Measure	--	145	--	--	123
Total by Measure	--	390	22	123	390

↑	103
↔	11
↓	153
Total Graded Schools	267

Ratio 0.67

All Authorizers

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	18,962	.	--	--
B	--	8,350	.	--	--
C	a-b	299	300	--	--
	c	3,226	.	--	--
	d-f	8,551	.	--	--
D	--	5,054	432	--	--
F	--	51,585	2,501	--	--
No Measure	--	21,581	--	--	18348
Total by Measure	--	117608	3233	18348	117608

↑	27911
↔	3226
↓	68123
Total Graded Seats	99260

Ratio 0.41

Buckeye Community Hope Foundation

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	8	.	--	--
B	--	4	.	--	--
C	a-b	.	.	--	--
	c	4	.	--	--
	d-f	4	.	--	--
D	--	10	.	--	--
F	--	7	1	--	--
No Measure	--	10	--	--	9
Total by Measure	--	47	1	9	47

↑	12
↔	4
↓	22
Total Graded Schools	38

Ratio 0.55

Buckeye Community Hope Foundation

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	2,134	.	--	--
B	--	1,190	.	--	--
C	a-b	.	.	--	--
	c	1,189	.	--	--
	d-f	774	.	--	--
D	--	2,195	.	--	--
F	--	2,918	129	--	--
No Measure	--	1,658	--	--	1529
Total by Measure	--	12058	129	1529	12058

↑	3324
↔	1189
↓	6016
Total Graded Seats	10529

Ratio 0.55

Average Authorizer

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	6	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	1	.	--	--
	d-f	3	.	--	--
D	--	2	.	--	--
F	--	2	.	--	--
No Measure	--	7	--	--	7
Total by Measure	--	21	0	7	21

↑	6
↔	1
↓	7
Total Graded Schools	14

Ratio 0.86

Average Authorizer

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	2,242	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	275	.	--	--
	d-f	379	.	--	--
D	--	349	.	--	--
F	--	663	.	--	--
No Measure	--	1,120	--	--	1120
Total by Measure	--	5028	0	1120	5028

↑	2242
↔	275
↓	1391
Total Graded Seats	3908

Ratio 1.61

Authorizer: Buckeye Community Hope Foundation (000862)													
School IRN	School Name	Report Card Type	School Type	eSchool	Status Jan2015	First Year Operation	2014 ADM	2014 PI Grade	2014 VA Grade	2014 Assessment Passage Rate	2014 4yr Graduation Rate	Included in Analysis	Contract Expiration Date
000541	Constellation Schools: Outreach Academy for Students with Disabilities	A-F	Special Education	Site	Open	FY06	36.00	F	NR		NR	Yes	
000614	Summit Academy Transition High School-Columbus	A-F	Special Education	Site	Open	FY08	29.00	D	NR		F	Yes	
143453	Mollie Kessler	A-F	Special Education	Site	Closed	FY03	62.00	F	F		NR	No	
011507	Achieve Career Preparatory Academy	DORP	General	Site	Open	FY10	172.65	NR	NR	Meets Standards		No	
012528	The Academy for Urban Scholars	DORP	General	Site	Open	FY12	249.02	NR	NR	Meets Standards		No	
012529	Focus North High School	DORP	General	Site	Open	FY12	207.57	NR	NR	Meets Standards		No	
014062	Life Skills High School of Middletown	DORP	General	Site	Open	FY13	76.66	NR	NR	Meets Standards		No	
142927	Focus Learning Academy of Southwest Columbus	DORP	General	Site	Open	FY03	236.93	NR	NR	Meets Standards		No	
142935	Focus Learning Academy of Southeastern Columbus	DORP	General	Site	Open	FY03	213.28	NR	NR	Meets Standards		No	
000316	Constellation Schools: Westpark Community Middle	A-F	General	Site	Open	FY06	213.00	C	C		NR	Yes	
000320	Constellation Schools: Lorain Community Middle	A-F	General	Site	Open	FY05	115.00	C	A		NR	Yes	
000321	Constellation Schools: Old Brooklyn Community Middle	A-F	General	Site	Open	FY06	189.00	B	D		NR	Yes	
000534	Constellation Schools: Puritas Community Middle	A-F	General	Site	Open	FY07	135.00	C	C		NR	Yes	
000843	Bennett Venture Academy	A-F	General	Site	Open	FY06	138.00	C	D		NR	Yes	
000855	Stambaugh Charter Academy	A-F	General	Site	Open	FY07	144.00	C	A		NR	Yes	
000875	Westside Academy	A-F	General	Site	Open	FY07	154.00	D	B		NR	Yes	
008278	Noble Academy-Cleveland	A-F	General	Site	Open	FY07	137.00	C	C		NR	Yes	
008280	Noble Academy-Columbus	A-F	General	Site	Open	FY07	157.00	C	A		NR	Yes	
009149	Constellation Schools: Westside Community School of the Arts	A-F	General	Site	Open	FY08	133.00	C	A		NR	Yes	
009154	Cincinnati Leadership Academy	A-F	General	Site	Open	FY08	223.00	F	D		NR	Yes	
009179	Horizon Science Academy Columbus Middle School	A-F	General	Site	Open	FY08	126.00	C	A		NR	Yes	
009909	Constellation Schools: Mansfield Community Middle	A-F	General	Site	Closed	FY09	108.00	D	C		NR	No	
009990	Horizon Science Academy Elementary School	A-F	General	Site	Open	FY09	505.00	D	B		NR	Yes	
010005	Horizon Science Academy Cleveland Elementary School	A-F	General	Site	Closed	FY09	139.00	C	B		NR	No	
010007	Horizon Science Academy Denison Elementary School	A-F	General	Site	Open	FY09	186.00	D	A		NR	Yes	
010205	L. Hollingworth School for Talented and Gifted	A-F	General	Site	Open	FY10	221.00	D	C		NR	Yes	
011533	Horizon Science Academy Lorain	A-F	General	Site	Open	FY10	104.00	C	C		NR	Yes	
011534	Horizon Science Academy Dayton High School	A-F	General	Site	Open	FY10	126.00	D	F		NR	Yes	
011976	Horizon Science Academy Dayton Downtown	A-F	General	Site	Open	FY11	220.00	D	C		NR	Yes	
011986	Horizon Science Academy Youngstown	A-F	General	Site	Open	FY11	185.00	D	B		NR	Yes	
011987	Horizon Science Academy Toledo Downtown	A-F	General	Site	Closed	FY11	251.00	D	C		NR	No	
012011	Columbus Performance Academy	A-F	General	Site	Open	FY11	197.00	D	D		NR	Yes	
012025	Constellation Schools: Stockyard Community Middle	A-F	General	Site	Open	FY11	73.00	D	D		NR	Yes	
012026	Constellation Schools: Collinwood Village Academy	A-F	General	Site	Open	FY12	98.00	D	D		NR	Yes	
012556	Pearl Academy	A-F	General	Site	Open	FY12	129.00	D	F		NR	Yes	
012557	Woodland Academy	A-F	General	Site	Open	FY12	134.00	F	F		NR	Yes	
012668	Garfield Academy	A-F	General	Site	Open	FY12	200.00	D	C		NR	Yes	
013173	Imagine Hill Avenue	A-F	General	Site	Open	FY13	175.00	D	D		NR	Yes	
013174	Young Scholars Prep School	A-F	General	Site	Open	FY13	63.00	F	D		NR	Yes	
013249	Academy for Urban Scholars Youngstown	A-F	General	Site	Open	FY13	96.00	NR	NR		NR	Yes	
014060	Brown Street Academy	A-F	General	Site	Closed	FY13	130.00	D	F		NR	No	
014061	Chapelside Cleveland Academy	A-F	General	Site	Open	FY13	164.00	D	F		NR	Yes	
014063	University Academy	A-F	General	Site	Open	FY13	133.00	D	C		NR	Yes	
014064	Winton Preparatory Academy	A-F	General	Site	Open	FY13	146.00	D	B		NR	Yes	
014065	Lincoln Park Academy	A-F	General	Site	Open	FY13	204.00	D	F		NR	Yes	
014066	Main Street Preparatory Academy	A-F	General	Site	Open	FY13	145.00	F	D		NR	Yes	
014081	Insight School of Ohio	A-F	General	eSchool	Open	FY14	194.00	C	D		NR	Yes	
132985	Youthbuild Columbus Community	DORP	General	Site	Open	FY02	240.91	NR	NR	Does Not Meet Standards		No	
134148	Aurora Academy	A-F	General	Site	Open	FY09	155.00	C	A		NR	Yes	
143172	International Acad Of Columbus	A-F	General	Site	Open	FY03	218.00	D	A		NR	Yes	
143198	Great Western Academy	A-F	General	Site	Open	FY03	744.00	D	F		NR	Yes	
143552	Eagle Academy	A-F	General	Site	Open	FY02	177.00	D	F		NR	Yes	

John R. Kasich, Governor
Dr. Richard A. Ross, Superintendent of Public Instruction

USPS Standard Mail, Email

March 16, 2015

Ms. Kathryn Mullen-Upton
15 W. Fourth Street, Suite 430
Dayton, Ohio 45402

Dear Kathryn,

Effective on January 1st of this year, state law requires the Department to comprehensively evaluate charter school authorizers for their oversight of schools compliance with rule and law, their use of best practices for authorizing, and the academic outcomes of their schools (ORC 3314.016).

This is to notify you that the Thomas B. Fordham Foundation is awarded an authorizer quality rating of Exemplary. This overall evaluation is based on the three equally weighted components specified in code and which are each scored on zero-to-100 scales.

Fordham scored a 97.4 on the critical Authorizer Quality Practices Review, and 100's on both the Compliance and Academic Outcomes measures for average of 99.1. The Department has set a 90.0 or greater score for an authorizer to qualify as Exemplary.

Evaluation Summary

Compliance. The Department treats the health and safety of children and staff as non-negotiable. Fordham is effectively carrying out the oversight of required compliance by schools to law and rule and receives a 100 score in this portion of the Authorizer Evaluation.

Authorizer Quality Practices. Fordham scored a 95.3 on the Authorizer Quality Practices Performance Review. This review examines in detail all phases of an authorizer's work including: application; performance contracting; ongoing oversight; renewal, revocation and closure; technical assistance; and agency commitment.

Academic Outcomes. For brick and mortar K-12 schools, Fordham achieves 141% of target for ratio of seats in effective schools to seats in ineffective schools. The academic performance outcomes of authorizers' portfolios is evaluated on the learning gains made by students at different levels of proficiency. With a ratio of 0.99 to 1, Fordham easily achieved the Department's overall target for charter schools of 0.7 to 1 for 2013-14. The target will increase to 0.85 for this school year, 1.05 for 2015-16 and 1.25 in 2016-17.

For Dropout Prevention and Recovery schools, an outcomes rating for Dropout Prevention and Recovery schools will be given once growth measures from the new assessment are available beginning next school year 2015-16. This rating will include eschool delivery of dropout recovery and prevention learning opportunities.

For Eschools, the State's report card assessments of eschool learning gains show that the sector struggles with particularly the first year experience of students. The Department is committed to working with the authorizers and providers of eschool learning opportunities to both lift the academic success of every student choosing fulltime virtual learning as well as to improve how this highly innovative learning delivery approach is assessed.

The assessment results for 2013-14 will be a base year for evaluating the outcomes of the eschool seats in authorizer portfolios. The Department is targeting a ratio of fulltime, full year eschool students learning at pace, against those not learning at pace, of 1 to 1 by 2016-17.

Fordham at this time has neither DOPR nor eschools in its portfolio.

Academic Outcomes Summary: Fordham's portfolio of charter schools is meeting the Department's targets for academic outcomes and is given a 100 score.

Future Evaluations

Fordham's Compliance and Academic Outcomes will be evaluated and reported on annually. The Department intends on carrying out the Authorizer Quality Practices review of Fordham next during the fall of 2017. Evaluation results and a new overall rating designation will be released at that time and will be effective beginning for school year 2018-19.

Respectfully,



David J. Hansen
Executive Director
Office of Quality School Choice

cc: David P. Driscoll, Thomas B. Fordham Institute, Board Chair
Joni Hoffman, Director in the Office of Quality School Choice

Overview of the Authorizer Evaluation Process

Community school authorizers (aka sponsors) are evaluated on three components: 1) the overall academic performance of their community schools; 2) the completeness of their monitoring of schools' compliance with laws and rules; and 3) their adherence to quality practices (see [Ohio Revised Code Section 3314.016](#)).

The annual Authorizer Evaluation replaced the Sponsor Ranking, which was based upon two measures: 1) an academic measure (called the sponsor Performance Index Score and derived from aggregating test data for schools) and 2) a reporting measure (the sponsor's annual report of its schools' compliance and annual assurances for each school). With the Authorizer Evaluation, the reporting requirement remains in place. However, the Performance Index Score no longer applies.

The overall evaluation rating for each authorizer is derived from three components' ratings.

- I. **Monitoring of school's compliance** with rule and law follows the same approach as in the past two pilot years, in which a sponsor describes how it monitors compliance and that process is verified for a subset of the sponsor's schools. A copy of the verification tool can be found on the website.
- II. **Adherence to quality practice**, which is the most time intensive of the three components, is comprised of assessing the degree to which a sponsor uses practices consistent with national quality standards. Documents, surveys and interview information are used to assess the practices against the national standards. More information, including the rubric, is on the website.
- III. **Academic performance of schools** is calculated similar to the sponsor's performance ranking, but with greater weighting on value-added gains. Results for eSchools will be phased in over four years, using 2013-2014 as the baseline year. Similarly, results for dropout prevention schools will be used when these schools receive an overall Report Card rating, which takes effect with the 2014-2015 reporting year.

Under current law, each component- academics, compliance monitoring, and quality practice- has equal weight in making up the overall evaluation rating. As with the Sponsor Ranking, a sponsor's ability to authorize new schools or take on sponsorship of a currently operating school is effected by the overall rating. Authorizers with an overall rating of "Effective" or "Exemplary" may continue to expand the number of schools under their authority. Language proposed in the Governor's budget bill, HB 64, would add rewards for sponsors receiving the highest rating of Exemplary.

For authorizers who hold a sponsorship agreement with the department, the evaluation rating will be a factor in renewing the sponsorship agreement and if renewed, the terms of the agreement. Similarly, for operating authorizers that wish to enter into an agreement with the department, the authorizer evaluation results will be a factor in that approval, as well.

John R. Kasich, Governor
Dr. Richard A. Ross, Superintendent of Public Instruction

October 17, 2014

Kathryn Mullen Upton
Director of Sponsorship
The Thomas B. Fordham Foundation
2600 Far Hills Avenue, Suite 216
Dayton, OH 45419

Re: Evaluation of Sponsor Performance in Monitoring School Compliance with Rule and Law

Dear Kathryn:

The Office of Community School recently completed another round of the Sponsor Compliance Review for your organization. The purpose of this review is to determine the extent to which a sponsor has met its obligations to monitor school compliance with rule and law. Below please find a summary of the visit and the team's findings.

The review of sponsor performance is divided into two sections: an assessment of compliance and an assessment of quality practices. The compliance review consists of 20 core areas of compliance (i.e., these areas are mandatory) and three items chosen at random by the Ohio Department of Education. These items encompass five larger areas of review, including governance, operations, finance, health and safety, and education programs and are drawn directly from section 3314.03 of the Ohio Revised Code. The review team was tasked with conducting the compliance review only as part of the current visit.

Of the 23 items reviewed, documentation was found to verify compliance with 22 items, while one items (bus driver qualifications) was found to be not applicable to this school.

As the following table illustrates, findings from the compliance review place sponsors into one of three categories: exemplary, effective, or ineffective. A fourth category of emerging is assigned to sponsors in operation for not more than two years.

Number of Items Not Verified	Rating
0	Exemplary
1-2	Effective
3 or More	Ineffective
3 or More	Emerging (first time sponsors only, in years 1 and 2 of sponsorship)

In that one item could not be verified as part of the current assessment, Fordham would have been assigned a rating of **exemplary** for the compliance portion of the review had this not been a pilot study.

Please note that Ohio law mandates that findings from the assessment of compliance be pooled with findings from the assessment of quality practices and school performance data to form a composite rating for each sponsor. Thus, a final sponsor rating for the SPR is not determined until all data are collected and combined.

Please contact me should you have any questions about any of the information provided here at (614) 387-2260 or by email at steve.tate@education.ohio.gov. Thank you for your participation in the pilot. We hope that the information provided here is found to be useful in monitoring your schools' compliance with rule and law.

Sincerely,

Steven Tate

Steven Tate, Ph.D.
Office of Community Schools

Compliance Monitoring

Compliance monitoring is one of three components comprising the Authorizer Evaluation. The purpose of the compliance monitoring component is to assess how well an authorizer/sponsor monitors each of its community schools' compliance with state and federal laws, and the terms of the contract.

In addition to speaking with school leaders, the compliance monitoring evaluation involves a review of 23 items that encompass five larger areas of review- health and safety, education programs, governance, finance, and operations. Of the items reviewed, 20 are mandatory areas of compliance and three are randomly selected by the Ohio Department of Education (ODE). The items are drawn directly from Chapter 3314 of the Ohio Revised Code.

To conduct the compliance monitoring review, ODE first requires the authorizer to complete the *Authorizer Monitoring Review Instrument*, with the authorizer providing a written description and supporting documentation of how it monitors the statutory regulations of its schools. Once the authorizer has completed the instrument and returned it to ODE, ODE then randomly selects one or more of the authorizer's schools, up to 10%, for site visits to review the 23 compliance items.

As the table below illustrates, findings from the compliance monitoring review place authorizers into one of three categories: Exemplary, Effective or Ineffective. Authorizers, for example, for which two or fewer of the 23 items could not be verified during the onsite school reviews would receive an Exemplary rating.

Number of Items Verified	Rating
Twenty-one or more	Exemplary
Nineteen or Twenty	Effective
Fewer than Nineteen	Ineffective

The rating from the compliance monitoring review is combined with the ratings from the quality practices review and academic performance review to form an overall evaluation rating for the authorizer.

Authorizer: Thomas B. Fordham Foundation

In reviewing compliance monitoring for one charter school, 22 items out of 23 items were verified, resulting in a rating of Exemplary.

**Authorizer Monitoring Review Instrument
(Mandatory Areas of Review)**

Area of Review	Areas of Compliance/Explanation	Verified	Not Verified	Description of Authorizer Methods for Monitoring School Compliance with Statute
Health & Safety	Bus Driver Qualifications	NA	NA	
Health & Safety	Certificate of Occupancy	X		
Health & Safety	Criminal Background Checks (BCI&I and FBI)	X		
Health & Safety	Current Fire Inspection	X		
Health & Safety	Heimlich Maneuver Training	X		
Health & Safety	School Emergency Evacuation-Tornado-School Safety Drill	X		
Health & Safety	School Environment Inspection - Health Department	X		
Health & Safety	School Safety Plan	X		
Education Program	Academic Prevention/Intervention Services Policy	X		
Education Program	Implementation of the Education Plan	X		
Education Program	Special Education & related services plan, including 504 Implementation Plan	X		
Education Program	Special Education Student Files	X		
Governance	Certification of non-profit status	X		
Governance	Governing Authority Approved Meeting Minutes and Resolutions; signed and available to the public	X		
Finance	Monthly Financial Review	X		
Finance	Treasurer/Fiscal Officer Licensure/Qualifications & Bond	X		
Operations	Liability Insurance	X		
Operations	Licensed Employees	X		
Operations	Resident Educator Program; Mentor Program	X		
Operations	Review of enrollment records	X		

Sponsor:	Thomas B. Fordham Foundation
Board Chair:	Chester E. Finn, Jr.
Executive Director:	Kathryn Mullen Upton
Review Team Members	Karlyn Geis, ITO-Project Managers, Data Manager, ODE Joni Hoffman, Office of Quality School Choice, Director, ODE Sherry Panizo, Office of Policy and Research, Program Manager, ODE Jennifer Rippner, NACSA Consultant
Date of Interview	October 3, 2014

Overview of the Authorizer Quality Practice Review

Legislation requires the Ohio Department of Education (ODE) to develop and implement a sponsor evaluation system. The purpose of the system is to assist ODE in its oversight of community school sponsors and to improve the quality of community school sponsor practices. This may in turn improve community school operations and the academic performance of community school students. The system has three components: academic performance of students enrolled in community schools sponsored by the same entity; adherence to quality sponsoring practices prescribed by ODE (this Authorizer Quality Practice Review); and compliance with applicable laws and administrative rules.

The Authorizer Quality Practice Review is modeled after ODE's School Improvement Diagnostic Review process and ODE's Supplemental Educational Services Quality of Provider Services rubric rating tool as well as standards and sponsor evaluation methods utilized by the National Association of Charter School Authorizers. Six areas of practice are the focus of the review:

1. Organizational commitment and capacity,
2. Community school application process and decision making,
3. Performance contracting,
4. Oversight and evaluation of community schools,
5. Contract termination and renewal decision making, and
6. Technical Assistance.

Overview of Ratings System

For the Authorizer Quality Practice Review, each indicator in the six areas of practice is assigned one of four ratings. These are as follows:

- **Exemplary** (4 points): Exception in that it exceeds the expectations of Ohio's Quality Sponsor Practices and warrants notice from and emulation by other sponsors
- **Effective** (3 points): Commendable in that it materially satisfies expectations
- **Ineffective** (2 points): Approaching full development in that it exhibits aspects of a well-developed practice but is missing key components, is incomplete in its execution, or otherwise falls short of meeting expectations
- **Poor/Undeveloped** (1 point): Wholly inadequate in that the sponsor has not undertaken the practice or is carrying it out in a way that falls far short of satisfying expectations

Ratings are assigned based upon a review of sponsor documents, surveys of sponsor schools, and an on-site visit to the sponsor. These indicator ratings result in an overall rating. Perhaps more importantly, feedback is given to the sponsor in each of the six practice areas which can assist the sponsor in improving practices.

Authorizer Quality Practice Review Rating System

Rating	Point Value	Percentage Range	
		Minimum Score	Maximum Score
Exemplary	4	90.0%	100%
Effective	3	75.0%	89.9%
Ineffective	2	55.0%	74.9%
Poor	1	0%	54.9%

Critical Area of Quality (Capacity, Application, Termination & Renewal weighted twice* the other critical areas)	Possible Number of Points	Points Earned	Percent of Possible Points	Rating for Each Area	Points
Sponsor Commitment & Capacity*	28	28	100%	Exemplary	8
Sponsor Application Process & Decision Making*	32	32	100%	Exemplary	8
Sponsor Performance Contracting	16	15	94%	Exemplary	4
Sponsor Oversight & Evaluation	48	47	98%	Exemplary	4
Sponsor Termination & Renewal*	28	25	89%	Effective	6
Sponsor Technical Assistance & Requirements in Rule and Law	16	16	100%	Exemplary	4
Total Points Earned (of maximum 36 possible)					34
Overall Rating for Quality of Sponsor Practices (one of three components)	Exemplary				94%

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
A. Clear Mission for Authorizing Charter Schools	<ul style="list-style-type: none"> The authorizer’s mission for chartering schools is broad or it has no mission. The authorizer’s vision for chartering is vague, with no defined priorities and no strategic goals. The authorizer’s governing board designates all contract decisions to staff and/or accepts contract decision-making recommendations with only a cursory review, taking action perfunctorily as part of routine business. 	<ul style="list-style-type: none"> The authorizer states a clear mission for authorizing charter schools. The authorizer articulates a broad vision for chartering, with broad goals over an undefined period of time. The authorizer’s governing board typically designates contract decisions to staff, which provides the board with general recommendations for which contracts to approve. Decisions are typically made with limited information provided by the staff and without consideration of the authorizer’s broad vision. 	<ul style="list-style-type: none"> The authorizer states a clear mission for quality authorizing. The authorizer articulates and implements a vision and plan for chartering, including general goals and timelines for achievement. The authorizer’s governing board, while formally making all contract decisions, relies upon their staff to carefully review and recommend contract decisions aligned with their chartering vision and plan. 	<ul style="list-style-type: none"> The authorizer states a clear mission for quality authorizing. The authorizer articulates and implements an intentional strategic vision and plan for chartering, including clear priorities, specific goals, and time frames for achievement. The authorizer’s governing board actively participates in all contract decision-making (approval and renewal) to ensure that all such actions are consistent with the authorizer’s strategic vision and plan for quality authorizing.

Rating: 4 - Exemplary

Fordham’s drive for quality authorizing is evident in its mission statement and the seriousness with which its governing board acts. Its well-developed strategic goals identify needs, risks, benefits, next steps, and the anticipated costs of quality authorizing. Fordham’s continuous improvement plan sets very clear, targeted outcomes with defined timelines for achievement. The governing board and authorizing staff review quarterly Fordham’s performance and progress toward meeting its strategic goals.

Fordham’s full board of trustees, through the assistance of its staff and its Ohio Policy & Sponsorship Committee, is very hands on and makes all decisions regarding contract approvals, contract renewals, and school sanctions. The full board meets three times a year, with its sub-committee meeting and interacting with staff on a regular basis. The board is very responsive when authorizing staff need assistance or advice, providing a balanced and objective perspective on how to deal with the schools it authorizes. Recently, Fordham’s board approved revisions to its schools’ accountability plans and approved the organization’s budget (including resource allocations for its authorizing work).

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
B. Self-Evaluation & Improvement	<ul style="list-style-type: none"> The authorizer rarely examines its work to ensure it is meeting its Ohio authorizing obligations and applicable laws. The authorizer does not examine its operations for the purpose of improvement. Does not evaluate self as an authorizer. 	<ul style="list-style-type: none"> The authorizer sporadically examines its work to ensure it is meeting its Ohio authorizing obligations and applicable laws. The authorizer occasionally looks to improve its operations, but does not follow a structured process. 	<ul style="list-style-type: none"> The authorizer regularly examines its work to ensure it is meeting its Ohio authorizing obligations and applicable laws. The authorizer follows a defined improvement process to evaluate its work against its goals and outcomes. The authorizer uses the findings from its self-evaluation when making improvements in its practices. 	<ul style="list-style-type: none"> The authorizer continuously uses a defined improvement process to evaluate its work against its goals and outcomes and to ensure it is meeting its Ohio authorizing obligations and applicable laws. The authorizer implements strategic action steps based upon the findings from its rigorous self-evaluation to improve its performance as an authorizer. The authorizer continuously and rigorously evaluates its work against national standards for quality charter school authorizers. The authorizer reports annually to its governing entity the progress it is making on its strategic goals.

Commitment & Capacity			
	Poor or Undeveloped	Ineffective	Effective
<p>Rating: 4 - Exemplary</p> <p>Fordham’s governing board formally evaluates its authorizing operations annually, examining the performance of the schools against the terms of the contracts and the performance of the authorizing office against the strategic goals set by the organization. The governing board and Ohio Policy & Sponsorship Committee examine school performance in October and review school compliance every six months. Most recently, Fordham noticed that none of its schools met two of the criteria established in its revised performance frameworks. The staff and governing board are examining the targets for these two criteria to determine whether they have been set too high or there is a systemic issue within its schools.</p> <p>As Ohio’s first authorizer to take the NACSA pledge Fordham evaluates its work against NACSA standards and is utilizing ODE’s authorizer performance review as another means to review its authorizer practices. The governing board and its staff take responsibility for financial stewardship and oversight of the schools it authorizes, and continually review its authorizer practices to help their charter schools get better over time. Authorizing staff regularly solicit formal (survey) and informal (board meetings and email) feedback from schools on its authorizing practices; discussing the feedback, incorporating changes, and allocating resources according to the needs identified as part of its continuous improvement process.</p> <p>Fordham’s annual report is <i>very</i> comprehensive, detailing the performance of each school and its overall portfolio. The report describes Fordham’s responsibilities for accountability, and its expectations for the schools it authorizes. Fordham relates the portfolios performance with its strategic goals for authorizing charter schools.</p>			

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
C. Defined Relationships In Practice	<ul style="list-style-type: none"> • Beyond what is stated in the contract, the authorizer cannot explain the distinction in roles and responsibilities between the authorizer staff and the charter schools it authorizes. 	<ul style="list-style-type: none"> • While not documented beyond what is in the contract, the authorizer is able to explain in general terms how the roles and responsibilities differ between its staff and the charter schools it authorizes. • The charter schools it authorizes do not understand the responsibilities of the authorizer. 	<ul style="list-style-type: none"> • While not documented beyond what is in the contract, the authorizer has and is able to clearly explain the roles and responsibilities of its staff relative to those of the charter schools it authorizes. • The charter schools it authorizes generally understand the responsibilities of the authorizer. 	<ul style="list-style-type: none"> • Roles and responsibilities of the authorizing staff are clearly separated, documented and delineated from the charter schools it authorizes. • The charter schools it authorizes clearly understand the responsibilities of the authorizer.

Rating: 4 – Exemplary

In addition to roles and responsibilities defined in the contracts, Fordham documents on its website and in its annual report to the public its responsibilities as an authorizer, as well as its expectations for the governing authorities of the schools it authorizes.

Fordham’s staff members are *not* employed by a school or a school’s management company, nor are its staff members of the schools’ governing authorities. Fordham does not sell any services to the schools it authorizes.

The school interviews and survey responses indicate that a few schools view Fordham as sometimes being involved in daily operations and finance and budgeting, but it appears that this may be because Fordham is open and receptive to school questions regarding daily operations and finance. Schools seek guidance from Fordham on operational, financial, governance, and academic issues. Fordham provides schools with information or points schools to potential resources that will help inform a school’s decision-making; the authorizer advises, but there is no evidence that Fordham oversteps appropriate boundaries and tells schools how they should be operating.

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
D. Conflicts of Interest In Practice	<ul style="list-style-type: none"> • Schools chartered by the authorizer have limited or no autonomy. • Numerous conflicts of interest exist between the authorizer and the charter schools it authorizes. [e.g., <i>staff and boards may overlap, authorizer may require school to purchase services from authorizer, schools may not be afforded appropriate autonomy, funds may be co-mingled, etc.</i>] • Decision making is not transparent; it is unclear what or if criteria are being used by the authorizer to make decisions. • Charter schools are improperly offered incentives by the authorizer and/or required by the authorizer to make choices that may not be in their best interest. [e.g., <i>may only contract with the authorizer for various services, contract services from authorizer in exchange for reduced chartering fee, etc.</i>] 	<ul style="list-style-type: none"> • Evidence of conflicts of interest exists between the authorizer and the charter schools it authorizes. [e.g., <i>the authorizing district's superintendent fills the role of the charter school's superintendent with no accommodations for independent oversight of his/her role as charter school superintendent.</i>] • Decision making is not transparent and the criteria used to make them are inconsistently applied and not fully understood by authorizer staff. • In some instances, the authorizer's decisions are improperly influenced by a management company or a charter school's governing authority. [e.g., <i>for example, a management company with multiple affiliated schools implies action related to one school will impact the others.</i>] 	<ul style="list-style-type: none"> • No conflicts of interest (both in staffing and funding) exist between the authorizer and the charter schools it authorizes. • While decision making is transparent to charter schools and appears to be based upon merit, the process and criteria for making decisions are not fully transparent to the public. 	<ul style="list-style-type: none"> • No conflicts of interest (both in staffing and funding) exist between the authorizer and the charter schools it authorizes. • The authorizer has a written policy that effectively prevents conflicts of interest, assures decision making is transparent and based upon merit. • The authorizer's funding is structured in a manner that avoids conflicts of interest, inducements, incentives, or disincentives that might compromise its judgment in charter approval and accountability decision making.

Commitment & Capacity			
	Poor or Undeveloped	Ineffective	Effective
<p>Rating: 4 – Exemplary</p> <p>Fordham makes it clear that it does not sell services and does not conduct functions associated with the day-to-day management of the schools it authorizes; its formal policy was established in 2005. Every year senior staff signs the organization’s conflict of interest policy, and all staff sign the related parties disclosure at hire. All application reviewers sign a conflict disclosure, and Fordham staff review the forms for conflicts or perceived conflicts of interest. Quarterly, Fordham requires its schools to sign a related parties disclosure; schools must disclose any relationships among their staff members, governing board members, and vendors. Fordham is careful to construct its funding so that conflicts are not encountered.</p>			

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>E. Staff Expertise</p> <p><i>Deep understanding of essential principles, gained through training and/or several years working in the field and mastering the principles.</i></p>	<ul style="list-style-type: none"> • The authorizer’s dedicated staff member(s) have little to no experience working in or authorizing charter schools. At least one staff member is trained in school finance, but has limited experience applying the knowledge. • No external sources are sought in education related areas for which the authorizing staff lacks expertise. These areas include: <ul style="list-style-type: none"> ○ Charter schools; ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and, ○ School governance. 	<ul style="list-style-type: none"> • The authorizer has at least one dedicated staff member with less than two years of experience working in or authorizing charter schools, and a member who is trained and has limited experience working in the area of school finance. • Other staff have limited training and limited experience working in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and, ○ School governance. • When existing staff do not have the range of expertise needed, the authorizer sometimes contracts with external sources to complete particular aspects of work. 	<ul style="list-style-type: none"> • The authorizer has at least one dedicated staff member with two or more years of experience working in or authorizing charter schools, and a member who is trained and experienced in the area of school finance. • Other staff are certified and have experience working in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; and, ○ School finance; and, ○ School governance. • When existing staff do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of work. 	<ul style="list-style-type: none"> • Many of the authorizing staff have practiced in charter schools or authorizing charter schools for several years, and have diverse expertise in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; and, ○ School finance; and, ○ School governance. • When existing staff do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of work.

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating – 4 Exemplary</p> <p>Members of Fordham’s staff are experienced in school law, school finance, board relations, facilities, and new school start-up. The organization contracts with external experts in areas where staff does not have the expertise or capacity (e.g., comprehensive evaluations for special education, curriculum experts to evaluate Common Core implementation, test monitoring, etc.). It seeks out guidance from state and national contacts and the expertise of its governing board members in identifying experts.</p>				
F. Staff Professional Development	<ul style="list-style-type: none"> • Authorizer staff rarely participates in professional development, internally or externally provided. • PD shows no alignment with the authorizer’s functions. 	<ul style="list-style-type: none"> • Authorizer staff sporadically participates in professional development internally or externally provided, and typically only what is required by ODE. • PD shows some alignment with the authorizer’s functions or in response to needed corrections. 	<ul style="list-style-type: none"> • Authorizer staff regularly participates in professional development, internally or externally provided, and beyond what is required by ODE. • PD is aligned with authorizer functions and takes into account identified needs (as determined by its self-improvement process). • Authorizer staff attends national conferences with PD focus (e.g., NACSA, iNACOL, etc.) 	<ul style="list-style-type: none"> • Authorizer staff continuously participates in professional development beyond what is required by ODE and that complements the authorizer’s improvement efforts and that takes into account staff member’s strengths and weaknesses. • The authorizer is able to provide examples of how professional development is incorporated into its ongoing work.

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating – 4 exemplary</p> <p>As a member of NACSA and the National Alliance for Public Charter Schools, Fordham staff annually attends the NACSA conference and participates in NACSA training. Staff attends state trainings and workshops in substantive areas (e.g., finance, special education, EMIS, etc.), in the use of technology (e.g., Google networking tools), in areas of interest to schools (e.g., Career Tech Education), and in statutory changes to remain up-to-date on compliance issues. Fordham aligns professional development to the individual goals of each staff member, which aligns to Fordham’s strategic goals for authorizing. Individual staff members pursue personal professional development opportunities as well. Staff members participate in application and monitoring reviews in other states, as a means to inform their strategic portfolio development.</p>				
<p>G. Allocation of Resources</p> <p><i>Resources include human and financial capital.</i></p>	<ul style="list-style-type: none"> • Resource decisions are not data driven. • The authorizer has inadequate staff (or contracted services) to adequately carry out its roles and responsibilities. • No evidence that the authorizer has examined and allocated its resources to fulfill its authorizer obligations. 	<ul style="list-style-type: none"> • Some resource decisions are data driven. • The authorizer sporadically examines its needs and allocates its resources to fulfill its statutory requirements. • Resource allocations are not commensurate with the scale of its portfolio of charter schools. 	<ul style="list-style-type: none"> • Most resource decisions are data driven. • The authorizer examines its portfolio of schools needs and allocates its resources to improve school performance and its responsibilities as an authorizer. 	<ul style="list-style-type: none"> • All resource decisions are data driven. • The authorizer determines its portfolio of schools needs and devotes resources to improve school performance, fulfill its responsibilities as an authorizer, and meet national quality standards for authorizing (e.g., the authorizer provides math coach, software, PD consortiums, banners, specialized staff for job coaching, etc.) • Resource allocations are commensurate with the authorizer’s identified needs.

Commitment & Capacity			
	Poor or Undeveloped	Ineffective	Effective
<p>Rating – 4 Exemplary</p> <p>Fordham allocates all of its authorizer fees to fulfill its authorizing responsibilities; the larger Thomas B. Foundation further subsidizes the chartering arm of the organization. Fordham strategically charges less than three percent for its authorizing fee (maximum amount allowed by law), because it knows schools are operating on tight budgets. Fordham’s governing board prefers to subsidize its authorizing arm than to take needed financial resources away from its schools.</p> <p>The governing board and its senior administrators set an annual budget, but the authorizing staff have room to move resources around as needed. Staff checks in with the governing board monthly to discuss the budget and justify any reallocation of funds based upon identified need of Fordham’s portfolio. Some schools are more expensive to monitor due to their distance or their low academic performance. Staff are now tracking their time to identify which schools require more authorizer resources, and looking into changing their practices to operate more efficiently.</p> <p>The performance of schools in Fordham’s portfolio affects its allocation of resources. Besides requiring more staff time, Fordham has provided small grants to a couple of its “promising” schools and to schools that are struggling financially. Fordham’s regular visits to schools and governing board meetings allows them careful monitoring for potential problems. Fordham helped two of its schools get rid of external managers that were not helping the schools, by supporting the schools with staff time and legal counsel.</p> <p><i>Recommendation: Although Fordham seems to be able to meet its schools' needs through existing budget mechanisms given the flexibility staff have in allocating funds, it may be a useful exercise to annually reflect on upcoming needs for the year and design the budget request around those needs. That way, rather than adding or subtracting at the margins of the budget, Fordham is ensuring its entire authorizing budget supports its current authorizing activities and goals.</i></p>			

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
A. Application Process, Timeline, & Clarity of Directions	<ul style="list-style-type: none"> • The authorizer has no formal application process – no written application. • The authorizer’s application timeline is not defined. • Application guidance is absent or undocumented and varies depending upon which staff member responds to questions by the public. • The application process does not include interviewing applicants. 	<ul style="list-style-type: none"> • The authorizer has an application process; however, it is undocumented and loosely defined. • Timelines are loosely defined. • Applications are accepted close to the statutory contract adoption date, leaving little time for contract negotiations. • The application is not readily available to the public. • The application provides limited directions on • the content and format expected of applicants. • The authorizer does not document the criteria it uses to evaluate its applications. • The application process may include an interview with applicants. 	<ul style="list-style-type: none"> • The authorizer follows and explains a systemic application process; however, it is not fully documented. • The authorizer typically follows a defined timeline for reviewing charter applications. The planning stage is at least six months long. • The application is readily available to the public. • The application provides general directions on content and format expected of applicants. (e.g., does not include resources or references to assist the applicant.) • The authorizer documents the general criteria it uses to evaluate its applications. However, these criteria are not publicized as part of the application process. • The application process includes interviewing final applicants. 	<ul style="list-style-type: none"> • The authorizer follows a documented systematic application process. • The authorizer’s timeline allows for a pre-opening stage of least nine months so that the application process is carried out with quality and integrity. It aligns with the school year and provides ample time to adequately complete the application, plan, and prepare for the school’s opening. • The authorizer’s application guidance is documented, detailed and readily available to the public through the authorizer’s website. (e.g., includes the procedure to submit (word length, font size, electronic/paper), includes references to assist the applicant, etc.). • The application provides clear directions on required content and format. • The authorizer documents and clearly communicates to applicants the criteria it uses to evaluate its applications. • Application clearly states the authorizer’s chartering priorities. • The process includes interviewing final applicants before adopting a contract.

Application Process & Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating – 4 Exemplary

A detailed application, timeline, and clear directions to interested applicants is available on Fordham’s website. Schools seeking to open in the fall of 2015 must have submitted their application by April 1, 2014 and final decisions are made by October 31, 2014, which gives awarded schools nine months to prepare for opening. Fordham’s reviewer evaluation form is available on its website.

Fordham interviews toward the end of its application process. After the team completes its individual reviews of the written application, the team debriefs and generates a list of interview questions. If the team rates the applicant in the lowest category across all sections of the application, the applicant will not be interviewed. If the team is on the fence after rating the written application, Fordham errs on the side of the applicant and grants a review.

Fordham uses an expedited process for applicants that have high performing schools already sponsored for three or more years by Fordham and are seeking to replicate the model. Because Fordham’s staff has worked with the existing schools for such a long period, expedited applicants are not interviewed.

Recommendation: With one exception, over their history, Fordham has authorized general education schools only. Fordham has publicly shared as a priority, focusing on the Dayton area to improve quality options in its home community. Fordham could consider being more direct about its chartering priorities on its website so that developers who wish to propose a school serving a specialized set of youngsters would know in advance that Fordham’s priority is to authorize general education schools in (perhaps certain) urban districts.

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
B. Application Depth	<ul style="list-style-type: none"> The authorizer does not have a written application. 	<ul style="list-style-type: none"> The application includes few questions. The questions are very broad in nature and do not provide enough data to thoroughly evaluate the applicant’s educational and business plans and capacities. 	<ul style="list-style-type: none"> General application questions, covering four main areas of school planning and operations [education plan, governance, finance (including market research) and accountability] along with suggested attachments, provide adequate data for analyzing an applicant’s plans and capacities. <p><i>For example: Describe the demographics of the students that your school will serve and of the district in which the school will be located. Why are you proposing this school in this location?</i></p> <p><i>Generally describe your school’s curriculum plan and provide an overview of the instructional design and program to be emphasized by the school.</i></p>	<ul style="list-style-type: none"> Comprehensive, detailed application questions cross-reference the four main areas of school planning and operations [education plan, governance, finance (including market research) and accountability] provide extensive data for rigorous evaluation of the applicant’s plans and capacities. <p><i>For example: Describe the needs assessment of the school’s target neighborhood and student population, including current student demographics and academic performance of other schools in the charter in which the school will be located. Explain the academic impact of the proposed school model on the students and charter. Describe the process used to assess local need and provide evidence that the charter approves of the proposed school.</i></p> <p><i>Explain the school’s curriculum, its alignment to the Ohio Standards and benchmarks, specific instructional materials to be used to implement the curriculum, and the process your school will follow to evaluate, review and revise its curriculum on an annual basis.</i></p>

Application Process & Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating – 4 Exemplary

Fordham’s application includes detailed questions regarding the proposed school’s education plan, organizational plan, business plan, financial assumptions, and accountability measures. Applicants must describe in detail the following:

- the proposed curriculum and instruction, including how it aligns to Ohio’s content standards and evidence of research supporting the design and effectiveness of the approach with the intended student population;
- the school’s targeted student population and how the mission, curriculum, teaching methods and services align with the educational needs of the target population;
- how the school will identify and serve student populations, including at-risk students;
- the academic and non-academic goals for which the school plans to hold itself accountable;
- the assessments it will use, beyond the state’s mandated tests;
- the developer’s prior success in raising student achievement;
- school climate and discipline;
- the composition and relevant experience of its governing board members;
- the management and operational plan, including staffing, human resources, and professional development;
- their organizational structure, including the roles and responsibilities of key administrators;
- the school’s plan for recruitment and enrollment of students;
- the school’s plan for community involvement;
- the school’s budget and assumptions, including any commitment of outside resources; and
- the school’s financial management, including any education management entity.

Applicant responses and required attachments provide Fordham with adequate data to analyze an applicant’s plans and capacities. In addition, Fordham conducts its own market research when reviewing the application.

All applicants must sign a list of assurances, including acknowledging that its governing board members, school’s development team, or school’s leadership has no relationship with a school that has closed or deemed “unauditable.”

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
C. Rigorous Criteria for New Applicants, including any affiliated with previously operating schools.	<ul style="list-style-type: none"> The authorizer may require applicants to outline some of the following: <ul style="list-style-type: none"> an educational program; staffing plan; a business plan; governance; and/or management structure. Application criteria are minimal and focus mainly on meeting state and federal statutory requirements. 	<ul style="list-style-type: none"> The authorizer requires all applicants to describe in general terms some of the following: <ul style="list-style-type: none"> a mission and vision; an educational program; staffing plan; a business plan; governance; and/or management structure. 	<ul style="list-style-type: none"> The authorizer requires all applicants to present in detail all of the following: <ul style="list-style-type: none"> a mission and vision; an educational program; staffing plan; a business plan (including market research); governance and management structure; and capacity to carry out its plan. The applicant must explain any never-opened, terminated, or non-renewed schools. <p>(Market research includes examining the types of schools and students in the area; it does <u>not</u> include an examination of the needs of the charter.)</p>	<ul style="list-style-type: none"> The authorizer requires all applicants to provide strong evidence and great detail on all of the following: <ul style="list-style-type: none"> a clear and compelling mission and vision; a quality educational program; a solid business plan (including market and charter research); an effective governance and management structure; staffing for people with diverse knowledge in education, school finance, etc.; and clear evidence of capacity to successfully execute its plan. The applicant must explain any never-opened, terminated, or non-renewed schools. <p>(Charter research includes examining the proximity of choice options and niche schools, and examining unmet charter needs, such as lack of schools with specialized focus.)</p>

Application Process & Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating – 4 Exemplary

After reviewing the written application and interviewing the applicant, the team gives one of four ratings to each application question: meets the standard, approaches the standard, partially meets the standard, and does not meet the standard. [Application question are noted in the previous indicator of quality.] Fordham’s definition of “meeting the standard” requires the applicant to provide strong evidence of its preparation for operating a school and its capacity to successfully execute its plan.

While the application does not require the applicant to explain any never-opened, terminated, or non-renewed schools, all applicants must sign a list of assurances, including acknowledging that its governing board members, school’s development team, or school’s leadership has no relationship with a school that has closed. As part of evaluation, Fordham fulfills due diligence by independently pulling the historical data from multiple sources and across multiple areas (e.g., academic, fiscal, etc.), therefore allowing it to identify any never-opened, terminated, or non-renewed schools related to the applicant.

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>D. Rigorous Criteria for Existing Charter School Operators / Replicators</p> <p><i>Whichever school is being replicated, it must have been in operation for two or more school years.</i></p>	<ul style="list-style-type: none"> • No additional criteria are required of existing school operators and/or replicators of existing schools. • Authorizer does not look for any evidence of past success or the capacity for growth. 	<ul style="list-style-type: none"> • While no additional criteria are required, the authorizer completes a cursory look of the current school’s academic success or a consideration for the school’s capacity to expand. 	<ul style="list-style-type: none"> • Authorizer requires the applicant to meet the following criteria: <ul style="list-style-type: none"> ○ Clear evidence of capacity to operate a new school successfully while maintaining quality in existing schools; ○ Document educational, organizational, and financial performance records based on all existing schools; ○ Must explain any never-opened, terminated, or non-renewed schools; ○ Must present a growth plan, business plan, and most recent financial audits; and ○ Meet at least one of the following indicators of effectiveness to earn approval for replication: high academic, organization, and/or financial success to earn approval for replication. 	<ul style="list-style-type: none"> • Authorizer requires the applicant to meet the following criteria: <ul style="list-style-type: none"> ○ Clear evidence of capacity to operate a new school successfully while maintaining quality in existing schools; ○ Document educational, organizational, and financial performance records based on all existing schools; ○ Must explain any never-opened, terminated, or non-renewed schools; ○ Must present a growth plan, business plan, and most recent financial audits; and ○ Meet multiple indicators of effectiveness in all of the following areas: high academic, organization, and financial success to earn approval for replication. <p><i>Examples of success include: never had an un-auditable school; no general education or special education school rated below the top two LRC categories; no dropout prevention and recovery schools rated below “meets”, etc.</i></p>

Application Process & Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating – 4 Exemplary

Existing charter school operators or replicators complete the “new school” application posted on Fordham’s website, which requires the developer to describe its prior success in improving student achievement. Still, Fordham does not rely on the self-reported performance of the applicant. Per NACSA standards, Fordham fulfills due diligence by independently pulling the historical data from multiple sources and across multiple areas (e.g., academic, fiscal, etc.). Sources researched include Dunn & Bradstreet, legal actions, audit findings, academic results for other schools, Google/Linked in/Facebook/Twitter for all board members, founding group and individuals noted in the application, and phone calls to networks that can provide references on the operation and its related people. While Fordham will not disclose the data it gathered on the applicant, it raises issues or concerns during the interview process.

If the replicator is with a school currently authorized by Fordham (for three or more years) and is high performing, the applicant goes through an expedited application process (no interview). If the existing school is an elementary and the proposed school serves the secondary level, Fordham will look carefully at the proposed school’s curriculum and financial structure. Fordham only considers replications from its high performing schools.

Fordham’s application does not require the developer to explain its capacity to operate a new school successfully while maintaining quality in existing schools.

Recommendation: Fordham could consider asking the replicator applicant to provide clear evidence of capacity to operate a new school successfully while maintaining quality in existing schools.

Application Process & Decision Making

	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>E. Rigorous Criteria for Charter Schools Changing Authorizer/Assignment of Contract (if applicable)</p>	<ul style="list-style-type: none"> • No additional criteria are required of the existing school seeking to be switch authorizers. • Authorizer does not look for any evidence of past success or the capacity to operate successfully. 	<ul style="list-style-type: none"> • While no additional criteria are required, the authorizer completes a cursory look of the current school’s academic success or considers the school’s capacity to operate successfully. 	<ul style="list-style-type: none"> • While no additional criteria are required, the authorizer reviews the existing school’s financial audits (where available), academic success and the school’s capacity to operate successfully, meeting and/or exceeding it performance targets. • The application process may include either a face to face interview with the applicant or contact with the school’s current authorizer. • The authorizer does not consider contracting with a charter school that is being non-renewed by its current authorizer. 	<ul style="list-style-type: none"> • Authorizer requires the applicant to provide educational, organizational, and financial performance records to evaluate the school’s capacity to operate successfully, meeting and/or exceeding its performance targets. • The application process includes a face to face interview with the applicant and contact with the school’s current authorizer. • The application process may include visiting the school and/or attending a board meeting. • The authorizer does not consider contracting with a charter school that is being non-renewed by its current authorizer. • The authorizer’s process to consider authorizing a currently operating school is publicly available.

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
Rating: 4 - Exemplary				
<p>Existing charter schools seeking to switch authorizers must complete the “new school” application posted on Fordham’s website, which does not include application questions related to the school’s prior performance. Fordham does not rely on the self-reported performance of the applicant. Per NACSA standards, Fordham fulfills due diligence by independently pulling the historical data from multiple sources and across multiple areas (e.g., academic, fiscal, etc.). While Fordham will not disclose the data it gathered on the applicant, it raises issues or concerns during the interview process.</p>				

Application Process & Decision Making

	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>F. Reviewer Expertise</p> <p><i>Deep understanding of essential principles, gained through training and/or several years working in the field and mastering the principles.</i></p>	<ul style="list-style-type: none"> • Review team members have little to no experience working in or authorizing charter schools. At least one review team member is trained in school finance, but has limited experience applying the knowledge. • No external sources are sought in education related areas for which the review team members lack expertise. These areas include: <ul style="list-style-type: none"> ○ Charter schools; ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and, ○ School governance. 	<ul style="list-style-type: none"> • The authorizer has at least one dedicated reviewer with limited experience (less than two years) working in or authorizing charter schools, and at least one other reviewer who may have limited knowledge in one or more of the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and/or ○ School governance. • When existing reviewers do not have the range of expertise needed, the authorizer sometimes contracts with external sources to complete particular aspects of the application review. 	<ul style="list-style-type: none"> • The authorizer has at least one dedicated reviewer with two or more years of experience working in or authorizing charter schools. • Other reviewers are certified (where appropriate) and have experience working in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and, ○ School governance. • When existing reviewers do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of the application review. 	<ul style="list-style-type: none"> • Many of the reviewers have practiced in charter schools or authorizing for several years, and have diverse expertise (and certification where appropriate) in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and, ○ School governance. • When existing staff do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of the application review.

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
Rating: 4 – Exemplary				
<p>The membership of Fordham’s review team changes every cycle, depending upon the expertise and availability of members internal and external to the organization. Fordham seeks external reviewers with expertise in curriculum and classroom instruction. Expertise in school funding and compliance comes from reviewers internal to Fordham. Three to five team members review each application. After the review, the team convenes to determine if the applicant should proceed to an interview, and if so, topics to cover in the interview.</p>				

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
G. Protocols and Training	<ul style="list-style-type: none"> • No defined selection criteria or protocols are used to evaluate applications. • Review team members simply review the written application and only ask clarifying questions. • Reviewers receive no training. • No process is followed to ensure that all internal and external reviewers do not have a conflict of interest with the applicants they are reviewing. 	<ul style="list-style-type: none"> • Selection criteria are documented, but are broad or vague. • Review team members receive limited training on the selection criteria. • If a protocol is used to evaluate applications, limited evidence is documented to support whether or not the applicant meets the selection criteria. • Applicants are not interviewed. • All internal and external reviewers are responsible for identifying if a conflict of interest exists with the applicants they are reviewing. • The reviewer initiates their own removal from reviewing an application if he/she feels a conflict of interest exists. • The authorizer does not require a formal written conflict of interest statement to be signed by each person reviewing the applications. 	<ul style="list-style-type: none"> • Evaluation includes a careful review of the written application, a brief interview of all applicants to clarify points in the written application, and a careful review of the applicant's experience and capacity. • While not always documented in protocols, all new review team members are trained on the selection criteria and protocols prior to reviewing applications for approval. • The review team documents evidence to support whether or not the applicant meets the selection criteria. • Review team members who have previously reviewed applications for the authorizer receive refresher training on the selection criteria and protocols prior to reviewing applications for approval. • The authorizer requires a formal written conflict of interest statement to be signed by every internal and external reviewer of applicants. • The authorizer initiates removal of an internal or external reviewer from evaluating an application. 	<ul style="list-style-type: none"> • Evaluation includes a detailed review of the written application, an in-depth interview with finalists, and a thorough background review of the applicant's experience and capacity. • Application evaluators are trained annually on the selection criteria, the evaluation process and the protocols. <i>[e.g., interview guides used for all applicants, rubrics that require the evaluator to score and document how the applicant rates on the selection criteria, etc.]</i> • The review team documents in detail the evidence to support whether or not the applicant meets the selection criteria. • An established policy and process are consistently followed that ensures all internal and external reviewers do not have a real or perceived conflict of interest with the applicants they are reviewing. • The authorizer requires a formal written conflict of interest statement to be signed by every internal and external reviewer of applicants. • The authorizer initiates and documents the removal of an internal or external reviewer from evaluating an application if a formal conflict of interest is found.

Application Process & Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

Fordham’s reviewers complete a detailed rubric when evaluating each application. In addition to applying a four-point rating on each application question, reviewers must identify their questions and concerns, identify notable strengths, and identify the sources of information that the reviewer considered when forming his or her assessment (e.g., written application, due diligence information, supplemental information provided by the applicant, or the capacity interview). The rubric defines the criteria for “excellent” or at a minimum what is required for an applicant to “meets the standard” (the highest rating on the four-point scale). Reviewers must provide a rationale and reference application page numbers or attachments with each comment; documenting evidence and making it easier for the entire review team and governing board members to see why an applicant was given a particular rating.

Fordham trains all reviewers prior to each application cycle, regardless if the person has previously reviewed applications. The training clearly explains Fordham’s expectations for reviewers, details the evaluation process reviewers will follow, and defines the four-point rating scale. Irrespective of the reviewer’s expertise, all team members review all sections of each school’s application. All team members sign a conflict of interest disclosure before reviewing applications.

Application Process & Decision Making

	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>H. Rigorous Decision Making</p> <p><i>Rigorous decisions are based upon a thorough analysis of a comprehensive body of objective evidence.</i></p>	<ul style="list-style-type: none"> • Almost all applicants that apply are approved, regardless of the strength of the application. • Preliminary agreements are made with schools that had previously closed and/or were non-renewed by their previous authorizer. 	<ul style="list-style-type: none"> • The majority of applications that meet a general framework of criteria are approved. • Preliminary agreements are made with charter schools that meet one or more of the following criteria: <ul style="list-style-type: none"> ○ Fail to clearly demonstrate the capacity to successfully operate (e.g., lack of staffing, lack of resources, questionable governance, history of poor performance, etc.); ○ Little or no market research data to support the school’s opening; ○ Little or no data to support a successful educational model; ○ Questionable business plan and limited resources to support the school’s launch (e.g., reliance on unsecured loans and/or management company financial support); or ○ Were previously closed and/or non-renewed by their previous authorizer. 	<ul style="list-style-type: none"> • Applicants that meet the majority of the criteria are approved. • Enters into preliminary agreements with schools that meet most of the following criteria: <ul style="list-style-type: none"> ○ Clear capacity to successfully operate a new school (e.g., lack of staffing, lack of resources, questionable governance, history of poor performance, etc.); ○ Researched data shows strong market demand for the proposed school (e.g., mission, location, grades served, proximity of high quality public & private school options) ○ Quality educational program; ○ Solid business plan and a start-up budget to support the school’s launch and sustained early operations; and, ○ The school has not been recycled: previously closed or non-renewed by its previous authorizer. 	<ul style="list-style-type: none"> • Only applicants meeting all, or almost all, of the criteria are approved. Any perceived minor deficiencies are addressed in the contract process. • Only enters into preliminary agreements with schools that meet all of the following criteria: <ul style="list-style-type: none"> ○ Clear capacity to successfully operate a new school (e.g., lack of staffing, lack of resources, questionable governance, history of poor performance, etc.); ○ Researched data shows strong market demand for the proposed school (e.g., mission, location, grades served, proximity of high quality public & private school options) ○ Quality educational program; ○ Solid business plan and a start-up budget to support the school’s launch and sustained early operations; and, ○ The school has not been recycled: previously closed or non-renewed by its previous authorizer.

Application Process & Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

Fordham is selective in the schools that it chooses to authorize, and only offers contracts to applicants that have a research-based educational program, a solid business plan, meet a market demand, and that clearly have the capacity to successfully operate a charter school.

Once the review team completes its analysis, the Director of Fordham’s authorizing office puts forward recommendations for chartering new schools to the Ohio Policy & Sponsorship Committee and then to the full governing board. For each recommended charter, the Director shares the school’s application; the team’s rating of the application; and the proposed length of term of the contract. Many of Fordham’s governing board members are national experts with deep expertise in charter school education; this active board reviews every recommended application very closely, and in some instances pushes back questions to the Director and asks questions directly to the charter school applicants. While the governing board typically approves the new charters recommended, the board recently chose not to give a charter to a recommended applicant.

During the 2012-2013 school year, only one of the four applicants that applied was approved and offered a contract with Fordham. During the 2013-2014 school year, only one of three applicants was approved to move to the interview stage of the process. Based upon the sample of approved and unapproved applications provided for this review, it is clear that Fordham only offers contracts to applicants that meet ALL of their selection criteria.

Question to Fordham: Why did the governing board not take the recommendation?

Performance Contracting

	Poor or Undeveloped	Ineffective	Effective	Exemplary
A. Contract Student Performance Measures	<p>Most contracts include:</p> <ul style="list-style-type: none"> ○ Vague measures of student performance, such as local report card ratings or statewide assessments. ○ No specific metrics and targets for school-wide performance (e.g., “80% proficiency in 3rd grade reading and math OAA) 	<p>Most contracts include:</p> <ul style="list-style-type: none"> ● Multiple measures of student performance , which may include the following: <ul style="list-style-type: none"> ○ statewide assessments, ○ attendance, or ○ <i>if applicable, graduation rates.</i> ● Metrics and targets for school-wide performance are vague (e.g., meet state standards) ● Targets are for the all students group; they do not include subgroups of students. 	<p>All contracts may include the following:</p> <ul style="list-style-type: none"> ● multiple measures of student performance, such as <ul style="list-style-type: none"> ▪ proficiency rates on state assessments ▪ <i>if applicable, student academic growth,</i> ○ <i>if applicable,</i> graduation rates, ○ attendance, and ○ <i>if applicable, post-secondary enrollment</i> after high school. ● Metrics and targets for school-wide performance are specific (e.g., 80% proficiency in 3rd grade reading, meet or exceed value added, etc.) ● Targets include all students and subgroups of students. 	<p>All contracts include all of the following student measures:</p> <ul style="list-style-type: none"> ○ proficiency rates on state assessments, ○ student academic growth, ○ graduation rates, ○ attendance, ○ <i>if applicable, post-secondary enrollment</i> after high school, and ○ <i>if applicable, student performance on other valid and reliable assessments</i> as laid out in the contract. ○ Metrics and targets are specific and rigorous. ○ Targets include all students and subgroups of students. ○ At a minimum, targets are set that compare the school’s student performance to the state, schools serving similar populations and/or schools in the same geographical area. ○ Mission-specific academic goals may be included; such goals include specific metrics and targets.

Performance Contracting

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

Fordham has recently developed a new accountability plan that has been incorporated into its school contracts as Exhibit IV. The student performance measures are the same for all grades/schools with the exception of grades K-2. If a certain metric does not apply (e.g. high school graduation rates for an elementary school), the metric is simply noted as Not Applicable. Grades K-2 have separate academic indicators. All schools have the same absolute, specific targets and are not differentiated by baseline academic data. The targets do not compare the schools' student performance to the state (except for statewide charters) or schools serving similar populations, but do compare schools in the same geographic area (e.g. local market).

Two secondary performance measures in the contracts include Value-Added grades and an Annual Measurable Objectives (AMO) grade. Value-Added targets include the overall grade, as well as targets for sub-groups representing the lowest performing 20% of students, students with disabilities, and gifted students. The AMO measure compares the performance of each of the school's subgroups against the performance of "all students" at the state level, resulting in a single overall letter grade.

While the current academic targets are the same for all schools, Fordham is considering modifying the benchmarks for their schools currently in "school turnaround." After carefully reviewing the most recent academic performance of two of its schools in turnaround, the measures and targets may need to be modified to allow for realistic improvements over the term of the contracts.

Recommendation: Build upon the overall AMO grade measure already included in the performance framework by examining the performance of specific subgroups (i.e., racial/ethnic, students with disabilities, LEP, and economically disadvantaged) to determine if gaps exist that a school needs to improve upon in the future.

Performance Contracting

	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>B. Contract Terms for High-Stakes and Ongoing Reviews</p> <p><i>A performance review upon which renewal decisions are made.</i></p>	<ul style="list-style-type: none"> Contract renewal is essentially automatic and contract language may specify automatic renewal as the default. Authorizer contracts rarely specify a high-stakes review to take place prior to contract renewal. 	<ul style="list-style-type: none"> Contract renewal is essentially automatic and contract language may specify automatic renewal as the default. Authorizer contracts occasionally specify a high-stakes review to take place prior to contract renewal, but at least every 5 years for extended contracts. 	<ul style="list-style-type: none"> Authorizer contracts regularly specify a required high-stakes review to take place prior to contract renewal, but at least every 5 years for extended contracts. 	<ul style="list-style-type: none"> All authorizer contracts specify a required high-stakes review to take place prior to contract renewal, and at least every 5 years for extended contracts.

Rating: 4 - Exemplary

While the term “high-stakes review” is not used in its contract language, Fordham’s contracts note that schools must apply for contract renewal at least every five years and that the application will closely examine the following:

- The school’s academic and organizational performance over the term and against the targets specified in the contract;
- The school’s financial viability as assessed by monthly financial statements, annual audit, and enrollment trends;
- The school’s compliance with local, state, and federal laws; and,
- The school’s fidelity in implementing its Educational Plan as agreed upon in the contract.

Fordham reports all of these data and measures annually to each school; this is in addition to the application that schools must complete for contract renewal.

Performance Contracting

	Poor or Undeveloped	Ineffective	Effective	Exemplary
C. Contract Terms for Renewal and Non-renewal	<ul style="list-style-type: none"> • Contracts rarely define the performance standards and criteria and conditions for renewal. • Contracts rarely define the consequences for meeting or not meeting standards and conditions. 	<ul style="list-style-type: none"> • Most contracts broadly define the performance standards and criteria and conditions for renewal. • Most contracts broadly define the consequences for meeting or not meeting standards and conditions. 	<ul style="list-style-type: none"> • Most contracts define the performance standards and criteria and conditions for renewal. • Most contracts define the consequences for meeting or the consequences for not meeting standards and conditions. 	<ul style="list-style-type: none"> • All contracts clearly define and detail performance standards and criteria and conditions for renewal. • All contracts clearly define and detail the consequences for meeting or the consequences for not meeting standards and conditions.

Rating: 3 - Effective

The new contracts clearly specify the measures and targets for renewal. Primary and secondary measures are specific. However in practice, Fordham seems to make decisions that do not strictly follow the criteria, but are situational. For example, Dayton Leadership Academies-Dayton View did not meet its goals. By mutual agreement, the school suspended operations for a year; reconfigured its grade span, and opened as a turnaround school. Springfield Academy of Excellence did not meet all criteria and was non-renewed, rather than terminated, allowing it to apply to ODE’s Office of School Sponsorship. There is not a clear line as to when Fordham will or will not renew.

Performance Contracting

	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>D. Contract terms for Amendments and Updates</p> <p><i>All/most authorizers have boiler-plate language noting that amendments may be made to all contracts.</i></p>	<ul style="list-style-type: none"> • No specific conditions for amendment or modifications are noted in the contract. • Authorizer does not modify the terms of a contract, even when it is renewed with the school. 	<ul style="list-style-type: none"> • General conditions for amendment or modifications are noted in the contract. • Authorizer regularly assesses contract language to ensure consistency with changes in state and/or federal law. • Authorizer has an updated contract template that it uses as it authorizes new schools; however, old contracts are not updated to reflect the more rigorous contract terms until the existing contract expires. 	<ul style="list-style-type: none"> • General conditions for amendment or modifications are noted in the contract. • Authorizer regularly assesses contract language to ensure consistency with changes in state and/or federal law. • Authorizer regularly updates all or most of its existing contracts to reflect changes in state and/or federal law. • If an authorizer updates its performance framework to support higher achievement and ensure better compliance in the new schools it authorizes, old contracts are not updated to reflect this new framework until the existing contract expires. 	<ul style="list-style-type: none"> • General conditions for amendment or modifications are noted in the contract. • Authorizer regularly assesses contract language to ensure consistency with changes in state and/or federal law. • Authorizer regularly updates its performance framework to support higher achievement or to ensure better compliance. • Authorizer regularly updates all or most of its existing contracts to reflect changes made in the template it uses for new schools.

Performance Contracting

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 - Exemplary

Fordham’s contracts include general conditions for amendment and modifications. Because contract terms are so short, amendments are not always needed; larger modifications and updates are made when the shorter contracts are renewed.

Outside of the renewals, Fordham constantly assesses and updates contract language to align with changes in statute. As a results of Ohio’s revised accountability system, Fordham recently established an updated performance framework to reflect Ohio’s current accountability measures and to clarify and make more rigorous the performance targets for each measure. This new performance framework is included in the new contracts. Fordham updated/amended existing contracts with the new framework.

As noted in the contract language and substantiated by Fordham, schools often initiate a contract amendment when they seek to make substantial changes in their educational plans or financial models. After seeking guidance from Fordham, the school and authorizer establish a written agreement (e.g., email) with follow-up during site-visits.

Recommendation: As Fordham expands its portfolio of schools, and perhaps is unable to provide as much one-on-one attention as it does now, it may want to consider providing some written guidance to schools (through the contract or otherwise) on when amendments should be sought.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
A. System of Oversight & Evaluation	<ul style="list-style-type: none"> The authorizer’s oversight and evaluation system is reactive, focused only on the school’s compliance with laws. The authorizer rarely enforces consequences for failing to meet compliance requirements or performance expectations. 	<ul style="list-style-type: none"> The authorizer’s oversight and evaluation system is minimal; focusing mainly on the school’s compliance with laws and with limited examination of academic performance. The authorizer occasionally enforces consequences for failing to meet compliance requirements or performance expectations. 	<ul style="list-style-type: none"> The authorizer’s oversight and evaluation system is proactive, collecting and/or accessing and reviewing and/or analyzing data on the school’s compliance with laws and against performance targets stated in the contract. Combined, these sources of data inform contract renewal, termination, and intervention decisions. The authorizer regularly enforces consequences for failing to meet compliance requirements, and sometimes performance expectations. 	<ul style="list-style-type: none"> The authorizer implements a comprehensive performance accountability and compliance monitoring system that is defined by the charter contract and that provides the information necessary to make rigorous and standards-based renewal, termination, and intervention decisions. The authorizer predetermines intervention actions for failure to meet contract requirements and clearly articulates and enforces stated consequences for failing to meet performance expectations or compliance requirements.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating: 3 - Effective</p> <p>Fordham has an extensive, comprehensive and well communicated performance accountability and compliance monitoring system. Fordham’s Master Contract has provisions for intervention that track state law. Probation is described in the performance contract, however, Fordham’s Ohio Committee wanted a monitoring plan when there are concerns that merit a corrective action, but do not rise to the level of probation. This allows Fordham to tailor its response to the uniqueness of each situation. Fordham relies on the broad, yet clear state law regarding suspension. Fordham works with the schools’ boards when there are issues that may lead to formal intervention, so that if they move to that, it doesn’t come as a surprise.</p>				
<p>B. Transparency of Process</p>	<ul style="list-style-type: none"> The authorizer’s major oversight and evaluation processes for application, renewal and closure are not transparent. 	<ul style="list-style-type: none"> The authorizer’s major oversight and evaluation processes for application, renewal and closure are not transparent; however, the timelines are communicated. 	<ul style="list-style-type: none"> The authorizer’s major oversight and evaluation processes for application, renewal and closure are transparent - clearly communicated to schools through contract and documented guidance and acknowledging that some aspects of oversight necessitate flexibility (e.g., a testing investigation). 	<ul style="list-style-type: none"> The authorizer’s oversight and evaluation process is fully transparent; it defines and communicates to schools through the school contract and documented guidance the process, methods, and timing of gathering and reporting school performance and compliance data, while acknowledging that some aspects of oversight necessitate flexibility (e.g., a testing investigation).

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating: 4 - Exemplary</p> <p>Fordham’s oversight and monitoring system is well structured and understood by all of the schools it authorizes. As required by law, Fordham conducts on-site visits twice yearly while classes are in session and monitors compliance on a continuing basis using an online document management system called Epicenter. Schools upload the required documents prior to the site-visits and monthly financial reviews.</p> <p>Schools obtain guidance on individual documents and submission deadlines by accessing Epicenter; users also receive email notifications for all requirements well ahead of submission deadlines. Fordham works Epicenter to provide training on the submission process for individuals new to the system. Epicenter’s Help Center and Fordham staff are available to assist schools needing further help.</p> <p>A Fordham staffer attends each school’s board meetings to monitor governance and answer any questions on the oversight process and on the findings documented in each site-visit report.</p> <p>In addition to the legally required twice yearly site-visits and online compliance monitoring, Fordham implements a school specific oversight plan for schools in corrective action or when unexpected issues arise that necessitate further scrutiny. Per the school interviews, Fordham provides an extensive reports, including compliance information, classroom observations, finances, student interviews, family interviews, input from the school’s governing authority. The report is shared with the governing authority and school leadership.</p>				

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>C. Enrollment & Financial Reviews</p> <p><i>Note: when an authorizer is reviewing certain EMO/CMO affiliated schools, it may not have access to all the financial records deemed necessary for the authorizer to do a full financial review. (Protocol issue)</i></p>	<ul style="list-style-type: none"> The authorizer rarely reviews the enrollment and financial records of each school. When or if reviewed, the authorizer provides few details and feedback that is rarely of value to the school. No consideration is given to the qualifications of the individual performing the review on behalf of the authorizer. 	<ul style="list-style-type: none"> The authorizer minimally reviews the enrollment and financial records of each school, and provides occasional feedback with limited details and that are of limited use to the school. Some consideration is given to appropriate qualifications of the authorizer’s reviewer. 	<ul style="list-style-type: none"> The authorizer reviews and provides monthly feedback on the enrollment and financial records of each school. All revenue sources are considered against the school’s annual budget. Consideration is given to the qualifications of the authorizer’s reviewer respecting school financial reviews. 	<ul style="list-style-type: none"> The authorizer reviews and provides monthly feedback on the enrollment and financial records of each school. The authorizer’s recommendations to the board are pro-active in that they help the school achieve greater efficiencies, and also results in timely interventions when problems arise. All revenue sources are considered against the school’s annual budget. The authorizer employs a licensed school treasurer or equivalent to conduct school financial reviews, which include the following: <ul style="list-style-type: none"> budget ledgers, transaction detail reports, five year forecasts, and previous Auditor of State reports.

Oversight & Evaluation			
	Poor or Undeveloped	Ineffective	Effective
<p>Rating: 4 - Exemplary</p> <p>Fordham’s fiscal specialist holds monthly calls with the treasurer of each school. Treasurers submit documents to Fordham prior to each call, which are reviewed and then discussed during the phone call. Depending upon school-specific issues, calls typically take 30 minutes to an hour; when necessary, follow-ups are exchanged via email.</p> <p>Topics of discussion that are typically raised during monthly conference calls include:</p> <ol style="list-style-type: none"> 1. Enrollment Records / Student Full-Time Equivalent: Utilizing SOES and SF3 reports, a brief review of the month’s student enrollment and average daily attendance are conducted during the call. Attention is given to specific subgroups (e.g., special education). 2. Income Statement / Monthly Budget-to-Actuals: Utilizing income statements, budgets-to-actuals, balance sheets, monthly bank statements, fund by source reports, cancelled checks, advanced payable reports, reconciliation summary and detail reports, CCIP, and fixed asset ledger, Fordham examines the school’s revenue, expenditures, and changes in net assets. 3. Cash Flow and Cash Reserves Position: Utilizing income statements, budgets-to-actuals, balance sheets, monthly bank statements and cancelled checks, Fordham reviews monthly cash flow and cash flow over several months to gauge the financial health of the school. 4. Audits: Utilizing audit reports, audit finding letters, or management letters, Fordham discusses any outstanding audit issues that require follow-up action by the treasurer or school. <p>Fordham documents all notes from the call. Fordham also utilizes a “financial dashboard,” which displays a comprehensive overview of each school’s financial health over a three-year period.</p>			

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>D. Financial Audit Follow-up</p> <p><i>Note: when an authorizer is reviewing certain EMO/CMO affiliated schools, it may not have access to all the financial records deemed necessary for the authorizer to do a full financial review. (Protocol issue)</i></p>	<ul style="list-style-type: none"> When it receives timely notice and the school agrees to the meeting, the authorizer never attends the school’s closing audit conference. The authorizer either rarely follows-up with schools on issues identified in a school’s annual audit by the Auditor of State or is excessive in its follow-up and direction to the school. 	<ul style="list-style-type: none"> When it receives timely notice and the school agrees to the meeting, the authorizer never or rarely attends less than half of the schools’ closing audit conferences. The authorizer may follow-up on legal compliance issues identified in a school’s annual audit by the Auditor of State. 	<ul style="list-style-type: none"> When it receives timely notice and the school agrees to the meeting, the authorizer attends the majority of the schools’ closing audit conferences. The authorizer addresses the majority of issues identified in a school’s annual audit by the Auditor of State, including findings for recovery, issues of material non-compliance, and so on. If the authorizer requires the school to engage in a Corrective Action Plan, the authorizer monitors the school’s implementation of the plan. 	<ul style="list-style-type: none"> When it receives timely notice and the school agrees to the meeting, the authorizer always attends the schools’ closing audit conferences. The authorizer thoroughly addresses issues identified in a school’s annual audit by the Auditor of State, including findings for recovery, issues of material non-compliance, and so on. These actions are evidenced by correspondence and/or meetings between the school and the authorizer. <p>Examples of a school’s corrective action could include but not limited to:</p> <ul style="list-style-type: none"> adopting or advising relevant policies, reducing deficiencies by implementing additional internal controls, and/or setting up a board audit committee; the follow-up to measure, along with school’s status of previous citations/concerns/comments from the Auditor; the authorizer engages in follow-up to measure the school’s progress in ensuring that similar future findings are avoided, with or without a formal Corrective Action Plan.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating: 4 – Exemplary</p> <p>Fordham’s financial reviewer is in regular contact with the Auditor of State. Fordham attends each school’s pre-audit conference with the Auditor of State in order to understand the timeline for completed deliverables. Fordham’s financial reviewer is alerted when the school has not submitted something to the auditor. The authorizer attends the closing audit conference with the Auditor of State, unless the school has a clean audit or waives the closing audit conference.</p> <p>Every month Fordham’s staff members discuss financial issues with each of their authorized schools, including any follow-up needed should that be indicated in the school’s audit.</p>				

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
E. Site Visit Protocols & Training	<ul style="list-style-type: none"> During an onsite review, data are collected from a school employee available at the school on the day of the review. The authorizer’s onsite reviewers receive very little training on the site visit process and no protocols are used. 	<ul style="list-style-type: none"> During an onsite review, data are collected from a school employee available at the school on the day of the review. The authorizer has an onsite visit protocol; however, its onsite reviewers are not trained on the tool; and therefore, There is no evidence of consistent use of the protocol across reviewers. 	<ul style="list-style-type: none"> During an onsite review, data are collected from school administrators and a sample of instructors. The authorizer’s onsite reviewers are trained on and regularly use observation and interview protocols. There is evidence of consistent use of the protocols across reviewers. Data may be collected through a variety of means and throughout the school year. 	<ul style="list-style-type: none"> During an onsite review, data are collected consistently from a variety of stakeholders, which may include the charter school’s governing board members, administrators, teachers, students, parents, and staff from the management company (if applicable). Reviewers receive ongoing training, formal or informal, on the purpose, criteria, process and protocols of conducting onsite visits. Additionally, training is provided as needed to remain current with changes in law. Data may be collected through a variety of means and throughout the school year.

Oversight & Evaluation

	Poor or Undeveloped	Ineffective	Effective	Exemplary
--	---------------------	-------------	-----------	-----------

Rating: 4 - Exemplary

Training for authorizing staff conducting onsite, enrollment and financial reviews consists of reviewing Fordham’s policies and protocols (on-site reviews, monitoring finances, etc.), and shadowing a more experienced staff member. Staff typically participates in several shadowing experiences before independently conducting a site visit or financial review.

Shadowing involves the newer staff member following an experienced staff member through the entire monitoring process. The new staff member is included in all pre-visit communications (e.g. emails), the gathering of historical information prior to the visit (e.g., written questionnaire completed by the school’s leadership), participating in discussions with administrators, and conducting classroom observations that occur during the site-visit. The more seasoned staff member writes the final site-visit report.

Fordham believes how you deal with people and present yourself is very important to a successful relationship with its charter schools; this attitude is also modeled during the training process for new staff.

Fordham does not use interview or observation guides for the on-site visits, however the school leader receives a written questionnaire prior to the visit in order to confirm any changes from the prior year. The reviewers meet with the schools leadership. Training on conducting classroom observations occurs during the shadowing of experienced staffers.

Recommendation: After shadowing, both the seasoned and new staff member draft the site-visit report to compare and contrast their findings. Both parties may learn from this exercise.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>F. Site Visit Reviewer Expertise</p> <p><i>Deep understanding of essential principles, gained through training and/or several years working in the field and mastering the principles.</i></p>	<ul style="list-style-type: none"> • Site visit reviewers have little or no experience working in or authorizing charter schools. At least one review team member is trained in school finance, but has limited experience applying the knowledge in reviewing charter school compliance data gathered from the site visit. • No external sources are sought in education related areas for which the authorizing staff lacks expertise. These areas include: <ul style="list-style-type: none"> ○ Charter schools; ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and, ○ School governance. 	<ul style="list-style-type: none"> • At least one dedicated site visit reviewer has limited experience (less than two years) working in or authorizing charter schools, and at least one other site visit reviewer has limited training and limited experience or knowledge in one or more of the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and/or ○ School governance. • When existing staff do not have the range of expertise needed, the authorizer sometimes contracts with external sources to complete particular aspects of the site visit review. 	<ul style="list-style-type: none"> • The authorizer has at least one dedicated site visit reviewer with two or more years of experience working in or authorizing charter schools. • Other reviewers are certified (where appropriate) and have experience working in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; and, ○ School finance; and, ○ School governance. • When existing reviewers do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of the site review. 	<ul style="list-style-type: none"> • Many of the reviewers have practiced in charter schools or authorizing for several years, and have diverse expertise (and certification where appropriate) in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; and, ○ School finance; and, ○ School governance. • If the charter school has a distinct focus (e.g., online delivery, special education, dropout recovery), the reviewers of these schools are knowledgeable in the area of the school's focus. • When existing reviewers do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of the site visit review.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating: 4 – Exemplary</p> <p>Members of Fordham’s site visit team are experienced in school law, school finance, board relations, facilities, and new school start-up. When the evidence is beyond the capacity of the site-reviewer to determine the extent of the problem or beyond the school’s ability to fix, then Fordham brings in someone with deeper expertise on that particular issue (e.g., comprehensive evaluations for special education or curriculum experts to monitor educational plan, etc.)</p>				
G. Site Visit Reports	<ul style="list-style-type: none"> Based upon information from site visits, the authorizer may provide the school with a written report but which fails to provide any relevant information about the school’s operations. There is no follow-up. 	<ul style="list-style-type: none"> Based upon information from site visits, the authorizer provides the school with a written report of general findings, may include areas needing improvement. There may or may not be follow-up for improvement areas. 	<ul style="list-style-type: none"> Based upon information from site visits, the authorizer provides the school with a written report which includes the following: <ul style="list-style-type: none"> the information collected; and areas needing improvement. Ongoing, the authorizer requests and reviews status updates from the school pertaining to any areas needing improvement. 	<ul style="list-style-type: none"> Based upon information from site visits throughout the year, the authorizer provides the school with a written report which includes the following: <ul style="list-style-type: none"> the information collected; areas of strength; and areas needing improvement. Ongoing, the authorizer requests and reviews status updates from the school pertaining to any areas needing improvement.

Oversight & Evaluation

	Poor or Undeveloped	Ineffective	Effective	Exemplary
--	---------------------	-------------	-----------	-----------

Rating: 4 - Exemplary

After each fall and spring site-visit, Fordham provides its schools with a comprehensive and very detailed report on the school’s compliance with local, state, and federal laws; the school’s financial and organizational management; the school’s academic, financial, and governance performance, as measured against the performance targets specified in the contract; and, identifies areas needing to improve.

Fordham’s site-visit reports detail the documents examined (e.g., compliance and academic performance) and the data collected (e.g., classroom and general observations made by site-reviewers). Each spring report includes data and findings collected during the previous fall, and notes the follow-up status of any issues identified during the previous site-visit.

Because of the detail provided in each site-visit report, it should be clear to the administrators and the governing authority the cumulative performance of the school. There should be no surprises when the school seeks to renew its contract with Fordham.

Fordham’s website and annual reports to the public highlight the strengths of the charter schools it authorizes. The school interviews and survey responses indicate that Fordham staff continually provide informal feedback on a school’s strengths; however, the site-visit reports do not formalize this positive feedback.

Recommendation: Document each school’s strengths in the school’s site-visit and annual reports.

<p>H. Communication with the Charter School</p>	<ul style="list-style-type: none"> • The authorizer fails to communicate with the school’s Governing Authority; or • The authorizer is inappropriately overly involved in the school’s operations, directing it or making decisions on the governing authority’s behalf. 	<ul style="list-style-type: none"> • The authorizer’s communication with the school’s governing authority is limited, vague and/or inconsistent. 	<ul style="list-style-type: none"> • The authorizer’s communication with the school’s governing authority is frequent, specific and informative regarding the school’s operations. 	<ul style="list-style-type: none"> • The authorizer’s communication is frequent, specific and informative regarding the school’s operations and includes both the school operator and governing authority.
---	---	---	---	--

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating: 4 – Exemplary</p> <p>All site-visit reports are distributed to the school leadership and governing authority. A Fordham staff member attends all governing board meetings to answer any questions on the content of the site-visit report (including process and specific data/compliance elements). Schools are very satisfied with the frequency, method, and usefulness of Fordham’s communication. In addition to its staff, members of Fordham’s governing board attend a school’s governing board meeting when contract renewal decisions are presented and for other sensitive issues that might arise between the authorizer and the school.</p>				

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
I. Respecting Governing Authority Autonomy in Operations	<ul style="list-style-type: none"> The authorizer is inappropriately overly involved in the day-to-day operational decisions of the schools it authorizes and/or operates more as a “program” of the authorizer. Regardless of demonstrated success, all schools have limited or no autonomy over decision-making. The authorizer collects data in a manner that is burdensome to the school, without thought to protect students and public interests. The authorizer never examines its own compliance requirements to possibly minimize burden and increase the autonomy of its schools. 	<ul style="list-style-type: none"> The authorizer is inappropriately slightly involved in the day-to-day operational decisions of the schools it authorizes. The authorizer collects data in a manner that is burdensome to the school, without thought to protect students and public interests. Authorizer may or rarely (no more than once every two years) examines its own compliance requirements to possibly minimize burden and increase the autonomy of its schools. 	<ul style="list-style-type: none"> The authorizer has limited involvement in the day-to-day operations of the schools it authorizes, targeting those that have demonstrated poor performance or non-compliance. The authorizer collects data in a manner that minimizes administrative burden on the school, and protects student and public interests. Authorizer occasionally (once or twice every two years) examines its own compliance requirements to possibly minimize burden and increase the autonomy of its schools. 	<ul style="list-style-type: none"> The authorizer has no involvement in any school’s authority over its day-to-day operations, unless required to as part of its contractual obligations pertaining to intervention. The authorizer collects data in a manner that minimizes administrative burden on the school, and protects student and public interests. The authorizer annually reviews its own compliance requirements and evaluates the potential to increase school autonomy based on flexibility in the law, streamlining requirements or other considerations.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating: 4 - Exemplary</p> <p>Fordham’s staff members are <i>not</i> employed by a school or a school’s management company, nor are its authorizing staff members of the schools’ governing authorities. Fordham does not sell any of its services to the schools it authorizes. While not involved, Fordham’s staff are accessible when needed to provide technical assistance and advice.</p> <p>To minimize burden on schools, Fordham uses an online document management system (Epicenter) as part of its compliance and financial monitoring. School personnel new to the system are trained on the submission process and are provided further assistance through Epicenter’s help center and by Fordham staff.</p> <p>Fordham’s authorizing staff regularly solicit formal (survey) and informal (board meetings and email) feedback from schools on its authorizing practices; discussing the feedback, incorporating changes, and allocating its resources according to the needs identified as part of its continuous improvement process.</p>				

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
J. Intervention	<ul style="list-style-type: none"> • The authorizer is unaware of its obligation to intervene in accordance with Ohio law. • The conditions that trigger intervention are never articulated by the authorizer to its schools. • The authorizer never or rarely provides schools with timely notice of contract violations and/or provides little to no information on performance deficiencies. • There is no evidence that the authorizer (based upon its own oversight or evidence from ODE and/or AOS that a compliance issue(s) exist), intervenes or follows-up on issues with schools in which compliance problems are identified. 	<ul style="list-style-type: none"> • The authorizer is generally aware of its obligation to intervene with a charter school in accordance with Ohio law. • The charter school contract states the conditions that may trigger intervention. • The authorizer occasionally provides schools with timely notice of contract violations, and/or minimal notice of performance deficiencies. • There minimal or limited evidence that the authorizer intervenes with problems related to compliance which are identified during its own oversight or when identified by an external agency, such as ODE or AOS. • When intervention occurs, it is usually very prescriptive in nature and/or the authorizer defaults to another entity, such as ODE or AOS, for intervention guidance. 	<ul style="list-style-type: none"> • The authorizer establishes and makes known to the school in the contract the conditions that may trigger intervention and the types of actions and consequences that may ensue. • The authorizer provides timely notice of contract violations and performance deficiencies. • There is evidence that the authorizer almost always intervenes in the charter school's operations to correct compliance issues or problems in the school's overall performance, based upon the authorizer's oversight, or evidence from ODE and/or AOS. 	<ul style="list-style-type: none"> • The authorizer establishes and makes known to schools at the outset an intervention policy stating the general conditions that may trigger intervention and the types of actions and consequences that may ensue. • The authorizer gives schools clear, adequate, evidence-based, and timely notice of contract violations and performance deficiencies. • The authorizer initiates intervention in the charter school's operations in a timely manner and clearly linked to correcting specific deficits in the school's overall performance. • The authorizer allows school reasonable time and opportunity for remediation in non-emergency situations. • Intervention strategies clearly preserve school autonomy and responsibility (e.g., identifying what the school must remedy without prescribing solutions; and understanding that the school may choose a different path).

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating: 4 - Exemplary</p> <p>Fordham's school contracts contain provisions for placing schools on corrective action, probation, suspension, or termination. General conditions for interventions are provided through the contract. Documentation provided by Fordham shows clear, timely, and repeated follow-up to schools related to identified performance deficiencies. Noted deficiencies are also regularly contained in annual reports and on site-visit reports. Fordham's oversight and evaluation system is continual (e.g. monthly calls with school treasurers) so that once an issue is identified, remediation can immediately begin. The majority of schools surveyed by ODE noted that Fordham "always" provides feedback to the schools when issues are identified through compliance checks, and that Fordham would impose consequences for deficiencies in academic, financial, or operational plans.</p> <p><i>Recommendation: Although Fordham's intervention system appears to be swift and measured, we recommend that Fordham issue guidance on when/how each type of intervention (e.g. corrective action versus probation vs suspension vs termination) is triggered.</i></p>				
K. Oversight & Evaluation Report to Schools	<ul style="list-style-type: none"> Provides a report, very broad in nature, when compliance problems arise that must be addressed by the school. 	<ul style="list-style-type: none"> Provides a report to each school, summarizing fiscal and operational compliance. 	<ul style="list-style-type: none"> Provides a report to each school, summarizing its performance and compliance to date. 	<ul style="list-style-type: none"> Provides a report to each school, summarizing its performance and compliance to date and identifying areas of strength and areas needing improvement.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rate: 4 – Exemplary</p> <p>After each fall and spring site-visit, Fordham provides its schools with a comprehensive and very detailed report on the school’s compliance with local, state, and federal laws; the school’s financial and organizational management; and, the school’s academic, financial, and governance performance, as measured against the performance targets specified in the contract.</p> <p>Fordham considers its spring site-visit report to be its annual oversight report for each school. Because of the detail provided in each site-visit report, it should be clear to the administrators and the governing authority the cumulative performance of the school. There should be no surprises when the school seeks to renew its contract with Fordham.</p> <p>Fordham’s website and annual reports to the public highlight the strengths of the charter schools it authorizes. The school interviews and survey responses indicate that Fordham staff continually provide informal feedback on a school’s strengths; however, the site-visit reports do not formalize this positive feedback.</p> <p><i>Recommendation: Document each school’s strengths in the school’s site-visit and annual reports.</i></p>				
L. Annual Report to the Public	<ul style="list-style-type: none"> The authorizer provides the general public and ODE with a very brief report on the school’s compliance with the laws for each of the schools it authorizes. 	<ul style="list-style-type: none"> The authorizer produces an annual report for each of the schools that it authorizes. These reports provide limited information on the school’s compliance with the laws and meeting the terms of its contract. 	<ul style="list-style-type: none"> The authorizer produces an annual report on the individual schools that it oversees. These reports include informative data on the school’s compliance with the laws and meeting the terms of its contract. 	<ul style="list-style-type: none"> The authorizer produces an annual public report that provides clear, accurate performance data for the charter schools it oversees, reporting on individual schools and its overall portfolio performance and progress toward achieving its authorizing mission.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rate: 4 – Exemplary</p> <p>Fordham’s annual report to the public is a very comprehensive document, detailing the compliance and academic performance of each school, as well as the aggregate performance of all of the schools in its portfolio. The performance results for each school are displayed against the performance frameworks found in the contracts. Besides comparing to the framework, Fordham compares the performance of its schools against the top charter schools in the state and the statewide average performance (including all public schools, districts, and charter schools). The report notes the positive strength of its schools, including from the perspective of the schools, their teachers and educational partners. Further, Fordham’s report acknowledges the areas that the schools need to improve upon, as well as the areas it needs to improve upon in its authorizing goals and responsibilities. Fordham’s annual report is very transparent, describing in detail its oversight responsibilities, the performance it expects of its schools, its annual review of schools, and the technical assistance it provides to the schools it authorizes. In addition, Fordham describes the decision-making strategies of its governing board, as well as the financial resources that it allocates for its work as an authorizer.</p>				

Termination & Renewal Decision Making

	Poor or Undeveloped	Ineffective	Effective	Exemplary
--	---------------------	-------------	-----------	-----------

Termination & Renewal Decision Making

	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>A. Contract Termination</p> <p><i>Termination occurs when the authorizer chooses to close a charter school prior to the expiration date/term of the charter school contract.</i></p> <p><i>Non-renewal of a contract occurs at the end of a charter school's contract term.</i></p>	<ul style="list-style-type: none"> • The criteria for terminating a school's contract during its charter term are defined in the contract. • The authorizer does not have a written policy explaining the grounds for termination, nor the procedures to be followed if termination is required. • Even when evidence is brought before it that an egregious violation of law has occurred, the authorizer never terminates a school's contract during its charter term. • The authorizer relies upon the state's closure law. 	<ul style="list-style-type: none"> • The criteria for terminating a school's contract during its charter term are defined in the contract. • The authorizer does not have a written policy explaining the grounds for termination, nor the procedures to be followed if termination is required. • The authorizer does not seek evidence that might result in termination of a school's contract during its charter term, but will consider evidence brought before it. • The authorizer seldom terminates a school's contract when there is an egregious violation of law such as clear self-dealing (e.g., funneling school resources to family & friends of school board members and/or staff); falsifying data (financial or student) 	<ul style="list-style-type: none"> • The criteria for terminating a school's contract during its charter term are clearly defined in the contract. • The authorizer has a written policy explaining the grounds for termination and the procedures to be followed if termination is required. • The authorizer's ongoing oversight and evaluation provides evidence for these decisions to be made. • The authorizer may terminate a school's contract during its charter term when there is evidence of some or all of following: <ul style="list-style-type: none"> ○ unacceptable academic performance; ○ egregious violations of law; ○ extreme financial mismanagement leading to the school's demise; or ○ unfaithfulness to the terms of the contract (e.g., clear mismatch between school's mission and its actual program). 	<ul style="list-style-type: none"> • The criteria for terminating a school's contract during its charter term are clearly defined in the contract. • The authorizer has a written policy explaining the grounds and criteria for termination; the specific evidence it will collect and/or document, and the procedures both the school and the authorizer will follow to wind-up the school's operations. • The authorizer terminates a school's contract during its charter term when there is clear evidence of some or all of following: <ul style="list-style-type: none"> ○ extreme underperformance; ○ an egregious violation of law; ○ a violation of the public trust that imperils students health and well-being or public funds (theft); or ○ unfaithfulness to the terms of the contract (e.g., clear mismatch between school's mission and its actual program).

Termination & Renewal Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 3 – Effective

Fordham’s contracts explain the grounds and criteria for termination, as well as the evidence it will collect and/or document if it terminates a school’s contract prior to its expiration. Fordham’s termination policy is consistent with Ohio statute. Fordham’s formal protocol document details the procedures the school and authorizer will follow to wind-up the school’s operations.

The authorizer has never officially “terminated” a school’s contract prior to its expiration, even when its low performance warranted such termination (e.g., Springfield Academy of Excellence). Fordham prefers to work with a failing school’s governing board, helping them see that it is not in their best interest to continue operating and strongly suggests the school choose to close on its own - before Fordham would institute termination. Fordham has suspended a school’s contract before the end of the contract term (e.g., Dayton Leadership Academy - Dayton Liberty Campus). Instead of terminating its contract with Springfield Academy of Excellence, which performed poorly over multiple contracts with Fordham, Fordham chose to non-renew the schools contract, thus allowing it to seek another sponsor and continue poorly serving students.

Termination & Renewal Decision Making

	Poor or Undeveloped	Ineffective	Effective	Exemplary
B. Evidence Based Renewal	<ul style="list-style-type: none"> Contract renewal is almost always assumed or made based upon factors other than school performance. 	<ul style="list-style-type: none"> The contract renewal decision is based upon a limited body of academic and operational evidence (e.g., recent financial audits, recent compliance monitoring reports, or the school’s most recent state accountability report card). 	<ul style="list-style-type: none"> The contract renewal decision is based upon a substantial body of evidence of legal compliance and performance. These data inform renewal decisions. Evidence may include at least two of the following: <ul style="list-style-type: none"> multiple years of student achievement; multiple measures of student achievement, including statewide assessments and measures; financial audits; or site visit reports and/or other compliance reports. 	<ul style="list-style-type: none"> The authorizer bases the renewal process and renewal decisions on thorough analysis of a comprehensive body of objective evidence defined by the performance framework in the charter contract. Evidence includes at least all of the following: <ul style="list-style-type: none"> multiple years of student achievement; multiple measures of student achievement; financial audits; site visit reports and/or other compliance reports; and, status reports on corrective action plans or other required interventions, if necessary.

Termination & Renewal Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 – Exemplary

Fordham provides its schools with clear guidance on the renewal process, including the criteria it considers when making its decision to renew or not renew a school’s contract. In addition to reviewing the school’s renewal application, Fordham examines the school’s performance against the contract terms, site visit and Epicenter data, and the financial and governance monitoring data collected throughout the term of the current contract.

Fordham recently updated the performance framework in all of the contracts with its schools; the updated measures align with Ohio’s current accountability system and the targets are more rigorous than in previous years.

C. Renewal and Non-Renewal Decisions

- The authorizer **grants renewal to all schools regardless of failure** to meet the terms and academic achievement targets in their contract, **fiscal or organizational problems**, or **compliance with the law**.

- The authorizer **inconsistently grants renewal to schools, even those that have failed** to meet the terms and academic achievement targets in their contract; **have fiscal or organizational problems**; or **have been out of compliance** with the law.

Note: This approach to renewal decisions is evident regardless of the strength of the performance framework.

- The authorizer **grants renewal to schools that are fiscally and organizationally viable and that meet most of the following criteria:**
 - achieve their contractual academic standards and targets; or
 - faithful to the terms of their contract.

Note: Even in the absence of a strong performance framework, the authorizer consistently applies performance-based criteria in making renewal decisions.

- The authorizer **only grants renewal to schools that are fiscally and organizationally viable based on criteria in the school’s performance framework with rigorous, specifically goals and targets:**
 - achieve their contractual academic standards and targets; and
 - faithful to the terms of their contract.

Note: it is assumed that an exemplary authorizer uses a performance framework with rigorous, specific goals and targets.

Termination & Renewal Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 3 – Effective

While Fordham collects and considers a large amount of data when renewing a school’s contract, it sometimes uses discretion and does not always appear to make decisions based upon the data.

Instead of terminating its contract with Springfield Academy of Excellence, which academically performed poorly over multiple contracts, Fordham chose to allow the school to continue operating until it finally decided to non-renew the schools contract after the 2012-2013 school year.

Fordham suspended a school’s contract before the end of the contract term due to low academic performance; therefore forcing the school to close, but leaving open the door to continued operation. Concerning the suspension of Dayton Leadership Academy – Dayton Liberty, Fordham allowed the school’s board to suspend its operations, even though its sister school, Dayton View, was the lower performing of the two. However, supporting the board in its decision, the school reorganized and re-focused its efforts, came out of suspension and is now educating students.

Termination & Renewal Decision Making

	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>D. Cumulative Report on Performance</p> <p><i>Note: Provided each year to the school's governing authority, the cumulative report builds a record of the school's performance over the charter term.</i></p> <p><i>The cumulative report is used as part of the evidence based renewal decisions described in Indicator B.</i></p>	<ul style="list-style-type: none"> • Does not provide the charter school a report on its cumulative performance, other than the Authorizer's Compliance Review report submitted annually to the department. 	<ul style="list-style-type: none"> • May annually provide the charter school with a report, but it does not relate to the school's performance against its contract; and/or • When a report is given, it does not include multiple years of performance data against its contract term. 	<ul style="list-style-type: none"> • Annually provides each charter school with a report of its performance; • The report includes multiple years but may not include the school's entire charter term. 	<ul style="list-style-type: none"> • As referenced in the school's contract, provides each charter school, in advance of the renewal decision, a cumulative performance report that summarizes the school's performance record over the charter term and states the authorizer's summative findings concerning the school's performance and its prospects for renewal.

Termination & Renewal Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 - Exemplary

Fordham provides a comprehensive site-visit report each fall and spring, which include the school’s performance against its contract terms (academic, financial, and governance). The spring site-visit report includes findings from the fall report, therefore giving the school and Fordham a clear picture of how the school performed that school year. Most of the schools authorized by Fordham have one or two-year contracts; therefore, Fordham only provides each school with performance data for the short time-period of the current contract. Fordham’s authorizing staff regularly discusses with the school administrators and governing authorities the school’s performance against the terms of the contract.

Fordham’s annual reports through the 2011-2012 school year display multiple years of the academic performance on each of its sponsored schools. The 2011-2012 annual report also went into great detail about the struggles of two of Fordham’s lowest performing charter schools (Dayton View and Dayton Liberty campuses), describing the history and reasons for their decline in performance. Fordham suspended by mutual agreement with the board, the Dayton Liberty campus for the 2013-2014 school year.

Because of the recent changes in Ohio’s Accountability System and the revised performance frameworks in all contracts, Fordham did not include historical data in its most recent annual report (2012-2013).

Between the site-visit reports, Fordham’s annual reports, and on-going monitoring, Fordham’s schools should have a clear idea as to whether or not Fordham would renew their contract.

Termination & Renewal Decision Making

	Poor or Undeveloped	Ineffective	Effective	Exemplary
E. Transparent Renewal Application Process	<ul style="list-style-type: none"> The authorizer does not have an application process for contract renewal. 	<ul style="list-style-type: none"> The authorizer may have an application renewal process, but does not consistently require schools to follow the process, nor does it specify criteria for renewal. 	<ul style="list-style-type: none"> The authorizer has an application process and requires all schools seeking renewal to apply through a renewal application. The guidance regarding the renewal process is non-specific as to criteria, content and/or format; The process may allow a school to present additional evidence regarding its performance. 	<ul style="list-style-type: none"> The authorizer has an application process and requires all schools seeking renewal to apply through a renewal application. The requirements for renewal are publicly available and include written guidance regarding the process, content and format for renewal applications, as well as criteria/standards used to evaluate the applicant and a timeline. The application provides the school an opportunity and reasonable time to respond to the cumulative report; correct the record, if needed; and present additional evidence regarding its performance.

Termination & Renewal Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 - Exemplary

Fordham provides its schools with clear guidance on the renewal process, including the criteria it considers when making its decision to renew or not renew a school’s contract. In addition to reviewing the school’s renewal application, Fordham examines the school’s performance against the contract terms, site visit and Epicenter data, and the financial and governance monitoring data collected throughout the term of the current contract.

While there is no formal appeals process, Fordham provides schools the opportunity to respond and to present additional evidence that would support renewing the school’s contract. Fordham listens to schools that pushback on its decisions. Members of Fordham’s governing board and its authorizing staff attend the school’s governing authority meeting to discuss and allow responses to Fordham’s decision to non-renew a contract.

F. Prompt Notification and Explanation of Reasons for the Renewal Decision

- The authorizer’s **written notification** of renewal decision **rarely includes an explanation of the reasons** for the decision.
- **Parents and students** have **almost no time and no information** to make informed choices for the coming school year.

- The authorizer’s **written notification** of renewal **includes a very limited explanation** of the reasons for the decision.
- **Parents and students** have **little time and limited information** to make informed choices for the coming school year.

- The authorizer **promptly notifies** each school of its renewal decision, **including a written explanation of the reasons** for the decision.
- **Parents and students** have **enough time and information** to make informed choices for the coming school year.

- The authorizer **promptly notifies** each school of its renewal decision, **including a specific written explanation** of the reasons for the decision (e.g., actual performance standard and performance level against the specific targets and goals in the contract).
- **Parents and students** have **ample time and information** to make informed choices for the coming school year when a school’s contract is non-renewed.

Termination & Renewal Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 3 – Effective

Fordham has a formal protocol for closing schools. In accordance with law, Fordham informs the school’s governing board by January of its reasons and decision not to renew its contract with the school. Through Fordham’s close monitoring of corrective action plans and its well-documented site-visit and annual reports, schools should have a clear and timely understanding as to whether or not Fordham will renew their contract.

Typically, Fordham and the school inform teachers and families of the closure decision in April or May of that school year. Once informed, Fordham assists the school in holding family fairs that help parents enroll their children in alternative schools for the following school year. Fordham explained that alerting teachers too early in the school year has resulted in some teachers not showing up for work; therefore, they have chosen to alert parents and teachers later in the school year.

Fordham did not specify in the parent/teacher letter the reasons it chose not to renew the school’s contract; however, prompts were provided that explained the reasons for closure should a parent or teacher ask Fordham or the school.

While the delayed notification may have prevented some staff from walking off the job, many parents missed the opportunity to select their preferred school for the next academic year. Many urban districts determine student placement for the following year through a lottery process, which is usually completed in late winter/early spring.

Recommendation: Fordham should consider timing the parent notice to ensure that all public and private options available to families are available (private school voucher enrollment period; resident district magnet school programs; other community school enrollment periods). Fordham’s letter to parents and the community should specify Fordham’s reasons that not renewing a school’s contract.

Termination & Renewal Decision Making

	Poor or Undeveloped	Ineffective	Effective	Exemplary
G. Closure Process	<ul style="list-style-type: none"> • The authorizer is unaware of its obligation to oversee school closure. • In the event of a school closure, the authorizer has no formal policy or procedure for school's to follow. The closing school might default to the ODE guidance. • The authorizer does not oversee the closure process. 	<ul style="list-style-type: none"> • The authorizer is aware of its obligation to oversee school closure; however, it lacks the capacity to oversee; when a school has closed, the authorizer may or may not have submitted the Closing Assurances to ODE. • In the event of a school closure, the authorizer has no formal policy or procedure for school's to follow. The closing school might default to the ODE guidance. • The authorizer does ensure that student records are returned to the home school district. 	<ul style="list-style-type: none"> • The authorizer is aware of its obligation to oversee school closure. • The authorizer may have a formal policy, but at a minimum follows ODE's guidance. • In the event of a school closure, the authorizer oversees the school's governing board and leadership in carrying out a closure process that: <ul style="list-style-type: none"> ○ informs parents, ○ transitions student records to the home school district, ○ disposes of school funds, property, and assets in accordance with law; and ○ submits Closing Assurances to ODE 	<ul style="list-style-type: none"> • The authorizer is aware of its obligation to oversee school closure. • The authorizer has a formal policy (or protocol) for overseeing school closure. • In the event of a school closure, the authorizer oversees and works with the school's governing board and leadership in carrying out a detailed closure protocol that ensures: <ul style="list-style-type: none"> ○ timely notification to parents including assistance in finding new placements ○ orderly transition of students records to home school district, ○ disposition of school funds, property, and assets in accordance with law; and ○ submits Closing Assurances to ODE • The authorizer carries out or has the capacity and commitment to carry out the closure to the extent possible if school's governing authority fails to carry out the protocols.

Termination & Renewal Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: 4 - exemplary

Fordham’s most recent closure was 2011, with earlier closures in 2009, 2008 and 2007. All required documents are on file with the Ohio Department of Education. All of these schools were closed end the end of the contract term; Fordham chose not to renew the contracts with these schools.

Fordham’s formal protocol documents the procedures the school and authorizer will follow to wind-up the school’s operations.

Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>A. Ongoing Technical Assistance to Schools</p> <p>Note: the provision of technical assistance does not mean that the authorizer does work for the school; the authorizer provides guidance, including information about resources; but the authorizer does not do the work.</p>	<ul style="list-style-type: none"> • Technical assistance, if provided to schools, is reactive to problems that arise. • The authorizer does not assess the technical assistance needs of the schools it authorizes. 	<ul style="list-style-type: none"> • Most technical assistance provided by the authorizer is reactive to problems. • The authorizer occasionally solicits information about the technical assistance needs of the schools it authorizes. • The authorizer sporadically provides the technical assistance identified as needed by the schools. 	<ul style="list-style-type: none"> • The authorizer routinely provides timely comprehensive technical assistance in response to issues, problems and concerns identified by either the authorizer or the school. • The authorizer regularly assesses or solicits information about the technical assistance needs of the schools it authorizes. • The authorizer routinely provides the technical assistance identified as needed by the schools. • The authorizer regularly solicits feedback on the quality and impact of the technical assistance that it provides to the schools. 	<ul style="list-style-type: none"> • The authorizer always provides timely comprehensive technical assistance in response to issues, problems and concerns identified by either the authorizer or the school. • Almost all technical assistance is proactive, intended to prevent problems from arising in the schools it authorizes. • The authorizer regularly assesses or solicits information about the technical assistance needs of the schools it authorizes. • The authorizer always provides the technical assistance identified as needed by the schools. • The authorizer continuously solicits feedback on the quality and impact of the technical assistance that it provides to the schools it authorizes.

Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating: 4 – Exemplary</p> <p>Fordham’s technical assistance is driven by the needs of the schools. When a school requests assistance on a given topic (e.g., compliance issue, common core, etc.), Fordham steps in to inform the school of resources and/or runs interference with districts or the state. In one instance, Fordham paid an academic consultant to evaluate the school’s curriculum in order to help the school make an informed decision about how it structures its educational program. Fordham informs schools of potential solutions and options addressing their concerns, but schools decide independently on their plan on action. When alerting governing boards of poor performance, Fordham will discuss resources and other means of assistance when discussing the school’s corrective plan of action.</p> <p>If Fordham notes several schools are asking the same question or have persistent issues, then it sends guidance to all schools (e.g., EMIS data quality, IEPs, legislative changes, etc.).</p> <p>Fordham seeks feedback from schools through informal discussions and a formal survey, asking schools if they are getting the assistance they need. Fordham views schools’ compliance levels a good indicator of the quality of its technical assistance. Overall, schools view Fordham as providing enough technical assistance in the areas of education, finance, governance, operations, and professional development.</p>				
<p>B. Ongoing Updates of Legal and Policy Changes</p>	<ul style="list-style-type: none"> The authorizer never or rarely updates schools on changes to rule and law that impact the schools’ operations. 	<ul style="list-style-type: none"> The authorizer sporadically updates schools on changes to rule and law that impact the schools’ operations, but has no process for doing so. The authorizer’s updates may include directing schools to another credible source for this information (e.g., OAPCS). 	<ul style="list-style-type: none"> The authorizer has a process that it uses to at least annually, informs schools on changes to rule and law that impact the schools’ operations. The authorizer’s updates may include directing schools to another credible source for this information (e.g., OAPCS, OCQE). 	<ul style="list-style-type: none"> The authorizer continually ensures that schools are informed in a timely manner of changes to rule and law that impact the schools’ operations, ensuring that schools are in compliance as quickly as needed. The authorizer’s updates may include directing schools to another credible source for this information (e.g., OAPCS, OCQE).

Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating: 4 – Exemplary</p> <p>Fordham alerts schools in a timely manner, typically through email, regarding legislative and state policies that impact school operations. Most emails direct schools to additional sources of information/explanation. In one instance, Fordham sought feedback from its schools regarding the relative importance of certain measures and targets in the state’s new accountability system. Schools confirmed that Fordham’s information is timely.</p>				
<p>C. Ongoing Professional Development (PD) for Schools</p>	<ul style="list-style-type: none"> The authorizer never provides information about PD opportunities for its schools. 	<ul style="list-style-type: none"> The authorizer sporadically provides information about PD opportunities for its schools. <p><i>Or</i></p> <ul style="list-style-type: none"> Is prescriptive or mandating that its schools participate in certain PD, excepting a topic specific training that is a requirement of the contract. 	<ul style="list-style-type: none"> The authorizer shares information about PD opportunities for its schools, which may or may not be charter school specific. The authorizer may provide PD directly on certain topics (e.g., annual meeting for updates) While the authorizer shares information about PD opportunities, it is the school’s independent decision as to whether or not it participates, excepting a topic specific training that is a requirement of the contract. 	<ul style="list-style-type: none"> The authorizer provides its schools with multiple sources of information about PD opportunities for its schools. <p><i>Or</i></p> <ul style="list-style-type: none"> The authorizer provides at least some of the PD directly to its schools, based upon school need. While the authorizer encourages and promotes high quality PD, it is the school’s independent decision as to whether or not it participates, excepting a topic specific training that is a requirement of the contract.

Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
Rating: 4 – Exemplary				
<p>Fordham does not require any of its sponsored schools to participate in mandatory professional development; therefore, it is not prescriptive. Fordham does not provide direct professional development to the schools it sponsors; it views providing professional development to be in conflict with their monitoring and oversight role. Fordham offers schools lists of potential providers of professional development or notifies schools of training opportunities; however, schools make the decision on whom to work with on their professional development. Examples of information passed along to schools included the following: budgeting and the use of resources for school level administrators; SOES Training for EMIS coordinators; ethic training; CTE and adult education intervention and deadlines for Career-Technical Planning Districts; ODE webinar for schools interested in applying for Straight A Funds; ODE policies, training PowerPoints and videos on positive behavior interventions and support (PBIS) and restraint and seclusion; and, ODE's <i>First Annual Community School Special Education Summer Institute</i>.</p>				

Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
D. Effective Working Relationships with Schools' Governing Authorities	<ul style="list-style-type: none"> Beyond what is stated in the charter school contract, the authorizer has no written policy and no explanation that differentiates its roles and responsibilities from those of the charter school's governing authority. In the absence of clarity, both parties frequently have misunderstandings and their mutual respect is low. The authorizer rarely works to maintain a solid relationship with their assigned schools' governing authority members (e.g., rare communication; no attendance at board meetings). The authorizer provides little guidance to its governing authorities. 	<ul style="list-style-type: none"> While not documented beyond what is stated in the charter school contract, the authorizer is able to explain in general terms how its roles and responsibilities differ from the school's governing authority. However, both parties may view the roles and responsibilities differently. While the authorizer tries to maintain a solid relationship with their assigned schools' governing authority members, differing opinions and misunderstandings between the authorizer and governing authorities occasionally leads to a lack of respect between both parties (e.g., limited communication, sporadically or not attending board meetings). 	<ul style="list-style-type: none"> While not documented beyond what is stated in the charter school contract, the authorizer and the school's governing authority describe roles and responsibilities that are understood and respected by both parties. The authorizer regularly works to maintain a solid relationship with their assigned schools' governing authority members (e.g., regular communication, attending at least two board meetings annually for each school). 	<ul style="list-style-type: none"> Beyond what is stated in the charter school contract, roles and responsibilities of the authorizing staff are clearly separated, documented and delineated from the governing authorities of the charter schools it authorizes. This clear delineation is understood and respected by both parties. The authorizer continuously works to maintain a solid relationship with their assigned schools' governing authority members [e.g., frequent communication (newsletters, for example), attending as many board meetings as possible; directly informing board members about compliance concerns, high stakes reviews, and so on].

Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>Rating: 4 – Exemplary</p> <p>Fordham has a strong working relationship with its schools’ governing authorities, attending monthly meetings and in some cases the executive sessions (if invited). Fordham does not mandate the actions of the governing authorities nor participate in the schools’ decision-making; however, Fordham shares its position on various issues when asked by the governing authorities. While regularly attending the meetings of the schools’ governing authorities, Fordham staff solicits feedback from the schools (e.g., updating the academic performance frameworks and altering the authorizer’s annual fee.) Members of Fordham’s governing board meet with the school’s governing authority in matters of contract renewal or school closure.</p>				

Academic Performance of Schools

One component of the Authorizer Evaluation is the academic performance of the authorizer/sponsor's charter schools. School academic performance is calculated similar to the sponsor's performance ranking, with greater weight being given to value-added gains.

To determine the authorizer's academic performance component rating, the most recent school year's report card grades and average daily membership (ADM) are used to create authorizer/school-level summary tables (see Figures A and B below). Figure A is populated with the authorizer's schools, the numbers designating the grade they received for Overall Value-Added. Figure B is populated with the number of seats at each school, as determined by its Overall Value-Added grade.

Schools/seats are placed in the color-coded grade ranges A-F based on Overall Value-Added Grades. If a school did not receive an Overall Value-Added Grade, then its 4-Year Graduation Rate Grade was used. If a school had neither grade, it was not included.

School/Seats receiving a "C" on Overall Value-Added or 4yr Graduation Rate are further categorized based on Performance Index Grade. Schools are categorized as "C (a-b)" if they received a "C" on Overall Value-Added or 4-Year Graduation Rate and an "A" or "B" on Performance Index. Schools are categorized as "C (c)" if they received both a "C" on Overall Value-Added or 4-Year Graduation Rate and Performance Index. Schools with a "C" on Overall Value-Added or 4-Year Graduation Rate and a "D" or "F" on Performance Index are categorized as "C (d-f)".

Based on these categorizations, authorizer/operator summary tables and ratios are created, with schools rated an A, B or C (a-b) categorized as effective or green. Schools rated C (c) are categorized as yellow. Schools rated C (d-f), D or F are categorized as ineffective or red.

For each authorizer/operator, the ratio of effective to ineffective schools and seats is calculated as green schools/seats divided by red schools/seats. A ratio below 1 indicates that there are more ineffective/red schools or seats than effective/green schools or seats.

The final calculation in determining academic performance was dividing the schools/seats ratio by 0.7 (as 70% is the threshold for authorizers for the current school year). The resulting percentage represents the authorizer's level of academic performance.

Schools/Seats Summary Tables for Thomas B. Fordham Foundation

Figure A. Schools

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	4	--	--	4
B	--	--	--	--	--
C	a-b	--	--	--	--
	c	1	--	--	1
	d-f	--	--	--	--
D	--	--	--	--	--
F	--	3	--	--	3
No Measure	--	1	--	--	1
Total by Measure	--	8	0	1	9

↑	4
↔	1
↓	3
Total Graded Schools/Seats	8

Ratio	1.33
--------------	-------------

Figure B. Seats

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Schools/Seats
A	--	1,060	--	--	1,060
B	--	--	--	--	--
C	a-b	--	--	--	--
	c	139	--	--	139
	d-f	--	--	--	--
D	--	--	--	--	--
F	--	1,066	--	--	1,066
No Measure	--	290	--	--	290
Total by Measure	--	2555	0	290	2555

↑	1,060
↔	139
↓	1,066
Total Graded Schools/Seats	2,265

Ratio	0.99
--------------	-------------

Academic Performance Score = .99/.7 = 1.41 = 100%, or fully met the 2013-2014 target

FY2014 Data
Data as of January 2015

All Authorizers

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	63	.	--	--
B	--	37	.	--	--
C	a-b	2	1	--	--
	c	11	.	--	--
	d-f	45	.	--	--
D	--	25	1	--	--
F	--	54	16	--	--
No Measure	--	127	--	--	109
Total by Measure	--	364	18	109	364

↑	103
↔	11
↓	141
Total Graded Schools	255

Ratio	0.73
--------------	-------------

All Authorizers

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	18,962	.	--	--
B	--	8,350	.	--	--
C	a-b	299	300	--	--
	c	3,226	.	--	--
	d-f	8,464	.	--	--
D	--	4,560	432	--	--
F	--	16,795	2,191	--	--
No Measure	--	16,326	--	--	13,403
Total by Measure	--	76982	2923	13,403	76982

↑	27911
↔	3226
↓	32442
Total Graded Seats	63579

Ratio	0.86
--------------	-------------

Thomas B. Fordham Foundation

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	4	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	1	.	--	--
	d-f	.	.	--	--
D	--	.	.	--	--
F	--	3	.	--	--
No Measure	--	1	--	--	1
Total by Measure	--	9	0	1	9

↑	4
↔	1
↓	3
Total Graded Schools	8

Ratio	1.33
--------------	-------------

Thomas B. Fordham Foundation

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	1,060	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	139	.	--	--
	d-f	.	.	--	--
D	--	.	.	--	--
F	--	1,066	.	--	--
No Measure	--	290	--	--	290
Total by Measure	--	2555	0	290	2555

↑	1060
↔	139
↓	1066
Total Graded Seats	2265

Ratio	0.99
--------------	-------------

Average Authorizer

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	6	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	1	.	--	--
	d-f	3	.	--	--
D	--	2	.	--	--
F	--	2	.	--	--
No Measure	--	7	--	--	7
Total by Measure	--	21	0	7	21

↑	6
↔	1
↓	7
Total Graded Schools	14

Ratio 0.86

Average Authorizer

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	2,242	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	275	.	--	--
	d-f	379	.	--	--
D	--	349	.	--	--
F	--	663	.	--	--
No Measure	--	1,120	--	--	1,120
Total by Measure	--	5028	0	1,120	5028

↑	2242
↔	275
↓	1391
Total Graded Seats	3908

Ratio 1.61

All Authorizers

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	63	.	--	--
B	--	37	.	--	--
C	a-b	2	1	--	--
	c	11	.	--	--
	d-f	46	.	--	--
D	--	26	1	--	--
F	--	60	20	--	--
No Measure	--	145	--	--	123
Total by Measure	--	390	22	123	390

↑	103
↔	11
↓	153
Total Graded Schools	267

Ratio	0.67
--------------	-------------

All Authorizers

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	18,962	.	--	--
B	--	8,350	.	--	--
C	a-b	299	300	--	--
	c	3,226	.	--	--
	d-f	8,551	.	--	--
D	--	5,054	432	--	--
F	--	51,585	2,501	--	--
No Measure	--	21,581	--	--	18348
Total by Measure	--	117608	3233	18348	117608

↑	27911
↔	3226
↓	68123
Total Graded Seats	99260

Ratio	0.41
--------------	-------------

Thomas B. Fordham Foundation

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	4	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	1	.	--	--
	d-f	.	.	--	--
D	--	.	.	--	--
F	--	3	.	--	--
No Measure	--	1	--	--	1
Total by Measure	--	9	0	1	9

↑	4
↔	1
↓	3
Total Graded Schools	8

Ratio	1.33
--------------	-------------

Thomas B. Fordham Foundation

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	1,060	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	139	.	--	--
	d-f	.	.	--	--
D	--	.	.	--	--
F	--	1,066	.	--	--
No Measure	--	290	--	--	290
Total by Measure	--	2555	0	290	2555

↑	1060
↔	139
↓	1066
Total Graded Seats	2265

Ratio	0.99
--------------	-------------

Average Authorizer

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	6	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	1	.	--	--
	d-f	3	.	--	--
D	--	2	.	--	--
F	--	2	.	--	--
No Measure	--	7	--	--	7
Total by Measure	--	21	0	7	21

↑	6
↔	1
↓	7
Total Graded Schools	14

Ratio 0.86

Average Authorizer

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	2,242	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	275	.	--	--
	d-f	379	.	--	--
D	--	349	.	--	--
F	--	663	.	--	--
No Measure	--	1,120	--	--	1120
Total by Measure	--	5028	0	1120	5028

↑	2242
↔	275
↓	1391
Total Graded Seats	3908

Ratio 1.61

Authorizer: Thomas B. Fordham Foundation (000821)													
School IRN	School Name	Report Card Type	School Type	eSchool	Status Jan2015	First Year Operation	2014 ADM	2014 PI Grade	2014 VA Grade	2014 Assessment Passage Rate	2014 4yr Graduation Rate Grade	Included in Analysis	Contract Expiration Date
009122	Columbus Collegiate Academy	A-F	General	Site	Open	FY09	213	C	A	N/A	NR	Yes	
009964	Sciotoville Elementary Academy	A-F	General	Site	Open	FY09	139	C	C	N/A	NR	Yes	
009997	KIPP: Journey Academy	A-F	General	Site	Open	FY09	325	D	A	N/A	NR	Yes	
012924	DECA PREP	A-F	General	Site	Open	FY13	325	C	F	N/A	NR	Yes	
012951	Columbus Collegiate Academy - West	A-F	General	Site	Open	FY13	139	C	A	N/A	NR	Yes	
013034	Village Preparatory School:: Woodland Hills Campus	A-F	General	Site	Open	FY13	290	D	NR	N/A	NR	Yes	
133454	Dayton Leadership Academies-Dayton View Campus	A-F	General	Site	Open	FY01	401	D	F	N/A	NR	Yes	
133504	Phoenix Community Learning Ctr	A-F	General	Site	Open	FY02	383	C	A	N/A	NR	Yes	
143644	Sciotoville	A-F	General	Site	Open	FY02	340	C	F	N/A	NR	Yes	

SENT VIA USPS STANDARD MAIL AND EMAIL

June 9, 2015

Ms. Ethel Washington-Harris
Kids Count of Dayton, Inc.
6500 Poe Avenue, Suite 140
Dayton, Ohio 45414-2568

Dear Ethel,

Effective on January 1st of this year, state law requires the Department to comprehensively evaluate charter school authorizers for their oversight of schools compliance with rule and law, their use of best practices for authorizing, and the academic outcomes of their schools (ORC 3314.016).

This is to notify you that the Kids Count of Dayton, Inc. (Kids Count) is awarded an overall authorizer quality rating of "Ineffective". This overall evaluation is based on the three components specified in code and which are each scored on zero-to-100 scales.

Kids Count scored a 31 on the critical Authorizer Quality Practices review, 39 on the Academic Outcomes measure and 100 on the Compliance measure for an average of 57.

Evaluation Summary

Compliance. The Department treats the health and safety of children and staff as non-negotiable. Kids Count is effectively carrying out the oversight of required compliance to law and rule by school and receives a 100 score in this portion of the Authorizer Evaluation.

Authorizer Quality Practices. Kids Count scored 31 on the Authorizer Quality Practices review. This review examines in detail all phases of an authorizer's work including: application; performance contracting; ongoing oversight; renewal, revocation and closure; technical assistance; and agency commitment.

According to the Quality Practices review, Kids Count received ratings of poor or ineffective in all six categories, including the critical area of commitment and capacity to carry out effective authorizing. Reviewers noted that for the certain indicators within the critical areas of Oversight and Evaluation and Technical Assistance, Kids Count performed well, but at this point in time, there are opportunities for improved practices generally in all critical areas.

Academic Outcomes. For brick and mortar K-12 schools, Kids Count achieves 39% of target for ratio of students in effective schools to seats in ineffective schools. The academic performance outcomes of authorizers' portfolios are evaluated on the learning gains made by students at different levels of proficiency in each school. The performance is expressed as a ratio of students in schools making on-pace or catch-up learning gains against students at schools which are not.

Kids Count's portfolio ratio of 0.27 to 1 is compared to the Department's overall target for charter schools of 0.70 to 1 for 2013-14 and this translates into its 39 score on this component. The Department's target for this category of charter schools will increase to 0.85 for this school year, 1.05 for 2015-16 and 1.25 in 2016-17. Kids Count's results compared to these goals will be posted annually.

For Dropout Prevention and Recovery schools, an outcomes rating for Dropout Prevention and Recovery schools will be given once growth measures from new assessments are available beginning next school year 2015-16.

At the end for 2013-2014, the fulltime equivalent enrollment (FTE) of Kids Count's schools combined was 1,847 FTE. Of its schools, 6 were K-12 schools reporting a student enrollment of 1,507 FTE; 2 were dropout prevention and recovery schools with an enrollment of 340 FTE.

Academic Outcomes Summary: Kids Count's portfolio of charter schools receives a score of 39.

Development of Kids Count

This evaluation finds that Kids Count must significantly improve its practices in the area of commitment and capacity and decision making; as well as secure significantly improved school outcomes if it wants to move out of the 'ineffective' overall rating category. Persistently ineffective authorizing has no place in Ohio's charter sector as the boys and girls of this state deserve quality educational choices. While the Department is able to offer Kids Count guidance in developing its practices, the commitment and resources required to become an effective authorizer must come from Kids Count itself.

Respectfully,



David J. Hansen
Executive Director
Office of Quality School Choice

Cc: Michelle D. Hopkins, Board Chair
Joni Hoffman, Office of Quality School Choice
Frank Stoy, Office of Quality School Choice

Overview of the Authorizer Evaluation Process

Community school authorizers (aka sponsors) are evaluated on three components: 1) the overall academic performance of their community schools; 2) the completeness of their monitoring of schools' compliance with laws and rules; and 3) their adherence to quality practices (see [Ohio Revised Code Section 3314.016](#)).

The annual Authorizer Evaluation replaced the Sponsor Ranking, which was based upon two measures: 1) an academic measure (called the sponsor Performance Index Score and derived from aggregating test data for schools) and 2) a reporting measure (the sponsor's annual report of its schools' compliance and annual assurances for each school). With the Authorizer Evaluation, the reporting requirement remains in place. However, the Performance Index Score no longer applies.

The overall evaluation rating for each authorizer is derived from three components' ratings.

- I. **Monitoring of school's compliance** with rule and law follows the same approach as in the past two pilot years, in which a sponsor describes how it monitors compliance and that process is verified for a subset of the sponsor's schools. A copy of the verification tool can be found on the website.
- II. **Adherence to quality practice**, which is the most time intensive of the three components, is comprised of assessing the degree to which a sponsor uses practices consistent with national quality standards. Documents, surveys and interview information are used to assess the practices against the national standards. More information, including the rubric, is on the website.
- III. **Academic performance of schools** is calculated similar to the sponsor's performance ranking, but with greater weighting on value-added gains. Results for eSchools will be phased in over four years, using 2013-2014 as the baseline year. Similarly, results for dropout prevention schools will be used when these schools receive an overall Report Card rating, which takes effect with the 2014-2015 reporting year.

Under current law, each component- academics, compliance monitoring, and quality practice- has equal weight in making up the overall evaluation rating. As with the Sponsor Ranking, a sponsor's ability to authorize new schools or take on sponsorship of a currently operating school is effected by the overall rating. Authorizers with an overall rating of "Effective" or "Exemplary" may continue to expand the number of schools under their authority. Language proposed in the Governor's budget bill, HB 64, would add rewards for sponsors receiving the highest rating of Exemplary.

For authorizers who hold a sponsorship agreement with the department, the evaluation rating will be a factor in renewing the sponsorship agreement and if renewed, the terms of the agreement. Similarly, for operating authorizers that wish to enter into an agreement with the department, the authorizer evaluation results will be a factor in that approval, as well.

John R. Kasich, Governor
Dr. Richard A. Ross, Superintendent of Public Instruction

Sent via e-mail

May 19, 2015

Ethel Washington-Harris
Kids Count of Dayton, Inc.
6500 Poe Avenue, Suite 140
Dayton, OH 45414-2568

RE: Authorizer/Sponsor Compliance Monitoring Evaluation

Dear Ms. Washington-Harris,

Recently the Office of Quality School Choice conducted an evaluation of your organization's monitoring of your sponsored school's compliance with its legal requirements. The evaluation included an on-site review of 23 items and discussions with school leaders about the process your organization has implemented to monitor school compliance. Of the items reviewed, 20 were considered to be mandatory areas of compliance and three items were chosen at random by the Ohio Department of Education (the Department). These items encompass five larger areas of review, including health and safety, education programs, governance, finance, and operations and are drawn directly from the Ohio Revised Code, Section 3314.03.

As the following table illustrates, findings from the compliance monitoring review place authorizers/sponsors into one of three categories: exemplary, effective or ineffective.

Number of Items Not Verified	Rating
Two or fewer	Exemplary
Three or Four	Effective
More than Four	Ineffective

With that said, in that all items were verified as part of the review, your organization will be assigned a rating of ***Exemplary*** for the 2014-2015 Compliance Review.

The compliance monitoring is one of three components equally weighted, comprising the authorizer/sponsor evaluation system. This rating will be pooled with findings from the assessment of quality practices and school performance data to form a composite rating for your organization as an authorizer.

Thank you for your participation and cooperation with the compliance review. Please contact me should you have any questions about the information provided here. Please contact me at (614) 387-2244, or by email at deneice.cooper@education.ohio.gov.

Sincerely,



Deneice L. Cooper,
Compliance Manager
Office of Quality School Choice

Attachment

Compliance Monitoring

Compliance monitoring is one of three components comprising the Authorizer Evaluation. The purpose of the compliance monitoring component is to assess how well an authorizer/sponsor monitors each of its community schools' compliance with state and federal laws, and the terms of the contract.

In addition to speaking with school leaders, the compliance monitoring evaluation involves a review of 23 items that encompass five larger areas of review- health and safety, education programs, governance, finance, and operations. Of the items reviewed, 20 are mandatory areas of compliance and three are randomly selected by the Ohio Department of Education (ODE). The items are drawn directly from Chapter 3314 of the Ohio Revised Code.

To conduct the compliance monitoring review, ODE first requires the authorizer to complete the *Authorizer Monitoring Review Instrument*, with the authorizer providing a written description and supporting documentation of how it monitors the statutory regulations of its schools. Once the authorizer has completed the instrument and returned it to ODE, ODE then randomly selects one or more of the authorizer's schools, up to 10%, for site visits to review the 23 compliance items.

As the table below illustrates, findings from the compliance monitoring review place authorizers into one of three categories: Exemplary, Effective or Ineffective. Authorizers, for example, for which two or fewer of the 23 items could not be verified during the onsite school reviews would receive an Exemplary rating.

Number of Items Verified	Rating
Twenty-one or more	Exemplary
Nineteen or Twenty	Effective
Fewer than Nineteen	Ineffective

The rating from the compliance monitoring review is combined with the ratings from the quality practices review and academic performance review to form an overall evaluation rating for the authorizer.

Authorizer: Kids Count of Dayton, Inc.

In reviewing compliance monitoring for one charter school, 22 items out of 23 items were verified, resulting in a rating of Exemplary.

**Authorizer Monitoring Review Instrument
(Mandatory Areas of Review)**

Area of Review	Areas of Compliance/Explanation	Verified	Not Verified	Description of Authorizer Methods for Monitoring School Compliance with Statute
Health & Safety	Bus Driver Qualifications	NA	NA	
Health & Safety	Certificate of Occupancy	X		
Health & Safety	Criminal Background Checks (BCI&I and FBI)	X		
Health & Safety	Current Fire Inspection	X		
Health & Safety	Heimlich Maneuver Training	X		
Health & Safety	School Emergency Evacuation-Tornado-School Safety Drill	X		
Health & Safety	School Environment Inspection - Health Department	X		
Health & Safety	School Safety Plan	X		
Education Program	Academic Prevention/Intervention Services Policy	X		
Education Program	Implementation of the Education Plan	X		
Education Program	Special Education & related services plan, including 504 Implementation Plan	X		
Education Program	Special Education Student Files	X		
Governance	Certification of non-profit status	X		
Governance	Governing Authority Approved Meeting Minutes and Resolutions; signed and available to the public	X		
Finance	Monthly Financial Review	X		
Finance	Treasurer/Fiscal Officer Licensure/Qualifications & Bond	X		
Operations	Liability Insurance	X		
Operations	Licensed Employees	X		
Operations	Resident Educator Program; Mentor Program	X		
Operations	Review of enrollment records	X		

Sponsor:	Kids Count of Dayton, Inc.
Board Chair:	Michelle D. Hopkins
Executive Director:	Ethel Washington-Harris
Review Team Members	Karlyn Geis, ITO-Project Managers, Data Manager, ODE Joni Hoffman, Authorizer & Accreditor Evaluation, Director, ODE Tamara Lumpkin, Consultant, NACSA Authorizer Practices Reviewer Sherry Panizo, Office of Policy and Research, Program Manager, ODE
Date of Interview	March 31, 2015

Overview of the Authorizer Quality Practice Review

Legislation requires the Ohio Department of Education (ODE) to develop and implement a sponsor evaluation system. The purpose of the system is to assist ODE in its oversight of community school sponsors and to improve the quality of community school sponsor practices. This may in turn improve community school operations and the academic performance of community school students. The system has three components: academic performance of students enrolled in community schools sponsored by the same entity; adherence to quality sponsoring practices prescribed by ODE (this Authorizer Quality Practice Review); and compliance with applicable laws and administrative rules.

The Authorizer Quality Practice Review is modeled after ODE's School Improvement Diagnostic Review process and ODE's Supplemental Educational Services Quality of Provider Services rubric rating tool as well as standards and sponsor evaluation methods utilized by the National Association of Charter School Authorizers. Six areas of practice are the focus of the review:

1. Organizational commitment and capacity,
2. Community school application process and decision making,
3. Performance contracting,
4. Oversight and evaluation of community schools,
5. Contract termination and renewal decision making, and
6. Technical Assistance.

Overview of Ratings System

For the Authorizer Quality Practice Review, each indicator in the six areas of practice is assigned one of four ratings. These are as follows:

- **Exemplary** (4 points): Exception in that it exceeds the expectations of Ohio's Quality Sponsor Practices and warrants notice from and emulation by other sponsors
- **Effective** (3 points): Commendable in that it materially satisfies expectations
- **Ineffective** (2 points): Approaching full development in that it exhibits aspects of a well-developed practice but is missing key components, is incomplete in its execution, or otherwise falls short of meeting expectations
- **Poor/Undeveloped** (1 point): Wholly inadequate in that the sponsor has not undertaken the practice or is carrying it out in a way that falls far short of satisfying expectations

Ratings are assigned based upon a review of sponsor documents, surveys of sponsor schools, and an on-site visit to the sponsor. These indicator ratings result in an overall rating. Perhaps more importantly, feedback is given to the sponsor in each of the six practice areas which can assist the sponsor in improving practices.

Authorizer Quality Practice Review Rating System

Rating	Point Value	Percentage Range	
		Minimum Score	Maximum Score
Exemplary	4	90.0%	100%
Effective	3	75.0%	89.9%
Ineffective	2	55.0%	74.9%
Poor	1	0%	54.9%

Critical Area of Quality (Capacity, Application, Termination & Renewal weighted twice* the other critical areas)	Possible Number of Points	Points Earned	Percent of Possible Points	Rating for Each Area	Points
Sponsor Commitment & Capacity*	28	14	50%	Poor	2
Sponsor Application Process & Decision Making*	32	15	47%	Poor	2
Sponsor Performance Contracting	16	5	31%	Poor	1
Sponsor Oversight & Evaluation	48	34	71%	Ineffective	2
Sponsor Termination & Renewal*	28	14	50%	Poor	2
Sponsor Technical Assistance & Requirements in Rule and Law	16	11	69%	Ineffective	2
Total Points Earned (of maximum 36 possible)					11
Overall Rating for Quality of Sponsor Practices (one of three components)	Poor				31%

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
A. Clear Mission for Authorizing Charter Schools	<ul style="list-style-type: none"> The authorizer’s mission for chartering schools is broad or it has no mission. The authorizer’s vision for chartering is vague, with no defined priorities and no strategic goals. The authorizer’s governing board designates all contract decisions to staff and/or accepts contract decision-making recommendations with only a cursory review, taking action perfunctorily as part of routine business. 	<ul style="list-style-type: none"> The authorizer states a clear mission for authorizing charter schools. The authorizer articulates a broad vision for chartering, with broad goals over an undefined period of time. The authorizer’s governing board typically designates contract decisions to staff, which provides the board with general recommendations for which contracts to approve. Decisions are typically made with limited information provided by the staff and without consideration of the authorizer’s broad vision. 	<ul style="list-style-type: none"> The authorizer states a clear mission for quality authorizing. The authorizer articulates and implements a vision and plan for chartering, including general goals and timelines for achievement. The authorizer’s governing board, while formally making all contract decisions, relies upon their staff to carefully review and recommend contract decisions aligned with their chartering vision and plan. 	<ul style="list-style-type: none"> The authorizer states a clear mission for quality authorizing. The authorizer articulates and implements an intentional strategic vision and plan for chartering, including clear priorities, specific goals, and time frames for achievement. The authorizer’s governing board actively participates in all contract decision-making (approval and renewal) to ensure that all such actions are consistent with the authorizer’s strategic vision and plan for quality authorizing.

Commitment & Capacity			
Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Poor or undeveloped</i></p> <p>Kids Count of Dayton, Inc. (referred to as <i>Kids Count</i> for the purpose of this report) has a broad mission, and a vision statement without defined priorities, strategic goals, or a timeline. The board is involved in decision-making, and has the final say; however, there was not sufficient evidence to confirm the depth of information provided by staff to the board about each applicant. The board does not appear to be informed about applicants that the staff does not recommend. Board minutes were provided of the most recent group of applicants considered and the board agreed to approve them. However, A.B. Graham was a conversion school that Kids Count is not authorized to sponsor. The developer of Global had a failed to launch school and owes money to the state. VLT was non-renewed for poor academic and fiscal performance by its authorizer. Even though the former authorizer would have allowed the school to find another authorizer, the school’s poor academic performance was not in keeping with Kids Count’s mission of authorizing high performing schools.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> • <i>Strengthen the organization’s mission statement, establishing clear priorities with measurable goals tied to performance timelines and expected timeframes for meeting key milestones along the way.</i> • <i>Improve the quality of the board’s application decision-making. Provide detailed information from staff to the board regarding staff recommendations for and against approval, denial, and renewal of charter contracts. Clearly delineate the alignment between decisions made and the organization’s mission, priorities, and goals.</i> 			

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
B. Self-Evaluation & Improvement	<ul style="list-style-type: none"> The authorizer rarely examines its work to ensure it is meeting its Ohio authorizing obligations and applicable laws. The authorizer does not examine its operations for the purpose of improvement. Does not evaluate self as an authorizer. 	<ul style="list-style-type: none"> The authorizer sporadically examines its work to ensure it is meeting its Ohio authorizing obligations and applicable laws. The authorizer occasionally looks to improve its operations, but does not follow a structured process. 	<ul style="list-style-type: none"> The authorizer regularly examines its work to ensure it is meeting its Ohio authorizing obligations and applicable laws. The authorizer follows a defined improvement process to evaluate its work against its goals and outcomes. The authorizer uses the findings from its self-evaluation when making improvements in its practices. 	<ul style="list-style-type: none"> The authorizer continuously uses a defined improvement process to evaluate its work against its goals and outcomes and to ensure it is meeting its Ohio authorizing obligations and applicable laws. The authorizer implements strategic action steps based upon the findings from its rigorous self-evaluation to improve its performance as an authorizer. The authorizer continuously and rigorously evaluates its work against national standards for quality charter school authorizers. The authorizer reports annually to its governing entity the progress it is making on its strategic goals.

Commitment & Capacity			
	Poor or Undeveloped	Ineffective	Effective
<p><i>Rating: Ineffective</i></p> <p>Kids Count has a brief Continuous Improvement Plan lacking connection to goals, strategies, and action steps. The Continuous Improvement Plan is not focused on improving authorizer practices against state and national standards. The plan provides no evidence that Kids Count of Dayton, Inc. regularly examines its own work to ensure it is meeting Ohio authorizing obligations beyond compliance monitoring, to include quality practices, for example. Kids Count informally reflects upon its authorizing practices in quarterly meetings and annually during the school Summit meeting. These reflections are not structured within an organizational mission, vision, goals and objectives. The authorizer provided an example of a change it made in in monitoring compliance for an item on the site visit form in order to reduce risk of non-compliance. That action was a good one to take, and was one that could serve as an action step under a higher level strategy for improving compliance monitoring, for example, which would be described in a holistic organizational self-evaluation and improvement review. Evidence of the higher level, organizational self-evaluation was not provided.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> • <i>Implement a structured annual self-evaluation and improvement process grounded in organizational goals. Develop relevant strategies to improve performance on goals. Collect, analyze, and examine baseline and ongoing data to inform the efficacy of strategies and understand the organization’s success in achieving goals.</i> • <i>Incorporate national standards and best practices for charter authorizing in organizational goals.</i> • <i>Note that this is also relevant to the organization’s annual report, as discussed below.</i> 			

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
C. Defined Relationships In Practice	<ul style="list-style-type: none"> • Beyond what is stated in the contract, the authorizer cannot explain the distinction in roles and responsibilities between the authorizer staff and the charter schools it authorizes. 	<ul style="list-style-type: none"> • While not documented beyond what is in the contract, the authorizer is able to explain in general terms how the roles and responsibilities differ between its staff and the charter schools it authorizes. • The charter schools it authorizes do not understand the responsibilities of the authorizer. 	<ul style="list-style-type: none"> • While not documented beyond what is in the contract, the authorizer has and is able to clearly explain the roles and responsibilities of its staff relative to those of the charter schools it authorizes. • The charter schools it authorizes generally understand the responsibilities of the authorizer. 	<ul style="list-style-type: none"> • Roles and responsibilities of the authorizing staff are clearly separated, documented and delineated from the charter schools it authorizes. • The charter schools it authorizes clearly understand the responsibilities of the authorizer.
<p><i>Rating: Effective</i></p> <p>Kids Count clearly understands its role and the roles of their authorized schools' governing authorities. The schools understand the differentiation of these roles as well. Apart from the community school contract, this distinction is not described and documented anywhere else.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> • <i>Create a policies and information packet to be shared with developers and existing schools. Include documentation that clearly articulates and differentiates between authorizer and school roles and responsibilities. Reestablish organization website and publish packet on that website.</i> 				

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
D. Conflicts of Interest In Practice	<ul style="list-style-type: none"> • Schools chartered by the authorizer have limited or no autonomy. • Numerous conflicts of interest exist between the authorizer and the charter schools it authorizes. [e.g., <i>staff and boards may overlap, authorizer may require school to purchase services from authorizer, schools may not be afforded appropriate autonomy, funds may be co-mingled, etc.</i>] • Decision making is not transparent; it is unclear what or if criteria are being used by the authorizer to make decisions. • Charter schools are improperly offered incentives by the authorizer and/or required by the authorizer to make choices that may not be in their best interest. [e.g., <i>may only contract with the authorizer for various services, contract services from authorizer in exchange for reduced chartering fee, etc.</i>] 	<ul style="list-style-type: none"> • Evidence of conflicts of interest exists between the authorizer and the charter schools it authorizes. [e.g., <i>the authorizing district's superintendent fills the role of the charter school's superintendent with no accommodations for independent oversight of his/her role as charter school superintendent.</i>] • Decision making is not transparent and the criteria used to make them are inconsistently applied and not fully understood by authorizer staff. • In some instances, the authorizer's decisions are improperly influenced by a management company or a charter school's governing authority. [e.g., <i>for example, a management company with multiple affiliated schools implies action related to one school will impact the others.</i>] 	<ul style="list-style-type: none"> • No conflicts of interest (both in staffing and funding) exist between the authorizer and the charter schools it authorizes. • While decision making is transparent to charter schools and appears to be based upon merit, the process and criteria for making decisions are not fully transparent to the public. 	<ul style="list-style-type: none"> • No conflicts of interest (both in staffing and funding) exist between the authorizer and the charter schools it authorizes. • The authorizer has a written policy that effectively prevents conflicts of interest, assures decision making is transparent and based upon merit. • The authorizer's funding is structured in a manner that avoids conflicts of interest, inducements, incentives, or disincentives that might compromise its judgment in charter approval and accountability decision making.

Commitment & Capacity			
	Poor or Undeveloped	Ineffective	Effective
<p><i>Rating: Effective</i></p> <p>Kids Count has no observed conflicts of interest between itself and the schools it authorizes. It sells no services to schools. It uses conflict of interest disclosures for staff, and maintains signed forms. It lacks a written policy about conflicts of interest which would ensure full transparency in its practices.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> • <i>Adopt a conflict of interest policy independent of signed conflict of interest forms. Include documentation of the steps to be taken to address real or perceived conflicts of interest. Describe potential conflicts of interest to be avoided. Reestablish organization website and publish the adopted conflict of interest policy on that website.</i> 			

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>E. Staff Expertise</p> <p><i>Deep understanding of essential principles, gained through training and/or several years working in the field and mastering the principles.</i></p>	<ul style="list-style-type: none"> • The authorizer’s dedicated staff member(s) have little to no experience working in or authorizing charter schools. At least one staff member is trained in school finance, but has limited experience applying the knowledge. • No external sources are sought in education related areas for which the authorizing staff lacks expertise. These areas include: <ul style="list-style-type: none"> ○ Charter schools; ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and, ○ School governance. 	<ul style="list-style-type: none"> • The authorizer has at least one dedicated staff member with less than two years of experience working in or authorizing charter schools, and a member who is trained and has limited experience working in the area of school finance. • Other staff have limited training and limited experience working in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and, ○ School governance. • When existing staff do not have the range of expertise needed, the authorizer sometimes contracts with external sources to complete particular aspects of work. 	<ul style="list-style-type: none"> • The authorizer has at least one dedicated staff member with two or more years of experience working in or authorizing charter schools, and a member who is trained and experienced in the area of school finance. • Other staff are certified and have experience working in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; and, ○ School finance; and, ○ School governance. • When existing staff do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of work. 	<ul style="list-style-type: none"> • Many of the authorizing staff have practiced in charter schools or authorizing charter schools for several years, and have diverse expertise in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; and, ○ School finance; and, ○ School governance. • When existing staff do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of work.

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Ineffective</i></p> <p>Kids Count’s board members are well educated, with long careers in public service, law and education. Kids Count. employs individuals who have six or more years of experience as authorizers, and they engage the services of a firm trained and experienced in school finance. In addition, they employ an attorney who is knowledgeable about charter school law. Staff members have developed expertise in school facilities, governance, and using the Ohio school improvement process. However, expertise in evaluating a school’s educational program design, instructional delivery and assessment outcomes requires an experienced, licensed educator. Kids Count does not currently contract to bring in such expertise.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> • <i>Employ or contract with an experienced, licensed educator with expertise in evaluating the quality and effectiveness of authorized schools’ educational programs, instructional delivery, and related outcomes and proposals for new schools.</i> • <i>Employ or contract with an experienced, licensed educator with expertise in special education programs, instructional delivery, and related outcomes.</i> 				
F. Staff Professional Development	<ul style="list-style-type: none"> • Authorizer staff rarely participates in professional development, internally or externally provided. • PD shows no alignment with the authorizer’s functions. 	<ul style="list-style-type: none"> • Authorizer staff sporadically participates in professional development internally or externally provided, and typically only what is required by ODE. • PD shows some alignment with the authorizer’s functions or in response to needed corrections. 	<ul style="list-style-type: none"> • Authorizer staff regularly participates in professional development, internally or externally provided, and beyond what is required by ODE. • PD is aligned with authorizer functions and takes into account identified needs (as determined by its self-improvement process). • Authorizer staff attends national conferences with PD focus (e.g., NACSA, iNACOL, etc.) 	<ul style="list-style-type: none"> • Authorizer staff continuously participates in professional development beyond what is required by ODE and that complements the authorizer’s improvement efforts and that takes into account staff member’s strengths and weaknesses. • The authorizer is able to provide examples of how professional development is incorporated into its ongoing work.

Commitment & Capacity				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Ineffective</i></p> <p>Kids Count staff members attend training offered by the Ohio Department of Education (ODE), the National Association of Charter School Authorizers (NACSA), the Ohio Alliance for Public Charter Schools (OAPCS), the Auditor of State (AOS), and the Buckeye Charter School Boards Association (BCSB). Each staff member is required to attend three professional development events a year, and the knowledge gained is shared across staff during monthly staff meetings. It is unclear how professional development is aligned to the organization’s mission, vision, goals and strategic plan for authorizing.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> Develop and implement a professional development plan for each staff member that is aligned to the organization’s mission, vision, strategic plan, and goals. 				
<p>G. Allocation of Resources</p> <p><i>Resources include human and financial capital.</i></p>	<ul style="list-style-type: none"> Resource decisions are not data driven. The authorizer has inadequate staff (or contracted services) to adequately carry out its roles and responsibilities. No evidence that the authorizer has examined and allocated its resources to fulfill its authorizer obligations. 	<ul style="list-style-type: none"> Some resource decisions are data driven. The authorizer sporadically examines its needs and allocates its resources to fulfill its statutory requirements. Resource allocations are not commensurate with the scale of its portfolio of charter schools. 	<ul style="list-style-type: none"> Most resource decisions are data driven. The authorizer examines its portfolio of schools needs and allocates its resources to improve school performance and its responsibilities as an authorizer. 	<ul style="list-style-type: none"> All resource decisions are data driven. The authorizer determines its portfolio of schools needs and devotes resources to improve school performance, fulfill its responsibilities as an authorizer, and meet national quality standards for authorizing (e.g., the authorizer provides math coach, software, PD consortiums, banners, specialized staff for job coaching, etc.) Resource allocations are commensurate with the authorizer’s identified needs.

Commitment & Capacity			
	Poor or Undeveloped	Ineffective	Effective
<p><i>Rating: Poor or undeveloped</i></p> <p>Kids Count has limited financial resources and most go to human capital. At this point in their operation, maintaining the basic obligations of monitoring schools' compliance with rules and law consumes the majority of their resources. There is no room in the budget to bring in contracted services to expand Kids Count's scope and breadth of their role as an authorizer.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> • <i>Reallocate staff resources to allow for more comprehensive evaluation of educational programs and student academic outcomes.</i> • <i>Seek grant opportunities from organizations with aligned goals.</i> 			

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
A. Application Process, Timeline, & Clarity of Directions	<ul style="list-style-type: none"> • The authorizer has no formal application process – no written application. • The authorizer’s application timeline is not defined. • Application guidance is absent or undocumented and varies depending upon which staff member responds to questions by the public. • The application process does not include interviewing applicants. 	<ul style="list-style-type: none"> • The authorizer has an application process; however, it is undocumented and loosely defined. • Timelines are loosely defined. • Applications are accepted close to the statutory contract adoption date, leaving little time for contract negotiations. • The application is not readily available to the public. • The application provides limited directions on the content and format expected of applicants. • The authorizer does not document the criteria it uses to evaluate its applications. • The application process may include an interview with applicants. 	<ul style="list-style-type: none"> • The authorizer follows and explains a systemic application process; however, it is not fully documented. • The authorizer typically follows a defined timeline for reviewing charter applications. The planning stage is at least six months long. • The application is readily available to the public. • The application provides general directions on content and format expected of applicants. (e.g., does not include resources or references to assist the applicant.) • The authorizer documents the general criteria it uses to evaluate its applications. However, these criteria are not publicized as part of the application process. • The application process includes interviewing final applicants. 	<ul style="list-style-type: none"> • The authorizer follows a documented systematic application process. • The authorizer’s timeline allows for a pre-opening stage of least nine months so that the application process is carried out with quality and integrity. It aligns with the school year and provides ample time to adequately complete the application, plan, and prepare for the school’s opening. • The authorizer’s application guidance is documented, detailed and readily available to the public through the authorizer’s website. (e.g., includes the procedure to submit (word length, font size, electronic/paper), includes references to assist the applicant, etc.). • The application provides clear directions on required content and format. • The authorizer documents and clearly communicates to applicants the criteria it uses to evaluate its applications. • Application clearly states the authorizer’s chartering priorities. • The process includes interviewing final applicants before adopting a contract.

Application Process & Decision Making			
Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Ineffective</i></p> <p>Kids Count uses an application process that does not allow it to establish success for itself or the schools under its authority. Specifically, it lacks transparency, adequate application guidance, and a consistent timeline that includes a sufficient pre-opening planning stage. Kids Count does not have a website; therefore, prospective applicants must use various means to find out about the process and request the application guidelines, such as calling the Kids Count office, word of mouth, through the ODE website, and through Kids Count’s outreach to existing schools. Kids Count’s application process includes the submission of minimal information on the proposed community school. Applicants receive no instruction on the application format, and limited guidance on the application content. For the limited information that is gathered, no clear criteria exist to outline what Kids Count considers to be acceptable responses. Rather, there is a general statement of selection criteria that says that decisions will be based on leadership capabilities, financial capabilities, educational plans, diversity of the governing authority, and the school’s vision, mission, goals and commitment to establishing a high quality community school. The application requirements do not request the needed information to evaluate these areas.</p> <p>Once Kids Count receives an application and the \$500 non-refundable application fee, it conducts a review of the written application, followed by an interview to gain clarity on the application. The interview questions cover the areas of school operations, but lack the specificity needed for Kids Count to differentiate among applicants. For example, there is no depth in the questions about financial stewardship or market research to support the school. The application timeline varies from year-to-year in terms of when applications are accepted, but generally runs from December, beginning with the release of the application guidelines, through March, when Kids Count renders its decision. Further, the timeline does not include a nine-month pre-opening stage essential for approved applicants to adequately prepare for school opening.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> • <i>Re-establish the Kids Count website to include information about the application process, including the review timeline, requirements in terms of content and format, criteria and access to the application.</i> • <i>Revise the review timeline to include a minimum nine-month pre-opening stage that aligns with the school year to ensure applicant readiness.</i> 			

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
B. Application Depth	<ul style="list-style-type: none"> The authorizer does not have a written application. 	<ul style="list-style-type: none"> The application includes few questions. The questions are very broad in nature and do not provide enough data to thoroughly evaluate the applicant’s educational and business plans and capacities. 	<ul style="list-style-type: none"> General application questions, covering four main areas of school planning and operations [education plan, governance, finance (including market research) and accountability] along with suggested attachments, provide adequate data for analyzing an applicant’s plans and capacities. <p><i>For example: Describe the demographics of the students that your school will serve and of the charter in which the school will be located. Why are you proposing this school in this location?</i></p> <p><i>Generally describe your school’s curriculum plan and provide an overview of the instructional design and program to be emphasized by the school.</i></p>	<ul style="list-style-type: none"> Comprehensive, detailed application questions cross-reference the four main areas of school planning and operations [education plan, governance, finance (including market research) and accountability] provide extensive data for rigorous evaluation of the applicant’s plans and capacities. <p><i>For example: Describe the needs assessment of the school’s target neighborhood and student population, including current student demographics and academic performance of other schools in the charter in which the school will be located. Explain the academic impact of the proposed school model on the students and charter. Describe the process used to assess local need and provide evidence that the charter approves of the proposed school.</i></p> <p><i>Explain the school’s curriculum, its alignment to the Ohio Standards and benchmarks, specific instructional materials to be used to implement the curriculum, and the process your school will follow to evaluate, review and revise its curriculum on an annual basis.</i></p>

Application Process & Decision Making			
	Poor or Undeveloped	Ineffective	Effective
<p><i>Rating: Ineffective</i></p> <p>Kids Count employs an application process that lacks the depth necessary to demonstrate that applicants can deliver a school that will be academically, organizationally, and fiscally viable. The application requires limited information from the applicant, which includes submission of governing board roster, an organization chart, start-up budget and curriculum assessments. As such, insufficient information is gathered to demonstrate that proposed schools will yield high academic achievement; be established by boards with the capacity to effectively govern; or have long-term fiscal plans that will ensure viability. Further, Kids Count does not require applicants to provide information on the breadth of areas necessary for community school success, such as mission, vision, and educational philosophy; instructional strategies; plans for addressing the needs of special student populations; academic accountability; school calendar and daily schedule; school culture; plans related to health, safety, food and transportation; staffing plans; facilities; market research; or financial management plans.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> • <i>Revise the application guidelines to include more extensive data and information to rigorously evaluate applicants' plans and capacity in the areas of academics, accountability, governance, operations, and finances (including market research).</i> 			

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>C. Rigorous Criteria for New Applicants, including any affiliated with previously operating schools.</p>	<ul style="list-style-type: none"> • The authorizer may require applicants to outline some of the following: <ul style="list-style-type: none"> ○ an educational program; ○ staffing plan; ○ a business plan; ○ governance; and/or ○ management structure. • Application criteria are minimal and focus mainly on meeting state and federal statutory requirements. 	<ul style="list-style-type: none"> • The authorizer requires all applicants to describe in general terms some of the following: <ul style="list-style-type: none"> ○ a mission and vision; ○ an educational program; ○ staffing plan; ○ a business plan; ○ governance; and/or ○ management structure. 	<ul style="list-style-type: none"> • The authorizer requires all applicants to present in detail all of the following: <ul style="list-style-type: none"> ○ a mission and vision; ○ an educational program; ○ staffing plan; ○ a business plan (including market research); ○ governance and management structure; and ○ capacity to carry out its plan. • The applicant must explain any never-opened, terminated, or non-renewed schools. <p>(Market research includes examining the types of schools and students in the area; it does <u>not</u> include an examination of the needs of the charter.)</p>	<ul style="list-style-type: none"> • The authorizer requires all applicants to provide strong evidence and great detail on all of the following: <ul style="list-style-type: none"> ○ a clear and compelling mission and vision; ○ a quality educational program; ○ a solid business plan (including market and charter research); ○ an effective governance and management structure; ○ staffing for people with diverse knowledge in education, school finance, etc.; and ○ clear evidence of capacity to successfully execute its plan. • The applicant must explain any never-opened, terminated, or non-renewed schools. <p>(Charter research includes examining the proximity of choice options and niche schools, and examining unmet charter needs, such as lack of schools with specialized focus.)</p>

Application Process & Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: Ineffective

Kids Count lacks both sufficient information to determine a new applicant’s plan and capacity to establish a school, and clear, established standards by which to evaluate the quality of the application. The Kids Count application asks those seeking to establish new schools to provide the following documentation: governing board roster, an organization chart, start-up budget and curriculum assessments. It also includes broad selection criteria that do not align with the documents requested--leadership capabilities, financial capabilities, educational plans, diversity of the governing authority, and the school’s vision, mission, goals and commitment to establishing a high quality community school. However, some of this information is gathered during the interview process, according to Kids Count staff. The staff was unable to articulate how reviewers rate the applications on the 1 to 4 scale used on the reviewer protocol. The lack of clear criteria raises concerns about a lack of consistency in reviewer ratings. Kids Count staff stated that they address any inconsistencies during application deliberations.

Recommendation:

- *Establish clear, written and aligned criteria in the application and reviewer protocols to guide new applicants and reviewers on the expected quality of responses for each area examined within the academic, operational, accountability, and fiscal plans.*

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>D. Rigorous Criteria for Existing Charter School Operators / Replicators</p> <p><i>Whichever school is being replicated, it must have been in operation for two or more school years.</i></p>	<ul style="list-style-type: none"> • No additional criteria are required of existing school operators and/or replicators of existing schools. • Authorizer does not look for any evidence of past success or the capacity for growth. 	<ul style="list-style-type: none"> • While no additional criteria are required, the authorizer completes a cursory look of the current school’s academic success or a consideration for the school’s capacity to expand. 	<ul style="list-style-type: none"> • Authorizer requires the applicant to meet the following criteria: <ul style="list-style-type: none"> ○ Clear evidence of capacity to operate a new school successfully while maintaining quality in existing schools; ○ Document educational, organizational, and financial performance records based on all existing schools; ○ Must explain any never-opened, terminated, or non-renewed schools; ○ Must present a growth plan, business plan, and most recent financial audits; and ○ Meet at least one of the following indicators of effectiveness to earn approval for replication: high academic, organization, and/or financial success to earn approval for replication. 	<ul style="list-style-type: none"> • Authorizer requires the applicant to meet the following criteria: <ul style="list-style-type: none"> ○ Clear evidence of capacity to operate a new school successfully while maintaining quality in existing schools; ○ Document educational, organizational, and financial performance records based on all existing schools; ○ Must explain any never-opened, terminated, or non-renewed schools; ○ Must present a growth plan, business plan, and most recent financial audits; and ○ Meet multiple indicators of effectiveness in all of the following areas: high academic, organization, and financial success to earn approval for replication. <p><i>Examples of success include: never had an un-auditable school; no general education or special education school rated below the top two LRC categories; no dropout prevention and recovery schools rated below “meets”, etc.</i></p>

Application Process & Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: Ineffective

Based on the evidence presented showing the newly established replicator application as of 2015, Kids Count does not acquire sufficient evidence through document submissions or interviews to evaluate a board’s capacity to operate a new school successfully while maintaining the quality of existing schools. The Kids Count replication process includes interview questions and documents that only speak to how the operator currently performs, and not how it will scale up effectively to operate additional schools. The Kids Count replication application outlines document submission requirements in three different sections. Altogether, replicators must submit the current curriculum model; admission policy; attendance policy; governing board member roster; the school budget and expenditures; enrollment audit; annual reports; site visit reports; special education policy; parent handbook; student handbook; organization chart; mission, vision, and core values; board meeting notes; student enrollment data; financial reviews; and governance board book. Additionally, Kids Count uses an interview to query replicators in the areas of academic performance, special education, student admission and discipline policies, governance, and finances. Further, Kids Count staff said site reviews may also be conducted, if needed.

The Kids Count replication application uses broad criteria that do not align with the application or evaluation rubric, which jeopardizes decision-making. The replication criteria is very broad, looking for evidence that the schools are successfully implementing the academic, financial, and accountability plans; meeting and exceeding Ohio student achievement standards; demonstrating organizational compliance and fiscal viability; and achieving its mission and academic goals. Kids Count’s evaluation rubric, which does not fully align with the application or the interview protocol, uses a scale of 1 to 4 to rate application components as does not meet the standard, below the standard, partially meets the standard, and meets the standard. However, the instructions speak to a scale of 1 to 5, but only describe three rating categories as being does not meet the standard, partially meets the standard and meets the standard. The rating descriptions are generic. For example, the description for “partially meets the standard” states that the response meets some of the criteria, but lacks meaningful areas. However, the criteria within each section are not defined so that a rating can be fairly made. Further, while the instructions state that “it is the practice of Kids Count to identify priority indicators and to weight certain sections of the application based on those priorities”, Kids Count staff said that no weights are applied, but they do consider operations to be a greater priority than academics. Although the replication application includes vague criteria, Kids Count staff stated that they use information collected through the application, interview and site visit (If needed) to determine if the school is as good as it states it is going to be.

Recommendation:

- *Establish a replication application process that includes an aligned application, criteria and evaluator rubric that examines relevant past performance, as well as applicant capacity to replicate with success. Establish evaluation criteria for all components within the major areas.*

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>E. Rigorous Criteria for Charter Schools Changing Authorizer/Assignment of Contract (if applicable)</p>	<ul style="list-style-type: none"> • No additional criteria are required of the existing school seeking to be switch authorizers. • Authorizer does not look for any evidence of past success or the capacity to operate successfully. 	<ul style="list-style-type: none"> • While no additional criteria are required, the authorizer completes a cursory look of the current school’s academic success or considers the school’s capacity to operate successfully. 	<ul style="list-style-type: none"> • While no additional criteria are required, the authorizer reviews the existing school’s financial audits (where available), academic success and the school’s capacity to operate successfully, meeting and/or exceeding it performance targets. • The application process may include either a face to face interview with the applicant or contact with the school’s current authorizer. • The authorizer does not consider contracting with a charter school that is being non-renewed by its current authorizer. 	<ul style="list-style-type: none"> • Authorizer requires the applicant to provide educational, organizational, and financial performance records to evaluate the school’s capacity to operate successfully, meeting and/or exceeding its performance targets. • The application process includes a face to face interview with the applicant and contact with the school’s current authorizer. • The application process may include visiting the school and/or attending a board meeting. • The authorizer does not consider contracting with a charter school that is being non-renewed by its current authorizer. • The authorizer’s process to consider authorizing a currently operating school is publicly available.

Application Process & Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: Ineffective

The most recent Kids Count application process for existing community schools seeking to change authorizers does not give clear consideration to the school’s academic performance or the governing board’s capacity, making it insufficient to evaluate an applicant’s request. In particular, the bifurcated process of asking for one set of limited information in the application, and then using an interview to get different, but still limited, information does not serve Kids Count well in getting the needed information to fully evaluate applicants. The Kids Count application process for applicants seeking to change authorizers uses the same application as used for replication, and includes submission of a written application, a presentation by the applicant group, an interview, as well as a site visit and follow-up with the authorizer, if needed. This application largely requires the same information as required in the replication application. However, Kids Count staff stated that they understand that schools requesting a transfer likely have a motivating factor to make such a request. As such, the interview questions focus on the reason for requesting a change in authorizer; the school’s status with its authorizer; and questions about fiscal performance and management. However, the application and interview questions are not aligned, resulting in no probing interview questions to better understand the limited application information provided on academic performance and board capacity.

This application uses the same criteria as the replication application, and as a result, suffers from the same challenges as that one.

Recommendation:

- *Establish a transfer application process that includes an aligned application, criteria and evaluator rubric that examines relevant past performance, especially as it relates to academic performance and board capacity.*
- *Use an interview process that aligns with the application, and seeks to gain clarity on the application, especially as it relates to board capacity.*
- *Establish evaluation criteria for all components within the major areas.*

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>F. Reviewer Expertise</p> <p><i>Deep understanding of essential principles, gained through training and/or several years working in the field and mastering the principles.</i></p>	<ul style="list-style-type: none"> • Review team members have little to no experience working in or authorizing charter schools. At least one review team member is trained in school finance, but has limited experience applying the knowledge. • No external sources are sought in education related areas for which the review team members lack expertise. These areas include: <ul style="list-style-type: none"> ○ Charter schools; ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and, ○ School governance. 	<ul style="list-style-type: none"> • The authorizer has at least one dedicated reviewer with limited experience (less than two years) working in or authorizing charter schools, and at least one other reviewer who may have limited knowledge in one or more of the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and/or ○ School governance. • When existing reviewers do not have the range of expertise needed, the authorizer sometimes contracts with external sources to complete particular aspects of the application review. 	<ul style="list-style-type: none"> • The authorizer has at least one dedicated reviewer with two or more years of experience working in or authorizing charter schools. • Other reviewers are certified (where appropriate) and have experience working in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and, ○ School governance. • When existing reviewers do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of the application review. 	<ul style="list-style-type: none"> • Many of the reviewers have practiced in charter schools or authorizing for several years, and have diverse expertise (and certification where appropriate) in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and, ○ School governance. • When existing staff do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of the application review.

Application Process & Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: Ineffective

The application process does not use reviewers with the depth and breadth of experience necessary to effectively evaluate applications. The Kids Count staffs serves as reviewers, and possess a depth of experience in educational and operational compliance and governance. Additionally, they use external contractors with financial and legal expertise. However, no one with experience as an educator participates in the review process; therefore, the reviews lack the expertise in areas critical to evaluating applications—educational program design, curriculum, assessments, instructional methodologies, and academic accountability standards. However, Kids Count staff stated that there are plans to seek added expertise by seeking community volunteers.

Recommendation:

- *Expand the review committee to include educators with experience relevant to the types of applications being considered.*

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
G. Protocols and Training	<ul style="list-style-type: none"> • No defined selection criteria or protocols are used to evaluate applications. • Review team members simply review the written application and only ask clarifying questions. • Reviewers receive no training. • No process is followed to ensure that all internal and external reviewers do not have a conflict of interest with the applicants they are reviewing. 	<ul style="list-style-type: none"> • Selection criteria are documented, but are broad or vague. • Review team members receive limited training on the selection criteria. • If a protocol is used to evaluate applications, limited evidence is documented to support whether or not the applicant meets the selection criteria. • Applicants are not interviewed. • All internal and external reviewers are responsible for identifying if a conflict of interest exists with the applicants they are reviewing. • The reviewer initiates their own removal from reviewing an application if he/she feels a conflict of interest exists. • The authorizer does not require a formal written conflict of interest statement to be signed by each person reviewing the applications. 	<ul style="list-style-type: none"> • Evaluation includes a careful review of the written application, a brief interview of all applicants to clarify points in the written application, and a careful review of the applicant's experience and capacity. • While not always documented in protocols, all new review team members are trained on the selection criteria and protocols prior to reviewing applications for approval. • The review team documents evidence to support whether or not the applicant meets the selection criteria. • Review team members who have previously reviewed applications for the authorizer receive refresher training on the selection criteria and protocols prior to reviewing applications for approval. • The authorizer requires a formal written conflict of interest statement to be signed by every internal and external reviewer of applicants. • The authorizer initiates removal of an internal or external reviewer from evaluating an application. 	<ul style="list-style-type: none"> • Evaluation includes a detailed review of the written application, an in-depth interview with finalists, and a thorough background review of the applicant's experience and capacity. • Application evaluators are trained annually on the selection criteria, the evaluation process and the protocols. <i>[e.g., interview guides used for all applicants, rubrics that require the evaluator to score and document how the applicant rates on the selection criteria, etc.]</i> • The review team documents in detail the evidence to support whether or not the applicant meets the selection criteria. • An established policy and process are consistently followed that ensures all internal and external reviewers do not have a real or perceived conflict of interest with the applicants they are reviewing. • The authorizer requires a formal written conflict of interest statement to be signed by every internal and external reviewer of applicants. • The authorizer initiates and documents the removal of an internal or external reviewer from evaluating an application if a formal conflict of interest is found.

Application Process & Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: Ineffective

Although Kids Count provides reviewer training, the lack of evaluation criteria does not allow the training to ensure that reviewers appropriately rate application components and could lead to poor decisions. Kids Count provides training that outlines the review process, including how to rate applications. According to Kids Count staff, reviewers receive copies of the applications, as well as sample applications to conduct practice evaluations. However, the foundation for application decision-making is evidence-based criteria. Since neither the applications nor the evaluation rubrics clearly define the criteria or standards necessary to rate an application, the training falls short in providing a clear understanding of how to rate applications in relation to a standard. Likewise, the evaluation rubric does not define a cumulative cut score, which gives the appearance of broad and vague selection criteria. Kids Count staff explained that a composite score is generated based on the numeric value of the ratings given. With all items being of equal weight, a score of 66 points demonstrates partially meeting the standard, which Kids Count considers a fair starting point to consider approval.

Kids Count uses existing signed conflict of interest statements for each cycle given that the same reviewers are used each year. As a result, these are not linked to a specific review period, application, or activity. Kids Count, then, relies on reviewers to voluntarily recuse themselves, rather than formally querying reviewers for the presence of potential or existing conflicts.

Recommendation:

- *Provide training that not only describes the process, but also provides an explanation and practice of how reviewers are to rate applications using a detailed rubric that includes selection criteria that are aligned to the application.*
- *Require reviewers to sign a conflict of interest statement for each application cycle that clearly speaks to a reviewer’s status with the current applicant pool. The statements should reflect conflicts that will be avoided that are specific to the application review process.*

Application Process & Decision Making				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>H. Rigorous Decision Making</p> <p><i>Rigorous decisions are based upon a thorough analysis of a comprehensive body of objective evidence.</i></p>	<ul style="list-style-type: none"> • Almost all applicants that apply are approved, regardless of the strength of the application. • Preliminary agreements are made with schools that had previously closed and/or were non-renewed by their previous authorizer. 	<ul style="list-style-type: none"> • The majority of applications that meet a general framework of criteria are approved. • Preliminary agreements are made with charter schools that meet one or more of the following criteria: <ul style="list-style-type: none"> ○ Fail to clearly demonstrate the capacity to successfully operate (e.g., lack of staffing, lack of resources, questionable governance, history of poor performance, etc.); ○ Little or no market research data to support the school’s opening; ○ Little or no data to support a successful educational model; ○ Questionable business plan and limited resources to support the school’s launch (e.g., reliance on unsecured loans and/or management company financial support); or ○ Were previously closed and/or non-renewed by their previous authorizer. 	<ul style="list-style-type: none"> • Applicants that meet the majority of the criteria are approved. • Enters into preliminary agreements with schools that meet most of the following criteria: <ul style="list-style-type: none"> ○ Clear capacity to successfully operate a new school (e.g., lack of staffing, lack of resources, questionable governance, history of poor performance, etc.); ○ Researched data shows strong market demand for the proposed school (e.g., mission, location, grades served, proximity of high quality public & private school options) ○ Quality educational program; ○ Solid business plan and a start-up budget to support the school’s launch and sustained early operations; and, ○ The school has not been recycled: previously closed or non-renewed by its previous authorizer. 	<ul style="list-style-type: none"> • Only applicants meeting all, or almost all, of the criteria are approved. Any perceived minor deficiencies are addressed in the contract process. • Only enters into preliminary agreements with schools that meet all of the following criteria: <ul style="list-style-type: none"> ○ Clear capacity to successfully operate a new school (e.g., lack of staffing, lack of resources, questionable governance, history of poor performance, etc.); ○ Researched data shows strong market demand for the proposed school (e.g., mission, location, grades served, proximity of high quality public & private school options) ○ Quality educational program; ○ Solid business plan and a start-up budget to support the school’s launch and sustained early operations; and, ○ The school has not been recycled: previously closed or non-renewed by its previous authorizer.

Application Process & Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: Poor or Undeveloped

Kids Count does not engage in rigorous decision-making, as the process lacks specific criteria, does not set high standards for approval, lacks documentation of strong market demand, and establishes preliminary agreements applicants that were previously terminated or non-renewed by its authorizer. The review committee provides the board with the composite evaluation rubrics that only provide reviewer ratings; no substantive comments are included to explain the rationale for the ratings and the evidence the applicant provided. In the absence of clear standards, Kids Count considers applications ranked as partially meeting the standard as candidates for approval. Neither the application nor interview protocol requests information on the market demand for the school, and there is no evidence documenting that the review committee or board considers this as part of their deliberations. Additionally, Kids Count has minimally established preliminary agreements with schools that were terminated or non-renewed by their authorizers, which does not align with Kids Count’s mission of authorizing high quality community schools.

Recommendations:

- *Establish high standards for approval of applications, including only establishing preliminary agreements with schools that demonstrate capacity, strong market demand, a quality educational program, solid business and financial plans, and have not been terminated or non-renewed.*

Performance Contracting

	Poor or Undeveloped	Ineffective	Effective	Exemplary
A. Contract Student Performance Measures	<p>Most contracts include:</p> <ul style="list-style-type: none"> ○ Vague measures of student performance, such as local report card ratings or statewide assessments. ○ No specific metrics and targets for school-wide performance (e.g., “80% proficiency in 3rd grade reading and math OAA) 	<p>Most contracts include:</p> <ul style="list-style-type: none"> ● Multiple measures of student performance , which may include the following: <ul style="list-style-type: none"> ○ statewide assessments, ○ attendance, or ○ <i>if applicable,</i> graduation rates. ● Metrics and targets for school-wide performance are vague (e.g., meet state standards) ● Targets are for the all students group; they do not include subgroups of students. 	<p>All contracts may include the following:</p> <ul style="list-style-type: none"> ● multiple measures of student performance, such as <ul style="list-style-type: none"> ▪ proficiency rates on state assessments ▪ <i>if applicable,</i> student academic growth, ○ <i>if applicable,</i> graduation rates, ○ attendance, and ○ <i>if applicable,</i> post-secondary enrollment after high school. ● Metrics and targets for school-wide performance are specific (e.g., 80% proficiency in 3rd grade reading, meet or exceed value added, etc.) ● Targets include all students and subgroups of students. 	<p>All contracts include all of the following student measures:</p> <ul style="list-style-type: none"> ○ proficiency rates on state assessments, ○ student academic growth, ○ graduation rates, ○ attendance, ○ <i>if applicable,</i> post-secondary enrollment after high school, and ○ <i>if applicable,</i> student performance on other valid and reliable assessments as laid out in the contract. ○ Metrics and targets are specific and rigorous. ○ Targets include all students and subgroups of students. ○ At a minimum, targets are set that compare the school’s student performance to the state, schools serving similar populations and/or schools in the same geographical area. ○ Mission-specific academic goals may be included; such goals include specific metrics and targets.

Performance Contracting

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: Poor or Undeveloped

Kids Count has not developed a performance framework that can be used to evaluate the performance of schools against pre-established goals and hold them accountable for a high level of student performance. The contract provides vague mention of types of academic data the organization will examine, but does not set specific goals or targets. The organization has not updated contract language to reflect changes in state report cards that occurred after the 2011-2012 school year. One example is that the contract template makes reference to Average Yearly Progress rather than Annual Measureable Objectives. Additionally, contract language does not differ between schools serving a general student population and those serving a dropout recovery student population despite the two school types having had different report card types and measures since school year 2012-2013.

Opportunities for improvement:

- *Develop and implement performance frameworks in each contract that are school specific and focused on student academic achievement. Measures must include those that are relevant for the specific school based on grade levels served and report card type received. All student subgroups served by the school must be examined. Additional measures of student academic performance can be included. Ensure that each contract spells out the various measures that will be evaluated as well as the intermediary targets and ultimate goals a school must meet.*

B. Contract Terms for High-Stakes and Ongoing Reviews

A performance review upon which renewal decisions are made.

- Contract **renewal is essentially automatic** and contract language may specify automatic renewal as the default.
- Authorizer **contracts rarely specify a high-stakes review** to take place prior to contract renewal.

- Contract renewal is essentially automatic and contract **language may specify automatic renewal** as the default.
- Authorizer contracts **occasionally specify a high-stakes review** to take place prior to contract renewal, but **at least every 5 years for extended contracts.**

- Authorizer contracts **regularly specify a required high-stakes review** to take place **prior to contract renewal, but at least every 5 years for extended contracts.**

- **All** authorizer contracts **specify a required high-stakes review** to take place **prior to contract renewal, and at least every 5 years for extended contracts.**

Performance Contracting

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: Poor or Undeveloped

Kids Count has not developed a high stakes review. Contract renewal is essentially automatic, with some consideration given to compliance with rule and law. School performance is not reviewed prior to contract renewal.

Recommendation:

- *Develop and implement performance frameworks in each contract that are school specific and focused on student academic achievement. Measures must include those that are relevant for the specific school based on grade levels served and report card type received. All student subgroups served by the school must be examined. Additional measures of student academic performance can be included. Ensure that each contract spells out the various measures that will be evaluated as well as the intermediary targets and ultimate goals a school must meet.*

C. Contract Terms for Renewal and Non-renewal

- Contracts **rarely define** the performance standards and criteria and **conditions for renewal**.
- Contracts **rarely define the consequences for meeting or not meeting** standards and conditions.

- **Most** contracts **broadly define** the performance standards **and criteria and conditions for renewal**.
- **Most** contracts **broadly define the consequences** for meeting or not meeting standards and conditions.

- **Most** contracts **define** the performance standards and **criteria and conditions for renewal**.
- **Most** contracts **define the consequences** for meeting or the consequences for not meeting standards and conditions.

- **All** contracts **clearly define and detail** performance standards and criteria and **conditions for renewal**.
- **All** contracts **clearly define and detail the consequences** for meeting or the consequences for not meeting standards and conditions.

Performance Contracting

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: Poor or Undeveloped

Kids Count does not describe terms for contract renewal/non-renewal outside of the contract template. The description of terms that exists in the contract template is very general, stating only that the school’s performance must be satisfactory. However, without a developed performance framework there is no clarity on the definition of “satisfactory” and an authorizer limits its ability to demand high performance and enact consequences when performance is not satisfactory.

Recommendation:

- *See Recommendation under Contract Terms for High-Stakes and Ongoing Reviews.*
- *Define the criteria for evaluating school performance within the high-stakes and ongoing reviews.*
- *Define the consequences for performing at various levels compared to contract goals.*

Performance Contracting

	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>D. Contract terms for Amendments and Updates</p> <p><i>All/most authorizers have boiler-plate language noting that amendments may be made to all contracts.</i></p>	<ul style="list-style-type: none"> • No specific conditions for amendment or modifications are noted in the contract. • Authorizer does not modify the terms of a contract, even when it is renewed with the school. 	<ul style="list-style-type: none"> • General conditions for amendment or modifications are noted in the contract. • Authorizer regularly assesses contract language to ensure consistency with changes in state and/or federal law. • Authorizer has an updated contract template that it uses as it authorizes new schools; however, old contracts are not updated to reflect the more rigorous contract terms until the existing contract expires. 	<ul style="list-style-type: none"> • General conditions for amendment or modifications are noted in the contract. • Authorizer regularly assesses contract language to ensure consistency with changes in state and/or federal law. • Authorizer regularly updates all or most of its existing contracts to reflect changes in state and/or federal law. • If an authorizer updates its performance framework to support higher achievement and ensure better compliance in the new schools it authorizes, old contracts are not updated to reflect this new framework until the existing contract expires. 	<ul style="list-style-type: none"> • General conditions for amendment or modifications are noted in the contract. • Authorizer regularly assesses contract language to ensure consistency with changes in state and/or federal law. • Authorizer regularly updates its performance framework to support higher achievement or to ensure better compliance. • Authorizer regularly updates all or most of its existing contracts to reflect changes made in the template it uses for new schools.

Performance Contracting

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: Ineffective

Kids Count does not describe terms for amendments and updates to the contract outside of the contract template. The description of terms that exists in the contract template is very general. Kids Count staff indicates that they follow the Ohio Department of Education’s (ODE) contract guidance related to items that require a contract modification. It is unclear how Kids Count addresses cases where schools make changes without the authorizer’s approval and/or knowledge. Examination of the authorizer’s contract template and performance contract indicates that, at a minimum, Kids Count of Dayton, Inc. has not been updating performance contracting language to reflect changes in Ohio’s accountability and report card system that have occurred since the 2011-2012 school year.

Recommendation:

- *Develop and publish guidance related to contract amendments and updates.*
- *Review annual changes to Ohio’s accountability system and ensure that they are reflected in contracts.*

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
A. System of Oversight & Evaluation	<ul style="list-style-type: none"> The authorizer’s oversight and evaluation system is reactive, focused only on the school’s compliance with laws. The authorizer rarely enforces consequences for failing to meet compliance requirements or performance expectations. 	<ul style="list-style-type: none"> The authorizer’s oversight and evaluation system is minimal; focusing mainly on the school’s compliance with laws and with limited examination of academic performance. The authorizer occasionally enforces consequences for failing to meet compliance requirements or performance expectations. 	<ul style="list-style-type: none"> The authorizer’s oversight and evaluation system is proactive, collecting and/or accessing and reviewing and/or analyzing data on the school’s compliance with laws and against performance targets stated in the contract. Combined, these sources of data inform contract renewal, termination, and intervention decisions. The authorizer regularly enforces consequences for failing to meet compliance requirements, and sometimes performance expectations. 	<ul style="list-style-type: none"> The authorizer implements a comprehensive performance accountability and compliance monitoring system that is defined by the charter contract and that provides the information necessary to make rigorous and standards-based renewal, termination, and intervention decisions. The authorizer predetermines intervention actions for failure to meet contract requirements and clearly articulates and enforces stated consequences for failing to meet performance expectations or compliance requirements.
<p><i>Rating: Ineffective</i></p> <p>The authorizer monitors the school’s legal compliance with the various requirements of operational law through its twice annual site visits, opening assurances and monthly enrollment and financial reviews. Kids Count enforces consequences for failing to meet operational compliance requirements. Their system stops short of including a similar breadth of focus on academic performance expectations. While the site visit forms reference faithfulness to the contract, the items reviewed are operational compliance rather than outcomes. They monitor academic accountability through the report card primarily. During the interview, Kids Count staff talked about looking at strengths and weaknesses of performance with the school leaders and with the board. That exchange is supported in the documents provided for the areas of operational compliance, but was not evident for academic performance.</p>				

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Recommendation:</i></p> <ul style="list-style-type: none"> Implement an extensive, comprehensive monitoring and evaluation system that incorporates all aspects of compliance and school performance against contractual expectations, aligned with the performance framework as specified in the contract. Include examples of consequences for failure to meet not only operational compliance, but academic and governance performance expectations, as well. Such examples may follow the statutory interventions of probation, suspension, etc., but could also include corrective action that does not rise to the level of probation. 				
<p>B. Transparency of Process</p>	<ul style="list-style-type: none"> The authorizer’s major oversight and evaluation processes for application, renewal and closure are not transparent. 	<ul style="list-style-type: none"> The authorizer’s major oversight and evaluation processes for application, renewal and closure are not transparent; however, the timelines are communicated. 	<ul style="list-style-type: none"> The authorizer’s major oversight and evaluation processes for application, renewal and closure are transparent - clearly communicated to schools through contract and documented guidance and acknowledging that some aspects of oversight necessitate flexibility (e.g., a testing investigation). 	<ul style="list-style-type: none"> The authorizer’s oversight and evaluation process is fully transparent; it defines and communicates to schools through the school contract and documented guidance the process, methods, and timing of gathering and reporting school performance and compliance data, while acknowledging that some aspects of oversight necessitate flexibility (e.g., a testing investigation).

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Ineffective</i></p> <p>The challenge respecting oversight and monitoring relates to gathering of complete evaluation data which are used not just for immediate compliance assessment, but as part of a historical record of the school’s success and used in making contract renewal decisions. Kids Count’s oversight and monitoring system focuses on compliance. As shared by Kids Count and supported by school interviews, the process is structured and aligns with monitoring requirements outlined in the contract; the process and related consequences are understood by its schools . However, Kids Count has not developed guidance to further explain the review process, outcomes, and consequences. Site visits are conducted twice yearly while school is in session. Notice is given in advance of the visit by e-mail and a copy of the site visit form is included. An administrator attends all site visits and others, such as the special education instructor, central office staff or the nurse, for example, as needed. Kids Count staff provides an overview of what they will be reviewing during each visit. The prior visit summary is available, which may include recommendations for improvements necessary for the school to be in compliance. Classroom observations are also made and the notes from these are shared apart from the site visit review. Examples of the use of these observations were not available for review. Following the site visit, the school is e-mailed the updated site visit form and a calendar reminder system is used for any areas needing additional attention, including provision of additional documentation. In the case of more extreme non-compliance, the Kids Count staff may conduct an unannounced visit. Since the contract does not address such visits, guidance outlining the full monitoring process, outcomes, and consequences would make the process more transparent.</p> <p>Enrollment and financial reviews are completed monthly. A Kids Count staff member attends all board meetings and information from the monthly reviews is shared at that time.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> • Clarify in oversight documents and in a separate guidance document the processes and procedures for oversight and evaluation, all the measures used to assess a school’s success and how the information will be used. Aligned with a stronger performance framework that includes specific performance measures and targets, report back to the schools progress made/compliance with the holistic set of performance and compliance data. • Link the oversight monitoring documents with the process and data used in making renewal decisions. • Consider providing guidance (perhaps in the form of chart or table) to schools on all oversight and evaluation reports they will receive throughout the year. 				

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>C. Enrollment & Financial Reviews</p> <p><i>Note: when an authorizer is reviewing certain EMO/CMO affiliated schools, it may not have access to all the financial records deemed necessary for the authorizer to do a full financial review. (Protocol issue)</i></p>	<ul style="list-style-type: none"> • The authorizer rarely reviews the enrollment and financial records of each school. When or if reviewed, the authorizer provides few details and feedback that is rarely of value to the school. • No consideration is given to the qualifications of the individual performing the review on behalf of the authorizer. 	<ul style="list-style-type: none"> • The authorizer minimally reviews the enrollment and financial records of each school, and provides occasional feedback with limited details and that are of limited use to the school. • Some consideration is given to appropriate qualifications of the authorizer’s reviewer. 	<ul style="list-style-type: none"> • The authorizer reviews and provides monthly feedback on the enrollment and financial records of each school. • All revenue sources are considered against the school’s annual budget. • Consideration is given to the qualifications of the authorizer’s reviewer respecting school financial reviews. 	<ul style="list-style-type: none"> • The authorizer reviews and provides monthly feedback on the enrollment and financial records of each school. • The authorizer’s recommendations to the board are pro-active in that they help the school achieve greater efficiencies, and also results in timely interventions when problems arise. • All revenue sources are considered against the school’s annual budget. • The authorizer employs a licensed school treasurer or equivalent to conduct school financial reviews, which include the following: <ul style="list-style-type: none"> ○ budget ledgers, ○ transaction detail reports, ○ five year forecasts, and ○ previous Auditor of State reports.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Effective</i></p> <p>Kids Count’s contracted treasurer reviews each school’s financial information monthly. Information used in these reviews includes AP reports, bank reconciliation statements, asset reports, budgets-to-actuals, and related financial documentation. STRS and SERS contributions are monitored monthly. Annual audit reports are also used if there is any indication that the school needs to take corrective action.</p> <p>Student enrollment is also reviewed monthly. Schools send in enrollment reports which are compared to enrollment reported on the department’s funding page and verified during its site visits</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> • <i>Consider providing a two year financial summary or other reports to help the board more proactively think about the school’s financial health and potential ways to achieve greater resource efficiencies.</i> 				

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>D. Financial Audit Follow-up</p> <p><i>Note: when an authorizer is reviewing certain EMO/CMO affiliated schools, it may not have access to all the financial records deemed necessary for the authorizer to do a full financial review. (Protocol issue)</i></p>	<ul style="list-style-type: none"> When it receives timely notice and the school agrees to the meeting, the authorizer never attends the school’s closing audit conference. The authorizer either rarely follows-up with schools on issues identified in a school’s annual audit by the Auditor of State or is excessive in its follow-up and direction to the school. 	<ul style="list-style-type: none"> When it receives timely notice and the school agrees to the meeting, the authorizer never or rarely attends less than half of the schools’ closing audit conferences. The authorizer may follow-up on legal compliance issues identified in a school’s annual audit by the Auditor of State. 	<ul style="list-style-type: none"> When it receives timely notice and the school agrees to the meeting, the authorizer attends the majority of the schools’ closing audit conferences. The authorizer addresses the majority of issues identified in a school’s annual audit by the Auditor of State, including findings for recovery, issues of material non-compliance, and so on. If the authorizer requires the school to engage in a Corrective Action Plan, the authorizer monitors the school’s implementation of the plan. 	<ul style="list-style-type: none"> When it receives timely notice and the school agrees to the meeting, the authorizer always attends the schools’ closing audit conferences. The authorizer thoroughly addresses issues identified in a school’s annual audit by the Auditor of State, including findings for recovery, issues of material non-compliance, and so on. These actions are evidenced by correspondence and/ or meetings between the school and the authorizer. <p>Examples of a school’s corrective action could include but not limited to:</p> <ul style="list-style-type: none"> adopting or advising relevant policies, reducing deficiencies by implementing additional internal controls, and/or setting up a board audit committee; the follow-up to measure, along with school’s status of previous citations/concerns/comments from the Auditor; the authorizer engages in follow-up to measure the school’s progress in ensuring that similar future findings are avoided, with or without a formal Corrective Action Plan.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Exemplary</i></p> <p>Kids Count attends all exit conferences with the Auditor and the school. If there are any findings from the audit report, according to the interview, Kids Count staff meet with the school’s governing authority to review the findings and direct them on a course of corrective action. Any corrective action plans are monitored by the authorizer.</p>				
<p>E. Site Visit Protocols & Training</p>	<ul style="list-style-type: none"> • During an onsite review, data are collected from a school employee available at the school on the day of the review. • The authorizer’s onsite reviewers receive very little training on the site visit process and no protocols are used. 	<ul style="list-style-type: none"> • During an onsite review, data are collected from a school employee available at the school on the day of the review. • The authorizer has an onsite visit protocol; however, its onsite reviewers are not trained on the tool; and therefore, • There is no evidence of consistent use of the protocol across reviewers. 	<ul style="list-style-type: none"> • During an onsite review, data are collected from school administrators and a sample of instructors. • The authorizer’s onsite reviewers are trained on and regularly use observation and interview protocols. • There is evidence of consistent use of the protocols across reviewers. • Data may be collected through a variety of means and throughout the school year. 	<ul style="list-style-type: none"> • During an onsite review, data are collected consistently from a variety of stakeholders, which may include the charter school’s governing board members, administrators, teachers, students, parents, and staff from the management company (if applicable). • Reviewers receive ongoing training, formal or informal, on the purpose, criteria, process and protocols of conducting onsite visits. • Additionally, training is provided as needed to remain current with changes in law. • Data may be collected through a variety of means and throughout the school year.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Effective</i></p> <p>Kids Count has a clear protocol for site visits. The visits are scheduled in advance; they use a site visit rubric for fall and for spring. The current version is provided in advance to the school administrator. When scheduling the visit, the school is told who is expected to be available: the administrator always participates; sometimes a management company representative; often someone from the administrative office; others are pulled in as needed (e.g., intervention specialist, school nurse). Each school keeps a binder of all the documents to be reviewed. The background checks are verified at each visit, using a signed and updated roster at each visit. Parts of the review include walking through the school; checking food service; special education records; confirming how medications are stored and that the proper process is in place. For this particular area of compliance, Kids Count has established the practice of having a photo ID of the student on file, to ensure that the correct child receives the medication and requiring two signatures of the person administering the medication. The school’s professional development calendar is checked as part of the LPDC review. Classroom observations are made, using a different form for taking notes. During the classroom visits, the Kids Count staff checks to see if lesson plans are in place and current with the lesson being given. Following the visit, the school administrator is e-mailed a copy of the site visit form, showing what is and is not in compliance. For items not in compliance, Kids Count’s administrative assistant adds these items to a calendar warning system (tickler file), and schools are sent reminders to provide whatever is needed to bring that item into compliance.</p> <p>Kids Count has had a stable staff over the past six years. Training a new member has not been needed for some time; however, when the most recent member began, training included shadowing with immediate feedback provided by the senior staff member. Consistent use of the site visit protocols also ensures that staff is using the same methods, collecting the same data.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> • <i>Update the site visit protocols so that they are current with the recent changes in the state accountability system.</i> • <i>Add progress measures from the performance contract framework to the site visit protocol and use those measures and data during the site visits to ensure that both Kids Count and the schools are on the same page regarding the school’s progress against those measures.</i> 				

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>F. Site Visit Reviewer Expertise</p> <p><i>Deep understanding of essential principles, gained through training and/or several years working in the field and mastering the principles.</i></p>	<ul style="list-style-type: none"> • Site visit reviewers have little or no experience working in or authorizing charter schools. At least one review team member is trained in school finance, but has limited experience applying the knowledge in reviewing charter school compliance data gathered from the site visit. • No external sources are sought in education related areas for which the authorizing staff lacks expertise. These areas include: <ul style="list-style-type: none"> ○ Charter schools; ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and, ○ School governance. 	<ul style="list-style-type: none"> • At least one dedicated site visit reviewer has limited experience (less than two years) working in or authorizing charter schools, and at least one other site visit reviewer has limited training and limited experience or knowledge in one or more of the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; ○ School finance; and/or ○ School governance. • When existing staff do not have the range of expertise needed, the authorizer sometimes contracts with external sources to complete particular aspects of the site visit review. 	<ul style="list-style-type: none"> • The authorizer has at least one dedicated site visit reviewer with two or more years of experience working in or authorizing charter schools. • Other reviewers are certified (where appropriate) and have experience working in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; and, ○ School finance; and, ○ School governance. • When existing reviewers do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of the site review. 	<ul style="list-style-type: none"> • Many of the reviewers have practiced in charter schools or authorizing for several years, and have diverse expertise (and certification where appropriate) in the following areas: <ul style="list-style-type: none"> ○ Curriculum, instruction and assessment; ○ Special education and ELL instruction; ○ School accountability; ○ School facilities; ○ School law; and, ○ School finance; and, ○ School governance. • If the charter school has a distinct focus (e.g., online delivery, special education, dropout recovery), the reviewers of these schools are knowledgeable in the area of the school’s focus. • When existing reviewers do not have the range of expertise needed, the authorizer contracts with external sources to complete particular aspects of the site visit review.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Effective</i></p> <p>Members of Kids Count’s staff have many years’ experience as authorizers. They employ a licensed treasurer to do financial reviews. They employ an attorney to ensure that the schools’ contracts are current and to share updates with Kids Count when the law changes. One staff member has several years’ experience as a trainer for the Ohio School Boards Association, which deepened his understanding of governance. Another staff member consults in the areas of staff development and team building, working with a traditional public school district on the Ohio Improvement Process.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> <i>For areas in which there is a need present or likelihood of a possible problem beyond the depth of the current staff expertise, Kids Count should consider consulting with an expert to help them and the school address the issue and make whatever improvement is desired (e.g., special education complaints, selecting the most effective curriculum for at-risk students).</i> 				

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
G. Site Visit Reports	<ul style="list-style-type: none"> Based upon information from site visits, the authorizer may provide the school with a written report but which fails to provide any relevant information about the school’s operations. There is no follow-up. 	<ul style="list-style-type: none"> Based upon information from site visits, the authorizer provides the school with a written report of general findings, may include areas needing improvement. There may or may not be follow-up for improvement areas. 	<ul style="list-style-type: none"> Based upon information from site visits, the authorizer provides the school with a written report which includes the following: <ul style="list-style-type: none"> the information collected; and areas needing improvement. Ongoing, the authorizer requests and reviews status updates from the school pertaining to any areas needing improvement. 	<ul style="list-style-type: none"> Based upon information from site visits throughout the year, the authorizer provides the school with a written report which includes the following: <ul style="list-style-type: none"> the information collected; areas of strength; and areas needing improvement. Ongoing, the authorizer requests and reviews status updates from the school pertaining to any areas needing improvement.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Effective</i></p> <p>Each school is provided with a copy of the current site visit report following each visit. The report indicates if the school is in compliance, partially compliant, or not in compliance for every item. Kids Count uses a system to follow-up, with e-mails sent to the schools as reminders. Kids Count expects schools to provide evidence that an area of non-compliance or partial compliance is achieved. Kids Count makes suggestions regarding resources the school may access for further assistance (e.g., the State Support Team).</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> Consider updating the site visit report so that it includes additional data about the school's performance, as noted above. Also, as this is a twice yearly update, consider using the report as an opportunity to provide a beginning year review of where the school stands financially; in governance; and against its larger performance targets and similarly, at year's end, along with the school's goals for the upcoming year. Doing so would provide the school's board and administrators with a cumulative report of the school, leaving no surprises when it is time to consider contract renewal or a possible expansion of grades served, enrollment, and so on. 				
H. Communication with the Charter School	<ul style="list-style-type: none"> The authorizer fails to communicate with the school's Governing Authority; or The authorizer is inappropriately overly involved in the school's operations, directing it or making decisions on the governing authority's behalf. 	<ul style="list-style-type: none"> The authorizer's communication with the school's governing authority is limited, vague and/or inconsistent. 	<ul style="list-style-type: none"> The authorizer's communication with the school's governing authority is frequent, specific and informative regarding the school's operations. 	<ul style="list-style-type: none"> The authorizer's communication is frequent, specific and informative regarding the school's operations and includes both the school operator and governing authority.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Exemplary</i></p> <p>Kids Count communicates frequently and regularly with the school leaders and governing authorities. Communication is done informally through e-mail; by a Kids Count staff member attending every board meeting; through the newsletter, <i>Information Bites</i>, in general conversations and through the site visit correspondence. Kids Count forwards information to the schools that it receives from NACSA, ODE, OAPCS, or AOS, for example.</p>				

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
I. Respecting Governing Authority Autonomy in Operations	<ul style="list-style-type: none"> The authorizer is inappropriately overly involved in the day-to-day operational decisions of the schools it authorizes and/or operates more as a “program” of the authorizer. Regardless of demonstrated success, all schools have limited or no autonomy over decision-making. The authorizer collects data in a manner that is burdensome to the school, without thought to protect students and public interests. The authorizer never examines its own compliance requirements to possibly minimize burden and increase the autonomy of its schools. 	<ul style="list-style-type: none"> The authorizer is inappropriately slightly involved in the day-to-day operational decisions of the schools it authorizes. The authorizer collects data in a manner that is burdensome to the school, without thought to protect students and public interests. Authorizer may or rarely (no more than once every two years) examines its own compliance requirements to possibly minimize burden and increase the autonomy of its schools. 	<ul style="list-style-type: none"> The authorizer has limited involvement in the day-to-day operations of the schools it authorizes, targeting those that have demonstrated poor performance or non-compliance. The authorizer collects data in a manner that minimizes administrative burden on the school, and protects student and public interests. Authorizer occasionally (once or twice every two years) examines its own compliance requirements to possibly minimize burden and increase the autonomy of its schools. 	<ul style="list-style-type: none"> The authorizer has no involvement in any school’s authority over its day-to-day operations, unless required to as part of its contractual obligations pertaining to intervention. The authorizer collects data in a manner that minimizes administrative burden on the school, and protects student and public interests. The authorizer annually reviews its own compliance requirements and evaluates the potential to increase school autonomy based on flexibility in the law, streamlining requirements or other considerations.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Effective</i></p> <p>Kids Count staff members are not employed by a school or a school’s management company, nor are its staff members of any school’s governing authority. Kids Count does not sell services to any of the schools it authorizes. The staff is always accessible to the schools when needed to provide technical assistance and advice.</p> <p>From school interviews and the online survey, there is nothing to suggest that the schools find Kids Count inappropriately involved in the schools’ operations. Kids Count does make recommendations from time to time but does not direct a school’s actions, with the exception of requirements of corrective action.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> <i>Put in place an intentional, annual review of requirements placed upon schools to see if and where there may be the potential to relieve administrative burden. Based upon past interactions in which a school has not been truthful or forthcoming, Kids Count has created policies to avoid placing themselves in jeopardy. Kids Count is cautioned to review these policies to make sure they are not increasing burden on schools where there is no evidence that the school may be at risk for unprofessional/unacceptable actions.</i> 				

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
J. Intervention	<ul style="list-style-type: none"> • The authorizer is unaware of its obligation to intervene in accordance with Ohio law. • The conditions that trigger intervention are never articulated by the authorizer to its schools. • The authorizer never or rarely provides schools with timely notice of contract violations and/or provides little to no information on performance deficiencies. • There is no evidence that the authorizer (based upon its own oversight or evidence from ODE and/or AOS that a compliance issue(s) exist), intervenes or follows-up on issues with schools in which compliance problems are identified. 	<ul style="list-style-type: none"> • The authorizer is generally aware of its obligation to intervene with a charter school in accordance with Ohio law. • The charter school contract states the conditions that may trigger intervention. • The authorizer occasionally provides schools with timely notice of contract violations, and/or minimal notice of performance deficiencies. • There minimal or limited evidence that the authorizer intervenes with problems related to compliance which are identified during its own oversight or when identified by an external agency, such as ODE or AOS. • When intervention occurs, it is usually very prescriptive in nature and/or the authorizer defaults to another entity, such as ODE or AOS, for intervention guidance. 	<ul style="list-style-type: none"> • The authorizer establishes and makes known to the school in the contract the conditions that may trigger intervention and the types of actions and consequences that may ensue. • The authorizer provides timely notice of contract violations and performance deficiencies. • There is evidence that the authorizer almost always intervenes in the charter school's operations to correct compliance issues or problems in the school's overall performance, based upon the authorizer's oversight, or evidence from ODE and/or AOS. 	<ul style="list-style-type: none"> • The authorizer establishes and makes known to schools at the outset an intervention policy stating the general conditions that may trigger intervention and the types of actions and consequences that may ensue. • The authorizer gives schools clear, adequate, evidence-based, and timely notice of contract violations and performance deficiencies. • The authorizer initiates intervention in the charter school's operations in a timely manner and clearly linked to correcting specific deficits in the school's overall performance. • The authorizer allows school reasonable time and opportunity for remediation in non-emergency situations. • Intervention strategies clearly preserve school autonomy and responsibility (e.g., identifying what the school must remedy without prescribing solutions; and understanding that the school may choose a different path).

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Effective</i></p> <p>Kids Count’s contracts state the general conditions that will trigger intervention (probation, suspension or termination). Documentation provided by Kids Count shows that when a school is found to be non-compliant, either through the authorizer’s own review, or as a result of an Auditor of State finding, an ODE review (e.g., grant monitoring, enrollment review, assessment inquiry), Kids Count requires corrective action from the school’s governing board. Depending upon the severity of the issue, the school may be asked for a corrective action plan without first being placed on probation. The school is monitored against the corrective action plan. If resolution is not achieved, Kids Count moves to place the school on probation with a more stringent corrective action plan, and in the worst case of unresolved non-compliance, notifies the school of its intent to suspend.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> Develop and share with schools an intervention policy stating the general conditions that may trigger intervention and the types of actions and consequences that may ensue, along with general timeframes. Where possible, anticipate the types of potential violations and performance shortfalls and indicate the types of interventions and consequences aligned with each. 				
K. Oversight & Evaluation Report to Schools	<ul style="list-style-type: none"> Provides a report, very broad in nature, when compliance problems arise that must be addressed by the school. 	<ul style="list-style-type: none"> Provides a report to each school, summarizing fiscal and operational compliance. 	<ul style="list-style-type: none"> Provides a report to each school, summarizing its performance and compliance to date. 	<ul style="list-style-type: none"> Provides a report to each school, summarizing its performance and compliance to date and identifying areas of strength and areas needing improvement.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Ineffective</i></p> <p>Kids Count uses the site visit report as a summary of school performance.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> Expand the year end compliance report to include a comprehensive review of fiscal, academic, governance as well as compliance information, as measured against the performance targets specified in the contract. While compliance could be regarded as an area of strength, further develop that area or the higher category (governance) with comments about the schools' strengths, where appropriate. Develop a report for the schools which goes beyond the operational compliance status of the current year. 				
L. Annual Report to the Public	<ul style="list-style-type: none"> The authorizer provides the general public and ODE with a very brief report on the school's compliance with the laws for each of the schools it authorizes. 	<ul style="list-style-type: none"> The authorizer produces an annual report for each of the schools that it authorizes. These reports provide limited information on the school's compliance with the laws and meeting the terms of its contract. 	<ul style="list-style-type: none"> The authorizer produces an annual report on the individual schools that it oversees. These reports include informative data on the school's compliance with the laws and meeting the terms of its contract. 	<ul style="list-style-type: none"> The authorizer produces an annual public report that provides clear, accurate performance data for the charter schools it oversees, reporting on individual schools and its overall portfolio performance and progress toward achieving its authorizing mission.

Oversight & Evaluation				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Ineffective</i></p> <p>Kids Count’s annual compliance report fulfills its legal requirement to the state, but the report’s somewhat limited information does not provide the public with a clear picture of the school’s performance and how it is meeting its mission. The format of the narrative varies from school to school, for example. Kids Count does reward schools when attending a school function and at its annual Summit meetings.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> • <i>Use the annual report as an opportunity to first describe Kids Count’s authorizing – its goals, strategic intentions for future authorizing; types of schools it wishes to attract; and so on.</i> • <i>Implement a standard reporting format for each school, including as examples mission, grades served, length of operation; focus; state rating, including value-added; number of graduates; where the students go when they leave the school; awards received, including those given by Kids Count.</i> • <i>Post the report on the website, once acquired.</i> 				

Termination & Renewal Decision Making

	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>A. Contract Termination</p> <p><i>Termination occurs when the authorizer chooses to close a charter school prior to the expiration date/term of the charter school contract.</i></p> <p><i>Non-renewal of a contract occurs at the end of a charter school's contract term.</i></p>	<ul style="list-style-type: none"> The criteria for terminating a school's contract during its charter term are defined in the contract. The authorizer does not have a written policy explaining the grounds for termination, nor the procedures to be followed if termination is required. Even when evidence is brought before it that an egregious violation of law has occurred, the authorizer never terminates a school's contract during its charter term. The authorizer relies upon the state's closure law. 	<ul style="list-style-type: none"> The criteria for terminating a school's contract during its charter term are defined in the contract. The authorizer does not have a written policy explaining the grounds for termination, nor the procedures to be followed if termination is required. The authorizer does not seek evidence that might result in termination of a school's contract during its charter term, but will consider evidence brought before it. The authorizer seldom terminates a school's contract when there is an egregious violation of law such as clear self-dealing (e.g., funneling school resources to family & friends of school board members and/or staff); falsifying data (financial or student) 	<ul style="list-style-type: none"> The criteria for terminating a school's contract during its charter term are clearly defined in the contract. The authorizer has a written policy explaining the grounds for termination and the procedures to be followed if termination is required. The authorizer's ongoing oversight and evaluation provides evidence for these decisions to be made. The authorizer may terminate a school's contract during its charter term when there is evidence of some or all of following: <ul style="list-style-type: none"> unacceptable academic performance; egregious violations of law; extreme financial mismanagement leading to the school's demise; or unfaithfulness to the terms of the contract (e.g., clear mismatch between school's mission and its actual program). 	<ul style="list-style-type: none"> The criteria for terminating a school's contract during its charter term are clearly defined in the contract. The authorizer has a written policy explaining the grounds and criteria for termination; the specific evidence it will collect and/or document, and the procedures both the school and the authorizer will follow to wind-up the school's operations. The authorizer terminates a school's contract during its charter term when there is clear evidence of some or all of following: <ul style="list-style-type: none"> extreme underperformance; an egregious violation of law; a violation of the public trust that imperils students health and well-being or public funds (theft); or unfaithfulness to the terms of the contract (e.g., clear mismatch between school's mission and its actual program).

Termination & Renewal Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: Effective

Kids Count has used its rigorous compliance oversight to terminate contracts of schools whose lack of compliance violates contract terms. Since 2009, Kids Count has terminated five schools. Of those, four were for reasons related to operational performance, such as facilities, finances, and noncompliance. One of the terminations was based on financial and academic performance. Two of the terminations took place during the tenure of the current staff.

Recommendation:

Kids Count is to be applauded for using termination to close poor performing schools.

- *Kids Count should further embrace its authority to use termination by establishing clear academic performance standards to terminate schools for poor academic performance.*

Termination & Renewal Decision Making

	Poor or Undeveloped	Ineffective	Effective	Exemplary
B. Evidence Based Renewal	<ul style="list-style-type: none"> Contract renewal is almost always assumed or made based upon factors other than school performance. 	<ul style="list-style-type: none"> The contract renewal decision is based upon a limited body of academic and operational evidence (e.g., recent financial audits, recent compliance monitoring reports, or the school’s most recent state accountability report card). 	<ul style="list-style-type: none"> The contract renewal decision is based upon a substantial body of evidence of legal compliance and performance. These data inform renewal decisions. Evidence may include at least two of the following: <ul style="list-style-type: none"> multiple years of student achievement; multiple measures of student achievement, including statewide assessments and measures; financial audits; or site visit reports and/or other compliance reports. 	<ul style="list-style-type: none"> The authorizer bases the renewal process and renewal decisions on thorough analysis of a comprehensive body of objective evidence defined by the performance framework in the charter contract. Evidence includes at least all of the following: <ul style="list-style-type: none"> multiple years of student achievement; multiple measures of student achievement; financial audits; site visit reports and/or other compliance reports; and, status reports on corrective action plans or other required interventions, if necessary.

Termination & Renewal Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: Poor or undeveloped

Kids Count staff stated that it uses report cards, site visit results, and financial reports to make ~~termination~~ renewal decisions; however, no evidence was provided to show the use of this information in making these decisions. The school interviews indicated that the renewal consisted of a call to the schools from Kids Count to ask if the schools planned to renew with Kids Count; no evidence was gathered or examined to make renewal decisions. The organization is deploying a renewal application for the first time in 2015-2016 school year. From the draft application, Kids Count asks the school to provide its academic data and requests other information that are no longer or not yet in use on the report card, indicating that the instrument needs further development.

Recommendation:

- *Continue revising the renewal application to expand the body of evidence so that decisions are made using student academic achievement data over the period of the contract term, and using various measures.*
- *In the case of contracts with short duration, expand the review to include several years of academic, financial, compliance and audit data aligned to clearly established performance standards to see the historical trend in school performance.*

Termination & Renewal Decision Making

	Poor or Undeveloped	Ineffective	Effective	Exemplary
C. Renewal and Non-Renewal Decisions	<ul style="list-style-type: none"> The authorizer grants renewal to all schools regardless of failure to meet the terms and academic achievement targets in their contract, fiscal or organizational problems, or compliance with the law. 	<ul style="list-style-type: none"> The authorizer inconsistently grants renewal to schools, even those that have failed to meet the terms and academic achievement targets in their contract; have fiscal or organizational problems; or have been out of compliance with the law. <p><i>Note: This approach to renewal decisions is evident regardless of the strength of the performance framework.</i></p>	<ul style="list-style-type: none"> The authorizer grants renewal to schools that are fiscally and organizationally viable and that meet most of the following criteria: <ul style="list-style-type: none"> achieve their contractual academic standards and targets; or faithful to the terms of their contract. <p><i>Note: Even in the absence of a strong performance framework, the authorizer consistently applies performance-based criteria in making renewal decisions.</i></p>	<ul style="list-style-type: none"> The authorizer only grants renewal to schools that are fiscally and organizationally viable based on criteria in the school's performance framework with rigorous, specifically goals and targets: <ul style="list-style-type: none"> achieve their contractual academic standards and targets; and faithful to the terms of their contract. <p><i>Note: it is assumed that an exemplary authorizer uses a performance framework with rigorous, specific goals and targets.</i></p>
<p><i>Rating: Effective</i></p> <p>While a robust evidence base is not used to make renewal decisions, Kids Count grants renewal to schools showing faithfulness to its contract as it relates to organizational and fiscal viability.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> <i>Make renewal decisions that consider if schools have achieved their contractual academic standards and targets.</i> 				

Termination & Renewal Decision Making

	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>D. Cumulative Report on Performance</p> <p><i>Note: Provided each year to the school's governing authority, the cumulative report builds a record of the school's performance over the charter term.</i></p> <p><i>The cumulative report is used as part of the evidence based renewal decisions described in Indicator B.</i></p>	<ul style="list-style-type: none"> • Does not provide the charter school a report on its cumulative performance, other than the Authorizer's Compliance Review report submitted annually to the department. 	<ul style="list-style-type: none"> • May annually provide the charter school with a report, but it does not relate to the school's performance against its contract; and/or • When a report is given, it does not include multiple years of performance data against its contract term. 	<ul style="list-style-type: none"> • Annually provides each charter school with a report of its performance; • The report includes multiple years but may not include the school's entire charter term. 	<ul style="list-style-type: none"> • As referenced in the school's contract, provides each charter school, in advance of the renewal decision, a cumulative performance report that summarizes the school's performance record over the charter term and states the authorizer's summative findings concerning the school's performance and its prospects for renewal.

Termination & Renewal Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: Poor or undeveloped

Kids Count does not provide its schools a cumulative report on performance beyond the Authorizer’s Compliance Report, which is submitted annually to ODE. However, Kids Count staff acknowledged that this was something they need to be doing.

Recommendation:

- *In advance of the renewal decision, provide each school with a report on its cumulative performance over the contract term. The report should summarize each school’s performance record and include Kids Count’s summative findings on each school’s performance and prospects for renewal.*

Termination & Renewal Decision Making

	Poor or Undeveloped	Ineffective	Effective	Exemplary
E. Transparent Renewal Application Process	<ul style="list-style-type: none"> The authorizer does not have an application process for contract renewal. 	<ul style="list-style-type: none"> The authorizer may have an application renewal process, but does not consistently require schools to follow the process, nor does it specify criteria for renewal. 	<ul style="list-style-type: none"> The authorizer has an application process and requires all schools seeking renewal to apply through a renewal application. The guidance regarding the renewal process is non-specific as to criteria, content and/or format; The process may allow a school to present additional evidence regarding its performance. 	<ul style="list-style-type: none"> The authorizer has an application process and requires all schools seeking renewal to apply through a renewal application. The requirements for renewal are publicly available and include written guidance regarding the process, content and format for renewal applications, as well as criteria/standards used to evaluate the applicant and a timeline. The application provides the school an opportunity and reasonable time to respond to the cumulative report; correct the record, if needed; and present additional evidence regarding its performance.

Termination & Renewal Decision Making

	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Poor or undeveloped</i></p> <p>Kids Count has not used a renewal application to date. A draft application exists for use beginning in 2015-2016; however, there is no reference to renewal criteria and some of the items listed are no longer in current law. Likewise, the renewal application lacks written guidance regarding the process, instructions for content and format for renewal applications, as well as criteria to be used to evaluate the application.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> Develop a renewal application that aligns with current requirements in the law, and includes a timeline, written guidance regarding the process, instructions for content and format for renewal applications, as well as criteria to be used to evaluate the application. 				
<p>F. Prompt Notification and Explanation of Reasons for the Renewal Decision</p>	<ul style="list-style-type: none"> The authorizer’s written notification of renewal decision rarely includes an explanation of the reasons for the decision. Parents and students have almost no time and no information to make informed choices for the coming school year. 	<ul style="list-style-type: none"> The authorizer’s written notification of renewal includes a very limited explanation of the reasons for the decision. Parents and students have little time and limited information to make informed choices for the coming school year. 	<ul style="list-style-type: none"> The authorizer promptly notifies each school of its renewal decision, including a written explanation of the reasons for the decision. Parents and students have enough time and information to make informed choices for the coming school year. 	<ul style="list-style-type: none"> The authorizer promptly notifies each school of its renewal decision, including a specific written explanation of the reasons for the decision (e.g., actual performance standard and performance level against the specific targets and goals in the contract). Parents and students have ample time and information to make informed choices for the coming school year when a school’s contract is non-renewed.

Termination & Renewal Decision Making

Poor or Undeveloped

Ineffective

Effective

Exemplary

Rating: Undeveloped

Kids Count does not provide written notification of renewal decisions.

Recommendation:

- *Provide written notification of renewal decisions to schools with clear rationale for the renewal decision, with time sufficient to allow parents to make informed decisions for the coming school year, if needed.*

Termination & Renewal Decision Making

	Poor or Undeveloped	Ineffective	Effective	Exemplary
G. Closure Process	<ul style="list-style-type: none"> The authorizer is unaware of its obligation to oversee school closure. In the event of a school closure, the authorizer has no formal policy or procedure for school's to follow. The closing school might default to the ODE guidance. The authorizer does not oversee the closure process. 	<ul style="list-style-type: none"> The authorizer is aware of its obligation to oversee school closure; however, it lacks the capacity to oversee; when a school has closed, the authorizer may or may not have submitted the Closing Assurances to ODE. In the event of a school closure, the authorizer has no formal policy or procedure for school's to follow. The closing school might default to the ODE guidance. The authorizer does ensure that student records are returned to the home school district. 	<ul style="list-style-type: none"> The authorizer is aware of its obligation to oversee school closure. The authorizer may have a formal policy, but at a minimum follows ODE's guidance. In the event of a school closure, the authorizer oversees the school's governing board and leadership in carrying out a closure process that: <ul style="list-style-type: none"> informs parents, transitions student records to the home school district, disposes of school funds, property, and assets in accordance with law; and submits Closing Assurances to ODE 	<ul style="list-style-type: none"> The authorizer is aware of its obligation to oversee school closure. The authorizer has a formal policy for overseeing school closure. In the event of a school closure, the authorizer oversees and works with the school's governing board and leadership in carrying out a detailed closure protocol that ensures: <ul style="list-style-type: none"> timely notification to parents including assistance in finding new placements orderly transition of students records to home school district, disposition of school funds, property, and assets in accordance with law; and submits Closing Assurances to ODE The authorizer carries out or has the capacity and commitment to carry out the closure to the extent possible if school's governing authority fails to carry out the protocols.

Termination & Renewal Decision Making

	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Exemplary</i></p> <p>Kids Count uses ODE’s closing assurances and guidance when going through the closure process. While the Executive Director leads the process, other staff members assume responsibility for specific areas in the process. While Kids Count lacks a formal closure policy, staff fully adheres to the ODE protocol. Further, in one instance where a school’s governing authority failed to carry out its responsibilities in the process, Kids Count staff carried out the closure.</p> <p><i>Recommendation: consider adopting a formal policy regarding closure that documents internal procedures in such cases.</i></p>				

Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p>A. Ongoing Technical Assistance to Schools</p> <p>Note: the provision of technical assistance does not mean that the authorizer does work for the school; the authorizer provides guidance, including information about resources; but the authorizer does not do the work.</p>	<ul style="list-style-type: none"> • Technical assistance, if provided to schools, is reactive to problems that arise. • The authorizer does not assess the technical assistance needs of the schools it authorizes. 	<ul style="list-style-type: none"> • Most technical assistance provided by the authorizer is reactive to problems. • The authorizer occasionally solicits information about the technical assistance needs of the schools it authorizes. • The authorizer sporadically provides the technical assistance identified as needed by the schools. 	<ul style="list-style-type: none"> • The authorizer routinely provides timely comprehensive technical assistance in response to issues, problems and concerns identified by either the authorizer or the school. • The authorizer regularly assesses or solicits information about the technical assistance needs of the schools it authorizes. • The authorizer routinely provides the technical assistance identified as needed by the schools. • The authorizer regularly solicits feedback on the quality and impact of the technical assistance that it provides to the schools. 	<ul style="list-style-type: none"> • The authorizer always provides timely comprehensive technical assistance in response to issues, problems and concerns identified by either the authorizer or the school. • Almost all technical assistance is proactive, intended to prevent problems from arising in the schools it authorizes. • The authorizer regularly assesses or solicits information about the technical assistance needs of the schools it authorizes. • The authorizer always provides the technical assistance identified as needed by the schools. • The authorizer continuously solicits feedback on the quality and impact of the technical assistance that it provides to the schools it authorizes.

Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Effective</i></p> <p>Kids Count provides technical assistance in a variety of ways. Per the school interviews and survey information, the schools confirm that the authorizer is timely in responding to questions or requests for information. Governing board meetings also offer opportunities to find out what concerns, if any, a school has or offer suggestions for resources, for example. Most viewed the annual Summit as the primary means of getting new information and updates. At the Summit, presentations are made are different topics and this is when schools are recognized for achievements and may share examples. Kids Count uses the roundtable discussion at the Summit to get feedback from schools about what it could be better; what the schools need, and so forth.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> • <i>Be more proactive with regard to technical assistance by reviewing school data and deciding where improvements could be made; offer resources for those areas, and in particular, with regard to academic performance.</i> 				
<p>B. Ongoing Updates of Legal and Policy Changes</p>	<ul style="list-style-type: none"> • The authorizer never or rarely updates schools on changes to rule and law that impact the schools' operations. 	<ul style="list-style-type: none"> • The authorizer sporadically updates schools on changes to rule and law that impact the schools' operations, but has no process for doing so. • The authorizer's updates may include directing schools to another credible source for this information (e.g., OAPCS). 	<ul style="list-style-type: none"> • The authorizer has a process that it uses to at least annually, informs schools on changes to rule and law that impact the schools' operations. • The authorizer's updates may include directing schools to another credible source for this information (e.g., OAPCS, OCQE). 	<ul style="list-style-type: none"> • The authorizer continually ensures that schools are informed in a timely manner of changes to rule and law that impact the schools' operations, ensuring that schools are in compliance as quickly as needed. • The authorizer's updates may include directing schools to another credible source for this information (e.g., OAPCS, OCQE).

Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Ineffective</i></p> <p>Kids Count updates its schools via e-mail, at board meetings, in the newsletters and at the annual Summit. There is not a standing agenda item at the Summit or in the newsletter as a place to regularly share changes in the law, or updates required in contracts and so on.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> Implement one or more regular methods to focus on changes in law and rule so that both the authorizer and the schools know that any such relevant changes will be communicated in that manner; no surprises. 				
C. Ongoing Professional Development (PD) for Schools	<ul style="list-style-type: none"> The authorizer never provides information about PD opportunities for its schools. 	<ul style="list-style-type: none"> The authorizer sporadically provides information about PD opportunities for its schools. <p><i>Or</i></p> <ul style="list-style-type: none"> Is prescriptive or mandating that its schools participate in certain PD, excepting a topic specific training that is a requirement of the contract. 	<ul style="list-style-type: none"> The authorizer shares information about PD opportunities for its schools, which may or may not be charter school specific. The authorizer may provide PD directly on certain topics (e.g., annual meeting for updates) While the authorizer shares information about PD opportunities, it is the school's independent decision as to whether or not it participates, excepting a topic specific training that is a requirement of the contract. 	<ul style="list-style-type: none"> The authorizer provides its schools with multiple sources of information about PD opportunities for its schools. <p><i>Or</i></p> <ul style="list-style-type: none"> The authorizer provides at least some of the PD directly to its schools, based upon school need. While the authorizer encourages and promotes high quality PD, it is the school's independent decision as to whether or not it participates, excepting a topic specific training that is a requirement of the contract.

Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Effective</i></p> <p>Kids Count provides information about professional development at the annual Summit meeting and on other occasions, as shown in examples of past presentations. Resources are suggested to schools, but no requirements are made. Per the school surveys and interviews, the schools tend to take care of professional development themselves, although they know they can ask Kids Count for suggestions.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> <i>To enhance and expand the opportunities for professional development, Kids Count could produce and maintain a list of organizations and individuals with known track records in the various subject areas and make that available to the schools on a regular basis.</i> 				

Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
D. Effective Working Relationships with Schools' Governing Authorities	<ul style="list-style-type: none"> • Beyond what is stated in the charter school contract, the authorizer has no written policy and no explanation that differentiates its roles and responsibilities from those of the charter school's governing authority. In the absence of clarity, both parties frequently have misunderstandings and their mutual respect is low. • The authorizer rarely works to maintain a solid relationship with their assigned schools' governing authority members (e.g., rare communication; no attendance at board meetings). • The authorizer provides little guidance to its governing authorities. 	<ul style="list-style-type: none"> • While not documented beyond what is stated in the charter school contract, the authorizer is able to explain in general terms how its roles and responsibilities differ from the school's governing authority. However, both parties may view the roles and responsibilities differently. • While the authorizer tries to maintain a solid relationship with their assigned schools' governing authority members, differing opinions and misunderstandings between the authorizer and governing authorities occasionally leads to a lack of respect between both parties (e.g., limited communication, sporadically or not attending board meetings). 	<ul style="list-style-type: none"> • While not documented beyond what is stated in the charter school contract, the authorizer and the school's governing authority describe roles and responsibilities that are understood and respected by both parties. • The authorizer regularly works to maintain a solid relationship with their assigned schools' governing authority members (e.g., regular communication, attending at least two board meetings annually for each school). 	<ul style="list-style-type: none"> • Beyond what is stated in the charter school contract, roles and responsibilities of the authorizing staff are clearly separated, documented and delineated from the governing authorities of the charter schools it authorizes. This clear delineation is understood and respected by both parties. • The authorizer continuously works to maintain a solid relationship with their assigned schools' governing authority members [e.g., frequent communication (newsletters, for example), attending as many board meetings as possible; directly informing board members about compliance concerns, high stakes reviews, and so on].

Technical Assistance and Authorizer Requirements in Rule and Law				
	Poor or Undeveloped	Ineffective	Effective	Exemplary
<p><i>Rating: Effective</i></p> <p>Kids Count has a professional working relationship with its school’s governing boards. A member of Kids Count attends each board meeting. They are very respectful at the meetings; they sign in as guests; wait until spoken to; and generally make it clear that they are there to hear and observe, and will offer comments and advice if asked, or under certain circumstances, if warranted. The separation of roles is understood by both parties.</p> <p>Kids Count is deliberate in its communications with the board versus the school leader. If a corrective action plan is called for, it is sent to the board president, for example. If there is a concern about misconduct of a school employee, that is addressed with the school leader.</p> <p><i>Recommendation:</i></p> <ul style="list-style-type: none"> <i>To build upon its current solid, respectful relationships with governing boards, Kids Count could share a written policy or guidance during board training or the on-boarding of new governing authority members.</i> 				

Academic Performance of Schools

One component of the Authorizer Evaluation is the academic performance of the authorizer/sponsor's charter schools. School academic performance is calculated similar to the sponsor's performance ranking, with greater weight being given to value-added gains.

To determine the authorizer's academic performance component rating, the most recent school year's report card grades and average daily membership (ADM) are used to create authorizer/school-level summary tables (see Figures A and B below). Figure A is populated with the authorizer's schools, the numbers designating the grade they received for Overall Value-Added. Figure B is populated with the number of seats at each school, as determined by its Overall Value-Added grade.

Schools/seats are placed in the color-coded grade ranges A-F based on Overall Value-Added Grades. If a school did not receive an Overall Value-Added Grade, then its 4-Year Graduation Rate Grade was used. If a school had neither grade, it was not included.

School/Seats receiving a "C" on Overall Value-Added or 4yr Graduation Rate are further categorized based on Performance Index Grade. Schools are categorized as "C (a-b)" if they received a "C" on Overall Value-Added or 4-Year Graduation Rate and an "A" or "B" on Performance Index. Schools are categorized as "C (c)" if they received both a "C" on Overall Value-Added or 4-Year Graduation Rate and Performance Index. Schools with a "C" on Overall Value-Added or 4-Year Graduation Rate and a "D" or "F" on Performance Index are categorized as "C (d-f)".

Based on these categorizations, authorizer/operator summary tables and ratios are created, with schools rated an A, B or C (a-b) categorized as effective or green. Schools rated C (c) are categorized as yellow. Schools rated C (d-f), D or F are categorized as ineffective or red.

For each authorizer/operator, the ratio of effective to ineffective schools and seats is calculated as green schools/seats divided by red schools/seats. A ratio below 1 indicates that there are more ineffective/red schools or seats than effective/green schools or seats.

The final calculation in determining academic performance was dividing the schools/seats ratio by 0.7 (as 70% is the threshold for authorizers for the current school year). The resulting percentage represents the authorizer's level of academic performance.

Schools/Seats Summary Tables for Kids Count of Dayton, Inc.

Figure A. Schools

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	1	--	--	--
B	--	1	--	--	--
C	a-b	--	--	--	--
	c	--	--	--	--
	d-f	--	--	--	--
D	--	--	--	--	--
F	--	1	2	--	--
No Measure	--	4	--	--	2
Total by Measure	--	7	2	2	7

↑	2
↔	0
↓	3
Total Graded Schools/Seats	5

Ratio	0.67
--------------	-------------

Figure B. Seats

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Schools/Seats
A	--	87	--	--	--
B	--	200	--	--	--
C	a-b	--	--	--	--
	--	--	--	--	--
	d-f	--	--	--	--
D	--	--	--	--	--
F	--	869	182	--	--
No Measure	--	580	--	--	398
Total by Measure	--	1,736	182	398	1,736

↑	287
↔	0
↓	1,051
Total Graded Schools/Seats	1,338

Ratio	0.27
--------------	-------------

Academic Performance Score = $.271.7 = .386 = 39\%$ (did not meet the 2013-2014 target)

John R. Kasich, Governor
Dr. Richard A. Ross, Superintendent of Public Instruction

USPS Standard Mail, Email

March 16, 2015

Mr. Lenny Schafer, M.Ed., PCC-S
Ohio Council of Community Schools
3131 Executive Parkway, Suite 306
Toledo, Ohio 43606

Dear Lenny,

Effective on January 1st of this year, state law requires the Department to comprehensively evaluate charter school authorizers for their oversight of schools compliance with rule and law, their use of best practices for authorizing, and the academic outcomes of their schools (ORC 3314.016).

This is to notify you that the Ohio Council of Community Schools (OCCS) is awarded an authorizer quality rating of Exemplary. This overall evaluation is based on the three equally weighted components specified in code and which are each scored on zero-to-100 scales.

The Council scored a 95.3 on the critical Authorizer Quality Practices Review, and 100's on both the Compliance and Academic Outcomes measures for average of 98.4. The Department has set a 90.0 or greater score for an authorizer to qualify as Exemplary.

The Council should be particularly proud of the learning gains made in its portfolio of brick-and-mortar K-12 charter schools. This portfolio far and away outperforms the state average for such charters and very nearly reaches the quality goal the Department has targeted for the sector for six years from now.

These OCCS schools are today delivering on the promise of charter education to give every child an opportunity for an effective education and which the Department is expecting of the entire sector by 2020.

Evaluation Summary

Compliance. The Department treats the health and safety of children and staff as non-negotiable. OCCS is effectively carrying out the oversight of required compliance by schools to law and rule and receives a 100 score in this portion of the Authorizer Evaluation.

Authorizer Quality Practices. OCCS scored a 95.3 on the Authorizer Quality Practices Performance Review. This review examines in detail all phases of an authorizer's work including: application; performance contracting; ongoing oversight; renewal, revocation and closure; technical assistance; and agency commitment.

Academic Outcomes. For Brick and Mortar, K-12 Schools, OCCS achieves 270% of target for ratio of seats in effective schools to seats in ineffective schools. The academic performance outcomes of authorizers' portfolios is evaluated on the learning gains made by students at different levels of proficiency. With a ratio of 1.95 to 1, OCCS easily achieved the Department's overall target for charter schools of 0.7 to 1 for 2013-14. The target will increase to 0.85 for this school year, 1.05 for 2015-16 and 1.25 in 2016-17.

For Dropout Prevention and Recovery schools, an outcomes rating for Dropout Prevention and Recovery schools will be given once growth measures from the new assessment are available beginning next school year 2015-16. This rating will include eschool delivery of dropout recovery and prevention learning opportunities.

For Eschools, the State's report card assessments of eschool learning gains show that the sector struggles with the first year experience of students, and the eschools overseen by OCCS are no exception.

The Department is committed to working with the authorizers and providers of eschool learning opportunities to both lift the academic success of every student choosing fulltime virtual learning as well as to improve how this highly innovative learning delivery approach is assessed.

The assessment results for 2013-14 will be a base year for evaluating the outcomes of the eschool seats in authorizer portfolios. The Department is targeting a ratio of fulltime, full year eschool students learning at pace, against those not learning at pace, of 1 to 1 by 2016-17.

Academic Outcomes Summary: OCCS's portfolio of charter schools is meeting the Department's targets for academic outcomes and is given a 100 score.

Future Evaluations

OCCS's Compliance and Academic Outcomes will be evaluated and reported on annually. The Department intends on carrying out the Authorizer Quality Practices review of OCCS next during the fall of 2017.

Evaluation results and a new overall rating designation will be released at that time and will be effective beginning for school year 2018-19.

Respectfully,



David J. Hansen
Executive Director
Office of Quality School Choice

cc: Patrick Kriner, OCCS Board Chair
Joni Hoffman, Director in the Office of Quality School Choice

Overview of the Authorizer Evaluation Process

Community school authorizers (aka sponsors) are evaluated on three components: 1) the overall academic performance of their community schools; 2) the completeness of their monitoring of schools' compliance with laws and rules; and 3) their adherence to quality practices (see [Ohio Revised Code Section 3314.016](#)).

The annual Authorizer Evaluation replaced the Sponsor Ranking, which was based upon two measures: 1) an academic measure (called the sponsor Performance Index Score and derived from aggregating test data for schools) and 2) a reporting measure (the sponsor's annual report of its schools' compliance and annual assurances for each school). With the Authorizer Evaluation, the reporting requirement remains in place. However, the Performance Index Score no longer applies.

The overall evaluation rating for each authorizer is derived from three components' ratings.

- I. **Monitoring of school's compliance** with rule and law follows the same approach as in the past two pilot years, in which a sponsor describes how it monitors compliance and that process is verified for a subset of the sponsor's schools. A copy of the verification tool can be found on the website.
- II. **Adherence to quality practice**, which is the most time intensive of the three components, is comprised of assessing the degree to which a sponsor uses practices consistent with national quality standards. Documents, surveys and interview information are used to assess the practices against the national standards. More information, including the rubric, is on the website.
- III. **Academic performance of schools** is calculated similar to the sponsor's performance ranking, but with greater weighting on value-added gains. Results for eSchools will be phased in over four years, using 2013-2014 as the baseline year. Similarly, results for dropout prevention schools will be used when these schools receive an overall Report Card rating, which takes effect with the 2014-2015 reporting year.

Under current law, each component- academics, compliance monitoring, and quality practice- has equal weight in making up the overall evaluation rating. As with the Sponsor Ranking, a sponsor's ability to authorize new schools or take on sponsorship of a currently operating school is effected by the overall rating. Authorizers with an overall rating of "Effective" or "Exemplary" may continue to expand the number of schools under their authority. Language proposed in the Governor's budget bill, HB 64, would add rewards for sponsors receiving the highest rating of Exemplary.

For authorizers who hold a sponsorship agreement with the department, the evaluation rating will be a factor in renewing the sponsorship agreement and if renewed, the terms of the agreement. Similarly, for operating authorizers that wish to enter into an agreement with the department, the authorizer evaluation results will be a factor in that approval, as well.

John R. Kasich, Governor
Dr. Richard A. Ross, Superintendent of Public Instruction

October 17, 2014

Lenny Schafer, Executive Director
Ohio Council of Community Schools
3131 Executive Parkway, Suite 306
Toledo, OH 43606

Re: Evaluation of Sponsor Performance in Monitoring School Compliance with Rule and Law

Dear Lenny:

The Office of Community School recently completed another round of the Sponsor Compliance Review for your organization. The purpose of this review is to determine the extent to which a sponsor has met its obligations to monitor school compliance with rule and law. Below please find a summary of the visit and the team's findings.

The review of sponsor performance is divided into two sections: an assessment of compliance and an assessment of quality practices. The compliance review consists of 20 core areas of compliance (i.e., these areas are mandatory) and three items chosen at random by the Ohio Department of Education. These items encompass five larger areas of review, including governance, operations, finance, health and safety, and education programs and are drawn directly from section 3314.03 of the Ohio Revised Code. The review team was tasked with conducting the compliance review only as part of the current visit.

Of the 23 items reviewed, documentation was found to verify compliance with 22 items, while one items (bus driver qualifications) was found to be not applicable to this school.

As the following table illustrates, findings from the compliance review place sponsors into one of three categories: exemplary, effective, or ineffective.

Number of Items Not Verified	Rating
0	Exemplary
1-2	Effective
3 or More	Ineffective

In that five items could not be verified as part of the current assessment, the Ohio Council of Community Schools would have been assigned a rating of **Exemplary** for the compliance portion of the review had this not been a pilot study.

Please note that Ohio law mandates that findings from the assessment of compliance be pooled with findings from the assessment of quality practices and school performance data to form a composite rating for each sponsor. Thus, a final sponsor rating for the SPR is not determined until all data are collected and combined.

Please contact me should you have any questions about any of the information provided here at (614) 387-2260 or by email at steve.tate@education.ohio.gov. Thank you for your participation in the pilot. We hope that the information provided here is found to be useful in monitoring your schools' compliance with rule and law.

Sincerely,

Steven Tate

Steven Tate, Ph.D.
Office of Community Schools

Compliance Monitoring

Compliance monitoring is one of three components comprising the Authorizer Evaluation. The purpose of the compliance monitoring component is to assess how well an authorizer/sponsor monitors each of its community schools' compliance with state and federal laws, and the terms of the contract.

In addition to speaking with school leaders, the compliance monitoring evaluation involves a review of 23 items that encompass five larger areas of review- health and safety, education programs, governance, finance, and operations. Of the items reviewed, 20 are mandatory areas of compliance and three are randomly selected by the Ohio Department of Education (ODE). The items are drawn directly from Chapter 3314 of the Ohio Revised Code.

To conduct the compliance monitoring review, ODE first requires the authorizer to complete the *Authorizer Monitoring Review Instrument*, with the authorizer providing a written description and supporting documentation of how it monitors the statutory regulations of its schools. Once the authorizer has completed the instrument and returned it to ODE, ODE then randomly selects one or more of the authorizer's schools, up to 10%, for site visits to review the 23 compliance items.

As the table below illustrates, findings from the compliance monitoring review place authorizers into one of three categories: Exemplary, Effective or Ineffective. Authorizers, for example, for which two or fewer of the 23 items could not be verified during the onsite school reviews would receive an Exemplary rating.

Number of Items Verified	Rating
Twenty-one or more	Exemplary
Nineteen or Twenty	Effective
Fewer than Nineteen	Ineffective

The rating from the compliance monitoring review is combined with the ratings from the quality practices review and academic performance review to form an overall evaluation rating for the authorizer.

Authorizer: Ohio Council of Community Schools

In reviewing compliance monitoring for one charter school, 22 items out of 23 items were verified, resulting in a rating of Exemplary.

**Authorizer Monitoring Review Instrument
(Mandatory Areas of Review)**

Area of Review	Areas of Compliance/Explanation	Verified	Not Verified	Description of Authorizer Methods for Monitoring School Compliance with Statute
Health & Safety	Bus Driver Qualifications	NA	NA	
Health & Safety	Certificate of Occupancy	X		
Health & Safety	Criminal Background Checks (BCI&I and FBI)	X		
Health & Safety	Current Fire Inspection	X		
Health & Safety	Heimlich Maneuver Training	X		
Health & Safety	School Emergency Evacuation-Tornado-School Safety Drill	X		
Health & Safety	School Environment Inspection - Health Department	X		
Health & Safety	School Safety Plan	X		
Education Program	Academic Prevention/Intervention Services Policy	X		
Education Program	Implementation of the Education Plan	X		
Education Program	Special Education & related services plan, including 504 Implementation Plan	X		
Education Program	Special Education Student Files	X		
Governance	Certification of non-profit status	X		
Governance	Governing Authority Approved Meeting Minutes and Resolutions; signed and available to the public	X		
Finance	Monthly Financial Review	X		
Finance	Treasurer/Fiscal Officer Licensure/Qualifications & Bond	X		
Operations	Liability Insurance	X		
Operations	Licensed Employees	X		
Operations	Resident Educator Program; Mentor Program	X		
Operations	Review of enrollment records	X		

Sponsor:	Ohio Council of Community Schools (OCCS)
Board Chair:	Patrick Kriner, Board President
Executive Director:	Darlene Chambers, Executive Director
Review Team Members	Karlynn Geis, ITO-Project Managers, Data Manager, ODE Joni Hoffman, Office of Community Schools, Director, ODE Tamara Lumpkin, NACSA Consultant Sherry Panizo, Office of Policy and Research, Program Manager, ODE Jennifer Rippner, NACSA Consultant Kathryn Mullen-Upton, (by phone), Director, Fordham Foundation
Date(s) of Site Visit	May 22, 2013

<p>Overview of the Authorizer Quality Practice Review</p> <p>Legislation requires the Ohio Department of Education (ODE) to develop and implement a sponsor evaluation system. The purpose of the system is to assist ODE in its oversight of community school sponsors and to improve the quality of community school sponsor practices. This may in turn improve community school operations and the academic performance of community school students. The system has three components: academic performance of students enrolled in community schools sponsored by the same entity; adherence to quality sponsoring practices prescribed by ODE (this Authorizer Quality Practice Review); and compliance with applicable laws and administrative rules.</p> <p>The Authorizer Quality Practice Review is modeled after ODE’s School Improvement Diagnostic Review process and ODE’s Supplemental Educational Services Quality of Provider Services rubric rating tool as well as standards and sponsor evaluation methods utilized by the National Association of Charter School Authorizers. Six areas of practice are the focus of the review:</p> <ol style="list-style-type: none"> 1. Organizational commitment and capacity, 2. Community school application process and decision making, 	<p>Overview of Ratings System</p> <p>For the Authorizer Quality Practice Review, each indicator in the six areas of practice is assigned one of four ratings. These are as follows:</p> <ul style="list-style-type: none"> • Exemplary (4 points): Exception in that it exceeds the expectations of Ohio’s Quality Sponsor Practices and warrants notice from and emulation by other sponsors • Sufficient (3 points): Commendable in that it materially satisfies expectations • Emerging (2 points): Approaching full development in that it exhibits aspects of a well-developed practice but is missing key components, is incomplete in its execution, or otherwise falls short of meeting expectations • Poor/Undeveloped (1 point): Wholly inadequate in that the sponsor has not undertaken the practice or is carrying it out in a way that falls far short of satisfying expectations <p>Ratings are assigned based upon a review of sponsor documents, surveys of sponsor schools, and an on-site visit to the sponsor. These indicator ratings</p>
---	---

<ol style="list-style-type: none"> 3. Performance contracting, 4. Oversight and evaluation of community schools, 5. Contract termination and renewal decision making, and 6. Technical Assistance. 	<p>result in an overall rating. Perhaps more importantly, feedback is given to the sponsor in each of the six practice areas which can assist the sponsor in improving practices.</p>
--	---

Executive Summary

The Ohio Council of Community Schools (OCCS), as designee of the University of Toledo, was the first federal non-profit entity allowed to sponsor community schools in Ohio. Considered a “grandfathered sponsor”, OCCS was awarded its ability to sponsor new start-up community schools through state law rather than through a sponsorship agreement with the Ohio Department of Education (ODE). OCCS employs a relatively large staff, with approximately 10 staff members in leadership or senior leadership positions who collectively possess a range of knowledge of the various matters related to community schools. OCCS sponsored its first schools during the 1999-2000 school year and currently sponsors 44 schools, with plans to open nine new schools in the 2013-2014 school year. **Note: Post Pilot, the scoring was revised to weight Sponsor Commitment & Capacity, Application Process & Decision-Making, and Termination & Renewal twice that of the other critical areas and the cut scores were raised as shown below in red for Effective, Ineffective and Poor.**

Critical Area of Quality	Points Earned	Possible Number of Points	Percent of Possible Points	Rating	Cut points for the Pilot NOTE: the rating methodology for the Pilot, using overall percentages, may be revised prior to fully implementing the Sponsor Evaluation System in 2015.
Sponsor Commitment & Capacity	32	32	100%	Exemplary	Exemplary: 90% and higher
Sponsor Application Process & Decision Making	41	44	93.8%	Exemplary	
Sponsor Performance Contracting	37	44	93.8%	Exemplary	Effective: 75.0%- 89.9%
Sponsor Oversight & Evaluation	46	48	96%	Exemplary	

Sponsor Termination & Renewal	24	28	86%	Effective	Ineffective: 55%-74.9%
Sponsor Technical Assistance & Requirements in Rule and Law	16	16	100%	Exemplary	
Overall Quality of Sponsor Practices	196	212	94.4%	Exemplary	Poor, undeveloped: 0-54.9%

Sponsor Commitment & Capacity						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
A. Clear Mission	<ul style="list-style-type: none"> The sponsor's mission for authorizing charter schools is broad or has no mission. The sponsor's vision for chartering is vague, with no defined priorities and no strategic goals. 	<ul style="list-style-type: none"> The sponsor states a clear mission for authorizing charter schools. The sponsor articulates a broad vision for chartering, with broad goals over an undefined period of time. 	<ul style="list-style-type: none"> The sponsor states a clear mission for quality authorizing. The sponsor articulates and implements a vision and plan for chartering, including general goals and timelines for achievement. 	<ul style="list-style-type: none"> The sponsor states a clear mission for quality authorizing. The sponsor articulates and implements an intentional strategic vision and plan for chartering, including clear priorities, specific goals, and time frames for achievement. 	4	OCCS has a clear mission statement that is reflected in their organization's strategic planning and staff goals. The strategic plan and related individual goals have specific measures and time frames for achievement. Ultimately, success of the organization is based upon school performance.

Sponsor Commitment & Capacity						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
B. Self-Evaluation	<ul style="list-style-type: none"> The sponsor rarely examines its work to ensure it is meeting its authorizing obligations and applicable laws. 	<ul style="list-style-type: none"> The sponsor occasionally examines its work to ensure it is meeting its authorizing obligations and applicable laws. 	<ul style="list-style-type: none"> The sponsor regularly examines its work to ensure it is meeting its authorizing obligations and applicable laws. 	<ul style="list-style-type: none"> The sponsor regularly examines its work to ensure it is meeting its authorizing obligations and applicable laws. 	4	Guided by their strategic planning process, OCCS regularly (almost daily) reflects on their sponsoring work through detailed and specific tracking documents including specific goals, timeframes, and measures. OCCS also regularly seeks feedback from schools.

Sponsor Commitment & Capacity						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
C. Self-Improvement	<ul style="list-style-type: none"> The sponsor does not examine its operations for the purpose of improvement. 	<ul style="list-style-type: none"> The sponsor occasionally looks to improve its operations, but does not follow a structured process. 	<ul style="list-style-type: none"> The sponsor follows an improvement process to evaluate its work against its goals and outcomes. 	<ul style="list-style-type: none"> The sponsor regularly evaluates its work against national standards for quality charter school sponsors. The sponsor uses a structured continuous improvement process to evaluate its work against its goals and outcomes, and implements strategic action steps to improve its performance as a sponsor. The sponsor reports annually on its progress and its performance in meeting its strategic goals to ODE and the public. 	4	OCCS's evaluation work (and related goals and measures) is premised on national authorizing standards. The detailed evaluation process described above flows into continuous improvement through staff goal-setting and detailed, annual public reporting.
D. Defined Relationships	<ul style="list-style-type: none"> The sponsor has no written policy and no explanation that 	<ul style="list-style-type: none"> While not documented, the sponsor is able to 	<ul style="list-style-type: none"> While not documented, the sponsor has and is 	<ul style="list-style-type: none"> Roles and responsibilities of the authorizing staff 	4	School contract language clearly notes the separate responsibilities of OCCS and the

Sponsor Commitment & Capacity						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
	defines the roles and responsibilities between the sponsor staff and the community schools it sponsors.	explain in general terms how the roles and responsibilities differ between its staff and the community schools it sponsors.	able to clearly explain the roles and responsibilities of its staff relative to those of the community schools it sponsors.	are clearly separated, documented and delineated from the community schools it sponsors.		school's governing authority. Further, it is clear that school leaders understand the separation of responsibilities.

Sponsor Commitment & Capacity						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
E. Conflicts of Interest	<ul style="list-style-type: none"> • Schools authorized by the sponsor have limited or no autonomy. • Numerous conflicts of interest exist between the sponsor and the community schools it authorizes. [e.g., <i>staff and boards may overlap, sponsor may require school to purchase services from sponsor, schools may not be afforded appropriate autonomy, funds may be comingled.</i>] • Decision making is not transparent; it is unclear what or if criteria are being used by the sponsor to make decisions. • Community schools are improperly offered incentives by the sponsor [e.g., <i>may only contract with the sponsor for various services.</i>] 	<ul style="list-style-type: none"> • Occasional conflicts of interest exist between the sponsor and the community schools it authorizes. [e.g., <i>need examples of legal conflicts of interest.</i>] • Decision making is not transparent and the criteria used to make them are inconsistently applied and not fully understood by sponsor staff. • In some instances, the sponsor's decisions are improperly influenced by a management company or a community school's governing authority. [e.g., <i>for example, a management company with multiple affiliated schools implies action related to one school will impact</i> 	<ul style="list-style-type: none"> • No conflicts of interest (both in staffing and funding) exist between the sponsor and the community schools it sponsors. • While decision making is transparent to community schools and appears to be based upon merit, the process and criteria for making decisions are not fully transparent to the public. 	<ul style="list-style-type: none"> • No conflicts of interest (both in staffing and funding) exist between the sponsor and the community schools it sponsors. • The sponsor has a written policy that effectively prevents conflicts of interest, assures decision making is transparent and based upon merit. • The sponsor's funding is structured in a manner that avoids conflicts of interest, inducements, incentives, or disincentives that might compromise its judgment in charter approval and accountability decision making. 	4	No conflicts of interests currently exist within OCCS as confirmed by school surveys and interviews. OCCS utilizes a written conflicts of interest policy for staff and board members. When potential conflicts arise, the board chair or other appropriate person deals them with swiftly.
7 Council of Community Schools (OCCS) 9-20-15						Ohio

Sponsor Commitment & Capacity						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
F. Staff Expertise	<ul style="list-style-type: none"> • The sponsor has at least one staff member with a basic understanding of school finance. • No external sources are sought in education related areas for which the sponsoring staff lacks expertise. 	<ul style="list-style-type: none"> • The sponsor has at least one staff member who is knowledgeable in school finance, with other staff having a limited understanding of curriculum, instruction, management, facilities, or law. • When existing staff do not have the range of expertise needed, the sponsor sometimes contracts with external sources to complete particular aspects of work. 	<ul style="list-style-type: none"> • In addition to having a staff member who is knowledgeable in school finance, the other staff has a general understanding of curriculum, instruction, management, facilities, or law. • When existing staff do not have the range of expertise needed, the sponsor contracts with external sources to complete particular aspects of work. 	<ul style="list-style-type: none"> • Authorizing staff have diverse expertise in the areas of curriculum, instruction, management, facilities, finance law, and charter schools. • When existing staff do not have the range of expertise needed, the sponsor contracts with external sources to complete particular aspects of work. 	4	OCCS has built a staff with diverse and deep expertise on critical sponsoring responsibilities. Staff resumes demonstrate expertise in school/organizational leadership, law, finance, Ohio community school administration, curriculum/instruction, special education, and more. Their job descriptions evidence stringent criteria for incoming staff (e.g. regional representatives are required to have 3 years of community school experience). When a novel issue arises, OCCS seeks expertise from the state or outside consultants (e.g. special education in an e-school and academic research).

Sponsor Commitment & Capacity						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
G. Staff Professional Development	<ul style="list-style-type: none"> • Staff rarely participates in professional development, internally or externally provided. • PD shows no alignment with the sponsor’s functions. 	<ul style="list-style-type: none"> • Staff occasionally participates in professional development internally or externally provided. • PD shows some alignment with the sponsor’s functions or in response to needed corrections. 	<ul style="list-style-type: none"> • Staff regularly participates in professional development, internally or externally provided, and beyond what is required by ODE. • PD is aligned with sponsor functions and takes into account some identified needs (as determined by its self-improvement process). 	<ul style="list-style-type: none"> • Staff regularly participates in professional development beyond what is required by ODE and that complements the sponsor’s improvement efforts and that takes into account staff member’s strengths and weaknesses. • The sponsor is able to provide examples of how professional development is incorporated into its ongoing work. 	4	Each staff member has professional development goals tied to the organization’s strategic plan and their individual job descriptions. The forms detailing these goals include priorities and specific measures. Professional development activities are tied to these goals as well as personal interests of the staff member. A culture of professional and personal growth for each staff member was clearly evident throughout this review.

Sponsor Commitment & Capacity						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
H. Allocation of Resources	<ul style="list-style-type: none"> • Resource decisions are not data driven. • No evidence that the sponsor has examined and allocated its resources to fulfill its sponsor obligations. 	<ul style="list-style-type: none"> • Some resource decisions are data driven. The sponsor occasionally examines its needs and allocates its resources to fulfill its statutory requirements. 	<ul style="list-style-type: none"> • Most resource decisions are data driven. The sponsor regularly examines its needs and allocates its resources to fulfill its statutory responsibilities. 	<ul style="list-style-type: none"> • All resource decisions are data driven. • The sponsor determines its needs and devotes resources to exceed its statutory responsibilities and meet national quality standards for authorizing. • Resource allocations are commensurate with the sponsor's identified needs. 	4	The budget development process is driven by the organization's mission, strategic vision, and related data. It also includes a scan of future needs of existing and new schools. Any internal request for funding must be justified by concrete evidence. Both the board and OCCS' leadership team are involved in the budget setting process. Emphasis is placed on ensuring as much money goes back to the schools as possible whether through the provision of technical assistance or direct awards/scholarships.
Quality Rating for Sponsor Commitment & Capacity			100% (32 out of 32 possible points)			Exemplary

Sponsor Commitment & Capacity

Practices to Maintain in Commitment & Capacity:

- The continuous improvement nature of the organization is to be applauded. This ensures that OCCS is high-functioning and consequently provides needed services to its schools. It is clear that staff and board members are clear on and committed to the mission and vision of the organization and are consistently seeking to improve.
- Staff expertise is very high. Along with the skills one would hope to see within a sponsoring organization (e.g. academic leadership, community school knowledge, law, finance), OCCS has also sought out those with excellent data analysis, human resources, communication, and political skills.
- Resource allocation is completed through a rigorous, data-driven, and multi-level process.

Practices to Develop in Commitment & Capacity:

- Although OCCS does not wish to discourage any quality charter applicant from applying to OCCS, OCCS may want to consider communicating chartering priorities in order to attract desired applicants.
- Addressing real or perceived conflicts of interest on a case-by-case basis (although handled appropriately) may result in disparate treatment and/or missed opportunities for remediation.

Recommendations for Improved Commitment & Capacity:

- Consider publishing OCCS’ chartering priorities in order to attract more quality applicants while simultaneously stating that all applications are welcome.
- Revise the existing written conflicts of interest policy to include actions needed when a real or perceived conflict is found.

Sponsor Application Process & Decision Making						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
A. Application Process & Clarity of Directions	<ul style="list-style-type: none"> The sponsor has no formal application process – no written application and no defined timeline. Application guidance is absent or undocumented and varies depending upon which staff member responds to questions by the public. 	<ul style="list-style-type: none"> The sponsor has an application process; however, it is undocumented, loosely defined and/or inconsistently followed. The sponsor’s application guidance is undocumented and inconsistently explained by authorizing staff when requested by the public. 	<ul style="list-style-type: none"> The sponsor consistently follows and explains a systemic application process; however, it is not fully documented. While not documented, the sponsor’s application guidance is consistently explained by the authorizing staff when requested by the public. 	<ul style="list-style-type: none"> The sponsor consistently follows a documented systematic application process. The sponsor’s application guidance is clear, documented, detailed and readily available to the public through the sponsor’s website. 	4	OCCS’ application process is clearly laid out online with a detailed timeline, guidance on establishing non-profit status, and a bibliography of resources. One point of contact for applicants is clearly provided on the web and on all written documents. Further, OCCS employs a continuous improvement process with their application as they recently made changes to ensure greater consistency in processing applications through phase one.

Sponsor Application Process & Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
B. Application Depth	<ul style="list-style-type: none"> • Broad application questions do not provide enough data to thoroughly evaluate the applicant's plans and capacities. • The application provides no directions on the content and format expected of applicants. 	<ul style="list-style-type: none"> • General application questions provide enough data for understanding an applicant's plan, but are insufficient for determining its capacity for operating. • The application provides limited directions on the content and format expected of applicants. 	<ul style="list-style-type: none"> • Application questions provide adequate data for analyzing an applicant's plan and capacities. • The application provides general directions on content and format expected of applicants. 	<ul style="list-style-type: none"> • Comprehensive application questions provide extensive data for rigorous evaluation of the applicant's plans and capacities. • The application provides clear directions on required content and format. • Application clearly states the sponsor's chartering priorities.** <p>**Potential revision to this criteria</p>	4	OCCS' application questions require in-depth information and data. Existing or replicating schools are required to provide detailed information about their academic and fiscal performance, legal compliance and capacity to replicate. Application directions are very clear. Also, through their strategic planning process, OCCS staff develops chartering priorities that guide their decisions, but they do not communicate these priorities lest they inadvertently turn away a worthy applicant.

Sponsor Application Process & Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
C. Technical Assistance to Applicants	<ul style="list-style-type: none"> Assistance and responses to questions are very inconsistent and rarely completed in a timely manner. 	<ul style="list-style-type: none"> Multiple staff members inconsistently respond to questions from applicants. Responses are not always completed in a timely manner. 	<ul style="list-style-type: none"> Multiple staff members consistently assist and respond to questions from applicants in a timely manner. 	<ul style="list-style-type: none"> A single point of contact is identified to assist, respond to questions, and consistently follow-up with all applicants. <i>Or</i>, if multiple contacts, the messages and assistance are consistent across areas. Responds to questions in a timely manner. 	4	OCCS provides a single point of contact for all application-related questions. This contact is displayed clearly online and on all application-related materials. As part of their continuous improvement process, OCCS asks applicants for feedback about the process and makes adjustments as necessary to ensure a quality process.

Sponsor Application Process & Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
E. Rigorous Criteria for New Applicants	<ul style="list-style-type: none"> The sponsor may require applicants to outline the following: <ul style="list-style-type: none"> an educational program; staffing plan; a business plan; and/or governance and management structure. Application criteria are minimal and focus mainly on meeting state and federal statutory requirements. 	<ul style="list-style-type: none"> The sponsor requires all applicants to describe in general terms the following: <ul style="list-style-type: none"> a mission and vision; an educational program; staffing plan; a business plan; and/or governance and management structure. 	<ul style="list-style-type: none"> The sponsor requires all applicants to present in detail the following: <ul style="list-style-type: none"> a mission and vision; an educational program; staffing plan; a business plan; governance and management structure; and capacity to carry out its plan. 	<ul style="list-style-type: none"> The sponsor requires all applicants to present the following: <ul style="list-style-type: none"> a clear and compelling mission and vision; a quality educational program; a solid business plan; an effective governance and management structure; staffing for people with diverse knowledge in education, school finance, etc.; and clear evidence of capacity to successfully execute its plan. 	4	The OCCS application calls for in-depth information in all required areas. OCCS looks at each applicant for a compelling mission aligned to the vision and supported by core values; an education plan and instructional practices that are responsive to diverse students' needs and are research-based; separation of governance and management; demonstration of organizational capacity; and demonstration of high-quality school leadership.

Sponsor Application Process & Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
F. Rigorous Criteria for Existing School Operators / Replicators	<ul style="list-style-type: none"> • No additional criteria are required of existing school operators and/or replicators of existing schools. • Sponsor does not look for any evidence of past success or the capacity for growth. 	<ul style="list-style-type: none"> • While no additional criteria are required, the sponsor completes a cursory look of the current school's academic success or a consideration for the school's capacity to expand. 	<ul style="list-style-type: none"> • While no additional criteria are required, the sponsor carefully reviews the existing school's financial audits (where available), academic success and the applicant's capacity to expand or replicate. 	<p>Sponsor requires the applicant to meet the following criteria:</p> <ul style="list-style-type: none"> • Clear evidence of capacity to operate new school successfully while maintaining quality in existing schools; • Document educational, organizational, and financial performance records based on all existing schools; • Explain any never-opened, terminated, or non-renewed schools; • Present growth plan, business plan, and most recent financial audits; and, • Meet high academic, organizational, and financial success to earn approval for replication. 	4	OCCS utilizes additional questions in its RFP and Phase 1 application for existing school operators and replicators that requests past academic, organizational, and financial history. It does require applicants to explain any terminated or non-renewed schools as well as any disciplinary action taken against its schools.

Sponsor Application Process & Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
G. Rigorous Criteria for Schools Changing Sponsor/ Assignment of Contract (if applicable)	<ul style="list-style-type: none"> • No additional criteria are required of the existing school seeking to be switch sponsors. • Sponsor does not look for any evidence of past success or the capacity to operate successfully. 	<ul style="list-style-type: none"> • While no additional criteria are required, the sponsor completes a cursory look of the current school's academic success or a consideration for the school's capacity to operate successfully. 	<ul style="list-style-type: none"> • While no additional criteria are required, the sponsor reviews the existing school's financial audits (where available), academic success and the school's capacity to operate successfully, meeting and/or exceeding it performance targets. 	Sponsor requires the applicant to provide educational, organizational, and financial performance records to evaluate the school's capacity to operate successfully, meeting and/or exceeding its performance targets.	4	OCCS requires schools changing sponsor to fill out the existing operator addendums that cover educational, organizational, and financial performance records. OCCS interviews the existing school's governing board for historical information on academic and financial performance, as well as visits to observe and interview staff at the school.
H. Reviewer Expertise	<ul style="list-style-type: none"> • Review team members have a cursory understanding of school finance, curriculum, instruction, management, facilities, and school law in the context of community schools. 	<ul style="list-style-type: none"> • At least one reviewer is knowledgeable in school finance; however, review team members have limited expertise in curriculum, instruction, management, facilities, and school law in the context of community schools. 	<ul style="list-style-type: none"> • Review team members evaluating applications have varying degrees of expertise in school finance, curriculum, instruction, management, facilities, and school law in the context of community schools. 	<ul style="list-style-type: none"> • The review team members evaluating applications have diverse expertise in school finance, curriculum, instruction, management, facilities, and school law in the context of community schools. 	4	OCCS staff comprises the majority of the application review team, but OCCS has recently sought external expertise from the Ohio Alliance of Public Charter Schools to complement the team. A sub-committee of the board also reviews applications. Together, a wealth of diverse expertise exists.

Sponsor Application Process & Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
I. Protocols and Training	<ul style="list-style-type: none"> • No defined selection criteria or protocols are used to evaluate applications. • Staff simply reviews the written application and only asks clarifying questions. • Reviewers receive no training. 	<ul style="list-style-type: none"> • Selection criteria are broad and no protocols are used. • Review team members receive limited training on the overall framework of selection criteria. • Reviewers ask clarifying questions as needed. 	<ul style="list-style-type: none"> • Evaluation includes a careful review of the written application, a brief interview to clarify points in the written application, and a careful review of the applicant's experience and capacity. • While not always documented in protocols, review team members are trained on the selection criteria. 	<ul style="list-style-type: none"> • Evaluation includes a detailed review of the written application, an in-depth interview with the applicant, and a thorough background review of the applicant's experience and capacity. • Application evaluators are trained on the selection criteria and the protocols. 	3	<p>It appears that staff conducts an internal review of initial application RFPs. It is not clear if there is a written protocol for this review or specific criteria for moving on to phase 1. An external reviewer is brought in for phase 1 and 2 reviews and staff works with a committee of the board to consider applications. There is a protocol with specific review criteria; however no formal training is given to reviewers. Each reviewer independently completes and scores the rubric, and then the group collectively discusses the application and develops questions for the applicant interview. <i>OCCS notes that calibration and review are done after the application is reviewed by individual members of the review team; however, these steps should be taken prior to the first application is reviewed and scored.</i></p>

Sponsor Application Process & Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
J. Reviewer Conflict of Interests	<ul style="list-style-type: none"> • No process is followed to ensure that all reviewers do not have a conflict of interest with the applicants they are reviewing. 	<ul style="list-style-type: none"> • A limited process is inconsistently followed to prevent reviewers from having conflicts of interest with the applicants they are reviewing. 	<ul style="list-style-type: none"> • A process is consistently followed that prevents internal and external reviewers from having conflicts of interest with the applicants they are reviewing. 	<ul style="list-style-type: none"> • An extensive policy and process are consistently followed that ensures all internal and external reviewers do not have a conflict of interest with the applicants they are reviewing. 	3	External application reviewers do not have to sign a conflict of interest form. Some verbal vetting is conducted to identify conflicts and in the past, this has identified potential conflicts and action was taken to avoid the perceived/real conflict.

Sponsor Application Process & Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
K. Rigorous Decision Making	<ul style="list-style-type: none"> • Almost all applicants that apply are approved, regardless of the strength of the application. 	<ul style="list-style-type: none"> • The majority of applications that meet a general framework of criteria are approved. <p>(Criteria are defined in E – G in this critical area.)</p>	<ul style="list-style-type: none"> • Applicants that meet the majority of the criteria are approved. <p>(Criteria are defined in E – G in this critical area.)</p>	<ul style="list-style-type: none"> • Only applicants meeting all, or almost all, of the criteria are approved. Any perceived minor deficiencies are addressed in the contract process. <p>(Criteria are defined in E – G in this critical area.)</p>	4	OCCS employs a structured decision-making process when considering applications. Internal and external evaluators review the applications and then staff works with a board sub-committee before bringing recommendations to the full board. Only a fraction of initial application inquiries are approved. OCCS does exercise some discretion, separate from their criteria, when taking on existing schools with under-performing records. <i>OCCS provided samples of approved and denied applications which supported the criteria under Exemplary. The score was changed from 3 to 4.</i>
Quality Rating for Sponsor Application Process & Decision Making			93% (41 out of 44 possible points)		Exemplary	

Sponsor Application Process & Decision Making

Practices to Maintain in Application Process & Decision Making:

- There is a wealth of material on the website about the application process and timelines / directions are very clear. This makes for a transparent process.
- Having a point person to handle all application-related questions allows for a streamlined applicant experience.
- OCCS endeavors to carry out their application process with efficiency, expertise, and integrity in order to sponsor high-quality charter schools.

Practices to Develop in Application Process & Decision Making:

- The potential for inconsistent use of application standards exists given lack of reviewer training on protocol/criteria.
- OCCS needs to ensure 100 percent alignment between the application, technical assistance, and reviewing criteria.
- Although reviewers understand the rationale for not disclosing potential chartering priorities (in order not to turn away other good applications), there may be a need for more transparency. This may apply to OCCS should the chartering priorities be communicated.
- The application timeline may not give successful applicants enough time to prepare for school opening. *(appears to have been changed for the 2014-2015 cycle)*
- The potential for conflicts of interest between external reviewers and applicants exists.

Recommendations for Improved Application Process & Decision Making

- Application evaluators need an orientation and/or training prior to reviewing applications in order to ensure consistent application of standards. Consider conducting orientation to the application review process and standards while conducting a more detailed review for new staff, board members, and external reviewers.
- Communicate applicant financial criteria more transparently. For example, during the RFP process, if applicants are turned away for lack of existing financial resources, this should be clear on the RFP and perhaps be a subject of technical assistance.
- Consider communicating chartering priorities through a statement such as: "We are specifically interested in XX, but welcome applications from all high-quality applicants."
- Revise the application timeline so that successful applicants have enough time to prepare for school opening. *(appears to have been done for the 2014-2015 cycle)*
- Require external reviewers to sign a conflict of interest form.
- Consider adding additional external reviewers to the application process to add diverse viewpoints and areas of expertise.

Sponsor Performance Contracting						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
A. Contract Terms Related to School Autonomy	<ul style="list-style-type: none"> Sponsor contracts rarely establish and recognize the autonomy to which the schools are entitled - authority over educational programming, staffing, budgeting, and scheduling. 	<ul style="list-style-type: none"> Sponsor contracts occasionally establish and recognize the autonomy of the school from the sponsor. A few contracts might include general terms related to the school's authority over educational programming, staffing, budgeting, or scheduling. 	<ul style="list-style-type: none"> Most contracts establish and recognize some autonomy to which the schools are entitled, which might include specific authority over educational programming, staffing, budgeting, or scheduling. 	<ul style="list-style-type: none"> All contracts establish and recognize the autonomy to which the schools are entitled, including authority over educational programming, staffing, budgeting, and scheduling. 	4	The contract template used by OCCS notes separation between the school and sponsor.

Sponsor Performance Contracting						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
B. Contract Performance Framework	<ul style="list-style-type: none"> Sponsor contracts include the statutory reference to academic goals, method of measurement and performance standards by which the sponsor will evaluate the school's success, but does not specify the specific goals and measurements. 	<ul style="list-style-type: none"> Sponsor contracts include the statutory reference to academic goals, method of measurement and performance standards by which the sponsor will evaluate the school's success The performance framework may or may not go beyond the statewide academic achievement requirements; and/or the targets are broad in nature and do not include non-academic goals. 	<ul style="list-style-type: none"> Most contracts specify clear academic and financial performance standards that schools must meet as a condition for renewal. The performance framework regularly surpasses minimum standards required by rule and law, but may not be aligned with the school's mission. 	<ul style="list-style-type: none"> All contracts include rigorous indicators of student performance that are clear, measurable, and attainable. All contracts include performance goals for financial soundness and operational performance. All schools must meet the targets specified in their contract as a condition for renewal. The performance framework surpasses minimum standards required by rule and law and is school specific. Objective and verifiable measures of student achievement are the primary measure of school quality and required for contract renewal. 	3	<p>OCCS' current contract template utilizes very specific performance goals with measurable outcomes. These goals are adjusted with each contract depending on the type of school. Therefore, trend lines vary, but overall expectations of schools remain the same. OCCS works with applicants and operators to create these goals. Although the current performance frameworks are exemplary, earlier contracts issued by OCCS do not contain rigorous performance frameworks and are in need of updating. <i>OCCS notes that the majority of their current contracts use the enhanced performance framework and that it is challenging, both legally and on a policy-basis, to update older contracts with the enhanced Ohio performance framework.</i></p>

Sponsor Performance Contracting						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
C. Contract Student Performance Measures	<ul style="list-style-type: none"> • Most contracts include vague measures of student performance, such as local report card ratings or overall proficiency rates on statewide assessments. • Few contracts require multiple measures of student performance. 	<ul style="list-style-type: none"> • Most contracts include multiple measures of student performance, as measured only by statewide assessments. 	<ul style="list-style-type: none"> • All contracts specify multiple measures of student performance, which may include the following: <ul style="list-style-type: none"> ○ proficiency rates on state assessments (for all students and by subgroups), ○ student academic growth, ○ graduation rates, ○ attendance, and ○ <i>if applicable</i>, post-secondary enrollment after high school. 	<ul style="list-style-type: none"> • All contracts specify rigorous and measurable indicators of student performance, which include the following: <ul style="list-style-type: none"> ○ proficiency rates on state assessments (for all students and by subgroups), ○ student academic growth, ○ graduation rates, ○ attendance, ○ <i>if applicable</i>, post-secondary enrollment after high school, and ○ student performance on other valid and reliable assessments as laid out in the contract. 	3	All measures as defined in the exemplary rating are included in more recent OCCS' school contracts; however older contracts need to be updated to reflect more rigorous student performance measures. <i>Examples of the newer contracts include measures of student performance as reflected under the Exemplary criteria. These changes would likely merit a higher rating in the future.</i>

Sponsor Performance Contracting						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
D. Contract Non-Academic Performance Measures	<ul style="list-style-type: none"> Contracts may include vague measures of financial performance. 	<ul style="list-style-type: none"> Most contracts include broad measures of financial performance. 	<ul style="list-style-type: none"> Most contracts include specific measures of financial performance and governance board performance. 	<ul style="list-style-type: none"> All contracts include specific performance measures for financial performance and sustainability. All contracts include measures related to governance board performance and stewardship (e.g., strategic goals specifically for the governing authority). 	4	<p>Although OCCS has very clear requirements for finance and governance in school contracts, there are no operational performance goals/measures (e.g. school board member tenure; rigorous board training). <i>OCCS notes that all board members are required to have training and has included clear expectations about this training, monitored annually. In addition, financial performance goals and measures in the contracts were also pointed out. Rating changed from 3 to 4.</i></p>

Sponsor Performance Contracting						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
E. Contract Sources of Data	<ul style="list-style-type: none"> • Most contracts do not state specific data that must be collected as part of the evaluation and renewal process. 	<ul style="list-style-type: none"> • Most contracts include broad measures of academic and non-academic performance, thus implying (without clearly defining) what data are needed as part of the evaluation and renewal process. 	<ul style="list-style-type: none"> • Most contracts state the data that will be collected as part of the school's evaluation process. • Most contracts note multiple sources of data that are needed as part of the evaluation and renewal process. 	<ul style="list-style-type: none"> • All contracts clearly state the data that will be collected as part of the school's evaluation process, including how frequently that data will be reported by the school. • All contracts clearly define multiple sources of data that will form the evidence base for ongoing evaluation and renewal. • Multiple sources include state-mandated and other standardized assessments, internal assessments, qualitative reviews, and/or performance comparisons with other public schools in the district and state. 	3	Most OCCS contracts clearly state the type and frequency of data that will be collected from schools as part of the evaluation process. Multiple points of data are used including a comparison of schools' value-added scores with other similarly-situated public schools. <i>OCCS referenced comments in B; duly noted for E, but the score is unchanged because the enhancements are not yet fully implemented.</i>

Sponsor Performance Contracting						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
F. Contract Terms for Intervention	<ul style="list-style-type: none"> Contracts do not define the criteria and conditions for intervention, including probation and suspension. 	<ul style="list-style-type: none"> Most contracts broadly define the criteria and conditions for intervention, including probation and suspension. 	<ul style="list-style-type: none"> Most contracts define the criteria and conditions for intervention, including probation and suspension. 	<ul style="list-style-type: none"> All contracts clearly define and detail the criteria and conditions for intervention, including probation and suspension. 	4	<p>The contract states that a breach of or non-compliance with any terms of the contract will constitute “good cause” for intervention, but there is no detail as to the criteria and conditions for intervention, probation, and suspension. It is not clear that a school would understand how, when, or why intervention may occur. <i>OCCS takes issue with the report’s conclusion for this criterion, pointing out sections in the contracts which go beyond boilerplate language. Based upon a second examination of the documents cited, the rating changed from 3 to 4.</i></p>

Sponsor Performance Contracting						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
G. Contract Terms for High-Stakes and Ongoing Reviews	<ul style="list-style-type: none"> Contract renewal is essentially automatic and contract language may specify automatic renewal as the default. Sponsor contracts rarely specify a high-stakes review to take place prior to contract renewal. 	<ul style="list-style-type: none"> Contract renewal is essentially automatic and contract language may specify automatic renewal as the default. Sponsor contracts occasionally specify a high-stakes review to take place prior to contract renewal, but at least every 5 years for extended contracts. 	<ul style="list-style-type: none"> Sponsor contracts regularly specify a required high-stakes review to take place prior to contract renewal, but at least every 5 years for extended contracts. 	<ul style="list-style-type: none"> All sponsor contracts specify a required high-stakes review to take place prior to contract renewal, and at least every 5 years for extended contracts. 	4	The sponsor has contract terms for on-going, annual reviews that culminate in a renewal decision.
H. Contract Terms for Renewal and Non-renewal	<ul style="list-style-type: none"> Contracts rarely define the performance standards and criteria and conditions for renewal. Contracts rarely define the consequences for meeting or not meeting standards and conditions. 	<ul style="list-style-type: none"> Most contracts broadly define the performance standards and criteria and conditions for renewal. Most contracts broadly define the consequences for meeting or not meeting standards and conditions. 	<ul style="list-style-type: none"> Most contracts define the performance standards and criteria and conditions for renewal. Most contracts define the consequences for meeting or the consequences for not meeting standards and conditions. 	<ul style="list-style-type: none"> All contracts clearly define and detail performance standards and criteria and conditions for renewal. All contracts clearly define and detail the consequences for meeting or the consequences for not meeting standards and conditions. 	4	Renewal and non-renewal standards and criteria are clearly outlined in OCCS' template contract that is used with all schools.

Sponsor Performance Contracting						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
I. Contract terms for Amendments	<ul style="list-style-type: none"> • No specific conditions for amendment or modifications are noted in the contract. • Sponsor rarely considers the need for or allows amendment and modification of the contract. 	<ul style="list-style-type: none"> • No specific conditions for amendment or modifications are noted in the contract. • Sponsor occasionally considers amendment and modification of the contract as the need arises. 	<ul style="list-style-type: none"> • General conditions for amendment or modifications are noted in the contract. • Sponsor regularly considers amendment and modification of the contract as the need arises. 	<ul style="list-style-type: none"> • Sponsor regularly encourages and is receptive to amendment and modification of the contract in support of higher achievement or to ensure compliance. • Sponsor regularly assesses contract language to ensure consistency with changes in state and/or federal law. 	4	OCCS provides clear guidance to schools on amendment criteria and procedures, above the boiler plate contract language and the guidance provided by ODE. OCCS regularly assesses contract language to ensure consistency with law. <i>OCCS pointed out evidence of contract amendment language in their contracts.</i> Score revised.
J. Contract terms for 3% oversight and monitoring fee by sponsors	<ul style="list-style-type: none"> • Contracts reference the sponsor’s fee for oversight and monitoring and statutory listing of the duties of the sponsor, but provide no details on the sponsor’s specific responsibilities related to oversight and monitoring. 	<ul style="list-style-type: none"> • Contracts reference the sponsor’s fee for oversight and monitoring and statutory listing of the duties of the sponsor and provide few details on the sponsor’s specific responsibilities related to oversight and monitoring. 	<ul style="list-style-type: none"> • Contracts reference the sponsor’s fee for oversight and monitoring and statutory listing of the duties of the sponsor and most contracts clearly define the sponsor’s fees and broadly define the sponsor’s specific responsibilities related to oversight and monitoring. 	<ul style="list-style-type: none"> • Contracts reference the sponsor’s fee for oversight and monitoring and statutory listing of the duties of the sponsor and all contracts clearly define the sponsor’s responsibilities and fees related to oversight and monitoring. 	4	OCCS’ contracts with schools reference the fee for oversight and monitoring and lists the statutory duties of the sponsor.

Sponsor Performance Contracting						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
Quality Rating for Sponsor Performance Contracting			84% (37 out of 44 possible points)			Effective

Sponsor Performance Contracting	
Practices to Maintain in Performance Contracting:	
<ul style="list-style-type: none"> • OCCS includes all required statutory language and references in their contracts. • Academic performance measures are rigorous and tailored to the unique characteristics of each school. • All contracts recognize schools' autonomy. 	
Practices to Develop in Performance Contracting:	
<ul style="list-style-type: none"> • School governing board accountability could be enhanced through the addition of operational/governing board performance measures in each contract. • Intervention criteria and processes are not well-defined in contracts. • There was no evidence that contracts contain language regarding contract amendments. • Earlier contracts issued by OCCS do not contain rigorous performance frameworks unlike contracts issued more recently. 	
Recommendations for Improved Performance Contracting:	
<ul style="list-style-type: none"> • Include operational/governing board performance measures (e.g. member stability; training requirements – <i>Note: board training is a requirement in all OCCS contracts</i>). • More clearly define and detail school intervention criteria and processes in each contract. • Review all contracts for rigorous performance frameworks and revise, if necessary. 	

Sponsor Oversight & Evaluation						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence

Pilot

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
A. System of Oversight & Evaluation	<ul style="list-style-type: none"> The sponsor's oversight and evaluation system is reactive, focused only on the school's compliance with laws. The sponsor rarely enforces consequences for failing to meet compliance requirements or performance expectations. 	<ul style="list-style-type: none"> The sponsor's oversight and evaluation system is minimal; focusing mainly on the school's compliance with laws and with limited examination of academic performance. The sponsor occasionally enforces consequences for failing to meet compliance requirements or performance expectations. 	<ul style="list-style-type: none"> The sponsor's oversight and evaluation system is proactive, collecting &/or accessing and reviewing and/or analyzing data on the school's compliance with laws and against performance targets stated in the contract. Combined, these sources of data inform contract renewal, revocation, and intervention decisions. The sponsor regularly enforces consequences for failing to meet compliance requirements, and sometimes performance expectations. 	<ul style="list-style-type: none"> The sponsor implements a comprehensive performance accountability and compliance monitoring system that is defined by the charter contract and that provides the information necessary to make rigorous and standards-based decisions. The sponsor predetermines intervention actions for failure to meet contract requirements and clearly articulates and enforces stated consequences for failing to meet performance expectations or compliance requirements. 	4	<p>OCCS employs a thorough system of oversight, which follows charter contract requirements, including performance accountability, and compliance and special education monitoring.</p> <p>OCCS uses a team to develop specific criteria for intervention, which gets updated yearly, based on criteria outlined in the charter contract. OCCS annually determines its intervention strategies and enforces them as determined on an annual basis.</p>

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
B. Transparency of Process	<ul style="list-style-type: none"> The sponsor’s major oversight and evaluation processes for application, renewal and closure are not transparent. 	<ul style="list-style-type: none"> The sponsor’s major oversight and evaluation processes for application, renewal and closure are not transparent; however, the timelines are communicated. 	<ul style="list-style-type: none"> The sponsor’s major oversight and evaluation processes for application, renewal and closure are transparent - clearly communicated to schools through contract and documented guidance and acknowledging that some aspects of oversight necessitate flexibility (e.g., a testing investigation). 	<ul style="list-style-type: none"> The sponsor’s oversight and evaluation process is fully transparent; it defines and communicates to schools through the school contract and documented guidance the process, methods, and timing of gathering and reporting school performance and compliance data, while acknowledging that some aspects of oversight necessitate flexibility (e.g., a testing investigation). 	4	OCCS uses Epicenter, an online data management warehouse, which collects and stores compliance documents for all schools. The system provides schools a calendar of when documents are due, as well as provides notification for upcoming deadlines, or if a deadline has passed. As such, it serves as a tool for both the sponsor and its schools to track not only timeliness, but also completeness of submissions.



Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
C. Enrollment & Financial Reviews	<ul style="list-style-type: none"> The sponsor rarely reviews the enrollment and financial records of each school. When or if reviewed, the sponsor provides few details and that is rarely of value to the school. No consideration is given to the qualifications of the individual performing the review on behalf of the sponsor. 	<ul style="list-style-type: none"> The sponsor minimally reviews the enrollment and financial records of each school, and provides occasional feedback with limited details and that are of limited use to the school. Some consideration is given to appropriate qualifications of the sponsor's reviewer. 	<ul style="list-style-type: none"> The sponsor regularly reviews and provides feedback on the enrollment and financial records of each school. All revenue sources are considered against the school's annual school budget. Consideration is given to the qualifications of the sponsor's reviewer respecting school financial reviews. 	<ul style="list-style-type: none"> The sponsor comprehensively reviews and provides monthly feedback on the enrollment and financial records of each school which results in timely intervention when problems arise. All revenue sources are considered against the school's annual school budget. The sponsor employs a licensed school treasurer or equivalent to conduct school financial reviews. 	3	<p>OCCS reviews schools' finances and enrollment on a monthly basis, and provides feedback. As such, OCCS provides timely intervention based on these reviews. In particular, OCCS conducts enrollment audits prior to each school year, and <i>now</i> verifies the onsite findings with the School Options Enrollment System profiles to ensure schools' fiscal viability based on its experience with a school whose enrollment challenges impacted its fiscal viability. Financial reviews examine revenue sources against schools' annual budgets; reviews are conducted by a Certified Public Accountant. <i>OCCS disputes the rating, believing it should receive a 4. Note: there was a breakdown of OCCS's review process for the 2012-2013 school year; OCCS used that experience to ensure that going forward, its process is sound and would likely merit a higher rating in the future.</i></p>

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
D. Financial Audit Follow-up	<ul style="list-style-type: none"> The sponsor never attends the school's closing audit conference. The sponsor either rarely follows-up with schools on issues identified in a school's annual audit by the Auditor of State or is excessive in its follow-up and direction to the school. 	<ul style="list-style-type: none"> The sponsor never or rarely attends the school's closing audit conference. The sponsor may follow-up on legal compliance issues identified in a school's annual audit by the Auditor of State. 	<ul style="list-style-type: none"> The sponsor generally attends the closing audit conference. The sponsor addresses the majority of issues identified in a school's annual audit by the Auditor of State, including findings for recovery, issues of material non-compliance, and so on. If the sponsor requires the school to engage in a Corrective Action Plan, the sponsor monitors the school's implementation of the plan. 	<ul style="list-style-type: none"> The sponsor consistently attends the school's closing audit conference. The sponsor thoroughly addresses issues identified in a school's annual audit by the Auditor of State, including findings for recovery, issues of material non-compliance, and so on. The sponsor engages in follow-up to measure the school's progress in ensuring that similar future findings are avoided, with or without a formal Corrective Action Plan. 	4	<p>Unless waived by a school, OCCS regularly attends schools' closing audit conferences, either by phone, or in person when held in Toledo or if issues are identified.</p> <p>OCCS addresses findings in its monthly meetings with schools' fiscal officers, as required by law.</p> <p>In cases where findings exist, OCCS conducts needed follow-up to avoid similar findings in the future.</p>

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
E. Site Visit Protocols	<ul style="list-style-type: none"> During an onsite review, data are collected from a school employee available at the school on the day of the review. Onsite reviewers receive very little training on the site visit process and no protocols are used. 	<ul style="list-style-type: none"> During an onsite review, data are collected from a school employee available at the school on the day of the review. The sponsor has site-visit protocols; however, reviewers are not trained in the tools and therefore do not consistently use them during site visits. 	<ul style="list-style-type: none"> During an onsite review, data are collected from school administrators and a sample of instructors. Onsite reviewers are trained on and regularly use observation and interview protocols. 	<ul style="list-style-type: none"> During an onsite review, data are collected from a variety of stakeholders, which may include governing board members, administrators, teachers, students, parents, and staff from the management company (if applicable). Reviewers receive ongoing training on the purpose, criteria, process and protocols of conducting site-visits. 	4	<p>OCCS employs Regional Representatives to conduct site visits, who gather data from a variety of sources, which minimally includes governing board members, administrators, teachers, and management company staff (if applicable).</p> <p>Regional Representatives go through a thorough training of one to two years to conduct special education reviews, which includes shadowing, webinars and relevant training from other resources. Ongoing training for compliance reviews includes bi-weekly calls for updates, and a yearly retreat.</p>

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
F. Site Visit Reviewer Expertise	<ul style="list-style-type: none"> • The sponsor has at least one staff member with a basic understanding of school finance, who may or may not inform the site-visit team. • No external sources are sought in education related areas for which the sponsoring staff lacks expertise. 	<ul style="list-style-type: none"> • The sponsor has at least one staff member whose work informs the site visit and who is knowledgeable in school finance, with other staff having a limited understanding of curriculum, instruction, management, facilities, or law. • When existing staff do not have the range of expertise needed, the sponsor sometimes engages with external sources to complete particular aspects of work. 	<ul style="list-style-type: none"> • In addition to having at least one staff member who is knowledgeable in school finance, the other reviewers have a general understanding of curriculum, instruction, management, facilities, or law. • When existing staff do not have the range of expertise needed, the sponsor engages with external sources to complete particular aspects of work. 	<ul style="list-style-type: none"> • Reviewers have diverse expertise in the areas of curriculum, instruction, management, facilities, finance and/or law. • If the school has a distinct focus (e.g., online delivery, special education, dropout recovery), the reviewers of these schools are knowledgeable in the area of the school's focus. • When existing staff do not have the range of expertise needed, the sponsor engages with external sources to complete particular aspects of work. 	4	Regional Representatives are former educators, therefore, possessing expertise related to the reviews they conduct. Staff with fiscal responsibilities conducts the monthly financial reviews. In particular, OCCS uses reviewers with distinct expertise when needed due to a school's focus. OCCS is adept at obtaining the expertise needed from external sources if they don't exist internally.

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
G. Site Visit Reports	<ul style="list-style-type: none"> Based upon information from site visits, the sponsor may provide the school with a written report but which fails to provide any relevant information about the school's operations. There is no follow-up. 	<ul style="list-style-type: none"> Based upon information from site visits, the sponsor provides the school with a written report of general findings, may include areas needing improvement. There may or may not be follow-up for improvement areas. 	<ul style="list-style-type: none"> Based upon information from site visits the sponsor provides the school with a written report detailing the information collected and identifying areas needing improvement. Ongoing, the sponsor requests and reviews status updates from the school pertaining to any areas needing improvement. 	<ul style="list-style-type: none"> Based upon information from site visits throughout the year, the sponsor provides the school with a report detailing the information collected and identifying areas of strength and areas needing improvement. Ongoing, the sponsor requests and reviews status updates pertaining to any areas needing improvement. 	4	OCCS provides schools with the worksheet completed by the Regional Representative to document site visit findings. The worksheet identifies items not in compliance and includes a deadline for compliance. Regional Representatives use subsequent site visits to conduct follow-up and ensure compliance has been met.

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
H. Communication with the School	<ul style="list-style-type: none"> The sponsor is fails to communicate with the school's Governing Authority; or The sponsor is inappropriately overly involved in the school's operations, directing it or making decisions on the Governing Authority's behalf. 	<ul style="list-style-type: none"> The sponsor's communication with the school's Governing Authority is limited, vague and/or inconsistent. 	<ul style="list-style-type: none"> The sponsor's communication with the school's Governing Authority is frequent, specific and informative regarding the school's operations. 	<ul style="list-style-type: none"> The sponsor's communication is frequent, specific and informative regarding the school's operations and includes both the school operator and governing authority. 	4	OCCS does an exceptional job of maintaining communication with schools under its authority. Regular newsletters are disseminated to school leaders, governing authorities, and other stakeholders. Additionally, Regional Representatives use monthly board meetings to provide updates and communicate pertinent information.



Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
I. Respecting Governing Authority Autonomy in Operations	<ul style="list-style-type: none"> The sponsor is inappropriately overly involved in the day-to-day operational decisions of the schools it sponsors and/or operates more as a “program” of the sponsor. Regardless of demonstrated success, all schools have limited or no autonomy over decision-making. The sponsor collects data in a manner that is burdensome to the school, without thought to protect students and public interests. The sponsor never examines its own compliance requirements to possibly minimize burden and increase the autonomy of its schools. 	<ul style="list-style-type: none"> The sponsor is inappropriately slightly involved in the day-to-day operational decisions of the schools it sponsors. The sponsor collects data in a manner that is burdensome to the school, without thought to protect students and public interests. Sponsor may or rarely examines its own compliance requirements to possibly minimize burden and increase the autonomy of its schools. 	<ul style="list-style-type: none"> The sponsor has limited involvement in the day-to-day operations of the schools’ it sponsors, targeting those that have demonstrated poor performance or non-compliance. The sponsor collects data in a manner that minimizes administrative burden on the school, and protects student and public interests. Sponsor occasionally examines its own compliance requirements to possibly minimize burden and increase the autonomy of its schools. 	<ul style="list-style-type: none"> The sponsor has no involvement in any school’s authority over its day-to-day operations, unless required to as part of its contractual obligations pertaining to intervention. The sponsor collects data in a manner that minimizes administrative burden on the school, and protects student and public interests. The sponsor periodically reviews its own compliance requirements and evaluates the potential to increase school autonomy based on flexibility in the law, streamlining requirements or other considerations. 	4	<p>OCCS appropriately respects the autonomy of the governing authority, having no involvement in day-to-day operations. The use of Epicenter minimizes administrative burden on schools. Statutory requirements limit OCCS’ ability to increase autonomy for schools that perform well. However, OCCS does give consideration to reducing the sponsor fee based on factors such as a large enrollment. Additionally, high performing schools may receive a 10-year contract upon renewal, instead of the standard five-year contract.</p>
41 Council of Community Schools (OCCS) 9-20-13						Ohio

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
J. Intervention	<ul style="list-style-type: none"> • The sponsor is unaware of its obligation to intervene in accordance with Ohio law. • The conditions that trigger intervention are never articulated by the sponsor to its schools. • The sponsor never or rarely provides schools with timely notice of contract violations and/or provides little to no information on performance deficiencies. • The sponsor rarely intervenes or follows-up with schools in which compliance problems are identified during its own oversight or when identified by an external agency, such as ODE. 	<ul style="list-style-type: none"> • The sponsor is generally aware of its obligation to intervene with a community school in accordance with Ohio law. • The community school contract states the conditions that may trigger intervention. • The sponsor occasionally provides schools with timely notice of contract violations, and/or minimal notice of performance deficiencies • The sponsor occasionally intervenes with problems related to compliance are identified during its own oversight or when identified by an external agency, such as ODE. When intervention occurs, it is usually very prescriptive in nature and/or the sponsor defaults to another entity, such as ODE, for intervention guidance. 	<ul style="list-style-type: none"> • The sponsor establishes and makes known to the school in the contract conditions that may trigger intervention and the types of actions and consequences that may ensue. • The sponsor provides timely notice of contract violations and performance deficiencies. • The sponsor intervenes in the community school's operations to correct compliance issues or problems in the school's overall performance. 	<ul style="list-style-type: none"> • The sponsor establishes and makes known to schools at the outset an intervention policy stating the general conditions that may trigger intervention and the types of actions and consequences that may ensue. • The sponsor gives schools clear, adequate, evidence-based, and timely notice of contract violations and performance deficiencies. • The sponsor initiates intervention in the community school's operations in a timely manner and clearly linked to correcting specific deficits in the school's overall performance. • The sponsor allows school reasonable time and opportunity for remediation in non-emergency situations. • Intervention strategies clearly preserve school autonomy and responsibility (e.g. 	4	<p>OCCS uses a team to develop specific criteria for intervention and probation, which gets updated yearly, based on criteria outlined in the charter contract. The criteria are clear, and OCCS issues guidance outlining the process by which schools on intervention/probation will develop their Corrective Action Plans. OCCS provides intervention on a timely basis. OCCS conducts detailed monitoring to ensure schools are adequately addressing identified deficiencies. The process used to monitor progress preserves schools' autonomy.</p>

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
K. Oversight & Evaluation Report to Schools	<ul style="list-style-type: none"> Provides a report, very broad in nature, when compliance problems arise that must be addressed by the school. 	<ul style="list-style-type: none"> Provides a report to each school, summarizing fiscal and operational compliance. 	<ul style="list-style-type: none"> Provides a report to each school, summarizing its performance and compliance to date. 	<ul style="list-style-type: none"> Provides a report to each school, summarizing its performance and compliance to date and identifying areas of strength and areas needing improvement. 	3	<p>OCCS provides a semi-annual Compliance Report to schools, based on their compliance document submissions to Epicenter. OCCS provides detailed reports for schools on probation, but no evidence exists of regularly providing reports to schools to show their standing with OCCS. <i>OCCS notes that special education data and outcome data aligned with performance and accountability plans are provided regularly to schools.</i></p>

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
L. Annual Report to the Public	<ul style="list-style-type: none"> The sponsor provides the general public and ODE with a very brief report on the school's compliance with the laws for each of the schools it authorizes. 	<ul style="list-style-type: none"> The sponsor produces an annual report for each of the schools that it authorizes. These reports provide limited information on the school's compliance with the laws and meeting the terms of its contract. 	<ul style="list-style-type: none"> The sponsor produces an annual report on the individual schools that it oversees. These reports include informative data on the school's compliance with the laws and meeting the terms of its contract. 	<ul style="list-style-type: none"> The sponsor produces an annual public report that provides clear, accurate performance data for the community schools it oversees, reporting on individual schools and its overall portfolio performance. 	4	OCCS provides an annual report that clearly outlines performance data for all of the schools under its authority, as required by law.
Quality Rating for Sponsor Oversight & Evaluation			96% (46 out of 48 possible points)		Exemplary	

Sponsor Oversight & Evaluation

Practices to Maintain in Oversight & Evaluation:

- OCCS should maintain its practice of rigorous and regular oversight, as it provides the sponsor with timely information used to inform schools of their performance and for OCCS to take action, as needed.
- OCCS should maintain its practice of communicating with schools using various means (e.g., meetings, newsletters).
- OCCS should maintain its practice of respecting the autonomy of governing authorities.

Sponsor Oversight & Evaluation

Practices to Develop in Oversight & Evaluation:

- While OCCS provides detailed reports to schools on their compliance status, no evidence exists of annual reports to schools on their academic and special education performance.
- OCCS refers to numerous documents, such as contracts and guidance, to inform schools of requirements and its monitoring and oversight system, which can hamper a clear understanding of expectations, roles and responsibilities among its stakeholders.

Recommendations for Improved Oversight & Evaluation:

- Consider creating an annual report to each school summarizing its performance related to academics, compliance, and special education.
- Consider creating a policy manual that clearly outlines all academic performance and compliance requirements, as well as OCCS' monitoring and oversight system.

Sponsor Termination & Renewal Decision Making						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
A. Revocation	<ul style="list-style-type: none"> The sponsor never revokes a school's contract during its charter term. 	<ul style="list-style-type: none"> The sponsor seldom revokes a school's contract when there is an egregious violation of law. The sponsor does not seek evidence that might result in revocation, but will consider evidence brought before it. 	<ul style="list-style-type: none"> The sponsor may revoke a school's contract during its charter term when there is evidence of egregious violations of law or unfaithfulness to the terms of the contract. The sponsor's ongoing oversight and evaluation provides evidence for these decisions to be made. 	<ul style="list-style-type: none"> The sponsor revokes a school's contract during its charter term when there is clear evidence of extreme underperformance or egregious violation of law or the public trust that imperils students or public funds. 	4	OCCS uses its ongoing oversight and evaluation to document the performance of schools and makes revocation decisions based on the evidence provided.

Sponsor Termination & Renewal Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
B. Evidence Based Renewal	<ul style="list-style-type: none"> Contract renewal is almost always assumed or made based upon factors other than school performance. 	<ul style="list-style-type: none"> The contract renewal decision is based upon a limited body of evidence. 	<ul style="list-style-type: none"> The contract renewal decision is based upon a substantial body of evidence of legal compliance and performance. These data inform renewal decisions. 	<ul style="list-style-type: none"> The sponsor bases the renewal process and renewal decisions on thorough analysis of a comprehensive body of objective evidence defined by the performance framework in the charter contract. 	3	Using a framework summary based on renewal criteria, OCCS analyzes data available over the course of the schools' contract related to academics, finances, compliance and other relevant information and trend data to make renewal decisions. <i>OCCS has been implementing an enhanced performance framework, comprehensive in nature, and likely would merit a higher rating for the criterion in the future.</i>

Sponsor Termination & Renewal Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
C. Renewal Decisions	<ul style="list-style-type: none"> The sponsor grants renewal to all schools regardless of fiscal or organizational problems, or failure to meet the terms and achievement targets in their contract, or non-compliance with the law. 	<ul style="list-style-type: none"> The sponsor inconsistently grants renewal to schools, even those that have fiscal or organizational problems, have failed to meet the terms and achievement targets in their contract, or have been out of compliance with the law. 	<ul style="list-style-type: none"> The sponsor grants renewal to fiscally viable schools that meet most of the following criteria: <ul style="list-style-type: none"> organizationally viable, faithful to the terms of their contract, and/or achieve their contractual academic standards and targets. 	<ul style="list-style-type: none"> The sponsor only grants renewal to fiscally viable schools that meet all of the following criteria: <ul style="list-style-type: none"> organizationally viable, faithful to the terms of their contract, and achieve their contractual standards and targets. 	3	OCCS determines renewal based on a 10-point scale in the areas of academic performance, financial viability and management, charter compliance, and other relevant information and trend data. While there are no cut points for each section, OCCS uses this scoring to initiate discussion about a school's performance, and may use its discretion and use additional information to support renewing certain schools that may go beyond their established criteria. <i>It is noted that OCCS believes that qualitative data should be a legitimate part of making charter renewal decisions, however it is in keeping with this criterion and the score remains.</i>

Sponsor Termination & Renewal Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
D. Cumulative Report on Performance	<ul style="list-style-type: none"> Des not annually provide the school a cumulative report on its performance. 	<ul style="list-style-type: none"> Annually provides the school a cumulative report that is vague and unclear as it relates to the school's performance in contract terms. 	<ul style="list-style-type: none"> Annually provides each school with a report of its performance, but only includes the most recent academic year. 	<ul style="list-style-type: none"> Provides each school, in advance of the renewal decision, a cumulative performance report that summarizes school's performance record over charter term. 	4	OCCS creates a comprehensive report that outlines each school's performance in the areas of academic, finances and compliance. The report covers the charter term, and is provided in advance of a decision being made.

Sponsor Termination & Renewal Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
E. Transparent Renewal Application Process	<ul style="list-style-type: none"> The sponsor does not have an application process for contract renewal. 	<ul style="list-style-type: none"> The sponsor may have an application renewal process, but does not consistently require schools to follow the process. 	<ul style="list-style-type: none"> The sponsor has an application process and requires all schools seeking renewal to apply for it through a renewal application. The process does not allow a school to present additional evidence regarding its performance. 	<ul style="list-style-type: none"> The sponsor requires any school seeking renewal to apply for it through a renewal application. The sponsor clearly communicates the process and criteria for renewal, and provides written guidance regarding required content and format for renewal applications. The application provides the school a meaningful opportunity and reasonable time to respond to the cumulative report; correct the record, if needed; and present additional evidence regarding its performance. 	3	OCCS does not employ a renewal application process. Rather, OCCS staff engage pertinent officials from schools (board president, school leaders, management company) in a conversation about the process, and requests schools to provide additional information, if desired, to explain performance. OCCS follows up with a letter outlining the renewal process and timeline. The process includes an opportunity for schools to have an informal hearing upon request. <i>Although OCCS notes that its renewal process is rigorous, best practice calls for a documented/written renewal application to ensure consistent communication, transparent processes and so on.</i> Ohio

Sponsor Termination & Renewal Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
<p>F. Prompt Notification of Revocation, Renewal, or Termination</p>	<ul style="list-style-type: none"> The sponsor's written notification of renewal decision is typically late in the school year and rarely includes an explanation of the reasons for the decision. Parents and students have almost no time and no information to make informed choices for the coming school year. 	<ul style="list-style-type: none"> The sponsor's written notification of renewal is timely, but includes a very limited explanation of the reasons for the decision. Parents and students have little time and limited information to make informed choices for the coming school year. 	<ul style="list-style-type: none"> The sponsor promptly notifies each school of its renewal decision, including written explanation of the reasons for the decision. Parents and students have enough time and information to make informed choices for the coming school year. Gives schools a 180 day notice to terminate their contract. 	<ul style="list-style-type: none"> The sponsor promptly notifies each school of its renewal decision, including a detailed written explanation of the reasons for the decision. Parents and students have ample time and information to make informed choices for the coming school year. Gives schools a 180 day notice to terminate their contract. 	3	<p>Documents provided demonstrate that OCCS provides timely notification of renewal decisions (within one day for nonrenewal and two weeks for renewals). OCCS provides a written explanation outlining reasons for nonrenewal; however, more detail could be provided. For example, OCCS states the reasons for nonrenewal in broad bullet points, but also states the nonrenewal decision is not limited to those included in the bullet points. Also, in the sample provided OCCS states one reason for nonrenewal is "failure to meet performance standards", but does not specify the performance standards and the actual performance. OCCS makes its decisions early in the school year (December in the samples provided), giving parents ample time to make informed choices for the coming year. No evidence of a school's right to terminate their contract 180 days prior to its expiration is limited to a statement in their contract; no evidence exists</p>

Sponsor Termination & Renewal Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
G. Closure Process	<ul style="list-style-type: none"> The sponsor is unaware of its obligation to oversee school closure. In the event of a school closure, the sponsor has no formal policy or procedure for school's to follow. The closing school might default to the ODE guidance. The sponsor does not oversee the closure process. 	<ul style="list-style-type: none"> The sponsor is aware of its obligation to oversee school closure; however, it lacks the capacity to oversee. In the event of a school closure, the sponsor has no formal policy or procedure for school's to follow. The closing school might default to the ODE guidance. The sponsor does ensure that student records are returned to the home school district. 	<ul style="list-style-type: none"> The sponsor is aware of its obligation to oversee school closure. The sponsor may have a formal policy, but at a minimum follows ODE's guidance. In the event of a school closure, the sponsor oversees the school's governing board and leadership in carrying out a closure process that seeks to: <ul style="list-style-type: none"> inform parents, transition student records to the home school district, and dispose of school funds, property, and assets in accordance with law. 	<ul style="list-style-type: none"> In the event of a school closure, the sponsor oversees and works with the school's governing board and leadership in carrying out a detailed closure protocol that ensures: <ul style="list-style-type: none"> timely notification to parents, orderly transition of students records to home school district, and disposition of school funds, property, and assets in accordance with law. The sponsor carries out the closure to the extent possible if school's governing authority fails to carry out the protocols. 	4	<p>OCCS uses a clear closure process that outlines the necessary tasks for an orderly school closure. In particular, OCCS issues guidance to closing schools showing that it will monitor the school in completing the closure tasks, including timely notification to parents, orderly transition of student records, and disposition of funds, property and assets in accordance with law. Following the Closing Assurances Form prescribed by ODE, OCCS collects documentation to verify completion of tasks.</p> <p>To date, OCCS has not had a school governing authority to abdicate its closure responsibilities. However, OCCS appears poised to accept such responsibility, if required.</p>



Sponsor Termination & Renewal Decision Making						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
Quality Rating for Sponsor Termination & Renewal			86% (24 out of 28 possible points)			Effective

P I L O T

Sponsor Termination & Renewal Decision Making

Practices to Maintain in Termination & Renewal Decision Making:

- OCCS demonstrates many promising practices related to renewal. In particular, it should maintain its practice of providing cumulative reports on school performance as part of the renewal process. This practice serves as a strong foundation for other practices, especially those that are not yet exemplary.
- The cumulative reports work well because of OCCS' use of data as the basis for making its decisions.

Practices to Develop in Termination & Renewal Decision Making:

- OCCS provides written notification regarding nonrenewal decisions; however, the notification lacks sufficient details related to criteria that are not met.
- OCCS does not make use of a renewal application, which hinders the transparency of the renewal process.

Recommendations for Improved Termination & Renewal Decision Making:

- In written notification of nonrenewal decisions, provide specific information regarding the criteria that are not met.
- To improve transparency, OCCS should consider making use of a renewal application that includes renewal guidelines with the full renewal timeline (including informal hearing if nonrenewal is proposed). To avoid having schools resubmit data already in OCCS' possession, the application might only request schools to provide information for consideration in the renewal process. Finally, the guidance can also notify schools of the 180-day timeframe to terminate the contract.

Technical Assistance & Sponsor Requirements in Rule and Law						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
A. Ongoing Technical Assistance to Schools	<ul style="list-style-type: none"> Technical assistance, if provided to schools, is reactive to problems that arise. The sponsor does not assess the technical assistance needs of the schools it authorizes. 	<ul style="list-style-type: none"> Most technical assistance provided by the sponsor is reactive to problems. The sponsor occasionally solicits information about the technical assistance needs of the schools it authorizes. The sponsor occasionally provides the technical assistance identified as needed by the schools. 	<ul style="list-style-type: none"> Most technical assistance is proactive, intended to prevent problems from arising in the schools it authorizes. The sponsor regularly assesses or solicits information about the technical assistance needs of the schools it authorizes. 	<ul style="list-style-type: none"> Almost all technical assistance is proactive, intended to prevent problems from arising in the schools it authorizes. The sponsor regularly assesses or solicits information about the technical assistance needs of the schools it authorizes. The sponsor regularly solicits feedback on the quality and impact of the technical assistance that it provides to the schools it authorizes. 	4	OCCS regularly assesses technical assistance needs through its frequent visits to schools. Using the data collected, OCCS tiers schools according to their needs and provides technical assistance as needed, whether through an increasing presence at the school or training. Additionally, OCCS conducts a needs assessment for special needs, which is used to determine technical assistance needs. OCCS has sought feedback on the technical assistance provided to schools while on probation.

Technical Assistance & Sponsor Requirements in Rule and Law						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
B. Ongoing Updates of Legal and Policy Changes	<ul style="list-style-type: none"> The sponsor never or rarely updates schools on changes to rule and law that impact the schools' operations. 	<ul style="list-style-type: none"> The sponsor occasionally updates schools on changes to rule and law that impact the schools' operations, but has no process for doing so. 	<ul style="list-style-type: none"> The sponsor has a process that it uses to at least annually, informs schools on changes to rule and law that impact the schools' operations. 	<ul style="list-style-type: none"> The sponsor continually ensures that schools are informed in a timely manner of changes to rule and law that impact the schools' operations. 	4	OCCS employs several strategies to inform schools of legal and policy changes. OCCS regularly disseminates newsletters to boards, school administrators, and other stakeholders, which include policy and legal updates. Additionally, governing authorities get regular updates at the board meetings, which are regularly attended by OCCS staff.

Technical Assistance & Sponsor Requirements in Rule and Law						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
C. Ongoing Professional Development (PD) for Schools	<ul style="list-style-type: none"> The sponsor never provides information about PD opportunities for its schools. 	<ul style="list-style-type: none"> The sponsor occasionally provides information about PD opportunities for its schools. <p><i>Or</i></p> <ul style="list-style-type: none"> Is prescriptive or mandating that its schools participate in certain PD. 	<ul style="list-style-type: none"> The sponsor shares information about PD opportunities for its schools. 	<ul style="list-style-type: none"> The sponsor provides its schools with multiple sources of information about PD opportunities for its schools. The sponsor encourages and promotes high quality PD. 	4	OCCS provides and promotes ongoing professional development. OCCS provides all School Governing Authority members 8 hours training for those without prior school board experience, as required. Professional development at the school level includes paying for conference registration for school faculty, and selecting two teachers from schools it sponsors to be endowed scholars at the University of Toledo. OCCS promotes professional development opportunities through its newsletters.

Technical Assistance & Sponsor Requirements in Rule and Law						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
D. Effective Working Relationships with Schools' Governing Authorities 58 Council of Community Schools (OCCS) 9-20-13	<ul style="list-style-type: none"> The sponsor has no written policy and no explanation that defines the roles and responsibilities between the sponsor staff and the governing authorities of the community schools it sponsors. In the absence of clarity, both parties frequently have misunderstandings and their mutual respect is low. The sponsor rarely works to maintain a solid relationship with their assigned schools' governing authority members (e.g., rare communication). The sponsor provides little guidance to its governing authorities <i>Or</i> Is overbearing and prevents school autonomy. 	<ul style="list-style-type: none"> While not documented, the sponsor is able to explain in general terms how the roles and responsibilities differ between its staff and the governing authorities of the community schools it sponsors. However, the Governing Authority may view the delineation of roles and responsibilities differently. While the sponsor tries to maintain a solid relationship with their assigned schools' governing authority members, differing opinions and misunderstandings between the sponsor and governing authorities occasionally leads to a lack of respect between both parties (e.g., limited communication). School autonomy is inconsistent. 	<ul style="list-style-type: none"> While not documented, the sponsor and governing authority generally have delineated roles and responsibilities that are understood and respected by both parties. The sponsor regularly works to maintain a solid relationship with their assigned schools' governing authority members (e.g., regular communication). School autonomy is maintained to the extent permitted by law. 	<ul style="list-style-type: none"> Roles and responsibilities of the authorizing staff are clearly separated, documented and delineated from the governing authorities of the community schools it sponsors. This clear delineation is understood and respected by both parties. The sponsor continuously works to maintain a solid relationship with their assigned schools' governing authority members (e.g., frequent communication). The sponsor's organizational approach ensures that school autonomy is maintained to the extent permitted by law. 	4	<p>OCCS staff and school administrators we interviewed all indicated that clear lines of delineation exist between the sponsor and the governing authority.</p> <p>OCCS' newsletters and board meeting attendance demonstrate the sponsor's regular efforts at remaining in constant contact with governing authorities. Likewise, OCCS appropriately engages board members during high stakes decisions, such as renewal.</p> <p>Ohio</p>

Technical Assistance & Sponsor Requirements in Rule and Law						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
Quality Rating for Sponsor Technical Assistance			100% (16 out of 16 possible points)			Exemplary

Technical Assistance & Sponsor Requirements in Rule and Law	
Practices to Maintain in Technical Assistance:	
<ul style="list-style-type: none"> OCCS should maintain its various means of assessing the need for and providing technical assistance and professional development. OCCS should continue using newsletters and board meeting attendance as means of providing legal and policy updates to governing authorities and school administrators. OCCS should maintain its measures to work with governing authorities while adhering to appropriate delineation of roles and responsibilities between its staff and the governing authorities. 	
Practices to Develop in Technical Assistance:	
<ul style="list-style-type: none"> None 	
Recommendations for Improved Technical Assistance:	
<ul style="list-style-type: none"> None 	

Academic Performance of Schools

One component of the Authorizer Evaluation is the academic performance of the authorizer/sponsor's charter schools. School academic performance is calculated similar to the sponsor's performance ranking, with greater weight being given to value-added gains.

To determine the authorizer's academic performance component rating, the most recent school year's report card grades and average daily membership (ADM) are used to create authorizer/school-level summary tables (see Figures A and B below). Figure A is populated with the authorizer's schools, the numbers designating the grade they received for Overall Value-Added. Figure B is populated with the number of seats at each school, as determined by its Overall Value-Added grade.

Schools/seats are placed in the color-coded grade ranges A-F based on Overall Value-Added Grades. If a school did not receive an Overall Value-Added Grade, then its 4-Year Graduation Rate Grade was used. If a school had neither grade, it was not included.

School/Seats receiving a "C" on Overall Value-Added or 4yr Graduation Rate are further categorized based on Performance Index Grade. Schools are categorized as "C (a-b)" if they received a "C" on Overall Value-Added or 4-Year Graduation Rate and an "A" or "B" on Performance Index. Schools are categorized as "C (c)" if they received both a "C" on Overall Value-Added or 4-Year Graduation Rate and Performance Index. Schools with a "C" on Overall Value-Added or 4-Year Graduation Rate and a "D" or "F" on Performance Index are categorized as "C (d-f)".

Based on these categorizations, authorizer/operator summary tables and ratios are created, with schools rated an A, B or C (a-b) categorized as effective or green. Schools rated C (c) are categorized as yellow. Schools rated C (d-f), D or F are categorized as ineffective or red.

For each authorizer/operator, the ratio of effective to ineffective schools and seats is calculated as green schools/seats divided by red schools/seats. A ratio below 1 indicates that there are more ineffective/red schools or seats than effective/green schools or seats.

The final calculation in determining academic performance was dividing the schools/seats ratio by 0.7 (as 70% is the threshold for authorizers for the current school year). The resulting percentage represents the authorizer's level of academic performance.

Schools/Seats Summary Tables for Ohio Council of Community Schools

Figure A. Schools

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	11	--	--	--
B	--	8	--	--	--
C	a-b	--	--	--	--
	c	--	--	--	--
	d-f	6	--	--	--
D	--	1	--	--	--
F	--	5	1	--	--
No Measure	--	11	--	--	10
Total by Measure	--	42	1	10	42

↑	19
↔	0
↓	13
Total Graded Schools/Seats	32

Ratio	1.46
--------------	-------------

Figure B. Seats

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Schools/Seats
A	--	3,626	--	--	--
B	--	1,929	--	--	--
C	a-b	--	--	--	--
	c	--	--	--	--
	d-f	943	--	--	--
D	--	401	--	--	--
F	--	1,333	127	--	--
No Measure	--	928	--	--	801
Total by Measure	--	9,160	127	801	9,160

↑	5,555
↔	0
↓	2,804
Total Graded Schools/Seats	8,359

Ratio	1.98
--------------	-------------

Academic Performance Score = 1.98/7 = 2.83 = 100% (fully met the 2013-2014 target)

FY2014 Data
Data as of January 2015

All Authorizers

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	63	.	--	--
B	--	37	.	--	--
C	a-b	2	1	--	--
	c	11	.	--	--
	d-f	45	.	--	--
D	--	25	1	--	--
F	--	54	16	--	--
No Measure	--	127	--	--	109
Total by Measure	--	364	18	109	364

↑	103
↔	11
↓	141
Total Graded Schools	255

Ratio 0.73

All Authorizers

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	18,962	.	--	--
B	--	8,350	.	--	--
C	a-b	299	300	--	--
	c	3,226	.	--	--
	d-f	8,464	.	--	--
D	--	4,560	432	--	--
F	--	16,795	2,191	--	--
No Measure	--	16,326	--	--	13,403
Total by Measure	--	76982	2923	13,403	76982

↑	27911
↔	3226
↓	32442
Total Graded Seats	63579

Ratio 0.86

Ohio Council of Community Schools

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	11	.	--	--
B	--	8	.	--	--
C	a-b	.	.	--	--
	c	.	.	--	--
	d-f	6	.	--	--
D	--	1	.	--	--
F	--	5	1	--	--
No Measure	--	11	--	--	10
Total by Measure	--	42	1	10	42

↑	19
↔	0
↓	13
Total Graded Schools	32

Ratio 1.46

Ohio Council of Community Schools

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	3,626	.	--	--
B	--	1,929	.	--	--
C	a-b	.	.	--	--
	c	.	.	--	--
	d-f	943	.	--	--
D	--	401	.	--	--
F	--	1,333	127	--	--
No Measure	--	928	--	--	801
Total by Measure	--	9160	127	801	9160

↑	5555
↔	0
↓	2804
Total Graded Seats	8359

Ratio 1.98

Average Authorizer

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	6	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	1	.	--	--
	d-f	3	.	--	--
D	--	2	.	--	--
F	--	2	.	--	--
No Measure	--	7	--	--	7
Total by Measure	--	21	0	7	21

↑	6
↔	1
↓	7
Total Graded Schools	14

Ratio 0.86

Average Authorizer

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	2,242	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	275	.	--	--
	d-f	379	.	--	--
D	--	349	.	--	--
F	--	663	.	--	--
No Measure	--	1,120	--	--	1,120
Total by Measure	--	5028	0	1,120	5028

↑	2242
↔	275
↓	1391
Total Graded Seats	3908

Ratio 1.61

All Authorizers

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	63	.	--	--
B	--	37	.	--	--
C	a-b	2	1	--	--
	c	11	.	--	--
	d-f	46	.	--	--
D	--	26	1	--	--
F	--	60	20	--	--
No Measure	--	145	--	--	123
Total by Measure	--	390	22	123	390

↑	103
↔	11
↓	153
Total Graded Schools	267

Ratio 0.67

All Authorizers

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	18,962	.	--	--
B	--	8,350	.	--	--
C	a-b	299	300	--	--
	c	3,226	.	--	--
	d-f	8,551	.	--	--
D	--	5,054	432	--	--
F	--	51,585	2,501	--	--
No Measure	--	21,581	--	--	18348
Total by Measure	--	117608	3233	18348	117608

↑	27911
↔	3226
↓	68123
Total Graded Seats	99260

Ratio 0.41

Ohio Council of Community Schools

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	11	.	--	--
B	--	8	.	--	--
C	a-b	.	.	--	--
	c	.	.	--	--
	d-f	6	.	--	--
D	--	1	.	--	--
F	--	8	1	--	--
No Measure	--	12	--	--	11
Total by Measure	--	46	1	11	46

↑	19
↔	0
↓	16
Total Graded Schools	35

Ratio 1.19

Ohio Council of Community Schools

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	3,626	.	--	--
B	--	1,929	.	--	--
C	a-b	.	.	--	--
	c	.	.	--	--
	d-f	943	.	--	--
D	--	401	.	--	--
F	--	19,360	127	--	--
No Measure	--	1,050	--	--	923
Total by Measure	--	27309	127	923	27309

↑	5555
↔	0
↓	20831
Total Graded Seats	26386

Ratio 0.27

Average Authorizer

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	6	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	1	.	--	--
	d-f	3	.	--	--
D	--	2	.	--	--
F	--	2	.	--	--
No Measure	--	7	--	--	7
Total by Measure	--	21	0	7	21

↑	6
↔	1
↓	7
Total Graded Schools	14

Ratio 0.86

Average Authorizer

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	2,242	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	275	.	--	--
	d-f	379	.	--	--
D	--	349	.	--	--
F	--	663	.	--	--
No Measure	--	1,120	--	--	1120
Total by Measure	--	5028	0	1120	5028

↑	2242
↔	275
↓	1391
Total Graded Seats	3908

Ratio 1.61

Authorizer: Ohio Council of Community Schools													
School IRN	School Name	Report Card Type	School Type	eSchool	Status Jan2015	First Year Operation	2014 ADM	2014 PI Grade	2014 VA Grade	2014 Assessment Passage Rate	2014 4yr Graduation Rate	Included in Analysis	Contract Expiration Date
000222	Wildwood Environmental Academy	A-F	General	Site	Open	FY05	317.00	C	F		NR	Yes	
000236	Ohio Connections Academy, Inc	A-F	General	eSchool	Open	FY04	3272.00	C	F		NR	Yes	
000509	Whitehall Preparatory and Fitness Academy	A-F	General	Site	Open	FY05	266.00	D	F		NR	Yes	
000510	Springfield Preparatory and Fitness Academy	A-F	General	Site	Open	FY05	171.00	C	F		NR	Yes	
000511	Northland Preparatory and Fitness Academy	A-F	General	Site	Open	FY05	275.00	C	B		NR	Yes	
000525	Project Rebuild Community School	DORP	General	Site	Open	FY05	69.22	NR	NR	Exceeds Standards		No	
000553	Columbus Humanities, Arts and Technology Academy	A-F	General	Site	Open	FY05	341.00	D	A		NR	Yes	
000557	Columbus Arts & Technology Academy	A-F	General	Site	Open	FY05	468.00	C	A		NR	Yes	
000558	Columbus Preparatory Academy	A-F	General	Site	Open	FY05	628.00	A	A		NR	Yes	
000575	Hope Academy Northwest Campus	A-F	General	Site	Open	FY05	283.00	D	F		NR	Yes	
000951	Toledo Preparatory and Fitness Academy	A-F	General	Site	Open	FY06	179.00	B	A		NR	Yes	
000952	Columbus Preparatory and Fitness Academy	A-F	General	Site	Open	FY06	226.00	D	B		NR	Yes	
000953	Mt. Healthy Preparatory and Fitness Academy	A-F	General	Site	Open	FY06	236.00	C	A		NR	Yes	
007995	Cleveland Arts and Social Sciences Academy	A-F	General	Site	Open	FY06	287.00	C	A		NR	Yes	
008063	Life Skills Center of North Akron	DORP	General	Site	Open	FY06	119.06	NR	NR	Meets Standards		No	
008065	Imani Learning Academy	A-F	General	Site	Closed	FY06	140.00	D	C		NR	No	
008281	South Scioto Academy	A-F	General	Site	Open	FY07	165.00	D	B		NR	Yes	
009147	Northpointe Academy	A-F	General	Site	Open	FY09	283.00	D	C		NR	Yes	
009164	Central Academy of Ohio	A-F	General	Site	Open	FY08	148.00	D	B		NR	Yes	
009181	Clay Avenue Community School	A-F	General	Site	Open	FY08	494.00	D	B		NR	Yes	
009192	Foundation Academy	A-F	General	Site	Open	FY08	342.00	C	A		NR	Yes	
010006	Knight Academy	A-F		Site	Closed	FY09	0.00	NR	NR		NR	No	
010180	Mount Auburn International Academy	A-F	General	Site	Open	FY09	401.00	D	D		NR	Yes	
010182	Performance Academy Eastland	A-F	General	Site	Open	FY09	296.00	D	F		NR	Yes	
012105	Southside Academy	A-F	General	Site	Open	FY11	223.00	D	C		NR	Yes	
012541	University of Cleveland Preparatory School	A-F	General	Site	Open	FY12	369.00	D	A		NR	Yes	
013132	Lake Erie College Preparatory School	A-F	General	Site	Open	FY13	282.00	D	A		NR	Yes	
013146	STEAM Academy of Dayton	A-F	General	Site	Open	FY14	15.00	D	C		NR	Yes	
013147	STEAM Academy of Warrensville Heights	A-F	General	Site	Open	FY14	0.00	D	C		NR	Yes	
013148	Stepstone Academy	A-F	General	Site	Open	FY13	0.00	NR	NR		NR	Yes	
013164	Believe to Achieve-Canton	A-F	General	Site	Closed	FY13	177.00	D	F		NR	No	
013165	Believe To Achieve-Cleveland	A-F	General	Site	Closed	FY13	374.00	D	A		NR	No	
013175	Kids Unlimited Academy	A-F	General	Site	Open	FY13	151.00	D	C		NR	Yes	
013199	Nexus Academy of Cleveland	A-F	General	Site	Open	FY13	174.00	D	NR		NR	Yes	
013200	Nexus Academy of Toledo	A-F	General	Site	Open	FY13	95.00	C	NR		NR	Yes	
013201	Nexus Academy of Columbus	A-F	General	Site	Open	FY13	99.00	C	NR		NR	Yes	
013253	Ohio College Preparatory School	A-F	General	Site	Open	FY13	175.00	D	B		NR	Yes	
013254	Akron Preparatory School	A-F	General	Site	Open	FY13	228.00	D	A		NR	Yes	
013255	Canton College Preparatory School	A-F	General	Site	Open	FY13	98.00	C	B		NR	Yes	
014132	STEAM Academy of Cincinnati	A-F	General	Site	Open	FY14	0.00	D	NR		NR	Yes	
014136	Mosaica Online of Ohio	A-F	General	eSchool	Suspended	FY14	31.00	NR	NR		NR	No	
014148	Provost Academy Ohio	A-F	General	eSchool	Open	FY14	122.00	NR	NR		NR	Yes	
014149	Dayton SMART Elementary School	A-F	General	Site	Open	FY14	60.00	NR	NR		NR	Yes	
133678	Riverside Academy	A-F	General	Site	Open	FY00	271.00	D	C		NR	Yes	
142901	Life Skills Center of Canton	A-F	General	Site	Open	FY02	127.00	C	NR		F	Yes	
142950	Ohio Virtual Academy	A-F	General	eSchool	Open	FY03	12797.00	C	F		NR	Yes	
143164	Life Skills Center Of Hamilton County	DORP	General	Site	Open	FY03	79.83	NR	NR	Does Not Meet Standards		No	
143206	Trotwood Fitness & Prep Acad	A-F	General	Site	Open	FY03	348.00	D	B		NR	Yes	
143214	Middletown Fitness & Prep Acad	A-F	General	Site	Open	FY03	266.00	C	A		NR	Yes	
143396	Alternative Education Academy	A-F	General	eSchool	Open	FY02	1958.00	D	F		NR	Yes	
149302	Life Skills Center Of Toledo	DORP	General	Site	Open	FY03	104.97	NR	NR	Meets Standards		No	

June, 2015

Overall evaluation rating, Portage County Educational Service Center

The Portage County Educational Service Center is ending its operations and as a consequence, it did not receive an overall evaluation rating letter. Had a letter been issued, the overall evaluation score would have been 56.7 points, or Ineffective.

The component scores are as follows:

Monitoring Compliance: The initial rating was ineffective; it was changed to effective based upon additional documentation provided by Portage County ESC in support of its oversight actions; score, 90 points.

Quality Practices Review: Poor, with a score of 50 points.

Academic Component: Poor, with a score of 31 points.

Overview of the Authorizer Evaluation Process

Community school authorizers (aka sponsors) are evaluated on three components: 1) the overall academic performance of their community schools; 2) the completeness of their monitoring of schools' compliance with laws and rules; and 3) their adherence to quality practices (see [Ohio Revised Code Section 3314.016](#)).

The annual Authorizer Evaluation replaced the Sponsor Ranking, which was based upon two measures: 1) an academic measure (called the sponsor Performance Index Score and derived from aggregating test data for schools) and 2) a reporting measure (the sponsor's annual report of its schools' compliance and annual assurances for each school). With the Authorizer Evaluation, the reporting requirement remains in place. However, the Performance Index Score no longer applies.

The overall evaluation rating for each authorizer is derived from three components' ratings.

- I. **Monitoring of school's compliance** with rule and law follows the same approach as in the past two pilot years, in which a sponsor describes how it monitors compliance and that process is verified for a subset of the sponsor's schools. A copy of the verification tool can be found on the website.
- II. **Adherence to quality practice**, which is the most time intensive of the three components, is comprised of assessing the degree to which a sponsor uses practices consistent with national quality standards. Documents, surveys and interview information are used to assess the practices against the national standards. More information, including the rubric, is on the website.
- III. **Academic performance of schools** is calculated similar to the sponsor's performance ranking, but with greater weighting on value-added gains. Results for eSchools will be phased in over four years, using 2013-2014 as the baseline year. Similarly, results for dropout prevention schools will be used when these schools receive an overall Report Card rating, which takes effect with the 2014-2015 reporting year.

Under current law, each component- academics, compliance monitoring, and quality practice- has equal weight in making up the overall evaluation rating. As with the Sponsor Ranking, a sponsor's ability to authorize new schools or take on sponsorship of a currently operating school is effected by the overall rating. Authorizers with an overall rating of "Effective" or "Exemplary" may continue to expand the number of schools under their authority. Language proposed in the Governor's budget bill, HB 64, would add rewards for sponsors receiving the highest rating of Exemplary.

For authorizers who hold a sponsorship agreement with the department, the evaluation rating will be a factor in renewing the sponsorship agreement and if renewed, the terms of the agreement. Similarly, for operating authorizers that wish to enter into an agreement with the department, the authorizer evaluation results will be a factor in that approval, as well.

Portage County Educational Service Center

February 11, 2013

Note to the file regarding Portage County ESC's Evaluation of Sponsor Performance Monitoring School Compliance with Rule and Law

On February 5, 2013, the onsite review confirmed compliance with 17 or 23 items. Following the onsite review, Cheryl Emrich, Executive Director of Portage County ESC, provided additional documentation to confirm the authorizer's review of school compliance. Based upon that additional information, the rating was changed from "Ineffective" to "Effective."



Department
of Education

John R. Kasich, Governor
Michael L. Sawyers, Acting Superintendent of Public Instruction

February 5, 2013

Cheryl Emrich
Executive Director
Portage County Educational Service Center
326 E. Main St., Third Floor
Ravenna, Ohio 44266

Re: Evaluation of Sponsor Performance in Monitoring School Compliance with
Rule and Law

Dear Ms. Emrich:

On February 4, 2013, the sponsor performance review team visited STEAM Academy in Warren as part of the Ohio Department of Education's evaluation of Portage County ESC's monitoring of school compliance with rule and law. The review team met with Mr. Brown and Mr. Reeves. Below please find a summary of the visit and the team's findings.

The review of sponsor performance is divided into two sections: an assessment of compliance and an assessment of quality practices. The compliance review consists of 20 core areas of compliance (i.e., these areas are mandatory) and three items chosen at random by the Ohio Department of Education. These items encompass five larger areas of review, including governance, operations, finance, health and safety, and education programs and are drawn directly from section 3314.03 of the Ohio Revised Code. The review team was tasked with conducting the compliance review only as part of the current visit.

Of the 23 items reviewed, documentation was found to verify compliance with 17 items, while one item (bus driver qualifications) was found to be not applicable to this school. Documentation was not found for five items; therefore, compliance in these areas could not be substantiated. These items include:

1. Academic Prevention/Intervention Services Policy
2. Implementation of the Education Plan
3. Special Education Student Files (no signature documenting a review)
4. Review of enrollment records
5. Child Find policy

As the following table illustrates, findings from the compliance review place sponsors into one of three categories: exemplary, effective, or ineffective. A fourth category of emerging is assigned to sponsors in operation for not more than two years.

Number of Items Not Verified	Rating
0	Exemplary
1-2	Effective
3 or More	Ineffective
3 or More	Emerging (first time sponsors only, in years 1 and 2 of sponsorship)

In that five items could not be verified as part of the current assessment, Portage County ESC would have been assigned a rating of **ineffective** for the compliance portion of the review had this not been a pilot study.

Please note that Ohio law mandates that findings from the assessment of compliance be pooled with findings from the assessment of quality practices and school performance data to form a composite rating for each sponsor. Thus, a final sponsor rating for the SPR is not determined until all data are collected and combined.

Please contact me should you have any questions about any of the information provided here at (614) 387-2260 or by email at steve.tate@education.ohio.gov. Thank you for your participation in the pilot. We hope that the information provided here is found to be useful in monitoring your schools' compliance with rule and law.

Sincerely,

Steven Tate

Steven Tate, Ph.D.
Office of Community Schools

Compliance Monitoring

Compliance monitoring is one of three components comprising the Authorizer Evaluation. The purpose of the compliance monitoring component is to assess how well an authorizer/sponsor monitors each of its community schools' compliance with state and federal laws, and the terms of the contract.

In addition to speaking with school leaders, the compliance monitoring evaluation involves a review of 23 items that encompass five larger areas of review- health and safety, education programs, governance, finance, and operations. Of the items reviewed, 20 are mandatory areas of compliance and three are randomly selected by the Ohio Department of Education (ODE). The items are drawn directly from Chapter 3314 of the Ohio Revised Code.

To conduct the compliance monitoring review, ODE first requires the authorizer to complete the *Authorizer Monitoring Review Instrument*, with the authorizer providing a written description and supporting documentation of how it monitors the statutory regulations of its schools. Once the authorizer has completed the instrument and returned it to ODE, ODE then randomly selects one or more of the authorizer's schools, up to 10%, for site visits to review the 23 compliance items.

As the table below illustrates, findings from the compliance monitoring review place authorizers into one of three categories: Exemplary, Effective or Ineffective. Authorizers, for example, for which two or fewer of the 23 items could not be verified during the onsite school reviews would receive an Exemplary rating.

Number of Items Verified	Rating
Twenty-one or more	Exemplary
Nineteen or Twenty	Effective
Fewer than Nineteen	Ineffective

The rating from the compliance monitoring review is combined with the ratings from the quality practices review and academic performance review to form an overall evaluation rating for the authorizer.

Authorizer: Portage County ESC

In reviewing compliance monitoring for one charter school, 17 items out of 23 items were verified, resulting in a rating of Ineffective.

**Authorizer Monitoring Review Instrument
(Mandatory Areas of Review)**

Area of Review	Areas of Compliance/Explanation	Verified	Not Verified	Description of Authorizer Methods for Monitoring School Compliance with Statute
Health & Safety	Bus Driver Qualifications	NA	NA	
Health & Safety	Certificate of Occupancy	X		
Health & Safety	Criminal Background Checks (BCI&I and FBI)	X		
Health & Safety	Current Fire Inspection	X		
Health & Safety	Heimlich Maneuver Training	X		
Health & Safety	School Emergency Evacuation-Tornado-School Safety Drill	X		
Health & Safety	School Environment Inspection - Health Department	X		
Health & Safety	School Safety Plan	X		
Education Program	Academic Prevention/Intervention Services Policy		X	
Education Program	Implementation of the Education Plan		X	
Education Program	Special Education & related services plan, including 504 Implementation Plan	X		
Education Program	Special Education Student Files		X	
Governance	Certification of non-profit status	X		
Governance	Governing Authority Approved Meeting Minutes and Resolutions; signed and available to the public	X		
Finance	Monthly Financial Review	X		
Finance	Treasurer/Fiscal Officer Licensure/Qualifications & Bond	X		
Operations	Liability Insurance	X		
Operations	Licensed Employees	X		
Operations	Resident Educator Program; Mentor Program	X		
Operations	Review of enrollment records		X	



Sponsor:	Portage County Educational Service Center (PCESC)
Board Chair:	Not Present
Executive Director:	Cheryl Emrich, Executive Director
Review Team Members	Karlyn Geis, ITO-Project Managers, Data Manager, ODE Tamara Lumpkin, NACSA Consultant Jennifer Rippner, NACSA Consultant Jennifer Robison, Associate Director, Buckeye Community Hope Foundation Faith Behringer, Director Federal Student Programs, St. Aloysius Orphanage, Charter School Specialists
Date(s) of Site Visit	June 18, 2013

Overview of the Authorizer Quality Practice Review

Legislation requires the Ohio Department of Education (ODE) to develop and implement a sponsor evaluation system. The purpose of the system is to assist ODE in its oversight of community school sponsors and to improve the quality of community school sponsor practices. This may in turn improve community school operations and the academic performance of community school students. The system has three components: academic performance of students enrolled in community schools sponsored by the same entity; adherence to quality sponsoring practices prescribed by ODE (this Authorizer Quality Practice Review); and compliance with applicable laws and administrative rules.

The Authorizer Quality Practice Review is modeled after ODE’s School Improvement Diagnostic Review process and ODE’s Supplemental Educational Services Quality of Provider Services rubric rating tool as well as standards and sponsor evaluation methods utilized by the National Association of Charter School Authorizers. Six areas of practice are the focus of the review:

1. Organizational commitment and capacity,
2. Community school application process and decision making,
3. Performance contracting,
4. Oversight and evaluation of community schools,
5. Contract termination and renewal decision making, and
6. Technical Assistance.

Overview of Ratings System

For the Authorizer Quality Practice Review, each indicator in the six areas of practice is assigned one of four ratings. These are as follows:

- **Exemplary** (4 points): Exception in that it exceeds the expectations of Ohio’s Quality Sponsor Practices and warrants notice from and emulation by other sponsors
- **Effective** (3 points): Commendable in that it materially satisfies expectations
- **Ineffective** (2 points): Approaching full development in that it exhibits aspects of a well-developed practice but is missing key components, is incomplete in its execution, or otherwise falls short of meeting expectations
- **Poor/Undeveloped** (1 point): Wholly inadequate in that the sponsor has not undertaken the practice or is carrying it out in a way that falls far short of satisfying expectations

Ratings are assigned based upon a review of sponsor documents, surveys of sponsor schools, and an on-site visit to the sponsor. These indicator ratings result in an overall rating. Perhaps more importantly, feedback is given to the sponsor in each of the six practice areas which can assist the sponsor in improving practices.

Background / Summary Rating

The Portage County Educational Service Center (PCESC) began sponsoring community schools during the 2010-2011 school year under a sponsorship agreement with the Ohio Department of Education. The PCESC's sponsorship agreement allows it to sponsor startup community schools while it is afforded the ability to sponsor conversion community schools through state chartering law. In its initial year of operation as a sponsor, the PCESC opened three conversion community schools. As of the 2012-2013 school year the PCESC is sponsoring six schools, two of which are startup community schools and four of which are conversion community schools. To date, the PCESC has suspended the operations of two schools, and has closed one school. Until recently, the sponsoring arm of the PCESC has been staffed by one executive director, one consultant, and a treasurer, all of whom fulfill other roles within the organization. Recently the PCESC hired an additional staff member whose primary focus will revolve around community school sponsorship. Because the sponsoring organization is an Educational Service Center, additional ESC staff form a broad resource base that can be utilized by the sponsoring staff.

Note: Portage ESC provided additional information following its review of the initial draft pilot results. The review team's comments in response to the additional information are noted in italics. Note: Post Pilot, the scoring was revised to weight Sponsor Commitment & Capacity, Application Process & Decision-Making, and Termination & Renewal twice that of the other critical areas and the cut scores were raised as shown below in red for Effective, Ineffective and Poor.

Critical Area of Quality	Points Earned	Possible Number of Points	Percent of Possible Points	Rating	Cut points for the Pilot
Sponsor Commitment & Capacity	18	32	57.1%	Ineffective	Exemplary: 90% and higher
Sponsor Application Process & Decision Making	22	36	42.9%	Poor	
Sponsor Performance Contracting	20	40	37.5%	Poor	Effective: 75.0%- 89.9%
Sponsor Oversight & Evaluation	30	48	63%	Ineffective	
Sponsor Termination & Renewal	12	16	75%	Effective	Ineffective: 55%-74.9%
Sponsor Technical Assistance & Requirements in Rule and Law	12	16	75%	Effective	
Overall Quality of Sponsor Practices	114	188	50.0%	Poor	Poor, undeveloped: 54.9%

Sponsor Commitment & Capacity						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
A. Clear Mission	<ul style="list-style-type: none"> The sponsor's mission for authorizing charter schools is broad or has no mission. The sponsor's vision for chartering is vague, with no defined priorities and no strategic goals. 	<ul style="list-style-type: none"> The sponsor states a clear mission for authorizing charter schools. The sponsor articulates a broad vision for chartering, with broad goals over an undefined period of time. 	<ul style="list-style-type: none"> The sponsor states a clear mission for quality authorizing. The sponsor articulates and implements a vision and plan for chartering, including general goals and timelines for achievement. 	<ul style="list-style-type: none"> The sponsor states a clear mission for quality authorizing. The sponsor articulates and implements an intentional strategic vision and plan for chartering, including clear priorities, specific goals, and time frames for achievement. 	1	While the ESC has an overall mission of providing professional services to promote educational success its mission does not speak to sponsorship of community schools.
B. Self-Evaluation	<ul style="list-style-type: none"> The sponsor rarely examines its work to ensure it is meeting its authorizing obligations and applicable laws. 	<ul style="list-style-type: none"> The sponsor occasionally examines its work to ensure it is meeting its authorizing obligations and applicable laws. 	<ul style="list-style-type: none"> The sponsor regularly examines its work to ensure it is meeting its authorizing obligations and applicable laws. 	<ul style="list-style-type: none"> The sponsor regularly examines its work to ensure it is meeting its authorizing obligations and applicable laws. 	2	<i>Per the interview and documents provided, Portage County ESC lacks a formal self-evaluation process to reflect upon its performance as a sponsor. It recently hired an additional staff person to work on sponsorship. There is no evidence that the sponsor formally examines its work to ensure it is meeting</i>

Sponsor Commitment & Capacity						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
						<p>its authorizing obligations and applicable laws. There was some verbal indication during the sponsor interview that they occasionally reflect on their performance as it relates to their sponsor agreement with ODE.</p> <p><i>Portage provided additional comments stating that their legal counsel routinely updates the ESC about statutory changes related to authorizing. The rubric sets forth authorizer best practices, which means that self-evaluation is routine, ongoing, and holistic regarding an authorizer's obligations to its mission and the schools it charters, beyond the letter of the law. The score remains unchanged.</i></p>



Sponsor Commitment & Capacity						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
C. Self-Improvement	<ul style="list-style-type: none"> The sponsor does not examine its operations for the purpose of improvement. 	<ul style="list-style-type: none"> The sponsor occasionally looks to improve its operations, but does not follow a structured process. 	<ul style="list-style-type: none"> The sponsor follows an improvement process to evaluate its work against its goals and outcomes. 	<ul style="list-style-type: none"> The sponsor regularly evaluates its work against national standards for quality charter school sponsors. The sponsor uses a structured continuous improvement process to evaluate its work against its goals and outcomes, and implements strategic action steps to improve its performance as a sponsor. The sponsor reports annually on its progress and its performance in meeting its strategic goals to ODE and the public. 	2	<p>The sponsor is working on a new strategic plan for the organization as a whole, but it is not complete and may not speak to sponsorship. While there was no formal process to determine self-improvement needs, the sponsor did hire an additional staff member, indicating a recognition of need in the area of sponsorship. A staff member from Portage County ESC attends ODE workshops and has joined NACSA and OACSA.</p>

Sponsor Commitment & Capacity						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
D. Defined Relationships	<ul style="list-style-type: none"> The sponsor has no written policy and no explanation that defines the roles and responsibilities between the sponsor staff and the community schools it sponsors. 	<ul style="list-style-type: none"> While not documented, the sponsor is able to explain in general terms how the roles and responsibilities differ between its staff and the community schools it sponsors. 	<ul style="list-style-type: none"> While not documented, the sponsor has and is able to clearly explain the roles and responsibilities of its staff relative to those of the community schools it sponsors. 	<ul style="list-style-type: none"> Roles and responsibilities of the authorizing staff are clearly separated, documented and delineated from the community schools it sponsors. 	3	While not documented in writing, the sponsor was very clear in the sponsor interview about the separation of the sponsor's and school's staff and roles.

Sponsor Commitment & Capacity						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
E. Conflicts of Interest	<ul style="list-style-type: none"> • Schools authorized by the sponsor have limited or no autonomy. • Numerous conflicts of interest exist between the sponsor and the community schools it authorizes. [e.g., <i>staff and boards may overlap, sponsor may require school to purchase services from sponsor, schools may not be afforded appropriate autonomy, funds may be comingled.</i>] • Decision making is not transparent; it is unclear what or if criteria are being used by the sponsor to make decisions. • Community schools are improperly offered incentives by the sponsor. [e.g., <i>may only contract with the sponsor for various services.</i>] 	<ul style="list-style-type: none"> • Occasional conflicts of interest exist between the sponsor and the community schools it authorizes. [e.g., <i>need examples of legal conflicts of interest.</i>] • Decision making is not transparent and the criteria used to make them are inconsistently applied and not fully understood by sponsor staff. • In some instances, the sponsor's decisions are improperly influenced by a management company or a community school's governing authority. [e.g., <i>for example, a management company with multiple affiliated schools implies action related to one school will impact the others</i>] 	<ul style="list-style-type: none"> • No conflicts of interest (both in staffing and funding) exist between the sponsor and the community schools it sponsors. • While decision making is transparent to community schools and appears to be based upon merit, the process and criteria for making decisions are not fully transparent to the public. 	<ul style="list-style-type: none"> • No conflicts of interest (both in staffing and funding) exist between the sponsor and the community schools it sponsors. • The sponsor has a written policy that effectively prevents conflicts of interest, assures decision making is transparent and based upon merit. • The sponsor's funding is structured in a manner that avoids conflicts of interest, inducements, incentives, or disincentives that might compromise its judgment in charter approval and accountability 	3	<p>The sponsor submitted the ESC Board's and staff's conflict of interest policy. The sponsor was adamant in the sponsor interview that they do not want to engage in conflicts of interest and take precautions to avoid them or resolve them when they occur. <i>Portage disagrees with the evidence statement and rating. The review team agrees that the organization is thoughtful about conflicts of interest. The ESC's concerns are duly noted, but no documents showing how decisions about charter approval are tied to conflicts of interest have been provided. A recent look (9/25/13) at the ESC's website shows no direction/linkage to the ESC's sponsorship activities. Such public display would be a clear indicator of transparency to the community about the ESC's sponsorship and its decision-making. The score remains unchanged.</i></p>
8	Quality Pilot Portage County ESC 9-23-2013					

Sponsor Commitment & Capacity						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
F. Staff Expertise	<ul style="list-style-type: none"> • The sponsor has at least one staff member with a basic understanding of school finance. • No external sources are sought in education related areas for which the sponsoring staff lacks expertise. 	<ul style="list-style-type: none"> • The sponsor has at least one staff member who is knowledgeable in school finance, with other staff having a limited understanding of curriculum, instruction, management, facilities, or law. • When existing staff do not have the range of expertise needed, the sponsor sometimes contracts with external sources to complete particular aspects of work. 	<ul style="list-style-type: none"> • In addition to having a staff member who is knowledgeable in school finance, the other staff has a general understanding of curriculum, instruction, management, facilities, or law. • When existing staff do not have the range of expertise needed, the sponsor contracts with external sources to complete particular aspects of work. 	<ul style="list-style-type: none"> • Authorizing staff have diverse expertise in the areas of curriculum, instruction, management, facilities, finance law, and charter schools. • When existing staff do not have the range of expertise needed, the sponsor contracts with external sources to complete particular aspects of work. 	3	While the sponsor has broad educational experience and knowledge, staff experience sponsoring community schools has been from learning as they go. This includes the staff member recently hired to work with community schools, <i>who had no prior charter school experience. The ESC notes that they employ an attorney with charter school experience and state that as a result, they should receive a higher rating. Legal expertise is only one facet of effective authorizing. The score is not changed.</i>

Sponsor Commitment & Capacity						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
G. Staff Professional Development	<ul style="list-style-type: none"> Staff rarely participates in professional development, internally or externally provided. PD shows no alignment with the sponsor's functions. 	<ul style="list-style-type: none"> Staff occasionally participates in professional development internally or externally provided. PD shows some alignment with the sponsor's functions or in response to needed corrections. 	<ul style="list-style-type: none"> Staff regularly participates in professional development, internally or externally provided, and beyond what is required by ODE. PD is aligned with sponsor functions and takes into account some identified needs (as determined by its self-improvement process). 	<ul style="list-style-type: none"> Staff regularly participates in professional development beyond what is required by ODE and that complements the sponsor's improvement efforts and that takes into account staff member's strengths and weaknesses. The sponsor is able to provide examples of how professional development is incorporated into its ongoing work. 	2	<p>The sponsor attends mandatory meetings held by the Office of Community Schools at ODE and holds membership in several educational organizations. The newest staff member does attend OACSA meetings and has made contact with multiple OACSA members to informally increase his understanding of his role and responsibilities as a sponsor of community schools. <i>Per the interview</i>, the majority of the professional development of the sponsor staff is attended to through in house mentoring. <i>The ESC strongly disagrees with the score in this section, however nothing in the interview or in the documents that were provided indicates that the ESC's charter staffs' professional development is tailored to each staff member and aligned with sponsor functions and identified needs.</i></p>

Sponsor Commitment & Capacity						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
H. Allocation of Resources	<ul style="list-style-type: none"> • Resource decisions are not data driven. • No evidence that the sponsor has examined and allocated its resources to fulfill its sponsor obligations. 	<ul style="list-style-type: none"> • Some resource decisions are data driven. The sponsor occasionally examines its needs and allocates its resources to fulfill its statutory requirements. 	<ul style="list-style-type: none"> • Most resource decisions are data driven. The sponsor regularly examines its needs and allocates its resources to fulfill its statutory responsibilities. 	<ul style="list-style-type: none"> • All resource decisions are data driven. • The sponsor determines its needs and devotes resources to exceed its statutory responsibilities and meet national quality standards for authorizing. • Resource allocations are commensurate with the sponsor's identified needs. 	2	Based on the sponsor interview it appears that the ESC is expending more resources on sponsorship than the organization is taking in from schools. Hiring a full time dedicated staff member for sponsorship indicates an understanding of resource needs and an attempt to expend resources appropriately. However, the sponsor staff time and additional ESC staff time is not tracked, so it is unclear exactly how the resources are allocated and whether schools are getting the resources they require.
Quality Rating for Sponsor Commitment & Capacity			56% (18 out of 32 possible points)		Ineffective	

Sponsor Commitment & Capacity

Practices to Maintain in Commitment & Capacity:

- Portage County ESC staff in sponsorship roles clearly understands the ESCs role as a sponsor, and should continue to develop the ESCs activities in providing related oversight and technical assistance.
- Portage County ESC has recently expanded its sponsorship staff and a member is now attending monthly meetings of the Ohio Associate of Charter School Authorizers.

Practices to Develop in Commitment & Capacity:

- Portage County ESC’s mission statement does not address sponsorship of community schools.
- Portage County ESC’s strategic plan does not address sponsorship of community schools.
- Portage County ESC does reflect on its performance as a sponsor but does not engage in formal evaluation of said performance.
- Portage County ESC does not formally apprise prospective sponsored community schools of the ESCs role as a sponsor.
- Portage County ESC sponsorship staff engage in professional development, but it is unclear how appropriate that professional development is in the context of community school sponsorship.

Recommendations for Improved Commitment & Capacity:

- Portage County ESC should specifically address sponsorship of community schools in its mission.
- Portage County ESC should specifically address sponsorship of community schools in its strategic plan.
- Portage County ESC should establish a process to formally evaluate how well it is meeting its obligations as a sponsor of community schools. The process could include self-evaluation and/or school surveys.
- Portage County ESC should seek opportunities at the state and national level to provide sponsorship related professional development to staff.
- Portage County ESC should engage in a proactive budgeting process that allocates resources gained through sponsorship of community schools based on community school need, to ensure that sponsored community schools receive sufficient resources. The ESC should clearly outline the funds it receives from community school sponsorship and the ways in which those funds are expended.
- Portage County ESC should ensure prospective schools understand the ESCs role as a sponsor, perhaps through documentation provided in a formal community school application.

Sponsor Application Process & Decision Making						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
A. Application Process & Clarity of Directions	<ul style="list-style-type: none"> The sponsor has no formal application process – no written application and no defined timeline. Application guidance is absent or undocumented and varies depending upon which staff member responds to questions by the public. 	<ul style="list-style-type: none"> The sponsor has an application process; however, it is undocumented, loosely defined and/or inconsistently followed. The sponsor’s application guidance is undocumented and inconsistently explained by authorizing staff when requested by the public. 	<ul style="list-style-type: none"> The sponsor consistently follows and explains a systemic application process; however, it is not fully documented. While not documented, the sponsor’s application guidance is consistently explained by the authorizing staff when requested by the public. 	<ul style="list-style-type: none"> The sponsor consistently follows a documented systematic application process. The sponsor’s application guidance is clear, documented, detailed and readily available to the public through the sponsor’s website. 	2	The sponsor has some documentation of a loosely defined application process and timeline. The timeline and steps are not clear to reviewers. It appears that a written “pre-application” is required but that there is no formal written application to be submitted as part of the process. Rather, it sounds as though the application consists of an interview with the applicant. Reviewers are not able to determine the relationship between the application process and getting a preliminary agreement.

Sponsor Application Process & Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
B. Application Depth	<ul style="list-style-type: none"> • Broad application questions do not provide enough data to thoroughly evaluate the applicant’s plans and capacities. • The application provides no directions on the content and format expected of applicants. 	<ul style="list-style-type: none"> • General application questions provide enough data for understanding an applicant’s plan, but are insufficient for determining its capacity for operating. • The application provides limited directions on the content and format expected of applicants. 	<ul style="list-style-type: none"> • Application questions provide adequate data for analyzing an applicant’s plan and capacities. • The application provides general directions on content and format expected of applicants. 	<ul style="list-style-type: none"> • Comprehensive application questions provide extensive data for rigorous evaluation of the applicant’s plans and capacities. • The application provides clear directions on required content and format. • Application clearly states the sponsor’s chartering priorities.** <p>**Potential revision to this criteria</p>	2	The sponsor provided a list of “things reviewers should look for” in the application submission, but it is not clear that the list is provided to the applicant. Additionally, the application submission may exist only in the form of an applicant interview, so it is unclear where the reviewers are looking for the noted items. Applicant interview questions were not provided.

Sponsor Application Process & Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
C. Technical Assistance to Applicants	<ul style="list-style-type: none"> Assistance and responses to questions are very inconsistent and rarely completed in a timely manner. 	<ul style="list-style-type: none"> Multiple staff members inconsistently respond to questions from applicants. Responses are not always completed in a timely manner. 	<ul style="list-style-type: none"> Multiple staff members consistently assist and respond to questions from applicants in a timely manner. 	<ul style="list-style-type: none"> A single point of contact is identified to assist, respond to questions, and consistently follow-up with all applicants. <i>Or</i>, if multiple contacts, the messages and assistance are consistent across areas. Responds to questions in a timely manner. 	4	While the application process itself is loosely defined and limited in content and format, the provision of technical assistance is evident. The executive director is a single point of contact. It is unclear what technical assistance is provided related to the application process. However, it sounds as if the sponsor does try to provide technical assistance about the application process as requested in a timely manner.

Sponsor Application Process & Decision Making						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
D. Quality Application Timeframe	<ul style="list-style-type: none"> The sponsor's application timeline is not defined. 	<ul style="list-style-type: none"> Timelines are loosely defined and inconsistently followed depending upon the staff resources available. 	<ul style="list-style-type: none"> The sponsor typically follows a defined timeline for reviewing charter applications. Allows enough time for each stage of the application process to be carried out in accordance with state law. 	<ul style="list-style-type: none"> The sponsor consistently follows a systematic timeline for reviewing charter applications. Allows sufficient time for each stage of the application process to be carried out with quality and integrity. The sponsor's timeline aligns with the school year and provides ample time to adequately complete the application, plan, and prepare for the school's opening. 	3	<p>Timelines are defined and appear to be followed consistently. While the loose process that exists falls within the timeframe allowed by law, it provides very little time (two months) for a developer to produce a quality contract and may not provide ample time for the process to be carried out with quality and integrity. <i>The ESC objects to the review team's evidence supporting the rating of 3. A timeline reflective of best practice acknowledges the stages (Preliminary Agreement/planning; contract development; preparing to open (spring and summer)). An exemplary practice assumes that the timeline to apply, plan and prepare to establish a new school can reasonably be expected to take longer than two months. At the same time, the review team also appreciates comments like this one regarding specificity and examples to improve the rubric, following the pilot period.</i></p>

Sponsor Application Process & Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
E. Rigorous Criteria for New Applicants	<ul style="list-style-type: none"> The sponsor may require applicants to outline the following: <ul style="list-style-type: none"> an educational program; staffing plan; a business plan; and/or governance and management structure. Application criteria are minimal and focus mainly on meeting state and federal statutory requirements. 	<ul style="list-style-type: none"> The sponsor requires all applicants to describe in general terms the following: <ul style="list-style-type: none"> a mission and vision; an educational program; staffing plan; a business plan; and/or governance and management structure. 	<ul style="list-style-type: none"> The sponsor requires all applicants to present in detail the following: <ul style="list-style-type: none"> a mission and vision; an educational program; staffing plan; a business plan; governance and management structure; and capacity to carry out its plan. 	<ul style="list-style-type: none"> The sponsor requires all applicants to present the following: <ul style="list-style-type: none"> a clear and compelling mission and vision; a quality educational program; a solid business plan; an effective governance and management structure; staffing for people with diverse knowledge in education, school finance, etc.; and clear evidence of capacity to successfully execute its plan. 	1	<p>The application and the review criteria are not documented. <i>From the review team’s interview of the ESC staff, the evaluation of applications is based upon an interview with the developer, and not based upon a written application.</i> Only two items are required from developers up front—the education plan and a budget. <i>The review team members understood that the process was not documented or structured, but varied depending upon the characteristics of the meeting with the developer. During the onsite review, the reviewers were told that the decision to move to a Preliminary Agreement was based upon the interview with the developer. The ESC’s comments are noted, but the score remains because the ESC did not provide additional documentation to support a higher score. The rubric criteria are stated as such because of the critical importance of ascertaining that the developer has been careful, thoughtful, knowledgeable and comprehensive in its</i></p>

Sponsor Application Process & Decision Making						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
F. Rigorous Criteria for Existing School Operators / Replicators	<ul style="list-style-type: none"> • No additional criteria are required of existing school operators and/or replicators of existing schools. • Sponsor does not look for any evidence of past success or the capacity for growth. 	<ul style="list-style-type: none"> • While no additional criteria are required, the sponsor completes a cursory look of the current school's academic success or a consideration for the school's capacity to expand. 	<ul style="list-style-type: none"> • While no additional criteria are required, the sponsor carefully reviews the existing school's financial audits (where available), academic success and the applicant's capacity to expand or replicate. 	<p>Sponsor requires the applicant to meet the following criteria:</p> <ul style="list-style-type: none"> • Clear evidence of capacity to operate new school successfully while maintaining quality in existing schools; • Document educational, organizational, and financial performance records based on all existing schools; • Explain any never-opened, terminated, or non-renewed schools; • Present growth plan, business plan, and most recent financial audits; and, • Meet high academic, organizational, and financial success to earn approval for replication. 	N.A.	<p>Nothing provided by the sponsor in print prior to the interview or during the sponsor interview addressed this topic. <i>The ESC again strongly objects to this score, stating that had the review team asked specifically about the topic, the ESC staff would have shared the process. The review team agrees to remove this criterion from the review.</i></p>

Sponsor Application Process & Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
G. Rigorous Criteria for Schools Changing Sponsor/ Assignment of Contract (if applicable)	<ul style="list-style-type: none"> • No additional criteria are required of the existing school seeking to be switch sponsors. • Sponsor does not look for any evidence of past success or the capacity to operate successfully. 	<ul style="list-style-type: none"> • While no additional criteria are required, the sponsor completes a cursory look of the current school's academic success or a consideration for the school's capacity to operate successfully. 	<ul style="list-style-type: none"> • While no additional criteria are required, the sponsor reviews the existing school's financial audits (where available), academic success and the school's capacity to operate successfully, meeting and/or exceeding it performance targets. 	Sponsor requires the applicant to provide educational, organizational, and financial performance records to evaluate the school's capacity to operate successfully, meeting and/or exceeding its performance targets.	2	The sponsor recently decided to assume sponsorship of two poor performing schools. It appears that no criteria were used in the decision to take on the schools. However, the newly sponsored schools are in line with the ESC's stated interests in sponsoring turnaround schools. Comments made during the sponsor interview indicate that the sponsor made a cursory look at prior academic and fiscal data for the two schools.

Sponsor Application Process & Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
H. Reviewer Expertise	<ul style="list-style-type: none"> Review team members have a cursory understanding of school finance, curriculum, instruction, management, facilities, and school law in the context of community schools. 	<ul style="list-style-type: none"> At least one reviewer is knowledgeable in school finance; however, review team members have limited expertise in curriculum, instruction, management, facilities, and school law in the context of community schools. 	<ul style="list-style-type: none"> Review team members evaluating applications have varying degrees of expertise in school finance, curriculum, instruction, management, facilities, and school law in the context of community schools. 	<ul style="list-style-type: none"> The review team members evaluating applications have diverse expertise in school finance, curriculum, instruction, management, facilities, and school law in the context of community schools. 	3	<p>The sponsor staff, borrowing support from the greater ESC staff, has extensive experience in school finance, curriculum, instruction, management, and facilities, but not in school law, especially in the context of charter schools. The ESC does contract for legal services knowledgeable in charter school law. No <i> other</i> community school experts are included on the review team; rather their expertise is from the perspective of traditional public schools. <i> The ESC shared subsequently that a charter school attorney is part of their review. Note that this is an area of the rubric being revised to better clarify what is meant by diverse expertise. The rating is not changed.</i></p>

Sponsor Application Process & Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
I. Protocols and Training	<ul style="list-style-type: none"> • No defined selection criteria or protocols are used to evaluate applications. • Staff simply reviews the written application and only asks clarifying questions. • Reviewers receive no training. 	<ul style="list-style-type: none"> • Selection criteria are broad and no protocols are used. • Review team members receive limited training on the overall framework of selection criteria. • Reviewers ask clarifying questions as needed. 	<ul style="list-style-type: none"> • Evaluation includes a careful review of the written application, a brief interview to clarify points in the written application, and a careful review of the applicant’s experience and capacity. • While not always documented in protocols, review team members are trained on the selection criteria. 	<ul style="list-style-type: none"> • Evaluation includes a detailed review of the written application, an in-depth interview with the applicant, and a thorough background review of the applicant’s experience and capacity. • Application evaluators are trained on the selection criteria and the protocols. 	1	<p>It appears that there is no protocol (no rubric) used to review applications and there is no training. <i>The ESC’s comments are noted. During the interview, the ESC staff described use of a checklist, but it was unclear whether the checklist was used at the contract stage or during the interview with the applicant/developer. There was no rating on the checklist, thus no way to differentiate applicant quality. In order to show authorizer practice consistent with a higher rating, documents like a written application, scored rubric, staff training and so on are needed. The score remains.</i></p>

Sponsor Application Process & Decision Making						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
J. Reviewer Conflict of Interests	<ul style="list-style-type: none"> • No process is followed to ensure that all reviewers do not have a conflict of interest with the applicants they are reviewing. 	<ul style="list-style-type: none"> • A limited process is inconsistently followed to prevent reviewers from having conflicts of interest with the applicants they are reviewing. 	<ul style="list-style-type: none"> • A process is consistently followed that prevents internal and external reviewers from having conflicts of interest with the applicants they are reviewing. 	<ul style="list-style-type: none"> • An extensive policy and process are consistently followed that ensures all internal and external reviewers do not have a conflict of interest with the applicants they are reviewing. 	3	<p>The sponsor was adamant that they act to prevent and eliminate conflict of interest. The conflict of interest policy is for staff in general rather than for staff as reviewers. <i>The ESC states that none of the rating criteria calls for a reviewer policy. Please note that this item is about reviewers and an exemplary rating is indicated by an extensive policy and process for reviewers. The rating is not changed.</i></p>

Sponsor Application Process & Decision Making						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
K. Rigorous Decision Making	<ul style="list-style-type: none"> • Almost all applicants that apply are approved, regardless of the strength of the application. 	<ul style="list-style-type: none"> • The majority of applications that meet a general framework of criteria are approved. <p>(Criteria are defined in E – G in this critical area.)</p>	<ul style="list-style-type: none"> • Applicants that meet the majority of the criteria are approved. <p>(Criteria are defined in E – G in this critical area.)</p>	<ul style="list-style-type: none"> • Only applicants meeting all, or almost all, of the criteria are approved. Any perceived minor deficiencies are addressed in the contract process. <p>(Criteria are defined in E – G in this critical area.)</p>	1	According to Portage ESC officials, most groups who haven't self-selected out of the process after hearing the requirements have their contracts approved. No evidence exists that criteria are employed in deciding which applications to approve. <i>The ESC strongly disputes the rating. However, no additional documentation was provided to allow for a change in the score. Please see comments in I, above, as they pertain to the scoring for K, as well.</i>
Quality Rating for Sponsor Application Process & Decision Making			61% (22 out of 36 possible points)			Ineffective

Sponsor Application Process & Decision Making

Practices to Maintain in Application Process & Decision Making:

- Portage County ESC endeavors to provide technical assistance to community school applicants throughout the application process (i.e. the pre application and school selection process).

Practices to Develop in Application Process & Decision Making:

- Portage County ESCs provision of technical assistance to community school applicants is not transparent throughout the application process and does not ensure that all applicants have the opportunity to establish a community school.
- Portage County ESC staff appear to use criteria to assess information obtained through the application process, those criteria are not specified or published and, therefore, are not transparent to applicants.
- Portage County ESC does not make use of protocols to document the extent to which applicants meet the application criteria.
- Portage County ESC relies on schools that are prepared to establish a community school to self-select out of the process along the way, and therefore approves applications through the entire process rather than only those that demonstrate they have met established criteria. This may hinder the establishment of high quality community schools.
- Portage County ESC uses ESC staff as reviewers and, while the staff have broad educational experience, they do not have extensive experience in community school sponsorship. Staff learn as they go, gaining reviewer experience as they work through the process.

Recommendations for Improved Application Process & Decision Making

- Portage County ESC should develop and implement a rigorous and transparent community school application process. The process should include documentation of the application process including the timeframe for review and decision making.
- Portage County ESC should develop a formal application with specific criteria and protocols for evaluation. The ESC should maintain application materials submitted and provide review outcomes including both scores and narratives.
- Portage County ESC should only approve those applicants that meet the established criteria.
- Portage County ESC should lengthen the application timeframe to allow for quality school development.

Sponsor Performance Contracting						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
A. Contract Terms Related to School Autonomy	<ul style="list-style-type: none"> Sponsor contracts rarely establish and recognize the autonomy to which the schools are entitled - authority over educational programming, staffing, budgeting, and scheduling. 	<ul style="list-style-type: none"> Sponsor contracts occasionally establish and recognize the autonomy of the school from the sponsor. A few contracts might include general terms related to the school's authority over educational programming, staffing, budgeting, or scheduling. 	<ul style="list-style-type: none"> Most contracts establish and recognize some autonomy to which the schools are entitled, which might include specific authority over educational programming, staffing, budgeting, or scheduling. 	<ul style="list-style-type: none"> All contracts establish and recognize the autonomy to which the schools are entitled, including authority over educational programming, staffing, budgeting, and scheduling. 	3	<p>No specific contract language refers to autonomy. During the interview the sponsor noted that they ensure a high level of autonomy for all sponsored schools. <i>The ESC disputed the original rating and provided examples of contract language supporting a change in the rating to a 3. A rating of 4 calls for language in the community school contract specifically addressing school autonomy and other evidence of the sponsor's guidance to schools about autonomy which is over and above routine contract language.</i></p>

Sponsor Performance Contracting						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
B. Contract Performance Framework	<ul style="list-style-type: none"> Sponsor contracts include the statutory reference to academic goals, method of measurement and performance standards by which the sponsor will evaluate the school's success, but does not specify the specific goals and measurements. 	<ul style="list-style-type: none"> Sponsor contracts include the statutory reference to academic goals, method of measurement and performance standards by which the sponsor will evaluate the school's success The performance framework may or may not go beyond the statewide academic achievement requirements; and/or or the targets are broad in nature and do not include non-academic goals. 	<ul style="list-style-type: none"> Most contracts specify clear academic and financial performance standards that schools must meet as a condition for renewal. The performance framework regularly surpasses minimum standards required by rule and law, but may not be aligned with the school's mission. 	<ul style="list-style-type: none"> All contracts include rigorous indicators of student performance that are clear, measurable, and attainable. All contracts include performance goals for financial soundness and operational performance. All schools must meet the targets specified in their contract as a condition for renewal. The performance framework surpasses minimum standards required by rule and law and is school specific. Objective and verifiable measures of student achievement are the primary measure of school quality and required for contract renewal. 	1	<p>Template language of contracts includes reference to sections of law pertaining to the states academic accountability system. Most contracts do not include additional measures whether they be academic, fiscal, operational or regard governance. Some newer contracts include minimal language about possible consequences of the school falling 1 rank or falling 2 or more ranks. It is unclear whether the sponsor follows through with the consequences stated in those newer contracts. <i>The ESC disputes the rating and provided a list of measures which they state are in the community schools' contracts. Five of the community school contracts in effect during the performance year were reviewed. In each contract, at 6.4 in the template and attachment, there was a list of indicators similar to the list provided by the ESC. There are no benchmarks or targets. There is reference to the state's standards for performance. In two contracts, there is language stating that if a school falls 1 or 2 LRC ratings, that could</i></p>

Sponsor Performance Contracting						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
C. Contract Student Performance Measures	<ul style="list-style-type: none"> • Most contracts include vague measures of student performance, such as local report card ratings or overall proficiency rates on statewide assessments. • Few contracts require multiple measures of student performance. 	<ul style="list-style-type: none"> • Most contracts include multiple measures of student performance, as measured only by statewide assessments. 	<ul style="list-style-type: none"> • All contracts specify multiple measures of student performance, which may include the following: <ul style="list-style-type: none"> ○ proficiency rates on state assessments (for all students and by subgroups), ○ student academic growth, ○ graduation rates, ○ attendance, and ○ <i>if applicable</i>, post-secondary enrollment after high school. 	<ul style="list-style-type: none"> • All contracts specify rigorous and measurable indicators of student performance, which include the following: <ul style="list-style-type: none"> ○ proficiency rates on state assessments (for all students and by subgroups), ○ student academic growth, ○ graduation rates, ○ attendance, ○ <i>if applicable</i>, post-secondary enrollment after high school, and ○ student performance on other valid and reliable assessments as laid out in the contract. 	3	<p>Most contracts only include a listing of accountability codes in template section. Some contracts include minimal language about possible consequences of the school falling 1 rank or falling 2 or more ranks. <i>As noted above, the ESC disputes the rating and directed the Review Team to the contracts, specifically paragraph 6.4 and attachment 6.4. There is a list of multiple indicators in most contracts. The rating is changed to a 3.</i></p>

Sponsor Performance Contracting						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
D. Contract Non-Academic Performance Measures	<ul style="list-style-type: none"> Contracts may include vague measures of financial performance. 	<ul style="list-style-type: none"> Most contracts include broad measures of financial performance. 	<ul style="list-style-type: none"> Most contracts include specific measures of financial performance and governance board performance. 	<ul style="list-style-type: none"> All contracts include specific performance measures for financial performance and sustainability. All contracts include measures related to governance board performance and stewardship (e.g., strategic goals specifically for the governing authority). 	1	Contracts do not include non-academic performance measures.

Sponsor Performance Contracting						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
E. Contract Sources of Data	<ul style="list-style-type: none"> • Most contracts do not state specific data that must be collected as part of the evaluation and renewal process. 	<ul style="list-style-type: none"> • Most contracts include broad measures of academic and non-academic performance, thus implying (without clearly defining) what data are needed as part of the evaluation and renewal process. 	<ul style="list-style-type: none"> • Most contracts state the data that will be collected as part of the school's evaluation process. • Most contracts note multiple sources of data that are needed as part of the evaluation and renewal process. 	<ul style="list-style-type: none"> • All contracts clearly state the data that will be collected as part of the school's evaluation process, including how frequently that data will be reported by the school. • All contracts clearly define multiple sources of data that will form the evidence base for ongoing evaluation and renewal. • Multiple sources include state-mandated and other standardized assessments, internal assessments, qualitative reviews, and/or performance comparisons with other public schools in the district and state. 	2	Contracts do not specifically state the data to be collected as part of the evaluation and renewal process. Contracts indicated that the schools must keep benchmarks acceptable to the sponsor for a review of yearly progress, but it is unclear how the schools would know what data need to be collected and maintained for this purpose. <i>The ESC strongly disagrees with the rating, stating that contracts expressly indicate the data schools must provide for the sponsor's review. In reviewing five of the 6 contracts for the performance year, all referenced broad indicators and two referenced assessments and a survey of parent satisfaction. Based upon that evidence, the rating is changed to 2.</i>

Sponsor Performance Contracting						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
F. Contract Terms for Intervention	<ul style="list-style-type: none"> Contracts do not define the criteria and conditions for intervention, including probation and suspension. 	<ul style="list-style-type: none"> Most contracts broadly define the criteria and conditions for intervention, including probation and suspension. 	<ul style="list-style-type: none"> Most contracts define the criteria and conditions for intervention, including probation and suspension. 	<ul style="list-style-type: none"> All contracts clearly define and detail the criteria and conditions for intervention, including probation and suspension. 	2	The contract states that a breach of, or non-compliance with, any terms of the contract will constitute “good cause” for intervention, but there is no detail as to the criteria and conditions for intervention, probation, suspension or termination. It is unclear how a school would understand how, when, or why intervention might occur.

Sponsor Performance Contracting						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
G. Contract Terms for High-Stakes and Ongoing Reviews	<ul style="list-style-type: none"> Contract renewal is essentially automatic and contract language may specify automatic renewal as the default. Sponsor contracts rarely specify a high-stakes review to take place prior to contract renewal. 	<ul style="list-style-type: none"> Contract renewal is essentially automatic and contract language may specify automatic renewal as the default. Sponsor contracts occasionally specify a high-stakes review to take place prior to contract renewal, but at least every 5 years for extended contracts. 	<ul style="list-style-type: none"> Sponsor contracts regularly specify a required high-stakes review to take place prior to contract renewal, but at least every 5 years for extended contracts. 	<ul style="list-style-type: none"> All sponsor contracts specify a required high-stakes review to take place prior to contract renewal, and at least every 5 years for extended contracts. 	1	The sponsor's first schools do not come up for renewal until the end of the 2014-2015 school year. To date, no process has been developed related to high stakes and ongoing reviews. While contracts note that the schools must keep benchmarks acceptable to the sponsor for a review of yearly progress, they do not indicate what data must be collected for this purpose.

Sponsor Performance Contracting						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
H. Contract Terms for Renewal and Non-renewal	<ul style="list-style-type: none"> Contracts rarely define the performance standards and criteria and conditions for renewal. Contracts rarely define the consequences for meeting or not meeting standards and conditions. 	<ul style="list-style-type: none"> Most contracts broadly define the performance standards and criteria and conditions for renewal. Most contracts broadly define the consequences for meeting or not meeting standards and conditions. 	<ul style="list-style-type: none"> Most contracts define the performance standards and criteria and conditions for renewal. Most contracts define the consequences for meeting or the consequences for not meeting standards and conditions. 	<ul style="list-style-type: none"> All contracts clearly define and detail performance standards and criteria and conditions for renewal. All contracts clearly define and detail the consequences for meeting or the consequences for not meeting standards and conditions. 	1	<p>The sponsor stated in the interview that there is no renewal process developed, but that they will use the content checklist that was submitted by the sponsor. The checklist does not include a rubric. It is unclear whether schools understand how they will be evaluated for renewal. <i>The ESC strongly disagrees with the rating, citing non-renewal reasons in section 11.7 of the community school contract. This section states the statutory language for non-renewal. It is not linked to performance standards nor does it define the consequences for failing to meet standards, other than the reference to the possibility of a corrective action plan if the school's LRC rating falls 1 or 2 ratings. The score remains.</i></p>

Sponsor Performance Contracting						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
I. Contract terms for Amendments	<ul style="list-style-type: none"> • No specific conditions for amendment or modifications are noted in the contract. • Sponsor rarely considers the need for or allows amendment and modification of the contract. 	<ul style="list-style-type: none"> • No specific conditions for amendment or modifications are noted in the contract. • Sponsor occasionally considers amendment and modification of the contract as the need arises. 	<ul style="list-style-type: none"> • General conditions for amendment or modifications are noted in the contract. • Sponsor regularly considers amendment and modification of the contract as the need arises. 	<ul style="list-style-type: none"> • Sponsor regularly encourages and is receptive to amendment and modification of the contract in support of higher achievement or to ensure compliance. • Sponsor regularly assesses contract language to ensure consistency with changes in state and/or federal law. 	3	The contracts template language notes that modifications can be made to the contract if they are agreed to by both parties. The sponsor knows what modifications require a contract modification and follows the process specified on the ODE website.
J. Contract terms for 3% oversight and monitoring fee by sponsors	<ul style="list-style-type: none"> • Contracts reference the sponsor's fee for oversight and monitoring and statutory listing of the duties of the sponsor, but provide no details on the sponsor's specific responsibilities related to oversight and monitoring. 	<ul style="list-style-type: none"> • Contracts reference the sponsor's fee for oversight and monitoring and statutory listing of the duties of the sponsor and provide few details on the sponsor's specific responsibilities related to oversight and monitoring. 	<ul style="list-style-type: none"> • Contracts reference the sponsor's fee for oversight and monitoring and statutory listing of the duties of the sponsor and most contracts clearly define the sponsor's fees and broadly define the sponsor's specific responsibilities related to oversight and monitoring. 	<ul style="list-style-type: none"> • Contracts reference the sponsor's fee for oversight and monitoring and statutory listing of the duties of the sponsor and all contracts clearly define the sponsor's responsibilities and fees related to oversight and monitoring. 	3	All contracts specify a fee of no more than 3 percent, in return for which the ESC will provide oversight as required by law. Newer contracts also specify that any additional services provided to the school by the sponsor for a fee will be awarded through a competitive bidding process to eliminate conflict of interest.
Quality Rating for Sponsor Performance Contracting			50%			Ineffective

Sponsor Performance Contracting						
Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence	
(20 out of 40 possible points)						

Sponsor Performance Contracting

Practices to Maintain in Performance Contracting:

- Portage County ESC contracts allow for contract modifications by both parties to the contract, thus affording them the opportunity to modify and strengthen contracts and the processes required to be followed for the various types of contract modifications that might be made.

Practices to Develop in Performance Contracting:

- Portage County ESC contracts do not include clear, measurable and rigorous indicators of, and goals for, academic, fiscal, operational and Governing Authority performance.
- Portage County ESC contracts do not specify the data that will be evaluated as part of the renewal process.
- Portage County ESC contracts do not specify the performance levels that must be met as a condition of renewal.
- Portage County ESC contracts do not provide detailed information about conditions that would result in various types of intervention and/or closure.
- Portage County ESC contracts do not specify the process and data that will be used for high stakes and ongoing reviews.

Recommendations for Improved Performance Contracting:

- Portage County ESC should modify contracts to include contract language establishing and recognizing the autonomy to which the schools are entitled, including programming, staffing, budgeting, and scheduling.
- Portage County ESC should modify contracts to include clear, measurable and rigorous indicators of, and goals for, academic, fiscal, operational and Governing Authority performance.
- Portage County ESC should modify contracts to specify the data that will be evaluated and as part of the renewal process.
- Portage County ESC should modify contracts to specify the performance levels that must be met as a condition of renewal.
- Portage County ESC should modify contracts to provide more detailed information about conditions that would result in intervention and/or closure.
- Portage County ESC should modify contracts to specify the process and data that will be used for high stakes and ongoing reviews so that schools are not faced with uncertainty at the end of the contract term.

Sponsor Oversight & Evaluation						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence

Pilot

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
A. System of Oversight & Evaluation	<ul style="list-style-type: none"> The sponsor's oversight and evaluation system is reactive, focused only on the school's compliance with laws. The sponsor rarely enforces consequences for failing to meet compliance requirements or performance expectations. 	<ul style="list-style-type: none"> The sponsor's oversight and evaluation system is minimal; focusing mainly on the school's compliance with laws and with limited examination of academic performance. The sponsor occasionally enforces consequences for failing to meet compliance requirements or performance expectations. 	<ul style="list-style-type: none"> The sponsor's oversight and evaluation system is proactive, collecting &/or accessing and reviewing and/or analyzing data on the school's compliance with laws and against performance targets stated in the contract. Combined, these sources of data inform contract renewal, revocation, and intervention decisions. The sponsor regularly enforces consequences for failing to meet compliance requirements, and sometimes performance expectations. 	<ul style="list-style-type: none"> The sponsor implements a comprehensive performance accountability and compliance monitoring system that is defined by the charter contract and that provides the information necessary to make rigorous and standards-based renewal, revocation, and intervention decisions. The sponsor predetermines intervention actions for failure to meet contract requirements and clearly articulates and enforces stated consequences for failing to meet performance expectations or compliance requirements. 	2	<p>The sponsor is compliant with oversight requirements of law, including holding a preopening site visit, two site visits while the school is in operation and attending to a financial review during monthly meetings of the GA. The sponsor's oversight is primarily focused on compliance with law and finance, with very little attention to academics. The sponsor does not have academic performance targets in most contracts and does not appear to be actively engaged in collecting, accessing and analyzing academic data. During the sponsor interview, the sponsor discussed putting schools in corrective action and sending letters related to the intent to suspend. Staff from the Office of Community Schools note that the ESC has placed two schools on suspension. The sponsor staff stated that they won't close a school for poor academic performance. Rather, they wait for the school closure law to take effect. <i>The ESC strongly disagrees with this rating, stating that the student performance standards in each contract are evidence that the ESC uses</i></p>

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
B. Transparency of Process	<ul style="list-style-type: none"> The sponsor’s major oversight and evaluation processes for application, renewal and closure are not transparent. 	<ul style="list-style-type: none"> The sponsor’s major oversight and evaluation processes for application, renewal and closure are not transparent; however, the timelines are communicated. 	<ul style="list-style-type: none"> The sponsor’s major oversight and evaluation processes for application, renewal and closure are transparent - clearly communicated to schools through contract and documented guidance and acknowledging that some aspects of oversight necessitate flexibility (e.g., a testing investigation). 	<ul style="list-style-type: none"> The sponsor’s oversight and evaluation process is fully transparent; it defines and communicates to schools through the school contract and documented guidance the process, methods, and timing of gathering and reporting school performance and compliance data, while acknowledging that some aspects of oversight necessitate flexibility (e.g., a testing investigation). 	1	<p>The sponsor does not have a developed oversight and evaluation process. While the sponsor indicated that it bases its oversight on site visit reports, enrollment and financial reports, state produced report cards and additional assessment results, the sponsor does not appear to have documentation of , or communication to schools regarding, a process. Some schools provide regional reports to the sponsor, but it is unclear how the information provided is used. <i>The ESC strongly disagrees with the score, maintaining that the community school contract language with the addition of other communications to the schools make the process transparent. Per the interview, the communication happens during the ESC’s August meeting with its schools and in e-mails to the schools. No examples of e-mail or documentation from the August meeting were provided to support a</i></p>

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
C. Enrollment & Financial Reviews	<ul style="list-style-type: none"> The sponsor rarely reviews the enrollment and financial records of each school. When or if reviewed, the sponsor provides few details and that is rarely of value to the school. No consideration is given to the qualifications of the individual performing the review on behalf of the sponsor. 	<ul style="list-style-type: none"> The sponsor minimally reviews the enrollment and financial records of each school, and provides occasional feedback with limited details and that are of limited use to the school. Some consideration is given to appropriate qualifications of the sponsor's reviewer. 	<ul style="list-style-type: none"> The sponsor regularly reviews and provides feedback on the enrollment and financial records of each school. All revenue sources are considered against the school's annual school budget. Consideration is given to the qualifications of the sponsor's reviewer respecting school financial reviews. 	<ul style="list-style-type: none"> The sponsor comprehensively reviews and provides monthly feedback on the enrollment and financial records of each school which results in timely intervention when problems arise. All revenue sources are considered against the school's annual school budget. The sponsor employs a licensed school treasurer or equivalent to conduct school financial reviews. 	2	<p>There is no evidence of a formalized review of financial data. The sponsor relies on data provided by school administrators to the school GA during monthly GA meetings for use in enrollment and financial reviews. The depth of the review is unclear. The sponsor's staff indicated that they do not have SOES access to review enrollment data and they do not compare fiscal enrollment to school files and monthly payment data. The sponsor noted that they set up a meeting to discuss finances if there is no GA meeting during the month. The sponsor contracts with a fiscal specialist. <i>The ESC disputes this rating. However, during the onsite interview, the ESC did not provide any documentation of a formalized monthly fiscal review; there was a description of a bimonthly financial review. Per the interview, the bimonthly review occurs at the schools' board meetings. The ESC's representative</i></p>

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
D. Financial Audit Follow-up	<ul style="list-style-type: none"> The sponsor never attends the school's closing audit conference. The sponsor either rarely follows-up with schools on issues identified in a school's annual audit by the Auditor of State or is excessive in its follow-up and direction to the school. 	<ul style="list-style-type: none"> The sponsor never or rarely attends the school's closing audit conference. The sponsor may follow-up on legal compliance issues identified in a school's annual audit by the Auditor of State. 	<ul style="list-style-type: none"> The sponsor generally attends the closing audit conference. The sponsor addresses the majority of issues identified in a school's annual audit by the Auditor of State, including findings for recovery, issues of material non-compliance, and so on. If the sponsor requires the school to engage in a Corrective Action Plan, the sponsor monitors the school's implementation of the plan. 	<ul style="list-style-type: none"> The sponsor consistently attends the school's closing audit conference. The sponsor thoroughly addresses issues identified in a school's annual audit by the Auditor of State, including findings for recovery, issues of material non-compliance, and so on. The sponsor engages in follow-up to measure the school's progress in ensuring that similar future findings are avoided, with or without a formal Corrective Action Plan. 	3	<p>The sponsor indicates that they try to attend all of the closing audits but missed one recently due to a calendar issue. It is unclear how the sponsor follows up on related issues. <i>The ESC strongly disputes the rating. Upon a closer reading of the interview notes, the Review Team agrees that the ESC meets the criteria for a rating of 3.</i></p>

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
E. Site Visit Protocols	<ul style="list-style-type: none"> During an onsite review, data are collected from a school employee available at the school on the day of the review. Onsite reviewers receive very little training on the site visit process and no protocols are used. 	<ul style="list-style-type: none"> During an onsite review, data are collected from a school employee available at the school on the day of the review. The sponsor has site-visit protocols; however, reviewers are not trained in the tools and therefore do not consistently use them during site visits. 	<ul style="list-style-type: none"> During an onsite review, data are collected from school administrators and a sample of instructors. Onsite reviewers are trained on and regularly use observation and interview protocols. 	<ul style="list-style-type: none"> During an onsite review, data are collected from a variety of stakeholders, which may include governing board members, administrators, teachers, students, parents, and staff from the management company (if applicable). Reviewers receive ongoing training on the purpose, criteria, process and protocols of conducting site-visits. 	2	<p>The sponsor uses a site visit review form/protocol. The sponsor collects data available on the day of the review. The sponsor staff indicated that site visit reviewer training occurs through mentoring. Many of the site visit documents submitted by the sponsor did not evidence consistency in being filled out. <i>The ESC strongly disputes the rating and provided explanation for inconsistencies in the site visits and a description of the training process. This is duly noted; however the evidence available to the Review Team doesn't support a change in rating (policy, procedure, or documentation of the practice).</i></p>

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
F. Site Visit Reviewer Expertise	<ul style="list-style-type: none"> The sponsor has at least one staff member with a basic understanding of school finance, who may or may not inform the site-visit team. No external sources are sought in education related areas for which the sponsoring staff lacks expertise. 	<ul style="list-style-type: none"> The sponsor has at least one staff member whose work informs the site visit and who is knowledgeable in school finance, with other staff having a limited understanding of curriculum, instruction, management, facilities, or law. When existing staff do not have the range of expertise needed, the sponsor sometimes engages with external sources to complete particular aspects of work. 	<ul style="list-style-type: none"> In addition to having at least one staff member who is knowledgeable in school finance, the other reviewers have a general understanding of curriculum, instruction, management, facilities, or law. When existing staff do not have the range of expertise needed, the sponsor engages with external sources to complete particular aspects of work. 	<ul style="list-style-type: none"> Reviewers have diverse expertise in the areas of curriculum, instruction, management, facilities, finance and/or law. If the school has a distinct focus (e.g., online delivery, special education, dropout recovery), the reviewers of these schools are knowledgeable in the area of the school's focus. When existing staff do not have the range of expertise needed, the sponsor engages with external sources to complete particular aspects of work. 	4	The sponsor has staff knowledgeable in the areas of curriculum, instruction, management, facilities, finance and they contract for legal services. The sponsor focuses on elementary schools and has one school focused on special needs. The ESC has a staff member knowledgeable in special education.

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
G. Site Visit Reports	<ul style="list-style-type: none"> Based upon information from site visits, the sponsor may provide the school with a written report but which fails to provide any relevant information about the school's operations. There is no follow-up. 	<ul style="list-style-type: none"> Based upon information from site visits, the sponsor provides the school with a written report of general findings, may include areas needing improvement. There may or may not be follow-up for improvement areas. 	<ul style="list-style-type: none"> Based upon information from site visits the sponsor provides the school with a written report detailing the information collected and identifying areas needing improvement. Ongoing, the sponsor requests and reviews status updates from the school pertaining to any areas needing improvement. 	<ul style="list-style-type: none"> Based upon information from site visits throughout the year, the sponsor provides the school with a report detailing the information collected and identifying areas of strength and areas needing improvement. Ongoing, the sponsor requests and reviews status updates pertaining to any areas needing improvement. 	3	<p>It is unclear whether the GA receives a written report from the sponsor after a site visit. It is unclear if the sponsor follows up on non-compliance issues quickly when they do not constitute an emergency. The sponsor appears to follow up with issues identified during the fall when they conduct the spring site visit. In one case, the sponsor followed up with a letter notifying a school of its intent to suspend the contract if needed. <i>The ESC strongly disputes the score. Please note that the "school" and the "GA" are terms used interchangeably. Upon reviewing the interview notes, the Review Team agrees that the ESC meets the criteria for a score of 3.</i></p>

Sponsor Oversight & Evaluation						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
H. Communication with the School	<ul style="list-style-type: none"> The sponsor is fails to communicate with the school's Governing Authority; or The sponsor is inappropriately overly involved in the school's operations, directing it or making decisions on the Governing Authority's behalf. 	<ul style="list-style-type: none"> The sponsor's communication with the school's Governing Authority is limited, vague and/or inconsistent. 	<ul style="list-style-type: none"> The sponsor's communication with the school's Governing Authority is frequent, specific and informative regarding the school's operations. 	<ul style="list-style-type: none"> The sponsor's communication is frequent, specific and informative regarding the school's operations and includes both the school operator and governing authority. 	2	<p>While the sponsor communicates frequently with sponsored schools, many of the communications are simple forwards of informational e-mails from ODE and other sources, which may be helpful to schools, but demonstrates the lack of a cohesive communication plan. Lack of cohesion may be burdensome for school leaders if they review all communications or may result in schools overlooking important information if they are not able to review everything provided. Likewise, one school expressed dissatisfaction with the frequency, method and usefulness of the sponsor's communications. Additionally, the sponsor noted that they have little communication with their sponsored schools Governing Authorities.</p>

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
I. Respecting Governing Authority Autonomy in Operations	<ul style="list-style-type: none"> • The sponsor is inappropriately overly involved in the day-to-day operational decisions of the schools it sponsors and/or operates more as a “program” of the sponsor. • Regardless of demonstrated success, all schools have limited or no autonomy over decision-making. • The sponsor collects data in a manner that is burdensome to the school, without though to protect students and public interests. • The sponsor never examines its own compliance requirements to possibly minimize burden and increase the autonomy of its schools. 	<ul style="list-style-type: none"> • The sponsor is inappropriately slightly involved in the day-to-day operational decisions of the schools it sponsors. • The sponsor collects data in a manner that is burdensome to the school, without though to protect students and public interests. • Sponsor may or rarely examines its own compliance requirements to possibly minimize burden and increase the autonomy of its schools. 	<ul style="list-style-type: none"> • The sponsor has limited involvement in the day-to-day operations of the schools’ it sponsors, targeting those that have demonstrated poor performance or non-compliance. • The sponsor collects data in a manner that minimizes administrative burden on the school, and protects student and public interests. • Sponsor occasionally examines its own compliance requirements to possibly minimize burden and increase the autonomy of its schools. 	<ul style="list-style-type: none"> • The sponsor has no involvement in any school’s authority over its day-to-day operations, unless required to as part of its contractual obligations pertaining to intervention. • The sponsor collects data in a manner that minimizes administrative burden on the school, and protects student and public interests. • The sponsor periodically reviews its own compliance requirements and evaluates the potential to increase school autonomy based on flexibility in the law, streamlining requirements or other considerations. 	3	<p>The sponsor indicated in the interview that they respect the boundaries between authorizer and schools. The sponsor makes improvement suggestions to its schools, but it is up to the schools to decide whether and how to implement them. It is unclear how or if the sponsor collects data from schools. Additionally, it is unclear if the sponsor reviews its own compliance requirements and proactively evaluates the potential to increase school autonomy.</p>

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
J. Intervention	<ul style="list-style-type: none"> • The sponsor is unaware of its obligation to intervene in accordance with Ohio law. • The conditions that trigger intervention are never articulated by the sponsor to its schools. • The sponsor never or rarely provides schools with timely notice of contract violations and/or provides little to no information on performance deficiencies. • The sponsor rarely intervenes or follows-up with schools in which compliance problems are identified during its own oversight or when identified by an external agency, such as ODE. 	<ul style="list-style-type: none"> • The sponsor is generally aware of its obligation to intervene with a community school in accordance with Ohio law. • The community school contract states the conditions that may trigger intervention. • The sponsor occasionally provides schools with timely notice of contract violations, and/or minimal notice of performance deficiencies • The sponsor occasionally intervenes with problems related to compliance are identified during its own oversight or when identified by an external agency, such as ODE. When intervention occurs, it is usually very prescriptive in nature and/or the sponsor defaults to another entity, such as ODE, for intervention guidance. 	<ul style="list-style-type: none"> • The sponsor establishes and makes known to the school in the contract conditions that may trigger intervention and the types of actions and consequences that may ensue. • The sponsor provides timely notice of contract violations and performance deficiencies. • The sponsor intervenes in the community school's operations to correct compliance issues or problems in the school's overall performance. 	<ul style="list-style-type: none"> • The sponsor establishes and makes known to schools at the outset an intervention policy stating the general conditions that may trigger intervention and the types of actions and consequences that may ensue. • The sponsor gives schools clear, adequate, evidence-based, and timely notice of contract violations and performance deficiencies. • The sponsor initiates intervention in the community school's operations in a timely manner and clearly linked to correcting specific deficits in the school's overall performance. • The sponsor allows school reasonable time and opportunity for remediation in non-emergency situations. • Intervention strategies clearly preserve school autonomy and responsibility (e.g., identifying what the school must remedy 	2	<p>The sponsor's contract template language notes that they can intervene in a school's operations under certain generally specified conditions, however, there is no specific detail indicating the level of performance that would result in intervention. The sponsor has intervened with schools, and tends to skip over lesser interventions, or preliminaries in the table of remedies, in favor of going straight to discipline actions involving suspension.</p>

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
K. Oversight & Evaluation Report to Schools	<ul style="list-style-type: none"> Provides a report, very broad in nature, when compliance problems arise that must be addressed by the school. 	<ul style="list-style-type: none"> Provides a report to each school, summarizing fiscal and operational compliance. 	<ul style="list-style-type: none"> Provides a report to each school, summarizing its performance and compliance to date. 	<ul style="list-style-type: none"> Provides a report to each school, summarizing its performance and compliance to date and identifying areas of strength and areas needing improvement. 	3	<p>Sponsor did not provide evidence of any evaluations or evaluation reports that are provided to schools. <i>The ESC strongly disputes this rating, stating that reports consistent with the criteria for a rating of 3 were provided to the Review team. The Review Team has no memory of seeing these, but acknowledges that they may have been included in the notebook provided during the onsite review. The Review asked that additional information be e-mailed, but again, it was not received. Based upon the level of detail in the Review Team members' notes from the interview, the score is changed to a 3.</i></p>

Sponsor Oversight & Evaluation						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
L. Annual Report to the Public	<ul style="list-style-type: none"> The sponsor provides the general public and ODE with a very brief report on the school's compliance with the laws for each of the schools it authorizes. 	<ul style="list-style-type: none"> The sponsor produces an annual report for each of the schools that it authorizes. These reports provide limited information on the school's compliance with the laws and meeting the terms of its contract. 	<ul style="list-style-type: none"> The sponsor produces an annual report on the individual schools that it oversees. These reports include informative data on the school's compliance with the laws and meeting the terms of its contract. 	<ul style="list-style-type: none"> The sponsor produces an annual public report that provides clear, accurate performance data for the community schools it oversees, reporting on individual schools and its overall portfolio performance. 	3	<p>The sponsor's most recent annual report has been submitted to ODE and fulfills the requirement in law, but it did not include additional information. <i>The ESC's comments are duly noted. Additional information is more about the authorizer – did it meet its goals; is it making progress toward the goals; has it changed its strategic plan, and so on.</i></p>
Quality Rating for Sponsor Oversight & Evaluation			63% (30 out of 48 possible points)		Ineffective	

Sponsor Oversight & Evaluation

Practices to Maintain in Oversight & Evaluation:

- Portage County ESC endeavors to attend all of its schools Auditor of State closing audits.
- Portage County ESC as a whole has a wealth of staff expertise in many areas of education.
- Portage County ESC respects the autonomy of its sponsored community schools.

Practices to Develop in Oversight & Evaluation:

- Portage County ESC has not developed and oversight and evaluation process.
- Portage County ESC does not provide a detailed report back to schools after conducting site visits and monthly fiscal and enrollment reviews.
- Portage County ESC staff do not consistently document site visit findings.
- Portage County ESC has not hired staff with expertise in charter school sponsorship.
- Portage County ESC does not have a cohesive plan for communicating with its schools.
- Portage County ESC contracts do not specify performance expectations for schools and, therefore, cannot adequately specify performance conditions that would result in intervention.
- Portage County ESC does not provide formal reports back to schools apprising them of their compliance and performance.

Sponsor Oversight & Evaluation

Recommendations for Improved Oversight & Evaluation:

- Portage County ESC should develop a transparent oversight and evaluation process and communicate to its schools the methods, and timing of gathering and reporting school performance and compliance data to be utilized by the process.
- Portage County ESC should develop a process for providing detailed reports back to schools after conducting site visits and monthly fiscal and enrollment reviews.
- Portage County ESC staff should consistently document site visit findings.
- Portage County ESC should consider hiring staff with expertise in charter school sponsorship.
- Portage County ESC should utilize its wider staff expertise to enhance the work of sponsor staff.
- Portage County ESC should develop a cohesive plan for communicating with its schools to ensure that communications are tailored to school needs and their frequency does not become burdensome.
- Portage County ESC contracts should specify performance expectations for schools and specify the related performance conditions that would result in intervention.
- Portage County ESC does not provide formal reports back to schools apprising them of their compliance and performance

Sponsor Termination & Renewal Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
A. Revocation	<ul style="list-style-type: none"> The sponsor never revokes a school's contract during its charter term. 	<ul style="list-style-type: none"> The sponsor seldom revokes a school's contract when there is an egregious violation of law. The sponsor does not seek evidence that might result in revocation, but will consider evidence brought before it. 	<ul style="list-style-type: none"> The sponsor may revoke a school's contract during its charter term when there is evidence of egregious violations of law or unfaithfulness to the terms of the contract. The sponsor's ongoing oversight and evaluation provides evidence for these decisions to be made. 	<ul style="list-style-type: none"> The sponsor revokes a school's contract during its charter term when there is clear evidence of extreme underperformance or egregious violation of law or the public trust that imperils students or public funds. 	3	<p>The sponsor closed the School of Tomorrow midyear when they the school proved to be out of compliance with Ohio laws. <i>The ESC disputes this rating. The Review Team notes that the School of Tomorrow was never deemed to have been operational, as it failed to meet the minimum enrollment threshold and its contract became void. Please note that this item may be revised based upon experience in the pilot. The score remains.</i></p>

Sponsor Termination & Renewal Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
B. Evidence Based Renewal	<ul style="list-style-type: none"> • Contract renewal is almost always assumed or made based upon factors other than school performance. 	<ul style="list-style-type: none"> • The contract renewal decision is based upon a limited body of evidence. 	<ul style="list-style-type: none"> • The contract renewal decision is based upon a substantial body of evidence of legal compliance and performance. These data inform renewal decisions. 	<ul style="list-style-type: none"> • The sponsor bases the renewal process and renewal decisions on thorough analysis of a comprehensive body of objective evidence defined by the performance framework in the charter contract. 	NA	The sponsor does not have any schools that have been up for renewal to date. The first schools will be up for renewal in the 2014-2015 school year.
C. Renewal Decisions	<ul style="list-style-type: none"> • The sponsor grants renewal to all schools regardless of fiscal or organizational problems, or failure to meet the terms and achievement targets in their contract, or non-compliance with the law. 	<ul style="list-style-type: none"> • The sponsor inconsistently grants renewal to schools, even those that have fiscal or organizational problems, have failed to meet the terms and achievement targets in their contract, or have been out of compliance with the law. 	<ul style="list-style-type: none"> • The sponsor grants renewal to fiscally viable schools that meet most of the following criteria: <ul style="list-style-type: none"> ○ organizationally viable, ○ faithful to the terms of their contract, and/or ○ achieve their contractual academic standards and targets. 	<ul style="list-style-type: none"> • The sponsor only grants renewal to fiscally viable schools that meet all of the following criteria: <ul style="list-style-type: none"> ○ organizationally viable, ○ faithful to the terms of their contract, and ○ achieve their contractual standards and targets. 	NA	The sponsor does not have any schools that have been up for renewal to date. The first schools will be up for renewal in the 2014-2015 school year.

Sponsor Termination & Renewal Decision Making						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
D. Cumulative Report on Performance	<ul style="list-style-type: none"> • Des not annually provide the school a cumulative report on its performance. 	<ul style="list-style-type: none"> • Annually provides the school a cumulative report that is vague and unclear as it relates to the school's performance in contract terms. 	<ul style="list-style-type: none"> • Annually provides each school with a report of its performance, but only includes the most recent academic year. 	<ul style="list-style-type: none"> • Provides each school, in advance of the renewal decision, a cumulative performance report that summarizes school's performance record over charter term. 	1	No evidence exists that the sponsor collects data to create a cumulative report. To date the sponsor has not provided such reports to its schools.

Sponsor Termination & Renewal Decision Making						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
E. Transparent Renewal Application Process	<ul style="list-style-type: none"> The sponsor does not have an application process for contract renewal. 	<ul style="list-style-type: none"> The sponsor may have an application renewal process, but does not consistently require schools to follow the process. 	<ul style="list-style-type: none"> The sponsor has an application process and requires all schools seeking renewal to apply for it through a renewal application. The process does not allow a school to present additional evidence regarding its performance. 	<ul style="list-style-type: none"> The sponsor requires any school seeking renewal to apply for it through a renewal application. The sponsor clearly communicates the process and criteria for renewal, and provides written guidance regarding required content and format for renewal applications. The application provides the school a meaningful opportunity and reasonable time to respond to the cumulative report; correct the record, if needed; and present additional evidence regarding its performance. 	N.A.	A renewal application process has not been developed. <i>The ESC contends that it should not be rated on this item and the Review Team agrees. The rating is changed.</i>

Sponsor Termination & Renewal Decision Making						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
F. Prompt Notification of Revocation, Renewal, or Termination	<ul style="list-style-type: none"> The sponsor’s written notification of renewal decision is typically late in the school year and rarely includes an explanation of the reasons for the decision. Parents and students have almost no time and no information to make informed choices for the coming school year. 	<ul style="list-style-type: none"> The sponsor’s written notification of renewal is timely, but includes a very limited explanation of the reasons for the decision. Parents and students have little time and limited information to make informed choices for the coming school year. 	<ul style="list-style-type: none"> The sponsor promptly notifies each school of its renewal decision, including written explanation of the reasons for the decision. Parents and students have enough time and information to make informed choices for the coming school year. Gives schools a 180 day notice to terminate their contract. 	<ul style="list-style-type: none"> The sponsor promptly notifies each school of its renewal decision, including a detailed written explanation of the reasons for the decision. Parents and students have ample time and information to make informed choices for the coming school year. Gives schools a 180 day notice to terminate their contract. 	4	<p>The sponsor has closed one school due to failure to comply with law. The closure was required by law, so the 180 day notice of termination to the school is not applicable. Correspondence from the sponsor to the school indicates prompt notification with detail of rationale. Documentation exists of notification to parents that includes information about enrollment options for their children.</p> <p>The sponsor does not have any schools that have been up for renewal to date. The first schools will be up for renewal in the 2014-2015 school year.</p>

Sponsor Termination & Renewal Decision Making						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
G. Closure Process	<ul style="list-style-type: none"> The sponsor is unaware of its obligation to oversee school closure. In the event of a school closure, the sponsor has no formal policy or procedure for school's to follow. The closing school might default to the ODE guidance. The sponsor does not oversee the closure process. 	<ul style="list-style-type: none"> The sponsor is aware of its obligation to oversee school closure; however, it lacks the capacity to oversee. In the event of a school closure, the sponsor has no formal policy or procedure for school's to follow. The closing school might default to the ODE guidance. The sponsor does ensure that student records are returned to the home school district. 	<ul style="list-style-type: none"> The sponsor is aware of its obligation to oversee school closure. The sponsor may have a formal policy, but at a minimum follows ODE's guidance. In the event of a school closure, the sponsor oversees the school's governing board and leadership in carrying out a closure process that seeks to: <ul style="list-style-type: none"> inform parents, transition student records to the home school district, and dispose of school funds, property, and assets in accordance with law. 	<ul style="list-style-type: none"> In the event of a school closure, the sponsor oversees and works with the school's governing board and leadership in carrying out a detailed closure protocol that ensures: <ul style="list-style-type: none"> timely notification to parents, orderly transition of students records to home school district, and disposition of school funds, property, and assets in accordance with law. The sponsor carries out the closure to the extent possible if school's governing authority fails to carry out the protocols. 	4	The sponsor has closed one school and did carry out a detailed closure protocol ensuring timely notification of parents, orderly transition of student records, and disposition of assets.
Quality Rating for Sponsor Termination & Renewal			75% (12 out of 16 possible points)			Effective

Sponsor Termination & Renewal Decision Making

Practices to Maintain in Termination & Renewal Decision Making:

- Portage County ESC has closed one school and did adhere to a closing process as outlined by ODE, resulting in an orderly closure where records and assets were properly handles and parents were appropriately apprised of educational options available to their children.

Practices to Develop in Termination & Renewal Decision Making:

- Portage County ESC has not developed a renewal system/process.

Recommendations for Improved Termination & Renewal Decision Making:

- Portage County ESC should develop an evidence based renewal system/process and provide related information to schools so that they will understand how they will be evaluated at the end of their contract term. This process should be in place, documented and communicated to all existing and any new schools to ensure they are, from the start, ale to strive to meet the appropriate goals.

Technical Assistance & Sponsor Requirements in Rule and Law						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
A. Ongoing Technical Assistance to Schools	<ul style="list-style-type: none"> Technical assistance, if provided to schools, is reactive to problems that arise. The sponsor does not assess the technical assistance needs of the schools it authorizes. 	<ul style="list-style-type: none"> Most technical assistance provided by the sponsor is reactive to problems. The sponsor occasionally solicits information about the technical assistance needs of the schools it authorizes. The sponsor occasionally provides the technical assistance identified as needed by the schools. 	<ul style="list-style-type: none"> Most technical assistance is proactive, intended to prevent problems from arising in the schools it authorizes. The sponsor regularly assesses or solicits information about the technical assistance needs of the schools it authorizes. 	<ul style="list-style-type: none"> Almost all technical assistance is proactive, intended to prevent problems from arising in the schools it authorizes. The sponsor regularly assesses or solicits information about the technical assistance needs of the schools it authorizes. The sponsor regularly solicits feedback on the quality and impact of the technical assistance that it provides to the schools it authorizes. 	2	The sponsor's provision of technical assistance to sponsored schools appears to be largely reactive rather than proactive. The sponsor does not formally solicit information about schools' technical assistance needs, but the sponsor indicated during the interview that they do talk with schools about their needs during visits and do provide technical assistance upon request. The sponsor may charge a school for technical assistance that they feel is above and beyond that required per the contract.

Technical Assistance & Sponsor Requirements in Rule and Law						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
B. Ongoing Updates of Legal and Policy Changes	<ul style="list-style-type: none"> The sponsor never or rarely updates schools on changes to rule and law that impact the schools' operations. 	<ul style="list-style-type: none"> The sponsor occasionally updates schools on changes to rule and law that impact the schools' operations, but has no process for doing so. 	<ul style="list-style-type: none"> The sponsor has a process that it uses to at least annually, informs schools on changes to rule and law that impact the schools' operations. 	<ul style="list-style-type: none"> The sponsor continually ensures that schools are informed in a timely manner of changes to rule and law that impact the schools' operations. 	4	The sponsor indicated in the interview that they provide schools with updates about changes to community school law and other general school law. Updates are prepared by contracted legal staff.
C. Ongoing Professional Development (PD) for Schools	<ul style="list-style-type: none"> The sponsor never provides information about PD opportunities for its schools. 	<ul style="list-style-type: none"> The sponsor occasionally provides information about PD opportunities for its schools. <p>Or</p> <ul style="list-style-type: none"> Is prescriptive or mandating that its schools participate in certain PD. 	<ul style="list-style-type: none"> The sponsor shares information about PD opportunities for its schools. 	<ul style="list-style-type: none"> The sponsor provides its schools with multiple sources of information about PD opportunities for its schools. The sponsor encourages and promotes high quality PD. 	3	The sponsor does not provide formal professional development opportunities specific to community schools. The sponsor does invite the schools to attend professional development that the larger ESC is offering and they point them toward other professional development events that they may want to attend. The sponsor notes that the schools often choose not to attend professional development when it is offered.

Technical Assistance & Sponsor Requirements in Rule and Law						Evidence
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	
D. Effective Working Relationships with Schools' Governing Authorities	<ul style="list-style-type: none"> • The sponsor has no written policy and no explanation that defines the roles and responsibilities between the sponsor staff and the governing authorities of the community schools it sponsors. In the absence of clarity, both parties frequently have misunderstandings and their mutual respect is low. • The sponsor rarely works to maintain a solid relationship with their assigned schools' governing authority members (e.g., rare communication). • The sponsor provides little guidance to its governing authorities <i>Or</i> • Is overbearing and prevents school autonomy. 	<ul style="list-style-type: none"> • While not documented, the sponsor is able to explain in general terms how the roles and responsibilities differ between its staff and the governing authorities of the community schools it sponsors. However, the Governing Authority may view the delineation of roles and responsibilities differently. • While the sponsor tries to maintain a solid relationship with their assigned schools' governing authority members, differing opinions and misunderstandings between the sponsor and governing authorities occasionally leads to a lack of respect between both parties (e.g., limited communication). • School autonomy is inconsistent. 	<ul style="list-style-type: none"> • While not documented, the sponsor and governing authority generally have delineated roles and responsibilities that are understood and respected by both parties. • The sponsor regularly works to maintain a solid relationship with their assigned schools' governing authority members (e.g., regular communication). • School autonomy is maintained to the extent permitted by law. 	<ul style="list-style-type: none"> • Roles and responsibilities of the authorizing staff are clearly separated, documented and delineated from the governing authorities of the community schools it sponsors. This clear delineation is understood and respected by both parties. • The sponsor continuously works to maintain a solid relationship with their assigned schools' governing authority members (e.g., frequent communication). • The sponsor's organizational approach ensures that school autonomy is maintained to the extent permitted by law. 	3	<p>The sponsor indicated that they have a representative attend every GA meeting but that it rarely works with or interacts with the GAs or their members. Most interactions occur between the sponsor and the school or the sponsor and the operator. <i>The ESC strongly disputes the rating. Upon review, the Review Team agrees and has changed the score to a 3.</i></p>

Technical Assistance & Sponsor Requirements in Rule and Law						
	Poor or Undeveloped (1)	Ineffective (2)	Effective (3)	Exemplary (4)	Rating Score	Evidence
Quality Rating for Sponsor Technical Assistance			75% (12 out of 16 possible points)			Effective

Technical Assistance & Sponsor Requirements in Rule and Law	
Practices to Maintain in Technical Assistance:	
<ul style="list-style-type: none"> Portage County ESC as a whole has a wealth of staff expertise in many areas of education. Portage County ESC regularly provides its schools with updates to law that impact community schools. 	
Practices to Develop in Technical Assistance:	
<ul style="list-style-type: none"> Portage County ESC communicates primarily with school staff rather than school Governing Authorities. Portage County ESC's provision of technical assistance appears to be primarily reactive rather than proactive. Portage County ESC notes that schools often do not attend the professional development opportunities that the ESC suggests. Portage County ESC sometimes charges a fee for technical service outside of what they consider the norm. This does not appear appropriate unless it is negotiated through a competitive bidding process as noted in the school's contract. 	

Technical Assistance & Sponsor Requirements in Rule and Law

Recommendations for Improved Technical Assistance:

- Portage County ESC should be more proactive in its effort to communicate with governing authority members. As Governing Authorities hold and are responsible for the charter, it is important that they be kept apprised of all aspects of a school's performance. Portage County ESC should establish various and regularly used means of information Governing Authorities about how their schools are performing. Sponsor attendance at Governing Authority meetings should remain on part of any communication plan.
- Portage County ESC should be more proactive in its provision of technical assistance. Portage county ESC could utilize a survey of schools to determine their perceived technical assistance needs. The survey could also gather information enabling Portage County ESC in understanding why schools elect not to participate in professional development opportunities suggested by the ESC. Additionally, implementation of an oversight and evaluation system, paired with analysis of results, could provide a wealth of concrete information about school needs.
- Portage County ESC should provide technical assistance to schools as they do pay a fee for this purpose. Portage County ESC should not charge an additional fee for technical service outside of what they consider the norm unless it is negotiated through a competitive bidding process as noted in the school's contract.

Academic Performance of Schools

One component of the Authorizer Evaluation is the academic performance of the authorizer/sponsor's charter schools. School academic performance is calculated similar to the sponsor's performance ranking, with greater weight being given to value-added gains.

To determine the authorizer's academic performance component rating, the most recent school year's report card grades and average daily membership (ADM) are used to create authorizer/school-level summary tables (see Figures A and B below). Figure A is populated with the authorizer's schools, the numbers designating the grade they received for Overall Value-Added. Figure B is populated with the number of seats at each school, as determined by its Overall Value-Added grade.

Schools/seats are placed in the color-coded grade ranges A-F based on Overall Value-Added Grades. If a school did not receive an Overall Value-Added Grade, then its 4-Year Graduation Rate Grade was used. If a school had neither grade, it was not included.

School/Seats receiving a "C" on Overall Value-Added or 4yr Graduation Rate are further categorized based on Performance Index Grade. Schools are categorized as "C (a-b)" if they received a "C" on Overall Value-Added or 4-Year Graduation Rate and an "A" or "B" on Performance Index. Schools are categorized as "C (c)" if they received both a "C" on Overall Value-Added or 4-Year Graduation Rate and Performance Index. Schools with a "C" on Overall Value-Added or 4-Year Graduation Rate and a "D" or "F" on Performance Index are categorized as "C (d-f)".

Based on these categorizations, authorizer/operator summary tables and ratios are created, with schools rated an A, B or C (a-b) categorized as effective or green. Schools rated C (c) are categorized as yellow. Schools rated C (d-f), D or F are categorized as ineffective or red.

For each authorizer/operator, the ratio of effective to ineffective schools and seats is calculated as green schools/seats divided by red schools/seats. A ratio below 1 indicates that there are more ineffective/red schools or seats than effective/green schools or seats.

The final calculation in determining academic performance was dividing the schools/seats ratio by 0.7 (as 70% is the threshold for authorizers for the current school year). The resulting percentage represents the authorizer's level of academic performance.

Schools/Seats Summary Tables for Portage County ESC

Figure A. Schools

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	1	--	--	--
B	--	--	--	--	--
C	a-b	--	--	--	--
	c	--	--	--	--
	d-f	3	--	--	--
D	--	2	--	--	--
F	--	--	1	--	--
No Measure	--	2	--	--	1
Total by Measure	--	8	1	1	8

↑	1
↔	0
↓	6
Total Graded Schools/Seats	7

Ratio	0.17
--------------	-------------

Figure B. Seats

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Schools/Seats
A	--	170	--	--	--
B	--	--	--	--	--
C	a-b	--	--	--	--
	--	--	--	--	--
	d-f	535	--	--	--
D	--	259	--	--	--
F	--	--	0	--	--
No Measure	--	74	--	--	74
Total by Measure	--	1,038	0	74	1,038

↑	170
↔	0
↓	794
Total Graded Schools/Seats	964

Ratio	0.21
--------------	-------------

Academic Performance Score = .21/.7 = .31 = 31% (did not meet the 2013-2014 target)

FY2014 Data
Data as of January 2015

All Authorizers

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	63	.	--	--
B	--	37	.	--	--
C	a-b	2	1	--	--
	c	11	.	--	--
	d-f	45	.	--	--
D	--	25	1	--	--
F	--	54	16	--	--
No Measure	--	127	--	--	109
Total by Measure	--	364	18	109	364

↑	103
↔	11
↓	141
Total Graded Schools	255

Ratio	0.73
-------	------

All Authorizers

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	18,962	.	--	--
B	--	8,350	.	--	--
C	a-b	299	300	--	--
	c	3,226	.	--	--
	d-f	8,464	.	--	--
D	--	4,560	432	--	--
F	--	16,795	2,191	--	--
No Measure	--	16,326	--	--	13,403
Total by Measure	--	76982	2923	13,403	76982

↑	27911
↔	3226
↓	32442
Total Graded Seats	63579

Ratio	0.86
-------	------

Portage County ESC

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	1	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	.	.	--	--
	d-f	3	.	--	--
D	--	2	.	--	--
F	--	.	1	--	--
No Measure	--	2	--	--	1
Total by Measure	--	8	1	1	8

↑	1
↔	0
↓	6
Total Graded Schools	7

Ratio	0.17
-------	------

Portage County ESC

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	170	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	.	.	--	--
	d-f	535	.	--	--
D	--	259	.	--	--
F	--	.	0	--	--
No Measure	--	74	--	--	74
Total by Measure	--	1038	0	74	1038

↑	170
↔	0
↓	794
Total Graded Seats	964

Ratio	0.21
-------	------

Average Authorizer

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	6	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	1	.	--	--
	d-f	3	.	--	--
D	--	2	.	--	--
F	--	2	.	--	--
No Measure	--	7	--	--	7
Total by Measure	--	21	0	7	21

↑	6
↔	1
↓	7
Total Graded Schools	14

Ratio	0.86
--------------	-------------

Average Authorizer

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	2,242	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	275	.	--	--
	d-f	379	.	--	--
D	--	349	.	--	--
F	--	663	.	--	--
No Measure	--	1,120	--	--	1,120
Total by Measure	--	5028	0	1,120	5028

↑	2242
↔	275
↓	1391
Total Graded Seats	3908

Ratio	1.61
--------------	-------------

All Authorizers

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	63	.	--	--
B	--	37	.	--	--
C	a-b	2	1	--	--
	c	11	.	--	--
	d-f	46	.	--	--
D	--	26	1	--	--
F	--	60	20	--	--
No Measure	--	145	--	--	123
Total by Measure	--	390	22	123	390

↑	103
↔	11
↓	153
Total Graded Schools	267

Ratio	0.67
--------------	-------------

All Authorizers

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	18,962	.	--	--
B	--	8,350	.	--	--
C	a-b	299	300	--	--
	c	3,226	.	--	--
	d-f	8,551	.	--	--
D	--	5,054	432	--	--
F	--	51,585	2,501	--	--
No Measure	--	21,581	--	--	18348
Total by Measure	--	117608	3233	18348	117608

↑	27911
↔	3226
↓	68123
Total Graded Seats	99260

Ratio	0.41
--------------	-------------

Portage County ESC

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	1	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	.	.	--	--
	d-f	3	.	--	--
D	--	2	.	--	--
F	--	.	1	--	--
No Measure	--	2	--	--	1
Total by Measure	--	8	1	1	8

↑	1
↔	0
↓	6
Total Graded Schools	7

Ratio	0.17
--------------	-------------

Portage County ESC

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	170	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	.	.	--	--
	d-f	535	.	--	--
D	--	259	.	--	--
F	--	.	0	--	--
No Measure	--	74	--	--	74
Total by Measure	--	1038	0	74	1038

↑	170
↔	0
↓	794
Total Graded Seats	964

Ratio	0.21
--------------	-------------

Average Authorizer

Schools	PI Grade	VA Grade	4-Year Grad Rate	Schools with No Measures	Total Schools
A	--	6	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	1	.	--	--
	d-f	3	.	--	--
D	--	2	.	--	--
F	--	2	.	--	--
No Measure	--	7	--	--	7
Total by Measure	--	21	0	7	21

↑	6
↔	1
↓	7
Total Graded Schools	14

Ratio	0.86
--------------	-------------

Average Authorizer

Seats	PI Grade	VA Grade	4-Year Grad Rate	Seats with No Measures	Total Seats
A	--	2,242	.	--	--
B	--	.	.	--	--
C	a-b	.	.	--	--
	c	275	.	--	--
	d-f	379	.	--	--
D	--	349	.	--	--
F	--	663	.	--	--
No Measure	--	1,120	--	--	1120
Total by Measure	--	5028	0	1120	5028

↑	2242
↔	275
↓	1391
Total Graded Seats	3908

Ratio	1.61
--------------	-------------

Authorizer: Portage County ESC (049163)

School IRN	School Name	Report Card Type	School Type	eSchool	Status Jan2015	First Year Operation	2014 ADM	2014 PI Grade	2014 VA Grade	Assessment Passage Rate	2014 4yr Graduation Rate	Included in Analysis	Contract Expiration Date
000946	Cleveland Community School	A-F	General	Site	Open	FY06	218	F	C	N/A	NR	Yes	
000949	Villaview Community School	A-F	General	Site	Open	FY07	133	F	D	N/A	NR	Yes	
011947	Imagine Akron Academy	A-F	General	Site	Open	FY11	74	NR	NR	N/A	NR	Yes	
011948	Imagine Cleveland Academy	A-F	General	Site	Open	FY11	198	D	C	N/A	NR	Yes	
012052	Imagine on Superior	A-F	General	Site	Open	FY11	119	D	C	N/A	NR	Yes	
012078	Quest Community School	A-F	General	Site	Open	FY12	0	D	NR	N/A	F	Yes	
012558	Global Village Academy	A-F	General	Site	Open	FY12	126	B	D	N/A	NR	Yes	
012644	STEAM Academy of Warren	A-F	General	Site	Open	FY12	170	D	A	N/A	NR	Yes	

17. APPENDIX – PARTIAL MEMO SUBPOENAED FROM ODE AND DAS CISO

This Appendix includes the partial memo or outline AOS obtained from ODE pursuant to a subpoena request. The memo was prepared by Matt Williams, the DAS CISO assigned to ODE, and described steps he took during the investigation in to the activities leading up to the resignation of David Hansen, the Executive Director of Quality School Choice. However, upon reviewing the memo, AOS noted the dates Williams documented in the memo were incorrect based on the interview accounts of various ODE employees. Neither Williams nor ODE’s Chief Legal Counsel, Diane Lease, could explain why the memo was incomplete or why the dates were wrong.

Narrative Timeline for Hansen Investigation

July 16th:

- Melissa Huffman asked for a search on the mailbox of David Hansen for messages with Matt Danzuso, Karlyn Geis, and Kelsey Stephens for the terms eschool data, dropout recovery data, and sponsor evaluation. The search turned up a large number of documents.
- Later added SQR, SPR rating, authorizer evaluation, 3314.016, pilot
- Exported documents for review

July 17th :

- Office 365 eDiscovery was unavailable due to a system failure. I requested that mailboxes for David Hansen, Matt Danzuso, Karlyn Geis, Kelsey Stephens, and Joni Hoffman be loaded into Clearwell for eDiscovery and placed on legal hold.
- The load was not complete until July 18th (Saturday)

July 19th

- Ran Clearwell searches and added terms 3314.016 AND eschool, eschool AND violat, "occs pilot".
- Exported documents for review

July 20th

–

18. APPENDIX – “MISSING HEADER” EMAIL SAMPLES

This Appendix includes certain email records provided by ODE to AOS as part of the special audit investigation which were missing the “Sent To,” “Sent From,” or certain content within the body of the email. These email anomalies were not drafts. Rather, they were emails which were date and time stamped by ODE’s email system. Upon further investigation and despite AOS interviews of former ODE staff and Matt Williams, the CISO formerly assigned to ODE, AOS could not determine the cause of the missing email “header” information or whether it occurred as a result of mal-intent. AOS was not able to replicate these anomalies without intentionally manipulating the emails.

To: Cathie.Ward@BexleySchools.org
Date: Wednesday, July 23, 2014 6:42:53 PM
Attachments: [image001.gif](#)

David J. Hansen

Executive Director, Office of Quality School Choice

614.466.0452 (o) | 614.557.5231 (m) | 877.644.6338

25 South Front Street | Columbus, Ohio 43215

David.Hansen@Education.Ohio.Gov



Date: Thursday, July 24, 2014 2:03:29 PM
Attachments: [image001.gif](#)

Thank you for the card! Recovery is going great – they'll do the right hip at the end of August and I hope to be back to full speed cycling and swimming by Thanksgiving...

AND, I've been meaning to thank both of you, Yitz for the piece and A.D. for the national 'placement', for the recognition for our new approach for voucher student test reporting! I really appreciate it. It's been great working with both of you and I hope we can continue to

David J. Hansen

Executive Director, Office of Quality School Choice

614.466.0452 (o) | 614.557.5231 (m) | 877.644.6338

25 South Front Street | Columbus, Ohio 43215

David.Hansen@Education.Ohio.Gov



To: sarah.jantausch@gmail.com
Date: Tuesday, July 29, 2014 12:26:33 PM
Attachments: [image001.gif](#)

David J. Hansen

Executive Director, Office of Quality School Choice

614.466.0452 (o) | 614.557.5231 (m) | 877.644.6338

25 South Front Street | Columbus, Ohio 43215

David.Hansen@Education.Ohio.Gov



To: [Whitt, Erin](#)
Subject: FW: Do we have a list of scrubber buildings?
Date: Thursday, July 31, 2014 11:07:31 AM

David Hansen
Office of Quality School Choice
614.557.5231

-----Original Message-----

From: Hansen, David
Sent: Wednesday, July 30, 2014 1:07 PM
To: Juillerat, Beth; Whitt, Erin
Subject: Do we have a list of scrubber buildings?

I need it for both internal and external uses. Thanks! David

David Hansen
ODE Office of Quality School Choice
614.557.5231

Date: Friday, August 01, 2014 11:45:12 AM
Attachments: [image001.gif](#)

The Office of Nonpublic Options is working to make the EdChoice application window extension work

David J. Hansen

Executive Director, Office of Quality School Choice

614.466.0452 (o) | 614.557.5231 (m) | 877.644.6338

25 South Front Street | Columbus, Ohio 43215

David.Hansen@Education.Ohio.Gov



To: [Behringer, Faith](#)
Subject: RE: Technical assistance
Date: Monday, August 04, 2014 10:25:15 AM

Joni should respond. There is no sponsor training this week. There was once something tentatively scheduled, but we've pushed that off.

David Hansen
Office of Quality School Choice
614.557.5231

From: Behringer, Faith
Sent: Friday, August 01, 2014 2:24 PM
To: Hansen, David
Subject: FW: Technical assistance

I thought you would like to see the email below. I am not sure if you would wish for me to respond or wait for Stacey and Joni.

Faith Behringer, MBA
Assistant Director, Office of Quality School Choice
Ohio Department of Education
25 S. Front Street
Columbus, Ohio 43215
Office Phone: (614) 752-5069

From: Dave Cash [<mailto:Dcash@charterschoolspec.com>]
Sent: Friday, August 01, 2014 2:15 PM
To: Callahan, Stacey; Behringer, Faith
Cc: Hoffman, Joni
Subject: RE: Technical assistance

Stacey, Joni, and Faith,

Don't mean to be a pain, but my understanding was that there was a sponsor training next week and I need to at least confirm whether there is or there isn't a training session. I would also like a response to my questions and concerns below.

Thanks,

dave

Dave L. Cash, President
Charter School Specialists
40 Hill Rd South
Pickerington, Ohio 43147
614-837-8945 ext 13

866-601-3319 fax

www.charterschoolspec.com

From: Dave Cash

Sent: Thursday, July 31, 2014 11:03 AM

To: Callahan, Stacey

Cc: 'Hoffman, Joni (Joni.Hoffman@education.ohio.gov)'

Subject: Technical assistance

Stacey,

I sent an email last week regarding sponsor training opportunities and whether there were any still scheduled. I had received documentation in the past about upcoming trainings, but then later, I was told that they were cancelled. Can you confirm whether there are any trainings currently scheduled. Further, I have just found out by others outside of the Dept that the SPR has been finalized and ODE has begun implementing the tool. As a member of OACSA, I know we have sent a couple of letters about re-starting this peer based evaluation, but haven't heard anything. Is ODE implementing a final version of the SPR? Lastly, I have also heard that there have been stakeholder meetings relative to the Age 22+ legislation and that ODE has started to make decisions based upon these stakeholder meetings. I believe St. Als sponsors more drop out recovery schools than any other sponsor, yet we haven't been approached by the Dept about attending any Stakeholder meeting. Obviously, all of this is coming second hand as I haven't heard anything from ODE about these crucial items. It is entirely possible that my information is inaccurate. I would always expect the most accurate information to come directly from our oversight entity. Frankly, I would be shocked if for some reason we have been left out, because ODE has always been very careful to make sure that all sponsors a provided the same information and afforded the same playing field.

I look forward to your response.

Respectfully,

dave

Dave L. Cash, President

Charter School Specialists

40 Hill Rd South

Pickerington, Ohio 43147

614-837-8945 ext 13

866-601-3319 fax

www.charterschoolspec.com

To: [Carpenter, Douglas](#)
Subject: FW: Online Classes and FTE
Date: Tuesday, August 05, 2014 4:53:57 PM
Attachments: [image001.gif](#)

David Hansen
Office of Quality School Choice
614.557.5231

From: Cooper, Deneice
Sent: Tuesday, August 05, 2014 4:50 PM
To: Hansen, David; Hoffman, Joni
Cc: Rausch, Aaron
Subject: RE: Online Classes and FTE

Good afternoon David,
As far as Community school/virtual schools, they are required to have at a minimum, 5 hours of instruction per day and no more than 10 hours per day in a 24 hour period.
Also a Community school/virtual school is required to have a minimum of 920 hours in a school year.
I hope this helps,
Deneice

From: Hansen, David
Sent: Tuesday, August 05, 2014 10:23 AM
To: Cooper, Deneice; Hoffman, Joni
Cc: Rausch, Aaron
Subject: FW: Online Classes and FTE

Deneice Can you provide an answer to me and Doug about this question from West Branch?
Thanks! David

David Hansen
Office of Quality School Choice
614.557.5231

From: Carpenter, Douglas
Sent: Tuesday, August 05, 2014 8:34 AM
To: Hansen, David
Subject: FW: Online Classes and FTE

David,
Could you let me know what charters do here so I can provide him with a response?
Thanks!

Doug Carpenter
Executive Director
Office of Administration
25 South Front Street | Columbus, Ohio 43215-4183

(614) 387-6037 | (877) 644-6338
doug.carpenter@education.ohio.gov
education.ohio.gov



From: Aaron Bernstein [<mailto:aaron.bernstein@wbwarriors.org>]
Sent: Monday, August 04, 2014 11:30 AM
To: Carpenter, Douglas
Subject: Online Classes and FTE

Mr. Carpenter,

Good morning. Our school district is in the process of creating a virtual offering for some of our students. We are trying to sort out the change from days to hours with regards to EMIS and FTE.

- How many hours per day would a student need to participate in the virtual classroom to count for full FTE?
- How would you recommend we handle this in EMIS since we now need to enter a schedule for each student?

Thank you for your assistance,

Aaron Bernstein

West Branch Local Schools

Aaron.Bernstein@wbwarriors.org

330-938-4339

Confidentiality Notice: The information transmitted is intended only for the person(s) to which it is addressed and may contain confidential and/or privileged material. Any review, re-transmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient, is prohibited.

Date: Wednesday, August 06, 2014 12:58:34 PM
Attachments: [image001.gif](#)

<http://membnotes.qualitycharters.org/nacsa/issues/2014-08-05/1.html>

David J. Hansen

Executive Director, Office of Quality School Choice

614.466.0452 (o) | 614.557.5231 (m) | 877.644.6338

25 South Front Street | Columbus, Ohio 43215

David.Hansen@Education.Ohio.Gov



Date: Wednesday, August 06, 2014 5:04:08 PM
Attachments: [image001.gif](#)

David J. Hansen

Executive Director, Office of Quality School Choice

614.466.0452 (o) | 614.557.5231 (m) | 877.644.6338

25 South Front Street | Columbus, Ohio 43215

David.Hansen@Education.Ohio.Gov



To: [Williams, Jennifer](#)
Subject: RE: Weekly report
Date: Friday, August 08, 2014 1:33:16 PM

Charter school quality: one of three pathways for securing statewide authorizing authority as a new authorizer has been posted. This is designed for the example of Columbus Mayor's Office and it offers a means for an agency to show that it has the commitment and resources to support effective authorizing if it is partnered with an effective authorizer.

We are presenting to Communications a plan for parental outreach for the expected "Newly Eligible for EdChoice" families due to report card corrections. We will also include VLT families in this outreach effort –

David Hansen
Office of Quality School Choice
614.557.5231

From: Williams, Jennifer
Sent: Friday, August 08, 2014 11:45 AM
To: Hansen, David; Jantausch, Sarah; Michael, Mark; Gilliland, Jacquelyn; Denning, Andrea
Subject: Weekly report

Please submit a highlight of three items your office is working on right now. They could be new decisions or updates on ongoing projects and programs. I need to submit our center's report by 1:30 today. Keep in mind that Jennifer Felker will be reviewing these and is new to the department so please do not use acronyms.

Thanks!
Jen

To: [Dove, Sarah](#)
Subject: FW: VLT and ODE
Date: Tuesday, August 12, 2014 11:27:39 AM
Attachments: [image001.gif](#)

David Hansen
Office of Quality School Choice
614.557.5231

From: Charlton, John
Sent: Tuesday, August 12, 2014 10:40 AM
To: Dove, Sarah; Hansen, David; Rafeld, Jason; Sponhour, Michael
Subject: RE: VLT and ODE

She never called me regarding VLT closing. This is all Debra Lee.

From: Dove, Sarah
Sent: Tuesday, August 12, 2014 10:35 AM
To: Hansen, David; Rafeld, Jason; Sponhour, Michael; Charlton, John
Subject: RE: VLT and ODE

Charlton,
Did Brown get any of the points below when you spoke to her? We mostly look like big bad meanies closing this poor little school in this article.
S

From: Hansen, David
Sent: Tuesday, August 12, 2014 10:01 AM
To: Rafeld, Jason; Sponhour, Michael; Charlton, John; Dove, Sarah
Subject: VLT and ODE

<http://www.cincinnati.com/story/news/education/2014/08/11/embattled-charter-school-vlt-shuts-doors-for-good/13916819/>

VLT Board votes to close effective August 1.

We have been working all summer with former VLT families helping them to find new schools for their children and we will continue to do so.

There are as many as eight charter school options for former VLT students where well more than year's worth of learning takes place each year, and which have their doors open for new students.

VLT students also can still apply for the EdChoice scholarship as the application window now closes September 5th.

David

David J. Hansen

Executive Director, Office of Quality School Choice

614.466.0452 (o) | 614.557.5231 (m) | 877.644.6338

25 South Front Street | Columbus, Ohio 43215

David.Hansen@Education.Ohio.Gov



To: [Danzuso, Matthew](#)
Date: Tuesday, August 12, 2014 11:58:51 AM
Attachments: [image001.gif](#)

David J. Hansen

Executive Director, Office of Quality School Choice

614.466.0452 (o) | 614.557.5231 (m) | 877.644.6338

25 South Front Street | Columbus, Ohio 43215

David.Hansen@Education.Ohio.Gov



To: [Dove, Sarah](#)
Subject: FW: VLT and ODE
Date: Tuesday, August 12, 2014 12:20:28 PM
Attachments: [image001.gif](#)

David Hansen
Office of Quality School Choice
614.557.5231

From: Charlton, John
Sent: Tuesday, August 12, 2014 10:40 AM
To: Dove, Sarah; Hansen, David; Rafeld, Jason; Sponhour, Michael
Subject: RE: VLT and ODE

She never called me regarding VLT closing. This is all Debra Lee.

From: Dove, Sarah
Sent: Tuesday, August 12, 2014 10:35 AM
To: Hansen, David; Rafeld, Jason; Sponhour, Michael; Charlton, John
Subject: RE: VLT and ODE

Charlton,
Did Brown get any of the points below when you spoke to her? We mostly look like big bad meanies closing this poor little school in this article.
S

From: Hansen, David
Sent: Tuesday, August 12, 2014 10:01 AM
To: Rafeld, Jason; Sponhour, Michael; Charlton, John; Dove, Sarah
Subject: VLT and ODE

<http://www.cincinnati.com/story/news/education/2014/08/11/embattled-charter-school-vlt-shuts-doors-for-good/13916819/>

VLT Board votes to close effective August 1.

We have been working all summer with former VLT families helping them to find new schools for their children and we will continue to do so.

There are as many as eight charter school options for former VLT students where well more than year's worth of learning takes place each year, and which have their doors open for new students.

VLT students also can still apply for the EdChoice scholarship as the application window now closes September 5th.

David

David J. Hansen

Executive Director, Office of Quality School Choice

614.466.0452 (o) | 614.557.5231 (m) | 877.644.6338

25 South Front Street | Columbus, Ohio 43215

David.Hansen@Education.Ohio.Gov



To: [Cosmo, Susan](#); [Behringer, Faith](#)
Subject: RE: EdChoice Application Deadline Extended
Date: Tuesday, August 12, 2014 12:20:29 PM

The entire process of application through award could not be kept open separately between scrubber buildings and other originally designated buildings.

In any event, a student doesn't lose eligibility after the closing of the original window.

David Hansen
Office of Quality School Choice
614.557.5231

From: Cosmo, Susan
Sent: Tuesday, August 12, 2014 12:15 PM
To: Hansen, David; Behringer, Faith
Subject: FW: EdChoice Application Deadline Extended

Do we have a standard answer that should be given to district questions such as the one below?

Thanks!
Sue

From: Rohler Sharon [mailto:S_Rohler@chuh.org]
Sent: Monday, August 11, 2014 3:29 PM
To: ODE Educational Choice
Subject: RE: EdChoice Application Deadline Extended

This extension became necessary with the re-issue of report cards for 2011-2012 and 2012-2013 for districts identified as "scrubbers."

Why was the extension applied to ALL EdChoice eligible schools instead of just those districts who were identified as "scrubbers"? Only those districts with new report cards issued should be impacted by the new report card release.

Thanks,
Sharon

Sharon Rohler
EMIS Coordinator
Cleveland Hts – University Hts City School District
Phone: 216.397.3858
Fax: 216.371.6550

From: noreply@ode.state.oh.us [<mailto:noreply@ode.state.oh.us>]
Sent: Monday, August 11, 2014 3:13 PM
To: noreply@ode.state.oh.us
Subject: EdChoice Application Deadline Extended

Dear District EdChoice Reviewer:

Please be aware of updates in the Educational Choice (EdChoice) program that will affect schools statewide.

First, the department has added five weeks to the current EdChoice application period, extending it to Friday, Sept. 5, 2014. The original application deadline was Friday, Aug. 1. This extension became necessary with the re-issue of report cards for 2011-2012 and 2012-2013 for districts identified as “scrubbers.” The extension will offer students and their parents more time to decide about and submit an application for an EdChoice scholarship.

Second, the department’s re-release of the 2010-2011 reports cards for some districts might result in additional eligibility. Students enrolled at specific schools may become eligible for EdChoice Scholarships following report card corrections.

Students who currently attend a school with an EdChoice designation and those who will attend a school with this designation next year are eligible to apply for an EdChoice Scholarship for private school tuition. The schools with the EdChoice designation have received specific ratings for two of the past three school years on the Local Report Card. They received the rating of Academic Emergency or Academic Watch in 2010 or 2011 and/or a D or F grade in 2013 on the Performance Index score and Value-Added progress measure. Also, buildings receive the EdChoice designation if they ranked in the lowest 10 percent of all buildings on the Performance Index score in the past two of three school years.

Please contact the EdChoice Office at 877-644-6338 or edchoice@education.ohio.gov if you have any questions.

Thank you,

EdChoice Scholarship Program Staff

PLEASE NOTE: This message and any response to it may constitute a public record, and therefore may be available upon request in accordance with Ohio public records law. (ORC 149.43)

To: [Rafeld, Jason](#)
Subject: RE: Maple Hgts Superintendent
Date: Thursday, August 14, 2014 9:04:17 AM
Attachments: [image001.gif](#)

Can I know what is going on with what Erin actually did separate from dealing with the superintendent? I spoke to him yesterday and was able to politely put him off for a day or two.

I have a 4:30pm time set up with her.

David Hansen
Office of Quality School Choice
614.557.5231

From: Rafeld, Jason
Sent: Wednesday, August 13, 2014 5:21 PM
To: Whitt, Erin; Jantusch, Sarah; Hansen, David
Subject: RE: Maple Hgts Superintendent

Erin is correct. Sorry David. I did not get a chance to call you this afternoon.

Jason M. Rafeld
Chief of Staff/COO
25 South Front Street | Columbus, Ohio 43215-4183
(614) 644-7930 | (877) 644-6338
jason.rafeld@education.ohio.gov



From: Whitt, Erin
Sent: Wednesday, August 13, 2014 4:10 PM
To: Jantusch, Sarah; Hansen, David
Cc: Rafeld, Jason
Subject: RE: Maple Hgts Superintendent

Unfortunately, Jason would like us to hold off on giving out specifics for one more day. As Sarah said, Jason indicated he would be calling you this afternoon to discuss the issues in more detail.

Regards,

Erin Whitt
Data Administration Manager 1
Data Quality & Governance
25 South Front Street | Columbus, Ohio 43215-4183
(614) 466-9750 | (877) 644-6338
Erin.Whitt@education.ohio.gov
www.education.ohio.gov



From: Jantausch, Sarah
Sent: Wednesday, August 13, 2014 4:05 PM
To: Hansen, David
Cc: Rafeld, Jason; Whitt, Erin
Subject: RE: Maple Hgts Superintendent

David,

I am on the phone with Erin now. She said Jason will be calling you directly.

Sarah

From: Hansen, David
Sent: Wednesday, August 13, 2014 4:03 PM
To: Whitt, Erin
Cc: Jantausch, Sarah; Rafeld, Jason
Subject: Fwd: Maple Hgts Superintendent

Can I get the info shortly? The superintendent is calling me. And Dr Ross was grilling me at 2pm about closing the loop with this school. Thanks! David

David Hansen
ODE Office of Quality School Choice
614.557.5231

Begin forwarded message:

From: "Jones, Carolyn" <carolyn.jones@education.ohio.gov>
Date: August 13, 2014 at 10:13:50 AM EDT
To: "Hansen, David" <david.hansen@education.ohio.gov>
Subject: RE: Maple Hgts Superintendent

Yes,

Superintendent Charles Keenan

Cell – 216-233-9300
Office – 216-587-6100

Carolyn Jones
Office of the Superintendent

25 South Front Street | Columbus, Ohio 43215-4183
(614) 995-2006 | (877) 644-6338
Carolyn.Jones@education.ohio.gov
education.ohio.gov

From: Hansen, David
Sent: Wednesday, August 13, 2014 10:12 AM
To: Jones, Carolyn
Cc: Jantausch, Sarah
Subject: Maple Hgts Superintendent

Hi Carolyn,

Do you have the name and contact info of the Maple Hgts Superintendent Dr Ross and I spoke with this morning?

Thanks! David

David J. Hansen
Executive Director, Office of Quality School Choice
614.466.0452 (o) | 614.557.5231 (m) | 877.644.6338
25 South Front Street | Columbus, Ohio 43215
David.Hansen@Education.Ohio.Gov



To: [Williams, Jennifer](#)
Subject: RE: Weekly report
Date: Thursday, August 14, 2014 5:23:31 PM
Attachments: [image001.gif](#)

David Hansen
Office of Quality School Choice
614.557.5231

From: Williams, Jennifer
Sent: Thursday, August 14, 2014 4:39 PM
To: Denning, Andrea; Hansen, David; Michael, Mark
Cc: Coretti, Judith; Jantausch, Sarah; Gilliland, Jacquelyn
Subject: Weekly report

This is just a reminder to send me your weekly update tomorrow morning. Thanks!

Jennifer Williams
Administrative Professional 4
Center for Student Support and Education Options

25 South Front Street | Columbus, Ohio 43215-4183
(614) 466-4235 | (877) 644-6338
Jennifer.Williams@education.ohio.gov
education.ohio.gov



Subject: FW: Follow up
Date: Friday, August 15, 2014 5:05:52 PM
Attachments: [Schools added to EdChoice designated school.docx](#)
[image001.gif](#)

David Hansen
Office of Quality School Choice
614.557.5231

From: Hansen, David
Sent: Friday, August 15, 2014 5:00 PM
To: 'Charlie.kennan@mapleschools.com'
Cc: Jones, Carolyn
Subject: Follow up

Hi Charlie,

You can drop Carolyn Jones (cc'ed here) a note inviting Dr. Ross to visit your district sometime during the school year. While he can't commit to a specific date just yet, Carolyn may be able to hold some dates in advance. Either way, she's great to work with in making sure he gets there in the upcoming year.

Attached should be the table I mentioned. Please let me know if I can do more to help you out!

Best regards,
David

David J. Hansen
Executive Director, Office of Quality School Choice
614.466.0452 (o) | 614.557.5231 (m) | 877.644.6338
25 South Front Street | Columbus, Ohio 43215
David.Hansen@Education.Ohio.Gov



Schools added to EdChoice designated school

<i>Performance Index</i>	<i>School Year</i>		
	'10-11	'11-12	'12-13
Original cutline for EdChoice*	80.7	81.4	80.2
Corrected cutline for EdChoice*	80.4	81.5	80.2
Milkovich MS (6-8; Maple Heights)	81.7	<u>81.5</u>	<u>78.2</u>
West HS + (9-12; Columbus)	80.0/83.6	80.4/80.4	80.7
Rimer Community Learning Center (K-5; Akron)	76.1	81.5	91.7

*= "Cutline" marks the first school in bottom 10% of all public school buildings rank ordered by average Performance Index score. A school that scores in the bottom 10% two years out of three is designated as EdChoice eligible.

+ = A scrubber school. West High's scores for each school year are shown as "scrubbed score" / "corrected score". West High's scrubbing in school year 2010-11 did in fact lower the actual score that would have been received by the school.

West High and Rimer are both majority white schools.

SOURCE: Local Report Cards, Ohio Department of Education.
<http://reportcard.education.ohio.gov/Pages/default.aspx>

As you know, in October of 2013, and for the second time in three years, Portage County Educational Service Center lost the authority under R.C. 3314 to open new charter schools due to the deficient academic outcomes of the schools in your portfolio, ranking in the lowest 20% of state authorizers. Because of PCESC's inability to improve on these results, this authority has not been restored.

From the evidence we have, PCESC is actively and intentionally circumventing this law and prohibition. PCESC has been improperly representing to school developers and staff, parents and the public that it is able to contract for new charter schools this coming year.

In examining the actions of PCESC and comparing them to law and policy we make the following findings:

- A. Hope 4 Change Academy cannot operate under the original LEAD contract because that contract expired by its own terms on June 30, 2013. R.C. 3314.07(A) makes that expiration date conclusive ("The expiration of the contract for a community school between a sponsor and a school shall be the date provided in the contract.") It is therefore impossible for Hope 4 Change to operate under the original LEAD contract. That is not changed by PCESC's July 2013 resolution purporting to extend the contract's term because that occurred *after* the contract had already expired. Further, this contract renewal was never signed by a member of the Governing Authority for LEAD.

Not only is PCESC trying to masquerade a new school as an exiting one, the exiting school actually ceased to exist nearly a year before PCESC suggested they had lifted the suspension.

- B. Despite these facts, PCESC has alleged it is simply lifting the suspension of this community school. PCESC's suggestion that a charter suspended in SY 2010-2011 for a school located in Mahoning County could be revived in 2014-15 for a school in Hamilton County fails the test of law, the test of common sense, and the test of protecting the interests of students, families and taxpayers. Additionally, the contract expired on June 30, 2013 without renewal a year before the suspension was lifted.

Hope 4 Change Academy is not an existing charter school with a new name; it is a new charter school:

- The former school was based in Youngstown, Ohio, over 250 miles from the proposed location for Hope 4 Change Academy in Cincinnati, Ohio.
- The former school served grades 7-12, whereas Hope 4 Change plans to enroll students in grades K-12. See generally, *Alternatives Unlimited-Special, Inc. v. Ohio*

Dep't of Edn., 2008-Ohio-6427 (10th Dist.), ¶¶ 16-21.

- No member of the governing authority of the former school is a member of the governing authority of Hope 4 Change Academy.
- The former school never had a management company, but Hope 4 Change has contracted with a new management company that has no experience operating K-12 community schools.
- The existing community school never successfully operated with PCESC as its sponsor. In fact, PCESC only assumed sponsorship after Liberty Local School District had already voted to terminate its contract with the community school.
- The former school suspended its operations and has been effectively closed since 2011.
- No teacher, administrator, or staff member of the former school is working at Hope 4 Change Academy.
- Hope 4 Change Academy's governing authority refers to itself as the "founding members" of the community school in its application to PCESC.

Despite our best efforts, the Department of Education has been unable to find a single piece of information that establishes a clear relationship between LEAD and Hope 4 Change Academy other than a tenuous affiliation with PCESC.

- C. Even if PCESC were permitted to open a new conversion school, the General Assembly recently prohibited an ESC from sponsoring a community school outside of the territory of the ESC or a county contiguous to the territory of the ESC unless it was authorized to do so by the Department of Education. Hamilton County is clearly neither a part of nor contiguous to PCESC's territory in Northeast Ohio. *See* R.C. 3314.02(B)(2)
- D. Even if PCESC were to have the authority to open a new school, my communications of February 14 and again on February 28 of 2014 made clear the Department's expectations for receiving information about PCESC's charter application process prior to contracting with a new charter school. This step was taken after 17 charter schools failed to launch in the fall of 2013 because many authorizers' practices for school approval failed to protect the health and safety of students, reasonably assure a school's academic rigor, and meaningfully assess a school's fiscal viability or its operational capacity.

All other authorizers proposing new schools complied with this request. Your actions circumventing this review are a claim to a special privilege for charter authorizing by PCESC which it simply does not have.

All evidence provided by PCESC indicates that it failed to apply a rigorous application process that would protect the health and safety of students, assure the school's academic rigor, and thoroughly vet the proposal for its fiscal viability or its eventual operational capacity. The Department will not allow charter schools to be opened, that is, for students and families to be diverted from better education options, for teachers and staff to be lured from more viable employment, and for taxpayer dollars to be put at risk, without a more rigorous application reflecting true agency commitment to high quality authorizer than has been documented by PCESC.

- E. Even if PCESC were to have the authority to open a charter school, there has been no evidence the calendar of contracting and notification outlined in R.C. 3314.02 has been

followed. The statutory deadline for a charter contract is March 15, 2014. My communication of February 28, 2014 made clear that there would be no exceptions allowing authorizers to open schools not under contract by March 15. See R.C. 3314.02(D).

All other authorizers proposing new schools this year complied with this request and again your actions circumventing this review are a claim to special privilege which PCESC does not have.

- F. Authorizers of “conversion” charter schools are given greater flexibility and less oversight because they are addressing issues affecting the students they provide educational services for every day. Acknowledging the special relationship these educational service providers have with those in their service area, Ohio law allows these authorizers to “convert” a building they operated into a community school. R.C. 3314.02(B). While PCESC has served schools and school districts in Northeast Ohio for generations, it has no history of providing educational services to the boys and girls attending school in Cincinnati, Ohio. PCESC is not only “converting” a building nearly 250 miles from its offices in Ravenna, Ohio, it is trying to “convert” a building it has never used for any purpose at any point. In fact, the Department of Education’s inquiries show PCESC still does not have a signed lease to operate in this building, despite the fact they “converted” this building into a community school on June 18th, when another community school, VLT, still occupied the space.
- G. As public benefit corporations, charter schools and their governing authorities are responsible for carrying out the activities of the community school in accordance with Ohio law and corporate governing documents. These public benefit corporations are only allowed to appoint new members to the governing authority according to those requirements. Hope 4 Change Academy has a completely new set of governing authority members. Despite requests, the Department of Education has received no documentation showing how a complete turnover of the governing authority occurred in a school that has not operated since 2011. Without this documentation, Mr. Isaacs lacked the authority to act on the school’s behalf when he sought to reinstate the charter school as a public benefit corporation, change its name to Hope 4 Change Academy, contract with a charter school operator, and apply to lift the school’s suspension with its sponsor.

In light of PCESC’s actions the Department is issuing the following directives:

I. In order to protect the interests of students, families, staff and state taxpayers from the consequences of an illegally and improperly approved charter schools, the Department is demanding that all actions immediately cease and desist regarding the operations of Hope 4 Change as a community school.

II. Because PCESC has so completely circumvented law and policy intended to protect the tax dollars invested in charter schools, any PCESC request for funding of this school cannot be honored by the Department under R.C. 126.07 and State ex rel Smith v. Maharry, 97 Ohio St. 272 (1918), syllabus 1 (“public moneys, whether in the custody of public officers or otherwise ... can be disbursed only by clear authority of law.”). Further, ODE will not authorize the disbursement of any federal grant funds for which it is a pass through grantee/grantor because 34 C.F.R. § 76.700 requires sub-grantees to comply with state law.

III. PCESC will be responsible for a wind up of Hope 4 Change activities that will prioritize the interests of boys and girls improperly enrolled by the school and the staff it may have engaged. The Department will direct PCESC on a daily basis in these wind-up activities.

In particular, PCESC will be responsible for the immediate sharing, at the direction of the Department, of contact information of any and all students and families believing they have been enrolled by Hope 4 Change with a collaboration of legitimate school providers including Cincinnati Public Schools, the Cincinnati Diocese and a number of high quality charter schools.

Throughout the summer this collaboration has worked together at the urging of the Department to place Over-the-Rhine students into quality school options.

PCESC will also cover the costs of reasonable informational activities needed to correct the portrayal of Hope 4 Change as a charter school properly approved by its authorizer. These costs will include all expenses for placing parent engagement staff from the collaboration providers all day outside of the former VLT location from Aug 26 through Sept 5. These costs will also include fees for media relations services provided by the collaboration schools to at least match the amount of coverage garnered by Hope 4 Change media activities.

IV. Because the actions of PCESC so completely disregard the interests of students, parents and the public at stake in charter education and have been detrimental to the welfare of children as well as school teachers and staff, the Office of Quality School Choice is referring the facts of this case and the names of the PCESC superintendent and executive director to the Department's Office of Professional Conduct for investigation.

Regards,

David Hansen

Executive Director,

Office of Quality School Choice

To: [Ingraham, Bradley](#); [Dove, Sarah](#)
Date: Monday, August 25, 2014 4:27:31 PM
Attachments: [image001.gif](#)

David J. Hansen

Executive Director, Office of Quality School Choice

614.466.0452 (o) | 614.557.5231 (m) | 877.644.6338

25 South Front Street | Columbus, Ohio 43215

David.Hansen@Education.Ohio.Gov



To: [Geis, Karlyn](#); [Cosmo, Susan](#)
Subject: RE: EdChoice Designated Public School List
Date: Tuesday, December 16, 2014 8:13:39 AM
Attachments: [image001.gif](#)

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

From: Geis, Karlyn
Sent: Tuesday, December 16, 2014 8:10 AM
To: Hansen, David; Cosmo, Susan
Subject: RE: EdChoice Designated Public School List

We did not include charters in the analysis. Are you saying you do want charters included?

From: Hansen, David
Sent: Tuesday, December 16, 2014 8:09 AM
To: Geis, Karlyn; Cosmo, Susan
Subject: RE: EdChoice Designated Public School List

In reference to the question in bullet 5 below, a policy question. By statute, charters are included, right? I would rather they would be pulled, but the language indicating 'public schools' without the kind of exemption for the Cleveland "pilot project" means they have to be included. Right?

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

From: Geis, Karlyn
Sent: Tuesday, December 16, 2014 8:04 AM
To: Cosmo, Susan
Cc: Hansen, David; Stephens, Kelsey; Danzuso, Matthew
Subject: RE: EdChoice Designated Public School List

- What was the cut score for each year?
 - 2012 = the top score in lowest 10% is 81.11675127.
 - 2013 = the top score in lowest 10% is 79.7486033519553.
 - 2014 = the top score in lowest 10% is 79.8275862068966
- What was the advantage to using decile approach?
 - The decile approach divides the scores into ten equal groups. It is equivalent to using a percentile approach, but the output is more straight forward. Using the Decile approach any school with a result of 0 is counted in the lowest 10 percent. Using

The percentile approach gives a result of 0-9 for schools in the lowest 10 percent. That might confuse the casual data user who would likely expect scores of 1 to 10 to fall into the lowest 10 percent.

- By getting the same results, was that same total number of buildings or did the buildings PI scores or ranking change under the different approaches?
Kelsey and I got the same number of buildings in our analyses. We identified the same buildings based on state ratings, report card grades, and 4-year grad rate. We also identified the same buildings based on PI Rankings.
- On the spreadsheet, I do not see the buildings designated by AE/AW or D or F on value added and PI score. Are those buildings still included in this latest list?
Yes, they are included in the list. They are pulled in during a different step in the analysis. You can see how the different schools were identified in the final columns (G and H) of the spreadsheet we provided in the initial email.
- Sorry – one more question. The raw data has 2172 buildings. Isn't that low for the number of public schools minus charter schools and Cleveland?
The attached spreadsheet shows the results for each school based on ratings, grades, and graduation rates. Does this look more like what you expect to see?

From: Cosmo, Susan
Sent: Monday, December 15, 2014 4:21 PM
To: Geis, Karlyn
Cc: Hansen, David; Stephens, Kelsey; Danzuso, Matthew
Subject: RE: EdChoice Designated Public School List

Couple of questions:

- What was the cut score for each year?
- What was the advantage to using decile approach?
- By getting the same results, was that same total number of buildings or did the buildings PI scores or ranking change under the different approaches?
- On the spreadsheet, I do not see the buildings designated by AE/AW or D or F on value added and PI score. Are those buildings still included in this latest list?

Thanks!

From: Geis, Karlyn
Sent: Monday, December 15, 2014 12:56 PM
To: Cosmo, Susan
Cc: Hansen, David; Stephens, Kelsey; Danzuso, Matthew
Subject: RE: EdChoice Designated Public School List

Hi Sue,

I've attached the ranking data. Each year—2012, 2013, and 2014—was analyzed using a decile approach, with the lowest decile falling into the lowest 10 percent of schools for that year. We also ran a version that use a percentile approach with the same results. Kelsey can send you those results if you like. We can also meet to show you the steps we follow in our program.

Thanks,

Karlyn

Karlyn Geis

Data Administration Manager

Office of Community Schools and Office of School Sponsorship

25 South Front Street | Columbus, Ohio 43215-4183

(614) 466-9208 | (877) 644-6338

Karlyn.Geis@education.ohio.gov

<http://education.ohio.gov/>



From: Cosmo, Susan

Sent: Monday, December 15, 2014 12:46 PM

To: Geis, Karlyn

Cc: Hansen, David; Stephens, Kelsey; Danzuso, Matthew

Subject: RE: EdChoice Designated Public School List

Thanks Karlyn – I have compared our preliminary lists (with Cleveland and without Cleveland) and see that without Cleveland in the PI, 11 buildings are no longer designated and dropped off the list and 6 have been added. So David and I are able to look more closely, can you send the raw data with the cut score for lowest 10% of PI?

From: Geis, Karlyn

Sent: Monday, December 15, 2014 11:59 AM

To: Cosmo, Susan

Cc: Hansen, David; Stephens, Kelsey

Subject: EdChoice Designated Public School List

Importance: High

Hello Sue,

I've attached the EdChoice Designated Public School List in PDF, Word and Excel versions. This list removes Cleveland schools prior to ranking the schools on Performance Index Score from 2012, 2013 and 2014. Kelsey and I have done quality reviews on the SAS program we used to pull the list. It would be great if you could give the list a once over as well.

Thank you!

Karlyn

Karlyn Geis

Data Administration Manager

Office of Community Schools and Office of School Sponsorship

25 South Front Street | Columbus, Ohio 43215-4183

(614) 466-9208 | (877) 644-6338

Karlyn.Geis@education.ohio.gov

<http://education.ohio.gov/>



Subject: FW: Designated Schools List
Date: Tuesday, December 16, 2014 10:02:51 AM
Attachments: [image001.gif](#)

Ok, well that brushfire is put out. Can you help with getting the number of eligible students

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

From: Stephens, Kelsey
Sent: Tuesday, December 16, 2014 9:52 AM
To: Hansen, David; Cosmo, Susan
Cc: Geis, Karlyn
Subject: Designated Schools List

Hi,

Karlyn is in meetings all morning. She asked me to confirm whether Erin removed charters prior to calculating the lowest 10% on PI score and let you know. I spoke with Erin, she confirmed that her code did remove charter schools prior to ranking schools on PI score, which is consistent with what Karlyn and I did.

I hope this helps,

Kelsey

Kelsey Stephens
Data Administration Manager
Offices of Community Schools and Child Nutrition

25 South Front Street | Columbus, Ohio 43215-4183
(614) 387-2181 | (877) 644-6338
Kelsey.Stephens@education.ohio.gov
<http://education.ohio.gov/>



To: [Hoffman, Joni](#); [Behringer, Faith](#); [Hansen, David](#); cmkauth@gmail.com
Subject: Interview with Colleen Kauth
Date: Tuesday, January 06, 2015 4:43:56 PM

To: [Jantausch, Sarah](#); [Behringer, Faith](#); [Michael, Mark](#)
Subject: RE: Non-renewal Form
Date: Wednesday, January 07, 2015 10:58:32 AM
Attachments: [image001.gif](#)

Need reference to

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

From: Jantausch, Sarah
Sent: Wednesday, January 07, 2015 10:08 AM
To: Behringer, Faith; Michael, Mark; Hansen, David
Subject: Non-renewal Form

The form has been updated with a few edits and per Faith's suggestions I have created a version 2. Please review. The first form with edits is "draft 4" and the new version is "v2 draft 1".

Sarah JanTausch
Assistant to the Executive Director
Office of Quality School Choice

25 South Front Street | Columbus, Ohio 43215
(614)-387-0587 | 877.644.6338
Sarah.jantausch@education.ohio.gov



From: Jantausch, Sarah
Sent: Tuesday, January 06, 2015 6:03 PM
To: Faith.Behringer@education.ohio.gov; Michael, Mark
Cc: 'David Hansen'
Subject: Non-renewal Form

Faith and Mark,

Please see the updated form and let me know what I should change.

Thank you,

Sarah JanTausch
Assistant to the Executive Director
Office of Quality School Choice

25 South Front Street | Columbus, Ohio 43215
(614)-387-0587 | 877.644.6338
Sarah.jantausch@education.ohio.gov



Date: Friday, January 09, 2015 10:16:59 AM
Attachments: [image001.gif](#)

Cleveland Scholarship	13-14	14-15	15-16	16-17	17-18	18-19	19-20
<i>Projected enrollment</i>	6,352	6,711	7,114	7,540	7,993	8,472	8,981
<i>Average scholarship amount</i>							

David J. Hansen

Executive Director, Office of Quality School Choice

614.466.0452 (o) | 614.557.5231 (m) | 877.644.6338

25 South Front Street | Columbus, Ohio 43215

David.Hansen@Education.Ohio.Gov



To: [Hoffman, Joni](#)
Subject: PCEC letter
Date: Thursday, January 15, 2015 4:37:48 PM
Attachments: [image001.gif](#)

David J. Hansen

Executive Director, Office of Quality School Choice

614.466.0452 (o) | 614.557.5231 (m) | 877.644.6338

25 South Front Street | Columbus, Ohio 43215

David.Hansen@Education.Ohio.Gov



To: [Ingraham, Bradley](#); [Duff, Kevin](#); [Wickham, Sarah](#)
Cc: [Felker, Jennifer](#); [Siddens, Stephanie](#)
Subject: RE: recommendation for chartered nonpublic committee
Date: Tuesday, January 20, 2015 10:54:24 PM

Governor Kasich championed an increase in the EdChoice scholarship program to 60,000 students, yet without growing the number of schools participating in the program, we will never have more than 40,000 students using the voucher and likely fewer than that. In order to serve students now in persistently failing public schools with an effective educational option, we need to take steps to increase participation of schools in the program, not raise the costs and burdens of becoming a chartered nonpublic school as this proposal does.

In the wrong hands, the proposed authority of ODE to effectively mandate assessments, set cut scores and revoke charters could easily be used to harass schools out of the voucher program. Imagine what Supt. Theresa Fedor would do with this provision. Private school providers will recognize the threat of ODE authority and further avoid the program as a result.

This proposal runs directly counter to the Governor's regulatory relief efforts. It would increase the regulatory burden on private school providers without any documentation of a significant problem in private school performance. The Department is a poor regulator of quality, as demonstrated by our traditional public school system, and extending its regulatory reach will not make it any more effective.

This proposal runs counter to our strategy in the Office of Quality School Choice to extricate the agency from school level, compliance-focused oversight of private schools and voucher providers in particular. We are trying to establish a state-to-accreditor-to-school oversight system and this proposal would set this effort back significantly. Our plans call for giving private schools more autonomy, similar to what Ohio charters enjoy, in order to give them more room to innovate and differentiate themselves from traditional schools, while creating outcomes-based accountability more independent of political agency control.

School choice is a fundamental education reform strategy, as is assessment and accountability. But no national center-right analyst I'm aware of endorses how Ohio subordinates private school choice and its market accountability to mandated tests, cut scores and their accompanying regulatory accountability. The original Todd Jones document of January 8 proposed a true balance between the two reform strategies.

Governor Kasich championed an increase in the EdChoice scholarship program to 60,000 students, yet without growing the number of schools participating in the program, we will never have more than 40,000 students using the voucher and likely fewer than that. In order to serve students now in persistently failing public schools with an effective educational option, we need to take steps to increase participation of schools in the program, not raise the costs and burdens of becoming a chartered nonpublic school as this proposal does.

In the wrong hands, the proposed authority of ODE to effectively mandate assessments, set cut scores and revoke charters could easily be used to harass schools out of the voucher program.

Imagine what Supt. Theresa Fedor would do with this provision.

Private school providers will recognize the threat of ODE authority and further avoid the program as a result.

This proposal runs directly counter to the Governor's regulatory relief efforts. It would increase the regulatory burden on private school providers without any documentation of a significant problem in private school performance. The Department is a poor regulator of quality, as demonstrated by our traditional public school system, and extending its regulatory reach will not make it any more effective.

This proposal runs counter to our strategy in the Office of Quality School Choice to extricate the agency from school level, compliance-focused oversight of private schools and voucher providers in particular. We are trying to establish a state-to-accreditor-to-school oversight system and this proposal would set this effort back significantly. Our plans call for giving private schools more autonomy, similar to what Ohio charters enjoy, in order to give them more room to innovate and differentiate themselves from traditional schools, while creating outcomes-based accountability more independent of political agency control.

School choice is a fundamental education reform strategy, as is assessment and accountability. But no center-right national analyst that I'm aware of endorses how Ohio subordinates private school choice and its market accountability to mandated tests, cut scores and their accompanying regulatory accountability. The original Todd Jones document of January 8 proposed a true balance between the two reform strategies.

David Hansen

Executive Director, Office of Quality School Choice

614.557.5231

From: Ingraham, Bradley
Sent: Friday, January 16, 2015 3:15 PM
To: Duff, Kevin; Wickham, Sarah; Ross, Richard
Cc: Felker, Jennifer; Hansen, David; Siddens, Stephanie
Subject: recommendation for chartered nonpublic committee

All,

Attached is the recommendation language suggested by Member C. Todd Jones and Senator Lehner for the chartered nonpublic graduation requirements committee.

Please let me know if you have any questions or concerns regarding this language.

Brad Ingraham

Director

Office of Legislative Services

Ohio Department of Education

Cell - (614)315-7940

Office - (614)387-0541

Bradley.Ingraham@education.ohio.gov

Date: Wednesday, January 21, 2015 2:31:51 PM
Attachments: [image001.gif](#)

Why Private Schools Are Opting Out of Voucher Programs

By Arianna Prothero on January 21, 2015 1:47 PM | [No comments](#)

Concerns about too much regulation and maintaining independence are the primary reasons private schools choose not to participate in school voucher or tax-credit scholarship programs, [according to a new report](#).

David J. Hansen

Executive Director, Office of Quality School Choice

614.466.0452 (o) | 614.557.5231 (m) | 877.644.6338

25 South Front Street | Columbus, Ohio 43215

David.Hansen@Education.Ohio.Gov



To: [Wickham, Sarah](#)
Subject: RE: EdChoice History Lesson
Date: Wednesday, January 21, 2015 4:12:10 PM

Was it a Kasich Administration initiative to increase the EdChoice voucher scholarships to 60,000? Or what is something that the administration didn't propose, but accepted when it was introduced by legislature.

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

From: Wickham, Sarah
Sent: Wednesday, January 21, 2015 3:09 PM
To: Hansen, David
Subject: RE: EdChoice History Lesson

Idk what that question means...

From: Hansen, David
Sent: Wednesday, January 21, 2015 2:33 PM
To: Wickham, Sarah
Subject: EdChoice History Lesson

Do you know: did the proposal to increase EdChoice to 60,000 come from the Administration, that is, was in one of the Governor's executive budgets or something like that?

Thanks! David

Why Private Schools Are Opting Out of Voucher Programs

By Arianna Prothero on January 21, 2015 1:47 PM | [No comments](#)

Concerns about too much regulation and maintaining independence are the primary reasons private schools choose not to participate in school voucher or tax-credit scholarship programs, [according to a new report](#).

http://blogs.edweek.org/edweek/charterschoice/2015/01/why_private_schools_are_opting_out_of_voucher_programs.html?utm_source=feedblitz&utm_medium=FeedBlitzRss&utm_campaign=charterschoice

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

To: [Jantausch, Sarah](#); [Lupiba, Pete](#)
Subject: RE: Ross Visit
Date: Thursday, January 22, 2015 10:59:45 AM
Attachments: [image001.jpg](#)
[image002.gif](#)

I've got some thoughts on how I want this visit to work. It's actually not so much of a visit to a specific school as it is a visit to a demonstration site for

Sarah, can we touch base later today on that? Thanks!

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

From: Jantausch, Sarah
Sent: Thursday, January 22, 2015 10:49 AM
To: Lupiba, Pete; Hansen, David
Subject: RE: Ross Visit

Pete,

Andrew Pasquinilli who is the school leader at Nexus would be the best point of contact.

Andrew Pasquinilli



Sarah JanTausch
Assistant to the Executive Director
Office of Quality School Choice

25 South Front Street | Columbus, Ohio 43215
(614)-387-0587 | 877.644.6338
Sarah.jantausch@education.ohio.gov



From: Lupiba, Pete
Sent: Thursday, January 22, 2015 10:47 AM
To: Hansen, David; Jantausch, Sarah
Subject: Ross Visit

Lead contact I should work w/ at Nexus, for next week?

Pete LuPiba

25 South Front Street | Columbus, Ohio 43215
Office: (614) 387-0146 | **Direct: (614) 728-7728**
education.ohio.gov



To: [Wickham, Sarah](#)
Subject: Cleveland charter visits
Date: Friday, January 23, 2015 1:51:24 PM
Attachments: [image001.gif](#)

David J. Hansen

Executive Director, Office of Quality School Choice

614.466.0452 (o) | 614.557.5231 (m) | 877.644.6338

25 South Front Street | Columbus, Ohio 43215

David.Hansen@Education.Ohio.Gov



To: [Jantausch, Sarah](#)
Subject: RE: Tomor
Date: Wednesday, January 28, 2015 10:05:30 AM
Attachments: [image001.gif](#)

Just add a couple of sub-points about the space: not a traditional school design, features a

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

From: Jantausch, Sarah
Sent: Wednesday, January 28, 2015 10:02 AM
To: Hansen, David
Subject: RE: Tomor

Attached is a draft. I am still looking for Andrew's bio... once I get it I will add it.

Sarah JanTausch
Assistant to the Executive Director
Office of Quality School Choice

25 South Front Street | Columbus, Ohio 43215
(614)-387-0587 | 877.644.6338
Sarah.jantausch@education.ohio.gov



From: Hansen, David
Sent: Wednesday, January 28, 2015 9:47 AM
To: Jantausch, Sarah
Subject: RE: Tomor

Sarah, you weren't on the call yesterday and probably should have had you on it, but can you draft up something very, very simple. You've seen the school: we'll start with an overview briefing from Andrew, then "tour" the school with Andrew and Mickey R. (You could get their bio's, I hear that Mickey is now in charge of Connections, which is a very big deal), and then have a follow up discussion after the "tour". Is that ok? Thanks! David

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

From: Lupiba, Pete
Sent: Wednesday, January 28, 2015 8:17 AM
To: Hansen, David
Cc: Jantausch, Sarah
Subject: Tomor

David: did you and Andrew come up w/ a roughed-out agenda tomorrow? What specific classrooms and programs (...just a brief outline, nothing extensive – a few bullets), will RAR be seeing at the school? -pl

Pete LuPiba

25 South Front Street | Columbus, Ohio 43215
Office: (614) 387-0146 | **Direct: (614) 728-7728**
education.ohio.gov



To: [Arledge, Elizabeth](#)
Subject: FW: Division Update Agenda
Date: Tuesday, February 10, 2015 3:02:03 PM

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

From: Gratz, Steven
Sent: Tuesday, February 10, 2015 2:55 PM
To: Hansen, David
Subject: FW: Division Update Agenda

FYI

From: Arledge, Elizabeth
Sent: Tuesday, February 10, 2015 2:13 PM
To: Siddens, Stephanie; Simmerer, Julia; Gratz, Steven; Woolard, J; Carpenter, Douglas
Subject: Division Update Agenda

Please send me your agenda items for the division update before 9:00 tomorrow morning.

Thanks,
Beth

Subject: FW: please save FACA Falcon Academy of Creative Arts
Date: Tuesday, February 17, 2015 12:11:45 PM

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

From: ODE Superintendent
Sent: Tuesday, February 17, 2015 11:42 AM
To: Hansen, David
Subject: FW: please save FACA Falcon Academy of Creative Arts

From: Donya Bedillion [<mailto:bedillion8@aol.com>]
Sent: Friday, February 13, 2015 11:17 AM
To: ODE Superintendent
Subject: please save FACA Falcon Academy of Creative Arts

The Field board of Education is (without merit) trying to pull it's sponsorship of FACA..please help us ..there are over 150 children that will literally be left out in the cold without this school. The curriculum at FACA and the teaching style is like NO other public school in our area. My daughter is thriving at FACA. She is maintaing a 4.0 GPA in advanced coursework and the experience she is gaining in musical theatre and art is beyond compare..It terrifies me to think that she may have to go back to a non-creative arts school next year. PLEASE help us save FACA. The Field BOE is basing their decision on dollars NOT education and certainly NOT art.
thank you in advance for any assistance you may offer.
Donya Bedillion
PROUD parent and supporter of FACA

Subject: FW: Full-Time Virtual Charter Schools
Date: Thursday, February 19, 2015 1:11:34 PM

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

From: Todd Ziebarth [mailto:Todd@publiccharters.org]
Sent: Thursday, February 19, 2015 10:37 AM
To: Hansen, David
Subject: Re: Full-Time Virtual Charter Schools

Great. Thanks David.

Sure. We've been working for awhile on a report on full-time virtual charters. As part of that effort, we asked Jim Griffin and Jody Ernst at Momentum Strategy & Research to conduct a performance analysis. We'll be including that analysis in the report. We'll also be citing other analyses and studies and providing policy recommendations. If you're interested, I'd be happy to share a draft of the report with you for your feedback once it's completed (probably sometime in March).

OH is one of the biggest (if not the biggest) full-time virtual charter states in the country.

From: Hansen, David <david.hansen@education.ohio.gov>
Sent: Wednesday, February 18, 2015 6:27 PM
To: Todd Ziebarth
Subject: RE: Full-Time Virtual Charter Schools

Steve Tate will confirm these for you tomorrow or so.

Can you tell me more sometime about this report? We've got a third of our charter kids in eschools and they weigh heavily (and unfavorably) on overall academic results of our charters. We've got our one analysis with our university researcher types underway (a demographics-to-academic results study) and we've talked to iNACOL about a study and recommendation of "best practices" for virtual charters.

Don't know, but I think OH is a pretty big virtual charter state, isn't it?

Thanks, David

David Hansen

Executive Director, Office of Quality School Choice
614.557.5231

From: Todd Ziebarth [<mailto:Todd@publiccharters.org>]
Sent: Wednesday, February 18, 2015 5:00 PM
To: Hansen, David
Subject: Full-Time Virtual Charter Schools

Hi David,

We're in the midst of work on a major report on full-time virtual charter schools. We have identified which charters are full-time virtual schools in each state and want to double check this information. Will you take a look at the attached document and confirm that these schools are the full-time virtual charters in your state? Thanks.

Todd

Date: Thursday, February 19, 2015 3:51:11 PM
Attachments: [image001.gif](#)

David J. Hansen

Executive Director, Office of Quality School Choice

614.466.0452 (o) | 614.557.5231 (m) | 877.644.6338

25 South Front Street | Columbus, Ohio 43215

David.Hansen@Education.Ohio.Gov



Subject: FW: Concerns with Education Trust-Midwest Report on Charter School Authorizer Accountability
Date: Friday, February 20, 2015 9:12:44 AM

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

From: David Hansen [mailto:hansen.david.j@gmail.com]
Sent: Friday, February 20, 2015 6:41 AM
To: Hansen, David
Subject: Concerns with Education Trust-Midwest Report on Charter School Authorizer Accountability

<https://www.edreform.com/2015/02/concerns-with-education-trust-midwest-report-on-charter-school-authorizer-accountability/>

CONCERNS WITH EDUCATION TRUST- MIDWEST REPORT ON CHARTER SCHOOL AUTHORIZER ACCOUNTABILITY

February 2015

The Center for Education Reform (CER) is concerned with a new report out today by The Education Trust-Midwest titled [*Accountability for All: The Need for Real Charter School Authorizer Accountability in Michigan*](#), taking issue with the methodology clearly used to fulfill preconceived notions. CER believes strongly in accountability and holding all schools to high standards. Performance-based accountability is essential in determining whether schools are doing right by students or not. The issue is not that the Report is calling for accountability, but that it makes sweeping statements and conclusions about accountability in Michigan's charter school sector relying on misleading methodology.

CER will continue to analyze the Report. What follows are The Center's initial criticisms we feel are important to address so lawmakers and the public can separate fact from fiction.

1) What the report claims: “Charter school authorizers, in particular, are arguably accountable to no one – not even our state’s governor – though almost one billion Michigan taxpayer dollars are spent on charter schools each year.”

Why this is inaccurate: Charter schools in Michigan are the only public schools held to any standards of accountability. Consider:

- Michigan spends [\\$13 billion on K-12 public education per year](#) in state taxpayer money, with no accountability for results.
- Not one traditional public school has been closed for academic reasons.
- Twenty-two percent of Michigan charters ever opened have been closed, far out-pacing the national charter school closure rate of 15 percent.
- Michigan allows only public state universities or community colleges to authorize charter schools, not private ones. The governor makes appointments to public university boards of trustees. We have linked to the Michigan statute here: [380.502\(2\)\(b\)-\(c\)](#).
- The State Superintendent could execute his authority to suspend an authorizer but has yet to do so. Authorizers have been working with the Department of Education to identify criteria by which the Superintendent can act. The law states:

[MCL 380.502\(5\)](#) If the superintendent of public instruction finds that an authorizing body is not engaging in appropriate continuing oversight of 1 or more public school academies operating under a contract issued by the authorizing body, the superintendent of public instruction may suspend the power of the authorizing body to issue new contracts to organize and operate public school academies. A contract issued by the authorizing body during the suspension is void. A contract issued by the authorizing body before the suspension is not affected by the suspension.

2) What the Report claims: “Fairness about the authorizers included – There are 40 total authorizers in the state of Michigan. Not all authorizers had enough available data to be included in our analysis. For example, a new authorizer may

have opened a school just a year or two ago that has no track record in Michigan or may have too small an enrollment to be included in the state's accountability data. In total, 16 authorizers are graded as part of this scorecard. These 16 authorizers are responsible for roughly 135,000 charter students, or about 96 percent of all charter students in the state.”

Why this is inaccurate: While Education Trust-Midwest admits its own shortcomings in the sample-size of authorizers included, its rubric for grading authorizers is significantly misleading.

- Report's methodology only grades 16 authorizers in total, or only 40 percent of authorizers in the state.
- Highly graded authorizers in the Report only have one or two schools in their portfolio. For example, authorizers Wayne RESA, Hillsdale ISD, and Macomb ISD did not have any turnaround schools or charter takeovers yet were awarded 100% in this category of scoring. All of their charters were founded organically or were formerly private/Montessori schools.

3) What the Report claims: “Over 20 years ago the first charters opened in Michigan with the promise of offering a better alternative than what was currently offered by traditional school districts. However, many have failed to live to this promise...”

Why this is inaccurate: The charter school sector in Michigan is strong and meeting the demands of parent choice. State law allows for a diversity of providers, educational approaches and increased instructional time.

- There are over [12,000 students](#) on charter school wait lists.
- It is worth repeating: Not one traditional public school has been closed for academic reasons, yet 22 percent of Michigan charters ever opened have been closed, far [out-pacing the national charter school closure rate of 15 percent](#).
- Michigan's charter community takes accountability seriously and the Michigan Council of Charter School Authorizers has responsibly proposed an evaluation and accreditation system that can be sanctioned by the state to ensure quality authorizing.

4) What the Report claims: “Clearly, in creating so many authorizers – with virtually no state oversight – Michigan leaders created a serious charter school quality problem.”

Why this is inaccurate: Michigan charter schools have to abide by the same rules and regulations as traditional public schools, but charter schools actually have more oversight and evaluation than traditional schools do because of the nature of their charter contracts. Data proves that this oversight has led to stronger academic performance among charters.

- In the 2014 Michigan Department of Education’s “[Beating the Odds](#)” report, which considers the academic performance of all public school buildings in Michigan relative to schools with similar student populations, Michigan charter schools performed an average of four percentage points better than the average traditional public school.
- Forty-two percent of Michigan charter schools outperform traditional public schools in math, and 35 percent outperform in reading.
- Annually, the typical Michigan charter student will make gains in math and reading equivalent to two additional months of learning compared to their traditional school peers.
- In Detroit during the course of a school year, charter students gained an additional three months of learning in math and reading when compared to their traditional school peers.
- While the Report cited CREDO’s report, [Charter School Performance in Michigan](#), the authors intentionally ignored one of CREDO’s key findings:

“About 84 percent of charters have achievement results below the 50th percentile of the state (the sum of the two bottom quadrants). More than half of Michigan charters have positive growth and achievement below the 50th percentile in the state, as seen in the bottom right pink quadrant. If those schools continue their trends of positive academic growth, their achievement would be expected to rise over time.”

5) What the Report claims: “The National Association of Charter School Authorizers warns against states having too many authorizers. Why? Because in states with too many authorizers, poor performing schools can shop around for an authorizer with weak approval standards.”

Why this is inaccurate: Actually, Michigan serves as a [national model](#). Here’s why:

- Michigan’s charter authorizers have closed 67 schools since the charter law’s inception.
- Since 2010, 117 new charter schools have opened in Michigan while 26 were closed, a net annual gain of 23 schools.
- In Detroit, 15 charter schools have opened in the last five years amid 10 closures, a net gain of one school opening per year.
- Over the past decade, Central Michigan University has received 259 charter applications, 22 (or eight percent) actually became operational.
- On average, Grand Valley State University has awarded charters to six percent of applicants annually over the last five years.
- The Michigan Council of Charter School Authorizers adopted a School Performance Policy in June 2014. In that policy, authorizers commit to closing schools performing at or below the 5th percentile rank on the MDE’s annual Top to Bottom list. (There is an additional provision that says “Member authorized schools ranking at or below the 5th percentile rank on the above referenced ranking system without trending upward on growth and proficiency measures will be closed.”)
- Michigan’s charter school law has very strict transparency provisions that require charter schools to publicly report their charter contract; board members’ terms, policies, meeting minutes and agendas; budgets approved by the board; copies of bills paid to vendors or service providers; quarterly financials; personnel and salaries; copies of management contracts; etc. [MCL 380.503\(1\)](#), [MCL 380.503\(6\)](#).
- Charter schools in Michigan are prohibited from hiring anyone to work in the school that has a potential conflict of interest or relationship with a board

member of the school.

- Traditional public schools in Michigan do not have to follow the above provision and operate under a much-lesser standard.
- Michigan law states decisions surrounding charter contract renewals must include, “increases in academic achievement for all groups of pupils as measured by assessments and other objective criteria as the most important factor in the decision of whether or not to renew the contract.”

6) What the Report claims: “Indeed, charter growth – and the money and power accumulated by such growth – appears to be prioritized above student learning in Michigan.”

Why this is inaccurate: By no means does the data prove to be “sharp growth” as the Report states. Consider:

- There were 75,000 students in Michigan charters in the first 10 years. Only 65,000 more in the last 10 years.
- In fact, charters grew more when there was a cap in place in Michigan than when there wasn’t.
- Nationally, charter schools have [grown at a steady, linear pace](#).

7) What the Report claims: “According to the National Association of Charter School Authorizers, whose membership includes many of the largest charter authorizers nationwide and within our state, Michigan follows almost none of the organization’s principles for quality charter authorizing.”

Why this is inaccurate: In analyzing the strength of charter school policies, it’s vital to understand and take into consideration [how provisions play out on the ground](#). Despite NACSA recognizing ‘policy alone does not make great schools,’ their report, *On the Road to Better Accountability: An Analysis of State Charter School Policies*, relies heavily on the organization’s own model.

- NACSA’s suggested standards are heavily focused on inputs and paperwork. There is [no evidence in any one state that adopting NACSA standards have any bearing on student success](#) and ensuring a robust charter sector to meet

educational needs.

- For instance, Washington State earns a full 30 out of 30 points in NACSA's latest analysis, yet there is only one charter school in existence in the entire state.
- The District of Columbia, Michigan and New York (all of which have proven models of high-quality authorizing), fared poorly in NACSA's report simply because these states have not 'adopted' or contracted with NACSA to implement its recommended standards in authorizing.
- Yet, all three boast major gains in student achievement, have higher closure rates for charter schools than the national average, and have demonstrated proven approaches to ensuring the highest levels of accountability.

David Hansen
614.783.0309

To: [JanTausch, Sarah](#)
Subject: FW: Testimony attached and another request
Date: Friday, February 20, 2015 5:17:29 PM
Attachments: [REVISED CMSD House Bill 2 Testimony.docx](#)

And this for

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

From: Stephanie Klupinski [mailto:sklupinski@gmail.com]
Sent: Friday, February 20, 2015 12:30 PM
To: Hansen, David
Subject: Testimony attached and another request

Hi! Good talking with you today.

Attached is the testimony CMSD submitted on HB 2.

Also, we are having a hard time getting some data that we need for our academic frameworks for our charters. Our Executive Director of School Performance, Nick D'Amico, had talked with Matt Cohen to get the data (see below). As of now, we still don't have it. If you can help us get the data soon, that would be great. We're revamping our performance contracts in accordance with the SPR.

Thanks,
Stephanie

From: D'Amico, Nicholas
Sent: Tuesday, February 03, 2015 5:03 PM
To: matt.cohen@education.ohio.gov
Subject: School Level Data for Charter Schools in Ohio's Urban 8

Hi Matt,

I am at the Cleveland Metropolitan School District and trying to help improve our process in authorizing and sponsoring charter schools. As part of our efforts to better align with the state's guidelines on authorizing charter schools. As part of this effort, we are trying to help set goals for our sponsored schools that are bench marked against other, similar charter schools in the Ohio Urban 8.

One of the goals we want to set is related to one year value add data. I can obtain the a data file with 1 year value add data for our district schools. I can obtain this data for other schools via Ohio's public value-add website, but it requires me to go to each school. I was wondering it was possible for you to send me a datafile (.csv or .xlsx) with the 1 year value add scores for all the schools in Ohio's Urban 8, for the past three years?

Thanks in advance for any help you can offer.

Best,
Nick D'Amico



February 18, 2018

Chairman Hayes, Vice Chair Brenner, Ranking Member Fedor, and members of the House Education Committee, thank for the opportunity to provide written testimony in support of House Bill 2. The Cleveland Metropolitan School District supports House Bill 2 and believes the changes proposed will help strengthen Ohio's charter school movement.

CMSD is committed to working with high-quality charters to provide great educational choices to Cleveland's children. We sponsor eight charter schools, including the Entrepreneurship Preparatory Academies, which achieve some of the best scores in the state for value add, and the Intergenerational Schools, which recently were awarded the prestigious Eisner Prize.

CMSD is not only a charter school sponsor, but we are also a proud charter school *partner*. As a result of the Cleveland Plan (made possible by the Ohio General Assembly), our fifteen partnering charter schools share in the proceeds of the local education levy, approved by Cleveland voters in 2012. Moreover, Cleveland was recently awarded a planning grant to form a Gates District/Charter Compact, and CMSD and charters in Cleveland are beginning to explore ways to work collaboratively on issues such as special education and facilities.

As a charter partner, CMSD believes that HB2 promotes charter school accountability in needed areas. In particular, we applaud the provision that requires charter schools receiving low grades in performance index and value added to seek approval from the Ohio Department of Education before contracting with a new sponsor. This change should prevent the sponsor hopping that enables some poor-performing charter schools to find refuge through another charter school sponsor. We also support the measures designed to increase accountability for charter school operators and those aimed at providing more structure for the contracts between operators and governing boards.

House Bill 2 also requires all members of a charter governing board to file annual disclosure statements, which CMSD supports. But there is one provision of the bill that we feel needs some refinement. The bill prohibits any employee of a vendor under contract with a district or educational service center sponsor from serving on the governing board of a school sponsored by that district or ESC. This provision as written only targets certain types of sponsors. If such a provision were deemed necessary by the Ohio Legislature, CMSD believes it should apply to all charter school sponsors. Additionally, districts and ESCs often have hundreds of vendors employing thousands of people across the region. This provision would have a dramatic and detrimental impact on the ability of charter schools in these areas to find qualified board member. Some members of the high-performing Breakthrough Charter School network are employed by CMSD vendors; under this provision, they would need to quit their job or resign from the charter board. CMSD appreciates the concern for governing board independence that likely prompted this provision, but we feel that these concerns are already addressed by current law and through the bill's requirement for annual disclosure statements.

The Cleveland Metropolitan School District thanks Representative Dovilla and Roegner for sponsoring House Bill 2. With its emphasis on sponsor quality, governing board independence, and transparency, the bill will do much to promote charter school accountability.

Chief Executive Officer
Eric S. Gordon

Board of Education
Denise W. Link
Board Chair

Louise P. Dempsey
Vice Chair

Ericka L. Abrams

Anne E. Bingham

Robert M. Heard, Sr.

Willetta A. Milam

Shaletha T. Mitchell

Stephanie Morales

Lisa Thomas, Ph.D.

Ex Officio Members

Ronald M. Berkman, Ph.D.

Alex Johnson, Ph.D.

To: [Rausch, Aaron](#); [Jantausch, Sarah](#); Faith.Behringer@education.ohio.gov
Subject: RE: Laura Robison
Date: Tuesday, February 24, 2015 2:25:33 PM
Attachments: [image001.gif](#)

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

From: Rausch, Aaron
Sent: Tuesday, February 24, 2015 12:46 PM
To: Jantausch, Sarah
Cc: Hansen, David
Subject: RE: Laura Robison

I emailed Laura and let her know about the position. I also called Jake Taylor.

Thanks!

Aaron

From: Jantausch, Sarah
Sent: Thursday, February 19, 2015 5:56 PM
To: Rausch, Aaron
Cc: Hansen, David
Subject: Laura Robison

Aaron,

Please see Laura's resume (attached). Her civil service application is on file with HR.

Sarah JanTausch
Assistant to the Executive Director
Office of Quality School Choice

25 South Front Street | Columbus, Ohio 43215
(614)-387-0587 | 877.644.6338
Sarah.jantausch@education.ohio.gov



To: [Charlton, John](#); [Hoffman, Joni](#)
Subject: RE: Eschools
Date: Friday, February 27, 2015 12:52:29 PM
Attachments: [image001.gif](#)

Yes.

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

From: Charlton, John
Sent: Friday, February 27, 2015 10:40 AM
To: Hoffman, Joni; Hansen, David
Subject: RE: Eschools

Recent history question. Was there a moratorium on new e schools? When was that lifted?
John

From: Hoffman, Joni
Sent: Friday, February 27, 2015 10:18 AM
To: Charlton, John; Hansen, David
Subject: RE: Eschools

No one applied; nothing to post!

From: Charlton, John
Sent: Friday, February 27, 2015 10:05 AM
To: Hansen, David; Hoffman, Joni
Subject: Eschools

Are we posting new e-schools today?
Are there any?

John Charlton
Associate Director of Communications
25 South Front Street | Columbus, Ohio 43215-4183
(614) 728-5959 | (877) 644-6338 | (614) 307-8512 (cell)
john.charlton@education.ohio.gov
www.education.ohio.gov



To: [Charlton, John](#)
Subject: RE: Loophole seen in school-sale law | The Columbus Dispatch
Date: Monday, March 02, 2015 10:31:38 AM

Traditionals hate the right of first refusal because it is the ONLY thing that prevents them from doing exactly that, getting big bucks back on a property which they put into their general revenue. So I don't see why it's questionable when a charter does it but not when the district does it.

When the traditionals are able to skirt the issue, as they have in several spectacular instances over the years, well-intentioned charters (those that do just want to use the property for schooling) lose out.

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

From: Charlton, John
Sent: Monday, March 02, 2015 9:54 AM
To: Hansen, David; Sponhour, Michael
Subject: RE: Loophole seen in school-sale law | The Columbus Dispatch

If a charter school owns a property and wants to sell it, let it go to highest bidder. If they are required by law, as traditional publics are, to sell it to another charter school first before the bid process, then isn't questionable to sell it to a school partnering with a third party that wants to re-purchase the school, tear it down and build luxury condominiums.

From: Hansen, David
Sent: Monday, March 02, 2015 9:49 AM
To: Charlton, John; Sponhour, Michael
Subject: RE: Loophole seen in school-sale law | The Columbus Dispatch

So it's ok for the traditional school district to do the same, but not for a charter? Actually, it should be wrong for both, or right for both, but not ok for one and not for the other.

It seems like a fairly speculative story, lacking direct confirmation, but lots of quotes from the educational status quo trying to clamp down on moving facilities to charters.

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

From: Charlton, John
Sent: Monday, March 02, 2015 9:46 AM
To: Hansen, David; Sponhour, Michael
Subject: RE: Loophole seen in school-sale law | The Columbus Dispatch

I have no problem if a charter school is working with a third party to purchase a school from a

traditional public. My understanding is that a developer wants to partner with a charter to purchase the school at a relatively low price and then purchase it from the charter for a higher price (giving the charter school a profit) yet still less than what it would have been bid up to, but then developing the property as something besides a charter school.

From: Hansen, David
Sent: Monday, March 02, 2015 9:41 AM
To: Charlton, John; Sponhour, Michael
Subject: RE: Loophole seen in school-sale law | The Columbus Dispatch
Importance: High

I strongly disagree: What's going on is that the districts want to get these schools to sale so they can get bidded up prices for themselves. So this is one battle in a broad contest between two kinds of public schools and the traditional are no angels. And charters have over the years continually gotten the shaft on facilities access. I'm not saying that charters should necessarily benefit from bidded up prices in place of traditional, but there's also some good, legitimate reasons for charters to be working with developers on a school site.

The path of this story this leads down is to, no doubt, more restrictions on a process that actually pries some surplus buildings (made surplus by the generosity of the state) into charters.

Further, the districts have had a devious, disgusting track record of dealing with the facilities to charters law. I've heard reports from reputable sources that they've torn down schools in Ohio rather than allow them to go charters. There's news accounts of this happening in Michigan. Ohio schools been sued (Cincinnati) successfully, by the 1852 Institute, trying to get them to adhere to the law about charter access to school facilities.

David Hansen
Executive Director, Office of Quality School Choice
614.557.5231

From: Charlton, John
Sent: Monday, March 02, 2015 9:20 AM
To: Hansen, David
Subject: RE: Loophole seen in school-sale law | The Columbus Dispatch

I can't remember if it was Bush or someone else who contacted me the day the sale started. But there was a non-public charter holding itself out as a public charter in order to get dibs. We shared the law with them that the public charter got first dibs.

This article actually does a good job of pointing out how unethical it would be for a charter to partner with a developer for financial gain when clearly the law was intended to give charters the opportunity to purchase facilities without having to compete in a bidding process that may drive the price way up.

John

From: Hansen, David
Sent: Sunday, March 01, 2015 2:46 PM
To: Charlton, John
Subject: Fwd: Loophole seen in school-sale law | The Columbus Dispatch

<http://www.dispatch.com/content/stories/local/2015/03/01/loophole-seen-in-school-sale-law.html>

did bush contact us on this? Of course, the District would like to flip the property for its gain as much as the charter might. There's much more to this property transfer process than what's being portrayed here.

David Hansen - 614.557.5231
ODE Office of Quality School Choice

Begin forwarded message:

From: srjantau <srjantau@gmail.com>
Date: March 1, 2015 at 12:04:39 PM EST
To: joni.hoffman@education.ohio.gov, David Hansen
<david.hansen@education.ohio.gov>
Subject: Loophole seen in school-sale law | The Columbus Dispatch

Have either of you heard anything surrounding this story? This is the first I've heard of it.

<http://www.dispatch.com/content/stories/local/2015/03/01/loophole-seen-in-school-sale-law.html>

Sarah JanTausch
740-816-4909

Subject: RE: St. Albert Reimbursement
Date: Monday, March 09, 2015 5:29:59 PM

19. APPENDIX – ODE JUNE 19, 2015 EMAIL RE: E-SCHOOL PUBLIC RECORDS REQUEST

This Appendix includes the June 19, 2015 email regarding an e-school public records request from Jimmy Sheppard, Chief of Staff, to Melissa Huffman, the ODE Chief Operating Officer, Jessica Voltolini, Director of Legislative Affairs; Don Leming, Assistant Legal Counsel; David Hansen, Executive Director of Quality School Choice; and other Policy Staff.

From: [Sheppard, Jimmy](#)
To: [Huffman, Melissa](#); [Charlton, John](#); [Hansen, David](#); [Leming, Donald](#); [Duff, Kevin](#); [Huffman, Melissa](#); [Charlton, John](#); [Hansen, David](#); [Leming, Donald](#); [Duff, Kevin](#)
Subject: RE: Public Records Request DJH.docx
Date: Friday, June 19, 2015 10:58:36 AM
Attachments: [Public Records Request DJH.DOCX](#)
[image001.jpg](#)

Attached, Kevin.

Jimmy Sheppard

Chief of Staff

Office of the Superintendent

25 South Front Street | Columbus, Ohio 43215-4183

(614) 466-9221 | (614) 420-6962

Jimmy.Sheppard@education.ohio.gov

education.ohio.gov

ODE_Signature_image



From: Huffman, Melissa
Sent: Friday, June 19, 2015 10:20 AM
To: Charlton, John; Hansen, David; Leming, Donald; Sheppard, Jimmy
Subject: Public Records Request DJH.docx

I made some of your changes David and then also added some comments. Can all of your review and provide thoughts. Please push back where you feel it is appropriate.

Thanks!
Melissa

Public Records Request:

Colleen would like the data and calculations used to rate each of the sponsors that have received a rating.

The data will be available June 19, 2015 by 5:00 pm

Comment [DJH1]: No problem. I think they're printing right now.

Questions:

1) What schools were excluded from the student performance (academic) measure?

E schools and DOPR schools were included in the overall authorizer evaluation but were excluded from the academic measure this year only. Next year, the academic portion will include e-schools and DOPR schools when the gains measures for drop out recovery becomes available. The e-schools were omitted from the academic evaluation this year due to the ODE business rule change.

Comment [DJH2]: A requested listing of items will follow. You might want to pick a couple to add to this here. Or not.

2) Why choose only one measure (VA)? Why not PI? Why VA, when it only addresses 5 grade levels and 2 subjects, and is not available for over half of charter schools?

Comment [HM3]: What is the reason for phasing in and perhaps to address some of the push back we are experiencing we add them all in next year.

Value add and Performance Index are used to determine effective and ineffective seats. If a school's value added score is an A or a B then performance index is not a factor because the indication is that students are learning. If a school's value add is a C, then the evaluation examines the Performance Index score. If that score is an A, B, or C the seats for that school are determined to be effective. If not then the seats are counted as not effective.

Comment [DJH4]: Technically, the eschools will be phased in.

Value added is utilized to determine if charter schools are making learning gains with their students regardless of the student's academic starting point. Authorizers are expected to significantly increase the students' academic achievement in order for a seat to be considered effective. The use of value add and performance index is an effective tool to determine the impact education is having on students and if authorizers are effectively reaching their goals.

Comment [DJH5]: Comparative. Begs question, "so better than what?" How about "is an effective tool"...

The Department's first target category for charter school quality development are the brick and mortar, non-DOPR schools serving disadvantaged children in Ohio's challenged districts. Value add is very inclusive of these schools. For the majority of charter authorizers, value add is available for 80%-90% of their schools in this category. (The table below also includes conversion charters.) There are few non-DOPR charter high schools and even fewer that are strictly 9-12.

Comment [DJH6]: Small edit add "of"

Comment [DJH7]: Strike last sentence. Replace with "This is because there are few non-DOPR charter high schools, and even fewer that are strictly grades 9-12."

Value Add	PI Grade	Brick and Mortar School Count	Charter School Seat Evaluation for Authorizer
A,B		100	Effective
	A, B	2	
C	C	11	
	D, F	45	
D, F		79	Not Effective

The need for value add in DOPR education is even greater. Student achievement at DOPR schools easily ranges from those missing a credit or OGT in order to graduate to students who

are reading and math illiterate. Any fair assessment of the school would require a value added measure of the learning taking place by its students.

3) Is there anything factually wrong in the article?

There are points in the article that required additional information.

- The evaluation utilizes performance index and value added.
- The department did communicate to the authorizers the design of the academic portion of the evaluation.
- The e-school population constitutes one third of the charter school population. Academic performance is also only one third of the overall sponsor/authorizer evaluation. The academic performance standard calculations will increase starting next year. The 2013- 2014 school year will serve as a base line for evaluation. When ODE changed its value added business rules to include many more students from a wider selection of school districts, beginning in SY 12-13, every single statewide e-school was found to not meet value add. The impact of the business rule change had important implications for the credibility of value add which required deep investigation. Thus leading to the phase in including the e-schools inclusion into the overall sponsor evaluation. (The below is something we may not want to include.)
 - It is also important to note that brick and mortar charter schools may have students attending schools from three or four nearby school districts. Those students' academic starting points are mostly common.
 - Most e-schools have students that come from a variety of districts across the state. The students may have vastly different education choices, education backgrounds, and culture differences that impact academic starting points. Therefore more work goes into vigorously improving the performance index and value add of these students. These factors lead to the delay of inclusion into the overall sponsor evaluation.

Comment [DJH8]: I thought the "one-third of one-third" formulation made the point better...

Comment [HM9]: Added phase in but we should discuss if this is still the right thing to do.

Comment [DJH10]: Instead of "delay" do you want "to phase in"? that's what's happening...

Comment [HM11]: David, would it be fair to say that in our deep investigation of the data regarding e-school students that we are examining the impact that school district origin has on academic performance. If that is the case then see points below. If we can provide some explanation of what we are investigating with the qualifier that this is speculation would that be helpful?

Comment [DJH12]: This is tough to get into. And it is on one level speculative: we haven't proven it and we may not have the data to prove it...

E-School	Value-Added Composite Results Over Time					Change in ODE VA Business Rules	
	2006-7	2007-8	2008-9	2009-10	2010-11	2011-12	2012-13
BOSS	Met	Met	Met	Above	Met	Below	F
CONNECTIONS	Above	Met	Above	Above	Met	Below	F
ECOT	Above	Met	Above	Met	Met	Below	F
OHDELA	Above	Above	Above	Met	Met	Below	F
OHVA	Met	Below	Above	Below	Above	Below	F
TRECA	Above	Met	Above	Below	Met	Below	F
VCS	Met	Below	Above	Met	Met	Below	D

20. APPENDIX – SUMMARIZED TRANSCRIPTS OF STATE BOARD OF EDUCATION MEETINGS PERTINENT TO AOS SPECIAL AUDIT INVESTIGATION

This Appendix includes the summarized transcripts of certain State Board of Education meetings that AOS identified as pertinent to its special audit. The dates of these meetings were:

Note: A *summarized* transcript is a transcript that eliminates stutters, "uhs" and "ums," and incomplete, cut-off sentences by one or more of the speakers in the interview.

- July 14, 2015
- September 15, 2015

ODE

State Board of Education

Excerpt from Meeting on 7-14-2015

Ross: Mr. President, if I may, and I think that is a worthy and a good question, but I really need David Hansen to get back to work on a grant can I have him answer the question, because we have a \$40 million grant that needs to be inputted soon.

Gunlock: O.K.

David Hansen enters the room

Ross: David, if you would come up and answer the question and have you, do come up here David.

Gunlock: Senator, do you want to ask your question again?

Lehner: I would be happy to repeat the question. Um, David, it was reported several weeks ago that the department had continued its process of evaluating sponsors and rating them and their sponsor evaluation came out two entities and Um it was specifically sited that Drop Out Recovery Schools that were sponsored by these two entities as well as E-Schools that were sponsored by these two entities were not included under the student portfolio piece of that evaluation and it specifically says in Ohio law under 3314.016 that the only schools that can be excluded, if I'm reading it correctly and it's quite possible I'm not, Um, the only schools that can be excluded are schools serving special needs children.....

Hansen: And new schools also.

Lehner: ... and I have asked several times, and new schools also, I've asked several times as to why the department moved ahead and granted a label for those schools. I know it was said they didn't have adequate data, well it would seem like the appropriate thing would be then to defer the evaluation until you had it, but I, that's the question and I'd love to hear the answer.

Hansen: Sure, so I read the statute as giving us the ability to design an academic evaluation system for authorizer's portfolios, which is different than an evaluation system for schools and when we designed that system we looked at exactly the same thing you were talking about. We wanted our charter system to be focused first and foremost on serving deeply disadvantaged kids in our urban neighborhoods which is where the brick and mortar, on site K thru 12 charter school system is actually doing better than most people understand, it's masked by E-school performance and it's masked by, I don't want to say necessarily by Drop Out Recovery prevention, but that is a whole challenging area all in itself. Those two sectors at 55,000 students each masked the success in many cases found with specific high performing schools that were all pretty familiar with, but also over the past three or four years, I wasn't here for Joni's presentation, you know we closed 21 charter schools last summer, another 11 to 15 closed this summer before the automatic closure law was closing schools. If you look at

the brick and mortar K thru 12 charter schools over seen by the exemplary authorizers the amount of learning that takes place in those schools is a B- average in the big 8 cities where the average Value-Added is actually an F. So that's a success story and so we wanted to focus our portfolio evaluation system on learning to taking place in schools and when we wanted to do that we wanted to look at it in terms of Value-Add and Value-Add is not ready yet for Drop Out Recovery and Value-Add has had problems in terms of its impact and assessment capacity if you will of statewide on line charter schools. So, the Value-Added system and again I'm not Matt Cohen, but when you look at it enough, what you understand is that it works very well for what we understood to be schools ten years ago, 100, 200, 500, maybe up to 2,000 kids at a location, servicing an area that generally can be described as in a county if (inaudible) in a city, it worked very well and now we were having these entities that had 10,000, 15,000 students scattered all over every county in Ohio and we did a business rule change in I won't necessarily have all the years correctly, but I think it was school year 2011-2012 which means you were seeing the, maybe , so anyway, let's say roughly 2011-2012 which showed charter schools before that business, E-schools excuse me, E-schools before that business rule change doing well. They were meeting the Value-Add expectation often exceeding Value-Add expectations. The business rule changed led to many new students being put into the Value-Add process and then suddenly between one year and the next E-schools were no longer being rated as effective and it took two years of research and argumentation with different kinds of entities that are involved in this to understand that the business rule change was in fact an improvement in the accuracy in Value-Add. So, going back to the focus of what are we going to base the academic evaluation portion on looking at looking at our goal which is to grow the brick and mortar K thru 12 charter which is what really is serving disadvantaged students that we are trying to target at knowing that we have not had a consistent Value-Add system with E-schools, but we're getting one in the sense that we could sell it to E-schools from this point forward we said that we would like to weight your students as one with your current results and expect better results, meaning the same targets we have overall over sort of our five year time frame in terms of improving overall charter school sector. So, a couple points to remember, before...

Ross: Well let's start, do you believe E-Schools should be evaluated?

Hansen: Absolutely.

Ross: Let's start there, I mean there's no dispute on that.

Hansen: Oh, yeah, so let me tell you...

Lehner: There's no dispute on that, there's also no dispute that the law...

Gunlock: One at a time.

Lehner: ...didn't permit you to take out E-schools and Drop Out Recovery Schools from that evaluation process.

Hansen: Oh, no they're in there, there in that process, there in the evaluation of the academic outcomes of these schools.

Lehner: That's what the report, so you're saying they were in there?

Hansen: They're in there.

Lehner: Because, that's what the story ran in the Plain Dealer indicated.

Hansen: Weighted in the sense this is a...

Lehner: They were not in there.

Hansen: This was a base year and that we're going to now. This year is a base year for the performance.

Ross: Where is that packet?

Unknown: Inaudible

Hansen: Meaning when we have the Value-Add for the next year they're going to include it.

Lehner: So they were not in there, included this year. So the exemplary label given to Buckeye did not include a number of their schools in their portfolio?

Hansen: Ah, it included them in terms of the academic component, Ah, it included them in term of the fact that they, no they didn't actually get included in that.

Lehner: Ok.

Voltolini: Senator Lehner, I apologize, we sent information over to the Senate as well as the House so obviously that didn't make it to your desk so I can circle back up with you.

Ross: Well maybe we can (inaudible)

Voltolini: (Inaudible)

Gunlock: Hey, time out we're going to do this one at a time, ok so you can talk first and then she can talk.

Ross: Mr. President, I would suggest we send that same correspondence to every member of the Board so they can have an understanding of what we sent out to the Legislature and the House.

Lehner: Yeah, maybe I've seen what you're talking about, but I ... not based on what you just said.

Gunlock: Jessica, go ahead.

Voltolini: I was just saying I can make sure she, I can get her a copy.

Gunlock: Ok.

Excerpt of State Board of Education Accountability Meeting

Superintendent Report Part 3

09/15/2015

4:07

Ross: Before we, and I think Chris is going to stay, before we go into the next two that relate to the sponsor evaluation issue that we are dealing with, I just want to tell you and I have shared with the board before that I am very disappointed and upset about this. It is something that is so counter to everything I believe. I believe in the accountability for all schools. Doesn't matter if they are community schools or traditional schools. And that's important because if we are going to have accountability we have to have accurate data. So the exclusion of e-schools' data and the inclusive of special ed data in when it shouldn't have been in our sponsor evaluation was wrong. It was just inappropriate, it's not acceptable. If someone had shared that with me, it wouldn't have happened and we wouldn't be here talking about it today. As Dr. Smith mentioned, once we are dealing with it we have to deal it and we have dealt with things very directly. We have rescinded the 5 evaluations out of the 64 that already occurred. And it was mentioned early in testimony today that this process started January of this year so those 5 evaluations were rescinded. The employee who was involved is gone. You know in large organizations we believe, I want to believe that employees would do the right thing. In this case, that didn't happen. And so as a result of that and it is my responsibility because it happened under my watch, it occurred, but it is also my responsibility to make sure we make the corrections and change to make sure it doesn't happen again. So the two items we are talking about next are some of those, several of those items we are doing to make sure that we have checks so this doesn't occur again. So I will go through them.

The rescinding of the evaluations: The employee left. We did appoint an advisory panel that has met and has two board members that are working with it, providing oversight and then to reconstruct this sponsor evaluation system in an appropriate, fair way, received well across the state and does a good job of evaluating charter school sponsors. Because that is important. The evaluation of sponsors in this state is something I have advocated for. It was in executive budget; I testified for it, I've supported HB 2. And I have talked to the House and Senate about HB 2 and we certainly expect the legislature to act and pass that legislation shortly because it is important. What has happened has undercut our efforts to improve charter schools sponsors in this state. It has undercut our efforts to get good data about charter schools out there so they can make the necessary improvements and changes they need to make to help boys and girls. So disappointed, angry but we are dealing with this.

We have the Data Governance Committee that will be checking data in addition to the advisory board that we are constructing. We are also having a sign off of our senior executive directors and our associate superintendents before data and evaluations go out. We are also going to have our accountability department crosscheck that in addition. So as we start this and get in more detail of these two, there's been multiple issues that have been already addressed. One other thing that we have also been working on and should be done shortly, right Diane (Lease)?

Lease: Yes.

Ross: Will be the development of a whistleblower policy so if someone knows that, that can be utilized in that department. So I just wanted to share with you that you are going to be hearing two of the activities we are doing to make sure that this does not happen again. I am sure I will have more questions on it Chris is you would like to start with the Data Governance that would be great.

38:45

Unknown: This is just a quick question about this Data Governance thing and I appreciate what you said about we'd all like to rewind time 3 months but we can't and so my question is there seems to be an initiative to avoid anything like that from happening in the future so my question is this a best practice you know any agency that works with data would have in place. A Data Governance Committee where you would all be looking at it. That's one question. So is it a best practice? Or is it star practice?

Boughton: It is a best practice. Yes. And know that we can look to other states that have similar processes in place and other agencies.

Unknown: Okay. And please don't take this the wrong way but if it is a best practice, why haven't we had it in place before?

Ross: That should be directed to me, I think.

Unknown: Okay. Why haven't we had it in place before?

Ross: Well and I think in some of our components we have had some cross checks particular to the report card. As I just mentioned this is a new calculation that has started in January of this year and it should have been in place and we should have had something like this in place, absolutely. But because of that newness, as I just shared we've went through 5 of them and we found out about a problem we had real quick and stopped it. But yes, we should have had it in place and I think we are probably identifying other components in the

department where this can be applied to in addition to what are using now with the report card.

Unknown: One follow up. So my question is if this had been in place, would we have caught the, the activities that went on that got us to where we are today?

Ross: I'll answer that. Absolutely. And if either these two disagree with me they can but...I mean that's why we're doing this. And why it's cross functional group from multiple agencies here in the department. So it's not just one entity operating as a silo issuing data and information without crosschecks and accountability and data quality that need to happen.

42:50

(Ross responding to a question concerning the Plain Dealer article - Oakar)

Ross: Mary Rose I think that should come back to me again. Bottom line is as we have undergone a look at what happened, we've had all sorts of records release from everybody it seems and I think we end up releasing 100,000 pages of documents to multiple media and individuals including the board of education. But most importantly, most importantly we've been asked to send those to the IG and the AOS and I think we can sit here and say whatever we want to do but I think those are the two appropriate people and entities to take a look at this. They both are charged with that responsibility and I am sure they are going to fulfill that responsibility as they go through 100,000 pages of documents. So I think that that's where I would leave that right now and trust in their judiciousness and their aggressiveness in making sure they get to the bottom of it because they are the appropriate agencies to do that.

45:20

(Oakar wanting to give Chris Woolard a chance to state he did not know about "fudging")

Woolard: A couple points here. One again I think the whole point of the data governance structure is an emphasis on projects and the ownership. And the operational ownership lie within the agency and not within one person which is the situation which we were in before where a particular program office, this particular person had operational authority over a project. We've had lots of discussion about Value-Added and e-school Value-Added in the last couple years. This group, our board committee has had discussions about e-school Value-Added and trying to understand what is going on with numbers trying to help e-schools understand what goes into the grades so they can provide services to students. So yes, there had been an incredible amount of agency conversation within this committee around e-school Value-Added. Trying to understand what goes into and trying to ensure that all students are being served. And doing what is best.....

Oakar: Not related to Hansen is that what you are saying? And his fudging up of data...

Woolard: Again, I think there is a big difference between talking about report card grades and a particular project.....

Oakar: That's what I'm asking.

Woolard: ...someone that took some data and did something else with it.

46:45

Ross: Again, I want to emphasize, as we move forward, that I do believe the appropriate agencies and authorities have this data and I think we need to rely on those two, the AOS and the IG, to fulfill their obligation and their oath of office on this.

47:27

Flory: Dr. Ross, could you explain the Whistleblowing and how that will work because I am wondering why, if there was anybody that knew why they didn't report. Were they afraid for their job? And then when you implement this how will you work it so people who are upset with their boss it's like a vindictive thing?

Ross: Diane Lease, our Chief Legal, could probably speak specifically but in general, a whistleblower policy is designed to do just that. If someone feels intimidated or threatened within a department and they can't share or don't feel they can share and they could be at risk if they do share, then I think that that's the point. And that's what we want to do. I know our new Chief Legal is working on that and is going to have it finished soon so Diane if you want to comment on it...

Lease: So the policy will just outline what the law provides. I assume we will do an educational component so the staff knows their rights.

54:44

Wagner: Dr. Ross you mentioned the IG and the AOS. What have they been asked to investigate?

Ross: They have asked us to distribute and present them all the documents that have been requested. So we have sent them 100,000 pages of documents. The auditor is on site and we've not asked them to investigate other than to provide them with the material to do that investigation is my understanding.

55:51

Wagner: How are you going to be in the loop? How are they going to communicate to you? How are they going to keep you in the loop with what is going on? (Referring to data governance committee)

Ross: Are you talking about the advisory committee for the charter school sponsor?

Wagner: I am talking about this data committee.

Ross: This would include the Chief Legal, the associate superintendents, the senior executive directors so I mean this...

Wagner: With all due respect though, we had this incident and there were a lot of senior folks involved and you were...

Ross: I don't know that that is true. In my mind, I don't believe that either our associate superintendents or senior executive directors had any knowledge of this at all. And I want to be clear about that.

Wagner: But you weren't in the loop.

Ross: That was a departmental....that was an issue that we think an employee that we had exceeded their authority and did something that we were not expecting him to do. What this is about is putting crosschecks in place to make sure that doesn't happen between departments with the Department of Education.

57:00

(Speaking to how communication will occur with Dr. Ross, informing him of the committee meetings)

Woolard: We meet regularly and I think the key is based on Dr. Ross's directive as an agency, we now have the authority as a group to ask questions. This particular project we are talking about happened in a separate part of the agency that a lot of those people on that list had no say in. And so now based on that directive before data goes out, the right people are at the table would have asked questions as issues come up, we have the authority to directly and we do meet frequently with Dr. Ross.

58:17

Dodd: When we spoke in July, when all this was kind of coming out, one of the questions I asked you was when did you become aware that there may be a problem? And you had told me that, please correct me if I say anything or misunderstood anything.

Ross: I will.

Dodd: You stated that you realized there may have been a problem when the Plain Dealer article that came out in mid-June. And so I asked you what steps you took at that time to assure there weren't any issues. And you stated at that, you went to David Hansen and asked him if the allegations that were alleged were true.

Ross: Well let me correct you there, I did not talk to David Hansen. I think probably some staff may have talked to David Hansen at that point.

Dodd: Okay. Then I would also like to know, so staff had talked to David Hansen and perhaps he said that what was published in the paper was not accurate so at what point, what staff asked him about that? What role did his supervisor play? Who is his supervisor? That's my first question.

Ross: Let me answer it this way. I don't read the Plain Dealer every day, sorry Patrick, but the article caught the attention and came to our attention and I think as the folks started looking into that they started to hear about a phase in and similar, how we are going to phase in e-schools are there. So I think that was part of the discussion and I think slowed down the process. I think the staff also started looking at the data in the, that was included in the evaluations. I know there's been a lot of talk about e-schools being excluded but there also was school data that was included that should not have been. And our special ed schools were included and our new two year schools. So I think there was some time to go through to make sure exact what we had. So my point is I think the staff acted fairly quickly as we move forward and when we still heard that a phase was occurring in July, that was about the time this thing exploded and that would have been middle of July.

01:02:59

(Discussing Whistleblower Policy – Did anyone report?)

Dodd: We haven't asked or addressed. Did... Obviously, this was not a lone employee that did this. There were many employees at the department who were aware that this was happening and from what I have read of the records they stated at times opposition or concern about it so did any of those go to their superior or a superior or supervisor or go to HR and state that they had concerns about what was happening. Did that ever happen?

Ross: I have no knowledge of that and no one came to me because if they would have come to me we wouldn't be sitting here talking about this today. I think that again we have 100,000 pages of documents that have been sent to the AOS and IG that probably details the things you are referring to. I think they are the appropriate agencies to look at that and to vet and decide what they want to do with it and I think we should honor that.

Dodd: So can we find out from Human Resources, from our Legal Counsel, from whoever are the right people to go to at the department to find out if they did...

Ross: I certainly will refer that to the AOS and IG if they would ask.

Dodd: My next question, who was David Hansen's supervisor?

Ross: Senior Executive Director would be Steve Gratz.

Dodd: Okay. Thank you. My next question is that Dr. Woolard made the comment that operational ownership over a project was given to this employee so my question is who gave, I assume you are referring to David Hansen in this situation. Who gave him that authority to own that project and what guidance was in place to oversee his efforts and the work he was doing?

Ross: I think the answer to that would be no one gave it to him but no one had crosschecks which is what the reason why we are doing the data governance committee now. It was under my watch and so I have responsibility for the new implementation to have the necessary crosschecks to make sure that didn't happen. But again, once we found out, we've been very proactive about making sure it doesn't happen again by removing the evaluations, removing the employee, starting an advisory committee, starting the data governance committee, in addition to the whistleblower policy makes sure we have checks in place.

Dodd: Another question I have is that I have read in the media that employees have been asked questions by journalists but they have not responded. Has there been any direction from senior leadership asking those employees not to speak or do they have the authority, I don't know what internal policy as to whether or not an employee can go outside the communications department without authorization to speak to the media. So I am just curious what the policy is and if those employees are allowed to make statements?

Ross: To be clear, employees have the right to speak to whoever they chose to speak to. They can choose not to speak to media or they can choose to have someone with them when they speak to media. I mean those are their choices.

Dodd: But they have not been directed one way or another.

Ross: They have not been directed one way or another, no.

01:06:52

Dodd: Why has it taken so long to respond to records requests? Understanding that 100,000 pages of documents were released but from what I understand there are small requests that have not been released. Why the length in releasing these documents? I was told by you in July that an employee went through all of David Hansen's and there was nothing to find, why did it take so long? *(summary of question)*

Ross: As far as the length of time for releasing, our legal department handled it like any other records request. As you know, there were a lot of records requests on these issues and in addition to the number of requests the volume of the records itself was quite large. 100,000 pages. So I would dispute your contention that this was a slow process, I think it was a process that followed the regular process within the legal department. I think they were concerned about accuracy because of this issue and were going through that with all deliberate effort and speed to make sure that they did it right because that was really important on this issue as it was on any issue.

01:12:03

Collins: My question is will you request from the IG an investigation. Without a formal request, technically they do not have a statutory obligation to investigate unless they find something imprudent or if they are asked. I am looking for a response for the IG to that question. I am struggling with why it has taken so long. *(Summary of question)*

Ross: What I do know is that the IG has asked for the records.

Collins: That's fine.

Ross: I know that. As far as suggestions that would come to the IG, that might be a bit presumptuous I don't know that I would be opposed to that. Certainly AOS is on site as we speak.

Collins: I understand that. We all know the results of that. He put in writing that he is going to do this in relationship to his annual audit of the department. Which we appreciate and that as it relates to financial concerns that will be raised. He put the limitations on himself, some of which he probably has to. So I am grateful for that, the other problem I have with that is we typically do not get that report until next March. At least if he follows the same schedule as he did the previous two times. The second piece is, I just really want this thing cleared and I want somebody to help us clear it. So everybody has a cleaner conscience in moving forward. Not because I want a witch hunt or I am questioning people. I am glad they got it and I am glad they asked for it. I don't know what they are going to do with it. I want all the results of this and all of the recommendations to come to this body.

Ross: I believe the IG report is public and I suspect that if there is enough interest in this that it would probably go a lot of places.

1:17:46

Wagner: Dr. Ross it occurs to me in our conversations that you had told us that the emails were reviewed and there were no connections to anyone and what Hansen had done. That was in July.

Ross: I think that is when I talked to Mrs. Dodd about ... I was giving an update to what we had at that given time.

Wagner: Right, my point is, I have never asked you directly, you have never said to me directly. There was a meeting according to some of the emails back in March 2014 or somewhere there about. Did you know about, did you ever review Mr. Hansen's work before approving it? Did you know about the e-schools being left off that report?

Ross: Let me be clear and I said it earlier today, that meeting was probably a year and a half ago and I'm not sure of what was discussed at that meeting. What I am sure of it what wasn't discussed at that meeting. And the exclusion of e-schools from the evaluations of sponsors was not discussed at that meeting. Again, from my personal belief and my personal experiences in 40 years of education, I have advocated for accountability of schools because I think it is beneficial for students. And so we wouldn't be sitting here today if that had been brought up. If anyone had brought it up it would have stopped at my level. I wish they had. We could have saved a lot of trouble and effort as we move forward but no.

1:19:50

Wagner: And the second part of that is do you know if Mr. Hansen or anybody else in the department ever communicating directly to the governor's office about the situation?

Ross: I have no knowledge of that and I would...I just don't have any knowledge of that.

01:20:16

Oakar: What I am reading in the emails is that several employees were aware of the difficulties yet you continue to say that Hansen acted alone. Other people are mentioned even mentioned as having briefed you. Did Steven Gratz know about it? *(Summary of question)*

Ross: Neither of our Senior Executives, I am convinced, nor Associate Superintendents knew about this. I think this was the employees that were working at the direction of David Hansen ended up being the ones that communicated with him. David is the one that I am absolutely

convinced was the decision maker here. He didn't ask for advice, he didn't ask for suggestions. The employee made that decision from his seat.

Oakar: There was a mention of one of the employees that when he said we have to do this differently, meaning break the law, one of them laughed about it, said "what"? If this is the case that others knew, which I believe you have indicated but you cannot verify that. Are they still with the department or are they going to be the whistleblowers in this?

Ross: Well, Mary Rose if we had the whistleblower policy we might not be here today. I think the people you are referring to which I am sure the AOS and the IG will look at are working for the employee that worked for the department. From my perspective, the decision was made by that employee. I think we didn't have the crosschecks to make sure that it had to be propelled out of that department into other crosschecks which is what our Data Governance Committee will do now. So I think that is the very reason we are doing what we are doing and I think the whistleblowers are to protect those employee who

Oakar: If they had the guts to do it and I appreciate that. It's hard to do that but what I am asking is, unless you want me to name who I am talking about, are these employees still there who knew? Or who were questioned by who had some questions about it and who allegedly briefed you?

Ross: Let me respond this way. I think that we are...have submitted 100,000 pages of documents to the AOS and IG. I think we're kind of waiting to come in and do an assessments based on that and what information they provide for us.

Oakar: So the only one who has been removed, perhaps voluntarily I still haven't figured out if you fired him or he said I better go. The only one who has been removed is Hansen right?

Ross: That employee who is the head of the department has left, yes.

Oakar: And no other employees have left.

Ross: Well not because of this, because we are waiting AOS and IG efforts.

Oakar: I know you say that but I'm just asking. Are the gals...

Ross: I think that is an important distinction. I think it is, I mean those are the folks we have submitted 100,000 pages of documents. 100,000 pages of documents for them to review and look at which I am sure they are going to do and they are going to make decisions based on that information. The same information...

Oakar: I know that is how you feel and I feel that can be useful providing the IG has total objectivity. Because there have been reports that he is related or something to the Lt. Governor. I don't even want to hear that because he has an obligation to do the right thing. So I am not going to impute his reputation. All I am asking you is a simple question. Has anyone else left the department who may have known about this problem? It's real simple, yes or no?

Ross: As I said, we are waiting for the AOS and IG to review the 100,000 pages of documents and we will make personnel decisions based on their investigations.

Oakar: So the answer is maybe or depending on whether...

Ross: Maybe. We don't know yet. I think we are waiting on the AOS and IG to...

Oakar: So none of them have been removed in other words.

Ross: At this point, no

Oakar: That's all I wanted to know, thank you.

01:38:57

Unknown: See if I am repeating this correctly, you do not believe that there are currently any staff employed in that department that had knowledge of the data the way it was going to be released, that is missing certain data points and also included different data points in error. You do not believe that any of those staff directed that action.

Ross: I don't think any of the other staff directed that action. I think the decision was made by the person that has left the department.

21. APPENDIX – SUMMARIZED TRANSCRIPTS OF AOS INTERVIEWS

This Appendix includes the summarized transcripts for the following individuals AOS interviewed as part of its special audit investigation:

Note: A *summarized* transcript is a transcript that eliminates stutters, "uhs" and "ums," and incomplete, cut-off sentences by one or more of the speakers in the interview.

- September 4, 2015 – Joni Hoffman, Former ODE Director of Community Schools
- August 30, 2017 – Re-interview of Joni Hoffman, Former ODE Director of Community Schools
- August 31, 2017 – Erin Whitt, ODE Data Quality and Governance Data Administration Manager
- August 31, 2017 – Karlyn Geis, ODE Data Quality and Governance Data Administration Manager
- August 31, 2017 – Kelsey Stephens, ODE Data Quality and Governance Data Administration Manager
- September 6, 2017 – Matt Cohen, ODE Chief Research Officer
- September 6, 2017 – Steven Tate, Former ODE Office of Quality School Choice Social Science Researcher
- October 3, 2017 – Matt Danzuso, ODE Data Quality and Governance Office Director
- October 4, 2017 – Beth Juillerat, ODE Chief Information Officer
- October 5, 2017 – Melissa Huffman, ODE Chief Operating Officer
- October 12, 2017 – Sarah Wickham, ODE Senior Policy Advisor to the Superintendent of Public Instruction
- October 18, 2017 – Matt Williams, DAS Chief Information Security Officer formerly assigned to ODE
- November 27, 2017 – Jason Rafeld, Former ODE Chief of Staff (*until April 2015*)
- January 8, 2018 – Jimmy Sheppard, Former ODE Chief of Staff (*after April 2015*)
- February 15, 2018 – Re-interview of Matt Williams, DAS Chief Information Security Officer formerly assigned to ODE
- February 27, 2018 – Re-interview of Melissa Huffman, ODE Chief Operating Officer
- February 27, 2018 – David Hansen, Former ODE Executive Director of Quality School Choice
- March 21, 2018 – Donald Leming, Former ODE Assistant Legal Counsel
- March 30, 2018 – Dr. Richard A. Ross, Former ODE Superintendent of Public Instruction
- April 5, 2018 – Re-interview of David Hansen, Former ODE Executive Director of Quality School Choice
- April 6, 2018 -- AOS interviewed Jessica Voltolini, the former ODE Director of Legislative Affairs
- May 16, 2018 – Re-interview of Jimmy Sheppard, Former ODE Chief of Staff (*after April 2015*)
- May 21, 2018 – Beth Hansen, Governor's Office Chief of Staff

Summarized Notes of AOS and ODE Meeting on 9/4/15

Attended by:

Daniel Hill, AOS Assistant Auditor
Jessica Freeman, AOS Assistant Auditor
Joni Hoffman, ODE Office of Quality School Choice
Diane Lease, ODE Chief Legal Counsel

What Joni explained relevant to evaluations

A new law on community school sponsor evaluations took effect January 2015.

The law consisted of three components for evaluation:

1. **How well sponsors monitor compliance with the law** - This is reviewed based on OAC 3301.102.08. Each sponsor is reviewed yearly to be in compliance with both the OAC and ORC. This includes reporting requirements and whether they were auditable.
2. **Adherence to quality practices** – use framework from National Association of Charter School Authorizers (NACSA)
3. **Academic performance**

ODE and a group of stakeholders had developed procedures for monitoring compliance prior to the new law, as well as how to measure quality practices. These procedures were piloted in 2013 and 2014 and revised as needed to ratchet up standards. Early work from this group was not allowed to carry over and qualify for meeting standards with the new law. The work had to be restarted.

There are three ratings of sponsors according to the law, and four ratings used by ODE's Office of Community Schools prior to the new law. Sponsor ratings were changed to only include three ratings to be consistent with the law.

1. Exemplary – (Per Joni, community schools with this rating were generally able to keep this rating)
2. Effective – (Per Joni, this rating was very hard to achieve)
3. Ineffective – the lowest rating according to the law
4. *Poor – an additional low performing rating previously used by ODE exclusively*

The law also states that if a school is in the first two consecutive years of operation they are considered (rated) "emerging".

The new law stated that reviews had to be completed on all sponsors by October 2015. This gave ODE 10 months to review 64 sponsors in the state. Joni estimated that one review took one month to complete. The reviews also had to include site visits to 10% of each sponsor's schools. If part of the academic component is based on the data collected for the state report card for each school, this could create a potential bottle neck for getting the sponsor reviews complete by the October deadline. Also, the dropout recovery schools have a different report card than the traditional schools so this could pose a potential problem when trying to combine the data for all the schools under one sponsor.

- There was one ODE employee working full time on the compliance review portion with a little help from another ODE employee. Joni would review the final work.

- There were three ODE employees (including Joni) performing the quality practices review portion with the help of a peer reviewer from NACSA.
- David Hansen was the only person developing and working on the academic review portion.

Compliance Reviews

ODE sent a spreadsheet and letter to sponsors asking them to fill in and provide support for specific compliance requirements. (ORC 3314.03) Then based on the answers and support provided, ODE randomly selected 10% of the schools from each sponsor and visited the school to verify what the sponsor said they did was actually what they did. The review is often of a management company which has contracted with the school's governing board to manage school operations. A management company can manage more than one school, so if there is more than one school managed by the same company ODE will only review that company once. So, if, during their selections of schools to review, they come across more than one school managed by the same company they will choose another school to meet the 10%. The ratings from this component are based on the ORC.

Quality Practice Reviews

These were done as desk reviews. Schools were sent an online survey to fill out. The survey was based on the 6 critical areas outlined in the NACSA guidelines. Schools filled out the survey and submitted it to ODE. Then ODE selected 4 schools from each sponsor and did a telephone interview with them. Once all the data was in, the sponsors were given a score. This was based on their total points and the weight of each area. Three of the areas were given twice as much weight as the other three, per the direction of David. See guidelines of Quality Practices posted for Sponsor reference:

<http://education.ohio.gov/Topics/Quality-School-Choice/Community-Schools/Forms-and-Program-Information-for-Community-School/Community-School-Sponsors-%e2%80%93-Review-of-Quality-Prac>

Academic Performance

David's focus as the academic performance reviewer was on effective seats based on a Value-Added measurement; Joni referred to Value-Added as a "moving target". David felt that an effective seat, where the unit of evaluation was the student, was a much better accountability measure. He believed that you cannot compare evaluations of two schools based on an aggregated total where one school has 5000 students and the other has 50.

David was more concerned with how much learning took place over time. The focus on seats/students instead of school rankings seemed to be the crux of why he developed his own evaluation framework instead of deferring to the ODE school Report Card which used aggregate student data to calculate its own Value-Added measure. When asked about why the Report Card wasn't used as the academic performance evaluator Joni and Diane didn't know and didn't suggest any other reason why it was a bad idea in terms of providing a rating. Joni explained that David was very emotionally involved with improving the education at these schools and he believed that the legislature would catch up to him and follow his model.

Joni explained that David did his own analysis, and created his own charts and PowerPoints. She said they did not know where, or have access to any of the documents he used to grade sponsors.

Joni talks about David's character and his ODE history.

David Hansen was in charge of the ODE Office of Community Schools, the Office of Sponsorship, and the Non-public Office. David came from NACSA and was very familiar with the quality practices framework they developed. Quality was his main concern. When David joined ODE he bumped up the lowest level of qualification for an effective rating.

David supported public and private schools of choice and wanted high quality education choices available to every student. David respected the independence of community schools and was not in favor of tight legislative control. He was interested in making vouchers available to all students, and all students able to have high quality education options. David was also interested in scholarships that went towards finding providers for special needs students. He was looking for a way to create an accrediting system for those providers.

The number of community schools that failed to launch, and used funds that could not be recouped, upset David. He had ODE review the non-binding preliminary agreements that Sponsors entered into with entities or individuals planning to open a school, to figure out if they lived up to the standards. Since ODE had no authority over the contracts that sponsors enter into with providers, David informed sponsors that ODE would not certify funds agreed upon in the contracts if the providers did not meet the standards for a school operator. This method was subject to legal challenge, but no sponsors or providers sought legal action, they backed out of the agreement.

Because ODE did not have authority over community schools, they could only put pressure on sponsors. He wanted to make sure the Sponsor's evaluations of the schools were rigorous enough to prevent approvals of unqualified schools and he was concerned about who they let in, who they kept and who they got rid of.

The review process prior to the new legislature (plus other info):

ODE had general rules that described how to approve sponsors and/or schools. An application and interview was part of that process. With new legislation the State Board could no longer be a sponsor so they had to give up all of the schools they sponsored; the legislation also limited how many schools specific sponsors could have. There was a closure law stating that under performing schools had to close. New Startups (schools) are limited to location; have to be in a challenged district; Lucas County was the only exception. Sponsors have to be a School District, University, or Federal non-profit. ODE used a Sponsor Performance Index to evaluate sponsors. Based on the index the bottom 20% of sponsors were not allowed to open new schools. If the sponsor failed to do reporting or was un-auditable they were also not allowed to open any new schools (AKA frozen).

Summarized AOS Interview of Joni Hoffman, Former ODE Director of Community Schools

08/30/2017

In attendance:

Former ODE Employee: Joni Hoffman

AOS Employees: Matt Klapheke, Tim Shockcor, Marnie Fredrickson, and Kristin Hayes

AOS: We want to make sure we have the right understanding of what we have read and looked at and make sure we understand everyone's roles and what not.

JH: Yes.

AOS: Before we get too far into it though we do have some questions that we want to go through with you. Just to make sure we know what your current role or contact might be with ODE.

JH: Sure.

AOS: Tim has those.

AOS: If you could just give us your full name and spell your last name for us.

JH: Sure. My name is Joni T. Hoffman.

AOS: [REDACTED]

JH: [REDACTED]

JH: [REDACTED]

AOS: [REDACTED]

JH: [REDACTED]

AOS: [REDACTED]

JH: [REDACTED]

AOS: And are you currently employed?

JH: I am.

AOS: And where is that?

JH: I am employed part time with Charter School Specialists and they are located in Pickerington, Ohio.

AOS: Prior to Charter School Specialists, where were you employed?

JH: I was employed at ODE.

AOS: And how long were you there?

JH: I think I was there for 17 years? It was 99 to the end of....yeah. 17 years, I think.

AOS: Can you name all the positions you held at ODE?

JH: I, sure. I was always in what was then the Office of School Options. I started as an educational consultant; I held that position for about a year. Then I was, jumped to the Interim Director, I held that position for a little while. And then, Steve Bergana came in, and I forget what year that was, 2000 maybe, 2001. And then Steve was Executive Director and I became an Assistant Director. And then after a while I became an Associate Director and then I was an Interim Director. And then, I think I went back to Associate Director, and then I became the Director. And then, when, let's see, then at some point the office changed from the Office of School Options, changed by law I think, anyway, it was Office of Community Schools, the options part was split off and then when Mr. Hansen came in, there was some further reorganization within the office.

AOS: Was that done by him or somebody else?

JH: um hum, by David.

AOS: And prior to you leaving ODE, what was your position? When you left ODE.

JH: I was titled a Director of Sponsor Evaluation. I don't, I mean, that's what I did. I don't know if I was, because there were two, Frank Stoy was also, I think, a Director. Yeah.

AOS: As the Director of that, can you describe your responsibilities?

JH: Sure. Prior to Mr. Hansen coming in, when I was a Director, we had consultants. Education consultants. For a while we had the PCSP grant, we've had that, the office had that three different times I think. But, when I was Director, we were winding up the award prior to the current one. And I think it was a fifth year extension at that point, so there wasn't any new money it was just wrapping up the grant and monitoring the subgrantees and things of the nature. Let's see, so then; as part of that we were, so the main function of the office was at that time, to provide technical assistance and general oversight to sponsors. And, we had been. When I say "we", just understand that is the royal "we", that, you know, that's not. So, we as an office had been, since 2005 trying to come up with a sponsor evaluation methodology. And we did so a couple of times, piloted one for two years. I think Todd Hanes was the Executive Director then. So that would have been like 2005 to 2007. That one didn't go anywhere. We regrouped, and tried again. Kathleen Madden was our director for about 10 months, loved her. And then that also, we were getting a little bit farther. We had, been working with a group of stakeholders, so anyways, the sponsor evaluation was a focus in addition to providing general oversight and technical assistance.

AOS: So specifically as the Director then, what were your responsibilities?

JH: Well, I had a number of people that reported to me and then I would, but I was, I was, what's the word, participatory? So we did a lot of team things, so, developing the, like we had a contract with NACSA, they helped advise us when we were piloting the, what is now the closest to the current sponsor evaluation. So I would interface with NACSA, I would work with folks who were helping develop the instruments on the sponsor evaluation. I would work with the folks who were putting together guidelines for, what did we call them, there is a name for them, there little short blurbs, topics, specific blurbs to help sponsors understand. I worked with Kelly Berger-Davis off and on for quite a while on the closing procedures. Things of that nature.

AOS: So, as the Director, in your position, who in ODE did you work with?

JH: Well,

AOS: On let's say, sponsor evaluations.

JH: On sponsor evaluations, I just, it has just taking so long, so many iterations, or there were rules, I left out rules. So, Eric Bode was my boss for a while and we had a lot of communication and around policy and around whatever work was going on with anything and then Eric left. And Kathy Shively was the, I think she was a Senior Executive Director at that time, and I work fairly closely with Dr. Shively on whatever the topics at hand were.

AOS: What year are we talking about when Dr. Shively entered the picture here.

JH: Let me see so...

AOS: If you can come close.

JH: No, no, no, I will try to get there. I think that Kathy Shively left in, so she was a Senior Executive Director when Kathleen Madden was there. I think Kathleen Madden was there in 2010ish. And then she left and then Eric was still there so I reported to Eric but I also interfaced a lot with Dr. Shively. And then she left after David Hansen was hired but they didn't overlap, I thought she did because I know he met her because he spoke highly of her. And anyway then she left and then Steve Gratz became the Senior Executive Director and then but by that time, I was reporting to David and David was he would have been reporting to Steve Gratz.

AOS: So, in your position, while there anytime while you were at ODE, did you regularly consult with ODE counsel?

JH: We had, so yes. We had, are you talking about a specific topic or just generally?

AOS: Well, that was my next question. If you consulted with them, what did you consult with them on?

JH: Okay, so when PR Casey was general counsel, Jessica Voltolini was there for a while, we had a, what I considered a very productive working relationship with Jessica Voltolini, with Donald Leming, and then Diane Lease came in and of course, you know understanding the context, she came in and I'm not sure what she understood her charge to be but clearly, there was a lot of swirling about. So there was

interaction with Diane Lease and then she brought in Sheila Vitale. There's interaction with Sheila. It wasn't the same, the relationship was a little different. But we always, I mean just given the nature of community schools and you know that chapter 3314 has been changed a million times, that's an exaggeration, but it's not an exaggeration to say it's been changed hundreds of times. And so yeah and there are a lot of rules that the rules have come up and gone through review and so there, there's always interaction with legal.

AOS: So when you interacted with them, was it to get clarification on the rules or?

JH: No, when you say on the rules, or the law...

AOS: Or the law.

JH: Or guidance, yeah, guidance. Sometimes you get an interpretation to the extent that they can do that, yeah.

AOS: Was it at your initiation or was it actually a required involvement with the legal group?

JH: um

AOS: Who got to decide when to pull legal in I guess was it...

JH: Let me just say, we were a pretty needy office. So we would often initiate requests for assistance, in fact I think, that when Mark Michael was in the Chief Legal Office and Mark was, usually attorneys are assigned to different program areas. So Mark was assigned to our office and we had a system whereby we would try to formulate all our questions and just meet with him on a routine basis to ask him questions. So it's, yeah. So often times we initiated it.

AOS: So again, in your position, did you have the authority to obligate ODE to any obligations or?

JH: No.

AOS: So, who would have that authority?

JH: Well, I mean there was it just I guess it just depended on what it was.

AOS: I am talking specifically in your office.

JH: So, our office, well let's, so what did we do where we would need authority to do so. Well let's just start with more kind of routine things, workshops and such. We would, toward the end there, we would, well, let's see, before Diane Lease came in, we would develop our power points and such, and our agendas and we just communicate with other offices. We didn't necessarily check with legal to get sign off, we would go to the office of communications though because they, you know there's a look and a feel, and a consistency so we would do that. If there were something that we were presenting that cited law changes or what not we would check that first with, with our appointed person to make sure we were saying whatever correctly. When it came to applying for the last, not this one, the prior PCSP grant, I, there was always checking with the fiscal people, but there wasn't necessarily any legal review

of our application. As things kind of got closer to, oh rules would always go through the Office of Legislation and Legal Counsel and we would do those together and put them out for comment and so on and it was usually up to the program office to compile the comments and present suggestions about whether or not to accept or reject certain recommendations. But ultimately it was Legal's call. On the, I am trying to remember, I think there was a policy counsel, there was a policy group in existence, I am not sure exactly sure where that is now. There is a data quality group, I may not have the name correctly but they would, when there was, like when we applied for the last grant in particular, there were presentations along the way to the data governance or data quality whatever they are called, so they would see were we trying to commit ourselves to something that we couldn't really do. They, that was a good check and balance that way.

AOS: Do you know who was in charge this data quality group?

JH: Yeah, that's uh, I'm looking at her, let's see if I can call her name, Beth Juillerat, so, I never felt like we could just "Oh we have this grant application, let's just go ahead and submit it", without it being raised up the chain to make sure everything was fine with it. I think it is fair to say that since Mr. Hansen left, there's been a lot more focus on, I think structures that were already in place, but there has been more focus to make sure they've been implemented fully. I think that is a fair statement.

AOS: You mentioned when Mr. Hansen was there. The chain. Up the chain. Who is included in that chain?

JH: Well that's a good question. So, have you ever met David Hansen?

AOS: No, Ma'am.

JH: Okay.

AOS: I would love to.

JH: So, yeah, I mean David is, people loved David or they hated him, I like to think that I have a balanced appreciation for David and certainly there's been all kinds of stuff that's happened based on his time there since he has left. That has caused ultimately maybe it should be a good thing. Anyway, David is a very forceful person. He was the first person who came to ODE that was a true advocate for school choice. And he just wasn't advocating for community schools, he wanted every kid in the state to have a choice. If David would have his way, families would have their own monetary accounts and be able to use to purchase whatever education they thought was best. And he was passionate about that. David on paper, reported to Steve Gratz. I doubt if David ever reported to Steve Gratz unless he was kind of forced to do it. I think that, I based this on comments that David made, I think David had respect for Dr. Shively, and I think he would have reported to Dr. Shively. For whatever reason I don't think he had respect for Steve Gratz. Personally, I do but I don't think David did and so if he could go straight to, who was that guy's name, he was our Chief of Staff, starts with an "R".

AOS: Rafeld?

JH: Rafeld, yeah, if he could go to Jason, he would go to Jason. If he could get time with Dr. Ross, he would get time with Dr. Ross. That was very carefully controlled and he couldn't always get time with Dr. Ross. So, he would frequently, you know, Jason would be his go to person. David had to present to Beth Juillerat data quality on a couple of different projects. I think he that just ticked everyone off because, he

AOS: Were you a direct report to?

JH: To David.

AOS: to Hansen?

JH: Yes I was.

AOS: Okay.

JH: Yeah I was; Frank was; Sue Cosmo was, she does non public stuff and scholarships. Faith was; Sarah JanTausch was for a while. Trying to remember if anyone else was.

AOS: So in your opinion, you say David went around who he was supposed to report to and went to Jason.

JH: In my opinion, I think that if David felt that is was, if he wasn't getting the answer that he wanted, he would go to whomever he thought he could get a better response from. Let me just say that.

AOS: Do you know of him going to Dr. Ross directly?

JH: I really don't know that he did that. As I said, I think that was pretty tightly controlled.

AOS: While you were there, what forms of communications would you use?

JH: Email, lots of email. I never did any texting.

AOS: Face to face?

JH: Oh yeah, lots of face to face. David had regular meetings with all the staff. That was the other thing, this is why, you know David's not, I don't think of him like the big terrible person. He just was himself and he was how he was and, but he wanted everybody to be included so when we had staff meetings, he made sure that we had, he was intentional about getting a room where everyone could sit around the table and it was small enough so you were really there. You had to interact with the person. He was, he loved data. He liked to get data. He liked to, you know, he just had big ideas about getting different getting all kinds of perspective on things. He wanted to, I'm digressing.

AOS: So other than email, face to face...

JH: Face to face.

AOS: Anything else?

JH: No, I can't, I mean no.

AOS: Did they have instant messaging?

JH: No, I didn't, I don't know.

AOS: Did they have it?

JH: I don't know if David did or not, I mean David liked technology, people made fun of me because I still had a flip phone. And so it's, yeah.

AOS: What about Google?

JH: Phone calls?

AOS: Google Hangout.

JH: Google Hangout, I think that, David was hoping we could use the Google Hangout but I don't think we ever got permission to do that.

AOS: Would you, do you know if you would have needed permission to do that?

JH: I, I think so. I mean, that there were certain things that were and were not supported. And I don't think Google Hangout was, although, I don't know if David ever used that in a meeting. It's possible he might have. It's quite possible. But it wasn't routine. There were other things he would have liked to have used. I think maybe Dropbox, but we never used that. That wasn't, Visio, no, there is some presentation software that he was really hoping to get, that wasn't sanctioned either. So yeah.

AOS: So, describe your working relationship.

JH: With David?

AOS: With David.

JH: So, David was always generating ideas of things that he wanted to do and directions that he wanted to go and he would often, like come into my office and say a bunch of stuff. And maybe give me some assignments and off he would go. I would, he, but he did, so that made him sound like he was kind of on the fly which was true. There was an on the fly aspect. But he also liked to have regular meetings, oh, here you go, so he wanted to, so you were asking about our interaction with legal and I was telling you about something in the past but with David he set up a standing meeting that didn't always happen. But he set up a standing meeting with the Legal Office so we could go through whatever topics were at the surface that week.

AOS: So, when you had these standing meetings, who from Legal would be there?

JH: I initially, PR came but I think only to a couple so mostly it was Don Leming from Legal and I would be there and often Mark Michael would be there because he. Oh sorry, Mark reported to David because Mark took over ODE's function as a sponsor. And Mark leads that office.

AOS: So, let's talk about the grant. Did you have any involvement in helping with that grant?

JH: Yeah, I had some involvement. There was a large group of folks who were involved with that grant. And, Faith Behringer, who was sort of David's, I don't know what to call her, like a special assistant or something, the big project monitor maybe that was or project management, that is probably the best description for Faith. So, I think Faith was the person who was supposed to oversee all the working parts and pieces to see that they got done. Not necessarily having, Faith wasn't necessarily there for content, although she could have been because she is very knowledgeable about these things and she has a grant background. Steve Tate was named as the main writer for the grant, and Deneice Cooper did the final submission of the budgets because she was named as the person, the ODE staff person for USDoE at the time of the application. But Deneice didn't really develop the proposed budgets, I think that could have fell to these two individuals who were called fellows, they were, David liked to include young people whenever he could to show them what it was like to work in a big organization and if you think that this is what you want to do, here you go, here's what, you're teaching in the classroom now, but maybe you'd like to see what policy looks like. So there were two individual, Jason Fullen, and this other young fellow, who I cannot recall his name. But I think they worked on what the budget might look like, how much money would each sub grantee receive and things like that. Then there were other people like the Data Managers who were getting data for the grant tables and I forget who else was involved.

AOS: Who would they be? Do you know?

JH: Karlyn Geis and Kelsey Stevens. Yeah, and now I will say that for the data, data was not, data that had to be pulled for something like this did go through a pretty structured process. You'd had to get approval before data could be pulled for you that was not already available on the website. Available on the website, fine and dandy. If you wanted something different which was needed for the grant because there is a definition, a federal definition of high and low performing schools, and then I believe that grantees were allowed to present a different definition so long as they could define it and show the rationale for it. So, Karlyn and Kelsey got the data. I was just kind of out there like helping if I could but I didn't, I didn't do a whole, like I came in at the end when it was, to just do a little reading and editing of language about you know, is this, are we making our point right away. Things of that nature is what I remember doing. David kind of let me off the hook because I had worked very hard on applying for a facilities grant which we could have gotten if we would have had money in the budget but we didn't so we didn't get the facilities grant. And then we were actually evaluating sponsors at that time too.

AOS: So you said that people would have to go through a process for?

JH: For data.

AOS: for data, data.

JH: Yeah, I know we say it different ways.

AOS: Who was requesting the data?

JH: Well, it would be requested as, it depending, like if Steve, if Steve needed, and I think, I am sure that I participated in this too, because I love data, I love analytics. So, there are, the feds have a very structured answer here are the priorities and here are the objective and usually it's redundant and respond to these, and so thinking about the presentation. Steve, Steve Tate is a analytical guy too, not to take anything away from him. But if there were data tables responsive to one of the grant objections then those would be the data presented.

AOS: So, Tate would ask for data?

JH: Steve might ask for data, I might ask for data, I might suggest things, Steve might suggest things. David, unless he, David would usually then contact Karlyn, primarily Karlyn, and/or Kelsey and say "here's what we need, the table needs to look like this" and a lot of times Karlyn and Kelsey would come to me and say "is this what we really need" you know, what is this table supposed to look like. And then they would present that to their boss, Matt Danzuso, and Matt. And then I think it would have to go to the data group. It would have to get a sign off.

AOS: So, if you wanted data or data, would you have to go to David and then David, David would ask for it?

JH: Typically I mean, so Karlyn and Kelsey were quite clear about the protocol for getting data, data requests approved. So even if I emailed one of them and said "hey, can you get this or could we get this table or could you redo it like that" they would have to know that David, I just couldn't do that on my own. David, they'd have to officially get the David approval and they'd have to officially go to their boss, and they'd have to ...

AOS: So when you say the official approval, was that a form or was that an email?

JH: It wasn't a form, it could have an email, it might have even been an in person thing. Yeah, just so they were confident that they could, because Karlyn and Kelsey initially used to come to our big staff meetings. David would try and have them be as inclusive as possible. And then I think, I don't if they kind of tailed off there toward the end but. So there was a lot of familiarity there but still they were, they were quite strict about their own protocol.

AOS: Who put the protocol in place?

JH: I think that was data quality issue, I mean Beth Juillerat would be the best to answer that but I believe it came at a time, you know it used to be. So we went this thing where the data people were embedded. Karlyn used to be in our office. I have known Karlyn a long, long time. And then there was reorganization, and all the data people were unembedded and they were put together and I think that's probably about the time this new protocol was instituted that you know we need to get, that's the royal we, the agency wanted to get a clearer handle on who was using data and how were they using data and

how were they getting data and was it consistent. So I think that's what, that's probably about the time that came into being.

AOS: So, there was no formal process, meaning, I want this data, here's a sheet of paper, sign off on it.

JH: Sometimes yes, sometimes there was, like I remember when we were applying for this grant, I think I remember this unless it was the facilities, going to the data quality group and saying here we what need, here's what we want to do and then, and they have forms to fill out and justifications and things of that nature. So, yes, I remember doing that.

AOS: So, would David or Steve Tate come to you and go, I want this data here's what I want it to be, or?

JH: Not necessarily to me, no, I mean Steve would be responding, in the context of the grant, right?

AOS: Yes.

JH: So Steve would be responding to whatever objective he was trying to write about and if he needed data for that, he would express that to David. That doesn't mean I wouldn't also know about it, or Faith wouldn't also know about it, or but Karlyn or Kelsey would be the ones to get those data. And they would only do that if David went through the process of requesting it.

AOS: So, are you aware of data coming back of data coming back and David saying, I don't like it?

JH: You know, I don't remember.

AOS: Make is something else?

JH: I don't remember that in the, I don't remember that as part of the grant. I was trying, I told Marnie and Matt, I almost went back to kind of refresh my memory of what's on the website, but in the end I didn't so they will just have to forgive me on this but I, so when David first got to the agency, his focus was on seats. His unit, the unit for him was not the school, the unit for him was the seat. And the, and the measure of a high quality school was to him all about value added. He didn't care what the school's overall grade was, so long as that school was increasing its value added. And David, to spite of what folks might understand him to be, he was no apologist for a poor performing community schools. He'd like them all, you know, wiped out. He just wanted to see high performing schools where kids could be in a classroom that was at least as good, preferably, better than their neighborhood classroom. So, he was all about seats, and I was trying to recall whether we, because I think, there was some iteration of the application where it referenced seats versus schools. But I think, that got changed so the school is the unit. And I don't know if that was, you know, I don't know when that happened but the school's the unit.

AOS: So, you said earlier that Steven Tate was the writer of the grant, correct?

JH: Primary writer.

AOS: The primary writer.

JH: Because it was.

AOS: So how involved on a percentage was Steven Tate and David Hansen?

JH: Oh, on a percentage? Well it...

AOS: If you did 100%...

JH: Yeah.

AOS: How involved was Steven Tate and how involved was David Hansen?

JH: Well better, better ask Steve how involved he was because I don't, I mean even though I was his supervisor, I don't want to speak for how involved he was.

AOS: I mean, what's your opinion on that?

JH: I think he was, that was pretty much all he did for a while, because it wasn't like we had a ton of lead time. You know, we just sort of pretty quickly decided, yeah, let's apply for this grant. And that's a lot of work. And so that was Steve's primary focus. David, I don't know. 25% maybe? I mean, David had a lot of irons in the fire and we weren't his only, he was also very interested in the non-public options too.

AOS: So, did Steven report to David?

JH: No, he reported to me but on paper. But for this grant, I would, I mean, that would have been in my mind, inefficient if Steve would have to come to me every time he had a question or something about the grant. This was no, that would be fine, we, I would know what was going on eventually and it was fine.

AOS: So, who should have signed the grant? David, you, or Steven?

JH: Oh, I think really David should have signed the grant. But David, the way it works, David, I don't, I'm not sure if David got to sign the grant or not. Because I think there had to be a fiscal person, I think it goes, kind of protocol wise, it goes under Dr. Ross or whoever was the Superintendent, you know, whoever would be the Superintendent at the time the grant is submitted but yeah, David, I mean, David was, he was all about that grant.

AOS: So, do you feel he should have signed the grant?

JH: I think that would have been appropriate. Have David sign the grant.

AOS: Do you know why he didn't sign the grant?

JH: I think it was just because he, the feds would not have, it has to be the superintendent. And there has to be a fiscal person. David wasn't the fiscal person. Deneice was the person who was uploading the, literally uploading the attachments and she was going to be the point of contact. There could only

be two points of contact from the, is my recollection of how the federal grant application was submitted.

AOS: So, who were these two points of contact, you say Deneice?

JH: Deneise Cooper was the one who, at that time, uploaded the data, and was the named point of contact. But I thought Dr. Ross, Dr. Ross' name was on as the, as the grant recipient. The letter would have gone to Dr. Ross.

AOS: So, do you know who signed the grant?

JH: Dr. Ross. The final submission? I mean, there's a submission, somebody has to sign.

AOS: Right.

JH: We had to get Dr. Ross' signature.

AOS: Okay.

AOS: Did Dr. Ross, to your knowledge, would have Dr. Ross have reviewed the grant? Would he have been involved in the review process before it would have been submitted?

JH: I think there would have been a high level presentation to him about, here's what we intend to do, here's the cause he would have had to agree to any program office applying for a grant. That was pretty standard.

AOS: Was that a policy? Or that just?

JH: I think that was well, I, do I know if there is like an SOP for that?

AOS: That was my next question, does ODE have a policy manual?

JH: I bet they do now.

AOS: Like if you want data, you have to do XYZ.

JH: There is.

AOS: Or if you want this grant to be signed, you need to do XYZ in your policy manual.

JH: So, when we first applied, and again, you know, back in whatever that would have been, the spring of 2014, when we applied for the grant, I, I don't remember seeing a policy manual saying, program office, you want to apply for a grant, here is what you have to do. What I do recall is that there were just kind of understood protocols about, you don't apply for a grant unless the, like Jim Quinn knows that you are going to apply for this grant, and how much money are you going to get, what's the, what's the administrative share going to be, and how is this going to work out. And the IT people, same deal. What is this going to mean for us? Are we going to need more resources? Are we going to bill you for that? Have you put it in your grant? Um, policy wise, I am trying to remember if Dr. Ross? I think Dr.

Ross also had, Dr. Ross had a number of, of standing meetings with his leadership and David attended those meetings. People at my level did not attend those meetings. And I believe it was there, that whatever the program area was doing, the highlights were discussed and presented.

AOS: Did Dr. Ross ever attend your meetings that David had?

JH: No.

AOS: Just asking

JH: I know.

AOS: Was David's position equivalent to the other folks that were attending?

JH: Well that's a good question and I believe the answer is no but I think that David got himself included in those meetings but I don't know that and in fairness, I am not sure how many cause David was an Executive Director, and there weren't a whole lot of those position titles. So I don't know if, I don't know.

AOS: At least the perception was maybe that he wasn't perhaps the same.

JH: That could have been, yeah. Because he wasn't, he wasn't, there were Senior Executive, so there were two, I think two Associate Superintendents, and each of them had two Senior Executive, Senior Executive, what were they called, Senior Executive somethings and Senior Executive Directors maybe. And there was a Chief of Staff and then there was Legal and then there is, there's policy too and Colleen Grady has been in that Policy, Chief Policy person, for a while. I am sure the communications, okay so maybe I'll scale that back a bit because I am sure the Director of the Office of Communications attended those senior staff meetings. And I am sure that whoever, whatever the legislative office was at that time because that got changed around a bit too, yeah.

AOS: Would it have been ordinarily understood that Dr. Ross should approve the application before it gets submitted versus just approving it in the beginning to go ahead and go pursue the application?

JH: Well I, well that's a good question too, because I think that, I don't, again I don't know about consistency of this practice but I am sure he was at least given the opportunity to look at the application before it was submitted, I was, I am thinking about the annual report on community schools that's done every year, it's due in December, and that always got a lot of reading and attention before it was released. So yeah I'm, I think, I am sure he was given the opportunity to look at it. The thing about Dr. Ross is that he might then, like something might catch his eye, and he'd call you, he'd call you up for that. What about this? So, I don't, I, it was not my impression that he just didn't pay attention. I think he did pay attention.

AOS: One quick question about the actual grant application, so you had mentioned about Dr. Ross signing it, we did though see Steven Tate's name down on the bottom here, so would that have been (showing the completed grant application)...

JH: Okay. Name and contact information, okay well good. Is Deniece on here too?

AOS: I think it might be the page after that.

JH: Okay. Well then I just forgot about that.

48:30

AOS: Is there difference between what the names and signatures meant on the original application? Steven Tate, Dr. Ross, Deniece.

JH: I thought Deniece was the authorized? She confirmed that is what was showing on the screen.

AOS: Making sure understood whose signature was whose and why they would have been where they were on the application.

JH: I would ask Steve about that. Doesn't remember. Thought it was just Deniece and Dr. Ross. Wasn't sure how long Steve was in the office before he accepted another job.

AOS: What about Steve Tate? What was the relationship between David and Steve? What was it like, if you are aware.

JH: Better to ask Steve what he thought about that.

AOS: During your development of the sponsor evaluation and Steve's work on the grant application, the information had to have come together to complete the grant. The information is contained in the final submission.

JH: Am sure that information was used that was existing or would have written what was included. With that said, Steve would have been knowledgeable since he was involved in working on evaluations. He was not a lead consultant however he worked in the capacity of lead consultant during a short staff period. Probably took it from the sponsor evaluation information posted because the information had to have been consistent with what was submitted with the grant. That was a big selling point of the grant. The level of quality assurance and the restrictions of who could apply for the grant funds.

AOS: It is possible that Steve used language written by you however you were not writing specifically for the grant.

JH: I might have provided however it may have been just taken from already written material.

AOS: Knowing there was an unsuccessful application the year before, would that have been the baseline for the 2015 application?

JH: Absolutely. And I was involved in that application as was Steve and Deniece. I was more of a writer on that application.

AOS: Because of the application in 2014 was unsuccessful, were there meetings to make the 15 application successful?

JH: Yes, we did a "postmortem". Went through the raters comments. Either acknowledged.

AOS: Was there any communication with USoDE to narrow down what was wrong? Was it just ODE as an internal group to determine what was wrong?

JH: I don't want to say ODE didn't reach out at all to get feedback. There was a feeling that there were some prejudices concerning Ohio's application due to poor press across the board referring to Ohio's poor charter school performance. Not positive if they reached out to USoDE.

AOS: Was USoDE especially helpful with the application?

JH: Are you going to talk to Deneice? She may be flustered if she feels she may get in trouble after she speaks to you. There were two people she contacted. Kate Mealey and Leslie Hankerson. Kate did not go out of their way to help. There were webinars however special no technical assistance. Afterwards, they were on it.

AOS: When you refer to "they", who is "they"?

JH: Federal level, Kate, Office of Innovation.

AOS: During the 14 application or 15 application, did you ever feel there was a lack of guidance or lack of definition? Did ODE have a clear vision of what the feds were looking for? Maybe more so after the postmortem or even the sponsor evaluation process being explained to change the perception of Ohio?

JH: I feel that the grant application was like a quilt, being pieced together by several people. With that being said, the grant application was solid in content. With one exception, which is CEDO. Yeah, we'll describe it but we really don't have "CEDOs".

AOS: I am still not clear what a CEDO is.

JH: It is basically to show that there is not just this little school sitting in the community. There are more stable organizations that are there to support the school such as a university or a business or local chamber. Additional economic contributor.

AOS: Not a management company or

JH: No, just something that would provide support.

AOS: Like Huntington Bank or Nationwide that helps support, provide additional dollars.

JH: Yes, the closest Ohio comes is the Breakthrough Schools in Columbus, Jon Zitner. He is a fund raiser and has collected all the contributors together.

AOS: It appears that Paolo is contracted and Jessica Cohen to assist with the grant application.

JH: Yes, I forgot about that. I don't think Jessica Cohen got paid for her assistance but Paolo was under contract. He came in at the end to help make it cohesive.

AOS: Was there a goal for the use of the grant award? Was there a big picture?

JH: There were all site based schools. DORPs were a focus for feds and Ohio however they were not able to apply for the grant. There are so many DORPs due to need but Ohio is not very successful. Thought is if they had more money, they would be able to have better success.

AOS: What about Youngstown City Schools? They were mentioned in the grant and a concept of taking over the schools.

JH: Yes, I forgot about that as well. I believe the Superintendent at the time was on board with that idea. Yes, you are correct.

AOS: So the Superintendent was on board.

JH: No, I believe I was thinking about the sponsor evaluation process. Youngstown was a sponsor at the time.

AOS: High performing criteria, were there a lot meetings to discuss what that should look like?

1:08

JH: Going back to David's vision, high performing meant accounting the student as the unit and not the school. Looking at the Value-Add score increasing over time. Not sure if that was as much about the comparison of the neighborhood school though he did want to know where the kids were and where there were schools. If there was a need, he could see it. Feds were very clear on what they saw as high performing.....

AOS: So there were a number of charts in the grant, showing high performing and low performing. Who would have been responsible for pulling that data, performing the analysis based on the definitions of low versus high performing?

JH: If you talk to Karlyn or Kelsey, this is their territory as they would get the data. How the data are presented would come back to the program office. The data had to be supportable but it is how you define each cell on the table. Defining the cell by seats versus schools or Value-Add versus Performance Index scores, that could have been a topic of discussion. My recollection is that whatever went in the grant was defined and supported by data. May not have been what the feds were looking for but we would have had to explain why it was different. Had to explain why we thought our definition was better than their definition (feds).

AOS: Would you have been familiar with the specific data for the low and high performing ones?

JH: I would have, I like data. I would suggest you ask Karlyn or Kelsey. I will say that I didn't feel there was anything wrong with the data that was put in the tables. The data was pulled according to business rules, they were defined and there would have been approval to do so.

AOS: Who would have been preparing the business rules?

JH: Business rules would have been agreed upon in the program area as a criterion of how we are defining and presenting. Karlyn and Kelsey would then write Sequel that would operationalize the business rules. Then they would pull the data.

AOS: So once you wrote the rules, where did it go? How did it get there?

JH: That's a good question. Whatever the business rules had to be consistent with how we were defining low and high performing. And then if they were written down, it depends. If I were sitting down with Karlyn and Kelsey, I may write them down, they may write them down. It would need to be specific, where is it going next, if it was a more formalized request then it would be presented as such.

AOS: Sounds like nothing was really formalized other than occasionally so you sat down with Karlyn or Kelsey to discuss what you wanted. And they could have written it down. But there's no formal process.

JH: I tend to disagree with you that there was nothing formalized. I know there were protocols for pulling data but not everything we did was formalized.

AOS: If we requested documents on what is formal and what is not formal, we would probably not receive everything. Because who knows where it would be.

JH: You might not get everything. (She asked to see the tables)

AOS: Would Karlyn and Kelsey know what high performing and low performing would be? Would they understand what you wanted and would question it if it came back and looked incorrect?

JH: Karlyn (she doesn't know Kelsey well enough) certainly understands the community school program and how it works and would question if she felt she needed to. She would even express if she didn't agree with something and check everything with their boss, Matt. If she is still told to go along with the request, she would.

AOS: Were you ever present when Karlyn disagreed with what they wanted to obtain? When she would voice her opinion and someone would say no, this is what we want.

JH: My knowing her, I feel this is what she would do. However she was not present when it occurred.

AOS: But you feel she would do that.

JH: Yes, you would still need to have Karlyn and Kelsey explain that. You have to understand it was very hard for them and myself after David left.

AOS: Describe that.

JH: It was kind of like an inquisition.

AOS: From who.

JH: Jimmy Shepard, Melissa Huffman because that were relatively new and they were trying to understand everything that happened. Was there culpability? Was there an individual that was truly trying to do something wrong? A breakdown in the system?

AOS: Was there an internal investigation?

JH: Yeah, there were a lot of questions. Individually questioned numerous times. By Jimmy, Melissa, and Diane Lease would be a part of that too. For Karlyn and Kelsey, in my opinion, were in a difficult spot. David was a pusher and they may have felt pressured to get the job done for the office but still have their own boss to report. They may have felt they got caught in it.

AOS: What about you?

JH: I too feel like I have been targeted as an insubordinate. Feels David was the scapegoat. The academic component was his creation as they are stated in the first four letters. However, he was unable to get the data to match his numbers without getting approval to receive those data. That's why I thought it was unfair. He was also under the impression that legislation was going to change that would support what he was doing. He didn't want the e-schools to get a free pass but he didn't want to pull the rug out from under a couple of decent sponsors before they had three years to figure out what they were doing.

JH: (looking at tables from grant) The closed charter school table, I was personally involved in that. Faith as well. In our closed school list, I didn't think that was a true representation of the status. If it's wrong, it would be me.

AOS: Was the closed school spreadsheet then an internal spreadsheet that was kept? It wasn't derived out of a database?

JH: Nope, it was internal. Karyln and Kelsey would have nothing to do with that. OEDS also was a source of information about the date a school closed.

JH: Looking at high quality schools per USDOE definition.

1:24

AOS: We believe someone put together analysis to put together the number of Ohio schools to figure out the number of schools would have met the definition in those years.

JH: Do we have the federal definition?

AOS: Yes.

JH: Looking at definition. You either meet it or you don't. Karlyn and Kelsey would likely have pulled the data for the table.

AOS: Then they were revised.

JH: When were they revised?

AOS: In January, it was revised.

JH: Do we know why it was being revised?

AOS: They were revising the state definitions. This is how I interpreted the letter sent.

JH: Okay, the state definition was revised.

AOS: The high performing schools changed to 58 schools.

JH: I remember it changed but did it change by much?

AOS: It went down from 93.

AOS: Just based on those revisions, dropping from 93 to 58 would the business rules have to have been written by the program people for the new state definitions and sent to Karlyn and Kelsey to run and pull?

JH: For the state definitions, yeah.

AOS: The support for them was only showing 48. (showing support)

JH: yeah, I would ask Karlyn and Kelsey about this. I don't think this was a program office thing, it was a programming thing.

AOS: Was there a target number of sponsors for the grant application?

1:29

JH: ODE didn't really have a target. David had a target. He was hoping there would be at least 5 that were high performing as a result for the evaluation. David could not control the outcome of those evaluations. We should have done a couple of compliance reviews. Piloted compliance review twice. Steve Tate did that. We were not sure how to get 10 or 12 done in a years' time the way they were designed.

AOS: Did you feel the legislature put too tight a deadline to get the sponsor evaluations completed. Did you feel that deadline was tight? Was there someone working to get that changed?

JH: I cannot commit that ODE felt this way however the program office we felt that one scenario was to try and triage the sponsors and thorough review of a cohort and another cohort and another cohort.

That wasn't going to happen. Now there are still the three components but compliance has grown tremendously and quality has become more of a process checklist. But they made it through two cycles.

AOS: Leaving e-schools out of the equation was a focus of sponsor evaluations. Were they consciously left out? Were they put in then taken out?

JH: They were never fully taken out. The David way was to have their weight of scores reduced with a goal of increasing the weight over the course of three years until they were fully included. That was David's idea and was openly discussed with external stakeholders and internally. In my opinion, David felt legislation was going to back this decision.

AOS: Stakeholders? What and who?

JH: Sponsors, David met with Fordham, sponsors he thought were doing a good job. Ohio Council, Buckeye, ESC of Lake Erie West. He did not have a good opinion of St. Al's. Did not include them. Not sure if he included Cleveland.

AOS: Did he ever meet with ECOT?

1:34:30

JH: I don't think so. I am sure he toured the school. For e-schools, ODE, twice, engaged Hoover Institute and the research group at OSU, Battelle, get research group to try and get information concerning student performance. E-schools have students enroll and fall behind. There is some smaller district DORP e-school that performs well however the majority do not. David tried to determine what those issues were.

AOS: What would Battelle have to do with it?

JH: Battelle does the value added data analysis for ODE. They looked at value added for e-schools.

AOS: Is this the Battelle here?

JH: Not actually the one here. Maybe in research triangle somewhere.

AOS: In going through the sponsor evaluation process, did you feel there were concerns about the outcome of those evaluations? Did any attempt to influence the outcomes by changing cut scores? Adjust anything else?

JH: There was no influencing of the two components. There was an outside contractor help with quality. I do believe that David did discuss business rules and sent them in, however, Legal denied them (Donald Leming). However, I don't know what it was. I believe it was to keep one out, but in the end, it didn't happen.

AOS: There is an email where David instructs to Karlyn that sponsor scores should be 92 for the four authorizers. Sounds like a comment was made during a meeting and following up. Karlyn follows up

and asks if he is serious, Looks of shock in the room. Were you there at that meeting? (reading at the email)

JH: (reads email) I would ask Karlyn about that but I believe he was being sarcastic. Nobody could get a 92. He was being flip. I felt bad about Portage because I persuaded Cheryl to participate in the pilot and then their scores got used. I talked to David about it and he didn't care. The ESC of Lake Erie West, since it was voluntary and they don't have a sponsor agreement with the department. That wanted to do well as we wanted them to do well. I am not sure they were scheduled to go

AOS: Since David weighed the e-schools lower on the academic component, why do you think he felt he needed to do that for e-schools versus brick and mortar schools or even blended learning schools?

JH: For example, in my opinion, the ESC of Lake Erie West is a good sponsor; they meet a lot quality standard. ECOT has 14,000 – 15,000 students and they are terrible. Their academic scores are terrible. It was ruin them. The Council is a good sponsor, they would be ruined. He wanted to see them succeed and didn't want to see good sponsors be affected.

AOS: How would you respond to the idea that if an e-school is not doing well, the sponsor is indeed a poor sponsor? If there are so many students failing, what is the justification of them continuing to operate?

JH: There was a dilemma. Sponsors get to know the kids and they understand their struggles. Kids may be bullied, treated poorly, or would drop out all together in a non e-school environment. Either way, you have thousands of kids in a failing system. David felt they would be turned back into a failing system. He was frustrated that there were crummy schools without consequence. Is it the income that keeps them open? It is a double sided argument.

AOS: Do you think David would have these conversations with people in meetings? Maybe senior staff?

JH: I don't know. He was outspoken and not afraid to offend anyone. He was very opinionated.

AOS: A few letters were provided in word and in pdf. The word document had a note added. Can you explain? Was PDF the final document?

JH: Did they receive this as a sent email or is it a draft?

AOS: There are a number of emails and the final copies are not clear.

JH: ODE would have a final and they were sent in PDF. You should have access.

AOS: We did notice the final score change.

JH: (Reading document) I should remember. I helped send the letters out as well the retractions. Not sure what happened on these copies.

AOS: The one for OCCS. You are listed as the last one modifying it.

JH: I would have to say it accurately or not say it. The e-schools were included but not fully. (Still reading documents), I don't know what to tell you.

AOS: Looking at auto closure chart. Difference between what was in report and what was in computer. Difference in what was listed in the grant versus what was listed in the annual report. Trying to understand if that was an error or if that was intentional.

JH: This was me. I put that together. I used to author the community school report. When David came in, he was big on getting the list on schools that were closed. Wanted it accurate and more specific. Mary Cotton and I went through all schools that closed. Finding the documents. Why, When and getting specific reasons for closure. (Looking at charts). Year the criteria met. As to when the school close.

AOS: Some is trying to determine what year the school closed based on when operations ceased versus the close out processing.

JH: Yeah, I would like to say we may it very clear however we did not. All I can say is that I was responsible for the chart. If it's wrong, blame me. Wait, this should be the year they actually closed.

AOS: So, are they a year behind?

JH: So, for this one they would get notice after the school year started. Then it was a ghost year because they knew they would have close yet they are still educating students, receiving money but they are fully aware they have to close.

AOS: As far as tracking auto closure criteria, is that something done by you?

JH: That was done by Mary Cotton. She kept an access database. She was recording when they received notice, when the school ceased operations and when did the school officially close. This is the tail wagging the dog, she couldn't list a school as being closed in OEDS if the school really did stop instruction but had to finish out it's grant or any type of wind up stuff. It couldn't submit EMIS data once entered into OEDS. There could be some delays.

AOS: Who would be responsible for monitoring the academic performance of a school under the auto closure criteria in statue and seeing when the school is meeting the criteria?

JH: Karlyn did that. There has been no schools that closed due to Safe Harbor. She and I would always look at the list. There would be a process to send the notice to sponsor.

AOS: Did you ever struggle with the closure statute?

JH: Karlyn had a great handout that she could follow that showed every possible. Once safe harbor ends, they will try and apply the most recent year to the rules from 5 years ago.

AOS: DORP? Was there ever any monitoring as far as eligibility and continued eligibility?

JH: That has been a topic of discussion. And continues to be a topic of discussion. Has to do with the time of the year at which there is confirmation that the majority of the kids are in a DORP program. Thinking recent statutory changes fix that? Should there be reaffirmation? Or is it only if the school modified its contract? I personally advocated to check the enrollment in late fall. Frank Stoy's task. Last fall, newly developed application for DORP. I believe they are annual now. Sponsor must sign off. I assume they are checking enrollment data (not attendance).

2:07 AOS: Was there a point in time the ODE found a specific school that did not meet the eligibility requirements or that just acknowledging there could be an issue.

JH: Only school that sticks out in my mind is TRECA. The department fixed that because they made the text data for the lower grades.

AOS: In the time that I knew David Hansen, Jessica Voltolini was present. What was her role? More of a legislative advisor which is the role I recall her being in? More so legal counsel or to monitor David?

2:09:39 JH: Are you going to talk to Jessica? I don't recall when she stepped out for the legal office and into the legislative office. When Diane Lease came, Jessica legislative office role changed. She was the one that would have gotten all the legislative changes together. That changed when Diane got there. I believe yes, she was there to make sure he didn't say the wrong thing or if he did indeed say the wrong thing, it got reported back.

AOS: Were you ever uncomfortable around David?

JH: Yes, there were times I did. He was a bully. That is his personality. He wasn't all the time.

AOS: Did you feel there would be retaliation from the administration if you were to say anything to David?

JH: I thought about that after my position was terminated. If I felt David was not following the law, I would tell that. Others would as well. My understanding was that he had a lot of rope in his position. I didn't run to Dr. Ross because he had discussed his thoughts in public and I felt he knew there would be changes. He wasn't being sneaky. He had a personal vendetta against St. Al's. They did make a mistake by trying to open the DORPs. Cost the taxpayers a lot of money but he didn't move on from that. "I want their pelt on the wall". He could be very kind as well. I didn't think I needed to be a whistleblower. I thought all was known.

AOS: When you did question him on things was it something you thought was against the law or against statute?

JH: Or against principle. The academic component was how he did it and he had control of the spreadsheet. Stacy Cherry and I just put it in the letter. I would ask are you sure you want to do this and he said yes. It's my obligation to say something if there is something against the law. It's also my obligation to say if I think it's not a wise idea but if he has listened and he is doing it a different way. If he is in his proper place in agency, it is my job to support his decision.

AOS: Who do you think gave him the rope to do what he did?

JH: I don't know.

AOS: You made a comment that you thought he was used as a scapegoat.

JH: We thought that because David couldn't have had those data to make his calculation without permission from his chain to get the data. Data managers had to have had approval to give him data.

AOS: Do you believe he knew it was incorrect? Do you believe he was deceptive in the grant?

JH: I don't believe there is anything deceptive about the grant.

AOS: There were pieces of the four sponsor evaluations in the grant.

JH: There were? Then that is wrong.

AOS: Didn't he admit to being deceptive?

JH: I don't know. I know he resigned.

AOS: Didn't he admit to the board or something?

JH: I was there. We were giving our presentation; they called for him to come down. The question was something specific about was the information consistent with the law.

AOS: Why do you think Steven Tate was not let go? He signed the grant.

JH: He's just like me, a worker bee. Steven didn't have the idea of easing in e-schools. That was David's idea. Talk to him and see what Steve says.

AOS: I would think I signed the grant; I am responsible for the content. They let Hansen go however Steve is still there.

JH: And Frank and I were eventually ushered out.

AOS: By?

JH: Well, our positions were eliminated. Where in here (looking at the grant) are we saying there is information about the exemplary sponsors. This was turned in before we did the first quality reviews, it would have been based on the pilot.

AOS: They made a big deal about the grant in the paper and letting Hansen go. Something was faulty in the grant.

JH: I would like to know the answer to that too. I don't think there was anything intentionally disingenuous about the grant?

AOS: (searching the grant)

AOS: Did Steven Tate get along with David Hansen?

JH: So David wanted to get rid of Steve and I didn't want to because there was no reason. Steve was look for ways not to engage and not generally a happy person. By making Steve the grant writer, he was saying here you go. I believe he rose to the occasion.

AOS: Didn't he apply for a position that he felt he was qualified for that he didn't get?

JH: Yes, he did. There is always asking the same questions and same criteria. There are usually three of us on the panel and David brought everybody in. Steve didn't answer the questions fully because he felt we were already aware of what he could do. His scores were low and he didn't get it. It worked out, he has a good position.

AOS: Did you even receive emails without header?

JH: I don't know. It's possible.

AOS: Why would there be no header? (showing her an email example)

JH: Oh no! I never received anything like that. I don't know you could do that. Do I have one?

AOS: No.

JH: That's weird, I don't know. Nothing that I have ever seen.

AOS: Are you aware of an email that Charlton sent about the e-schools being excluded? Why ECOT hadn't closed under the law. (showing the email)

JH: I would think it hasn't because they haven't qualified, but they will. (reading email) Karlyn would tell him exactly why it hadn't closed.

AOS: Do you know the history behind Safe Harbor? Why did we do it?

JH: I don't know exactly. I can tell you they wouldn't care if it impacted and closed community schools only but they would invoke safe harbor if it would have impacted traditional schools.

AOS: Such as?

JH: Such as they would need taken over or in academic distress because all schools were tanking, in, my opinion.

2:27

AOS: In trying to understand auto closure law, you are in your own bucket based on your grades served and one of the criteria if you had an overall grade of F as well as a mix of a Performance Index score. Then the code was written that we are not going to issue overall grades for so many years. So, they write a piece of legislation that is based on grades but then another law states there will be no grades issued.

JH: I believe it got caught up in the changes that the board made to the grade cards. There used to be a good technical document on auto closure on the website. I think it has more to do with the phasing in the changes to the report card.

2:29 AOS: Every few months it seemed to be changing. 13/14 there seems to be significant changes. From just being academic emergency from two to three years, they...

JH: There is something else that AMOs (Annual Measurable Objectives) can reduce the...

AOS: We did find the tables (looking at the grant application).

JH: (studying application) This has to go to what was in the pilot because they hadn't. What's the date of submission? 7/16. Buckeye received its letter 6/09. That would be the test, in appendix E refers to the most recent evaluations sent then to your point, when those letters were sent out, they were being sent out with the assumption that were being sent out they were correct. Why would they put something in that would be wrong? Our staff felt that would have been right.

AOS: So they were sent out with the understanding they were right, who deemed them not to be right?

JH: After Senator Lehner and David got called up in front of the state board. And I believe it started with Patrick O'Donnell they were deemed not right.

AOS: Based on?

JH: Based on the academic component.

AOS: And you think that was known in June before the July submission?

JH: I don't know remember when the reactions were sent. I don't remember the sequence of dates.

AOS: Would seeing the retraction letters would help?

JH: Yes, only would get worse if the retraction dates supersede the grant but I think it was the other way around. But I don't believe the agency would have allowed the information to be included in the grant.

AOS: Is there anything else you think we have not asked you that you have been thinking about? Anyone in particular we should talk to?

JH: I would talk to Faith Behringer. Faith, Steve Tate. You can talk to Jessica though I don't think she had anything to do with the grant. But she was just as stunned by the academic component. Are you going to talk to Deneice? I don't know what she would add. Stacy Cherry, but I don't know what she would add, she didn't have much to do with the grant. Karlyn and Kelsey. Karlyn was under the belief we shouldn't even accept the grant. Marsha Ward, but she doesn't have anything to do with it.

AOS: Thank you for coming in. Please do not discuss what we have discussed.

JH: Are you going to throw my name out there.

AOS: We will write a summary however we cannot say yes or no. You are not the only person we are talking to or have talked to.

AOS: And as a general rule we do not do that.

AOS: This is not a criminal investigation and we will not call you to testify. This isn't that type of investigation.

JH: I gave you a lot of opinions.

AOS: We put facts into the reports however we do not put names in the report.

AOS: We make any judgments or opinions in reports; we make those opinions become ours. We would not tell anyone we have spoken to you just as we have not told you anyone we are going to talk to or have talked to.

JH: Thank you

AOS: Thank you

Erin Whitt, ODE Data Manager

08/31/2017

In attendance:

ODE Employees: Erin Whitt, Diane Lease, and Sheila Vitale

AOS employees: Matt Klapheke, Tim Shockcor, Marnie Fredrickson, and Kristin Hayes

AOS: Can you state your name?

EW: Erin Whitt.

AOS: And where are you currently employed?

EW: Ohio Department of Education in database services.

AOS: And how long have you been there?

EW: A little over two years, two and a half years.

AOS: And can you describe some of your, job description.

EW: Well my current job is different. I was in the data management office prior so which is not related to the current job I do right now.

AOS: Could you tell us both so we know?

EW: Sure. The database administration is more like building the systems that the data is stored in. What I did previous to that was to pull the data out of those systems.

AOS: So in your current position, do you regularly consult with ODE counsel?

EW: No.

AOS: The timeframe we are focusing on is 2014-2015. Would you have been in your function to rely on Legislative Affairs or anybody in Legal advising you on law changes or did you rely on people making data requests to you to tell you what the business rules were to pull data? How would you know the data you are pulling is the data they were looking for and or was it adhering to some legislative requirement that they were trying to analyze? Was that something you felt was your job or their job to look at?

EW: You kind of had to do all three and very often you would have to have a supervisor take a question to Legal to make sure what you were doing was okay or fulfilling the requests within the parameters of the law.

AOS: Who was your supervisor at that time?

EW: Matt Danzuso was my supervisor at that time.

AOS: Did you have any involvement in pulling data that was to be used, to your knowledge, on the grant application?

EW: No.

AOS: What about automatic closure. Were you asked to pull data for identifying schools that were at risk of needing to be closed as per the automatic closure law?

EW: I am not familiar with auto closure at all. I don't believe that nonpublic options have an auto closure law.

AOS: Yeah, just the charters. EdChoice was one of the areas and the primary reason we wanted to ask you some questions. While reviewing emails in reference to the grant we found some concerning the EdChoice program. Your name came up so we assumed that was part of your function.

EW: Yes.

AOS: Was that analysis something that was assigned to you?

EW: Yes, I was the primary.

AOS: So you know what years you worked on that?

EW: I been with EdChoice since 2006 but I think I became a Data Manager in 2012 or 2013.

AOS: Is that roughly the time period with Karlyn stepped in and started helping with pulling some of that data.

EW: To my knowledge, she didn't pull EdChoice data. It wasn't her area and doesn't know the content.

AOS: You changed jobs. What was that timeframe?

EW: Right around late September of 2014. Maybe early October 2014.

DL: Do you need it?

AOS: I don't know that we will.

DL: Just let us know.

AOS: Okay. So one of the questions was Hansen asking about the inclusion of the Cleveland Municipal School District buildings in the calculations of the designated building list. (Showing the email from Hansen) His point was that the inclusion of those buildings did not make sense since those buildings were not eligible to receive these vouchers. Do you recall that?

EW: Yes, and I believe that we referred him back to the law that stated that every public school building must be included in the calculation.

AOS: Was it legal that advised you? There is mention in an email that you were directed by the administration to do so. (Pulling up email that states it was administration that directed her)

EW: I wasn't privy to that conversation. I would have to look up how it was originally done. That is how it was done when the program started which was a long time ago.

AOS: We issued a report concerning scrubbing or data manipulation. Those schools were asked to resubmit their data to ODE. We you ever asked to regenerate a list using the new data?

EW: Yes.

AOS: Can you describe that process?

EW: I would have to look at my notes.

AOS: Just knowing the timing, it seems it would be difficult logistically considering you are in the middle of a school year. Were there any discussions about how to address the concerns since the year had already started?

EW: There were and I don't know how they were resolved. I would bring up the point and show them what I found and show where the issues were but I was not included in the discussion making process.

AOS: Do you know who was involved in making those decisions?

EW: that was handed to Matt Danzuso and Beth and I think a couple of other people.

AOS: Was there anybody in senior leadership to your knowledge heard of those discussions?

EW: I don't remember.

AOS: Questions raised by the Akron Superintendent concerned Rimer showing up on the list though he felt it didn't make sense because they received Cs across the board yet another school was not on the list and they were poor performing. He is raising questions how the calculation was done due to what he felt was an error. Do you recall?

EW: Not that district specifically. But I can tell you that he would not be the first that would ask questions. When we had those types of requests, we would comb through the data and present the information.

AOS: Did you ever have a situation where you found the data to be incorrect?

EW: There is only one time that I recall it being incorrect but that was because the district was removing students who had alternative assessment and somehow they were putting them in a different grade.

AOS: Do you remember the school?

EW: I would have to look it up. He had to go through procedures to have it corrected.

AOS: Did he admit to scrubbing the data.

EW: Not until the evidence was shown to him.

AOS: Do you know if there was an investigation of other data for that school? Would that normally trigger something at the department?

EW: No, not that I know of. I think at that point it was Sue Cosmo it wasn't anything that was in my hands.

AOS: Here is a copy of that Rimer email, we can put it up on the screen for you.

DL: What was the name of the school?

AOS: Rimer.

EW: It had dates on here so it should be easy to track down. (Reading email) I would have to look it up, I would be speculating at this time.

AOS: One of the question that was asked was if there are 3,000 school buildings and we are calculating 10%, shouldn't that mean there should be roughly 300 schools on the designated building list. Yet in practice there were less than 300 on the list. Can you explain how you get less than 300 on the list?

EW: I would have to look at my code. If you were filtering something out or adding something in, I would write in my code the reason why I was doing what I was doing. That is easy for me to look up and get to you. Would you like me to get it for you?

AOS: Yes, because we have tried to recreate it and due to the complexity of the law. We have tried to go step by step and have been unsuccessful.

EW: It is a complex piece which is why I took good notes.

AOS: Did you work with David Hansen very much is your role?

EW: I was the primary data manager for nonpublic schools and scholarship. So anything he requested would have gone through me.

AOS: Did he make many requests?

EW: Yes.

AOS: Did he ever ask you to get on GoogleHangout?

EW: I don't know what that is.

DL: We didn't either.

EW: I don't think I would have.

AOS: Did you ever have any concerns with what he asked you to do or go to a supervisor because you were having problems dealing with him.

EW: Yes, we did not have a great working relationship. If that would happen I would refer to my supervisor, Matt or Beth and tell them what was going on and let them address it.

AOS: And as far as you know, they took care of it from there.

EW: I believe so.

AOS: Anything else you would like to ask? (Directed at AOS employees)

AOS: It wasn't a good working relationship because of things he was asking or?

EW: I had to tell him "no" a lot and no one likes when you tell them "no" a lot.

AOS: No about what?

EW: He just wasn't aware of a lot of laws that governed our program so he would make requests for student identifiable data so he didn't get it.

AOS: What about any of the data requests he might of asked you for?

EW: Something like that would have been a data request so I would have to back through the logs.

AOS: You had SSID number though, did he ever explain why he would need the student identifiable data versus just using the SSID to track a student.

EW: Our system has that but I don't use it as much. In our program we have names, addresses, parent financial data.

DL: EdChoice is different because you have to the information in order to do the job.

EW: You have to be incredible careful.

AOS: So that is one area that ODE has the authority to capture that info.

EW: So we are taught that we have very sensitive data so you have to be very careful.

AOS: So you were very cautious if you received a request then talked to Matt or Beth and let them iron it out from there.

EW: Yes.

AOS: Is there complex code that calculates that lowest 10% for EdChoice?

EW: I wouldn't say its complex, no.

DL: Do you want to see the code?

AOS: Yes.

EW: I would happy to walk you through it or I can make notes. I think is like 500 or 600 lines of code which isn't too bad.

AOS: That might be helpful so I can understand.

DL: That's why I offered.

EW: You have to bear in mind that the laws were much different when this started and there has been a change since I have started. If you are trying to do it right now, you will not come up with the same list.

AOS: I think the years are 12, 13, 14.

EW: It changed every year. The way I wrote my code it was portable so I could take a piece out of the law would change. You can run it in Sequel server, TOAD.

AOS: I am sorry, what it TOAD?

EW: Then never mind, it's okay, what do you have?

AOS: We have SAS.

EW: You can run it SAS.

AOS: Is anyone else familiar with this code? If you were out would someone be able to come in and do the same work?

EW: They don't have that skill set.

AOS: Thank you.

Karlyn Geis, ODE Data Manager

08/31/2017

In attendance:

ODE Employees: Karlyn Geis, Diane Lease, and Sheila Vitale

AOS Employees: Matt Klapheke, Tim Shockcor, Marnie Fredrickson, and Kristin Hayes

AOS: State your name and spell your last name.

KG: Karlyn G-E-I-S.

AOS: [REDACTED]

KG: [REDACTED]

AOS: And where are you currently employed?

KG: Ohio Department of Education

AOS: How long?

KG: Since 2003.

AOS: Current position?

KG: Data Manager.

AOS: Any other positions while at ODE?

KG: I was a social science research specialist when I started there?

AOS: How long did you do that?

KG: A couple of years.

AOS: Can you describe your current duties?

KG: I assist with schools data entry with EMIS. Running reports that show them what they are submitting. Letting them see if what they are submitting is accurate. Whether or not they have a large change in what they are submitting. I work on the report card. Making sure the data elements are calculating correctly and they are populating in the secure data center. Fill data requests, internal and external.

AOS: In your current position do you regularly consult with ODE legal counsel?

KG: We work together.

AOS: Who?

KG: Shelia, Diane, there may be another person.

AOS: And what kind of topics?

DL: Isn't that kind of privilege? As far as communication with counsel. I mean when she asks for legal advice, that's privileged. I don't know what you are trying to get at. I want to make sure.

AOS: Just trying to make that anything we are going to discuss, we know where privileged and we are avoiding those I guess. Is mainly the concern.

DL: Then I think its best that she doesn't talk about what she talks to us about because that is privileged so she can't discuss our advice.

AOS: I don't want to know the advice. I want to know if she came to you and asked you "is this statute correct" or whatever.

DL: That's privileged. That's why I was uncomfortable the first time and now I am more uncomfortable because it like you're asking what they asked our advice for, that's privileged.

AOS: Okay, maybe to rephrase, how would you know, what process would you have to know if the statutes that you might be trying to generate the report card data for or an analysis of data that has been requested of you, how would you know whether or not you are programming that data pool in compliance with a particular statute. Would that even be within your responsibility to know that or would that be someone else already doing that piece of the work and then just describing to you what data needs pulled?

DL: Better question, thank you.

KG: I think that kind of varies. Like right now with the report card, usually we would work with Marianne Motley and she would tell me here's this new law and this is how it needs to be implemented. Other things might come from senior leadership, not senior leadership but the office they would tell us what they need for a project.

DL: I think your question was the data managers; it's not within their job duties to insure compliance with the statute. Is that your question?

AOS: Right.

KG: It's not.

AOS: What process do you have when you get a data request whether or not the data you are generating are going to meet the needs of the request? What would be the process for initiating the request, understanding what they want?

KG: Usually I get an email, or someone talks to me. I usually have a conversation with them to make sure I understand what they ask.

AOS: Can you get verbal requests?

KG: Could be meeting, email or verbal.

AOS: Any approval process when a request is made?

KG: There is a data request process. We enter it into a system and then they are reviewed by supervisor and he takes them to senior leadership and talks about them. They have to be approved prior to filling request. Internal or external. Not necessary to be approved if it is for internal use.

AOS: Who is your supervisor?

KG: Brian Clark, but his supervisor does the review.

AOS: Would that have been true in 2015ish?

KG: We had the system we submitted requests through it and I know he spoke to someone in senior leadership at the time. I don't know. And it would have needed to be approved.

AOS: Did you get requests often from David Hansen?

KG: Yes.

AOS: Would you get requests from others in the Office of Community Schools?

KG: Yes.

AOS: Did it matter who the request came from on whether you needed approval or was it just if it was internal or external?

KG: Internal vs. external.

AOS: So, anyone could ask for it.

KG: Yeah.

AOS: Were you a part of the team that developed the data for the 2015 grant application?

KG: Yes.

AOS: Were you part of meetings or just getting the data used in the grant?

KG: I definitely got data requests. I was in meeting but I don't recall the specifics.

AOS: Who was the lead of the grant project the person who was responsible?

KG: I think it was Faith Behringer but I could be wrong.

AOS: Would you have gone to Faith if you had a data request question?

KG: Yes, I remember going to her with some questions.

AOS: Were you ever asked to generate a list of high performing schools for the grant application?

KG: I don't recall.

AOS: What about closed community schools. Did you help in pulling data that assisted in determining which community schools had been closed?

KG: Over the years, I did that many times. But I was not the primary person that worked on those lists.

AOS: Did you generate a list of those that were at risk of closing?

KG: Yes.

AOS: Who would make those requests?

KG: I think over the years it was generally Joni Hoffman and it was verbal.

AOS: How did you know the business rules to generate a list like that?

KG: Over the years the rules have changed and the laws have changed. I had to consult with the Legal office however those people do not work for ODE.

AOS: Would you and Joni work together with Legal to determine the rules?

KG: Would not be me alone. It would either be both of use taking what we believed was true or Joni going to them.

AOS: Were you even asked to generate academic performance data for community schools? It would have been in the 2015 timeframe. Whether or not you knew it was for the grant application.

KG: That is fairly standard.

AOS: So that is a common request?

KG: Yes.

AOS: Do you recall get a request where you would omit e-schools?

KG: Yes.

AOS: Do you know if that data was being used for the grant application or not?

KG: I don't know if it was for the grant application. What I calculated was DORP school data. I don't remember if I was asked to do that without e-schools.

AOS: Did you ever get to review the application prior to submission or subsequently?

KG: Yes.

AOS: Prior to submission?

KG: Yes.

AOS: what would have been your role in reviewing? What were you looking for in that review?

KG: I would have been looking at the numbers to see if they appeared to reflect what we gave the office.

AOS: Did you find any concerns?

KG: I believe I did.

AOS: Did you express to anyone?

KG: Yes.

AOS: Who did you give those to?

KG: I discussed them with Kelsey Stephens. I know I gave them to Beth Juillerat. I gave her a printed out copy with issues stated on them.

AOS: Did you ever discuss with David or anyone else in the office of community schools, maybe Faith?

KG: I don't know if I would have seen her or discuss.

AOS: Did Beth or Kelsey indicate they went to anyone else with your concerns?

KG: Beth stated she had gone to senior leadership. I don't know who that is.

AOS: So you had this in writing?

KG: It was a printed out copy of the grant with editing marks. This seems wrong, this seems missing.

AOS: Do you remember the nature of the concerns.

KG: I think some of the table headings may have seemed misleading to me. Maybe they had put in the wrong headers. There were passages where I didn't know where they had gotten the numbers and the actual text. I know there was some confusion about some of the tables but I remember the specifics.

AOS: Would you have kept a copy of the notes? If it exists, is that something we can ask for?

DL: Yeah, we'll just have to see if it exists and locate it. I actually wrote it down already, I thought you would ask.

AOS: One of the documents looks like it may be some notes stating questions. We thought maybe it was after. Maybe it was part of the clarification. (showing document with notes concerning the application)

DL: So yours were handwritten.

KG: So, mine were handwritten. This may have been Kelsey and me.

DL: May I see that?

KG: I mean it could have been me or it could have been Kelsey.

AOS: It's a fairly accurate description.

KG: I have a memory of Beth J. asking us to summarize something. But I don't know that it was this. But it seems like something we might have produced upon request.

DL: So Beth, that would have made sense that Beth would have put it together. Or...

KG: That looks like something we would have given her.

DL: Could you send that to me and we will figure out who was the author?

AOS: As part of pulling high performing data or academic data. Were you even involved in discussion about federal definitions versus state definitions and how to link the two?

KG: I know I was involved in that. I wasn't the one that was mostly pulling data.

AOS: Who would have that been?

KG: Probably Kelsey would have done that. I know it went back and forth.

AOS: Back in 2015, as far as structure, Matt Danzuso would have been a supervisor?

KG: I think he was our supervisor then.

AOS: You and Kelsey were equivalent or is one supervisory?

KG: I am at a higher level than her but I am not her supervisor. More like a mentor type of relationship. We have both been supervised by the same person.

AOS: Were you ever involved with, to your knowledge, a data request that might have been linked to or discussions about how the ESEA waiver that Ohio has with the Federal Department of Education and those definitions related to?

KG: Is that the No Child Left Behind?

AOS: Yeah, it was the old at the time.

KG: I don't recall that at the time.

AOS: So that isn't something that you were aware that was ever being discussed as far as trying to link terminology.

KG: Not that I am aware of.

AOS: Did you ever have any concerns about the data requests that you received in relation to the grant or the evaluations that you processed other than reviewing the grant and identifying what you felt was incorrect. Was there anything else where you just were not comfortable?

KG: Which project?

AOS: Either sponsor evaluation or grant. Or what would be your protocol, what would you do if you had a situation?

KG: The amount of time we have to do the requests is troublesome at times.

DL: To clarify, you mean lack of time.

KG: Yeah, the lack of time. There is always not enough time. I was fairly concerned with most of David Hansen's requests. But we got them approved, they got approved

AOS: What concerned you about them?

KG: Mostly he wanted a lot of data and he wanted it quickly.

AOS: So it was mostly resources concerns?

KG: It was resources.

AOS: Did you ever feel he was making a request to use data for a purpose that you didn't feel the department would want it used for, in your experience?

KG: I never felt like he wanted something for the wrong reason, I wasn't sure what he was going to do with it.

AOS: So to clarify, you were not concerned about the data he was requesting, you were concerned about the amount of time he wanted it in.

KG: Yes, that was my main concern. The office always operated in isolation. There was never a concern is their requests aligned with the others departments. There is more of a concern about that now.

AOS: In regards to the sponsor evaluations, were you involved in meetings or discussions.

KG: Yes, there was a work group that was put together. We worked for about a year putting together the quality and the compliance portions. I cannot remember the specific time that was occurring.

AOS: Who was leading that workgroup?

KG: It felt like Sherry Panizo was leading it. Joni Hoffman was in charge of it. Sherry had the expertise and was guiding us through it. And there were a couple of people from NACSA most notably, Jennifer Rippner. She would have provided us with training.

DL: So if I may, NACSA, we were required by statute to consult with NACSA for the quality portions. So quality was looking get quality practices of sponsors which are why the legislature had mandated that we work in consultation with them to align it with the national base practices. I thought that might be helpful.

AOS: Was there a timeframe or plan on how to get all the sponsors evaluated in time?

KG: I recall discussions with Joni Hoffman about that. We talked about how many could be done.

AOS: Was there concerns about whether they could get completed in time?

KG: Yes.

DL: So, the department did a pilot right?

AOS: Yes.

DL: Just to make sure we are all on the same page.

AOS: The pilot, as far as we can tell, was done mostly through 2014 and it looked like by early spring 2015 it appears the real process seems to get underway. Does that ring any bells?

KG: I don't recall.

AOS: From what we could see, it looked like a there was a point in time where they were switching from working on the pilot to working on the actual evaluations that were going to be used.

DL: I just remember the pilot being issued and the being retracted.

KG: And see, I thought the pilot became a real thing but I don't remember any type of switch out.

AOS: So maybe we should have some discussion about this to make we are on the right page. When you say that the pilot was issued and then retracted, what time frame do you think that was?

DL: I would have to look. I remember it was spring. So, we can look and talk. I just want to make sure.

AOS: It's important because...

DL: Well, we can talk once Karlyn leaves; I just want to make sure we talk through it.

AOS: Were you ever in discussions about the academic component for the sponsor evaluations?

KG: Yes.

AOS: Was there much discussion on how to handle the e-schools in the academic component?

KG: David had talked to us about that.

AOS: What did he say?

KG: David did not want them in it the first year and had a plan on how to phase them in over time.

AOS: Did anyone voice concerns about that?

KG: I don't know if anyone said you shouldn't do that I think people said like are you sure that's how you want to go about it.

AOS: Was there ever any question in your mind as if that was an allowable decision for David to make or if he had had discussions with senior leadership about that?

KG: I thought he had the approval of senior leadership, he claimed he did have approval for the things he had us do.

AOS: Was anyone from senior leadership in the meetings that you were in?

KG: No.

AOS: To your knowledge, were the e-schools completely excluded from the academic component for the first year or were they just weighed?

KG: I think they were just excluded. We did have one meeting, but I am not sure what that was about with Dick Ross. I'm not sure if that was the evaluation or the grant.

AOS: Were you in that meeting?

KG: Yeah.

AOS: You don't remember what was discussed?

KG: No, I think it was about the grant.

AOS: I know David talked a lot about effective seats. I think he was very driven by students getting a quality education regardless of what school they went to. Did he make requests around data analysis about how to identify or calculate, quantify what an effective seat was. Was that something you ever worked on?

KG: I think he knew what he wanted it to be based on. I believe he had us calculate based on those things.

AOS: So he basically gave you business rules for calculating effective seats. To your knowledge, were there ever group meetings with others to discuss what should be part of those business rules or was it just conveyed to you, this is what we want.

KG: There were meeting with Kelsey, me, him, Donny Leming, and there were other meetings with senior leadership.

AOS: Were you in those meetings?

KG: Yes, I was in those meetings.

AOS: Do you recall who was in those meetings?

KG: I recall not everyone who was invited showed up. I believe John Richards was in there, I am not for sure about the other people.

AOS: Did David Hansen ask you while working through the sponsor evaluation, getting data and going back and forth, to do anything that made you feel uncomfortable. Like changing data or something.

KG: He made a comment about giving everyone a certain score because he was annoyed with something. I think I asked if he was serious about that.

AOS: (showing email) You sure did. What was your impression of this? Was he serious?

KG: I think he was volatile and would say things but I wanted to make sure.

AOS: Did he ever respond to this?

KG: I don't recall.

DL: Can we scroll all the way down to the bottom so I can see what?

AOS: Sure.

DL: Thank you.

AOS: Did you ever get the impression that he wanted a certain group of sponsors or certain number of sponsors to make the exemplary mark?

KG: Yes.

AOS: Did you feel like he was tweaking the rubric to get to that outcome? Could that may have been the backdrop is this discussion?

KG: I felt like that really connected to the quality portion not the academic portion.

DL: Your email you think it related to quality?

KG: Well...

DL: The only reason I ask is we have rubrics, so when the sponsors get all upset about the sponsor evaluation, we can say, when you look at the rubric, this is how we are going to score. So it was like a...

AOS: ...Cheat sheet?

DL: Yes, it's an objective, it says this is the criteria we are going to use so sponsors should not be surprised by their scores based upon the rubric.

AOS: (showing email) And this was a 2014 email so I am assuming, and if you know I would like you to confirm, that whatever was being generated and being discussed here was probably related to the pilot portion?

KG: Probably but I think it would have been the overall score.

AOS: Do you think some of this discussion could have been geared towards changing the rubric and modifying it a little bit?

KG: No, I don't think so.

AOS: Was there ever a discussion of changing the cut scores?

KG: Yeah, I think there were discussions of that just trying different cut scores and who feel in where and how many and are we going to have to close every one.

AOS: Just getting a visual what the actual impact will be. Which I am sure it's tough to determine where to draw those lines but was there ever a point in time where you felt uncomfortable about those discussions.

KG: There was a meeting with him and Joni and some other people where he seemed very annoyed that one sponsor was doing well. And another sponsor wasn't.

AOS: Do you remember who those sponsors were?

KG: St. Aloysius would have been the one doing well. I have an idea what the group is for the other one could have been in but I don't know the specifics.

AOS: Were there any sponsors in particular that you felt he, I don't if favored is the right word, but that he felt was the best out of the group and should be at the top of the list.

KG: OCCS, I think it has a different name now. I think it is the University of Toledo now.

AOS: Did Hansen ever make you feel uncomfortable and made you feel like you needed to go talk to your supervisor about...

KG: Yes.

AOS: Did you ever reach out to anyone?

KG: Yeah, I talked to Matt Danzuso and I know I talked to Beth but I don't know if that was about being uncomfortable with him, personally uncomfortable with him.

AOS: Did Matt ever follow up with you or tell you he was going to have a conversation?

KG: I think he talked to someone about David's general demeanor but I don't know who that would have been.

AOS: Did things improve?

KG: They did for a while and then they didn't.

AOS: Are you familiar with the auto closure rules?

KG: The what?

AOS: The auto closure laws for automatically closing a community school?

KG: 3314.135? Yes.

AOS: So, I think the statute has been around for some time, but like so many; it's been tweaked along the way. Did David ever ask you questions about schools that were at risk of closing or how it worked in general.

KG: He didn't understand, he claimed it was too confusing and he didn't understand it so he had me explain it to him a couple of times and he had me put together a presentation for schools and sponsors to show the different paths that would lead to closure.

AOS: Were you part of a group that monitored auto closure?

KG: I was the person who ran the analysis until we entered Safe Harbor.

AOS: When you would run the analysis, would you provide that to the program office?

KG: So, that depended on year to year. Every year it would go to the program office. At times, they would have me call the schools and tell them they had to close. That has not been recently. The last time I had to do that was when Kathleen Madden was the director. Or maybe she was an executive director.

AOS: That seems odd that they would have asked you to make that call. I would think that would be a call from the program office.

KG: The call?

AOS: Yes, seems like a difficult call.

KG: Did always seem strange. Joni never distinguished me working for her versus not working for her.

AOS: So, just part of the team.

KG: She would send out letters but she needed help making sure they had the right information in them.

AOS: So when you were working on the auto closure analysis, we have a question I believe originated from John Charlton through a public records request. David is asking you specifically about whether or not a school can be closed on Performance Index alone. Does that ring a bell? Can you answer that question generally for us?

KG: It's been so long since I have answered this question.

AOS: Oh, you don't do it anymore?

DL: We have been in Safe Harbor.

KG: I don't believe a school can be closed on Performance Index alone. I think it's if you are a K-3, most recent would be K-3 literacy. Then you went back to data for prior for prior years. If you were 4-8, it was Value-Added and Performance Index, for high school and it was Performance Index and annual?

AOS: Were you ever involved in discussions with anyone in the agency concerning the need to pass safe harbor legislation? Is that something, to your knowledge, something ODE saw coming and wanted to ask legislature to pass a law?

KG: No, nothing to do with the legislature.

AOS: I have assumed that Safe Harbor came about from because of the PARCC and AIR testing and the concerns about the impact that had, was there something else?

KG: I thought that was it, but I don't know how it got started.

AOS: I am trying to understand if it was education that began the discussion and legislature asks or the other way around.

KG: I generally do not know that type of information.

AOS: As far as generating data for the report card, we know that EMIS is incredibly complex; we talked with Kelsey about how data gets pulled from all the various databases. One of those databases was OEDS. Is the information in OEDS reviewed for accuracy or are the schools required to maintain those records accurately?

KG: I don't know if there is a law about it? I know we tell them that it's their data and they are required to keep it up to date. At least a year or maybe more, the office of community schools staff were supposed to be reviewing, opening assurances and having things corrected.

AOS: Do you know when that would have been?

KG: I only know it was when David was there. And then how much involvement we have in helping them has changed over the years.

AOS: How so?

KG: If we get a request from a school and it's on letterhead and asked you to make that change for them. They system has changed it is friendlier now. But still some of the school cannot figure out how to use it. If it is a legitimate request we will go ahead and fix it for them.

AOS: One of the concerns we had looking at the auto closure list and when looking at the grant, one of the concerns was looking at the difference between the list of schools compared to the annual report and what was identified. Would you have helped with that?

KG: If I know what list you are talking about, I don't think I have helped in recent years. Depends on the list.

AOS: (looking for auto closure table) One of the things we looked at a little closer that we started, since we couldn't tell which number was right, grant versus annual report, we thought we would generate our own list which became much more complicated than we thought. We are pulling the report card data online that is archived, so we are pulling all the performance data and applying the legislative closure criteria to it, we are finding (now showing table).

KG: So that would have been based on the Auto Closure Law.

AOS: Is that a table that you assisted preparing?

KG: Yes.

DL: So did that come out of the annual report, is that what you are saying?

AOS: Yes, they all this table in there and it is usually table 8. In doing that, we had trouble identifying the grade level served for the community schools. What we would pull out of the report card information in the archive, wasn't matching up with the actually grade level the school was servicing. This can make a difference in the criteria that needs to be used. Is that something that you can help us understand?

KG: The instructions I was given was to pull the average daily membership for a school from OEDS. Segregate it by grade level so those would be grades they were actually paid for. There are places that might say grade levels allowed even though it says grade levels served so we would have said, this school in FY 13, what grade level did they actually report student being in. Some of the schools failed to submit data, and then we would have to pull data from OEDS. Some years there were a handful of schools we would have to do that for.

AOS: For the business rule, if you had a variation between grade level approved versus grade levels served...

KG: We would never look at that. We would have gone with what they actually said they had served through the data submitted through EMIS. But I think the cards pulls in the OEDS data to it could have said it was a K-12 but really only having K-8 then the following year, K-9.

AOS: To your knowledge was anyone ever reviewing the OEDS data for accuracy? I know you said you had some role where the school would tell you, yeah we've updated it, it's okay but was anyone in the office of community schools ever specifically checking grade levels.

KG: It's been only recently that Kelsey and I have taken over that. Mary Cotton handled the OEDS requests, I could handle them if needed but day to day, she was doing that. Our involvement would have been pulling data into a spreadsheet and giving to the office so it would be easier for them to check.

DL: Do you know who Mary Cotton is?

AOS: I have not met Mary.

DL: She is an administrative assistant with the community schools.

KG: I believe her process was to go talk to a specialist in the office and make sure it was okay.

AOS: Did you ever work with EdChoice designated building list?

KG: Yes

AOS: Is that every year?

KG: No, they lost their data manger, so I was assigned to the office for a short while. They had a few people in that office as a data manger.

AOS: Who did they lose?

KG: Erin Whitt. She is still with the department. A programmer with EMIS, I believe.

AOS: While Erin was there were you involved in generating that list or was it her expertise?

KG: Not while Erin was there.

AOS: Was she available to help you when you had questions about the list?

KG: She was available to help, we don't communicate well. She did try to assist, I don't necessarily know if I understood everything she was trying to say.

AOS: One question we came across as reviewing emails is whether or not Cleveland Municipal Schools should be included in the calculation of the buildings designation list. Is that a question that you had when you came in?

KG: That sounds familiar.

AOS: Cleveland has their own voucher program and email we have is actually David Hansen raising the question, we shouldn't be included them in this calculation, they have their own program. (showing the email)

AOS: This came from an outside source that asked about the buildings.

KG: (reading email)

AOS: There were some email exchanges later on where David expresses his displeasure that Erin does not consult him during the process while compiling the list, and states that he was "done with her". He was very frustrated. We were trying to understand, did he identify a true issue here?

KG: I don't think he did based on my understanding. Erin only ever did exactly what she was told to do. So that would have come from like a business rule from her office.

AOS: Who was her office at the time? Would that have been Sue Cosmo?

KG: Sue Cosmo. So if there was an issue, it wouldn't have been with Erin.

AOS: So as far as you were aware at the time, the list was accurate at the time with the business rules provided.

KG: I recall him saying he was going to go to senior leadership about it, I don't know.

AOS: The scrubbing school districts, are you familiar with the term or the report?

KG: Columbus?

DL: We refer to it as data manipulation.

AOS: Okay, data manipulation schools. You know which ones I mean.

KG: I know about Columbus, I don't know which others ones.

AOS: It was almost the urban eight, Northridge was in there. We made a number of refers, data had to be corrected. I have no doubt that not just reading the emails but understanding what goes into getting that accurate list and that scrubbing or manipulation. Were you ever part of any meetings that were discussing how to handle the list after that after all was corrected?

KG: I don't recall anything like that.

DL: You are looking for the person, Matt Danzuso. I believe he served as the point.

AOS: Were you ever part of working on data requests for monitoring DORPs and their continued eligibility?

KG: What do you mean by continued eligibility?

AOS: Making sure they are serving primarily the appropriate grade levels to remain a DORP. Would that have been something that data requests would have even been submitted to you?

KG: A long time ago, I remember Joni asking me to go to the SEOS at the time and checking birthdate data. Counting how many were in a certain birthdate range. I know at one point she had me look at enrollment to do a spot check to make sure they were serving and there was one that had become a K-8 so that had to be taken off the list. Recently Kelsey has been doing a check off of EMIS data to make sure that 50% or 75% of the kids fall into the range.

AOS: The one that became a K-8, do you know if that got removed?

KG: I think it did because it wouldn't have had the data it needed for the DORP report card.

AOS: Were you ever asked to join GoogleHangout by David Hansen or anyone else?

KG: He asked me join Google something.

AOS: Did you ever join?

KG: I think I tried but I don't know if I succeeded. I don't recall ever hanging out.

AOS: Do you know why he wanted to join?

KG: He always wanted the fancy, newest programs and apps and things and things that were easier to use than whatever we had.

AOS: Did you have Instant Messenger or Lync?

KG: I think we have, but I am not big into that.

DL: Are you sure of that?

KG: We had something. We had something on the computer. I think the data managers did. Not sure that everyone else did.

DL: So that's news to me. We have Skype now. We have Outlook.

KG: Maybe that's, can you text in that?

DL: You can.

KG: Maybe that's what I am thinking of.

DL: So we probably want to...

AOS: Look

DL: Yeah

AOS: Do you have any idea why David wanted on GoogleHangout? Do you think it could have been that he wanted to have certain conversations offline? And avoid anything public?

DL: Can we ask if she knew if he wanted?

KG: I don't know.

AOS: Do you think it was odd he was asking you?

KG: I don't think it was stranger than anything else.

AOS: Stranger than anything else from Hansen?

KG: He just wanted things different. He didn't want PowerPoint, he wanted Prezi. He wanted new programs. Whatever he knew how to use that was easy.

DL: So this is somebody that came out of the private sector. So just to, context.

AOS: Hansen?

DL: Yes?

AOS: I am looking more as were there policies within ODE that says?

DL: We send we would send it to you so.

AOS: I know but use what we tell you to use, don't go outside the box here.

DL: Yes, that's why we'll send in over.

AOS: We also found some emails that had some missing header information. It's not the content that is important but that there is some information missing is odd. In your time at ODE, have you seen anything like that?

KG: (looking at email)

AOS: We have some that have a sent but no "to" or "from".

KG: So something David sent to us?

AOS: I think at least some of them were in fact sent.

DL: When she leaves, I will tell you what I think he was doing.

KG: I have no idea. I am not even sure I would have noticed that if I had seen it.

AOS: I now when we see outlook, that information is always filled in.

KG: I don't think I would have ever noticed if I would have just looked in the content.

AOS: Anything else?

AOS: Just one, EdChoice, I understand that the law is complicated, are you familiar with calculating the lowest 10% of the Performance Index.

KG: I know I had to calculate once. I don't remember the whole process. They wanted it done the way Erin had done it before so it would be comparable.

AOS: I wasn't sure if it was being pulled from the multiple databases again or...

KG: Oh, I don't know exactly where I would have gotten it it would have been pulled from micro strategies which would hit our trend tables or directly from trend tables.

AOS: There was one email that is referring to cut scores and they were talking about percentile and decile? There was a very slight variation to the two different approaches on how you calculate them.

KG: Yeah, so. Erin used one program to do this. I think it's called TOAD. I use SAS. I tried to duplicate what she did. The two are different in approach. I don't know how TOAD dealt with that. I think I talked to Heather about how to approach it. I think it shifts some cases above and below the cut scores I think arbitrarily.

AOS: That's all I have. Thank you.

Kelsey Stephens, ODE Data Manager

08/31/2017

In attendance:

ODE Employees: Kelsey Stephens, Diane Lease, and Sheila Vitale

AOS Employees: Matt Klapheke, Tim Shockcor, Marnie Fredrickson, and Kristin Hayes

AOS: We will get through some preliminary questions here. Can you state and spell your last name?

KS: Kelsey Stephens.

AOS: [REDACTED]

KS: [REDACTED]

AOS: [REDACTED]

KS: [REDACTED]

AOS: Where are you currently employed?

KS: Ohio Department of Education.

AOS: How long have you been employed there?

KS: March 2014.

AOS: And your position?

KS: I am a Data Administration Manager.

AOS: Have you held any other positions while you were there?

KS: At the Department of Education?

AOS: Yes.

KS: No, I have not.

AOS: Can you briefly describe your duties?

KS: So, I work currently just with the Office of Community Schools though I am in IT. I am responsible for data requests, data related to the report card and Ohio's directory system OEDS, data management.

AOS: Is that it?

KS: Yeah.

AOS: In your position there, do you regularly consult with department legal counsel?

KS: Semi-regularly as of late. By email once or twice a month.

AOS: And what do you usually consult with them on, just general.

KS: Mostly OEDS questions. When IRNs are assigned and processes.

AOS: Anybody in particular?

KS: Sheila.

AOS: Do you have the ability to commit ODE to any obligations?

KS: By obligations?

AOS: Like to sign off if ODE has to do something?

KS: No, I can inform the department on federal reporting requirements, things along that lines but no.

AOS: But you don't commit them to do anything?

KS: No.

AOS: Go ahead Marnie.

AOS: So some background, as legislation developing, with your position, like HB2, what would be the regular routine process that you have to be kept up to date with legislative changes. How did that work in the department, how were you informed of that?

KS: So, data managers would find out about changes from the programs offices as they hear from other offices and they learn. If we hear before them, we would let them know how that would affect data. But we are only involved as far as data are concerned.

AOS: So in terms of anything that would impact data, that you were pulling or the manner in which you've programmed to pull the data, you would rely on the program office to let you know the change that would impact you. Would that be true?

KS: Generally, at least that is how I have seen it operated in the past.

AOS: And then as far as any report that you might run, data that you and generated, ultimately, is IT taking ownership of that data or are you providing it to program office or the person providing the request and they are taking ownership by reviewing it and making sure that's the data generated in the manner in which they wanted it.

KS: So, normally the process is that the program office makes a request; they outline business rules for which data managers would pull the data and provide it. Then they review it and insure it's what they

need or want and go from there. There might be some back and forth it isn't exactly what they requested.

AOS: So when they are making a request, they are informing you what the business rules should be for that request. Does anybody have to approve that request? Can anybody make it?

KS: Anybody can make a request. There is now a governance review process and like a data request process that's been instituted in the department. Anyone can make a request but it doesn't necessarily mean it's going to be fulfilled in the manner it was requested.

AOS: What about back in time during the grant application, so we are talking about the 2014/2015 window. What would the process have been back then?

KS: I believe though I am not entirely certain, let me think, it's been a while.

DL: So this would have been around July 2014 because I think the original application was submitted in July right?

AOS: It was July 2015.

DL: '15 okay, that's what I want to make sure we get the dates right because the department runs pretty fast.

KS: I'm sorry; I can't recall when the data governance office or process was created. So I am not entirely sure what was in place at that time.

DL: So, I can help. So we didn't create data governance until after I arrived and that would have been August of 2015.

KS: So at that point it would have been just a data request.

AOS: We saw during the course of some of the reviews we've done, we saw quite a bit of data requests, looks like there was a process of sorts. Data requests would be made and tracked within a spreadsheet perhaps of all the requests were coming in and it would be checked off whether or not Jason Rafeld or someone of that equivalent position reviewed the request and made sure it could be provided and generated. Were you familiar with that?

KS: I am not familiar with there being specific like people assigned to review or who reviewed it but I did know at a point we had a spreadsheet just to help track our work to know things did not get lost.

DL: So Marnie, if you want to talk about that after we can talk about that because I can help with that.

AOS: Okay. Going into the charter school grant application, there's a lot of people that had a hand or a role in developing the application. From your point of view, what was your role?

KS: So there were, I believe, a number of, there was the original application and then are responses, can you clarify or are you talking about the whole process?

AOS: Let's start with the original and then we can definitely talk about the modifications that were made after that as well.

KS: The only role that I had in the original application was like a data request, they outlined what they were looking for, they being the program office at the time, and very shortly before it was submitted, I believe I reviewed portions of the actual application and made recommendations.

AOS: What kind of recommendations did you make?

KS: I can't recall specifics, I'm sorry. General, I believe, wording...

AOS: So kind of just small edits.

KS: Broad overview.

AOS: Were you asked to generate any specific types of data for that original grant application?

KS: Outside of the data requests, the original data requests?

AOS: Right, and this is where I am not clear myself so maybe you can help clear the path for me but it seemed as though the sponsor evaluations were going down a track and getting done and being worked on by one team. The grant application is getting developed by another team and at some point the two come together and information from the sponsor evaluation do go into the grant application. Were you working on data requests for both or just one or the other?

KS: I definitely worked on both but I am not sure of where they were pulled together.

AOS: When you say the program office asked for the data requests, was it David Hansen was it others within the office?

KS: Which are we talking? The grant or the sponsor evaluation?

AOS: We can talk about both if they came from different people.

KS: That's been two years so it's hard to recall specifics.

AOS: If you don't remember, that's a fine answer too.

DL: So, can I see if this might help?

AOS: Yeah.

DL: So, when you got data requests from the office, was it typically one person or would it have been multiple people?

KS: Depending on the project, we can get data requests from the directors down to like the ed consultants even like the administrative staff.

DL: That where I thought I might help clarify.

AOS: Yes.

DL: So, it doesn't sound like, you guys don't have a hard and fast rule that it can only come from an office person.

KS: No, not at all. We can get data requests from the general public, other agencies, it's, it can come from anywhere.

AOS: Okay.

AOS: When you would get the data requests, what form would it come in? Formal, verbal or written?

KS: There is no set form. It could be formal or verbal it could be an email. There is no hard fast like process.

AOS: Like there's no procedure? Like write it down and its gets approved, then it comes to you and gets approved.

KS: No.

AOS: So some of that could have been face to face requests.

KS: Correct.

AOS: Email requests.

KS: Yes, all of the above.

AOS: Any other communication? Ways? Instant messaging?

KS: Phone calls, I have never received a data request via IM. But we do get phone call requests as well.

AOS: Did you, as part of your process in IT were there supervisors above you that were responsible in any way for reviewing the data requests before you can provide it to the program office internally or somebody outside the office?

KS: Depending on the nature of the request, my supervisor might take it up to and I am not sure who all is involved in the data, like the review process since I am not personally involved, but my supervisor may take a data request to someone in the agency to review.

AOS: Most of the time if you felt comfortable generating the data were you able to just go ahead and do that and provide it.

KS: We would generally outline the data request both internal and external but it's not problematic and its internal we might fill it but still create like a detailed document, not document but (business rules?) outlining it.

DL: Do you want to understand the quality assurance process?

AOS: Yeah.

DL: There where I thought you were going so you might want to talk about.

KS: So, depending how complex a data request is, there is no formal that I am aware of like Quality Assurance process but my co-worker and I might share code and spreadsheets to just spot check or run through like an entire program to make sure it is working as expected.

AOS: Were you ever part of any meetings or, I guess, team get togethers on developing the grant? Going back to the grant specifically. Were there regular touch points or anything that you were personally involved in?

KS: That I can recall, I was pulled into one meeting and that was for them to outline their original data request but I'm not involved so much in like the development of the grant or the processes behind it, just the data portion.

AOS: How about the sponsor evaluations side were there meetings or anything of that nature that you were part of the team that was regularly getting together to discuss?

KS: There may have been meetings on the data portion that I would have been involved in but not the planning or procedures.

AOS: And on the data portions, these would have just been discussions to help you figure out what type of data they were looking for?

(No verbal answer)

AOS: Who would primarily have been your go to person in the office of community schools for the grant, questions on the data or for the sponsor evaluations, questions on the data, would there have been one person you typically would have went to or would it have just been depending on the scenario, could it have been multiple people?

KS: It would most likely be multiple people. I tend to email more than one person with a question in case someone is out.

AOS: Okay. Would you have usually had those conversations in an email or would you have had them face to face?

KS: I would say both.

AOS: Okay. Were you asked for the grant to help generate any data around the high performing schools?

KS: Yes.

AOS: Okay, do you know who asked you to help with that or what instruction they provided? Do you remember?

KS: Believe for the original application that would have been coordinated by David Hansen, the very original, but I am not sure where the responses and the rest of the data fall in the timeline and who those requests came from, I can't recall.

AOS: How did you know how to identify a high performing school? Was that through verbal conversation you might have had with David Hansen for that original grant application?

KS: Yeah, I can remember I was brought into a meeting in the grant where they looked at a federal definition and looked at the measures for ODE had for the report card. They tried to align the two. It was verbal. That's all I remember.

AOS: Did you have a feeling that you understood how to align those definitions? Was everyone on the same page as to aligning those definitions?

KS: Sorry, I can't recall, it's been too long.

AOS: Did you ever help generate a list of the closed community schools. Was that a request that would come down to IT or the program office maintain that list?

KS: I have been asked to generate a list of closed schools in the past however I don't know if it was related to the grant application or sponsor evaluations but that would have been just based on the directory system.

AOS: Can you explain what the directory system?

KS: OEDS (Ohio Education Directory System) public facing application.

AOS: Is that a system the schools maintain? Is it mandated that the school do that.

KS: I can't speak to mandates however the schools do update their own data.

DL: Do you have the closing procedures? There is a closing procedure on the website.

AOS: We do.

AOS: One of the questions we have had, talking about the report card because it pulls all the data together in one place, would all of the data that appears on that report card be coming from multiple different databases or is it centralized. Trying to understand how complicated it may be to pull requests. Whether it is Value-Added or Performance Index or even grade level served? How many places is that information coming from?

KS: All of the data comes into the department and is fed into EMIS. This is the raw data, student level, school level, district level. Then data with calculations that are performed on it go into the data warehouse. This can also be student level. Then it feeds into a separate trend database if it is report

card related which then feeds into the local report card but the actual grades served and the basic information on the organization is in the OEDS system which feeds into all three systems. There is also other databases if it's a non -public school or charter or non-tax so yes, it is different depending on what you are looking for and it is very complicated. There is different databases for pulling calculated data versus just data, yes, its complex.

AOS: So if I am looking for the specific grades served for a location, I will likely pull that from OEDS and merged it somehow with information the school entered into EMIS.

KS: Yeah, depending on if we are talking grade level could be different because there is a grade level served as well as grade levels approved to serve. Those could be two different numbers.

AOS: Where would approved versus actual live...

KS: So the approved would be in OEDS. That is what the schools are responsible for maintaining. The grade levels served would be based on enrollment that the schools would have reported.

25:42 AOS: For closed community schools, any requests would have included the business rules from the person or office making the request, as opposed to you yourself identifying a school that is at risk of closure, did somehow in the program office already make that determination and are telling you within the business rules to help them monitor schools for closure. Would that be true?

KS: That is how it would work however I have never pulled for at risk closure.

AOS: You are just pulling actual schools?

Non verbal response

AOS: Were you asked to pull academic data for the sponsor evaluation, the various community schools that each sponsor had?

KS: Yes.

AOS: Do you know who made that request?

KS: I believe that would have been David Hansen.

AOS: Did he provide business rules?

KS: Yes.

AOS: Would that have been in an email?

KS: I do not recall.

AOS: or meeting?

Non-verbal answer

AOS: Do you remember if David made specific instructions of leaving e-schools out or including them or weighing them differently?

KS: I cannot recall. Sorry.

AOS: Any specific instructions on dropout recovery or new startups?

KS: Not that I can remember. I think we are going back three years at that point.

DL: So to clarify, when people submit, they don't always tell you the purpose right?

KS: Correct.

AOS: So finding the actual request is helpful.

DL: Doesn't necessarily mean, because we have a research component in the statute so people are constantly looking at data. Which is why I want to make sure I clarify because I don't think he or anybody gives a reason.

AOS: Going into some of the modifications on the application. What was your role?

KS: I would have received the request to modify and I would have filled it per the business rules provided.

DL: We call it clarification. I want to make sure we are consistent with terminology.

AOS: Okay, I will make a note.

AOS: So if it modified or clarified, did you receive a different set of business rules?

Non verbal response

AOS: So you got a new set of business rules, if I am understanding it right, they want a clarification on data, would you get a separate set of business rules of what they want clarified.

KS: I can't recall in this particular instance how that came about but most likely.

DL: So can I ask a time check, should we start sending someone else over?

AOS: By 10:00 to be safe.

AOS: I would like to ask about EdChoice, are you involved in that piece?

KS: I covered that office briefly.

AOS: Was that office all under David Hansen at the time as well.

KS: Yes, it was.

AOS: Were you ever to generate the EdChoice analysis at any point or were you just here and there working on requests but EdChoice were not a normal part of your work?

KS: By EdChoice analysis, can you please clarify?

AOS: Were you ever asked to generate data for the office to determine the designated buildings list?

KS: I can't recall what list it was, it was several lists ago.

AOS: Could that have not told you what the list was for?

KS: I worked on it one year. Could have been the 13-14? I did part of that this. It was broke out between myself and another coworker and a former data manager.

AOS: How complex is that?

KS: It is a complex analysis.

AOS: Is that from the same process that you spoke of early? (the different data systems)

DL: Kelsey is used to working with me, I am a visual person.

KS: Yes, it relies on a number of databases.

AOS: Data is coming from multiple places.

KS: Yes.

AOS: We issued a scrubbing report a few years ago, do you recall whether those scrubber school districts and the data that were resubmitting, was that the time you were working on identifying designated building?

KS: I do not know.

AOS: I know that created some complications.

KS: I would imagine but I don't recall.

DL: I think we did an EMIS update during that time.

KS: I came in towards the end of all that so I don't know. I think it was all being finalized my first couple of months at ODE.

DL: I think Marnie was on the audit team for that.

AOS: Oh yes.

AOS: Did you ever get a set of business rules from David Hansen wanting data and you prepared that data, gave it to Hansen, and he said change it or make it different or make it fit whatever scenario he

wanted it to fit? Or did you ever look at data once he submitted the business rules and say, this is wrong and you questioned the data?

KS: Can you specify a project, there are so many requests.

AOS: Any on the school closures, evaluations?

KS: Closures I have not been involved in so.

AOS: Have you ever questioned the data he was requesting.

AOS: Or did his request ever make you feel uncomfortable? Any request?

KS: That's tough to remember. It's difficult to remember.

AOS: Who did you report to during this time?

KS: Matt Danzuso.

AOS: Did you ever go to him and tell him the data wasn't correct or I have a question about what he is requesting?

KS: I can't remember.

AOS: I understand you didn't always know why he wanted it but putting this together you may question it.

KS: I can't remember.

AOS: We talked about communications at ODE. Emails, IM, face to face. Any other type of communications?

KS: Phone calls.

AOS: Did you ever use GoogleHangout?

KS: No.

AOS: Did you ever hear about GoogleHangout?

KS: I have heard of it.

DL: I haven't.

AOS: So you were never instructed by Hansen, send me stuff through GoogleHangout?

KS: I believe he mentioned using it at one point in time but we, I never used it.

AOS: Do you know if there is a policy within ODE that you can't use anything that is not ODE approved?

KS: I believe there is.

AOS: Like you can't use your own GMAIL to communicate business type things?

KS: Yes.

AOS: Did you ever receive an email without a header on it? Like the "to", "from", "subject" line missing?

AOS: We can show you one.

DL: I just want to make sure I understand, because this is a new one for me. I read all of his emails so.

AOS: What GoogleHangout is?

DL: No, I just want to make sure I have the date.

AOS: Certainly (showing the email)

DL: So, July 28th, 11:03.

KS: This helps, he suggested using it but I never went through it.

DL: Should we send over our policy for non-approved communications?

AOS: Yes, please and the date it was in effect.

DL: Yeah.

AOS: So he sent this to you but you never had a conversation with him about why do you want to use GoogleHangout? Or said he wanted to use it because of X, Y, Z.

KS: I can't recall exactly why he wanted to use it to be perfectly honest.

AOS: Because he appeared to use GoogleHangout a lot with various people in the organization.

AOS: The email made it sound like you objected pretty strongly to it. Do you remember those objections?

KS: I can't recall specifically. I know I would not want to use personal email accounts at work. I mostly likely objected because I knew we shouldn't use.

AOS: Did you ever have a conversation with Matt Danzuso?

KS: I can't remember. Sorry.

AOS: (Showing a missing header email)

AOS: Do you know why there would be missing headers?

DL: Are they drafts? Because they haven't been sent.

AOS: Sometimes we have a sent date.

DL: Seriously? Can I see one?

AOS: Yes.

DL: Can you send one over to me?

AOS: (Showing another email)

DL: I want to show this to our IT.

AOS: We tried to recreate this in our system and we couldn't. Not with the normal routine like a draft or junk mail.

DL: I want to talk to our IT guy.

KS: I can't remember taking note of a missing header.

AOS: When David left, were you ever in possession of his equipment?

KS: No.

AOS: Do you know who would have been?

KS: No.

AOS: Is that a separate section of IT, if someone comes in the organization or they set their computers up or when they leave they clean up the computer, that not you?

KS: No.

43:35

DL: We can talk about that after. I can tell you who is responsible for that.

AOS: Any other questions?

AOS: After the original grant there was the additional letters that went back to USDoE concerning the clarifications. One was dealing with the new definitions of high performing schools and some of the tables were updated. Were you part of that?

KS: The data portions, yes.

AOS: Who would those requests have come from? David?

AOS: I think he was gone at that point.

DL: I think the original date was in July of 15 and he left right after it was filed.

AOS: If the data was going up through 06/30/14 that were classified as high performing, do you remember if a school happened to close on 06/30/14 would they be included?

KS: Off the top of my head, no. Sorry.

AOS: Does anyone ever review the programming over time to make sure that the legislative changes happen, maybe the program office misses something, minor change in wording could have a large impact? What process, if any, does the IT shop of monitoring those changes?

KS: It depends on the project that we are talking about. We may recreate or update programming.

AOS: Let's talk about EdChoice, how was that done?

KS: I know the one year I was involved. I cannot recall. I was only involved for a couple of months.

DL: Do you have an example?

AOS: We have emails that demonstrate a lot of questions for the data pulled surrounding the designated list, and we can look at the list and see anomalies. For example, we see schools that we cannot explain and then there are some that should have been included.

KS: Depending on which lists you are talking about I may not be the person to ask.

AOS: Who should we ask?

KS: Depends on what it is.

AOS: 13/14 designated list?

KS: That may have been me.

AOS: Who else did you work with?

KS: Karlyn Geis, Erin Whitt.

AOS: Is there a lead? Who would you ask your questions to?

KS: I would ask Sue Cosmo.

DL: So she is the non pub scholarship director of that office.

KS: She is who would know the business rules but general questions I would have gone to Erin Whitt?

AOS: Here is the list I was trying to go through. (Showing her the list)

KS: I believe this would be it however I cannot be sure unless I go back through my records.

DL: So do you want us to go back and look for the anomalies?

AOS: Yes, I tried to look through and see if they were following the statute.

DL: Let us know what the anomalies are and we will work with Sue Cosmo and Matt Danzuso who are the data managers. And they will figure it out. If there was a mistake, it happens.

AOS: Right. If there is nothing else.

AOS: I need to go back to the business rules, if there is no formal process, they could be written or verbal. The verbal part. They tell you what they want and you do it. They come back and say, no that's not what I wanted, you say well that what you told me. How do you verify without a process without documentation?

DL: I think Kelsey explained the process, you and I may not agree with the process but that's the way the department works.

AOS: I was just asking her, how do you verify it?

KS: Just continued conversations with the requester. If it's verbal that's all I can do.

AOS: So it really isn't on the IT department to verify whether the data is right it's on the requester.

KS: Define right. The data are correct? Or the data followed business rules. There is a difference.

AOS: The integrity of the data. In my mind and can see IT having ownership of the data stating that they grabbed it out of the right database wherever it may be and making sure I understood what the person was asking me for. But if I follow what you have stated, it is up to the program office to create business rules for their needs. Is that a true and accurate description?

KS: Yes.

AOS: I don't need anything else. Thank you.

Matt Cohen, Chief Research Officer

09/06/2017

In attendance:

ODE Employees: Matt Cohen and Diane Lease

AOS Employees: Matt Klapheke, Timothy Shockcor, Marnie Fredrickson, and Kristin Hayes

AOS: We are looking at the charter school program grant application and taking look at some of the emails that were taking place, we are seeing early conversations in 2014 about changes to the Value-Added formula and the impact it has on e-schools. Just wanting some of your input and knowledge about some of the discussions that were being had at the time. Just to hear from you in your words the change in the formula and the impact it had on the schools.

MC: We were talking about this on the way over here; we did Value-Added back in 2006 or 2007. It is a system that pulls in data on student testing. And matches records not only in place but across time. So you have students that are in fourth grade one year and fifth grade and sixth grade and you are getting the full record of the student s over time. It's only as good as the data you have. We have been developing the system as we have gone along. I would say we have been getting better but there was one are that was always problematic which was the SSID system when students move, not just from school to another but from one district to another. It relies on recordkeeping for the schools to make sure they are not getting a new SSID for that student or whatever. I wouldn't say it was a big problem but for Value-Added the one thing we always knew was the more data we could get the more reliable the data the better. And somewhere around 2012-2013 we started discussions as the system there was something like SSID FIND that EMIS has, as this was improving the ability to match up the records across time and districts had become better. Because of the inconsistent, we always made the assumption that if we were not sure that this student is that student with SAS with our Value-Added, say that's not the student record we had a pretty high bar for that which means there were a lot of records left off especially in the area of e-schools. Because e-schools are drawing from kids all over the place. It's not mobility, it looks like mobility. It's the way they are entering and going back into the other sector so that meant that up to that point we had essentially business rules that guided us about what records would be good enough for entry into the system. By 2014 we were ready to change that and so we developed essentially an algorithm that determined when you are sure that is a student's record and how that fits in to modelling of the Value-Added. Getting really into the weeds the essence of this is that we do a school Value-Added and a district Value-Added. And the e-schools are modeled with the school Value-Added. So you have assumptions about kids coming to that schools that prior had limited the records that could be used. We felt that the data were good enough that we could relax those assumptions and we could make sure that we now had more student records for those e-schools.

DL: May I ask a question? So we used to do the October headcount. And so my question is when they changed the October headcount?

MC: It had nothing to do with it.

DL: That's what I wanted to make sure.

AOS: The headcounts would have been driving funding where this is driving report card data.

MC: Headcounts don't match across time.

DL: That's what I wanted to make sure.

MC: Okay so the end of this is once we did that, I think it was the end of 2014, we now had the ability to bring in more records that primarily affected the e-schools, it affected all school actually, and it affects new students that were just entering that school. Now, what you could see if you look at, we do calculations of Value-Added by grade level. What you could see is that the first year for e-schools became problematic. They were not doing a good job for first year students and this dragged down their overall Value-Added quite a bit.

AOS: One of the ways that is was explained to me and I am looking to see if this is an accurate description because it doesn't seem to be. We went from Value-Added being measured from statewide e-schools by looking at only the county where the physical school building is located versus looking at the statewide boundary that the students are coming from...

MC: That is in essence what I was talking about with the algorithms so you could be more sure of certain types of records in certain counties. We are drawing from all counties but mostly counties where they are pulling more kids from. Yes, there would be differences but when you have kids coming from every school and there records are in question, it becomes a problem due to them being dropped. And so it looks like we are pulling from everywhere and it's true. Before if a student comes to Columbus and it looked like he is from Cleveland there would be a question. It was about getting good data.

AOS: Could you describe what your position was at ODE in the 2014 timeframe?

MC: Sure. I was Chief Research Officer.

AOS: As an employee?

MC: As an employee. But that largely had to do with things like looking at research around generally about education I was also fairly early on I was assigned when we first started Value-Added I was assigned to be the contact with that contract. And so my background is in economics and education in general. Kind of up my alley so I became the point person. The expert.

AOS: Was that, when you make that statement back in 2014 timeframe was that about the first time you were coming into Value-Added?

MC: No, since it started in Ohio.

AOS: We have several emails were David Hansen is very interested in what changed in Value-Added. He is taking a look at the community schools in Ohio and trying to access what is high performing and what

is low performing and notices right away that the e-school are failing at Value-Added now since the changed takes place but doesn't understand what the change was caused that to occur. There is some indication that the schools themselves maybe didn't understand what the change was. What are your comments or thoughts about that? Did ODE inform the schools at the time that the change was being made and/or the impact?

MC: We worked pretty closely with the e-schools even before we knew what the impact would be. And had the leader of SAS to talk to a group of school folks prominently large city and e-schools. Went through it in some details. We thought it might impact and had that went through in quite detail we may have also had another webinar or something like that where we would have invited e-schools. But the extent of the difference was not known because none of us thought about what it means to be a new student at an e-school. Which is probably has a lot to do with difference. We do Value-Added by grade so it's summed up. So you can see how they do in each grade. We did analysis of first time students. You can see as first time students, only counting the kids who were there the entire academic year; you could see how poorly they were doing. And that was the big difference.

AOS: Being a little bit exposed to the issue of created a new SSID, that building secretary or whoever is receiving that paperwork, no necessarily knowing whether or not they have the right student, maybe they do not have the student's middle initial and you've got six students with that name so they just create the new SSID. What kinds of things back in 2014 were being put into place as part of this new algorithm to help make sure you had integrity in that.

MC: I don't know the name of it but its child find or SSID find or something like that. That was an EMIS process.

AOS: Was that the first year that the secretary could do a look up basically?

MC: I don't know.

AOS: That's what I am wondering if that was the first year you could do a lookup. I know there had been improvements since them. And do more sophisticated lookup for students.

DL: Do you need to know when that started.

MC: I don't remember when that discussion began about but I know at that point we knew we could do something better.

AOS: You are not an employee but consultant.

MC: I am employed by the ESC.

AOS: Are you still involved with Value-Added?

MC: Yes, there are certain deliverables and one of those is that I work on the accountability office with Value-Added both interpreting things and providing expertise.

AOS: Did you ever have discussions with David Hansen himself where you have discussions about this 2014 change? Specific questions?

MC: People were asking about it, it was a political issue in the general assembly. They made some changes as a result. I don't remember discussions but we talked about it.

AOS: What kinds of changes were made by the general assembly, do you remember?

MC: Yeah, they passed a law that the accountability system would have a new measure called high mobility Value-Added. This is part of the report card. It's only done for schools that have high mobility. Though mobility itself is really not an issue here because kids that have high mobility aren't even counted in because they are there for the full academic year. I really didn't have input on that.

AOS: And the grades that are counted for Value-Added, is that 4-8? Is that the right statement?

MC: That has changed the last couple of years with end of course exams. So now we have 4th grade reading, math, we also do science and social studies and of course Value-Added for those assessments that we have in the course of test. Not American government I believe.

AOS: Do you know back in 2014 what grades?

MC: That was 4-8. We had at that time we had OGT. And the OGT is a great band test not a subject grade specific so that was suitable for Value-Added.

AOS: Why do we look at, for Value-Added, only those middle school years? Has that ever been discussed?

MC: End of course is high school. So we now have kids factored in by that. Lower grades we don't because we don't have the appropriate state tests.

AOS: And this maybe a question that you can't speak to but in conversation with David Hansen or any of the others working on the sponsor evaluation process or in developing the grant application but ended up merging information from the sponsor evaluation which was incorporated into the grant agreement that got submitted. Was it ever your sense that the changes in the Value-Added formula contributed to the decision not to include e-schools in the sponsor evaluation?

MC: Not a part of that.

AOS: Never consulted on that question?

MC: Nope.

DL: Marnie, I think the federal grant the eligibility requirements relate to brick and mortar and that's why the e-schools were excluded. Because the grant eligibility itself says it's only for brick and mortar. So we wouldn't have the ability to include e-schools because it's not one of the criteria.

AOS: They weren't able to receive any of the grant money?

AOS: That's interesting that's a different angle then what we had read into the email strings.

DL: I remember that because it was the first question I received at my first board meeting.

AOS: Were you ever asked to be part of any training or webinar during the changes that were being made?

MC: You are talking specifically about Value-Added right?

AOS: Right.

MC: Well when you're getting in that level of expertise you call in the real experts so we called in SAS. I would facilitate those discussions.

(End of Transcription)

Steven Tate, ODE Social Science Researcher

09/06/2017

In attendance:

ODE Employees: Steven Tate and Diane Lease

AOS Employees: Timothy Shockcor, Matthew Klapheke, Marnie Fredrickson, and Kristin Hayes

AOS: We are taking a look at the charter school grant. So, if you wouldn't mind, what was your role back in the 2014-2015 can you describe to us what your position was?

ST: My official title was Social Science Researcher. I also worked as a consultant. They were assigned to a sponsor who worked with all things associated with that sponsor. Schools under that sponsor, dealt with their contracts, any issues related to the sponsor in general.

DL: In ODE speak; a consultant is not what I consider a consultant. They are an employee. Outside people may believe that a consultant does not work for ODE.

AOS: [REDACTED]

ST: [REDACTED]

AOS: At some point in your work were you primarily overseeing sponsor but were you assigned the grant then? What was that assignment?

ST: I was the primary writer.

AOS: Can you tell us who else was on the team?

ST: There were a couple of interns, David Hansen wrote the forward or prelude. Paolo DeMaria helped edit the document as well as a couple of his people.

AOS: As the writer, were you also responsible for obtaining the data included in the grant?

ST: That depends on the data that was included. Mine was mainly the narrative. Karlyn Geis who assisted with sponsor evaluation ratings and a financial piece that I did not have anything to do with, how the money would be spent. That was all presented to me.

AOS: Do you know who helped with the financial piece? Was that Karlyn?

ST: No, Karlyn did not do anything with the financial piece, primarily the interns. David might have been involved possibly. Not sure.

AOS: Do you of any other direct involvement in the grant other than writing the prelude that David had?

ST: Other than saying Steve you are going to write this, no. We met periodically, I sent updates on progress. He would probably make suggestions from time to time but he was not a primary writer.

AOS: Was this the first grant application you had written?

ST: No, we had done an application before two or three years before that was unsuccessful. I wrote a section of that application. Only a section.

AOS: How early did you begin working on the grant?

ST: Mid June 2015.

AOS: So you received it in June of 2015?

ST: I had 3 weeks to write it. We had a month before it was due when started but to get it reviewed and approved I needed it done in three weeks.

AOS: We knew there was a post mortem on the previous application that failed. There were several discussions at that time and it was a year prior to the 2015 application. Why did they wait until mid-June.

ST: The grant announcement does not come out until much later. We even may have been on the federal call when it was announced possibly in late May or early June. We did not waste any time beginning.

AOS: As you were writing different sections and circulating them, who received those updates?

ST: David, Joni Hoffman, the two interns, Karlyn, Deneice Cooper.

AOS: What is Deneice Cooper's role?

ST: She did the formal submission. She sent it in.

DL: She is an administrative assistant.

ST: What is her title?

DL: She's not management.

ST: Maybe analyst?

AOS: Was Faith Behringer on the team?

ST: Yes, Faith was on the team.

AOS: With David and Joni both being in the Office of Community Schools, who would have been providing input on the sponsor evaluation information and the...

ST: Karlyn.

AOS: Okay, what about Faith, what was her role in the development?

ST: Very little. I don't recall any contribution maybe just keeping David informed.

AOS: Because this is moving so fast and you are receiving the data. Were there many meetings concerning the data that was being pulled or were you just given the data and told to drop it in?

ST: The latter.

AOS: Did you ever express concerns about the data?

ST: No, it wasn't my role. I was not involved in the sponsor evaluation to be able to comment on the data.

AOS: Whose responsibility was it to make sure the data was accurate?

ST: I don't know that anyone was responsibility after the fact. There was a great deal involved in collecting the data so I believe it would have been prior to putting it in the grant.

AOS: Who would have scrutinized the data prior to you receiving it?

ST: Karlyn is our data manager; there was a team that was primarily responsible for the quality. There are different components of the sponsor evaluation. Deneice Cooper was in charge of the compliance piece. There was a team in charge of the quality lead by Joni. Sherry Panizo and Karlyn Geis was part of that team. A person from NACSA, Jennifer Rippner was involved in that team.

AOS: Was David Hansen involved in looking at the data?

ST: I don't know.

AOS: What is the normal protocol for reviewing the grant? What is the chain of command?

ST: I was responsible for giving it to my supervisor so at the time it went to David and Joni. From there I don't know, I was not a part of those conversations.

AOS: So you don't know if it would need to go above David?

ST: I don't.

AOS: Do you know Diane?

DL: There is now. The process has changed.

AOS: So your supervisor you mentioned was Joni.

ST: Joni was my direct supervisor, David was her supervisor. I sent to both of them.

AOS: Did you feel you received adequate direction and support from them?

ST: That is a subjective question. I was primarily on my own until we brought Paolo in.

AOS: How was that decided to bring Paolo in?

ST: I don't know. That wasn't my decision.

AOS: During the editing did they have any questions about the data?

ST: Who is they?

AOS: Paolo's group.

DL: I want to make sure, did you give Paolo data or text to look at.

ST: I wouldn't have initially; somebody else shared that with Paolo.

DL: But you wouldn't have shared with Paolo?

ST: Not initially, but after he was brought in then my updates would have included Paolo.

AOS: So as the drafts are going to Paolo. Understanding that initially it was more narratives that you are developing and data are dropped in. Do you know if he did eventually get the data?

ST: Yes, I think he received the whole thing.

AOS: How did he express his review comments?

ST: He only reviewed certain sections and I don't think he reviewed the data. That is not what his role in reviewing data. He was not part of the collection process.

AOS: Would he have been in a position to say well these types of things, if they exist, would make the grant more competitive?

ST: Paolo would cause us to think about ways we could present the information. He was a great editor.

AOS: How would his suggestions have been delivered to the team? Emails, meetings, calls?

ST: There were a couple of meetings that Paolo did attend. There were a lot of email exchanges.

AOS: And in a relatively short period of time.

ST: Very short.

AOS: You said you were on your own. Was that normal did you feel like you were left out to dry?

ST: To be perfectly candid, I did not have a good relationship with David. Joni, we always has a good relationship but she reported to David and she did what David asked her to do. I took it that they had confidence in my ability but then I also took it as here, write this grant.

AOS: Did you sign off on the grant?

ST: No, I did not have the authority.

AOS: Who did, do you know?

ST: Who gave the final approval? I don't know.

AOS: Was there always a feeling of lack of direction from David and Joni? Was it a unique situation?

ST: I had problems with David since day one. He tried to push me in a position which would have forced me to resign from ODE and work for Franklin County ESC. For the 22+ program. In the end I decided I didn't want to do that and I believe that created an issue between the two of us.

AOS: Do you have a sense of why he was pushing you in that direction?

ST: I don't know. David would identify different roles for people and that is where they should be and that was primarily through Faith. She was his person who I had discussion about doing that job.

AOS: Was she like the bad cop, the one to deliver news?

ST: She was an intermediary. She is the one that I would communicate with.

AOS: Did David ever ask you to do something that made you feel uncomfortable? Or felt like you were crossing any lines?

ST: No, not at all.

AOS: Did he ever ask you to get on GoogleHangout?

ST: No, I don't recall doing that.

AOS: Have you heard of it? Or discussion about it?

ST: Yeah, I have heard of it, GoogleHangout but I don't recall working in GoogleHangout. I know that he used it.

AOS: Do you know why he used it?

ST: No, I don't know.

AOS: Do you know if others used it in the department?

ST: No, I don't know.

AOS: Would you say that this was an important grant? Was this a priority for the department?

ST: Yes it was a primary. There was an option on what to ask for and the decision was made, no my decision, to ask for the full amount. \$71 million I believe. That type of grant doesn't come into the department too often. I felt pressure to do well.

AOS: I know that David and Joni weren't very involved however would there be someone above David working on it?

ST: No, I don't recall someone from outside the office. There may have been however I don't recall working with anyone outside the office.

AOS: So it was the Office of Community Schools team working on it?

ST: There was probably a need to check with other departments for their expertise because that's how the department works. But for the nuts and bolts of it, I don't remember working with anyone else.

AOS: Do you remember Jason Rafeld or anyone else on that level asking how the grant was coming, are we going to make it on time?

ST: I didn't. No, personally no.

AOS: Were you aware of any meetings like that?

ST: No, my job was to write the grant and share it. I can't speak to what happened to it once I shared it with my supervisors.

AOS: You wrote the grant correct?

ST: Yes.

AOS: By getting information from various different places?

ST: Right, a lot of it came right off our website.

AOS: Who was ultimately responsible once it was submitted for the accuracy?

ST: Before it was submitted?

AOS: Well prior to submission, was it reviewed for accuracy?

ST: Yeah, the whole team reviewed it. We all reviewed it.

AOS: Was there somebody that was in charge of submitting it?

ST: Deneice Cooper did the final submission but she was not an editor. She was only who physically submitted the application. But our entire team; David, Joni, the interns, myself, Paolo, Karlyn all reviewed it and edited it.

AOS: Would Joni have had a large role in the development of the grant or sponsor evaluation piece of the application?

ST: The sponsor evaluation yes definitely. She led the quality portion of it so Joni led that team. She would have been very heavily in the collection of quality data.

AOS: And maybe Karlyn more on the academic side?

ST: Yes.

AOS: Were you ever involved in any discussions about what qualifies as a high performing school versus a low performing school and how Ohio definitions match up with the Federal definitions for the grant? Was that something that you would have been involved with yourself?

ST: I know there was discussion however I can't say that I was an integral part of those but I know there was a lot of discussions. We involve sponsors in a lot of the work and helping set different bars and we also had an attorney, Donny Leming that we included with legal issues and to help with federal definitions.

AOS: As we went through the original application (showing him the original signature) we see that Deneice Cooper has signed it and we see that you had signed it. Did you know you had signed the original submission? Did you know you were on the application?

ST: Yeah, I think I had to sign something.

AOS: (Showing his signature)

ST: Oh yes, the point of contact for them. In case they had questions.

DL: This was submitted electronically, right?

ST: Yes.

AOS: And this was not to imply that you were blessing the content correct?

ST: Yes. I certainly did not have that type of authority.

DL: Can you go down and see (scrolling through application on screen)....okay

AOS: Do you know if Dr. Ross, since his name is on here, had the opportunity to review the grant?

ST: I have no idea; I didn't have contact with Dr. Ross whatsoever. If David shared it with him, I am not privy to that conversation. I think that only time I talked to Dr. Ross was in the Governor's office before he ever came to ODE.

AOS: What were your thoughts when all this went down with Hansen?

ST: When it initially went down, I sent an email to Joni, I think as soon as it came out in the news. I said, should we think about withdrawing the grant?

AOS: Do you know what date that could have been? Was that before or after it got submitted around July 15th?

ST: It was after it was submitted. My question was should we withdrawal. I think the superintendent made the decision to invalidate the results of the sponsor evaluations therefore what we had said in the grant about having high performing sponsors was no longer the case because we didn't have any. We didn't have any rating for the sponsors now. We stated specifically in the grant that we had x number of high performing sponsors and it was no longer true and it wasn't withdrawn.

AOS: Do you remember getting a response from Joni or from anybody?

ST: No, I don't recall getting anything from anybody.

AOS: To your knowledge, the sponsor evaluation that did get included in the grant, were those pilot results that were intended to be the actual ratings for that year?

ST: I don't know if it was considered a pilot or not, it could have been because the process was considered new. We revamped that several times but this piece was the initial time that we issued ratings based on that process. Whether or not the department considered that a pilot I am not sure. I don't believe we said that in the grant.

AOS: I didn't find any indication of it being a pilot. Everything I read suggested that these were the ratings as of this date with the understanding that we would get the rest of them by October.

ST: They spent a lot of time getting that data. It was a very intensive process that took time to complete.

AOS: Were you a part of the sponsor evaluation at all, I know the work started a long time before?

ST: Yes. I worked on the compliance piece from when I got in the office until about 2013. It was totally different though.

AOS: So short of 2014, you weren't involved with that process?

ST: I was a part of the one meeting with Buckeye Community Hope Foundation with the quality team, Karlyn, Sherry, Joni. I attended that meeting but did not participate in the evaluation. Deneice Cooper by that time had taken over the compliance piece.

AOS: Was Deneice Cooper qualified to do that work?

ST: That was not my decision, I don't know. She is degreed so I don't know.

DL: So you know Marnie, education is a little different. So they have PhD that are non-management, union staff.

AOS: That's a little different.

ST: So we are underpaid it was you are saying.

DL: No, I consider it different because the other agencies I have been in, education is their own little animal. I am not trying to degrade anyone; I think it's important to make the difference. That's why I brought up the consultants, they are not consultants they are employees.

AOS: Did you feel like during your time with working with Joni and David that any of the sponsors were favored in anyway or that as they are working through the development of the rubric was there a fair balance of objectivity and realistic goals? Did you feel there was a fair balance?

ST: I do. We worked closely with NACSA. Ohio does have some differences from other states however we worked hard to make a fair evaluation. Nothing was put in to favor one sponsor over another. I respect the work that was put into that document.

AOS: To your knowledge, the point in time that you became aware that there was some errors in the information it was after the submission? There was no knowledge prior to the submission date?

ST: The only concern I had was after David resigned and the superintendent made the decision to withdrawal the sponsor ratings I did have concerns that the grant was no longer accurate. And I expressed that in an email but not prior to that. A lot of good, honest people worked on that grant. In fact, USDoE stated it was largely accurate whatever that means. We did our best to create an honest grant.

AOS: We saw that Colleen Grady and others question the reasoning behind omitting eschools from the ratings in June, so it seems like there was some knowledge. Not sure how far down that knowledge was spread. But it seems that there was some knowledge and question being asked. Were you aware of that?

ST: Yes, there were meetings but I wasn't privy to any final decision on whether or not to include them. This is my interpretation. The eschools rating were not removed to give a sponsor an advantage that was not my interpretation. I think that was removed because they serve a different student population because it is so different what they do versus brick and mortar schools. It's just a different situation. I may not have had a good relationship with David but I am going to defend him on this. I didn't ever get the impression that he wanted to remove eschools evaluation in order to boost certain sponsor ratings. That was never said, I never heard that. I think it's because it's just a different animal.

AOS: During the time of writing the grant do you know if you or others had discussions with representatives from USDoE? Maybe to get clarification on something on the grant, maybe the criteria they were asking about?

ST: Seems there were a couple of issues we needed clarification. Specifically, I don't remember what they were but that is normal.

DL: Are you talking pre-grant or post-grant, just so I understand?

AOS: Either or.

ST: I know there were discussions after.

AOS: Was there any while the grant was being written?

ST: No, nothing that would not have been routine.

AOS: What were the discussions after?

ST: Discussions were to alert the department and I don't remember who exactly did that. Someone was in contact with USDoe to inform them that the department had made the decision to rescind the sponsor ratings. There were made aware. We did not keep that hidden.

AOS: Do you know who at USDoe?

ST: No, whoever was the contact for the grant.

AOS: Diane, I think you said last week that you notified when you got to the department that you had reached out.

DL: That would have happened before I arrived. Because I arrived in August and I this happened in mid-July.

AOS: Okay it was before.

ST: Somebody did. I am not sure if it was the legal team or who did. Probably was but I am not sure.

DL: I actually worked on the clarifications.

AOS: Were you part of the clarifications?

ST: No, not at all. I think that was done on a higher level.

AOS: Were you ever asked to review any of those clarifications?

ST: No, I don't recall anything of that nature. I wasn't even sure of the questions being asked. The responses were done intentionally at a higher level. And I left not too long after that. I am at a different office now.

AOS: Which office are you in now?

ST: Curriculum and Assessment. So when the clarifications were offered, I was not even a part of the office.

AOS: So what is your role now, are you still primarily with community schools?

ST: No, I am the Assistant Director in the Office of Curriculum and Assessment.

DL: Testing right?

ST: Yes, state testing. Though our office is split in two, I am with the curriculum section. Our office is in the processes of revamping all the state learning standards. That is my primary project.

Matt Danzuso, Director of the Office of Data Quality and Governance

10/03/2017

In attendance:

ODE Employees: Matt Danzuso, Diane Lease, and Sheila Vitale

AOS Employees: Timothy Shockcor, Marnie Fredrickson, and Kristin Hayes

AOS: So Matt would you mind stating your name for us?

MD: Matthew Danzuso.

AOS: And your title at ODE?

MD: I am a Director in the Office of Data Quality and Governance.

AOS: And Matt, how long have you been there?

MD: At the department, since November 2003.

AOS: Throughout your work in IT, did you have much interaction in the office of school choice and or David Hansen?

MD: Yes, with both the office and with David Hansen.

AOS: Can you explain the relationship between your department and theirs, the dynamic of how?

MD: Sure, the data management group was the liaison between the program offices and IT, especially for all things data, and so in this case, we had several data managers, the office supported two or three. The office reconfigured during David's time to incorporate three data managers. So three data managers served that office for their data needs and I was in charge of those three, supervising them and managing them.

AOS: So, this is during the 2013 timeframe or around there?

MD: Yeah, it would have been, I think it was in 2007 and 2008 I took over the data managers. This includes in the beginning one, then three in that office.

AOS: Would you get a lot of requests from that department in general?

MD: No more or less from any other department.

AOS: Did you notice a difference when David Hansen came in, were there more that came in?

MD: Yes, exceptionally more.

AOS: Were you experiencing trouble with resources to keep up with those requests?

MD: Not particularly because we managed it based off of priority so while there was a large volume of requests we would try to be transparent as to the priority and what we are working on. In addition to that, we had added a second data manager around that time or just prior to so that redistributed the work across two data managers for that particular office.

AOS: Can you tell me the names of those that were assigned to the Office of Community Schools?

MD: Karlyn Geis, Kelsey Stephens, and it started with Erin Whitt. It started with Karlyn and Kelsey who were in the community school office and Erin was in the scholarship office. I think they were called school choice, maybe school sponsorship. Not sponsorship, scholarship.

AOS: As far as managing by priority, who determined priority?

MD: The data managers were left to determine that priority that was working with the program officer leadership saying hey here is everything that has come in and usually it was across the program office, so it wasn't with just one particular person and so you would communicate that to the leadership to say this is what we are working on. It wasn't a formal communication like we knew what the leadership, based off of us working with them, knew what needed done in the office and as things came in we would prioritize it that way.

AOS: So as far as data requests go was there a formal approval process at the time?

MD: There was, I don't know if it was approval, it was like taking it to, in this case, the chief of staff saying hey this is what is being asked for and sort of. I don't know if it was like approval it was more like here is what people around the agency are looking to do with data we wanted to keep you in the loop about that.

AOS: And that was across all the departments, not just the Office of Community Schools?

MD: Yeah.

AOS: Would there ever be a point where the chief of staff would say no, we are not going to fill that request or it's too many resources?

MD: Yeah, it was rare but I think it did happen one or two times where we said not right now.

AOS: And that was Jason Rafeld at the time. Did he ever turn down any of David Hansen's requests to your knowledge?

MD: I don't remember. I know we tabled them so we could discuss them further but I don't know what the results were. If he went back and said, yes you can do that or no.

AOS: Would David Hansen ever get upset with the IT department, your staff, or you?

MD: Yeah, I mean he would get frustrated. He always was insistent that we had to work quicker. That we weren't giving him what he needed in a real time manner.

AOS: Wasn't fast enough?

MD: Yeah.

AOS: Did any of your data managers come to you and complain about the treatment they received?

MD: Yes.

AOS: Can you describe some of that?

MD: Yeah, Erin, I think they all did. Erin especially indicated that David was hard on her. I don't recall exactly what it was that she said or how she put it. The general sense was that he was very demanding. I do know he was not happy with her work. Too many questions not enough work. Kelsey and Karlyn complained about the volume and the ever changing priorities with David. It almost felt like day to day the list of things that David would ask his data managers to work on changed. Wasn't that is necessarily did, it certainly felt that way. They mentioned they never felt like they were able to keep up, they were concerned they were not satisfying what he was requesting.

AOS: Did he ever come to you and complain about any of the three of them?

MD: Erin, he directly complained about. He did not about Karlyn and Kelsey. He may have complained about a certain request but not about the data manager. It wasn't about them personally. But Erin he did, he did not want Erin.

AOS: Did you get a sense of why? Did you feel that Erin had done something in her job that was inadequate or not doing her job?

MD: No, I didn't. It was a personality conflict.

AOS: We have an email that we would like to put up on the screen. We have printed a copy for you too (given copy).

DL: May I have a copy?

AOS: Yes, one copy or two?

DL: One, they are sharing

AOS: I will be right back

DL: Thank you

AOS: There were a few kinds of emails, this one you chime in on. You can sense the frustration going back and forth between the data managers and David. Do you remember this situation in particular?

MD: I don't, also, this isn't David, it's Sarah JanTausch.

AOS: Yes, I am viewing this as a representative of David that she has been directed to make some of these requests and follow up on it, based on the earlier portion of the string.

MD: Okay

AOS: I cannot confirm that is the case, I just get the sense that he asked her to follow up on it for him. The email did seem to make clear that there was an expected process in place that people were to follow. Did you find that David or others in the department were not following that process very often?

MD: No, I don't know that others were I mean, obviously if you want to say that David didn't follow it here then okay but there was a general sense that we had to discuss with Jason, this approval process so to speak, to basically say, here's the work that is happening and before that work was released or even really started, it was okay yeah, we are good to do this. Either internal or external. To say this is what is going on in the agency and this is what is being asked for.

AOS: Did you ever get the sense that David was trying to operate outside of that process?

MD: That was a fear that we had. Obviously with situations like this, with Sarah, specifically caused us a lot of concern. There was a general fear that he was going to take the data and run with it.

AOS: Maybe present it a way that was not intended for the data?

MD: Our problem was more, there is a process, stick with the process, in due time you will have it. I don't know if there were any fears beyond that.

AOS: Was it more lack of patience then?

MD: Yeah. Because David was getting approval for his requests. It was like wait and slow down that will allow us to breathe as data managers to provide you good quality data which was the big concern right? Are we going to give him something that's not right because we are being rushed to do it and because he has this, you know he wants everything to go, go, go. So our concern was that we want to give you good quality data but we have to do it at a pace that makes it possible to give you quality data. So the fear was that if we are rushing, pushing these things out, you may not have the best quality data.

AOS: When you would provide the data did you have a sense that someone would be reviewing the data for accuracy to make sure that something wasn't overlooked in the processing side?

MD: Our expectations were that the program office would do that on their side. That, if not directly told, was the understanding. This is your data, the program office, we are just the conduit to getting you this information the best way we know how, but this is your information, you own in. You need to ensure that the data you are giving out, that you are doing something with is accurate and if you have questions, you need to ask us. We can have a conversation about it.

AOS: Was there a fear because David was rushed all the time that he wouldn't take the time to review the data?

MD: I don't think that, David was a data guy so we do think that he looked at the information we provided, that's based on the questions that we got back. My thought is he was reviewing the data.

AOS: He did seem very analytical that way.

MD: He was definitely a data guy.

AOS: How did you know that the request was approved by Jason Rafeld?

MD: I took it to Jason. It was mostly verbal. I kept a spreadsheet however I looked and couldn't locate them anymore.

AOS: Was this for any data requests or just for...

MD: No, it was for all external and then the internal was a judgment. An enrollment count we wouldn't take to Jason but if it was beyond standard data then we would take that to Jason. Even basic external requests we wouldn't take to him.

AOS: To your knowledge, did Jason ever tell him No?

MD: To my knowledge, I don't remember. I know we delayed some but I can't remember if we ever got back to approving or denying.

AOS: Do you remember Karen Stone in the department?

MD: Yes, that was Jason Rafeld's assistant.

AOS: I have a text where David is asking Karen to intervene on his behalf to convince Jason to allow him to run a data request. Are you familiar with her getting involved?

MD: I am not.

AOS: It looks like in reviewing that string that maybe David's relationship with Jason got a little strained so he was going to Karen in lieu of Jason. Are you familiar with anything like that?

MD: No, I was not.

AOS: When Jimmy Sheppard became Chief of Staff was the process the same?

MD: It was the same. It changed in the sense that he wanted to see more in the beginning because he was new. By the time Jason had left, the process had matured. Like those enrollment counts, I wouldn't take those to Jason but Jimmy wanted to see all of those in the beginning so he could sort out what he felt didn't need to come to him.

AOS: Was this process new under Jason?

MD: Yes, before that the data managers would determine if a request existed and then they would determine if we were going to create a record and internally, working closer with the program office to meet their data needs.

AOS: Did you like this process?

MD: I didn't at first. I hire smart people, smart people make smart decisions. But at the same time I understood. And quite frankly, I am not in charge of the department so whatever they tell me to do, I am going to do.

AOS: Looking at the grant application process and the sponsor evaluation process more specifically, the pilot is going on in 2014 and then in 2015, my sense is that they were beginning the real evaluations for the sponsors in the spring of 2015. Although I believe we may be unclear on that. Either way, some of the sponsor evaluation information is included in the application along with some other data. We have some email strings (showing email and provided copies). You can see the timing, being 7/7/15. It looks that they are looking to put data into the application very quickly.

MD: This is the charter school grant application?

AOS: Yes. And rightfully so, there are some questions and concerns coming up from Kelsey about how to align the data with the definition from the federal government for high performing or low performing. Do recall Kelsey bringing you this request or talking about it at the time?

MD: I don't remember this specific piece; I know we had general concerns about the grant because it was written in isolation and with our group not pulled a lot or we were sort of out of touch with the way it was being constructed with maybe requests being asked for but not being defined on how they were going to be used. So we were not involved in the grant writing process until the very end. I think it was about this time that we started getting pulled into the process. My recollection is that we were pulled into the grant at the very end and asked to review it.

AOS: So this may have been one of those very first requests that you began to realize is intended for inclusion in the grant application.

MD: Yeah, and it's not as if we wouldn't have known as that is part of the approval process. What you using the data for, what's the intent but it was the first time we saw it all together.

AOS: Were you ever asked to review the grant application? Or any of the data managers?

MD: We were asked. At the very end.

AOS: So you did lay eyeballs on the application prior to, was the data included?

MD: Yes, it was. We provided notes back to the program office. Some of the data and how it was in there did not align to what we thought it should. But I did not personally review the grant. Karlyn reviewed the grant, I thought Kelsey did as well, but that is what Karlyn told me.

AOS: Were Karlyn or Kelsey upset on how late in the game they were being looped in on this?

MD: I think we all were. Not just Karlyn and Kelsey, myself and my supervisor, Beth.

AOS: What area in the grant was the data not aligned?

MD: Again, I didn't personally review it that is just what Karlyn told me. I honestly don't know.

AOS: We have something like the grant app notes. Karlyn may have been the author though she didn't specifically remember it. My other thought is that they may have been created for you, Diane for when you came in. (showing the paper)

AOS: When either of the ladies came to you either with the data request coming so late so there is a lot of pressure to review or David is not being nice, we know there was an issue there. What would you do? Talk them through it or go to your supervisor?

MD: For the most part it was talking to the data manager and allowing them to vent. Keep in mind, we are at the mercy of the program office, they provide our funding. They fund our salaries. While we are managed from an IT perspective, we still act as a liaison between IT and the program office. In this case, I felt that Kelsey and Karlyn needed to vent and communicate a solution to the program office. There were times that it did become too much and I would need to escalate it to my boss, Beth Juillerat. There were occasions that I felt I needed to take it to Jason Rafeld, I think maybe twice. It was more of a "hey" David may get frustrated because we are going this route. He may come to you about it, this is why we are doing it this way, I will be happy to discuss it however this is how we are moving forward.

AOS: What direction would Beth or Jason go in those circumstances?

MD: For Beth it was more, okay, he may get upset with you, if he does let's have a conversation. But for both Beth and Jason they said okay, we support that. And I think if there was follow-up they would have supported us but there never was.

AOS: So they were pretty supportive of the issues you were having.

MD: Yes, and how we laid it out and we planned to resolve it, yes.

AOS: We came across an invite from David to Kelsey and Karlyn. Erin was not invited but there are a few others to get on the Googlehangout with him. Were you aware of that?

MD: No, I wasn't.

AOS: Have you ever been on GoogleHangout with ODE, at ODE's request of any sort. (showing request)

MD: No, I have not

AOS: This is the email were they were invited. Seeing it here, would this be something that you would want your data managers to show you?

MD: Yes, that would be a direct violation of public trust, so to speak. Where is the transparency here? This is why the systems we have in place. So I would have taken this to my supervisor, Beth.

AOS: But again, to reiterate, you never saw it, you were never made aware of it.

MD: If I was, I don't remember. I am assuming I would have told them to just say no.

AOS: There was also a number of emails that we saw that have missing header information. At first we thought it was draft email folder the David Hansen kept but the more but a number of them actually had a date sent, stamped sent. Other information is missing. (showing an example). Have you ever seen this?

MD: No, I have not.

AOS: Do you have a sense of what this may be or what could have caused it? We have checked and this is the mirror image exactly, it didn't happen from Armada. This is how it was on the hard drive. We are trying to figure out if this could be something that was done intentionally or if it was something innocent.

MD: I honestly don't know.

AOS: There appears to be a tool in Microsoft Outlook that has the ability to delete information. We know it can be done manually.

AOS: So in David's last days, were you asked to secure his equipment and keep it?

MD: That would not be in my job description.

AOS: That wouldn't be you. Do you know who would have obtained his equipment?

MD: I have no idea. I am assuming my supervisor would know. Beth Juillerat.

AOS: So the laptop, iPhone, and iPad, you never had possession of those.

MD: I did not, no.

AOS: Do you know where that stuff goes. Like when someone leaves, where it goes?

MD: I am not a techie, I am not a tech. I work on the data management side.

DL: We have a security officer, they call them CISOs.

AOS: So the computers would go to them?

AOS: Who would they be under? Beth's structure?

DL: Yep

AOS: I think that's pretty much it.

AOS: I just wanted to know about the computer.

DL: Marnie, Can have this then? (referring to email printout)

AOS: Sure. Thank you.

Beth Juillerat, Chief Information Officer

10/04/2017

In attendance:

ODE Employees: Beth Juillerat, Diane Lease, and Sheila Vitale

AOS Employees: Timothy Shockcor, Marnie Fredrickson, and Kristin Hayes

DL: So, we can confirm that. So, I'll confirm it and send you a note.

AOS: Okay, that would be great. Because some of our questions, and Beth we will ask you some questions and show you some things up here on the screen, but some of our questions are going to be important to know on the chain of custody of the equipment.

AOS: As far as data requests go, after talking to Matt [Danzuso] yesterday and some of the others we have spoken to in the group, David Hansen, Office of Community Schools would make several requests. From your perspective, did they make more requests than other departments and or did you experience any challenges with their requests compared to others?

BJ: They did make more requests than others and challenges would be the prioritizations of their requests.

AOS: And did you handle that?

BJ: Matt would often would meet with the Data Managers and meet in David's office to determine what the Data Managers should be working on.

AOS: Would Matt do that as opposed to Karlyn or Kelsey?

BJ: If it got to the point when they felt they couldn't handle it or there were too many, they would escalate it to Matt.

AOS: Did you ever have to attend those meetings?

BJ: I don't recall those meeting. There were others when things were escalated to me.

AOS: What kinds of things got escalated to your level?

BJ: Right, that needed senior management prioritization.

AOS: Were you ever asked to intervene by Matt or others in your division on other types of issues other than prioritization of data requests as they related to the office of community schools? Such as personality conflicts?

BJ: I was informed of those and anything else that was sent up the chain of command.

AOS: Did you ever have to personally deal with any of those issues?

BJ: I personally spoke with my boss at the time.

AOS: Who was?

BJ: That would have been Jason Rafeld.

AOS: And you spoke to him about?

BJ: The challenges, the prioritization.

AOS: But no personality conflict or other types of issues outside of data requests.

BJ: I wouldn't say personality conflicts, just the demands. Very demanding.

AOS: We got a sense that there was an expectation that your group should be able to turn around a request pretty quickly, so that is what you are describing as far as demands.

BJ: Yes, very demanding.

AOS: As we looked at the charter school grant application, one of the things we noticed about it, pretty late in the game there is a request for data around July 7th. (showing email) This is the first time Karlyn, Kelsey, and Matt get the request for data to be included in the grant application. Are you familiar with this request? (printing a copy) We will get you a hard copy.

BJ: I do not recall receiving or seeing this one.

AOS: Do you remember anyone having concerns about this request because it's a big one?

BJ: In general I recall there were additional requests and Matt indicated they would go through the review process. This would go up to others. I was not a part of the review process; I did not have any specifics.

AOS: I will wait until Kristin gets you a hard copy so we can look at some things. So in here, there is some conversation back and forth about the request that is being made by the Office of Community Schools and concerns that the IT have about the data definitions not matching up to the federal definitions. There are questions on getting the data pulled right do to the difference in definitions. So this wouldn't be something, even on a high level, that would you would recall conversations about?

BJ: Something like this, Matt would let me know that there were concerns or questions and he was taking it to Jimmy or others. At that point it would have been Jimmy. I t wouldn't be something that Matt and I would go into details about, unless I was a subject matter expert on.

AOS: For something like this then it would be okay for Matt to have that conversation with Jimmy?

BJ: Correct.

AOS: Were there specific protocols in general, internal vs. external, how they should be handled, should the department be tracking the requests in any way, and making sure they were being approved by Jason Rafeld or Jimmy?

BJ: The internal requests, the manager in Matt's shop, they would be tracking the ones that they were receiving from the various program offices and relying on the program offices to prioritize. It was not uncommon for program offices to ask for several different iterations of data for analysis or research. External requests, there was a review process; I believe it was Jason Rafeld that set it up. Matt, Jason and others, I believe at one point Legal was involved, would review the request to see if it was a public record or not and what we would release.

AOS: So Matt reviewed it and possibly Legal?

BJ: Yes, external requests.

AOS: Did anyone track those requests to make sure they got those approvals?

BJ: Matt Danzuso would track those.

AOS: I know he indicated that he kept a notebook or spreadsheet of sorts but couldn't find it anymore. So he wasn't sure he had it anymore.

AOS: To your knowledge would anyone under Jason Rafeld or Jimmy also been tracking those requests?

BJ: I don't know that.

AOS: (Showing email) David Hansen had sent an invitation to a few people in his department as well as Karlyn and Kelsey, Erin was not invited, to get on Google Hangout. Was this something you were made aware of?

BJ: I was not aware of this.

AOS: Would you be concerned, seeing this that they were asked to get on Google Hangout? As a supervisor?

BJ: Yes.

AOS: But to your knowledge, Kelsey, Karlyn never brought this to your attention or Matt's attention? As far as you are aware?

BJ: No, as far as I am aware.

AOS: Had you had been made aware, what actions would you have taken?

BJ: I would have asked more questions and consulted with Chief of Staff and or Legal.

AOS: Are you familiar with anybody else in the agency using Google Hangout or something like this be a normal part of their work?

BJ: No, I am not aware of any.

AOS: Do you guys use Instant Messaging of any sort or Microsoft Lync?

BJ: Yes, Instant Messaging.

AOS: Was that option available back around 2015 or even they date of this is '14.

BJ: I cannot recall if it was.

DL: May I ask, so what instant messaging do we use?

BJ: It is through Microsoft or Lync, I am not even sure specifically. I don't personally use it, but I know other folks do.

AOS: There might be the option available if you know where to go.

AOS: So one of the other strange things we noticed going through emails, is missing header information. (showing email) And this is frankly why we want to know the chain of custody of the equipment and who had possession when, we can't explain but we have been able to recreate this situation where some of the emails are missing header information, the to and from information is gone, we have a sent in this particular one so it does appear to have been sent, some of them are missing the sent information as well. And some of them appear to have information missing in the body or someone just did not finish typing the email. At first, we thought maybe they were just draft emails just sitting in the draft box, but because some of them have been stamped, we don't think that's the explanation of all of them. Not sure if you have any thoughts or was there something going on at ODE that would explain why headers would be gone.

BJ: I have never seen anything like that at ODE.

AOS: Would you know how to do this with your background?

BJ: I know there are special tools that do this, but to my knowledge, no body at ODE has that on their work computer.

AOS: We found a tool within Microsoft Outlook that we were able to recreate this with, seems to be just a part of the Outlook toolbar. It is potentially a tool at ODE that everybody would have. I would think you would have to turn it off to prevent them from having it. My guess is maybe that is a tool that everybody could have?

BJ: I don't know personally, my technical team might but I do not know.

DL: So Matt did confirm that he maintained the equipment until it was turned over.

AOS: Okay, so it was Matt Williams.

DL: And he works for DAS and he was on assignment with the department.

AOS: Okay, thank you.

AOS: Were there ever moment in working with David Hansen or anyone in the Office of Community Schools, whether it was the grant application or the sponsor evaluations that you felt uncomfortable or where you felt your staff felt uncomfortable that they were asked to do something they were uncomfortable as far as providing a specific type of data other than just the sheer volume of the requests and the demands.

BJ: It was the demanding nature and the sheer volume, never anything that was inappropriate.

AOS: Did you ever talk to David Hansen yourself about any of this?

BJ: I did talk to David but not about this specifically.

AOS: Okay. So basically you would leave it up to Jason or Jimmy if there was a concern, elevate it up to them and let them have the conversation.

BJ: Correct.

AOS: Did David ever circle back to you or your staff if a conversation was had about it?

BJ: Not to my knowledge.

AOS: Okay. Ordinarily, what would be the timeframe that you would expect your data folks to have to turn around a request? What is a reasonable timeframe at ODE?

BJ: It all depends on the complexity of the data request.

AOS: So the one we talked about is probably a semi complex request. What would be an ordinary timeframe?

BJ: It could be anywhere from two days to a week depending on the other priorities.

AOS: So waiting until one week before the grant application needed to be turned in may be waiting too long to ask for a data request of the magnitude?

BJ: I could have been. I can't really address that without knowing the data and what had already been done.

AOS: Would the IT people assigned to the Office of Community Schools, Kelsey and Karlyn, let's say because I know Erin is no longer assigned to that group. Would they be dedicated to anything other than data requests for community schools, would they have other assignments they would be working on?

BJ: Not that I am aware.

AOS: So they really are just working on requests from Office of Community Schools but still trying to prioritize those requests.

BJ: Correct.

AOS: So what would happen on July 7th, the Office of Community Schools makes this data requests, basically it would be up to the Office to say this request supersedes anything else we may have? This is the most important request we have and they would reprioritize?

BJ: Correct.

AOS: But this would be the Office of Community Schools decision and or input on prioritization.

BJ: Yes.

AOS: But then if there were concerns about being able to meet the requests or concerns about the accuracy of the data because we are rushed, who would that be reported to?

BJ: That would go through Matt Danzuso.

AOS: And Matt would take it to David or Jimmy in this case?

BJ: It depends. In some cases, he would make me aware if I were available. He may try to talk to David to see if they could come to a resolution or talk to Jimmy or Jason depending on the issue.

AOS: Were there ever problems with trying to talk to David to the point you would bypass him? I know he was not the easiest to have a conversation with.

BJ: We always tried to talk with David first and then would escalate as needed.

AOS: To your knowledge, were there ever occasions when David or anyone in the Office of Community Schools would avoid putting a data request in writing or walk down and talk to you because they were afraid to put it in writing? Not afraid but that there would need to be some conversation about with this request means so there would need to be face to face conversation but I am looking for an occasion when I am going to walk this down and requests this verbally because I do not want to put this in writing.

BJ: I am not aware of that occurring with David Hansen.

AOS: How about anybody else in the Office of Community Schools?

BJ: I am not aware anyone doing that.

AOS: Are you aware of Joni stopping by from time to time, making those types of requests?

BJ: It is not out of the ordinary for someone from the program office to come down and say I need, X,Y,Z., something quick to pull. I am not aware of something specific of Joni doing that.

AOS: Nothing out of the ordinary or unusual.

BJ: Right.

AOS: Do you have questions?

AOS: Did you already talk about his equipment?

AOS: We did talk about the equipment. So the equipment was secured by DAS, Matt Williams.

AOS: Did somebody turn it over to him? Did someone go to his office? How exactly did Matt Williams get the equipment?

DL: So you have an interview with someone this week that I think you will get your answers. And her first name starts with Melissa. She can...

AOS: ...we need to establish a chain.

DL: Yes, Melissa will be able to do that.

AOS: Alright.

AOS: Thank you Beth.

Melissa Huffman, Chief Operating Officer

10/05/2017

In attendance:

ODE Employees: Melissa Huffman and Diane Lease

AOS Employees: Timothy Shockcor, Marnie Fredrickson, and Kristin Hayes

AOS: We have some things we are going to put the on the screen, if you need a copy to read please let us know, we will be happy to provide that.

MH: Okay.

AOS: Tell us your name.

MH: Melissa Huffman.

AOS: And your title?

MH: Chief Operating Officer.

AOS: How long have you been at ODE?

MH: My official start date was April 20, 2015, so just almost three years.

AOS: What is your roll at ODE? Who do you oversee?

MH: Currently, I oversee our Fiscal shop and the HR office.

AOS: How closely did you work with the Office of Community Schools, David Hansen, or the charter school grant?

MH: Not very closely at all.

AOS: Regardless of the grant, how much of a role in oversight or meetings or anything like that would you ordinarily be involved in with that department?

MH: If there was an executive level meeting and I was in the room because of my position that would be it.

AOS: Would the Office of Community Schools reach out to you for a consultation on a question of any sort. Just for our benefit, understanding what other occasions outside the executive level meetings would there be normal contact between you and the Office of Community Schools.

MH: Like regular contact?

AOS: Regular contact.

MH: I mean, unless they came to me specifically about something, my function when I first started was over communications, HR and Fiscal. When new leadership came in, it became just fiscal and HR. So if there was a question about those departments that they were not getting through regular leadership then they could come to me.

AOS: Back in 2015, Communications would have been under you as well?

MH: Yes.

AOS: Okay. As we are going through some of the question or showing you emails or documents on the screen, our time period that we are looking at is the 2014/2015 window.

MH: I would have no knowledge of 2014.

AOS: Yes, based on your start date you got there right before. What is your background before you got to ODE?

MH: I was the Vice President of Public Affairs for Strategic Public Partners.

AOS: Do you have an education background?

MH: No I do not.

AOS: So had a bit of a learning curve?

MH: But with the operational side of things I was charge of, it wasn't about education policy it was more how can we function efficiently and get the folks the resources they need to do their jobs.

AOS: One of the questions we would like to ask you is the organizational structure. As we have looked at the grant and David Hansen it appears that Steven Gratz is his supervisor however we do not see him on many emails. Do you know or maybe even Diane if you can speak to this, seems odd that Steve Gratz is not cc'd in. We see Jimmy Sheppard and Melissa brought in but don't see Steven Gratz?

MH: I don't know.

DL: His management style is kind of hands off. I would call his management style as empowering his people to do the right thing.

MH: I would support that comment.

AOS: Is Steven Gratz still at ODE.

MH: Yes.

DL: So organizationally, it is Steven Gratz that reports up to an Associate Superintendent.

AOS: Would you, Melissa, even be looped into data requests either internally or externally for any communications from a legislative affairs standpoint about new bills that are making their way through the House and the Senate and changes that might be happening to those bills?

MH: The data, no. Communications about a bill, I would hear about it. I could guess if there was something specific related to me, I would be clued in. There is one thing I forgot to mention, I am in charge of school safety. I forget that part of my job. If there was a bill about school safety, that would typically be something I would be told about.

AOS: If question would come to your Public Affairs department, let's say about HB 2 that was circulated at the time, is that the type of question that would come to you because it is coming through Communications?

MH: No, that would go through our Policy and Legislative shop which does not report to me.

AOS: This brings us around to the June/July 2015 timeframe where ODE is working on the charter school grant application. That had applied for this before; I believe the year before so there are conversation clear back in 2014 about working on the next grant, making sure they vetted the comments they had received from the federal department so they addressed the concerns and didn't make the same mistakes twice. That is going on and a lot of discussion of starting early. Even a conversation about contracting a grant writer and getting experts to ensure it is top notch. What we see in June, Steven Tate is assigned to the task of writer. And that is late June which may be partly driven by USDoE due to the RFP being put out on the website at that time. Do you see around that time that Jessica Cohen was contracted by ODE to write the grant?

MH: No. Does not ring a bell.

DL: Who is she with?

AOS: Education First.

AOS: That's what I thought. I wanted to make sure I wasn't mixing that up with Paolo who was contracted and is with Education First.

DL: That is a new name for me as well.

AOS: Jessica Cohen and Paolo both end up being contracted. Paolo does end up giving good feedback, giving critique to bolster the application. Jessica is only sending emails asking when they are going to use her. And we do not see her participating in the grant writing at all. We are only seeing Steven Tate working on the writing grant and then some data is dropped in. This does seem to be driven by Paolo's comments, suggesting that more data would help the grant. Based on this backdrop, do you know or if there was any discussion on why the grant would have been assigned to Steve Tate?

MH: I have no idea. Everything that you just said is news to me.

AOS: Okay, it just seemed odd. In speaking with Steve Tate, he worked on a very narrow and specific area in the Office of Community Schools, sponsor evaluation and compliance evaluation at the time. He did have the big picture experience that others had in the office. This seemed to be a grant that was wanted by the department and Jessica was available and wasn't utilized. Diane, if you can think of anybody that is still there that may be able to speak to that.

DL: I think everybody's gone.

AOS: That's what it looks like. Are you familiar with who Steve Tate is?

MH: I know who he is but as far as his duties, I am not aware.

AOS: It also seemed odd because there are some emails where there was a conflict between Steve Tate and David Hansen. In fact, Steve goes to HR about it and filed a complaint. Again, seemed to be a strange choice for the assignment.

MH: And when did this happen?

AOS: Steve Tate begins working on the grant application in June of 2015.

MH: Okay, I wanted to make sure I understand.

DL: That was a very compressed timeframe.

MH: None of that sounds familiar to me.

AOS: Did you have much of a role in the grant application or review?

MH: No.

AOS: Had anyone at the department, upon arriving, mention to you that ODE was seeking out this grant or speak to the importance of it?

MH: I believe it came up in the meetings that there was a grant that they were going to go after.

AOS: Did it seem to be any more high profile than others grants that ODE was seeking from your perspective?

MH: I didn't have a basis to make a determination because I was so new.

AOS: Who would have been in the meetings when they discussed trying to get the grant?

MH: I think it would have been in one of those executive meeting. The senior executive directors.

AOS: Such as who?

MH: It would be Steve Gratz, Stephanie Siddens, Chris Woolard, Julia Simmer, myself, Jimmy Sheppard, Dr. Ross, probably Sarah Wickham and the Associate Superintendents. Lonnie Rivera and Jenny Felker.

DL: And me on occasion.

MH: Yes, but that would be after that timeframe.

DL: But if I could, those meeting are not detailed, they just a high level update because the senior executive directors are really empowered to run their centers, right?

MH: Correct.

AOS: Where those regularly held meetings or would they be called on an as needed basis?

MH: They would be scheduled on a regular basis but if we didn't need it, they would cancel it.

AOS: Would it be monthly?

MH: It would be more probably bi-weekly, I think.

AOS: Because the grant happens on a very short timeframe we are trying to determine how many meeting there would have been from the time it is written to the time it is turned in.

MH: I couldn't tell you that.

DL: But the purposes of those meeting are not to delve in to the details. These are high level so management know what people are doing and what they are working on so if they have questions, they know who to ask.

AOS: So if there would be some discussion about the grant or the content there would be a separate meeting scheduled if Dr. Ross or others had questions they would not necessarily dive into them at that time?

MH: Yes, they wouldn't dive into at that meeting.

AOS: They would schedule something else, in additional to?

MH: I am not aware if they did. At least nothing came to mind if they did that I was involved in.

AOS: (Showing outlook meeting) We do have one meeting request. We will show you this one. We don't know if it took place. All we see is that was a meeting scheduled and there is no indication of it being cancelled. Not sure if this is familiar at all.

MH: I mean, I see that my name in on there. I do not recall this at all. A lot of meetings include me and some I am unable to attend. Or it was to help me get to know the agency a little bit. I could be as something as simple as me asking if I really needed to be in the meeting. I understand my name is on there and granted this was a while ago but if it happened I do not recall going. Sorry.

AOS: Were you even asked to be a part of any conversations with the USDoe about what would be required to be contained in the grant application? Or subsequently, what ODE would need to do to help clarify the application that gets turned in?

MH: No, not that I recall.

AOS: Were you ever part of any conversations at ODE about helping to draft the clarifications to the original grant application?

MH: I remember one conversation. I don't have a lot of details about what was submitted and discussing that. I recall one meeting about the grant but I do not recall. I didn't have anything to do with the grant, again because of my position, just being brought in.

AOS: Who was involved in that conversation?

MH: That's a good question. It was in Dr. Ross' office.

DL: Well, I know one person.

AOS: You?

MH: You know I am sure, I don't want to guess. I just remember there were people in the room talking about the grant. Sorry.

AOS: What about prior to the original grant being submitted? So you recall be asked to review the grant?

MH: No.

AOS: The sponsor evaluation which were kind of on a separate track from what we can tell, somebody is working on the sponsor evaluation and Steve Tate is writing the grant over here and at some point the two get merged together. Some of that data gets incorporated in the grant application. Though after speaking with Steve Tate, he didn't provide that data or even write some of the text surrounding the data. Were you even involved in reviewing

the application or sponsor evaluations and providing feedback that you can recall during the June/July 2015 timeframe?

DL: So those would have been the ratings we rescinded, correct?

AOS: Yes.

MH: So like the actual, "you submitted stuff to us sponsor" and we have to look through those things? No. I have never even looked at a sponsor evaluation. That I am aware of.

AOS: Do you remember questions coming in from Colleen Grady about the sponsor evaluations at that same timeframe. About the ones that end up being rescinded, I think the news media is sending similar questions. Do you remember being a part of that in helping responding to those questions?

MH: To Colleen's questions? Not necessarily to Colleen's questions.

AOS: We have a document, the review comments one, that (showing document on screen)...

DL: For clarification, you work on responding to media questions.

MH: Yeah, that's why I asked for clarification specifically to Colleen.

DL: I want to make sure.

AOS: These appear to be the questions from Colleen but again they are very similar to the news media.

MH: So this is more media questions that we got from Patrick O'Donnell.

AOS: Okay.

MH: At least that's how it was, if I recall it correctly, is how I originally heard about any of this and became aware of community schools did because it came through communications. And my communication shop asked for my assistance in trying to answer these questions. We did that as a group. Myself, the Communications Director, and our spokesperson at the time. We would get information from David try to answer these questions.

AOS: So on here, do you see the HM? Is that a comment you would have written?

MH: HM? I have no idea. I mean I think it were me it would have been MH and not HM.

DL: No, because sometimes the comments will (inaudible) depends on how you set up your computer. So I went in and corrected it.

MH: So it did come from?

AOS: Yes, this is the email string so...

MH: ...Oh, (reading) I don't even know what that means.

AOS: So this particular question is the news media and Colleen asks it too, basically inquiring why the e-schools were left out of the academic component of the evaluations. Your comments are interesting to me because you are identifying it and asking why.

DL: Trying to understand why. You wouldn't have known what the law said. So, you are just asking.

MH: No, I am trying to figure out what's going on.

AOS: You sounded like you knew actually what you were doing.

MH: Well that's great. I would just say that again, this was my first foray into the community school world. So I was just trying to understand the question we were getting and how we were going to answer them.

AOS: Do you know if David ever responded to you specifically to that question?

MH: I know that...

DL: ...well it looks like technically here (looking at the response in the document)...

MH: Yeah.

AOS: I don't know if that is where the conversation ended? Or was maybe more discussion after that or if the others on the email would have...

DL: ...what was the date on the email? Can we go back?

AOS: June 19th.

MH: Can you scroll down so I can see?

AOS: Of course.

MH: Um, so I we gave him the question, he gave some answers. He explained what he was going to do. I was trying to provide answers.

DL: Because the evaluation had already been issued right?

MH: Yeah.

DL: This is when people are starting to ask questions, like the Patrick O'Donnell's.

MH: I was just trying to get answers to questions.

DL: Can I go back to the email? I just want to see who all is on it. So, Charlton is on it twice, that's weird.

AOS: That happens a lot.

DL: Looks like someone just duplicated. I am just trying to figure out who all was....okay.

AOS: Kevin Duff, do you know who he was?

DL: Yes, he was Policy. He's been gone since, I think it was just as I was arriving. I think we crossed paths for two weeks and that was it.

AOS: He was another name I wasn't familiar with but I thought he was kind of like a John Charlton as he only got looped in on policy or media type of things.

AOS: If we go back to the review comments on the next page, you ask another question down below here, "should we discuss if phasing in is the right thing to do". So another reason why I wanted to know if there was more follow up than what we see here, maybe another meeting.

MH: I don't remember. There could have been.

DL: But this is after the fact which is why you are trying to figure out what was going on.

MH: That truly all I was trying to figure out. Why are we getting questions? How can we answer these questions?

AOS: Are we sure our answers are right.

MH: Yeah.

AOS: You also mention the "deep investigation" into data regarding e-school students. Do you remember what that was referencing at the time?

MH: No.

DL: Can you go on and see if, you can actually see who it is when you click on it. I just wanted to make sure. (It did state Melissa Huffman.)

MH: I do not remember. I really don't remember any of this.

DL: So I can. Remember there was a changed in business rules?

AOS: For the Value Added?

DL: For the Value Added and this goes to the change in the business rules. So she is probably trying to respond and I am speculating for you Melissa so tell me if I am wrong but the charts says these are the value added results over time and this is the change in our business rules and what it means. So you are trying to understand, I would think, to the media perspective how we explain this from that. Because it tanks, right?

AOS: I just didn't know if the words "deep investigation"?

AOS: But it seems like you know, prior to this, that there is some type of investigation going on with data.

MH: I would say that deep investigation is more of a wording choice to better explain that we are looking at the data and trying to explain why it is doing that.

DL: So she is a business person, not a lawyer. So, I mean.

MH: No.

AOS: So you weren't implying that there was an investigation?

DL: Correct.

MH: No.

DL: She is trying to figure out what the deal is. So you can help your communications shop respond. That's why I don't think it implied what it sounds like.

MH: No, no, no, no.

AOS: That's what we are trying to make sure we...

MH: ...no, it's a wording choice, truly.

AOS: Okay, well if we go back to the email for this, so your comments are spot on, new to the agency or not, on June 19th it is curious to me, given the questions that are being risen and you yourself are even asking everyone to double check themselves on answers they are given and yet the charter school grant that is finalized and wrapped up a few weeks later and submitted to the feds, still has some of that inaccurate information in it.

MH: Because this is about the charter school grant, this is about the questions that we got.

AOS: So from your point of view, the department saw them still at this point on June 19th as being two separate things.

MH: All I know is, is that I was answering questions. I was not, I realize there was a grant going on but that was not the issue at hand, I was dealing with the issue at hand.

AOS: At that point, you didn't even necessarily know that this information was drafted in the grant?

MH: No, I did not.

AOS: Who at ODE, in your opinion, not being there long at the time but looking back now, aside from David Hansen, would there have been anyone else in a position at ODE who should have or could have identified that the two, though being on separate tracks for so long, the sponsor evaluation and the grant application, the two end up merging. Some of the information over here in the sponsor evaluations that was getting a lot of questions on and we might be concerned about is in the grant application. Was there anybody other than David Hansen that would have been reviewing that grant application or should have been looking at it and might have recognized it if they had been involved or had things gone through a review process, whatever the protocol would have been? Would it have been a Steven Gratz? Or someone else?

MH: I guess it would depend on the point in time. What the review process was at that moment in the time, I am not comfortable telling you what that was because I not sure. We have changed things considerably in our office since then just a matter of efficiency and improving communications so depending on what it is and what it entails, it can go through various levels of review and approvals and we are always trying to improve that. So if there is a fiscal impact, then Fiscal should be brought in for their part. Communications should be brought in, how are we going to roll this out. So, as to what should have happened then? I can't really say.

AOS: So under today's protocol, would a grant application of this magnitude, it was a \$71 million grant request at that time, would it be normal that at some point the superintendent would be made aware and or even review a grant application like that under today's policies and procedures at ODE.

MH: The Superintendent would be made aware. I am sure he would review it. I don't know if he would have the time to go through it depending on how long the grant is page by page by page that would be his determination. I would assume that yes, he would be aware of those things.

DL: As well as others.

AOS: So you know that back in this point of time, knowing that you were new, but given the meeting that we see with Dr. Ross, Jimmy Sheppard, and yourself, it says it is to review the grant, do you have a sense if that meeting would have taken place? I know you don't remember being in it yourself, is there any indication that Dr. Ross had ever seen the grant application as far as you are aware.

MH: I don't know if he saw the grant application.

AOS: We had a couple other things, going through the files, and we have talked to others about this. One is Google Hangout. David Hansen invited a number of people from his department and a few from IT to join him on Google Hangout. Are you familiar with what that is?

MH: I am.

AOS: We you aware of a request like that?

MH: Not that I can recall.

AOS: Have you ever been asked to be on Google Hangout by an ODE employee as part of doing business?

MH: Nothing is coming to mind.

AOS: The other thing that we have that was a little bit strange was some missing headers in emails. This is an example of what they look like. Some of the header information is gone. We have quite an array of these. (showing an example) This seems like these are not necessarily all draft emails. In this particular example, there is no date sent or any information. And there are some, as you see in this one, that it is a start to an email. You see the word "I". There are other examples where there is a time sent and date. Seems that some of these are not just draft emails that are in a draft folder.

DL: So the sent up there says none.

AOS: Yeah, this one says none.

DL: So could this have been draft.

AOS: It could have been in this case. But a number of the others...

DL: Yeah, I know, they say "sent". But this one looks like it may have been just a draft.

AOS: Could have been and with the word "I" there it could have started and never finished. It might have autosaved for some reason too. But we have a number of others, Kristin can you pull up. (pulling up another)

AOS: Just wanted to show you to see if this is something you have seen.

MH: I do not recall seeing anything like that and it has not been brought to my attention in the Department.

AOS: And because we have seen some of these issues, we want to understand the chain of command with the equipment that David had which would have been his laptop, iPhone and iPad. So we have asked questions of Beth and of Matt Danzuso, there indication to us is that they themselves were not personally involved in securing the equipment but I know Diane thought you may be able to speak to how that equipment was obtained from David and secured until such time that it was delivered to AOS. Is that something that you remember?

TIME CHECK: 40:56

MH: All that I know is that Matt Williams, who was our security CISO officer at the time, got the laptop from David.

AOS: Do you know when?

MH: So that would have been the Friday after the board meeting, I believe was the day.

AOS: Is that before he turned in his resignation?

MH: Yes.

AOS: Do you know if Matt also obtained the phone and the iPad at that same time?

MH: I think I would have asked him to do that if they needed to be collected. I don't recall specifically asking him to do that. But if he had them, I would have told him to get them.

AOS: Would Matt have kept all that equipment in his possession then?

MH: I am not 100% sure how he, what he did with it. I know that there was, at the time, I think he had like a locked room or cabinet or something that he did with it, I think.

AOS: Would that have been at DAS or somewhere at ODE?

MH: I believe at ODE, but that is a guess.

DL: So Matt actually was housed at the department so he had an office.

AOS: So he had an office.

MH: So it could have been locked in his office, I guess.

AOS: Now is he no longer assigned to ODE?

DL: Yeah, he transitioned to Medicaid.

MH: Medicaid.

AOS: Is he still under DAS security though? So the same?

MH: Yeah.

DL: Yeah.

AOS: Who advised Hansen to turn in his equipment?

MH: I called him and told him that we needed to have his laptop.

AOS: The same day, the same Friday?

MH: I believe so.

AOS: And did Hansen turn it directly in to Matt or did he give it to somebody to give to Matt?

MH: No, I believe he gave it to Matt.

TIME CHECK: 43:55

AOS: So you have a sense, one of the things I am curious about is Steven Tate was the grant writer, David Hansen does not sign off on the grant. We really don't see any review comments from him reviewing the grant. The sponsor evaluation process seems to largely be a product of Joni's work. Don't see a lot of involvement from David on, directly, on the evaluations themselves but maybe chiming in on rubric instead. So, do you have a sense of what led to the phone call? We know there was a board meeting and there were questions asked of David Hansen but what led to the phone call asking him to turn in his equipment, do you know?

MH: Primarily, it was the board situation.

AOS: So it was really the events of that board meeting.

AOS: So, who asked you to make that phone call to have Hansen turn in his equipment?

MH: That's a good question. Who asked me to do that? I am guessing.

DL: Don't guess, you either know or you don't know. Don't guess.

MH: I don't know, I don't recall. There's a lot going on.

DL: Education is a busy place.

AOS: Well, I understand there's a lot of wheels and plates spinning but something of that level, in which you are asking someone like that to turn your equipment in, they're going to resign. Who would of...

DL: ...so, there's a lot of high priority things...

AOS: ...you wouldn't have made that decision to call Hansen to have him turn his laptop on your own would you? Did you have that ability?

MH: I mean I am an executive member of the staff but to make that decision on my own, I don't know. I mean..

AOS: ...so, who would have made that decision to have you make that call?

MH: I don't remember.

AOS: Were you ever in a meeting after Hansen resigned with Dr. Ross or anybody discussing the resignation or discussing what happened?

MH: After his resignation?

AOS: Well you asked him to turn his laptop in.

MH: Right.

AOS: Was there a meeting after that that you had with Dr. Ross or anybody discussing why you're asking him to turn that laptop in or his resignation?

MH: No.

AOS: So he just resigned and there was no high level meeting discussing that?

MH: That, those, that if those discussions happened that was not with me.

AOS: Okay.

AOS: So it's not that you don't remember you actually were not.

MH: As far as answering the question about who asked me to turn in his laptop, I don't recall how that decision was made but as far as whether or not he was going to resign, that discussion didn't include me.

AOS: Did he have any comments when you called him and said I need you to turn your laptop in?

MH: I don't remember.

AOS: Did he seem upset? Do you remember the tone of the conversation?

MH: No, I mean not, not to be certain.

AOS: That's all I have. Thank you.

Sarah Wickham, Senior Policy Advisor

10/12/2017

In attendance:

ODE Employees: Sarah Wickham and Diane Lease

AOS Employees: Timothy Shockcor, Marnie Fredrickson, and Kristin Hayes

AOS: Sarah we just wanted to ask some questions. I am sure you have heard the drill but we just go through some information right up front. Your name, position, how long you have been with ODE. If you can describe some of that.

SW: My name is Sarah Wickham, I am the Senior Policy Advisor at the Ohio Department of Education. Joined the department in 2013. I was a classroom teacher before that.

AOS: Just to clarify, you were Sarah Dove around the 2014-2015 timeframe?

SW: I was married in 2014.

AOS: And so a lot of the questions as I go through this information. A lot of the questions that we are asking that pertain to the 2014-2015 timeframe. That's about the time the sponsor evaluation is beginning, the grant then comes along in 2015. If I am not specific, those are the years that I am referring. If there is something that has been added or changed since then, just let us know. Back then we did this but now we are doing something different. Please clarify. How much interaction did you have with David Hansen? Were you involved with many of his projects?

SW: I did not have a lot of interaction David Hansen. I was literally side by side with Dr. Ross all the time. I may be in a meeting if he came to Dr. Ross' office but other than that, I was not intimately involved with David's work.

AOS: What would be your role with the Superintendent? Can you give us examples of your work?

SW: It is a little bit hard. It depended on the day and the work. Dick Ross wasn't a big emailer, he would receive emails and forward them to people who needed them. I was copied on a lot of his email so I managed some of that for him. Dick was not into details, he was a guy that hired smart, capable staff people and trusted them to do their work. Dick would sometimes say something from memory and I was there to catch something if Dick said something that was incorrect. He is an administrator through and through so I brought a teacher's perspective to it. I also kind of did some relationship management with Dick. I did some of the care of feeding with staff for staff. That is what I did specifically for Dick. I would also work with departments to coordinate the left and right hand to make sure what one department was doing didn't mess up what another department was doing.

AOS: Did you supervise anyone in that role?

SW: No.

AOS: So you would say a big part of your role is communications then?

SW: Yep.

AOS: Where you very involved at all in legislative affairs and policy development at all?

SW: No.

AOS: How about data requests?

SW: No, not at all.

AOS: Did anyone approach you for a meeting with Dr. Ross?

SW: Dick had a Scheduler so they would work through Carolyn Jones but if they needed something on Dick's radar then sometimes people would use me in that capacity. Dick had an open door policy so if he was there he would talk to people. He was very approachable.

AOS: Were you very involved in the sponsor evaluation process? Were you aware of it? Were you involved in any meetings?

SW: I was aware of it; it was not my primary focus at all. I was much more involved in the teaching and learning process. I was in meetings but not something I was intimately involved in.

AOS: What about the charter school grant application? Were you involved in those meetings or asked to review the grant?

SW: I was asked to review the grant after David Hansen left the Department. I had never seen the grant up until that point. I knew we were applying for a grant generally, I knew the grant was about expanding and replicating high quality models. So I knew generally but had not read it. Actually Jason Rafeld when he got to the Department identified that staff members at all levels were applying for grants out of the department without a uniform process so Jason was working on ensuring a more uniform process for grant approvals so I wasn't.

AOS: Was that roughly in 2014 would you say?

SW: I wouldn't be comfortable putting a timeframe on it. I don't think Jason was at the Department but for only a couple of years and it was during that time. That was a priority project for him.

AOS: Did you work very closely with Jason Rafeld as part of your work?

SW: We had contact but our worlds were really very different. Jason worked much more with Legal and Operations side and I would lend more to the teaching and learning. Much more on teachers and students; instructional practices, testing. Things like that.

DL: So Marnie, Jason left in April of 2015. To put it in context.

AOS: Thank you, we knew he left before the grant. We were thinking Jason got there in 2014?

SW: I am pretty sure Jason got there in 2013. We started about the same time.

AOS: So probably by the time the charter school grant was being developed, the process was already in place that was developed by Jason, May/June 2015. Were you aware of any changes to the process after Jason leaves?

SW: No.

AOS: To your knowledge, is the process the same today as far as making grant requests?

SW: I don't know. I know that everything flowed through the Chief of Staff and we don't have a Chief of Staff right now so I am not sure.

AOS: Ok.

DL: It's changed.

SW: I am not in a position where I am applying for grants so it's not something I would have to know.

AOS: I understand. There are a number of emails we see that you are copied on as well as text messages and chats with David Hansen. Can you generally explain why you might be copied on some of those correspondences? Do you want to see some examples of what we are referring to specifically?

SW: I am copied on all sorts of things all the time that I might be related to or not related to. Is that a Department of Education thing that everybody is copied all the time? I am very organized on my emails. If I see that I am copied and I am not involved I will move it to the folder and move on. If it involved Dick, they would copy me to make me aware.

DL: I think it's an Education thing.

AOS: Were you ever present or asked to attend any meetings with David Hansen and Dr. Ross about the grant application?

SW: I can't say for sure I wasn't present; the grant was a long time ago.

AOS: How about the sponsor evaluation?

SW: I know that we discussed that process with David at a high level. Are we on track? Are we moving along? But that was my level of involvement on that process.

AOS: Do you remember any discussion about the e-schools being included or not included from the academic data?

SW: Since this all happened and occurred I have asked myself that question. I cannot say it did or it didn't. I would not have known if it was in the law or not in the law. What I am positive is that he never said what we are doing is not compliant with the law. I knew he was working with Data Managers and Don Leming and so the people that were pulling the data and developing the evaluation knew the law and the data were being pulled appropriately. Again, Dick managed in that way, he hired capable people to do their jobs. That included the lawyers and data people and the program staff, anyone who was digging into the details there.

AOS: Do you remember the meetings with the Superintendent that legal counsel was present in those meetings?

SW: Don Leming would have been in there sometimes. I think we had about three people were acting as Chief Legal Counsel, P. R. Casey, Sharon Jennings, Diane I have no idea when you came in.

DL: I got there after.

SW: Donny Leming was there a lot.

AOS: Was it Sharon that took over for that brief period of time?

SW: Yes. The person I remember being there the most was Don Leming.

AOS: In any of your meetings or just in your experience were you ever aware of indications of the staff getting on Google Hangout?

SW: No.

AOS: Any concerns that were brought to Dr. Ross about Google Hangout?

SW: No.

AOS: From your perceptions of the policies at ODE do you believe that would have been permissible? Do you know what Google Hangout is?

SW: No, I mean I can imagine what it is. I assume it's like a messenger?

AOS: You can have meetings, conference calls things of that nature. Not aware of anything like that?

SW: No.

AOS: We will also show you an example of an email with missing header information. Have you ever seen anything in your time with ODE? (pulling up example)

SW: Is this an actual email? If there's nothing else to it I would have disregarded it.

AOS: This one happens to be you were on, we have several others.

SW: I would have disregarded that.

AOS: We have asked some questions about how you think something like that could happen.

SW: I would assume it's just at IT glitch. I don't know.

DL: We have technology issues.

AOS: Were you involved at all in those final days with the board meeting or the phone call for him to surrender his equipment? Any of those meetings at that point in time?

SW: I was at the board meeting that day. I don't think I was involved in anything after that. Dick and I shared a door so there were sometimes I would get called in or out of things. But that was Chief of Staff things, I was not involved.

AOS: Do you know why David Hansen resigned, why he was asked to turn in his equipment?

SW: I assume it was because of he was not complying with the law.

AOS: Are you aware of anyone that asked Melissa Huffman to make that call?

SW: No.

AOS: (showing email) This is just three days prior to the grant going out?

AOS: Do you remember this email. Do you know why he would have sent it to you and Jimmy and Melissa?

DL: This is including Youngstown so he would have asked for a letter of support.

SW: That's interesting, getting Youngstown support would be something I would have done. I don't recall reaching out to get support. I would have to check.

AOS: Thank you.

Matt Williams, DAS Chief Information Security Officer Assigned to ODE

10/18/2017

In attendance:

DAS Employee: Matt Williams

AOS Employees: Timothy Shockcor and Marnie Fredrickson

AOS: We understand that you were given his computer at some point in time. We just want you to describe exactly what happened, when, where, what you know about that.

MW: Whatever day it was they sent him home early, I want to say it was the 10th or 17th of July, it was a Friday. He was supposed to leave his equipment at the office which he did not. I had to go to his house and get it. I went to his house, it has been a few years ago, and picked up, I believe, his laptop, iPhone, and iPad. State issued. And brought it back to the office, locked it up and called it a weekend.

AOS: Where did you lock it up at?

MW: At ODE, I have a secured storage room for any equipment belonging to employees that left that needed held on to or there were legal holds. It was a room that I and folks in HR had access to it.

AOS: And when you say you locked it up, was it in a filing cabinet or just in the room?

MW: I believe it was locked up on a shelf in the room.

AOS: Who all had access to that?

MW: Myself and the folks in HR.

AOS: ODE's HR?

MW: Yes.

AOS: When you went to Hansen's house did he say anything?

MW: No, he just handed it over.

AOS: Was it on or off?

MW: I think it was all off.

AOS: At any time did you turn any of it on?

MW: Yeah. So, the following week they wanted to see.

AOS: When you say they?

MW: The leadership. It would have been Jimmy Sheppard, Melissa Huffman primarily and Dr. Ross. They were looking for signs that they should have known this was going on. We looked at emails that he sent or received.

And then they wanted to see if there were files on his computer that related to how the data was being looked at and analyzed.

AOS: When you say they, describe, were you all in a room?

MW: At various times, yeah. So basically, they would say can you go and look to see if there is anything that shows this or indicates this. They would tell me what they were trying to find out and I would go see if the files were there or if the email were there. I would review it with them if I found anything that was close to what they were looking for.

AOS: When you say "they", who specifically was asking you to do this?

MW: Typically it was Jimmy Sheppard and Melissa Huffman.

AOS: Were these phone calls or in person conversation?

MW: These were in person conversations.

AOS: And when you were going through it, were they in the room with you?

MW: Typically, no. I am trying to think if they were ever in the room when I was doing the initial look at things and I don't think they were. They said can you go look at things and see if there is anything about X, Y, and Z. And so I would search for it. I wasn't working on his equipment live, I copied the files from his computer onto my computer and set his computer off to the side.

AOS: Okay, describe that whole process.

MW: So, I logged into the computer as myself and copied everything from his user profile over to a computer that I had.

AOS: Okay, and so you didn't mirror the whole hard drive.

MW: No, because at this time we were just looking for data. We were just trying to figure out what was going on. Why people thought that he was doing this and everything else. So, we were trying to understand what was happening, how and why.

AOS: What did people think he was doing? What do you mean?

MW: So, the impression I had was that they had no clue he was manipulating things the way he was. And so they wanted me to pull the emails he sent to us, anything related to scoring for charter school and I am paraphrasing off of memory.

AOS: When you say, request sent to us, who is us?

MW: Again, those people. Jimmy, Melissa, Dr. Ross. And sometimes the searches were wider. They would say was there anything to Steve Gratz. Again, I am pulling this all from memory because it was 2 ½ years ago.

AOS: Sure, I understand.

MW: I am probably missing folks. I know they were concerned about emails that went to a governance committee so people like Matt Danzuso and Immy Singh was a part of that governance data.

AOS: Immy?

MW: Immy Singh was a part of the governance data group. But I think mostly it was Matt Danzuso. So, they would just look for these kinds of key words, these kinds of things. I would bring the results back to them so they were not searching a big mountain; they were just searching a little hill.

AOS: You said you would send the results or take the results back to, who specifically did you take the results back to?

MW: So usually it was Jimmy and Melissa. Sometimes Dr. Ross was in the room. PR Casey was sometimes in the room, the legal, but I think he was transitioning out right when that was happening.

AOS: I was going to say, I thought he left before this happened.

MW: He might and at that point the interim would have been Sharon Jennings. So, memory from 2 ½ years ago, I knew there was a transition somewhere around that timeframe.

AOS: I know you said emails and data. Anything else they were specifically asking you to search for?

AOS: What were some of the key words for example? Do you remember?

MW: Generally, I remember it was things like, charter school evaluations, charter school scores...

AOS: Anything about the grant?

MW: Yeah, there would have definitely been stuff about the grant. There would be stuff with, there was a consultant firm he had in there and they were looking at data related to the grant.

AOS: Do you remember the name of the firm?

MW: No, I don't.

AOS: Was it Education First? Does that sound familiar?

MW: It could have been. It was definitely one of the names in the realm of that stuff. But there was so many that I have dealt with on different things not related to this, I wouldn't want to say 100% but I think it could have been.

AOS: Okay.

MW: And then just basically just looking at the communications, looking at meeting attachments. Were there meeting attachments where they were looking at something that somebody should have said "hey, wait a minute" but the reality is that what we found after digging and piecing things together it really looked like he was shaping who had what information so he could, for the lack of a better term, manipulate to get what he wanted. Is what it looked like to me?

AOS: Whose conclusion was that?

MW: That's my personal opinion. I don't think anybody else.

AOS: Did anybody in the room like Dr. Ross, Melissa Huffman, Jimmy Sheppard, PR Casey, any of them make mention of that?

MW: They may have. I don't want to put words in their mouth because I don't remember honestly. There was a lot of conversation around so I don't want to say that they said something if it really is just my thoughts or something I mentioned.

AOS: Yeah, I only want you to what you know.

MW: And I can't say for certain that they did. I don't honestly know.

AOS: Did any of them ask you to look for or did you see any files or emails with no headers on them or GoogleHangout information? Are you familiar with GH?

MW: Yeah, I am familiar with GH. I don't remember seeing anything in GHs. There were some things he, I know he had his personal gmail installed on his iPad.

AOS: Did you go through those too?

MW: No, I did not because it was personal.

AOS: How could he have installed that on his iPad if it was public property? Did ODE have, like I couldn't do that?

MW: The restriction on ODE's equipment in general, from a physical constraint, is that you can pretty much install anything that is free in the app store.

AOS: Really?

MW: Yeah but there required to comply with our policy. You couldn't install anything porn related or gambling related or whatever on their state device.

AOS: Would there be a violation to install or have and use Google Hangout to instant message people and conference call or was there a data violation?

MW: Not necessarily, no really and the reason is that dealing with academia and education industries, that's how some of the school communicate. So if you're using Google Hangout, you can do conference calls and webinars and stuff like that and if the school is using that, then you would have to possibly use that to participate. So and it's not really common but it does happen. That one of the biggest struggles honestly from a security perspective is dealing with that whole academia mindset is that they use any tool they can find for free and when we work with them we have to make adjust and control things as best we can but also allow them to do their business.

AOS: When going through the emails, did you read the emails or just take the emails off the computer, copy them off the computer?

MW: No, I would read them.

AOS: Did you see emails that had no headers on them. No "to" or "from", no subject line?

AOS: The "to" field of who the email was sent to is just deleted and gone, erased.

MW: So, probably but that means is that on his inbox I would have seen because that would mean that whoever sent that out, everyone was a blind copy on it. That or it would be draft in his email that actually had not been sent. That's the usually scenarios that you would see it in an email.

AOS: So let's say he sends an email to you and there is no to, from or subject line. Is it possible that you get the email with none of that information in it?

MW: Yes. Because if he blind copied me on it and everybody was a blind copy, that's how it would show up. So if I sent you an email right now and your email address was a blind copy, it wouldn't even show your email address in there.

AOS: Would it show anything though. Would it show a "to" or a "from" or a subject line?

MW: If you put them in there, yes. If you didn't, no.

AOS: But the from information should always have my information, Marnie Fredrickson, that's an automatic in Outlook?

MW: Yes.

AOS: It should always be there?

MW: Right and so it wouldn't have the "from" if it was stored in his drafts or something. Because it hasn't been sent yet.

AOS: Did Dr. Ross personally tell you to do anything? Or look for anything specific.

MW: Not that I can remember, I mean Dr. Ross is pretty anti-technology. Not "anti" just not tech savvy. He really wouldn't even know what to ask for most of the time when it comes to technology stuff.

AOS: Well if there was something going on he would know enough to ask to look for stuff with my name in it.

MW: Yeah, I mean and that may have happened. I know at one point we pulled emails to look and see if there was any indication that they should have known what was going on. They wanted to see the emails that were sent to them. So that probably did happen. Now I don't remember if that was instructed from Dr. Ross or that was instruction from Jimmy or Melissa. I don't remember who asked for that. At some points, Dr. Ross was in the room, occasionally, not very often. Sarah Wickham was usually in the room.

AOS: How many times did you meet with these people?

MW: I mean, over the course of the next month or so? At least two or three times a week, trying to figure out what happened and how.

AOS: Was this made a priority for you?

MW: Absolutely, yeah.

AOS: Did any of them ask you to delete files off of the computer?

MW: No, they wanted me to do this specifically so everything was preserved.

AOS: And then you copied the files from his hard drive to?

MW: To a computer that I have or had, yeah.

AOS: Do you have that computer now?

TIME CHECK – 15:39

MW: I still do a little work for ODE so it is still there and available.

AOS: What kind of work do you do?

MW: Right now I am training them to do their own e-discovery work and stuff like that so that's primarily what I am doing for them right now.

AOS: So the computer you had with these files on them, where's that computer at?

MW: It's in ODE's building in a server room. It's a PC but it's locked in a server room since I don't have an office there anymore.

AOS: And you don't think the files have been erased, you think they are still on there?

MW: As of last week all the files were still on there. It's on a drive that's got a, it's mirrored and so someone would have to intentionally delete those files.

AOS: Is it password protected? Like only you can get into it now?

MW: Me or a domain admin could get into it. But you'd have logs that they did.

AOS: Who is the domain admin?

MW: There are several of them over there. I mean, it's just people that's just their job. But they don't know that box is there and what's on it or what purpose it serves.

AOS: Is that a DELL computer, what kind of computer is that?

MW: It's a DELL tower.

AOS: Oh, it's a tower computer?

MW: Yeah.

AOS: So it's not easily moved around, I mean you could pick a tower up?

MW: You could pick it up but nobody's going to stick it in their pocket. It's not on one of the mini computers they've got over there.

AOS: Or it's not on any separate hard drive that you downloaded it to? It's on the computer hard drive?

MW: Yeah, it's on a hard drive that is physically in the computer, somebody would have to disassemble the computer to get the data off of.

AOS: But it's not on an external hard drive?

MW: No.

AOS: Who specifically do you work for?

MW: I work for James McCaffrey out of DAS. I am one of the embedded CISOs for the agencies. DAS has been bringing all the folks that do my job in the agencies under the DAS office of Information, Security and Privacy.

AOS: What is CISO?

MW: Chief Information Security Officer. I was for the Ohio Department of Education, now I am for Medicaid.

AOS: And do you have an IT background?

MW: Yeah, I have been doing IT work for 25 years.

AOS: How long have you been with DAS?

MW: I started with ODE back in 2004 and was there until 2010. I was one of the enterprise architects for DAS from 2010-2013 where I took this job and was at education until last June.

AOS: And do you have a background in computer forensics? I mean trained in forensics?

MW: No, I have not been trained in forensics.

AOS: I am sure you've read up on it.

MW: I mean I've done some work with it but I have not been trained in it.

AOS: Okay, so when you copied files from Hansen's computer was it just his computer? Or did you copy files from the iPad or? Can you even copy files from an iPad?

MW: So, yeah, you can copy files from an iPad. When I looked at the iPad and the iPhone there really wasn't any documents. There were some photos on the phone.

AOS: So you looked at the phone also?

MW: Yeah, because we had public records request that demanded we give them the text messages, so we had to pull the text messages off of it.

AOS: Who was the public records request from?

MW: All the media outlets.

AOS: Imagine that.

MW: I think there were 19 we were dealing with.

AOS: Have you ever had a conversation with Diane Lease?

MW: All the time.

AOS: Did she know you were coming here?

MW: She told me that you would be reaching out to me. She doesn't know that I am coming over here today because we just talked yesterday. And I haven't talked to her since then.

AOS: Did you find anything as you were searching through looking for the items that Dr. Ross, Jimmy and Melissa asked you to search for that you felt was questionable? Maybe you didn't know but you thought could be?

MW: That he was doing.

AOS: That he was doing or questionable in the sense that someone in the agency seemed to maybe have had some knowledge of it.

MW: In hindsight, so I am fairly certain that there were at least one person, maybe two that had knowledge but they were low level folks, people he needed to get information from.

AOS: Like what kind of information?

MW: Like data from systems because he is good at painting the vision he wants, he's not real tech savvy, David's not. He would have needed somebody to generate the reports and pull the number the way.....I mean data and statistics are all in how you want to shape it anyway so he would have needed somebody who could do that.

AOS: Who were those needed people?

MW: The primary person that was providing data would have been Karlyn Geis and then the other person that would have been helping him with a lot of stuff would have been Joni Hoffman but the impression that I got from looking at stuff is that he is telling them he's got clearance for this. So that while they know what's going on, they think it's okay.

AOS: Who was he supposed to be getting clearance from?

MW: Would be Dr. Ross and Steve Gratz. His chain, basically.

AOS: Wasn't there someone that if you requested you were supposed to get approval for the data whether it was internal or external data?

MW: Yeah, so that would be a governance committee for data. Matt Danzuso headed that up. Immy Singh would be there from the legal standpoint looking at the data requests. But again, this is speculation on my part but what it looked like he was doing was requesting this data then requesting this data then putting it together.

AOS: Prior to getting approval. Or making it look like he was getting approval.

MW: So he was making a request here and then making a request here then off of the results of those requests he was making a product. Again, this is my speculation and opinion without diving into the how's and everything else with it.

AOS: So for example, the data governance committee may have seen two data requests coming from David Hansen but didn't necessarily connect the dots has how he was going to combine and use them is what you are suggesting.

MW: Right.

AOS: Did you see any emails where somebody was questioning that? If you know.

MW: I am trying to remember because there was something along those lines but I can't remember exactly what it was. Because that is where I had the impression he was telling these folks that he had clearance for it. So I think

there were people asking questions about it and he said it's good I have approval or something along those lines. And again, foggy memory 2 ½ years ago.

AOS: And those are some of the emails that you captured off of his computer? Or copied?

MW: That I copied, the emails would have been straight out of office 365 e-discovery. We wouldn't have search emails on his laptop, we would have search with the search tool for the state. Sorry if I wasn't clear on that.

AOS: The search tool is called office 365 discovery?

MW: it's like Office 365 compliance center is what it's called or something to that effect. And then we also used Clearwell a little bit.

AOS: What was it called?

MW: Clearwell. It's the state's independent e-discovery tool. Problem with Clearwell is the limited in scope and size so all the stuff we had to (inaudible) from that and it was a challenge with timing and the amount of stuff we were putting in there and trying to get so there was, it tended to work better through Office 365.

AOS: So just to make sure I am clear. Hansen's computer, you weren't pulling any emails exactly from that drive.

MW: No, I was pulling files from his computer. The emails were coming straight out of the state's email cloud service, Office 365.

AOS: How about word documents?

MW: Those would have been on his computer. There could have been attachments in emails too. The actual documents themselves would have been blended either coming from attachments in emails for from the actual PC itself.

AOS: When you did all this, at the end did you prepare a report? Like write a summary of everything you were asked to do and everything you did do?

MW: I don't remember if I did or not. I think I did. It would have been really high level just because of the volume of stuff but I think I did.

AOS: Do you know who you would have given that report to?

MW: Probably Jimmy Sheppard, probably. And it may have only been in hard copy. Basically something I could use to review as like a conversation in a meeting.

AOS: Would you have kept a copy of that report for yourself?

MW: Probably, I would have to look for it. Let me put it this way, if I did a report, I've got it.

AOS: When I ask if about whether or not grant information was included in some of the search results you did that Melissa, Jimmy and Dr. Ross was interested in you said yes, definitely. Do you remember anything more specific than like something you remember seeing pertaining to the grant that they took interest in?

MW: Just how the data was applied to the grant document that they were working on to submit to the feds.

AOS: So at the minimum, they recognize as a result of these searches that some of the information regarding academic performance or e-schools being left out, at the very least manipulated data was in the grant application.

MW: It really wasn't tied to that when we were looking for the grant stuff, it was, what we were looking for with the grant stuff. I think we were just looking for the communication back and forth about the grant. What was he instructing them to do. I don't know that there was that connection or correlation made at that point.

AOS: Are you aware of anybody getting into that computer after you were done with it?

MW: No, at one point before, at one point I needed memory out of that to work on another computer so I pulled memory out of it. And then when you requested it, I forgot I had taken memory out of it and I had to bring some over for you guys but other than that nobody got into that computer. Nobody accessed that computer.

AOS: Was the computer, during the time you were running the searches and working on all these requests, was there a time that you walked away from it and anybody else could have had access to it?

AOS: Computer meaning his laptop, not the one you put the stuff on?

MW: I know what you mean. I am trying to remember where I worked on it at. So I think, so it would have been in my office. So somebody would have had to come in my office during the workday while I was off at a meeting or something and got on to it. I mean, honestly that would be pretty gutsy. But is it possible? Probably. Is it likely? Not.

AOS: You said HR was the only other?

MW: Well, when I was physically working, so HR was the only folks that had access to where I stored it but when I was actually working on it trying to get, copy of files off of it to look at; my office is on the first floor near professional conduct. Anybody knows, I mean people used to come to my office to talk to me about stuff all the time, for meetings and whatever. So in theory somebody could have but it was a pretty small window because I wasn't, unless I got the files off it, I really wasn't working on the laptop. The laptop was sitting on a shelf 99.9% of the time.

AOS: How about the desktop that you copied the files on to? Do people have access to that? Could they get in there and delete files?

MW: I mean, they could but that wasn't a source of record for the files. So, domain admins could get in there at one point, I had set up one of the attorney's so they could, we were converting, actually it was probably Hansen's email we were converting his email to PDF. For the public records request so I set up a login for her. I also set up a login for somebody that was doing some similar kind of work. They could log into the system. They would have to navigate how my mind works on organization to find anything. In theory they could, both of those set up were done after we were done with the primary look at stuff. The email export was at that point, what we figured out was public record and what wasn't public record and all that stuff so it was after we had done the initial look through everything.

AOS: You know how many emails you actually copied over?

MW: For the public records?

AOS: For everything.

MW: I don't remember. It was a lot, I remember that. I don't remember the quantity. I mean I would say, I don't even want to venture a guess because sometimes we sliced and diced how we wanted to search for stuff so I don't want to tell you a number because it could have been one of the lower numbers when we eliminated stuff from it.

AOS: How long did it take you to do all of this, roughly, do you think?

MW: The initial look at stuff was probably, I want to say 4-6 weeks. Let's look for this or let's look for that.

AOS: Did you ever work weekends or just your normal workday?

MW: I worked weekends too.

AOS: Was that the first weekend after you got the equipment?

MW: No, because at that point, I don't think he even submitted the resignation until the following Sunday or Monday. If I remember correctly, after I picked up the equipment.

AOS: Do you remember who told you to go get the equipment specifically?

MW: It would have been Melissa or Jimmy or both of them.

AOS: Of the three, Dr. Ross, Melissa, Or Jimmy, who was the, I wouldn't say director, but driving force behind asking you to get certain information? Who contacted you the most?

MW: It would have been mostly Jimmy.

AOS: And what was his position at the time?

MW: Chief of Staff.

AOS: Okay, but would you say that when you met with him, Melissa was in the room? Majority of the time?

MW: Majority of the time. More than half the time. Sometimes it was conversations with just Jimmy or but Melissa was in there easily more than half the time.

AOS: What about Dr. Ross?

MW: He wasn't in there very often. I think when we first started looking at the data and everything else he was involved a little more but it was still rarely that he was actually in the conversations.

AOS: Did he make comments. Did he ask for specific information?

MW: Trying to remember, think back to, I think he was in the conversations he wanted to know who specifically knew what. You know, what had been sent to him in email, what had been sent to Steve Gratz in email, what had been sent to Jimmy, well actually there was a transition there so we would have been looking at stuff from Jason Rafeld too because Jimmy had been there for only a month or two at that point when all this started happening. So, it would have been, he would have been more (inaudible) at first but not after that initial questions about stuff. Mostly it was Jimmy and Melissa and some Sarah.

AOS: How important was Steven Gratz's role in any of this?

MW: Honesty it seems that David went around him even though he is his direct supervisor.

AOS: And why would you say that? How did you form that?

MW: Because when I looked at his email the majority of the communications were above Steve.

AOS: Did he copy Steve on them?

MW: Sometimes, sometimes not. Some personal conversations with folks, with Steve for example and other folks, you know where Steve basically said he couldn't, it was not easy to manage him and he often went around him. Personally I think that is where; between that and looking at the emails is where I got most of that.

AOS: Did you ever personally meet; I mean other than picking up his computer, did you personally meet?

MW: Yeah, in my role I had to work with all the folks in leadership.

AOS: And what was your opinion of David Hansen? Strictly your opinion.

MW: I am not a fan. I think he is belligerent he doesn't really, doesn't, he more highly of himself than pretty much anybody else and isn't afraid to let people know that. One of the issues I had to deal with him with security issues, he wanted people to be able to use applications without security in it and stuff like that. I walked into his office once and he had his pc password, his voicemail password in big letters taped to his overhead on his desk. I'm like David you can't do that. He took it down and threw it away and he next week, its right back up. Password and everything else.

AOS: When you say he wanted people to use applications that weren't authorized for something. Describe some of those.

MW: He wanted, there was an event where he basically was instructing his folks to allow people to send, it might have been email. He wanted to folks and schools to be able to email sensitive information without any type of security around it. They were collecting information for something, I don't remember what it was and I had to meet with him and say look, if you want to collect information we can do it through this secure channel or this secure channel but you can't have them email it, you can't do it. And he said I hear what you are saying but gave me the impression he was going to do it anyway so I notified folks up the chain.

AOS: What kind of sensitive information do you think it was?

MW: I don't remember.

AOS: Student name?

MW: I don't remember.

AOS: And who did you notify up the chain?

MW: I think I notified PR because it was a privacy and confidentiality issue so it would have been PR probably.

AOS: Do you know if PR took any action?

MW: No idea.

AOS: After notifying PR did it seem to continue or are you aware of it continuing?

MW: I don't know if they went ahead with that particular practice. David never changed. David's David. He knew better than everybody else and he is going to push through to get what he wants. That's just his personality.

AOS: Do you know PR left or Jason Rafeld? Why they left? Did you ever hear any talk of that?

MW: No.

AOS: Anything you can think of that we may not have asked you or?

AOS: Are you still working on the searches by the time Diane Lease came or had you finished up largely?

MW: I think I was still working them a little bit. I mean, you know, I think a lot of it when she came in is she wanted to see what we already found. I don't know if I ever did new searches because of that. Now she led the e-discovery piece for the public records so I ran new stuff but it was specifically around the public records piece of it.

AOS: Okay. I think that's all I have.

AOS: Well we thank you for taking time out of your busy day to come see us. I know you're busy. Appreciate it.

MW: All of us are so.

Jason Rafeld, Former Chief of Staff

11/27/2017

In attendance:

Former ODE Employee: Jason Rafeld and his legal counsel, Brad Barbin and Alexandria Petrillo

AOS Employees: Matthew Klapheke, Timothy Shockcor, Marnie Fredrickson, Kristin Hayes and Jim Arnold, AOS special counsel

BB: He is not a target or subject of any investigation that could turn bad against somebody down the road, just a witness. But it's about, as far as we know, David Hansen. And to the extent it might also affect other people there but, Richard Ross and Education, is that a fair summary of what we are doing here today because that is what we have prepared for?

AOS: Yes is it. Yes it is. And in that effort we just wanted to make sure again so that you are aware of everybody in the room, Kristin Hayes is my assistant. Anything that you would want to see Jason electronically if we are talking about a specific document, Kristin can put it up on the screen so that you can view it, we can also print a copy of you would need that. I am Marnie Fredrickson; I have my card too for you as well. And we have Mr. Arnold here with us today. Matt Klapheke and Tim Shockcor, they are also on the team as well. So we may, at any point, any one of us may asked some questions. The investigation, just as you mentioned, it is about ODE, David Hansen specifically and what happened with the sponsor evaluation process and subsequently then the charter school grant. Much of that data, I don't know if you are aware Jason because on the timing of when you left, that much of the sponsor evaluation data ends up going into the written grant application and so that's where you probably do have some knowledge that might be helpful just from the time that you were there because that was in developed phases for probably two years is advance of the grant actually being submitted to USDE so we may focus a lot today a lot on those types of issues. And again, as we are talking about the questions today if there is anything that is privileged information please do not divulge that. So I know as your role of Chief of Staff there might be items that you feel would be privileged, just let us know if you feel we are treading into any of that territory.

JR: Okay.

BB: And I you want to take a minute, we can step outside if there if a privileged area or just something is new that we haven't thought of before we came in. Now Tim, it looks like you are going to try to record the conversation, I understand that, we hadn't covered that, we probably should. Normally we would ask for a copy of it after your investigation. Obviously you wouldn't want us to share it with anybody and we wouldn't share it with anybody but if we could have an agreement the eventually we would have a copy of it then we have no objection to you recording the conversation today.

AOS: We can get you a copy.

BB: Okay. And we won't share it with anybody.

AOS: We do have some water coming for everybody to so.

BB: I have one more question, this one is for Jim. Which is, does the scope of this investigation involve anybody that he is a partner with over at Ice Miller. The way we looked at it was that it was simply ODE, he used to work

there, is there anything that would tie into anybody that he might have a fiduciary obligation with his law firm now because, I think you know, but he is over at Ice Miller and he's been there for a period of time.

JA: That's right because, who's your colleague over there, Alan?

JR: Starkoff.

JA: Starkoff. And originally I think you may have met with one of my partners, David Winters.

BB: Yeah.

JA: And that's because neither one of us knew which way either one of us was swimming and as soon as we learned about that I told David.

BB: To back off.

JA: I am unaware but I would have to defer to Marnie on that.

AOS: I am unaware of anybody that is a partner at Ice Miller that would be in anyway related.

BB: A witness of any kind.

AOS: No.

BB: Okay. Good then let's see if we can't get it all done today.

AOS: If I were to mention a name today that is somebody that is at Ice Miller, just let me know. Okay.

JR: I don't think there is anybody.

AOS: Okay, I can't imagine. So tell me about your role at ODE we you came.

JR: I had two roles. One as the Chief of Staff and one as the Chief Operating Officer.

AOS: Can you describe some of your responsibilities in that capacity?

JR: Sure. I guess I had primary responsibly, or reporting responsibility for, this is going back a little bit now, but legal, legislative relations, the day to day operations of the agency, just whatever it takes to make an agency run. Sort of business administrative type stuff. Human Resources, Finance, Budgeting, that sort of stuff.

AOS: Who did you report to?

JR: The superintendent, Dick Ross at the time. When I started, it was Michael Sawyers. He was Interim.

AOS: When did you start?

JR: This was about, roughly, but September October'ish of '13 I think.

AOS: Okay, did you have much background in education or kind of learning on the job?

JR: Not in education. I had a lot of background in running government in agency but other than, you know everybody thinks they have, they're experts in education because have a bunch because we all sat in a classroom.

AOS: It's a little different being in the agency, I'm sure.

JR: For sure.

AOS: Who reported to you then? Who was under your reporting structure?

AOS: You can just go by departments if that's easier.

JR: Yeah, Human Resources, Finance, Budget, as I mentioned Legislative, Legislative liaison, Legal.

AOS: So those were, was there, was the federal grant's office directly under your reporting structure as well?

JR: I can't recall if they were directly under or not to be honest with you.

AOS: Okay. What about the Office of Community Schools?

JR: There was, I believe the Office of Community Schools reported to Steve Gratz. And, I could be wrong but I think that Steve then reported directly to me. You'll have to forgive me; it's been a few years ago and there's been another agency in between there.

AOS: Sure. Did you receive your updates about the Office of Community Schools from Steve Gratz or more so from David Hansen at the time?

JR: Both .

AOS: Both?

JR: Both.

AOS: Did you have anybody assisting you in your roles? Do you have an assistant or an administrative assistant?

JR: Yeah, Karen Stone.

AOS: Karen Stone. Was she ever involved in supervising?

JR: No, just administrative assistant, yeah.

AOS: Okay.

JR: A lot of scheduling, a lot of coordination. That's a very, very busy place.

AOS: What was your relationship with David Hansen like?

JR: Can you give me a little bit more detail on that?

AOS: Professionally, I guess there are really two questions there. David was somewhat of a force.

JR: He was a challenge sometimes.

AOS: Yes, yes so obviously I'd like to know a little more about the challenging issues you might have had there. But also then professionally, what would you have envisioned his responsibilities to be in reporting to you? What were your expectations for him and for Steven if Steve Gratz is more so?

JR: So, Steve Gratz is a long time ODE employee and Community Schools reported to him. I recall that Steve had some difficulty in managing David. You know, there were little incidents like David wanted to, I can't remember exact, let's say it was the 5th floor. I can't recall what floor they were on but there were seven floors. One incident I recall because of its sheer stupidity sticks out in my mind that David wanted to take over the conference room on the 5th floor. Well there was three or four or five departments on the 5th floor and it was for everyone to share and it was just like you do in state government, there is a little sheet and you sign up, nothing complicated right? And so we had to mediate a dispute, no you can't take it over; you can use it whenever you want. Well then you sign up, you'd fill up three months, well you can't do that either right, you have sign up like come on. So when I say Steve had difficulty managing David, it was that kind of stuff. I said to David on more than one occasion that your greatest strength is also your greatest weakness and that's your passion for community schools. You have to sort of fit within the system that it is and operate within the agency. Yes, it's frustrating but this is, it's frustrating to me too many times but this is the way we have to operate.

AOS: Did David listen to you or did you still have to continue?

JR: Sometimes, sometimes. I mean as you probably know, that's part of the Chief of Staff role. No, you can't have the conference room, now go work it out. Share like everybody else.

BB: Play nice.

AOS: From your point of view, Did Steven Gratz get very involved in trying to manage David? Or did David?

JR: He did. There was a couple of times where David scheduled meetings with me without Steve and Steve would come and say, you know, I see the meeting can I come? Of course, I'm sorry you know, I won't do that again, it's wasn't, we're very, it's just, I can't even overemphasize or underemphasize. Overemphasize? I can't emphasize too strongly how busy we were. Probably they still are.

AOS: Did you feel in any way that Steven wasn't being hands on enough with David?

JR: I can't say that for certain. I can say that I'm confident that Steve was trying.

AOS: Okay.

JR: And I don't mean to imply that David was terrible, he was just pushy with things.

AOS: Describe what you mean by pushy.

JR: Well like with the conference room example. I mean it was, at any given time there's, you know, a number of very large, very impactful, often times very controversial issues at ODE. I mean you're, you know you're dealing with children, right. There's few things more important or more emotional than people's kids. And so I felt and I think Steve felt that David felt like his issues were paramount to all the others and they weren't. They were like all the other very challenging things we were trying to deal with at the time.

AOS: Did anyone bring concerns to you about David?

JR: Sure. It was, I know Andrea Albanys that shared the floor, they had some difficulties getting along. That may have been from the conference room type of stuff down there, you know, limited resources.

BB: What kind of concerns do you mean?

JR: Any concerns specifically with decisions David Hansen might have been making with regard to community schools and sponsors and/or actions he was taking. Data requests, anything of that nature.

JR: There were some, I recall some, so putting aside the sort of administrative differences which I keep referring to, he, trying to think if it was, we had a Data Manager, I think it was Matt Danzuso that had, who is a fantastic, hardworking civil servant, can't say enough great things about him, got an awful lot of requests from David about looking at the data this way and looking at it this way but I don't think it was... I am trying to recall, my hesitation is that I can't recall if they were... So here's, let me back for a minute. So one of the issues that the department had when I got there was anybody would fill any data request by anybody and our data department was, we didn't even have a department it was twelve or fifteen people that knew how to access the data warehouse in a way they could get that, to response to the request to whoever asked and whatever priority and whatever time frame and communications or legal or nobody knew who it was, right. So I was like this is not the way we are going to operate this right because one, you put out information that is incorrect it creates a lot of problems. So we created a system where we had an attorney and then we pulled all these data folks and put them in one department. And we said okay, if you have a data request whether it's external or internal; submit it here and we reviewed those I want to say twice a week so none of them sat right. So it wasn't like some six month process to get it. And I recall there being quite a few requests from David. Some that we approved and some that we didn't.

AOS: Did you have concerns about the requests that you did not approve?

JR: If there, I can't exactly recall but if there were concerns it was more, we don't have, we don't have the data or keep the data or collect the data in such a way to produce an accurate result. Anything reliable and one of the things we were trying to get away from.

AOS: Do you remember an example of a situation where data pertaining to the Office of Community Schools might have been generated in an inaccurate way?

JR: I don't. Nothing specific.

AOS: Did you have any concerns about David making requests in piece meal form? A piece of data here, a piece of data there is an attempt to merge the two on his own?

JR: Not that I recall.

AOS: What was your role like with the Office of Community Schools as a whole, not just with David Hansen specifically but with the entire department?

JR: Well it was sort of different in two phases. That was when I started there I was supposed to be the Chief of Staff and I became the Chief Operating Officer not sort of by choice but we had a person who was doing that job and got himself in some trouble which was completely unrelated to the department and he was removed very quickly and I just sort of assumed that role. In that role there was a more heightened or a closer responsibility to personnel of the department and a sort of span of control and deficiencies and where you had somebody so it became obvious very quickly that community schools didn't really have a direction, they didn't have probably the leadership that it needed or somebody that had some experience. There was a woman there named Joni Hoffman who was a wonderful, well-meaning, super friendly person but she was probably not data and quality oriented enough to be effective in that role. I think she approached her job in a very well-meaning fashion and I have very fond memories of her but from more of an emotional approach as opposed to let's look at the numbers and move along. So, we, trying to recall how that happened, there had not been a, I think the title was director, there had

not been a director in community schools for some time. At least since the time I got there so we hired David, I can't recall how far that was into my tenure there, not right away. It was a while. And so then community schools changed a little bit because, good, bad, right, or wrong, David gave it a direction. He sort of took it and started doing things with it. So once David was there I had a lot less interaction with the sort of personnel, it's a small department, I can't recall but less than five anyway. Three, four, five people down there.

AOS: How did you go about selecting David for the position?

JR: Well given who he was, we wanted to be sort of extra careful about this has to go exactly how you would hire any other routine person. So we posted it, I am thinking 10-14 days, human resources officer, Pam King is her name if I am not mistaken, posted it in sort of the usual fashion. David submitted an application. As I recall, we didn't get a lot of response to it. At the time it was probably still true, you know community schools, charter schools as the rest of the world call them, not super popular in the education world. Many teachers view them as sort of an enemy, they're not. But it wasn't really, really popular amongst educators so we got a relatively small response, I think.

AOS: When you said he was selected by and you wanted to go by the normal process because of who he was?

JR: Right.

AOS: What do you mean by that?

JR: Well I assume at this point you know who his wife is?

AOS: You tell me.

JR: Anyway. We got an application from him and we said if David is going to apply then this needs to be right. You have to post it, interview. There were three of us that interviewed him. Myself, Pam and another policy director.

BB: Do you remember who it was?

JR: Sarah Wickham, Sarah Dove at the time. I can't recall if she had been married.

BB: I am sorry, what was the name?

JR: Sarah Wickham, and at the end of the process there was, I mean, my recollection is the other two that were even, two, three or whatever there was a very small number that were even remotely qualified were, you know, almost unqualified.

AOS: So it was a unanimous decision?

JR: Absolutely, yeah.

AOS: Did you hear of any concerns from Joni or anybody else in the Office of Community Schools once David arrives and is transitioning in?

JR: Any concerns about?

AOS: Just any concerns about accepting him in a leadership capacity and/or his direction?

JR: Not that I recall.

AOS: How did David vision or direction for community schools get formed? Was he pretty much left to his own to come up with a vision or was there input from yourself or Dr. Ross or anybody on an administrative level? Maybe others outside the agency?

JR: At that point in time I think we relied on David to offer up thoughts and suggestions.

AOS: Was he given a lot of freedom then to come up with creative solutions?

JR: I think a reasonable amount; I mean that was a department that had a lot of deficiencies.

AOS: Do you know what the overall goal? What was ODE's goal of what they wanted David to be able to do in that position? Just change the image of community schools in the State of Ohio or anything more specific than that?

JR: You know I can say generally that the superintendent's philosophy at the time was you know it's all about the kids. You know we need to focus on whatever is good for the children and the students and if there is something that is troublesome to, you know, districts or whoever then we'll need to deal with that but what we need to, our policy needs to be whatever is good for the kids. And there are plenty of kids that are underserved or not served or missed by the sort of more traditional system so.

AOS: Did the superintendent take an interest in the charter schools or the Office of Community Schools specifically and any of those issues that David was dealing with?

JR: What kind of issues?

AOS: Any issues pertaining to fixing the deficiencies that you're referring to?

JR: I can't recall anything specific. You know, certainly he was involved. With everybody.

AOS: Do you remember specifically some examples of the deficiencies? You mentioned lack of leadership, lack of direction.

JR: Just really didn't seem to have a direction. Nothing specific, I remember some, I don't recall, I think this was before David. I don't even remember any details of how this happened but there was some, who was up in the Cleveland area, who was, who qualified for a particular grant and who didn't. You know there were some parents that wanted to be and some parents that didn't want to be and some districts that didn't want them. Those kinds of disputes, I recall. It seemed we would get one of those; it seemed like about one a week.

AOS: Do you recall, were you at ODE, there was initially an attempt to obtain the Charter School Grant, the federal grant. I think it was around the 2014 time frame that ODE subsequently lost the grant. Do you recall that situation?

JR: Now that you are mentioning it, a very little bit. I remember discussion around it but...

AOS: Do you remember who had the discussion?

JR: I do not. I remember discussions about it. I would be guessing if I gave you any answer, I'm sorry. There were just, during that time, there were some, not to say that the charter school grants and community schools wasn't a big issue but there were some national and very large statewide issues that were happening at the time that occupied an awful lot an awful lot of our time.

AOS: So on the priority list, as far as Chief of Staff/COO, how high up was fixing some of the charter school problems in the State of Ohio? We can say high priority, medium priority, low priority.

JR: You know everything's high priority right? But you, you know, I never. You know we, sort of joked in the beginning, me not being an education expert, I was there for two and a half yearsish. Still not an education expert. I mean I have a fair amount of knowledge about running a government agency and what you should do and how it should be done. So my sort of style was not sort of to come down and say here's how you are going to do this to somebody who was supposed to be kind of a subject matter expert. And you won't be surprised when I tell you there's a lot of subject matter experts in complicated, very nuanced, educational disciplines.

BB: So to answer her question though is it a joke that it's high priority because everything's high priority or is it, what is the specific.

JR: Everything was high priority. It's a matter of what do you have the bandwidth to deal with and you had somebody who by all appearances, looking forward and in the now, back then, was qualified and getting his arms around this department.

AOS: Do you feel like he didn't have the resources necessary or there was concern about the resources for him to get the job done?

JR: No, absolutely not. I think Dave, if I recall, David even asked to hire one or two people and we said yeah, go ahead.

AOS: You mentioned the data requests and that was certainly an area that David had some interest in, gathering data. And your concern was simply that it created a resources problem for the IT folks at ODE that had the know-how to pull that data. Did you ever have concern about what purpose David wanted to use that data for or who he might be sharing that data with?

JR: Just a minor correction, it wasn't the IT folks. There was a whole different department from them. We called it.

AOS: Data Governance, EMIS maybe?

JR: I'm sorry?

AOS: EMIS or ...

JR: Yep, there were a variety of things like that that were. To a large extent, ODE is just a big data warehouse and there were, I don't know, ten or maybe twelve people that their responsibility was data management, fulfilling data requests. Some were large in anyway, so we put that department together so it wasn't so much IT. As far as your question about doing things with it, I don't recall anything specific but I do recall in general, on more than one occasion, we talked with one or two folks from the data management team and David and myself about okay what do you want to do, why do you want this. I mentioned Matt Danzuso, here's Matt's issue or concern or we don't normally do it that way or we do it that way or we don't have this or we have to extrapolate or something. I don't recall anything specific and I'm sorry, it just was a long time ago and a million issues ago but we did have a number of discussions about what are these requests for. David, he had a lot of data requests but at the time you don't look at that as a negative. Here's someone trying to do something. Okay great.

AOS: Did Matt Danzuso or Beth Juillerat, his supervisor, every come to you with concerns beyond just sheer volume of requests?

JR: There were concerns about the aforementioned being pushy. You know I need this, I need this tomorrow. Well it's a lengthy request, we have others in the queue, you are going to have to wait. You know so; there was those kinds of issues.

AOS: And what did you do, just talk to Hansen then?

JR: Usually we would get the two, or three, or four of us together and okay what's your issue, what's your issue, why do you think you need this right away and make a decision based on at the time.

AOS: So you would have Matt or Beth involved in those conversations?

JR: Often times, yeah. Again, back to the subject matter issue; you know I'm not, not the CIO, and I don't run the data department, I am not an expert in community schools. Let's bring the experts together and listen, mediate and try to make a good decision.

AOS: Did you ever have any concerns with David's knowledge of what the statutes required in terms of community school issues, application of community school laws, or to their sponsors since I know he was working obviously on the sponsor evaluation process heavily during the last year he was there?

JR: No, but I think it's because, as I recall, if he came to me with something that was statute driven or question of interpretation, I would have said, you need to talk to legal about that. This is you know, a good chief of Staff knows his or her limitations, not limitations, but sort of your boundaries right? Hey we have a legal department for a reason, go talk to them, see what they say. Or we set a meeting; the three of us will talk.

BB: Do you remember who was the lawyer in charge of those kind of statutes?

JR: I mean, I remember who the legal team was at the time. P. R. Casey was the general counsel so ultimately he would have been, he would have been sort of ultimately responsible for the legal team. Sharon Jennings did some of those issues. Now blanking on his name, Donny Lemming helped with some of those issues.

AOS: When you suggested that David talk to Legal, to your knowledge, did he do that?

JR: I think he did, yeah.

AOS: Did he assert to you that he was doing that?

JR: I think he did, yeah.

AOS: Did the Legal Department ever express concern to you that David was acting outside of their advice?

JR: Not that I recall.

AOS: The sponsor evaluation process, are you familiar or do you recall the pilot that the Office of Community Schools was conducting?

JR: I would have to be really reminded to remember much about it. I sort of remember it was a thing but...

AOS: Do you remember the time frame roughly? 2014ish?

JR: No more than I remember hearing about it.

AOS: How involved do you believe you were in the development of the sponsor evaluation rubric? Were there meetings with yourself and/or the Superintendent and members of the administration about the direction of the rubric?

JR: Never with any members of the administration. And if by administration, you mean Governor's Office or other agencies, (inaudible) not that. Definitely I met with them and others about it. I don't recall specifically if the Superintendent did.

AOS: Do you remember a presentation to the Superintendent about the sponsor evaluation rubric or the intended application.

JR: I don't

AOS: We can show you to see if it will jog your memory. A PowerPoint presentation we have. (Provided copy of presentation and showing on screen) So the date on this prints as November 17th just because the slideshow automatically updates the date but this is a presentation we believe that was given to Dr. Ross in April of 2014.

BB: Do you know when in 2014?

AOS: Yes, I believe it was April 21st. Now that is based on the file name.

BB: And did we establish when you left ODE to go to PUCO?

JR: I don't think we have talked about that.

AOS: Not yet we haven't.

BB: Do you know when, I am just trying to remember with this date.

JR: Yeah, probably February or March of 2015.

AOS: We believe this is April of '14.

JR: I recall these things, the red, green and blue, I'm sorry. Red, yellow and green. Charts. Some of this stuff looks a little familiar so I would say I've seen it before or well, I will say I've seen something that looks an awful lot like this before. These sort of documents but

AOS: Do you recall page number 7, the slide that talks about the various sponsors and breaks down the effective seats? Effective seats was something that David talked about quite a bit in his external presentations. I sat through a number of those myself actually, but just curious do you remember meetings talking about determining effective seats.

JR: Very vaguely. I'm not sure I can define for you right now what effective seats was meant at the time.

AOS: Do you remember maybe a level of importance that was placed upon attempting to define without maybe remember the specific definition at least, how important, how involved were members, the superintendent, yourself, members of the executive staff at ODE in attempting to work with Hansen on that?

JR: I don't specifically. No, not specifically.

AOS: Do any of these authorizers on page 7 stand out to you as authorizers that you recall specific meetings about or having conversations with David about?

JR: I remember conversations, well maybe, about St Als, Portage. I remember seeing a lot of these names, of course.

AOS: What do you recall about St. Als?

JR: St Als I recall a lot of conflict.

AOS: Can you describe?

JR: I am trying to recall what that was. One of these I think even that was it St Als that the Auditor got involved with because they had money and the furniture? I don't know, that was St. Als or it might have been.

AOS: St Als, the Olympus Schools, there were 8 Olympus schools that closed prior to opening for their first day of school.

JR: Right

AOS: So there was

JR: Right, right, right

AOS: That issue.

JR: Portage I think was having some financial difficulties and was it Lake Erie West was talking, well maybe it wasn't them, somebody was talking about, my words maybe not correct, taking over as a sponsor.

AOS: Lake Erie West, would that have been from your recollection a positive move? Something that David and/or yourself would have felt would have been favorable? Or did you have concerns?

JR: I recall that we were concerned about authorizers or sponsors. No, let me rephrase that. We were concerned about options for kids going away and so anytime that you found out, you know, that there were sponsors or authorizers that had financial difficulty, your concern was always, okay what's the impact going to be for the kids that live in that community? Do they lose an option that they need? Those are the discussions that I recall. And so, I don't recall lots of detail but I do remember discussion around Portage having financial difficulties. I don't think that's confidential at this point anymore.

AOS: No

JR: At one point it was and what were they going to do and they were talking to some other folks. It might have been Lake Erie West, I could be totally wrong but if we felt there was a chance for a good sponsor, a good authorizer to come in and take over a bad one, we would have been for it. I feel confident that we would have said yes, how can we facilitate that?

AOS: Did you view at the time Lake Erie West as being a good sponsor?

JR: I would need to see more detail on who that was. Maybe, maybe. And just to be, I could be mixing up a lot of these names. I have not seen a list like this in several years.

AOS: Sure, I understand, that's understandable. This may have been the first indication as far as if you go on to slide number 8, it says here that the authorizer evaluation will be based upon the initial screen for health and safety, a compliance component. And then if passing that screen they'll be rated on one half of the academic outcome assessment and one half on process align with charter autonomy, accountability and innovation. Some incentives include opportunities to open for exemplary authorizers, status quo for effective ones, do you recall discussions about who at that time David might have been envisioning as far as the authorizers go meeting that exemplary criteria or if he envisioned anyone with meeting an exemplary criteria, were there conversations?

JR: I am going to say probably but I can't, I couldn't confidently give you, you know, pick one out and say this one we thought was great. I mean I remember talking about, about authorizers like St. Als that were a major problem and what are we going to do, how do we do this.

AOS: If you flip on the next page, page 9. This slide appears to rank the authorizers by their effective seats and ineffective seats. Lake Erie West is at the top and based on this data, appears to have more effective seats than ineffective seats. Do you remember the community schools, there is one in particular that Lake Erie West sponsored that was a rather large community school.

JR: Probably ECOT.

AOS: Yes, yes and ECOT having roughly 15,000 seats as an eschool, do you remember conversations about eschool seats being included in this analysis?

JR: I don't remember that.

AOS: Do remember any conversations about eschool seats? What to do with the eschools?

JR: I recall conversations with David about him being frustrated with ECOT, That were sort of, he felt like they had a lot of potential and they weren't living up to it.

AOS: Did he have conversations with ECOT that you are aware of?

JR: Did David?

AOS: Yes, Or Lake Erie West?

JR: Not that I can say, it wouldn't surprise me if he did.

AOS: Was David advocating for any legislative changes to address some of those issues?

JR: Not that I can remember specifically.

(Pulling up and providing copies of Hansen notes concerning ECOT becoming DORP)

AOS: So, do you recognize this document?

BB: For the record, this read Draft Personal Notes at the top with the header ECOT currently eligible to become DORP school.

JR: I don't remember this specific document.

AOS: Do you remember something similar or discussions about these topics?

JR: I remember discussions around ECOT being a dropout recovery school.

AOS: Was that something, who was having those discussions, I guess?

JR: I remember vaguely discussing that with David.

AOS: Do you know roughly the time frame? Early in to him arriving to ODE or somewhat later maybe?

JR: It wasn't right away I don't think, I mean it's, as auditor I am not going to give you specificity you want. What I remember of, you know, trying to find, sort of, evaluations of the schools and the sponsors and ECOT kept coming out not doing great, right. And, I am trying to remember how this discussion came about. ECOT was clearly the largest but not the only one that was going to have problems with sort of evaluations or where we put them. And I think this became a discussion around okay, so what are options for those schools? Again, going back to the students, the children. It's a nice theory to say well they are no good; we are just going to shut them down. But for the kid that has been going to one of those charter schools for six years, you know some are doing well and some are not doing well. You got to be a little more sensitive than that. Sorry, your sponsorship is yanked, your funding. So I remember discussion around it but I think it was in the sense of, you know when you look at, I could be putting the wrong things there but I don't think so, you look at some of these grades, there were a number of them that didn't do well and it was okay what do we do. And then what do you do with the one that is by far the largest? With a whole lot of students.

AOS: So this was seen as maybe one possible solution for avoiding closure for ECOT students so that in the event that the sponsor evaluation does not fare well for Lake Erie West

JR: I don't want to say it was a possible solution, I think was if you are doing your job, internally you are sort of looking at all options for everything. Sort of all eventualities.

AOS: Do you know if this wasn't seen as a solution but just a possibility do you know if these conversations were had with Lake Erie West or members of ECOT?

JR: I don't know

AOS: Do you know if they voiced concerns about being able to pass the evaluation? Particularly after the pilot?

JR: They being ECOT?

AOS: They being ECOT and/or Lake Erie West?

JR: I don't recall, I don't recall.

AOS: Do you remember if any of the other sponsors that you have seen on these pages voiced concerns about their ability to pass the evaluation process?

JR: Not specifically. I recall in general conversations around some people thinking they were unfair.

AOS: Were you concerned that David maybe had a rubric that was too aggressive? Was anyone else at ODE to your knowledge concerned about that?

JR: No, I don't think so. At ODE you are always dealing with, even more than ODE, education as a whole, you are always dealing with what felt like the majority of the schools, both traditional, brick and mortar and charter schools and all kinds there are more that are not meeting any good standards than those that are.

AOS: During the pilot or at any point in time thereafter, were you aware of David being asked to modify his rubric so that more sponsors would fare a better chance of at least meeting an effective rating or an exemplary rating?

JR: I don't remember that specifically, no.

AOS: Was anyone ever concerned about ODE's ability as part of a grant application to demonstrate that they were being tougher on sponsors and tougher on community schools in order to improve Ohio's image and maybe balancing that with the ability for a school to fare well in an evaluation?

JR: I recall there being a lot of pressure about charter schools.

AOS: Do you know who the pressure?

JR: A lot of legislators that would call on a regular basis, there was, you know, a lot of involvement from the sponsors. I don't recall that much interaction with the charter schools. You had some of the State Board of Education members that were upset about a variety of things. Some were very supportive some were very anti charter school. Occasionally you would have the issue, I don't know where the school was, I want to say over in the Dayton area there was some allegation of something bad happening and they were Turkish run and that upset people you just had, sometimes the things were unrelated but if you get down to what felt like an awful lot of pressure to police this.

AOS: As a result of that pressure did you feel like you were more involved in any of these conversations than you might have been otherwise? Did it raise the priority?

JR: Yeah, when there is a crisis as it seemed like there was a crisis every day and we were like what are we going to do about it. How are we going to handle this? You have media calling you have legal concerns and whoever you need to respond to and collect this information and it eats up a lot of your time and it takes forever to deal with that.

AOS: Dealing with pressure, was the governor's office ever involved with these conversations or were they part of the number of entities and people that were applying the pressure in anyway?

JR: No. They were actually really good about, just deal with it do the right thing. They only thing, they only thing ever wanted to know was what happened, what's going on, like what happened. Like the Turkish thing, what happened? It was more media information, what's going on here we are seeing all this going on in the news or you know we would call and say hey, this is going to break tomorrow, we just heard about it ourselves. We'll let you know as we find out information. But that was usually to the media/communications folks.

AOS: Who was your point person that you would hear from the governor's office?

JR: We had Jimmy Sheppard was the education liaison at the time, we usually talked to him.

AOS: Who from the legislature was applying pressure?

JR: You know the pressure came in the form of sort of questions and requests, what are doing. They would say things to the media. You had the chair to the education committee. I am blanking on his name right now, Brenner was there.

AOS: You said Brenner?

JR: Yes, Representative Brenner. Peggy Lehner was involved, from the Senate. You know these are education folks that they see something in the news and there's one of the calls that you, legal, legislative need to respond, that's some of the informational pressure of keeping everyone apprised that you have to do.

AOS: Do you remember concerns from Colleen Grady or Liz Connelly?

JR: Oh yeah, I had forgotten about Colleen. Lots of emails some of them very sharp, phone calling, wanting data for the house, yes absolutely. Tons

AOS: Who from the board? That you can recall liked charter, disliked charter?

JR: I recall Stephanie Dodd being very anti-charter. Mary Rose Oakar was not hugely supportive of charter schools.

AOS: Oakar?

JR: Yes

AOS: Do you remember who was an advocate for charters?

JR: Tom Gunlock I think was, you know when I say advocate it was this is an important part of our education and we need to do it the right way. As opposed to, sort of the antis were kind of their terrible we should let the traditional publics do it. Todd Jones was relatively supportive of charter schools.

AOS: Did any of the boards members get involved in the development of the rubric or want updates on the progress of the pilot?

JR: They might have but I don't remember.

AOS: How would they obtain those updates? Is that something that you would update them on or Dr. Ross or David himself?

JR: I mean there's a, you know the organization always wants control over the board, the board never wants to be controlled by the organization. The way you would like it to operate is the board members would call your media or your legal or you and you would get the information and get it to them and make sure they got it. Accurate, correct and complete. But the board members knew all the staff so they would call whoever they want and sometimes you would hear about it and sometimes you didn't.

AOS: Were you ever aware of a board member calling David directly?

JR: Not specifically

AOS: Did you hear about it?

JR: Not that I specially recall, sorry. Maybe, certainly possible.

AOS: Can you pull up that calendar invite? This is a meeting request, February of 2015. The exemplary authorizer meeting in your office at the time with David Hansen. Does this ring a bell, having a meeting about this topic at least?

JR: That meeting specially, no but I did have regular, one on ones with lots of folks.

AOS: Did you have many one on ones on the exemplary authorizers?

JR: I don't remember.

AOS: Do you remember having conversations about exemplary authorizers?

JR: In general yeah, about how do we decide who's doing a good job and who's not doing a good job you know, the old analogy of kids being snowflakes is true. You might learn a very different way that I do but we both learn. I recall the topic being very challenging to have a set of standards that basically here it is, here's the bar everybody is either over it or under because everybody's different.

AOS: Was there ever a concern that none of the authorizers in Ohio could meet that bar, meet that expectation to be exemplary?

JR: Maybe, maybe

AOS: Do you remember what options were discussed to solve that problem or address it?

JR: I don't, I don't. That's a common thread in education you know if we want to apply the standards to traditional publics, you'd shut down most of them. Cleveland, Columbus, Cincinnati, all the big ones.

AOS: What would have been, just from your lens at the time what would have been your opinion, should let's say ECOT, Lake Erie West fares poorly on the evaluation because ECOT is a huge school and lots of ineffective seats if you count them. What would have been your perspective at the time about ODE's viewpoint of having to close down a school like that? Especially one of that size and the displacement of that many students all at once and the impact that would have had.

JR: We would have worked awfully hard to find a solution that we felt was best for the kids. We were doing that with Youngstown which was a very badly failing school, I understand that's a traditional public and ECOT is a charter school and eschool which is even farther away. But my point is we had all the authority we needed in statute to do what we wanted in Youngstown but the last thing we want to do it take over a school district. ODE is not a school district it is not what we did at all. We would have been concerned about the impact on the kids and the families and what do we do about that.

AOS: What were some of the solutions or discussions you were having about Youngstown since that is kind of a comparable situation, some things to do up there?

JR: We were trying very very hard to get the community involved. Business leaders, religious leaders, find out what is going on in the school.

AOS: How would they get involved? What were some suggestions?

JR: We tried, I recall discussions about a mentoring programs around facilities issues. Are there injection of, a significant injection, a new personnel needs do we need some new teachers? Is there some training they are not getting? Is this a failure of leadership?

AOS: Was the possibility of opening more charters in that area discussed so that there would be more options?

JR: I know that we, I recall talking about what charters are there. Are they able to help?

AOS: Was there any conversation that you were aware of about dedicating a certain amount of the grant should ODE have received it towards helping in that initiative?

JR: No that I remember.

AOS: How did the information flow to Dr. Ross?

JR: Can you be a little more specific?

AOS: So as you are working through these conversations with David and the Office of Community Schools and/or you are receiving pressure at what point, who's making the decision on what information should be updated to Dr. Ross and how would that update have taken place? Would David go to Dr. Ross directly would that be your responsible would you both go to him?

JR: We would often, the superintendent used to do, I am trying to remember how often, maybe monthly sort of meetings with senior staff. Sometimes you brought your lunch and you talk about a variety of policy and program issues. Everybody would know or have an idea of what was going on across the agency.

AOS: Who all would be there then? Yourself...

JR: My gosh, you are talking about probably 10, 12, 14 senior staff, often assistant superintendent, often the different department heads.

AOS: Would David have been at one of these meetings?

JR: Some of them. Yeah. Absolutely.

AOS: Would he just be invited to them as needed or a standing invitation for everybody?

JR: I recall as needed and if we were going to talk about something with community schools or charter schools, he would be invited. Typically you had, somebody had a specific issue to discuss within a department they would bring you know the person that was responsible, their most knowledgeable so to speak to answer everybody's questions it was kind of a anybody's place to say what about this, what about this, how is this going so it wasn't just you all sit there and report to the superintendent, everybody sits around, you give your report and whoever you are you can say, well Marnie what about this. So it was sort of an open forum.

AOS: In March of 2015, there was a meeting that you and David had with Dr. Ross to talk about the grand; this is a quote "the grand strategy for charters and the governor's questions to Richard Ross"

JR: Okay

AOS: Do you remember what the grand strategy was referring to?

JR: I recall that we were trying to, either before or after there was some legislation, the budget bill? May be a part of the school funding, at any rate, a piece of that, there was a lot of legislative activity and there was a piece of that dedicated to charter schools. Thus referencing back to my pressure that we felt we needed to do something. Anytime any of the agencies wanted to propose or work on or oppose any legislation you always touch base with the governor's office before you do that.

AOS: Do you remember what questions the governor's office has about that?

JR: Not specifically, no

AOS: Would it have been Jimmy Sheppard again that would have been the liaison there?

JR: Jimmy would have been involved for sure.

AOS: Would this legislation have referring to what would eventually became HB2?

JR: What did we call that, what was in that?

AOS: The charter school reform law.

JR: Absolutely .

AOS: What was Dr. Ross' feeling about that whole HB2?

JR: I don't really remember specifically whether he was for or against or. I know the process was frustrating. Just a lot of cooks in the kitchen so to speak, you know a lot of people, a lot of legislators, just a lot of people that you're that are involved and asking questions and making the sausage so.

AOS: Do you remember David's feelings on HB2?

JR: I don't, no

AOS: He was a big proponent of autonomy so from your recollection do you feel he would have been opposed to the accountability provisions?

JR: I don't remember specifically what was in HB2, to be honest with you. Yeah, I just don't remember, I don't remember. I remember some, very generally, some discussions with him and maybe a group about being sort of frustrated about the way it was going. And sort of yeah, that's legislation, its one giant compromise.

BB: But you don't remember the specifics about what it was making him frustrated?

JR: No

AOS: Did David ever had specific concerns about any one school or anyone sponsor and the impact that they might have had as a result of sponsor evaluation or HB2 that he would have raise to you?

JR: Are you suggesting that how HB2 or the charter school reform act would have affected one sponsor?

AOS: Correct

JR: Not that I remember, no

AOS: Did he ever have appearances of favoritism or favoring one school or one sponsor over others? Even preferential treatment or however you want to describe it.

JR: I am not sure I would use the word favoritism but I remember him, I am not even sure I could pick them out of here (referring the powepoint) I remember him; I remember discussion about some sponsors doing things better than others. This is a good way, this is an effective way, this is not an effective way. I remember those kinds of discussions. But I don't think I could tell you oh this one he liked, this on he didn't like. The reasons I remember discussing some of these names because I remember what was happening with them. There was a guy from Warren he seemed to be arguing with a lot. St. Alys., I remember the furniture thing and they were closing and Portage, I remember the financial issue, Lake Erie West, now that we are talking about it, I remember their association with ECOT. You know but as far as one in particular him favoring, no.

AOS: Did David ever discuss express concerns with you about the EdChoice designations?

JR: We talked a number of times, I don't recall if it was just us or with a group, about are the scholarships, I am going to call them scholarships, are they organized and administrated in the most effective manner?

AOS: Did you ever discuss how ODE determined designated buildings? Or concerns about the methodology that ODE used?

JR: Maybe, maybe but I can't rec all specifically. And again, these issues that you are asking about are pretty far down in the weeds.

AOS: They do come up in the grant so

BB: We know why you are asking, it's just hard. If you have a document too, it might help jog his memory.

AOS: Just generally, you would have to read a few hundred emails to probably get caught up on that. So why did you come to ODE? Where you interested in going into education? Were you asked to go to ODE because of your background and being able to manage?

JR: I think, so, I was the general counsel at the Bureau of Worker's Comp at the time and they were from a legal perspective had a major problem with very,very large, out of control litigation into the billions of dollars of liability. And in my opinion, I am sure people would disagree with this, it was not attended to properly. In every quarter we had auditors that we had to would say, I don't this outcome is realistic but yeah, it could be 2 billion. It could be 100 million. That's a problem even for a big insurance company. I tried to grab a hold of it as best I could with the special counsel and deal with those things. Bring them to some sort of definition. I say that because I think there were some folks that say we are still pretty young in the administration at this point in time, we have places where we have problems and Jason seems to be able to get a hold of stuff. Right about that time we started sort of to get a direction and get our arms around this litigation. The current superintendent at the time was Stan Heffner had some relatively minor but ethical issues that caused him I think to have to resign if I'm not mistaken, and so it was big news around Capital Square and Ohio then Michael Sawyers was put in as interim. I think he even had his own little issues, something small, he bought pizza and was reimbursed improperly, it was something certainly not the crime of the century it was very small but none the less, it made the news. So it looked, I think from a governor's office perspective like ODE sort of was, it was constantly newsworthy and not the kind of news you would want right, it was always ethical and always media requests and they said we don't effectively have a superintendent, we don't have a chief of staff, every department is running itself. Jason, would you like to over there. No I wouldn't but I will. That is sort of how it happened. And it was like would you get control of this so we are not

surprised every day by a new crisis. We are tired of reading about things in the newspaper that we wish someone was dealing with.

BB: It's not community school was a short form of the answer

JR: No, it was a whole variety of things.

BB: I know some of you guys know this, I'm not sure if you do Tim, do you know that BWC where he was is basically an insurance company, that's what it does. I wasn't sure if that was clear because you used insurance in your explanation.

JR: An insurance company with one product.

BB: Right

AOS: So who specifically from the governor's office asked you to go?

JR: Jai Chabria

AOS: How do you spell that?

JR: Jai Chabria

AOS: And what was that individual's position there?

JR: I think he was the head of personnel. I could be wrong with the specific name but that is pretty darn close.

AOS: Did you see your initial role coming in to ODE as being one of cleaning house and just changing some of the tone at the top over there or did you have a clear vision for what you thought you wanted to do going in?

JR: I know what I thought as far as the initial role was that you need to learn about this agency because you are not an education expert. But what I had some idea how to do was manage information from within the agency so you can get the right people answering the questions.

AOS: Did you feel like you achieved that?

JR: Sometimes, sometimes

AOS: Out of the issues that you were dealing with would the Office of Community Schools have been one of the issues that concerned you that you felt you needed to maybe keep the reins on maybe what David was doing?

JR: I recall thinking we need somebody there who can run that thing. Because there wasn't anybody. Joni, like I said, was a lovely lady, any of us here would like to have her as your neighbor and I think she would have told you she's not right to have run that department. And so there wasn't anyone to do what needed to be done. So, I looked at those kinds of things, you need somebody, if somebody is ineffective, they either need removed and put somebody in that was effective or in that case where there is a complete vacancy, you need somebody there that can do the job.

AOS: Once he arrives though did you ever become concerned about keeping the reins on him maybe he was going too far?

JR: You mean David?

AOS: Yes

JR: Yes, absolutely. I told David that quote that I told you, your biggest asset and you're biggest problem are the same thing. It's your passion for community schools.

AOS: Did you ever take measures to try to put a box around what he was trying to do?

JR: Yeah, I told him he needed to talk to Steve Gratz. He needed to report to your supervisor.

AOS: Did Hansen do that?

JR: Sometimes I think.

AOS: Did Gratz ever complain to you that maybe Hansen wasn't

JR: Yes

AOS: keeping him in line?

JR: Yes

AOS: Did he do anything about it?

JR: I think he confronted David a couple of times.

AOS: How did David take that? Do you know?

JR: I believe, I wouldn't swear to this but I believe I remember, Brad would say then don't say it but I believe I remember telling Steve if you want me to be there when you talk to David let me know and he said no, no, I need to tell him myself. I said well I won't, you know I'll make sure you are here if there is a meeting. Sometimes it happened and sometimes it didn't. Just at the time I've said at times, it is just a really, really busy place.

AOS: Did you feel like David was going over your head or trying to go around you or any of the direction that you were giving to him?

JR: I felt like sometimes he didn't like the answers. When we said no, we are not going to fulfil that data request; I don't see the point taxing our people for no reason.

AOS: Did you ever confront David about that?

JR: I mean he would have told that in a meeting. I do recall in on at least one occasion well I just referenced it telling him look about the passions the very brief passion speech. Strong personality.

AOS: Yes. Why did you leave ODE.

JR: Education was never what I wanted to do. It was never really what I wanted to do. That is a thankless place where many, many really good people work really hard and all they ever get for their hard, hard work and stress and long hours is criticized. Just, I have many times as being in between mama bear and her cubs all the time.

AOS: Did you leave on your own?

JR: I did.

AOS: You did choose to leave?

JR: I did, absolutely.

BB: Can you tell them where you went?

JR: Yes, I went from there to be the Chief of Staff at the Public Utilities Commission. The initial request for me to go there was 6-12 months. It was can you just go and

BB: Be clear, you don't mean PUCO, you mean ODE

JR: I'm sorry, ODE, yes.

BB: Going there to fix it for 6 months and you were out.

JR: You go in there and just figure out why we are getting all this terrible news out of the Department of Education all the time. I mean it was story after story after story after story after story. You know nothing earthshattering that was going to be on CNN it was just constant little paper cuts of ethical issues and bad data coming out and it got morphed in with the Columbus School problem. And I think it was just can you just go over there and figure out what the heck was going on? You know as you sort of climb in you realized, this is not going to be done in 6 months. It's no way. Just wasn't a real sort of structure to it. So at 2 ½ years, I said this is significantly longer than I signed up for, I don't, thank goodness there are people that are committed to doing education for their career but that was not something that I ever wanted to do.

AOS: After you left, were you relied upon at all by others coming in or by Dr. Ross as they transitioned the leadership team?

JR: I don't think so.

AOS: Did anyone contact you after David Hansen resigned? Talked to you about the resignation?

JR: I think I saw it in the news honestly, I think that's how I found out about it.

AOS: Did you ever talk to anybody then about the resignation and how it happened or why it happened? Or maybe I should just say, what's your understanding of why he resigns?

JR: I don't remember any specific discussion with anybody. My understanding is he pushed on some things too hard, interpreted some legislation in a way that wasn't very popular I guess. You've got to remember at the time I was on to instant crisis on at PUCO, they hadn't had a Chief of Staff in a year when I got there so it was next issue kind of thing.

AOS: Did it surprise you at all that David resigned over leaving the eschools out of the charter school evaluation?

JR: No because it's, you know when you've, when you are in government that sort of what happens right, you make a mistake I think people expect it, okay you need to leave. You've made a mistake that's of sufficient size, we expect you to resign.

AOS: Were you ever contacted by Diane Lease about this interview or about your knowledge of Hansen and the situation?

JR: No

AOS: Any other questions?

JA: The data requests that you said Hansen would submit, if what form are they?

JR: They would go; I think they were usually emails to the data folks. Would have been Matt Danzuso or there was one particular, I think it was a woman who was. The way we, I am going to say there are 12 of them, I can't remember if that is right, 10 or 12. And usually you had one of those people that were responsible for filling data requests for sort of a specific department so they would be familiar with the data and the kind of things that they were looking for. And I cannot recall, I think it was a woman, who usually did the requests for community schools. And so it would have been emails to him or her and/or Matt Danzuso.

JA: There wasn't a particular form that was required to complete and submit, it was an email request?

JR: There might have been a form, I am trying to recall. We had an excel spreadsheet like document that we would sort of keep track of these and look at them. How long has it been there, have fulfilled it? If we decided we were going to fill it why haven't we at this point? And we would sort of go down those and decided if whether we decided it was a good idea or not, particularly the internal ones.

JA: Who maintained the spreadsheet?

JR: I think it was Matt Danzuso.

JA: Okay.

AOS: During your time there was there ever a point in time that you recall people wanting to have an offline conversation or not wanting to put things in writing?

JR: There was an attorney that was always that always met; we had a little data request team. It was Matt, Immy Singh, myself and sometimes if someone had a specific request that they would want to talk about they would come along to the meeting.

BB: Did you say Immy Singh?

JR: Immy Singh. I think Immy is still there.

JA: Amy Singh?

JR: Immy, I-M-M-Y Singh

JA: Got it thanks.

JR: Were you ever asked to have an offline conversation or avoid putting things in writing? A data requests or just a hot topic issue that you were instructed or you instructed others to keep off the record?

JR: Not that I recall, no.

AOS: Not put in writing?

JR: No

AOS: Were you ever aware of David using his personal email account to conduct business?

JR: Not that I am aware of

AOS: Were you ever aware of anyone on GoogleHangout? Having conversations about community schools issues?

JR: I don't even know what that is. Sorry

AOS: Prior to you leaving, did you hear any rumors or discussions of like this grant or anything was going bad for Hansen?

JR: I don't remember that. There was a lot of discussion with what was that department called, there is a department there that is responsible for grants and federal monies, there was discussions with them.

AOS: Who had those discussions?

JR: Jeremy Marks was the director of that department. Probably Jeremy would have been involved in some of that stuff.

AOS: And what were the discussions about?

JR: Anything to do with the grant. That whole department was for dealing with federal money.

AOS: But prior to you leaving you didn't hear anything about David Hansen might be some hot water or in some trouble?

JR: Not that I remember, I could be mixing up timelines, I can remember, I can recall like a board meeting when some board members got upset with him. That might have been near the time I was leaving or right after or but not specifically that Oh, David was in trouble.

BB: Was there a board member that didn't like David that might jog your memory a little bit?

JR: Yeah, the ones I mentioned before, I don't know that it was anything personal it was just a, you know David has a confrontational personality you know in sort of everything that he does sort of that way, I mean he's a good human being, but it's just the way he comes off. And when he is presenting something forcefully that you don't personally support or believe in or believe should be there, I think it was a professional disagreement between a couple of the board members. Or professional disagreement on philosophy. I guess.

AOS: Were you aware of any professional disagreements with Dr. Ross on philosophy?

JR: With David?

AOS: Yes. Was he supportive of David's ideas?

JR: In general supportive of charter schools but he had the same concerns that I did about David being a force to be reckoned with and you had to be, you had to be very specific and very forceful in managing him. You had to manage and lead him.

AOS: Did you ever have a meeting prior to you leaving with Dr. Ross concerning David and the grant or maybe Dr. Ross heard something from legislation or someone from across the street that things were not going right?

JR: Not that I recall specifically.

AOS: Did Dr. Ross have a background with charter schools specifically?

JR: I think he started one when he was superintendent in Reynoldsburg. I think he started that one.

AOS: I think I do remember that now that you mention it.

JR: I think that's, that would be his background. His background is more in traditional publics that I recall.

AOS: Would Dr. Ross be concerned about closing down a school the size of ECOT?

JR: Yes, but for the same reasons that I espoused. I don't want to say what Dr. Ross would have thought but I think he would have the same concern you know how is that going impact the kids and the communities that are there. Maybe it's good for some of them maybe it's bad for some of them. But what are they going to do, where are they going to go. If they are in a school district that is badly failing or that has terrible financial problems what does that do to that kid. That would have been his concern.

AOS: Thank you so much.

Jimmy Sheppard, Former Chief of Staff

01/08/18

In attendance:

Former ODE Employees: Jimmy Sheppard and Brian Barger

AOS Employees: Matthew Klapheke, Timothy Shockcor, Marnie Fredrickson, Kristin Hayes and Jim Arnold, AOS special counsel

AOS: We do have one other person joining us this morning although he is held up because of the roads right now. Jim Arnold is our special counsel so we've just told him to come in whenever he gets here. But we'll go ahead and get started if you are okay with that. Any concerns?

BB: Can I have a couple of preliminary questions?

AOS: Sure

BB: So, is this a criminal investigation? Is this a civil investigation?

AOS: This is a special audit of ODE, it's not even been coined an investigation per se although we do have our investigative unit working on the project with us. So this is all part of a special audit of ODE, in particular, the David Hansen termination as a result of the sponsor evaluations and the charter school grant application having left out the eschool numbers and some other errors that we have found in the application. So that is what we are focused on. As we would have the interview today we would not want Jimmy to discuss anything of privilege so if you feel we are going down that direction, just let us know. But as far as I know I don't think we will be asking you anything directly that should put you in a position like that.

BB: And what is Jimmy's status here, is he....I know a few categories, target, person of interest, witness.

AOS: At this point just a witness although we have questions particularly around when David Hansen leaves based on other interviews that we will be asking Jimmy about this morning. But as of right now, it's really just a witness to the incident and providing factual information and corroborating some other information maybe that we have gathered, that sort of thing.

BB: Alright, well let's proceed then

AOS: So Jimmy, just to start out as we ask the question. We are going to talk about your time at ODE which we know you come on and shortly thereafter is when David Hansen does leave the agency but I know you were working quite a bit with David and ODE even prior to coming to ODE while you were at the Governor's Office.

BB: Can I interrupt you, is this being recorded?

AOS: Yes, we do have a recorder.

AOS: Not that (pointing to video camera)

AOS: To be clear, we just have this here to put documents for you to be able to see.

AOS: That is a telecommunication device.

AOS: But it is not a recorder

BB: Okay

AOS: So if you wouldn't mind telling us about your work while you were at the Governor's Office as it pertains to working with ODE and the Office of Charter Schools and David Hansen. If you could just describe that relationship and what you did while you were there before coming to ODE?

JS: Yeah, happy to, so it was, I joined the governor's staff in January of 2011.

AOS: You made it (speaking to Jim Arnold)

(Introductions)

AOS: We were just asking Jimmy to describe for us his time period while at the Governor's Office prior to coming to ODE, his role with ODE and relationship.

JS: And I was just mentioning that I joined the governor's staff in January of '11 when the governor took office. And started off in a legislative capacity for the governor. And then in April of 2014, I think, is when I joined the governor's policy staff. So my official title was Assistant Policy Director for Education in the Office of the Governor and in that role I worked closely with the Department, the Department of Higher Education mainly around budgetary and policy initiatives so when the governor, I am trying to think what year 2014 was, it was a mid-biennium year and heading into a budget year in 2015 I would have been involved, you know, looking over and helping coordinate some of that language that eventually went into the Governor's as introduced budget back in 2015.

AOS: How much, if you had to describe your level of involvement with ODE and helping to craft new policy, legislative initiatives, were you working directly with David Hansen or with others at ODE? Did you have a lot of direct involvement with them?

JS: I can't recall kind of direct involvement, I am not saying there wasn't any but I think generally speaking I worked probably more with Dr. Ross and some of his senior staff and then some of the policy counterparts at the Department. The legislative director at the time, I am not sure if she was quite there yet... Yeah, I think it was more Dr. Ross and some of his staff.

AOS: Did you have a role in the development of HB 555 and the sponsor evaluation process? Is that something that you would have worked on at the Governor's Office? Or been familiar with at least.

JS: Was the sponsor evaluation part of 555?

AOS: I think it was kind of the beginning pieces of it. And then it subsequently evolved through other amendments thereto in other bills.

JS: I remember 555 primarily on the A to F report card system. Is that?

AOS: That's also in there. It was multiple different education initiatives in that bill.

JS: That's primarily what I recall working on as it relates to 555.

AOS: Ok.

JS: Um.

AOS: Were you familiar with the sponsor evaluation process prior to coming to ODE?

JS: Yes. I guess that's where I was trying to caveat the 555 legislation from what was eventually introduced in the governors, I mean, there was a version of it that was introduced in the governor's executive budget in '15. Do I have those dates right? I apologize.

AOS: You are pretty close I think, you are in ball park anyway.

JS: And so yes, I do...that

AOS: In '14 it would have been passed, they were piloting the sponsor evaluation process in '14.

JS: I am sorry; I don't have my dates right on that then. What I can say is I remember looking over different reports from, I think Fordham put one out, there was another education policy group...CREDO or something like that that also kind of spoke to the need to do something as it relates to, you know, sponsor evaluation system.

AOS: Do you recall during your time working through these different initiatives any provisions regarding the sponsor evaluation process and excluding eschools from that?

JS: No.

AOS: Nothing like that?

JS: Not, not early on in the process, no.

AOS: How would you rate your understanding of the sponsor evaluation process even before you got to ODE and had to get involved more of the details of it? While you are the education liaison, were you pretty familiar with the, I guess, the intent behind it and what was going on in that area would you say?

JS: No, the, so on a high level there was some need to do some accountability for charter schools. If I had heard the governor say it once, I'd heard him say it a thousand times that we're for charter schools but we're for good charter schools. And I don't even think he made the difference between charter, non-charter, public whatever he, there was this general philosophy of good schools whether they'd be public or charter or whatever. So there was a policy need to do something in the accountability area that general policy goal is really where, you know, I helped, I wanted to help advance that agenda, in terms of the specifics, no, limited at best.

AOS: Before going to ODE, what was your impression of David Hansen, did you have a good working relationship with him?

JS: Yeah, I mean we had interacted, it was cordial I think. Pretty limited but it was cordial.

AOS: And then you came to ODE was it in April? April of 2015?

JS: April of 2015. I left the Governor's Office that Friday and started at ODE that Monday.

AOS: Was that something you were interested in doing that you had aspirations of or did the governor approach you and ask you to do this? How did it come to pass that you went over to ODE?

JS: It was something that I was interested in, you think about areas in public service where you feel you can make a positive impact and that seemed like a good step to do that and to make an impact. You know I, I don't exactly remember the details of going over there, you know. I knew Jason was leaving to go to the PUCO, he may have been the first person frankly that approached me about it. Just, hey this is happening.

AOS: At the time did Jason caution you about anything going on in the office of charter schools? Anything concerns down there?

JS: Not that I can recall, no.

AOS: Once you arrive at ODE, can you describe your role there as the new Chief of Staff?

JS: I was learning a lot. It was in a lot of ways like drinking from a fire hose. You know, folks who had known me in my previous capacity were getting to know me in that new Chief of Staff capacity and so I think there was some, you know frankly feeling each other out that way just in terms of my working style, their working style. But it was busy, we were finishing up the state budget at the time, there was a bill going through related to Youngstown Schools around the same time. On a personal level I was having back surgery there in July. But it was just a busy, hectic couple of months.

AOS: What would you say were your top 5 priorities as you saw them or as anyone asked you to work on? Anything in particular what would be the top 5 priorities coming in.

AOS: Do you need to talk to your attorney in private or?

JS: No, no I think I...

BB: If you can answer, answer. If you can't you can't.

JS: I mean we didn't have a listing of priorities. Like I said, there was a lot going on but for me to rank them I wouldn't think would be fair.

AOS: There were no specific priorities then? Did you have coming in the door any concerns or issues that you knew you needed to tackle in the office of charter schools?

JS: No.

AOS: Was the charter school grant application something that at the time was conveyed to you as being a high priority for ODE?

JS: I had a conversation with David about the grant. We did not get into specifics of it, there were some policy goals that, you know, it was dollars for high performing charter schools or sponsors to use to replicate those types of models and you know if you talk to any charter school, I am sure as you guys know, that's probably one of the number one things that charter schools struggle with is facilities dollars and so from a policy perspective it made sense I think for the Department to pursue that. It was a grant I believe that the Department had pursued in the past. And so it didn't raise any red flags. The conversation that I had was about you know if there was some way to get some help on the grant in terms of writing, and that was something I didn't have, I didn't see an issue with at the time.

AOS: Was David Hansen asking for permission to seek help for writing the grant or...how did that conversation come about?

JS: I can't remember if he asked for it or.

AOS: Did you have any conversations with Dr. Ross or others about the grant?

JS: Can you help me understand kind of when the timeframe you are thinking of there because...

AOS: Yes, so the grant deadline was in July, July the 15th of 2015 to submit the grant. And there was, from what we have reviewed, there was reach out to seek help in writing the grant. At one point Paolo, who is still with Education First, does come on and offer some input near the end of June so probably anywhere between your start date in April and that July timeframe, just trying to understand how high of a priority this was for the Department as a whole and not just for David Hansen?

JS: I...

AOS: How much attention was on it?

JS: So we had the Youngstown issue that we were dealing with. We were kind of right in the middle of a budget which in those conference committee negotiations can be hectic.

AOS: Pretty much leave it to David to manage the grant then and give him the approval to run with it but not necessarily...

JS: I think we were counting on him to trying to think of the best way to say this, we were counting on him to...I mean I want just to say honestly, I mean we were counting on him to honestly, you know, do things properly. I'll just, I'll leave it at that.

AOS: Was anyone in a position where they were supposed to be directly overseeing what David was doing with the grant?

AOS: In other words should some body have picked up sooner on the fact that maybe that grant had errors in it?

JS: I am also thinking of the best way to answer this one. Obviously, there were issues with the grant and I wish we all would have caught it sooner. David's immediate supervisor was one of the senior executive directors and there was an assistant superintendent over him...

AOS: Who were they?

JS: At the time I believe it was Steve Gratz and Jennifer Faulker. And I am not here to throw anyone under the bus on that one.

AOS: We understand.

AOS: Have you ever heard or had you heard while you were there that maybe David Hansen wasn't following Steve Gratz directions and/or just completely leaving him out of the loop on communications and status updates?

JS: Honestly Marnie I don't remember, I mean those early days, I can't recall a specific conversation that someone would have had with me about that.

AOS: Did anyone bring concerns to you about David Hansen or anything in the office of community schools?

JS: Is there a specific example that someone's raised on that because again, people brought me a lot of...

AOS: Just complaints about his demeanor, how he treated people that he wasn't following the normal process that he was not including legal in his consultations that he was bypassing them to get what he wanted without going through the proper steps per se, things of that nature. Does any of that ring any bell to you?

JS: So yes there was, our Chief Information Officer, Beth Juillerat, who I believe has since married and may have changed her name, she, I do remember conversations with her because I had frequent one on ones with Beth. There was an issue with a couple of her staff, the data managers who were and I don't know, I couldn't give you a date; it was obviously when David was still there.

AOS: Right.

JS: There were some of his data manger had complained to her about how they were being treated and I specifically had a conversation with David, I don't remember exactly what I said to him but it was to the effect of, Beth was having a hard enough time staffing her shop with data mangers and we couldn't afford to lose staff and that's just not the way you treat folks.

AOS: What was David's reaction to that conversation?

JS: He understood it, you know, I mean I think when you, when you have some of those frank conversation with people about their behavior they, you know, they get it.

AOS: Did you ever have to have any other conversations with David about his behavior or not following policy or circumventing?

JS: No. One more, I apologize. It was a conversation again that I believe Beth brought to me and Michael Carmack, I couldn't tell you what Michael's official role was at the Department but he...it was something about David and an Apple TV for his office that we had him return. That was the, I don't think it was compatible with the Department's IT's policy.

AOS: Was this a piece of equipment he went out and purchased on ODE?

JS: I don't remember, I just know that David got an Apple TV and it didn't comport with, so we asked him to return it. Was there something else there?

AOS: More or less, again just his general demeanor, his behavior, he was an odd fellow. Not always the easiest to get along with and very set in his ways on certain issues and in some ways very respectable on that note but at the same time could also rub people the wrong way because he wanted things done now and maybe didn't have the patience all the time to wait, and so just trying to get some perspective on how aware you were of that type of behavior how many things actually elevated up to your level. Along those lines.

JS: Those are the two that I can recall.

AOS: Did you have any trouble while you were at ODE dealing with David Hansen on any issues?

JS: Me personally?

AOS: Yes.

JS: None that I can recall.

AOS: Would you describe him as someone you needed to keep a leash on? Or would you describe him as someone you trusted to carry out the mission of the office?

JS: That is an interesting question 2 ½ years after. You know some of these events occurred, I think David was a zealot for school choice and I think that came across in his interactions with the Department that isn't set up for quick change and you know it's a bureaucratic agency. You know it is what it is; state government isn't easily navigable for some folks. And I think that frustrated him but you would have to ask him.

AOS: So at what point in time did you first become aware of concerns about the sponsor evaluations not being prepared properly?

JS: I can tell you when it hit like a ton of bricks; was the board meeting in July.

AOS: I believe the agency was receiving questions prior to the board meeting were you involved in those?

JS: There was a series of, and I don't remember when it was, but there was a series of articles in the Plain Dealer that I think spoke to the sponsor evaluations? Again, I was sadly not, I was aware of the articles but I don't think we. I can honestly say that at the time those articles came out that we did not fully understand exactly what had happened and transpired.

AOS: When you say we, who is we?

JS: The Department, just collective Department.

AOS: Did you have a conversation with Dr. Ross about the articles?

JS: I honestly can't recall.

AOS: Did you have a conversation with anybody over at the Governor's Office about the articles? Or did you receive a phone from anybody at the Governor's Office about the articles?

JS: I can't remember, I don't remember... Nothing specific.

BB: If you can't remember, you can't remember.

AOS: What did ODE do in response to the articles prior to the July board meeting? Were you or others at ODE taking steps to figure out the meaning behind the articles and what the reporters were really talking about? Were you meeting with David Hansen to understand the issue?

JS: I can't recall a specific conversation that we had. I'm not, I don't know if that means there wasn't conversations I just for the life of me sitting here right I can't, I do not remember.

AOS: Specifics. Do you remember Colleen Grady? Do you know who she is?

JS: Yes.

AOS: Do you recall Colleen sending over a series of questions to the Department that were circulated? We will pull this up so you can take a look. These were circulated to multiple people in the Department, obviously I think David was the first one asked to respond to them but then others are reviewing them. You are copied on the email string as well.

JS: Okay.

AOS: But these are the questions.

AOS: Would you like a copy of those?

JS: That would be great.

AOS: Would you need a copy as well?

BB: Please.

AOS: Now you can see on the right hand side we have some comments from David as well as HM which is actually Melissa Huffman. So she is commenting on his responses.

AOS: Would you also print for him the email?

AOS: Certainly.

JS: Is there a date on this?

AOS: It is dated June 19th. And then in the comment boxes, sometimes you can see some information. Kristin can see if there is a date on the comment but the email is dated June 19th. Which is consistent with that first period there.

JS: Thank you (looking over email and questions/comments in entirety) What is the date of the Plain Dealer?

AOS: Articles? There were several. We don't really review newspaper articles as part of a special audit; we are focused more on what we are seeing in the official records at ODE so that wouldn't be something that we would pull in here. Although there are records requests coming from Doug Livingston, and the Plain Dealer as well as eventually the Columbus Dispatch that we have seen as well.

AOS: So reading through that, some observations that we had since David Hansen is trying to respond to the questions, Melissa Huffman, who I think like you hadn't been there a long time at this point, asks some pretty good questions. First one there, what is the reason for phasing in and perhaps address some of the push back we are receiving. She seems to be on point with the questions she is asking. Do you know if David or others followed up and responded to her questions? He says that the eschools will be phased in, was there any further conversation about that to your knowledge?

JS: Not to my knowledge.

AOS: Did you ask David any questions about the process that you recall? Or have meetings with David or others about how to respond to these questions before they were sent out?

JS: It's possible. I just don't recall a specific conversation.

AOS: Do you remember the board meeting in July?

JS: In terms of?

AOS: Were you there?

JS: I was not present.

AOS: How did you find out?

JS: During the course, during the questions when this all came to light, I was not present. A board member kind of approached that Tuesday afternoon, we were getting a lot of questions at the board meeting related to Youngstown as well. That was also a topic of great interest during that board meeting but a board member approached and basically said David just said two different things to the board.

AOS: Which board member may I ask?

JS: Todd Jones.

AOS: Todd Jones. And what was your reaction to that?

JS: I think that's when some real, I want to say light bulbs but some, that was the first kind of indication, I think and concern that he had I think also gave Dr. Ross general reason to be, to have some questions.

AOS: What did you and Dr. Ross do to respond to those concerns?

JS: Are you talking about in the aftermath of the board meeting or?

AOS: That day and/or the aftermath probably the whole thing, if you would tell the story of what transpired.

JS: So I flew out on Wednesday of that week to Boston, my wife and I went out, a CCSSO conference was going on later that week or starting Sunday night and we had gone out a few days before. I remember it was just an awful week, it was an awful week. I think we were trying to figure out what happened. We were asking questions. I think Dr. Ross was asking a lot of questions.

AOS: How did you go about asking the questions? Were you having interviews with individuals?

JS: Again, I had left so I was not in town when a lot of those conversations were happening. I remember getting a call from Dr. Ross Friday and I believe he had been sent home on Friday after a conversation between him and I think Dr. Ross probably had Legal in the room at that point. And then David was sent home on Friday and then I got a call on Friday night to arrange a call with David, Dr. Ross, myself, someone from HR, and someone from Legal for Saturday morning.

AOS: Who called you?

JS: Dr. Ross.

AOS: Okay. To arrange a call on Saturday morning with you, Dr. Ross, and someone from Legal?

JS: Yes.

AOS: And HR you said?

JS: Yes.

AOS: Okay. And what was the purpose of the Saturday morning call?

JS: When you get a call on a Saturday morning from HR and Legal after the week that you have had, I don't think it's surprising to somebody. So we, I don't want to get into the specifics into that particular conversation, it was an HR conversation and the result of which is David tendered his resignation to the Department. For me personally that was a, it was not fun.

AOS: I understand. Were you aware that on Friday David was asked to leave his equipment in the office but subsequently did take it home with him?

JS: I wasn't there when he was sent home so I wasn't privy to that conversation if he was asked to do that.

AOS: What were the steps then the following week, the following weeks even after David leaves? What were the steps that you and others at ODE were taking to deal with the aftermath as you put it?

JS: We were asking a lot of questions, unfortunately we had an Interim Chief Legal Counsel at the time so you know Melissa and myself were, I would not classify our conversations as interviews per se, I didn't, I wasn't quite thinking that way but we were talking to data managers, we were talking to folks just to try to find out who, kind of what had happened.

AOS: Was the Interim Legal Counsel present during those?

JS: I can't, I don't know if she was or not. I doubt it only from the perspective of I just wasn't thinking that way.

AOS: Did you talk to individuals in the Office of Community Schools as well?

JS: I am sure we did but.

AOS: Anyone outside the agency?

JS: In terms of?

AOS: Anybody that you talked to outside of ODE about what happened, maybe some of the sponsors themselves or others, external to ODE?

JS: I never had any conversations that I can recall with sponsors. Relative to the sponsor evaluations system. The only reason I am hesitant is on a policy level its possible I would have spoken to Chad Aldis or someone like that. That would have been the only sponsor that I can think of that I would have talked to.

AOS: Why does he come to mind? I know Fordham doesn't have e-schools.

JS: The report from earlier. I think CREDO was their study.

AOS: As far as David Hansen's equipment, what was your understanding of what ODE did to secure the equipment?

JS: I can't speak to the specifics of it. I remember being concerned after Matt Williams, who was the DAS IT guy at the Department. I think he raised the issue with me and just the preservation, I mean I think his concern was around the preservation of records that were on his computer that was still apparently in Mr. Hansen's possession.

AOS: When would Matt have raised this issue? When were you back for him to have that conversation? Was this over the phone maybe or?

JS: I was back in the office but it would have been sometime after I had returned from the conference. I don't even want to speculate on when it was it was just after.

AOS: So to your understanding when Matt approaches you when you get back in the office about the equipment, David Hansen is still in possession of that equipment at that point?

JS: I don't remember that exactly. I did have a general concern about access to a computer that he shouldn't have had access to.

AOS: Which would lead you to believe he still had the equipment?

JS: Yeah, I mean I was told he took it, I was told he took it home.

AOS: When do you think the equipment was retrieved by ODE?

JS: That I don't remember, I don't remember that.

AOS: Do you think it was still, what we want to nail down is whether or not your first day back in the office, was it your understanding that your first day back in the office that equipment is still in Hansen's possession or in Matt Williams' possession?

JS: I am sorry Marnie I don't remember. I can't imagine that is something I would have let linger.

AOS: Did you ask Matt Williams or provide him with any instructions as to what to do with the equipment?

JS: That was not my area of expertise.

AOS: Did you or Melissa ever ask him to search for information on the equipment?

JS: I would think that just consistent with what we were trying to figure out. I'm, you know, it would not surprise me if we did that.

AOS: Do you remember what you asked Matt Williams to search for?

JS: No, no. Did I ask him to search for something?

AOS: He said that yes. You had asked him to run multiple searches of various key words. All around the sponsor evaluation process. Different key words that you and Melissa were providing. Do you remember meeting with Matt Williams?

JS: We met with Matt Williams several times. Matt was very good about bringing issues to us and so you know the fact that he would have done some searches would not surprise me. And I know both Melissa and myself were just generally trying to figure out what was going on.

AOS: So were you and Melissa the ones asking Matt to run the searches or are you saying that Matt was doing this on his own initiative and just bringing things to you?

JS: I don't understand the question on that.

AOS: Well, what I am trying to clarify is did you and Melissa ask Matt to review the equipment, the files, the emails on the equipment? Or did Matt, on his own initiative, open up the computer and run these searches, find some

things that he thought you would be interested in and just bring them to you? But you weren't directing him to do that?

JS: I don't specifically remember if I, you know, generally speaking I know that we were concerned and we were trying to figure out kind of what was going on. As I recall Matt is also very good at offering solutions and you know if that was a recommendation of his to do those searches then we would have been, you know, been okay with it.

AOS: Why would he recommend to do searches when he doesn't know anything about the topic?

JS: Matt again, I always felt Matt, especially in the aftermath of what was going on, I think he was trying to be helpful. Again, I don't know if he would have recommended or we would have directed something, I'm sorry Marnie I'm just not.

AOS: And again, he wouldn't even have known the topic of what you were searching for. Or what he was supposed to search for had he not been given direction.

JS: I can't speak...

AOS: Were you in a meeting with Ross, Matt Williams, yourself and Melissa discussing what to search on the computer?

BB: If you remember yes, you know, don't speculate.

JS: I don't remember a specific meeting.

AOS: It's an important piece of equipment.

JS: Yeah.

AOS: You are in a meeting with Ross, Melissa, yourself and Matt Williams.

JS: When you say Ross?

AOS: Dr. Ross.

JS: Dr. Ross, okay.

AOS: Discussing what to search for on the computer and giving, directing Matt Williams specific key word searches because he wouldn't have known what to search for. Does he know about e-school evaluations or the grant?

JS: I'm sorry I don't remember. I don't recall. I don't recall that.

AOS: You don't recall any meetings then about searches or search results?

JS: We were trying to ascertain what had happened. So we had. I know we had conversations about different things about what had happened but I'm sorry I don't recall specifics.

AOS: Well did Matt Williams ever come back to you with any specifics after he did the search?

JS: I am sure he did. Matt was. Matt was someone who like I said like to bring solutions or at least identify issues.

AOS: So did he bring anything back to you?

JS: Like I said, I am sure he did. Matt is a very, you know, capable, capable guy.

AOS: But again, if he didn't know what he was searching...

JS: Look...

BB: I think we've been over this a couple times.

JS: This is, this is two and a half years ago that these conversations did or did not take place. I am not trying to be adversarial here, I am trying to be as helpful as I can. I can't walk you through the specifics of what happened and after that, after, you know, there were a lot of conversations. This had a high priority media interest, the School Board also was very much interested in what happened. And so we spent a lot of time generally speaking trying to figure out what the hell happened and I apologize, I don't remember. I don't remember the specifics of some of these things.

AOS: Do you remember asking Matt Williams to prepare a memo for you about how he secured the equipment or preserved the records and the searches he performed?

JS: Not explicitly, no.

AOS: What do you mean by not explicitly? Can you clarify?

JS: I don't explicitly remember directing Matt to do that.

AOS: Do you remember receiving a memo from that?

JS: Again, not. Do you have a memo from that?

AOS: We have some notes we can show you here. Matt told us he did prepare a memo that he walked up to you and handed to you based off of these notes in part.

JS: Can I get a copy of this too?

JS: Do you guys have any water? I apologize.

JS: Is that the entirety of it?

AOS: That's the entirety of it.

JS: Thank you (handing notes provided by ODE)

BB: Do you know when this was generated?

AOS: We can look at the property files. Matt Williams is the author, around August 17-18 of 2015.

JS: This doesn't look familiar to me.

AOS: Do you recall once Melissa and you wrapped up the conversations you were having about what happened about what went on, what was your conclusion?

JS: Are you speaking specific to the evaluations or the?

AOS: To the evaluations to basically the concerns that were raised maybe during the course of these conversations you found out about other items you were aware of that you were concerned about any of those things?

BB: Could you restate the question for me again?

AOS: Sure, I'll break it down. So when you were done with your review and conversations did you feel like David Hansen knowingly manipulated the sponsor evaluations?

JS: I am not quite sure how to answer that. David resigned. I think that Saturday. And I think that on some level speaks for itself. I don't know that it's my place to say whether I think he knowingly manipulated the evaluations.

AOS: Well if his resignation is a sign that he admitted wrongdoing of any sort, knowingly or otherwise, did the results of the work that you and Melissa did subsequent to that resignation turn up any other concerns with other individuals within the agency that might have been part of that or have knowledge of it?

JS: No, not to the extent that we felt anyone else was directly responsible for what had happened. That included the data managers, as I recall, believed that, you know, they were, they were doing what they thought they were supposed to be doing as directed by David. As the Chief of Staff, I was sensitive to a media witch hunt going on within the Department. We had one media request as an example who wanted headshots of employees at the Department in terms of who was involved and those types of things and so these are largely, I believe, hardworking public servants at the Department who got caught up in something that they didn't deserve so I'll leave it at that.

AOS: Did you feel like, by the time that you were done, that issues that came out of the July board meeting that lead to David's resignation were in essence the entirety of what had happened? In other words was it just that area or did you feel like there were others areas of concern, of potential wrongdoing.

JS: Do you have a something in mind Marnie that you are thinking of?

AOS: Not specifically, I am more or less concerned with the results of your review.

JS: We were, as a Department, the July board meeting was very difficult. There was an August break and going in to September there were going to be a lot of questions from a very active board in terms of what had happened. And I can generally remember be very concerned about putting out information to the media, to the board, to whomever that wasn't correct and so the statements that Dr. Ross made and the questions that he took at the September board meeting we did to the best of our ability you know tried to make things as right as we could moving forward. And so the information that we put out we felt was you know I don't want to say it was what it was but it was what it was and it was going to be out there.

AOS: So with that in mind, preparing for that very difficult board meeting, returning in September, preparing Dr. Ross to be able to respond to those questions with as much integrity and honesty and accuracy as possible what other steps did you all do to help in that process? Just talking to employees without formal interviews? Were there any other steps taken?

JS: I don't remember. I don't remember what we did on the employee side. Honestly it probably wasn't enough to support some of the folks that were in the Department.

AOS: Did Dr. Ross or anybody from the Governor's Office ask you how you knew that he was going to be safe saying that David Hansen acted alone in a sense and the situation is under control? Did they ever ask you?

JS: What do you...?

AOS: I guess if I am in Dr. Ross' shoes I would be very nervous about making statements to the public and to the board that the matter had been dealt with and there were no other individuals involved unless there had been a thorough investigation so I would anticipate him or others asking you what did we do to make sure that this is isolated and no one else was part of this problem.

JS: You would have to ask Dr. Ross as to why he felt comfortable making those statements. It was, I wasn't up there at the July or the September board meeting taking those questions so you would have to ask Dr. Ross.

AOS: Did he have anyone assisting him with those questions?

JS: In terms of?

AOS: Just preparing and supportive, in a supportive role.

JS: Is there something you are looking there for Marnie?

AOS: No.

JS: You know, we talked with Dr. Ross, we had, by virtue of the many public records request that we as a Department were getting, kind of knew the flavor. I think Dick had been calling board members their statements were well known in the media and so, you know, it wasn't that hard to make sure you were doing, when you are responding to these things you are doing so with the best knowledge that you have.

AOS: At any point in time do you become aware that David Hansen had asked his staff to get on GoogleHangout to be able to communicate off the record about ODE matters?

JS: No.

AOS: That was not something that came to you?

JS: No. It wouldn't surprise me.

AOS: Why do you say that?

JS: Just knowing everything about David now, it wouldn't surprise me.

AOS: Were you aware that during the time that Matt Williams had the equipment, not only was he running searches but different points in time he copied some files off of the equipment on to an ODE server for some others to be able to view and sift through?

JS: I don't recall that sorry. You would have to ask Matt about that.

AOS: It wasn't like he set up access for you to go look at those files?

JS: He might have but I don't recall that to any degree of certainty sitting here.

AOS: We are going to show you an example, as we went through some of these emails that David Hansen had we saw some anomalies that we can't explain. Just curious if you had had an experience like this while you were at ODE with your own email or you became aware of emails like this during your own investigation of what

happened? We are going to show you what this looks like. (showing a missing header email) Just randomly, emails like this, the body of the email is somewhat irrelevant really, it's more so if you look at the header. The "From" and the "To" information is missing though it said it was sent. It struck us as being very odd and it happens periodically, there is no rhyme or reason.

JS: I am sorry, I have no knowledge of that. I didn't even know that was possible.

AOS: Neither did we.

BB: So this is saying that this is an email that was sent? But without a...

AOS: In some cases it appears that the body of the email has been deleted or portions of it. Can't tell for sure. This is just one example.

JS: I am sorry that's a new one for me.

AOS: Any other questions?

JA: I do. Marnie touched on one point about you having ever come to the conclusion that Hansen manipulated the data. And you more or less you stated it wasn't your position to make a judgment like that but I am more interested, historically before today, while you were at the Department, did you ever come to that conclusion?

BB: That he manipulated the data? Not to be overly lawyer, but can you define for purposes of this question what you mean by manipulate?

JA: Do you understand what I mean?

JS: No.

JA: Then how were you able to respond the last time when she asked you if he knowingly manipulated the sponsor evaluations?

JS: I think it's. I mean it, it was clear that the sponsor evaluations did not comply with the law. That was clear to all of us, now in terms of specifically to manipulate? And I apologize, are you attached some legal significance to manipulate?

JA: No, I am using it in the general, ordinary manner in which everybody uses the word. And her question to you specifically was do you feel that Hansen knowingly manipulated the sponsor evaluations.

BB: Just to be even more clear, I thought the last time that question was asked it really wasn't his, he wasn't answering it from the standpoint of he resigned I think that speaks for itself, if I recall. So...

JA: He did say that.

BB: Alright.

JA: But I am interested in whether or not he ever came to his own personal conclusion before he left the Department that Hansen intentionally manipulated the sponsor evaluations.

JS: I...

BB: Do you want to talk for a minute?

JS: Yeah, do you mind if I?

JA: Of course.

JS: I apologize.

(Sheppard and Barger leave to consult)

JS: Sorry about that.

JA: That's alright.

BB: Alright, could you repeat the question please?

JA: I'm not sure I can. I think Marnie asked you earlier did you feel like Hansen knowingly manipulated the sponsor evaluations and my question to you was before your departure did you ever come to that conclusion.

JS: It was clear that what David had done was not compliant with the statute. We took great pains to rectify that for the future rounds of the sponsor evaluation. In terms of David's intent, I can't speak to that.

JA: Did you ever have any conversations with anybody else about David's intent?

JS: I'm sure I did. That's a question of why.

JA: Sure, why would he do this? Right?

JS: People want to know.

JA: With whom did you have those conversations?

JS: Eventually the Chief Legal, you know, Diane when she came on board.

JA: Outside of your legal counsel, that is a limitation here.

JS: I am sure Dr. Ross and I talked about it. I am sure others at. This was all consuming at the Department. It would be disingenuous to say we didn't talk about it because it certainly was something that was talked about. I'll go back to, David was a zealot for school choice. At some level you trust people to do their jobs and you trust people to do their jobs compliant with the law. But I haven't had a conversation with David since that Saturday. That's the last time I've spoken with him.

JA: I was referring to other people whom you've had those conversations outside of your legal counsel. Did you ever, with anyone else, come to a conclusion about why he did what he did.

JS: I am sorry Jim, I can't speak to that.

JA: You don't recall having a conversation with anyone about why Mr. Hansen?

JS: I am uncomfortable speaking on behalf of Mr. Hansen's intentions.

JA: I am not asking you to. I am asking you about conversations that you had with other people. You participated in those conversations or they wouldn't have existed. So did you ever have a conversation with anyone other than Hansen and other than with counsel about why Mr. Hansen manipulated the data?

JS: I am sure, again, we did but I feel uncomfortable speculating on that.

JA: You mention Dr. Ross, are there any other individuals other than legal counsel with whom you may have had those conversations?

JS: I am sure you have already talked to some of those folks. Melissa who is the Chief Operating Officer; Sarah Wickham who is the Senior Policy Advisor to Dr. Ross, I am sure there were others.

JA: Do you recall any of those individuals in any conversation you had with them offering a reason that they believed Mr. Hansen did this?

JS: Nothing specific.

JA: How about generally?

JS: Again, I hate to speculate or misremember something.

JA: Can you remember any conversation in which anybody offered an opinion of why Mr. Hansen did this?

JS: I mean I know some people believe David didn't care particularly for e-schools, that wasn't his main focus I guess. David had a great deal of passion for traditional brick and mortar charter schools, good ones. I would say. And my sense was he, I mean my sense is he was trying to make the evaluations reflect that.

JA: Reflect what?

JS: Those beliefs.

JA: That brick and mortar school are preferable?

JS: Yes.

AOS: Did you have a sense that he was trying to make Ohio sponsors and/or...

JS: That's again, just my opinion.

AOS: Is it also your opinion that he was trying to make Ohio sponsors and/or Ohio charters schools appear more favorable by leaving the e-schools out of those evaluations then?

JS: I mean I think that was the thinking behind it.

AOS: What would his concern have been? Why would he have done that you think?

JS: I have no idea and if I recall correctly you know it wasn't just about e-schools that were wrong with the evaluations there were schools included that shouldn't have been included.

AOS: The DORPs?

JS: Yes.

AOS: Did you have any conversations about again opinions of why David would have done this with the Governor's Office? Anyone from the Governor's Office?

JS: Is there someone in mind in particular? I mean I had you know prior existing relationships with individuals in the Governor's Office from my time there. This was certainly, add them to the list of stakeholders of folks who were curious what happened. And so I probably had conversations with folks in the Governor's Office. Ben Kanzeg was a person who I chatted with.

AOS: What was his last name?

JS: Kanzeg.

AOS: So I think the only thing I just want to revisit and make sure that I have it in my notes correctly is again going back to meetings between you and Melissa Huffman and Matt Williams. Do you recall meetings with at least one or a combination of the three of you?

JS: Sure, we met. And we yes, I do recall generally having conversations with them. But I can't, specifics, at this point in time two years after conversations. I recall specific details of what we have talked about other than generally David Hansen.

AOS: And you don't recall about searching, directing him to search for key words on that equipment?

JS: Like I said, we probably did but again I don't know if it was us directing or again Matt is one of those people who can offer up some of his capabilities. And so if he would have offered up suggestions or searches or that he can pull that information together I could have seen working with Matt to do that.

AOS: How often do you think you guys were meeting?

JS: That I don't remember. Again, this was something I probably talked to Matt once a day. Melissa's office was right down the hallway so we chatted a lot; we were in meetings in different points in time. Is there something specific on that? Because I don't know if I am missing something on the connection with the searches on his equipment.

AOS: Well as we have noticed, we have some emails here that have missing headers and also some that the bodies of those emails have been modified. With that being said, we are very concerned with how that equipment was preserved, what was done to it.

JS: Gotcha.

AOS: And who had knowledge of it and what was supposed to occur with the equipment versus then the end product that we see.

JS: Gotcha. Knowing that, I can tell you that with absolute certainty that under no direction on any kind of modifications or anything like that was any kind of direction. If that's what you are getting at Marnie that would not have come from myself and to the best of my knowledge Melissa, she just doesn't operate that way either. So, that...

AOS: Do you think Matt Williams would have taken it upon himself to modify an email? No?

JS: No. You would have to ask him that question. I honestly and truly do not believe Matt would have done that. He is a DAS tech person and I think kind of knew some of the things that were going to transpire and I do not see him. No.

AOS: We have also been told that you, Dr. Ross, Melissa and Matt were in a meeting and someone within that meeting directed him to search for certain key words is what we have been told.

JS: That would be, in my opinion, consistent with trying to locate records relevant to what had happened. I can tell you I don't want to speak for Dr. Ross but he is a man of integrity. There would be no conversation of manipulating any kind of email system not from me, not from Dr. Ross, not from Melissa and I don't know Matt that well but the time that I interacted with him as an employee I don't believe he would have done anything like that.

AOS: Well I am not specifically talking about manipulated or destroying or anything like that.

JS: Sure, I think it was the implication.

AOS: I think we need to understand what he was asked to do versus what we are seeing, at what point in time, these could have been by David himself before turning over the equipment.

JS: I have no explanation for this. I have none. I didn't know you could do that.

JA: Thanks for coming in.

Matt Williams, DAS Chief Information Security Officer Assigned to ODE

02/15/2018

In attendance:

DAS Employee: Matt Williams and DAS Legal Counsel

AOS Employees: Tim Shockcor, Marnie Fredrickson, Kristin Hayes and Jim Arnold AOS Special Counsel

AOS: Kristin is my assistant. She might put things up on the screen for you to look at. If there's anything to show you we will put it up there. Although there's a video monitor on the screen it's not recording anything. Although, sometimes it gets a mind of its own. And it will move sometimes, but if she plugs it in you might see that happen but it's not recording anything. Tim does have a recorder though. So we are recording our conversation. And then Jim Arnold is our special counsel on the ODE investigation. He's going to be here today too so that he can hear some of the questions and help with some clarification on a few things. You've met Tim Shockcor before last year. So that's everybody. And we'll just go ahead and get started. One of the things we didn't spend a lot of time on the first time through that I wanted to ask you about is just simply, DAS protocol. What would be the ordinary protocol in a situation like David Hansen's for taking possession of the equipment, preserving records, preserving equipment, what would be the ordinary protocol or is there one?

MW: So there isn't a procedure in place for that. Again when we, when I picked up Hansen's equipment it was basically picking up the equipment of somebody that left. It wasn't like there was some investigation that we were starting like a true investigation.

AOS: You had mentioned your first, during our first interview that a legal hold was placed on the equipment. Can you explain what that means?

MW: So a legal hold wasn't placed on the equipment. It was placed on his email box.

AOS: Okay. When was that done?

MW: I don't remember.

AOS: Do you remember who told you to do that?

MW: No.

AOS: Were you, at the time that you were assigned to ODE, were you able to access computer equipment remotely? Was that functionality in existence . . .

MW: . . . like remotely outside of the building?

AOS: So if Hansen were at home with his computer, would you have the ability from ODE inside the building to remotely access documents or emails?

MW: Only if he had requested assistance. So those (inaudible) control software, so for like support that I had access to but not, not just over the internet, get into his computer at home.

AOS: What about the emails, you had mentioned the emails being out on the cloud?

MW: Yeah, email was in Office 365, so there's an E-discovery tool built in to Office 365 and use that to basically do searches and pull his email into local files.

AOS: Could you do that at any point in time even while Hansen was still employed?

MW: Yeah.

AOS: You could...

MW: ... Yeah...

AOS: ...Use Office...

MW: ... Yeah, I mean it's an E discovery tool so it's, it's always available.

AOS: Were you ever asked before Hansen submitted his resignation to take a look at his emails?

MW: No.

AOS: Or do any kind of searching for anything?

MW: No.

AOS: When you obtained the equipment, what day was it you said you got the equipment? Do you remember?

MW: I would have to look at the calendar but I want to say, I want to say, July 7th for some reason.

AOS: July 7th?

MW: I'm not positive though.

AOS: Do you remember what day of the week it was?

MW: I'm pretty sure it was a Friday.

AOS: Is that easier to recall?

MW: I'm pretty sure it was a Friday.

AOS: Who asked you to go get the equipment then? Because I know you had mentioned you took it home.

MW: It would have been, it would have been probably Melissa or Jimmy.

AOS: You don't remember?

MW: That would have been, no, I mean it would have been, at that point in time it would have taken one of the two of them to do that.

AOS: Okay. Could it have been Dick Ross, or you're pretty sure it wasn't?

MW: No. He didn't get involved in that kind of stuff. At least, not with me.

AOS: And when you obtained the equipment, David turned it over to you readily?

MW: Yeah, he just, he met me at the door and said, there it is.

AOS: Was it turned on or turned off, that you remember?

MW: I have no, I don't remember, it's been a long time.

AOS: Did you do anything with the equipment as soon as you retrieved it, such as putting it in airplane mode or anything like that?

MW: No, just locked it.

AOS: Just locked it?

MW: I mean it was, it was late in the day. I remember that. And I had some place to be so I just locked it up, let people know that I had it and let me know if they wanted me to do anything with it. So.

AOS: Locked it up in your office?

MW: Yeah.

AOS: Okay. When you began running searches for key words, I think what you described to us before was that Melissa and Jimmy—sometimes Dr. Ross—had meetings with them where they were giving you some key words to maybe look for to help them figure out what actually happened.

MW: Yes.

AOS: As part of that process did you ever look at the equipment to see if anything had been removed from the equipment or deleted from the equipment by Hansen?

MW: No. No. Didn't do that kind of look at the equipment.

AOS: Did you have any reason to believe at the time you got the equipment that there would be an investigation?

MW: No.

AOS: You knew it was high profile though. Right?

MW: Yes.

AOS: Did you view the searching and the work that Melissa and Jimmy were asking you to do as an internal investigation or something less formal than that?

MW: No, I viewed it as something less formal because they were just asking for information.

AOS: Was it their idea to run searches or did you bring the idea to them? As far as, hey we got the equipment, there's some things I can do for you to help you figure out what happened or did they approach you first? How would you describe that?

MW: I don't remember.

AOS: So do you remember the first time you turned the equipment on?

MW: No. I mean it would have been the following week.

AOS: The following week sometime? When you turned it on that first time was it for the purpose of running a search or was it for the purpose of mirroring?

MW: So, what I pro...again it's been two and half years ago, but how I typically would have done something like there where I didn't think it was some sort of formal investigation is I would have turned it on and copied files, not actually logged in to it or anything, just copied files from it. And then like searched through the files once they were on another computer.

AOS: If you had known it was an investigation, how might you have done it differently? Would there be a difference in how you treated the equipment or up to this point would you have roughly followed the same protocol?

MW: So, I didn't have true forensic tools at Education so I would have, you know, I probably would have done something similar except probably I would have done more documentation probably. So that, you know, we could go through and talk about what we did and why. Things like that.

AOS: Okay. Who all asked you at some point along the way to run searches or to look for items or made requests for different information from you?

MW; I couldn't tell you who all did. I mean...

AOS: ...could you tell me who you remember did?

MW: I mean obviously Jimmy, Melissa, and Dr. Ross. Dr. Ross was very infrequently involved though. Maybe, well I mean, maybe Sarah would come, I mean it, at the beginning of it Diane Lease wasn't even there, so.

AOS: How long was it before she came on the scene? Do you remember?

MW: Not exactly.

AOS: Maybe a few weeks?

MW: Yeah it was at least a few weeks.

AOS: Okay. Have you talked to Diane Lease about today's interview at all or your last interview?

MW: So, I sent her and Chief Legal from DAS an email saying hey I've got this meeting, not sure if you guys feel like anyone should be involved and all Diane sent back was DAS legal should be here. That's why Shane is here.

AOS: Did you talk to Diane about your last interview here? How it went? Give her an update or anything?

MW: I don't think so. Oh, yeah I did because I was, I mentioned the email you guys said wouldn't have like the "from" on it. So, I don't remember exactly what we talked about and that was back in, I want to say, October or November.

AOS: I think on that day we talked about a memo that you thought you had created and had given a hard copy to Jimmy.

MW: I could have, yeah. It was when I went back and looked at it—it was actually for Diane. When she first arrived, she had asked for a timeline and that's what it was. I had started to work on a timeline and then other things became a bigger priority. And that's the only thing that I had even remotely related to that.

AOS: Did you feel the information in that timeline was accurate? Looking back at it?

MW: I, again it was two years ago, I wouldn't, I wouldn't know. I mean when I wrote the timeline it was much closer to when it happened so I would think probably but I don't know for sure.

AOS: Do you want to pull up the next slide?

AOS: Sure.

AOS: While she's pulling that up, some of the key word searches that Jimmy and Melissa were bringing to you, or Dr. Ross, different idea, how do you think they were generating ideas of what to look for? What was your perception of how they were coming up with their ideas?

MW: I mean it was, you know, I think it was and again it's been a while ago but I think it was terms related to like, like, scoring charter schools...

AOS: ...would Jimmy and Melissa have...

MW: Data around charter schools.

AOS: Data around charter schools? Would Jimmy and Melissa have been ... largely been the ones thinking about those terms or do you think they were...

MW: ...I, I don't remember.

AOS: Okay.

MW: I mean there were other people that threw out ideas but I can't remember who threw out what or even really who all contributed to that.

AOS: Okay. So here's the timeline you ended up sending us...

MW: ...I didn't send you anything. That had to have come from Diane.

AOS: Diane sent this to us, yes. Which by the way, did you look for a copy of this at the time? On your equipment? You said that you thought you had kept a copy.

MW: Yeah I did. Yeah I saw the, so no I didn't keep a copy. I still had access to ODE equipment at the time.

AOS: Okay.

MW: And so, this is the same thing that I found.

AOS: Okay, okay, so Diane produced it but you, you also had this?

MW: Yeah.

AOS: Okay. I'm curious why didn't you respond with this to our subpoena request?

MW: Because she had requested it and she told me it was attorney-client privilege.

AOS: Okay.

AOS: But this is a document you prepared?

MW: Yeah at her request.

AOS: So was that before your interview or after your interview?

MW: That I prepared this?

AOS: Yes.

MW: That would be ... back in '15.

AOS: So before your interview?

MW: Yeah, back, back in the summer of '15. Yes.

AOS: Did you have anybody from DAS legal department? Did you ask them about this document or make them aware at the time of the subpoena request...

MW: Yes Paul Russel the DAS chief legal...

AOS: ...and that Diane Lease was...

AOS: Okay, was Paul working with Diane then on that or having conversations to your knowledge?

MW: I think he was having conversations with her.

AOS: So looking at the dates, I think from what you had recalled, David's last day was a Friday and it was that same Friday afternoon where he was asked to go home where you went and retrieved the equipment at his house, so with that in mind if we look back here at this timeline July 17th was the Friday, July 16th was the Thursday, July 19th being Sunday. Do those dates sound accurate to you now or, did you feel confident at the time that you prepared this?

MW: At the time I prepared . . . I'm sure I did, I mean it was again two and a half years ago so.

AOS: The timeline seems incomplete. Do you know why you didn't finish it? Because Diane had asked for it?

MW: Because there were other priorities and they basically said get to this later and I never got back to it.

AOS: Okay. Did you end up sitting down at some point with anybody and discussing this timeline?

MW: I don't remember.

AOS: Okay.

MW: I mean if it would have been discussed with anybody it probably would have been Diane but I don't, I couldn't tell you for sure.

AOS: Okay. So July 16th is Thursday and according to this that's when Melissa Huffman asked for a search on the mailbox. That's the day before Hansen goes home. Does that sound accurate to you?

MW: No. I mean, I'm pretty sure, again I can't remember, it would have...yeah, I don't remember.

AOS: So when you ran searches and you found results, how did you identify for the group, what you thought was responsive to what they were looking for? Did you forward them in the email? Did you have meetings to discuss face-to-face?

AOS: Do you remember?

MW: It likely could have been all of the above. I don't remember specifically.

AOS: Do you know if any of results of your searches were saved separately at ODE on a network where everyone had access to see those results?

MW: Yes. I mean that's how we had the ... responded to all the public records requests about it.

AOS: Are those search results still there to your knowledge?

MW: I have no idea.

AOS: But they were separately identified as search results?

MW: Yeah.

AOS: And those were to your knowledge the same files then that were used, used to respond to our public records request, for example, and those from the media outlets that were coming in?

MW: I do not know what they gave . . . I know it's the stuff for the media outlets. I don't know what they gave you.

AOS: Okay. Did Diane Lease give you instructions for performing any searches? She wasn't mentioned.

AOS: Initially I wanted to ...

MW: Well because up until this point she wasn't here yet.

AOS: Right.

MW: I know she did for the public records request because that would have come from legal. I don't remember if she did prior to that.

AOS: Okay. So to this point, before Diane gets there, any search results that you were identifying for Jimmy, Melissa, Dr. Ross, those too were being saved separately?

MW: Yeah, I mean it's not like were actually working in his mailbox. We're doing discovery and exporting the results and working in those exports.

AOS: Okay and those exports are available online through a group of people who had access to look at them?

MW: There is several ways that could have been handled. It could have been if it was specific emails they could have been emailed to someone, if it was, if it was a large number it could have been put on somebody's P drive—their personal network drive—so that they can go through them and look at them like load them up on Outlook themselves and look at them and see if there's anything they needed to look at. I mean that's, that's just standard for how we do all that stuff.

AOS: Okay.

AOS: Who would have had access to do that? So if somebody wanted them on their own personal hard drive how would they get to that person's hard drive?

MW: Well it's their personal share on the network. So I've got, I had access where I could put them out in to each person's P drive.

AOS: Okay, did you specifically put anything out to someone's P drive?

MW: I'm sure I did. I don't, I couldn't tell you.

AOS: Do you recall who you would have done that to?

MW: I mean...

AOS: Who you would have done that for?

MW: Considering the folks that asked for requests I would say that I probably did that for Jimmy, I probably did that maybe for Melissa and maybe, maybe for Diane, I don't remember.

AOS: Would you have done that on your own or would they have had to ask you to do that?

MW: No they would have had to ask me to do that.

AOS: And do you document like when they ask you?

MW: No, I mean it's ...

Tim: What they ask you?

MW: If, no, I mean not ... not considering how big this was and how frequently it changed because there was so many different I mean, media asked for so many different things and so I wouldn't have documented every little thing, just because it was this big known package of what we were working on with it. I wouldn't have documented whose P drive I put it on.

AOS: But you knew this was probably becoming a pretty, I wouldn't say big case but an important case because of all of the media attention. Would that be a fair statement?

MW: Sure.

AOS: So it says the search turned up a large number of documents exported documents for review. Explain what you mean there by, a) large number of documents and b) exported documents for review. Where would you have exported them to?

MW: So they would, again, that would have been, it could have been exported to the computer that I used for E discovery searches. It could have been exported to somebody's P drive. I mean in theory it could have been exported to an office share but considering that they were trying to figure out what was going on they probably wouldn't have put it, probably would have wanted to put in a place that like, a whole bunch of people could get to. So it probably wouldn't have been there for this. At least in the beginning when they started, you know, finalizing the stuff for the public records request. It probably would have been put in an office share for people to access but I, from that I can't tell you where I put that. I mean those considering whose email you are looking at are very broad terms.

AOS: Right but only specific people were asking you to search for items meaning Melissa was asking you, Jimmy was asking you and you were in a meeting with Dr. Ross—now I don't know if Dr. Ross asked you to search for specific items but you were searching for specific items and you were searching for specific terms. Not everybody in ODE would have wanted access to that.

MW: Say that again.

AOS: In other words did you put it on Melissa's hard drive? Did you put it on Jimmy's personal Drive, and you say you put it, what's the other, Office Share?

MW: Office Share.

AOS: I don't think...

AOS: ...that you didn't want everybody to look at because everybody wasn't interested in this. They weren't, you weren't in a meeting with other individuals were you?

MW: Well, like I said there was often multiple people in these meetings and I can't tell you exactly who, I don't remember who exactly was in these meetings. I mean the frequent folks that were in there were Melissa, Jimmy, you know, Sarah probably half the time. When Diane got there, she would have been in the meetings regularly but I mean that was well after that. Because I don't...

AOS: Because I believe in your first interview you only said you were in a meeting with Melissa, Jimmy and Dr. Ross and they were asking you to search for specific items as related to sponsor evaluations, you know, charter school stuff. You didn't say anything about being in multiple meetings with a bunch of different people.

MW: I'm pretty sure I did. I mean, because you guys asked me the same question about who all was asking you and I told you I couldn't tell you everyone but I know these people would have been on a regular basis.

AOS: But would have all those people you put information on their P drive if you had done that?

MW: Whoever they would have, whoever they would have wanted me to put it on I would have put it on their P drive.

AOS: But who would have requested you to put it on their P drive? You're not going to do that yourself, correct?

MW: No, No I mean it would have been requested by, you know, Jimmy or Melissa or, you know, when Diane got there, Diane. Those would have been the key people who would have said, well can you put this on my P drive or can you put this on so and so's P drive.

AOS: Do you remember who directed you to put a legal hold on these email boxes? Who gave you the names of those individuals?

MW: I mean Melissa, Melissa did. At that, I mean at that point she, I mean according to this Melissa did. I can't tell you for sure now. I would assume that Melissa and Jimmy would have both been in the conversation.

AOS: And what did a legal hold on the email boxes really mean? Just that the emails couldn't be deleted by the user?

MW: Yeah.

AOS: Okay.

MW: I mean it is Office 365. It doesn't have a huge functionality to it. It's either hold the email that meets this criteria or don't.

AOS: Could they edit an email if they wanted to?

MW: The user?

AOS: Without deleting it?

MW: I don't believe so. I mean at least not what's in the Office 365 file.

AOS: Okay.

AOS: So on the July 17th it says Office 365 E discovery was unavailable due to system failure. I recommended, does that I meaning you? I request, sorry, I requested that the mailboxes for Hansen. Would you have requested that?

MW: So I submit, when I say I requested, I submitted a ticket to OIT to have them load up those mailboxes in, in the, the clearwell discovery tool.

AOS: And those are specific names, were those names you come up with or did somebody tell you those names?

MW: No it's the same names from the first request.

AOS: And that would have been from Melissa?

MW: Melissa, Jimmy, I mean whoever was...

AOS: Well that says Melissa Huffman asked.

AOS: Yeah.

MW: Right, but she wasn't, she was not likely the only person involved in those conversations.

AOS: And exactly what is clearwell again?

MW: Clearwell is the state, the enterprise E discovery tool.

AOS: So are those emails still on clearwell?

MW: No they had to clear out space, clearwell is a very, it's a limited point in time resource. So if you're not actively doing any searches in it they have to clear out the space so other people can use it for other stuff.

AOS: And that is controlled by who?

MW: OIT.

AOS: Who, who's in OIT given the fact that you're a CISO officer working for DAS and we have, you know, other people who were actually employees of ODE like Matt Danzuso and those folks so when you say other people in OIT who specifically does that refer to?

MW: They would be the email team.

AOS: Okay.

MW: So I mean at the time probably would have been Mike McKinley and Neha Felderan or something like that is his last name. They're the email administrators for that.

AOS: And then on July 19th, again it says you ran some more searches. Well I guess let me step back to July 17th there was a system failure. Why would that happen? Do you know? Was there a reason that you recall?

MW: The Office 365 E discovery tool was not available. For whatever reason. When Microsoft fixes it they don't tell you what they fixed. They just tell you it's there working. So I couldn't tell you why it wasn't working.

AOS: So that was basically at the control of Microsoft then that it was unavailable.

MW: Yeah.

AOS: It wasn't anything to do with...okay, okay. Then on July 19th you ran more searches, again looking back at the dates that would have been a Sunday. Does that sound accurate to you.

MW: It's possible, I mean, when we started working through that data we were working 6-7 days a week on trying to especially on the public records piece of it because there was so much data that was there.

AOS: So to your recollection do you recall what, if you were ever instructed on specific types of items to look for such as an email vs. a document vs. a power point slide show? Were there ever instructions that were that specific?

MW: So when you're using Office 365 you don't get to put in that you only want to search attachments or at least you didn't then. I think you can do that now. But back then you couldn't say I want to only search power point attachments or something like that. You would put the key words in and if the email,

if there was something either in the attachment or in the email itself that responded to the key word it would include that in your results.

AOS: Did that make it difficult to do the searches?

MW: Yes and no, I mean it returned a, a massive amount of results. But it's much more effective than having people search their own email.

AOS: Did anyone specifically that you recall have an interest in a particular type of attachment? Was there an attachment that they were looking for such as a spreadsheet or anything like that?

MW: Well, I mean, I'm sure we would have been searching for spreadsheets because that's how a lot of the like, I mean, it would have used a ton of spreadsheets when it comes to data so I'm sure they would have been looking at them. I don't remember specifics though.

AOS: So when you left ODE, to the best of your knowledge, the copies of all of this work, the search results, all of that work still existed on a computer that is at ODE?

MW: I don't know like if every search was there, the results of every search were there, but there was a significant amount of data related to this on the computer that I used for E discovery.

AOS: And that's the computer that you had told us is in the server room? It's a tower?

MW: I don't know where they placed it but it would have been, they, they pulled it from my office and the only place they could really secure that would be the server room.

AOS: Okay.

MW: So it's probably, that's probably a fair statement.

AOS: How did you decide what information would be on that computer? Was it a joint decision as a group? Was it just a decision that you made?

MW: I mean typically it would be a decision that I would make but we don't typically deal with that much data. Or I didn't deal with that much data. But I don't, I don't remember if there was discussions about what to keep and what not to keep. I mean anything that's there would have been a subset of what was on his email or his PC anyway. So there was always the, I mean, you guys picked up his PC but there was always those to go back to.

AOS: Do you know what the protocol was for viewing the search results and deciding what was responsive? Were you a part of those conversations?

MW: Just from the aspect of, of figuring out ways to narrow down and get less results, not really from the aspect of, of what, what we should do it or well, what we should be trying to think of the right word here. Yeah, I wouldn't have been a decider on that I guess is what I'm trying to say here, I would have been doing whatever they wanted.

AOS: Was there a point in time where you became concerned about preservation of the work you were doing?

MW: Not, not really, because again it was a subset of everything else that was locked down and nobody could do anything with. It was a subset of his whole email box. It was a subset of um his PC which up until you guys came was locked up in a room. To me those were the records. Not what I was doing.

AOS: Did anyone ever talk to you or in front of you about why Hansen did what he did? I'm sure that was a question going through everyone's mind. Did anyone speculate in front of you?

MW: Not that I remember.

AOS: Not remembering casual talk? Even about he's trying to help out E schools or worried about the sponsors?

MW: No.

AOS: All feeling the evaluation anything like that?

MW: No.

AOS: Do you think they all felt like Hansen was intentionally manipulating data? Do you feel like that was a conclusion they reached?

MW: I don't know that we ever discussed that, but I mean the data shows that.

AOS: Why do you say that? Based on search results that you read or conversations that you had with the group?

MW: I mean go back to as far as when they published that in the media and they go back, you look at the data, I mean as far as I know I haven't heard anything that says that, you know, what Patrick O'Donnell found was inaccurate. You know, I don't think there was any question as far as go on and saying we don't think he did this. I don't remember anyone saying I don't think David didn't manipulate the data.

AOS: So were the searches, so the searches were not to determine whether or not David manipulated the data. You feel like the team at ODE already decided that he had at that point. What was the purpose of the search from your perspective?

MW: So I think, I think part of it was them trying to figure out if he did or didn't manipulate the data. At least to begin with and again this is me, this is my thoughts on it, this isn't somebody told me this. But, the other piece of it is, is they seriously wanted to know if there were any signs that they should have caught on that he was doing this. Should they have figured out that he was doing this from the information that he had given them is what they wanted to know.

AOS: Do you think they thought that they should have known?

MW: I don't know. I mean I would say from the questions they were asking that's probably a safe assumption but it's an assumption.

AOS: Based on your own opinion from the work you did, did you decide your own opinion about what you think they should have known? Did you have an opinion about it?

MW: No, that's not my role.

AOS: Did you encounter any difficulty in this work? Was anybody in any way making it difficult for you to accomplish this or kind of getting in the way?

MW: No.

AOS: Everybody seemed cooperative in the searching and the work at least that you were trying to perform?

MW: I mean for the most part I didn't need anybody to cooperate. I had access to the systems to be able to run the searches I needed and provide the folks who wanted it with the data they needed.

AOS: Didn't hear anybody complaining, or anything like that about having to investigate all of this information? Any talk about that?

MW: Oh, I'm sure people complained. I just ignored stuff like that. I mean, doing what I do, people complain a lot. So.

AOS: So, by the time you were done running the searches, before Diane gets there, after Diane gets there, so there might be two different answers to this question depending on what time period. Is this the only documented, or the only document you produced that described the work that you did?

MW: I'm sure, yeah.

AOS: You don't think there's anything else?

MW: No I mean because we were, we were spending so many hours on this I didn't have time to circle back to the documentation. Now when you do a search there's a file that comes along with that, that gives you the details about what your search key words were so you'd have time and date stamps around what and what your search key words were but that would be, that wouldn't be specifically generated by me, that would be generated by the system when you do your export.

AOS: Was that preserved to your knowledge?

MW: Typically they would be with the PST files that are exported out of the E discovery system. But I don't know, I don't know if they were kept, I mean again we're doing a bunch of these and moving them around and stuff so that people can view them so I don't, I don't know that they would have been kept anywhere but maybe on that computer that was mine.

AOS: At some point in time did you ever become concerned about the lack of documentation around what was being done?

MW: No.

AOS: Did you ever feel like this was turning more into an investigation that a less formal internal check?

MW: I mean consider it quickly morphed into public records responses, no.

AOS: And DAS doesn't have any expected protocols for this type of thing?

MW: No.

AOS: Would you have been subject to any ODE protocols that you were aware of at the time?

MW: No, they didn't have any procedures. If there were any procedures I would have created them so.

AOS: So you talked about there being so many searches that you had to deal with and you said you worked basically 6-7 days a week for some period of time. Do you remember roughly how long that was?

MW: No, I mean it was probably up until the time we released the public records requests, but I can't tell you specifically.

AOS: Do you feel like looking back it was the release of the public records request information when things started to calm down? As far as what you were being asked to do or were you still involved in some searching?

MW: There always like the second waive on the public records request, so but other than that it calmed down a lot. Um, but then there always the, okay well you gave us this, give us this kind of stuff that comes out of a public records request.

AOS: They drill down deeper and find something else.

MW: Yeah or they would want you to find something else out about it whether it's I mean a lot of times it's not even there, but.

AOS: Do you feel at this time that you did your analysis of David's email box and the other email boxes that the email boxes seemed to be in tact? Did you find a missing email in a string of emails or anything that ever made you wonder if emails had been deleted?

MW: I mean we were dealing with tens of thousands of emails in there. I wouldn't have gone to that level of detail.

AOS: Right but a reporter does. That's why I'm asking.

MW: Yeah so I...

AOS: ...would any of those follow up questions been due to something where you were expecting another email in a string or something you expected to be there that you ultimately couldn't find?

MW: Not that I can recall.

AOS: How long did the emails actually stay on a computer such as David Hansen's? At the time it may be different now...

MW: ...Well...

AOS: But ours maintain like 60 days. How long would his maintain?

MW: So they wouldn't have been on, I wouldn't have pulled them from his computer. Obviously with his computer, they, there's a local store and there's the store that's on the servers that's just designed for performance and Outlook. I want, it's, it's, configurable but I think the default configuration is a year.

AOS: Who can configure it?

MW: The end user.

AOS: Oh so...

MW: ... you can go in to Outlook and say I only want to keep 30 days on here because your hard drive is getting full or something. So it's configurable that way. But it's, but most people don't even realize that thing is there.

AOS: You were able to go back pretty far in David Hansen's email box based on what we received I think we have...

MW:...So those are two separate things. That's his, his email box in the cloud vs. what's on his desktop computer. I didn't look at email on his desktop computer.

AOS: How would you had responded to the emails that went back to 2014, those are coming out of the cloud then?

MW: Yeah.

AOS: And the cloud is saving everything?

MW: Yes.

AOS: Okay. There, is it infinite or is there still some period at which the cloud doesn't collect?

MW: So depending on when somebody came to ODE there may be ... came in to and left, there may be different things. So ODE at one point in time had their own email system and then they went across all the states, all the agencies and the majority of the agencies combined into one email system so that was when it was in OIT's email system. The enterprise email system. And then at some point the state migrated to Office 365 so when if people as far back here as far back when ODE had its own email

system emails passed a certain time frame and it's been so long ago that I couldn't even begin to tell you what that time frame is its, its measured in days but went into what is called Enterprise vault. It's a semantic product. And so basically it was an archive for email so it wasn't sitting in the email server. So when people were migrated from ODE's mail system to OIT's mail system, anything in enterprise vault didn't go into the enterprise email system because the ODE still had that Enterprise vault and could still access it. That carried on in Office 365 up until ODE began decommissioning their enterprise vault. And then when they decommissioned the enterprise vault, anybody that still worked at ODE, their email was migrated in to back in to Office 365 from the enterprise vault. So in theory, now I don't think David was there when ODE had their own email system. So in theory it would have been OIT's mail system and then moved Office 365 so unless he deleted it at some point in his tenure the email would have been in Office 365.

AOS: Does that mean deleting it on his personal computer would update the cloud?

MW: Yeah, unless there's a legal hold on your mailbox, if you delete it on your personal computer it's going to take it out of the cloud too.

AOS: Okay.

AOS: So he could have had, I mean if he had access to his computer, which he did on the day of the 17th when he was sent home, he had, he could have configured his computer to have two year's worth of email on his laptop. Not the cloud.

MW: He could have yeah. But I mean his laptop would have been limited anyways. Because they never put everything that's in Office 365 on his laptop. So that's, the laptop is never going to carry everything. Well I take that back, if you're, if you're a new employee it's going to have everything until it hits that date that whatever its configured for on Outlook on the laptop. So once it hits that date it's going to automatically fall off of the laptop but stay in Office 365.

AOS: What about just documents? I know here in our office we have a My Documents folder where everything we keep in there is getting backed up centrally on our network drives.

MW: So any, ODE does not back up local PCs. So if it was in his My Documents it would have had to been, it would have only been in his laptop. So for example if your laptop crashes or you get a virus, you're out of luck. You lose all you, all your documents. Anything he would have copies in to his P drive, his personal network share would have been backed up.

AOS: So you say in your interview, your first one, I wasn't working on his equipment live, I copied the files from his computer onto my computer...

MW: ...Yes...

AOS: And sent his computer off to [inaudible].

MW: Right.

AOS: What files did you copy?

MW: The stuff out of his My Documents and his, it would have been My Documents in his desktop and...

AOS: ...and you didn't copy any email files off of his...

MW: ...No I didn't, I didn't do a complete profile copy. I just copied the actual documents of his file. I didn't do a forensic image of the machine, a bit-by-bit forensic image. I was just looking to get the files off of his computer to, so that they could be searched for any of the key words like his email address.

AOS: What about the documents that were on his P drive. Were those subject to the search you were performing?

MW: I'm sure they were. I mean some people never use their P drive. I don't remember if he did or not.

AOS: So you say I logged into the computer as myself.

MW: Yes.

AOS: Hansen's computer?

MW: Yes.

MW: Yeah, so I could connect to the network.

AOS: And copied everything from his user profile over to the computer I had?

MW: Yes.

AOS: And that was to the tower correct?

MW: Yes.

AOS: Did you do anything else with Hansen's computer?

MW: No, oh yeah I did. We had um I had another one that I had to work on to pull information off of it and the memory was bad in it. I pulled memory out of his and put it into that one.

AOS: Did you think Hansen's computer was like pretty important at that time? That you shouldn't have manipulated anything or taken anything out of the computer?

MW: So it was physical memory. It wasn't something that, it was RAM. It wasn't something where you would store files or anything like that so I didn't, didn't consider that an issue.

AOS: That other computer that you had access to.

MW: Well that was, I only had his and the other one I was working on that were the same models. In my possession.

AOS: But you didn't have access to get a hold of memory somewhere else?

MW: No.

AOS: And leave his computer pristine.

MW: No. We would have had to buy memory.

AOS: DAS doesn't have memory?

MW: We don't, so, education can't borrow memory from, well they probably could but there is no process in place for education to say hey I need memory for this, can I go get it.

AOS: Would you have asked education if they had memory that you could use or was this a piece of equipment that wasn't on an ODE computer that you were working on?

MW: No it was an ODE computer so yeah I would have asked them and if, and because I pulled the memory out of it the response was no we don't have anything.

AOS: Okay. Does ODE have computrace? Are you familiar with computrace?

MW: They do have it on all of their laptops.

AOS: So did you have or review any computrace reports on David Hansen's PC as part of this review?

MW: I mean the computrace is just going to tell you who is logged in, it's going to tell you what equipment is in it and what software is on it. I mean it's, I would, I've never used computrace for anything else. Well other than trying to locate a device that's been stolen.

AOS: Would that computrace report for Hansen's equipment still exist today?

MW: I have no idea.

AOS: You don't know if there is a time limit on how long they're available?

MW: Yeah, I don't know.

AOS: Does computrace track the equipment, like the hard drive?

MW: It'll track, yeah it'll track serial numbers of the hard drive yeah.

AOS: So if somebody took the hard drive out and put another hard drive in computrace would pick that up?

MW: Yeah it should. I mean I, I was looking at the reports and I'm pretty sure it reports the serial numbers of hard drives and stuff so I would think if you changed it out it would, it would notate that. Never tested that theory though.

AOS: Was anybody concerned or expressed concern in front of you about whether or not David might have wiped anything off of his computer before he turned it over? Especially since you took it home?

MW: I don't remember.

AOS: Did that thought cross your mind at all?

MW: Not really. He wasn't real tech savvy. You know, that he could have deleted individual files, sure, um, but, I don't, I don't think it was like a real concern.

AOS: Did he explain why he took the computer equipment with him when he was told to leave it in the office?

MW: Not to me.

AOS: Did you ever look at his personal emails on any of the equipment? Gmail accounts or anything personal he had on there?

MW: No.

AOS: Were you ever asked to do searches of those items?

MW: I don't remember. I don't think so.

AOS: Did you make...

MW:...I think there was a reporter that asked for it and they asked me and I said we, I mean we don't have his credentials so it was, yeah I mean, and to be honest we don't have the, the right or the authority either.

AOS: Did you make anyone aware in the administration that he had personal emails downloaded on to his public computers?

MW: On his computer?

AOS: Or his iPad or his phone?

MW: His computer, I don't remember finding anything like that. His Ipad or his phone...you know what I do kind of remember he might have had Gmail on, no he had evernote on his phone, on his, on his iPad. Was it Evernote? I can't, I can't tell you for sure. I know he had personal Apps on there. I seem to remember there being like Evernote or something on there. But I don't know for sure.

AOS: What is Evernote? Is it just like a sticky note...

MW: It's just a note taking, it's a note taking application. Kind of like competitor one note.

AOS: That's the only personal that you remember?

MW: I remember there was personal stuff but I don't remember for some reason Evernote is sticking out in my mind.

AOS: I know one of the statements you made was I know he had personal Gmail and stuff on his iPad.

MW: Maybe he did.

AOS: Okay.

AOS: Would evernote be considered personal or is that...

MW: Its, it's not a state service so I would assume it would be personal. I mean in theory you could take notes from anything in there

AOS: Okay.

MW: But it's not something that he would have been authorized to use in his state work.

AOS: So did you end up copying files off of the iPad as well? And exporting those or were you focused only on the PC?

MW: I know we had a request for text messages so we copied his text messages off of his phone. I don't remember if we copied anything off of his iPad or not. I mean it would make sense that if I did his phone I would have done his iPad but I can't tell you for sure.

AOS: Okay. Did you at any point in time make any mirror image of any of these pieces of equipment?

MW: I, so I, I copied the, like the text messages which would have also included, it probably would have included his photos off of them but I didn't make a true forensic mirror image of anything. I didn't have the tools to do that.

AOS: Did ODE have any kind of policy that you remember about not using things like Google Hangout or applications of that nature or was it wide open?

MW: It wasn't wide open but in general there were, I mean it, the problem with that, education is it's an academia based agency so they use a wide range of tools. They have to connect to schools that use a wide range of tools so Google Hangouts could have been used for video conferencing with a school that's on, that's on Google for edu, Google docs for education, whatever that's called.

AOS: How were they making sure that they could comply with open records and public records requests? It seems like it would be difficult for a man in your position to capture everything that might be public when there is a number of applications that they were able to put on their computers that are what we're going to call private applications that they're downloading and we don't know that they're doing with those particular applications. Was it a challenge?

MW: It, it's not really been a situation where we needed to approach that very often. You know it's, I don't know that we've ever had to really dig in to, I mean a video conference is no different than an in person meeting. It's whatever notes somebody takes out of that meeting is the record. Not the actual you know Google Hangout video conference. So I don't know that it's an issue we've run into a whole lot. I mean the education, Department of Education has a lot of more open mindset towards these things. You know, just like a school does. I mean there's things that we do restrict them from, now again, rouge users are everywhere, but you know they're supposed to use one drive for document storage. You know, they're not supposed to be using unapproved applications, things like that. But I don't know even when Dave was here if we were using one drive as an enterprise yet though. Just thinking of the timeline.

AOS: Out of all the emails you had to go through in your searches, if you were to ballpark a number as to how many that you came up with how many would you guess it could have been?

MW: I've got no idea.

AOS: A thousand. Ten thousand?

MW: It was tens of thousands.

AOS: Tens of thousands? How many ended up as actually being responsive to what Melissa and Jimmy might have been asking for?

MW: I couldn't tell you. I seem to remember of like number of 80 thousand or 100 thousand pages that were responsive to the public records request. I mean, for some reason that number, but the pages doesn't necessarily equal number of emails. So.

AOS: From your recollection of Sarah Wickham being in the room, like half the time I think you said she was there. Was she participating in the conversation and seeming to understand what the search was about and what the terminology was? Did she seem familiar with that to you? Was she more than just an administrative assistant, in other words was she actually somebody who understood the concept?

MW: Oh yeah, I mean she was Dr. Ross's policy advisor I thought or something like that. Yeah, so I think she understood the concepts. I'm just trying to remember how much she contributed over all to that. I mean as far as like search terms, I mean that would have, the search terms would be what would indicate whether or not you ever an understanding or grasp of it.

AOS: Yes.

MW: So and I'm just trying to remember how much her contribution was to that. I can't, I can't remember specifically. Again it was usually the group of people in a room and when you get a group of people in a room you know person throws out an idea and then somebody feeds off of that idea to it or whatever.

AOS: Were you taking notes on all these search terms as you're having these meetings since everybody's kind of brainstorming ideas?

MW: No you know it's usually one of those things where I just, I don't usually carry a note pad. I remember things like that for a period of time fairly well.

AOS: You were able to go back and just search for them?

MW: Yeah.

AOS: Who ultimately if you look back made the searching a priority then? Would you say it was Jimmy Sheppard or would you say it was Melissa Huffman or the two together? Or even Dr. Ross, maybe?

MW: I mean I, I think it was understood between all of them that this was a priority.

AOS: At Dr. Ross's direction?

MW: I don't, I mean I don't know that anybody said that this has got to be a priority. I think everybody said this is a priority. I mean I don't think anybody gave direction towards that.

AOS: Okay.

AOS: Did you think that this thing was growing legs. It was becoming more important or a priority with Huffman, Ross, and Sheppard?

MW: I don't think the priority increased any. You know I would say that when it started taking a while to pull the public records together there was an emphasis put on spending more time, you know, getting more people involved with reviewing the public records and things like that. So I guess you would say there was more of a pri...but it was more about being responsive to the requests than it was the significance of what happened. I mean I think it was treated as a fairly significant event from the time I was brought in to it.

AOS: So with the amount of documentation, the amount of searches you were doing, the amount of records you were obtaining do you think it was becoming bigger and bigger?

MW: I don't think it became bigger than the the emphasis we put on it when I was first brought in to it.

AOS: So this was a question asked in the first interview. When you did all this at the end, did you prepare a report, like write a summary of everything you were asked to do and everything you did do. Do you remember that question?

MW: Yeah.

AOS: Do you remember your response?

MW: I said if it was an investigation it would have been, typically there would have been some sort of investigatory report because it would have turned in to an administrative action or something like that.

AOS: Okay your response I don't remember if I did or not. I think I did. It would have been really high level.

MW: Yeah so it would have been...

AOS: And this is the type of report you put out this is what you put out as far as...

MW: ...No so it was like I said it wasn't a typical investigation. It was, we were trying to find out information they wanted to, you know typically when I am involved in an investigation somebody is . . . they're considering administrative action against an employee or we are responding to some kind of security event. So for an internal investigation we're considering administrative action. At this point he's already no longer with the agency. There's no administrative action that the agency can take so it wouldn't have been something that would have been used in a disciplinary action.

AOS: A report doesn't always have to be made in a disciplinary action but this became high profile with the number of record requests and your own words a really high level to protect the agency and to protect yourself as far as what you did, when you did it, what you found, documenting everything you did and possibly a conclusion if that would have resulted at the end. It would have protected the agency—meaning ODE—and yourself as far as who asked you to do what, when you were asked to do it, what you were searching for, how you searched for it, something of that nature.

MW: In hind sight...

AOS: ...that way when things come up...

MW:...in hind sight that's perfectly easy to see...

AOS: You have a document to cover yourself.

MW: And in hindsight that's perfectly easy to see.

AOS: So for a high level...

MW: ... So, I when I say high level I'm talking about this kind of level of detail when I said high level.

AOS: And you think that right there is high level.

MW: A high level...

AOS: A couple of bullet points?

MW: Yeah, that's a, that's a high, so that's not a document that's down in the weeds giving point-by-point explanation of what's going on. It's a high level document that gives you bullet points for things that were asked for and things that were, that, that occurred. That's a high level document.

AOS: Well one of the things you had mentioned in your earlier interview as well was that there were still others that seemed to be part of the investigation review, Joni Hoffman you mentioned Karlyn Geis. Two people...

MW: ...Yeah I mean...

AOS: ...down in the weeds...

MW: ...so they searched their emails and they were asked questions about what happened.

AOS: Did you, Did you ever at any point in time believe that they may be subject to administrative review or disciplinary action for their involvement or knowledge of events?

MW: No.

AOS: Did you know that Joni feels that she was terminated by the agency and so does Frank?

MW: I have not spoken to them about anything like that so...

AOS: Both as a result of this investigation.

MW: I wouldn't be able to tell you anything about that. I mean they left the agency significantly longer after this occurred. If they were facing action as a result of this they would have been gone a lot faster than that so I don't, I don't think that's why. Yeah, I mean that was a year and a half after this happened I think when they left if I remember correctly.

AOS: Do you think that they were part of manipulating any of the data or working together with Hansen from what you recall?

MW: So Frank no way, Frank, I'm sorry, Frank is not that smart of a guy. He's a he's a networker, he's a somebody who can get people to, to get things done for him but he's not a data kind of guy. He's not a, he's not a visionary kind of guy. Do I think Joni could have? Yes. I don't know whether or not she did. Joni is a lot sharper than Frank is. And honestly Joni's been involved in that program for as long as I've known anything about ODE so that's almost 15 years. For, almost fourteen years.

AOS: Who determined at the time what would be a public record and what wouldn't be?

MW: I'm sorry; it's one of my kids if it's going off. Let's see here. Sorry he's been sick. I just wanted to check to and make sure he was okay.

AOS: No problem.

MW: So I'm sorry go ahead.

AOS: That's okay. Who determined what was a public record and what wasn't a public record? What was protocol for that at the time?

MW: Legal. I mean ultimately Diane but she had people that helped with that.

AOS: Prior to Diane coming was anyone working on that or were you still in the process of gathering information?

MW: As far as determining what was a public record?

AOS: Yes.

MW: I don't remem...I don't remember where that was in the line with Diane, timeline with Diane coming in.

AOS: Do you remember if there was somebody else from legal at the time appointed?

MW: There was an interim, there was an interim, what was her name? She went to another agency. I can't think of what her name is.

AOS: Sharon?

MW: Yeah, Sharon (indistinct last name). That's it. She was an interim in there.

AOS: But you didn't mention her as being present in the meetings with Jimmy and Melissa.

MW: She was in like one or two meetings but I don't know that it was necessarily like well we're talking about key words and stuff.

AOS: Yes.

MW: Her, her involvement wasn't near what Diane's involvement was. I can remember that in the relationship but I can't tell you how much.

AOS: Were you ever asked specifically to look for emails or appointments sent to Dr. Ross or the Governor's office?

MW: I was asked for appointments ... I don't remember being asked for appointments that specific.

AOS: What would they say? Just appointments...

MW: Key words and can you only pull out calendar invites instead of just emails.

AOS: Okay.

MW: But I don't remember it being specific to like people.

AOS: Okay. So in your last interview you had mentioned that there was sometimes a secure channel that was used for communication. Can you describe that a little bit more? What that means?

MW: Can you give me the context of what the question was?

AOS: Sure, Sure The question we asked is when you say he wanted people to use applications that weren't authorized for something. Describe some of those. And your response was there was an event where he basically was instructing folks to allow people to send.

MW: Oh, yeah, he was, so they needed to collect data from the charter schools and the data was personally identifiable data and they were telling just email it and I had specifically told him that that was not approved for that. The data, I mean, you know, the analogy I always use if you might as well put it on a post card and send it in the mail because that's you know the level of security you get with email unless you have specific security tools in place.

AOS: So what would have been a secure channel that would have been used as an alternative?

MW: So they have a way to have the schools upload stuff in SharePoint. So there's like an ODE public fact in SharePoint where people can upload files. They could have had an application enhanced to upload those files. They could have, we had a FTP server, secure FTP server that could have uploaded the stuff to. So we had multiple paths that way and you know his general response to me was go fly a kite but that's David for you.

AOS: When we spoke with Jimmy Sheppard he had mentioned, we asked him so tell us about the searching and his recollection was that you were a problem solver and you were the one that brought this idea of doing key word searches to Jimmy and to Melissa and Dr. Ross because you were worried about preservation. Does that sound accurate to you?

MW: I think that's a, probably a combination of things. If, if he remembers it that way, probably what happened was, they asked me how can we find out what is in his email or what he did that was related to this and I explained the key word search process and at the same time I probably said we also have the option because this is whenever somebody asks me this it's just my can answer. We also have the option to put it on legal hold so that the um emails can't be deleted. It's probably what happened in that conversation.

AOS: Jimmy also went on to say that you were the one thinking of the key words to search for. We questioned him pretty hard on that because these are pretty complex terms. It seems unlikely that a guy in your position would have known what words to look for.

MW: I mean the words like E school, Data, and Recovery data and sponsor evaluation, I mean that was all of the media so I might have said you can use key words like this but I mean as far as getting it, you know, I don't, I still don't even know what XQR or QPR ratings are. That wouldn't have come from me. Authorizer evaluation probably would have come from me because I don't think about it in the difference between a sponsor and authorizer and a charter school. I don't think of it in those terms and I don't know all the different terms that they use for that for lack of a better term in the education industry. I definitely wouldn't have known the revised code which is what that 33414016 is. I mean I just, I just know revised code numbers. But, so and now the other things is like, if I did search terms like E school data or drop out recovery data we may have sampled the emails that came back to it and said okay well this shows up a lot in these emails you, do you want to search on those? That kind of thing.

But as far as the program goes, no, I don't know, I'm not that in touch with the program lingo for charter schools.

AOS: Okay.

AOS: Do you remember roughly how often you met? I know there were different people attending on different occasions but how often were you meeting with them and over the course of how long?

MW: Well, I mean when we were first trying to figure it out, trying to figure out key words and stuff it would have been daily, maybe even multiple times a day. I don't know.

AOS: How long would these meetings last?

MW: I couldn't tell you, I mean, some of them may have been five minutes. Some of them we may have looked at responses to the information.

AOS: How long did that go on for?

MW: I mean the, the further things went on they would have been less frequent but definitely all the way through the public records release.

AOS: Do you have a pretty good, while you might not recall the details of them, do you have a pretty good memory about the fact that these meetings were happening and it was a high priority?

MW: I mean it was definitely was a high priority. I mean that was what I was focused on for a significant portion of that time I mean that was, that was a majority of my focus of my work day.

AOS: Can you imagine any of these folks that were in attendance not remember any of those meetings?

MW: Not remembering that they occurred?

AOS: Correct.

MW: I couldn't, I mean I would imagine not, but.

AOS: I'm just asking your opinion.

MW: I mean like I said not everybody was in the meetings every day. Not every time but there were frequent meetings and I don't know why they wouldn't remember them.

AOS: Is there anything else you would like to share that we didn't talk about already?

MW: Not that I can think of.

AOS: Do you have any more questions I didn't cover?

JA: Every time I had a question you circled back and picked it up there so...

AOS: I tend to jump around. It's all straight in my mind.

JA: Not for me.

AOS: Well thank you Matt for coming back. I appreciate your cooperation.

Melissa Huffman, Chief Operating Officer

2/27/18

In attendance:

ODE Employees: Melissa Huffman and Diane Lease

AOS Employees: Marnie Fredrickson, Timothy Shockcor, Matt Klapheke, Kristin Hayes and Jim Arnold,
Special Counsel for AOS

AOS: We wanted to start, kind of if you would, refresh us on the phone call that you made to David Hansen. What happened? Like who instructed you to call David the day that you were to let him know that you guys needed him to go home? Can you kind of start there and just refresh us on the phone call?

MH: We... That we needed him to go home?

AOS: Go home. You said that you had made a phone call...

MH: ...he was... he went home, yeah.

AOS: Okay, did you call him and instruct him to go home that day?

MH: No.

AOS: Okay, so if you would kind of just start with what led up to the day that Hansen goes home on that Friday, I think it was July 17th?

MH: On that Friday?

AOS: Yeah.

MH: Okay.

AOS: The events maybe from the board meeting, all the way up through the Friday. Just kind of walk us through.

MH: Alright...I'm going to have to dig deep here, so the board meeting happened, and...let's see, Jimmy left...

AOS: Board meeting happened on Tuesday?

MH: So it, Monday and Tuesday, and then, so, Wednesday and Thursday, I think we were just trying to, to deal with the fall out of the board meeting. Specifically as to things that happened that day, I really don't remember. But I just, you know, like, I think there were questions, you know, about, well what did the board say? Because I wasn't down there when all of this happened. And asking David questions, I don't recall being in meetings with him where they were asking him questions. It could have happened,

but I am not sure, and then, that Friday, David came in to the office that morning. He, myself, and what's her name... what's her name... the former assistant.

DL: Susan.

MH: No, legal. . . Sharon, Sharon Jennings.

DL: Sharon.

AOS: Thank you.

MH: Sorry. Sharon, and we met with David early that morning and Dr. Ross talked to him a little bit, you know, kind of expressed his disappointment with everything that happened that week, and then sent David home. Then next thing that I recall is, later that day, I called David and told him that we needed his laptop and I think his phone, if he had one and I think we set up for Matt to go pick it up, Matt Williams. Sorry. As to, and I think you guys asked me this question last time, as to who told me to make that phone call? I, I really don't remember.

AOS: Did Matt pick that equipment up that same day?

MH: I think so. I'm not... I'm not sure. I'm pretty sure. I mean, I'm pretty sure that he did. Yeah, I'm pretty sure he did.

AOS: Jimmy had indicated during his interview that he was at a conference, I think he said he left on Wednesday, right after the board meeting, didn't return to the office until the following Tuesday.

MH: Okay.

AOS: At the point in time he comes back, he said that he was concerned because the equipment still had not been secured.

MH: Oh.

AOS: Can you explain? Do you know anything about why Jimmy would have been under that impression? Or was there lack of clarity as to when the equipment was secured?

MH: No, no. I mean, I don't know, but all I know is that we told Matt to go get it, or I told Matt to go get it, I should say. As far as when it came back, I would assume that it would have come back like either that weekend or Monday, or whenever. So if Jimmy remembers something different, I don't know.

AOS: Who would Matt have reported to as to when he got the equipment? Would he have reported that to you? Or would it have been somebody else that he is notifying that he has secured the equipment?

MH: That's a good question. I really don't remember if he did report it to me or not.

DL: If I could though, he does report... he did report to Beth Fletcher, Beth Juillerat. That was his...

MH: ...report instruction.

DL: Under the org. chart.

AOS: Okay, so you go into the weekend. What were the events of the weekend? Was there any further discussion happening over the weekend? Any work being done on this issue or did you wait until the following week?

MH: I believe Jimmy and Dr. Ross were taking care of that. I wasn't involved.

AOS: Were you involved in any phone calls that took place with David on Saturday or anything of that nature?

MH: No.

AOS: Do you remember being invited to any?

MH: I was... not that I am aware of.

AOS: Do we have an invite? (pulling up invitation)

MH: Oh.

AOS: Do you remember this?

MH: I mean, I know they had a conversation. I was not participating in the conversation.

AOS: Okay.

MH: And I know that I was invited.

AOS: Were you updated on it afterwards?

MH: Jimmy called me and told me that David resigned.

AOS: When did he call you?

MH: Some time that morning. I don't know.

AOS: Saturday morning?

MH: Yeah it was on Saturday.

AOS: Okay. What were the events after Saturday? From your... as far as the ones you were involved with?

MH: I went to work on Monday.

AOS: Went to work on Monday?

MH: Yeah.

AOS: Were there meetings on Monday to talk about the resignation or the next steps?

MH: I'm sure there were.

AOS: Do you remember...

MH: Like specifically?

AOS: Yes.

MH: Not... I mean, not really. We just kind of... everybody just kind of dug in, like "okay, what needs to be done?"

AOS: What was the top concern at the time?

MH: How was the work going to get done.

AOS: How was work going to get done. Were you guys concerned about who else might have been working with David or had knowledge of what David had done? Was that ever your concern?

MH: I mean we had conversations with the staff to try to figure out what had happened.

AOS: How did you come up with a strategy on how to approach that?

MH: I think we just started talking to people.

AOS: Who is "we"?

MH: Jimmy, myself. I don't remember who else.

AOS: At some point did you request Matt Williams to run searches on the equipment looking for key words?

MH: I suppose that is possible. Yeah.

AOS: So we have a document that Matt Williams prepared at the time. It is a summary of the steps that he took.

MH: Okay.

AOS: It is incomplete, but the first portion of it there indicates that you instructed him to run searches of the Hansen mailbox looking for messages about the E-school data, the drop out recovery data. Do you remember meetings to that effect or giving Matt those instructions?

MH: I don't really remember giving Matt those instructions; I remember talking about Matt Danzuso, Karlyn and Kelsey. But again, all of this was to try to figure out, you know, where the numbers came from and how we got to this. Like how, where, what was the data, how did we get here? Can't fix something we don't know how it got here and what's wrong.

AOS: How many, how long did it take you before you had a sense of the numbers and did you ever hit a point where you felt you understood how the numbers were calculated to begin with or did you reach...

MH: I don't know that I actually ever truly understood...

AOS: Okay...

MH: ...how everything happened. But then again I am not a program person so.

AOS: Do you think any of the individuals you spoke to understood what had occurred, or how it occurred?

MH: I... well, I mean I think so. I, I don't know. I don't understand your question, really.

AOS: There has been some conversation that David might have been making multiple data requests and then piecing them together.

MH: Okay.

AOS: But then individually requesting small amounts of data.

MH: Okay.

AOS: So that the data department, Matt Danzuso, the governance board wouldn't know the purpose for which he wanted the data.

MH: Okay.

AOS: Did you come across anything like that in the conversations you were having with the IT folks?

MH: I mean that information was shared. Yes.

AOS: Or the data folks I should say.

MH: Yeah. They said similar things.

AOS: Similar things?

DL: Yeah. But if I could, just remind people we did not create data governance until after I arrived. So data governance did not exist yet.

AOS: Was it Jason Rafeld at the time? Although Jason is gone, so I guess Jimmy at that point in time. Was Jimmy still overseeing data requests the same way that Jason was? Okay, so there was a structure, just maybe not the governance committee per se, but there was a structure for tracking....

DL: I just, I just wanted to make sure.

AOS: To clarify?

DL: To clarify because...

AOS: That is something that has been inconsistent in the interviews on when the governance committee comes in to play, so yeah.

DL: Interesting.

AOS: Yeah it's been a little while ago, so yeah. There's been indication that they are there and at times indication that they weren't, so it's good to know.

DL: Okay.

AOS: So back to this.

MH: Okay.

AOS: The searches for key words. Do you know what the purpose of that would have been for?

MH: Again, trying to figure out what was going on and how we got to where we were.

AOS: How did you think about... how... what was your game plan for thinking about the key words to have Matt search for? Where were you coming up with them?

MH: I mean, I think it was a combination of the questions from the board and the article from the Plain Dealer and still trying to understand the information that he gave to the Plain Dealer, and them coming back and saying "no that's not how this works" or, you know, whatever they said. So trying to better understand what David was doing and using the words around the questions that were being raised to try to figure out what he was going on. What was going on.

AOS: So in a sense was the articles of the plain dealer was writing at the time, were somewhat driving your review so that you could figure, in other words you did not have a complete sense from the board meeting. You are also learning about things through the articles at the same time...

MH: Well and I'm learning. Yeah...

AOS: ...Didn't know about.

MH: Yeah, I'm learning basically about community schools in general because if you recall, it started at the end of April. So I... my first experience with all of this is there's articles, there's questions. I'm trying to answer questions and as things are going, it's not making any sense.

AOS: So the information that was provided to the Plain Dealer, did that come through David Hansen then?

MH: Through our communications office I believe. I don't know that David... David could have answered to the Plain Dealer directly, but I don't think so.

AOS: Okay, but if he would have given the communications office the responses to provide to the Plain Dealer, would anybody else have reviewed those at the time? Or would it be ordinary protocol that David alone could respond to those questions?

MH: At the time I would have. Because we... because David knew what he was talking about. At least we thought he knew what he was talking about. The answers would have come from David. I don't know that anybody would have looked at them, but...yeah.

AOS: I think around the same time that the Plain Dealer questions were sent over to ODE we saw Colleen Grady, somewhere around that same time, sending questions herself very similar to what the Plain Dealer was asking.

MH: Okay.

AOS: Do you remember those questions?

MH: I remember hearing Colleen's name because I didn't know her at the time, and that she was asking questions. I don't know if they were the same questions, or I don't remember if they are the same questions. Yeah.

AOS: Were you involved in vetting answers to those questions or helping to draft responses?

MH: Yeah I was helping as part of a group. But not knowing much about community schools...

AOS: Were you relying heavily on David's input at the time?

MH: I was relying on David. I was relying on our communications staff.

AOS: So once you respond to those questions as well as to the Plain Dealer questions...

MH: Wait...respond? Oh I don't know about responding to Colleen's questions. I thought you were talking about the...

AOS: Still Plain Dealer?

MH: Yeah.

AOS: Okay, yeah I was referring to Colleen.

MH: I apologize.

AOS: That's okay.

MH: I don't recall responding to those, but it could have been like "hey we have these questions so share them."

AOS: Okay. Once the responses are provided to the Plain Dealer and to Colleen, those are happening sometime around June I believe.

MH: Yeah.

AOS: Were you surprised at the events of the Tuesday board meeting in July?

MH: Yes.

AOS: Okay. So at that point, explain to me, I guess, did you believe at the point in time you responded to the questions from the Plain Dealer that the questions were resolved? Was there any indication that a few weeks later, in July before the board meeting, that these questions were going to be raised by the board?

MH: So I wasn't sure. Like, I think we were answering the questions and we kept going back and forth with David on trying to get answers and they weren't really making sense and I think we, I think we responded to a round of questions and then I think he... and then I think they came back with some more questions and we were trying to respond to those. I was concerned about the fact that, you know, I didn't feel like I was getting a straight answer and so that... that was problematic to me because I was just trying to help, you know, basically solve a press issue that... that I saw. But I was trying to get to the bottom of it. When everything happened at the board meeting, I wasn't at the board meeting so I don't know exactly how it all kind of went down, but all I knew at that point was, I was still just trying to figure out what was happening and like why couldn't I get a straight answer so... however you know the board asking questions, I guess that's not surprising that the board would ask questions, but to the extent of what it led to, no I wasn't anticipating that.

AOS: That all of that that happened.

MH: Yeah.

AOS: So when you say you weren't getting a straight answer, what was your sense? That David didn't really know the answers and was trying to bluff through or did you think there was more to it?

MH: I mean part of it was, I, you know, not really knowing a lot. I was, you know, questioning, like "okay are you just explaining this in different ways and I'm just not capable of like having the background really to know what you are talking about, so you need to talk through it a few times or dumb it down." So part of it was that...part of it was like, "okay well you know, you said this last time but it seems like you are saying something different this time and so, truly the feeling was I just want a clear answer. Like, if it's complicated, fine. Tell me why it's complicated and explain to me where I'm not getting it because I don't have a background in this. So part of it is: I don't know what I don't know.

AOS: Did anyone besides David try to help answer your questions? Joni Hoffman or others?

MH: Yeah, I mean I would imagine that, you know, Joni might have provided some information or even Faith may have provided information, but primarily my questions were going to David and like trying to deal with David directly because based upon what I knew of the agency, David was the community school guru so he would have all the answers. And he was the one who provided the answers initially, so he would be able to clear up whatever confusion.

AOS: So, kind of jumping around here just a little bit, but now we are back to the point in time that David has resigned. We are in the following weeks, doing some key word searches. Do you remember having meetings to discuss the results of those searches and who was at those meetings?

MH: I remember like meeting with the data folks. I think we probably met with Faith... probably met with Joni. That's what's coming to the top of my head right now.

AOS: Do you remember meeting with Jimmy, Dr. Ross and Matt Williams? Providing instructions on key word searches and then going over results of what he found?

MH: Well I know that the meetings with Karlyn and Matt, Jimmy and I were in those meetings together. As far as like, talking about the key word searches, we just, I know that, you know Dr. Ross was asking us, like, what's going on and I know we were getting documents to kind of look through and it was a lot of stuff and we were just trying to put things together. So I think we were just talking to him about, you know, things that we were finding in the emails that were pulled.

AOS: You and Jimmy were talking to Dr. Ross?

MH: I believe so. Yeah.

AOS: Anybody else part of that?

MH: Not that I remember.

AOS: How often were you updating Dr. Ross? Did you have periodic meetings? Regular meetings?

MH: I don't remember. I mean he is kind of like right there in the corner so. And then eventually you (referring to Diane Lease) came on so lucky me. Thank God for you.

DL: Tim, you were supposed to laugh at that.

AOS: I was distracted.

DL: What? This isn't riveting?

AOS: No, it's interesting.

AOS: At any point in time were you concerned with who should have known or who should have picked up on something not being right?

MH: Yeah. I mean Jimmy and I talked about like, trying, just trying to figure out what went wrong, and, you know, how, like how did we get here. So again, how do we not have this happen again. So I mean, yeah we were concerned.

AOS: Did you ever talk to Steve Gratz in any of your interviews?

MH: I think so. I mean it would make sense that we did. He was over in that center.

AOS: You don't remember specifically?

MH: No.

AOS: Do you have a sense as to why Steve Gratz wouldn't have picked up on these issues as David's supervisor?

MH: I think that David and Steve had a strained relationship.

AOS: Can you explain a little more or elaborate?

MH: I think David really didn't keep Steve in the loop as to what he was doing because David felt like he didn't have to.

AOS: Why did David feel that way?

MH: I don't know.

AOS: Was David going over Steve's head?

MH: I don't know. I... I don't even think, and this is just me guessing, but I feel like David didn't ever really consider Steve. He just did what he did.

AOS: Did Steve ever complain to anyone about that?

MH: He didn't really complain to me about that.

AOS: Do you know if he complained to anyone else?

MH: I don't know. Again I was there for three months before David left.

AOS: Was David in Executive level meetings with Dick Ross?

MH: He was in meetings with Dick Ross, yeah.

AOS: Were they the kind of meetings that ordinarily someone at his level at the agency would be in attendance? Or was he invited to those meetings?

MH: I mean, he was invited to meetings, and part of it too, community schools were important, and kind of a big issue at the time. Yeah, there weren't other directors at his level there, but that was like that before I got there. So I guess not really anything different.

AOS: What were the charter school priorities? As you understood them at that time, what were the, if you had to give me top three charter school priorities for the agency, what were they at the time?

MH: That's a good question. You know, choice for students. You know, quality schools that provide, like an alternative option. And you know making sure that kids had a good education no matter where they went. That... that was kind of the theme that I heard most often.

AOS: Was the grant a high level priority? With so much conversation?

MH: So the grant kind of came in to play like June, July. And I didn't really get involved in that because it wasn't really my world. Like I said, the only thing that I really had to deal with them was just more or less trying to figure out the answers to the questions from the Plain Dealer and getting that right and because I asked those questions and was looking into it then when everything happened to the board and the questions were still kind of there, that's how I got brought in to it.

AOS: At what point in time did you come to understand that the information in the grant might have been impacted by the data, leaving the E-schools, or phasing them in for the sponsor evaluations, that that information impacted the grant?

MH: I think I was in a meeting and that concern was raised.

AOS: How so? What... about what time frame? Before Hansen leaves? After Hansen leaves?

MH: After.

AOS: Who raised the issue?

MH: I don't remember.

AOS: Do you remember who might have been in the meeting?

MH: So it would have been Jimmy, Dr. Ross, myself, Sarah. I'm trying to think who else would be in there. I don't think Diane was there yet. So I may have had someone from legal counsel there. And maybe somebody like legislative staff or something about community schools.

AOS: When the concern was raised, what did the group decide to do?

MH: I think they said to review the grant and then figure out where it's wrong and talk to the department.

AOS: Who was that assigned to?

MH: Who would have done that? I really don't remember. Because I, you know, it would have been data, but then like you would have worked with the program office. So somewhere in, I would imagine, those kind of groups would be the ones to figure out what's going on.

AOS: At some point in time did you learn who the primary author of the grant was?

MH: I would have thought it was David.

AOS: Okay. So you're not sure then who actually authored most of the narrative of the grant or you think it was David? You assume it was?

MH: I mean, initially when it came up, I think David authored the grant but I think they also asked for outside help to help with it.

AOS: Okay. And who did they ask to help? From your recollection.

MH: It was Paula.

AOS: Did you know they actually contracted with Jessica Cohen as well to assist with writing the grant?

MH: Who?

AOS: Jessica Cohen. Does that name ring a bell?

MH: No.

AOS: No? Do you know Steve Tate?

MH: I know that name, yeah. He was at the department.

AOS: Were you familiar with him participating in writing the grant?

MH: I think. I don't know about him writing the grant. It's possible. I recall seeing the name looking through emails.

AOS: Okay.

MH: So I don't want to say that I recall him doing one thing or another. I just remember seeing the name in the emails.

AOS: During your review of meetings with everyone, review of emails you might have found, just trying to figure out what happened, did you have a sense of whether or not David was monitoring his staff?

MH: What do you mean by "monitoring his staff", like?

AOS: Supervising? Was he involved in reviewing the product of what they were working on? Keeping track of what they were doing? Did he seem actively involved?

MH: I mean yeah he knew... he knew what his staff were doing because he was just... he was directing them to do stuff.

AOS: He seemed like a hands on supervisor, you would say?

MH: I would say that he was really good at directing his staff to do things.

AOS: Do you think he was good at mentoring his staff?

MH: I don't want to say that. I didn't know him that well to say what kind of person he is.

AOS: Do you remember talking to Joni or anyone in the department, Faith, that was working with him or...

MH: ...I mean, they said he was kind of a bully.

AOS: Did they ever express to you that they weren't getting the help that they needed?

MH: I think they just, more or less, they did what... the way it was explained to me, they did what David said.

AOS: Did they have a feeling that maybe some of what he said wasn't right?

MH: I think there were some questions.

AOS: Did they ever express those to anyone?

MH: After the fact. I mean, that came up in conversations. As we were trying to figure out what was going on.

AOS: Do you think they were afraid of David?

MH: I think they were afraid of like losing their jobs if they didn't do what he said.

AOS: Because he was so well connected?

MH: I don't know if it was that or if he was just mean.

AOS: Okay. Do you think anyone in the administration knew David was mean to his staff? Just from observation?

MH: From what?

AOS: Observation.

MH: Like when you say "administration" do you mean Dr. Ross?

AOS: Dr. Ross, Jimmy, others?

MH: I mean, I think...

AOS: Others that would have been in a position to have a talk with David about his behavior.

MH: Yeah. I mean I think that we were brought up to speed on that when we came in. He seemed like the type of guy who did what he wanted to. The kind of the "ask forgiveness instead of permission" kind of thing. So I mean, I think we had to have a talk with him about that. Or, well Jimmy had to talk with him about that. I didn't have a talk with him about that.

AOS: Jimmy did?

MH: I believe so.

AOS: You wouldn't have been in that? You were over at HR, right?

MH: I was, but, from that standpoint, because the program offices came up through Jimmy, I think Jimmy just kind of had a discussion of like... because I think it was about an Apple TV or something that he bought that he shouldn't have.

AOS: Okay. Do you know if he talked about anything other than the Apple TV he bought? Just in general his treatment of other people?

MH: It's possible. I don't know. I wasn't there. I mean, it's possible that Jimmy told me, but again it was two and a half years ago. It's kind of hard to remember.

AOS: What was your sense just asking for your opinion as to why David did what he did?

MH: I think David felt like he was doing what he thought was best for schools.

AOS: Do you think David understood that it was against what the requirements were at the time?

MH: I'm not sure that David took that into consideration. But again that is my opinion. I think he was going to do what he thought was the right thing to do.

AOS: To your knowledge, was he consulting with legal along the way? Did you ever see indication of that?

MH: I don't know. That's a good question. If I saw it in an email maybe, but as far as like the time that I was there, like, when I was dealing with communications questions, we weren't asking legal, I don't think. I was just trying to get answers to questions. So, it's possible but, I don't know.

AOS: As you're meeting with the data group, Joni, and Faith and others to figure out what had happened, did you ever have meetings with the legal group to see what their... or the legislative group?

MH: It's possible. I mean, I think we were asking questions and asking you know, statute questions to try to figure out, you know, what is or supposed to do and, you know, what happened and how did we get there. And talking to legislative, yes. I mean again, they're on the seventh floor so it's natural to kind of talk to them and Jessica knew about community school legislation. So trying to figure that out too.

AOS: So did you have a sense as to whether or not David was working cooperatively with them or was he...

MH: Again, I think David did his own thing. I think he asked questions that he wanted to ask and then made his decisions.

AOS: Dr. Ross had to answer questions for the board later on about what had transpired and the work you all did to figure out what had happened. Who helped prepare Dr. Ross for that meeting?

MH: I would say leadership, communications, all of us...

AOS: Were you part of...

DL: Were you talking... just to make sure...

AOS: Sure...

DL: So that timing is important. Which meeting? Was it the August meeting?

AOS: Is somebody knocking? I'm sorry...

[Inaudible Conversation]

AOS: I'm sorry. Okay. Do you mind taking a quick break? I apologize. Five minutes. Would you guys like some water or anything?

MH: No, I'm good. Thank you.

AOS: Alright.

[Picking Up After Break]

AOS: You were clarifying the date of the Dr. Ross meeting.

AOS: Thank you. Yes. The board meeting...

MH: Sorry. Which board meeting are you speaking of?

AOS: The board meeting where Dr. Ross reported to the board the investigation that pursued. I don't know if it's an investigation as much as just a review of what happened. The board had questions as to why it happened... whether anyone else was responsible.

MH: Okay, so that. So we didn't... I don't think we had a board meeting in August.

AOS: I think it was September.

MH: So it would have been September. Ok. So prep for the board meeting in September. Ok well let's see. Communications would have been there. Diane you probably would have been there.

DL: I was there.

MH: Jimmy, myself, Sarah. Probably legislative, because I think House Bill 2... like stuff was happening at that point too, so it would have been... they would have been at least listening or providing information. That's who comes to the top of my head... as to who would have been prepping him.

AOS: Okay. Now I know that Dr. Ross was asked a lot of difficult questions at the board meeting. Did you feel, from the work that you had been a part of, that the team had done enough to give Dr. Ross a solid feeling to be able to answer those questions? Confidence that David Hansen acted alone and no one else was really a part of this? That the problem was basically taken care of with David's resignation?

MH: So you're asking me... let me just make sure I understand what you're asking me. So you're asking me, "do you feel that we conveyed that message to Dr. Ross?"

AOS: How confident are you that you could support the statements that Dr. Ross made to the board?

MH: Confident.

AOS: Confident?

MH: Based upon what I looked at and what I know.

AOS: And, what would you... I guess if you had to explain why you felt confident about it, what would it had been that gave you the greatest sense of confidence about it? Was there one thing in particular? Was it a conversation with a person or group of people? Was it the review of the emails? What gave you the greatest sense that you didn't really have anyone else that...

MH: To... yeah. I guess it would kind of be the overall review and like, everything that we talked about that nothing else really stood out except for the fact that David did what David wanted to do. And looking at everything else, there didn't seem to be anything pointing in another direction.

DL: But if I could, I mean, Dr. Ross in his comments to the board clearly said we lacked an internal control so we acknowledged that there was a lack of internal control because there was.

AOS: Well, and I'll share with you one of the statements Jimmy made to us was that he wasn't as confident about their ability... his ability from the work he was involved in to support the statements Dr. Ross made.

MH: Okay.

AOS: He didn't feel that enough work had been done to be able to make those statements at that point.

MH: Okay.

AOS: So I'm curious as to how you felt about that.

MH: About how Jimmy felt?

AOS: About how you felt about Dr. Ross' ability to make those statements to the board. Did you feel that you had talked to enough people in the department? That you had looked through enough records? Enough emails?

MH: I mean, so as far as like looking through enough and... I mean at that point, I don't know how I felt exactly at that point two and a half years ago. Knowing what I know now, I feel confident that that was the decision or that was the resolution that we figured out. So as far as timing goes, I mean, I would think that I would feel the same today as I did then. If that makes sense?

AOS: I think so.

MH: Okay.

AOS: I'm following what you're saying.

MH: Yeah, like...

AOS: ...did you feel that the review that you did was thorough? Would you say that it was a thorough review?

MH: Like overall? Yeah. To the best that we could. Yeah.

AOS: Did you...

MH: ...and I would say that I kind of... I think, after Diane came, I kind of started to trail out of that.

AOS: Okay.

MH: Because legal counsel is...

AOS: ...taking over that?

MH: Taking over that. Yeah.

AOS: At any point in time did you come across anything that concerned you or Jimmy or Dr. Ross? That maybe Dr. Ross should have picked up on anything that had occurred? That there were meetings or emails or information provided to Dr. Ross by Hansen along the way that might have alerted him sooner to what had occurred?

MH: I, well, I mean, Dr. Ross didn't really get emails. I think overall a lot of us were, you know, kind of disappointed in the fact that there weren't internal controls and that we didn't see this. So, I think my answer to your question is yes? But as far as a specific thing that I recall that Dr. Ross should have picked up on? I don't know.

AOS: How important was the agency obtaining the grant at the time? Because I know there were a lot of... a lot of balls in the air at that point in time with everything that's occurring and the grant has, you know, been submitted at this point...

MH: Right...

AOS: ...but obviously concerns with the data and the grant. How important was that? Where was it in the priority list at the time?

DL: Can I... can I ask a clarification on your question about the grant? Because E-schools are not eligible. So when you say the data, I guess I... can you better explain what you mean?

AOS: So the data is for the sponsor evaluation results that was included...

DL: ...okay. I just want to make sure that we...

AOS: ...in the grant application...

DL: ...understood what you were talking about. So it's the sponsor evaluation. Okay.

AOS: Right. So how... how big of a priority was that in the list of things that were going on? House Bill 2 is occurring. Where is the grant application and contacting USDE in that list of priorities, as far as you knew?

MH: I mean it was important. Like we had to figure out what we were going to do.

AOS: Were you concerned about losing the grant or did you have a sense that Ohio was going to get the grant and it was just a matter of making a correction?

MH: I think that we were concerned that the information was wrong and that would impact the grant. Yeah.

AOS: Did you have conversations with USDE or were you part of conversations with them?

MH: I do not recall being part of conversations because, again, not having a lot of community school background, like I could have been sitting in the room listening but it wasn't something that I had expertise in that, you know, I'm weighing in, like, "we should do this," you know.

AOS: Who would have been the team leader for taking care of the corrections?

MH: I think the program office and like Jimmy would have known about that. Dr. Ross would have known about that. Like it would have been... they would have been at least overseeing...

AOS: Taking... (indistinct)...

MH: ...what was happening, but, well, I mean, I think that the program office would take the lead on everything but they would be reporting...

AOS: Would that be Joni primarily? Was she the person with David now gone?

DL: So I think in the answers we submitted, we identified who assisted in the responses.

AOS: Okay.

DL: So it included Faith, everybody that assisted with the response. I'm on the list. So it included everybody who participated in the response.

AOS: Do you know who would have been the lead person for coordinating the corrections and submitting them and having communications back and forth with USDE?

DL: Well, I think there's two questions in there.

AOS: Okay.

DL: So who coordinated the responses? I think in the response, Faith is probably the lead.

AOS: Okay.

DL: But I'm going to help because I do remember this.

MH: I don't know that I had a part of this.

AOS: Okay.

DL: USDE would have been Dick Ross, Jimmy and me.

AOS: Okay.

DL: And Gratz probably was on the calls as well.

MH: Yeah, makes sense.

DL: But we would have to check the calendars even though that doesn't mean that everybody went.

AOS: Any questions?

AOS: You may remember this. Who, if you know, who asked David to resign?

MH: I don't know. I wasn't on the call.

AOS: Are you aware of Dr. Ross or anybody getting a call from anybody...from any government office asking Hansen to resign?

MH: Not that I am aware of, no. I just know that Dr. Ross sent him home on Friday.

AOS: I'm sorry?

MH: Dr. Ross sent him home on Friday.

AOS: Okay. Why was he allowed, if you know, to take his equipment with him?

MH: I don't know that.

AOS: If he sent him home on Friday why would he allow him to keep his equipment?

MH: I think David just took his stuff whenever he left the office.

AOS: Did they not send security with him? It just seems odd.

MH: Well, I mean, if he is still an employee then he just went home. The same as like I go home at the end of the day. I take my stuff and go home. I mean at that point I didn't....

AOS: There was no one...

MH: ...I didn't know that like... there wasn't like, "Oh you're fired" or anything like that. It was just "you need to go home."

AOS: Was it for the purpose of discussing termination or disciplinary action? Or why do you think he was sent home?

MH: I think it was just because... because there was so much going on and so many questions. It was just kind of like, "just go home and we will try to figure out what's going on here."

AOS: Okay.

David Hansen, Former Executive Director of Community Schools

2/27/2018

In attendance:

ODE Employees: David Hansen and John Gall, Legal Counsel

AOS Employees: Matt Klapheke, Tim Shockcor, Marnie Fredrickson, Kristin Hayes and Jim Arnold, Special Counsel for AOS

JG: W are we doing here? What's the format here? What's this about?

AOS: So the purpose of today, we are doing an investigation of the charter school grant application and the information that was contained in the grant application. As part of that investigation, we obviously want to talk to David about his time there and any of the information that you might've contributed to ... to that grant application. We know, uh, for example, that a lot of the sponsor evaluation information does appear in the grant application—the original grant application—I should clarify that—that was submitted in July of 2015, is the one that we are looking at specifically.

So, to the extent that you can tell us about your time at ODE, specifically as it pertains to applying for the grant, when the decision was made to apply for the grant, who the grant was assigned to, your involvement in the development of that grant application. Can you speak to that?

JG: Go ahead.

DH: Do you have a question?

AOS: Well, I would just like you to tell us about the grant. When did you, or was it already decided before you came to ODE to apply for the 2015 charter school grant application.

DH: You mean the federal charter school grant?

AOS: Yes.

DH: Uh, sure, yeah, I mean. The department ...

JG: Before you go forward—let me say something—because I, this is my second or third time involved in proceedings in which Mr. Hansen was involved and in the prior proceedings—I'm not suggesting that he has anything to say that would be privileged, but the department took a

pretty aggressive, I won't say aggressive—but a strong position about the attorney-client privilege.

I don't know that this has anything to do with any communications with counsel, but, if, I've told him when we come in here, if this is something, if you ask a question and the response would involve something that he heard from counsel, you'll need, and I presume you can get, a waiver of the department ...

AOS: Absolutely

JG: ... to the privilege.

AOS: If there is anything that we ask that you feel involves counsel that would be privileged, just ...

JG: Okay.

AOS: ... let us know that ...

JG: Okay.

AOS: ... and we can bypass that for now.

JG: And I don't, in the past they sensitized me to the need to be careful about that, that's all, I suggest. Okay.

AOS: Sure, sure, I appreciate that. And I'm not, I don't, I'm not aware of anything off the top that we're going to talk about today that should take us into matters of privilege, but, again, if you feel that I asked you something that would touch upon that just let us know.

JG: Okay.

DH: So the charter school, the federal charter school grant had been around and the previous round, Ohio didn't get it, and you know, when I came on board I said we wanted to have, you know, a shot at this in order to help us to grow the quality charters in our sector.

So, the way they do it was generally to kind of announce these, I forgot the exact calendar, but they announce them at a certain point in time ... maybe with about a month to go before they're due.

So, you know, when it popped up as, you know, the Department of Ed. was going to be offering this grant, then we put together a team to begin to work on it—to respond to it. You know, I don't remember how big it was, but it was one of those things that was in the Federal Register. We had a couple of different people that worked on it. We had, Steve Tate, who is somebody

that worked on the narrative. We had the data people, you know, work on the different data requests that were a part of this. We had a couple of, during the summers, so we had a couple of interns—which is to say these were people that—this was a guy that had like an MBA from, from, you know, from an Ivy League school ... he was teaching during the school year at a quality charter school up in Cleveland. He was down, I forget his name, I think his name might've been Jake or something like that. And another intern, again same thing, these were Teach for America alumns who were now trying to develop their careers in educational form—they also worked on it.

Other than that it was, you know, it was responsive to the particular federal request in terms of how data was organized. I worked on some of the narrative in terms of, you know, the structure it was that we were going to use it to promote the development of quality schools, targeted in a way would detract from and replace poor charter schools. Poor schools of both sorts: charters and traditional public.

AOS: Was this a pretty big priority for you, specifically? Something that you wanted to see the office accomplish?

DH: Well, I mean, yeah, I mean it was important for, you know, developing quality educational opportunities, for sure, I mean I thought of it about it more of in terms of what it would mean to the kids of Ohio especially those that are served by traditional public school districts that are having trouble meeting their needs. That's the way I looked at it.

AOS: Did you feel, I'm sorry, did you feel that the administration at the time also saw the value and importance of it and made it a priority within the agency?

DH: You mean the administration of...

AOS: Being the...

DH: ...ODE...

AOS: ...The superintendent...

DH: ...Oh yeah, the superintendent...

AOS: The staff?

DH: ...he approved it right from the beginning.

AOS: Okay. Did you hire consultants to help?

DH: We hired some consultants to help. I know we hired them to kind of run a mock review of it. So they reviewed the first draft and gave us a scoring on it and we, you know, used that to improve our submission.

AOS: Who did the mock review? Do you remember?

DH: Oh, I don't remember their names.

AOS: Do you remember Jessica Cohen?

DH: Yeah. She was a part of it.

AOS: Was she a part of the mock review?

DH: I don't, I think we hired her first. I don't really remember the detail on that. I, you know, the hiring was done out by...I think out of the superintendent's office actually. And then I think we asked her to be partnered up with Susan Bodary. So Jessica might have actually been a part of working with Susan Bodary.

AOS: What was Susan's role?

DH: I think they were part of the jury that whatever company she worked for, we ended up, I think being engaged with them to do the review.

AOS: And Paul was, I think he was with Education First at the time...

DH: He wasn't part of this...

AOS: This was a separate review from the one Paul had performed? How involved were you in the review of the grant application as it was moving along?

DH: I reviewed the narrative.

AOS: Written by?

DH: Partly by, Paul did have a role. Steve was involved. To say Paul had a role might have been involved in terms of the rewrites. I think I remember talking to him once about it. And then I provided some of the narrative, straight up myself.

AOS: Did you review a version of the grant application that contained data?

DH: Oh sure I read it.

AOS: So did you review what you consider to be the final version...

DH: yeah...

AOS: ...Just before submission?

DH: Yeah, I read the final version.

AOS: Any concerns with the content?

DH: ...Not really.

AOS: What type of data was included in the grant application? Do you recall?

DH: I don't recall.

AOS: Do you remember the sponsor evaluation process being mentioned in the grant application?

DH: Yes, I'm sure it was.

AOS: The results. To your recollection, was that data final sponsor evaluation data, or was it a pilot process for the results?

DH: Well it depends. I mean. The whole process was, you know, still being phased in. It wasn't actually legal, as I recall, until July 1st, I think. So...we did talk about how we wanted to close down bad authorizers and, you know, things like that. I think. I really don't remember.

AOS: The grant application mentions seven sponsors that had exemplary ratings or that had been rated, I think, four of which might have had exemplary ratings. Do you recall that?

DH: Probably.

AOS: Do you remember who would have had the exemplary ratings?

DH: No I don't remember which ones. I mean, probably, Ohio counsel charter schools.

AOS: To the best of your recollection, do you believe that the exemplary ratings that are described in that grant application would have been the ratings that would have been the final rating for Ohio counsel of community schools then by the October deadline?

DH: Well they were in place for what we were doing right there, so that was part of the timing, was we were still waiting for a law to get passed, that I think would have helped us, you know, effect this particular change.

AOS: Do you remember what law you were waiting on?

DH: Whatever law they were working on at the legislature at the time. And plus, well, the budget bill at the time, because our requests had been put into the process and we were expecting legislation that would support what we were trying to do.

AOS: So this is where I can use your help to provide clarity to us because ... our understanding was that the law was already passed which required the sponsor evaluations to be performed. So if there was a subsequent revision to that law or addition to that law that you were working on or believe that the agency was working on, much information that you can ...

DH: Well ...

AOS: ... provide about that will be helpful.

DH: ... yeah sure that that law was originally passed in, say, 2012, and there we were already having experienced many issues with quality authorizing and that there still wasn't a strong enough incentive curve to develop quality charter schools. So we had proposed that, you know, we get a steeper incentive curve so that, you know, authorizers that were performing well would be rewarded and those that were performing poorly would, you know, would be punished more severely.

I think we, the original law kind of had a concept of sort of the traditional educational approach, which is, there would be a lot of people in the middle and, you know, and really not much of a, of a slope, but more kind of this curve of normal versus, you know, small tails on the other end. And we proposed to really turn it into, you know, four quality levels. So I know that we were trying to establish four quality levels and that we did that review and also asked for legislation to change that.

AOS: And you believe that there was legislation being worked on at that time ...

DH: ...oh yes..

AOS: ...to that effect...

DH: ...oh yeah, there was.

AOS: And it was potentially the budget bill?

DH: It was in the budget bill. Certainly we requested it. There was an issue where, you know, the legislative process of ODE was not very well organized and not very effective in terms of, you know, taking requests and making sure that they got into different drafts of legislation.

AOS: Who was in charge of that process? Do you remember?

DH: Jessica Voltolini? And probably Jimmy Sheppard?—the Chief of Staff.

AOS: When you say it wasn't very effective, do you mean because they didn't understand charter schools well enough?

DH: And they weren't, they weren't around during all the stuff that we were learning for the previous year in two thousand—whatever year it was—fourteen? They weren't there. [Inaudible].

AOS: Did you feel you had to...

DH: ... So we were actually going to sit down and draft legislation in September of 2014, and the legislative office—Jessica—waived us off and said that she would do the drafting, which we thought was problematic because we thought that we would know the issues and be able to make sure that we cover everything and we draft up the language, obviously, to be revised by regular legis ... regular lawyer types, but that got waived off.

AOS: Do you know why?

DH: No.

AOS: Who was originally going to participate in drafting that legislation?

DH: The whole charter school leadership staff.

AOS: The office of?

DH: Me...Don...Joni...Faith...Karlyn.

AOS: What was your understanding of what the law required for the sponsor evaluations?

DH: What do you mean, I mean, it was my understanding was that the ... what do you mean?

AOS: So what was your, your plan for implementing the sponsor evaluations? Let's start there.

DH: We were going to establish an area that was going to do evaluations and ... they had actually, we had actually piloted an evaluation somewhere somehow, I forget all the details. Oh, NACSA had been in and was coaching us how to do the evaluations. So we just figured that with NACSA's help we would go and do the evaluations. And then we would create a team that would specialize in evaluations and then create another team that would specialize in development. That means taking the evaluations and solving problems, helping the authorizers to do better or resolving their issues in terms of consequences.

AOS: When did the pilot begin?

DH: I don't remember, really. I think that they had already had some conversation underway when I got there.

AOS: At some point, prior to you leaving ODE, did you begin the process of the real evaluations for sponsors that you were going to use in 2015? You had ...

DH: ... the real evaluations for the ... or school ...

AOS: ... moved away from the pilots...

DH: ... yeah ...

JG: ... Let her finish.

DH: ... Oh, I'm sorry.

AOS: I'm sorry. Just trying to clarify that you had moved out of the pilot phase and into what was going to be used for the actual final.

DH: No, I think we considered those to be pilots—the ones that we did—so we hadn't gotten into the ones that were supposed to be done for October 2015.

AOS: So the information in the charter school grant application that speaks to the results of the sponsor evaluations would have been based upon pilot data?

DH: Pilot data, you know, still conducted at a pretty high level, but yeah. I don't know—we had NACSA consultants come in and people went off and did these evaluations. They did the interviews with the board members of these organizations. I mean, they went to great, great lengths to do this as accurately as possible.

AOS: You mentioned two specialized teams: one for the evaluations and one for development. Who was the leader of each?

DH: Joni was going to do evaluations and Frank was going to do development.

AOS: Do you feel that they had a good understanding of what they were expected to do?

DH: Oh, we were developing it. Yeah, I think so.

AOS: Were you actively involved in reviewing the work that they were preparing?

DH: Not while I was there...

AOS: ... Participating?

DH: ... No.

AOS: Were you participating in meetings? Providing direction?

DH: Not particularly. I mean, those evaluations say ... I looked at the rubric that they use but I don't know what kind of results they were getting until they were done. You know, we did talk about trying to, you know, take the lessons that had been learned from the previous fall—like board involvement, for the non-profits, and things like that. I know we, I heard about some of the push back. Some of the organizations didn't like the NACSA process of, you know, you got to have a mission statement. That this was an organization that was larger than just doing authorizing, you know, conversations like that.

AOS: How did you determine effective seats?

DH: We used the value added measure. And if the schools something like the schools value added grade was if they were moving people up—meaning its grade was an A or a B—that would be an effective seat. And then we took a look at the performance index, and if there is something like this, I don't remember the exact matrix, but if their school was at grade, and they were moving people up then that would be effective, but if their kids were behind, and they weren't moving people up at an A or B rate, then they would be ineffective and then below.

So, let's say your kids were a year behind and you were only making a year's worth of progress in the course of a year with your kids ... then that was not effective from our standard. So we really tried to apply a pretty rigorous standard that you would actually have to be moving kids behind up.

AOS: Did the results of your pilot give you concerns about the number of schools that would be able to meet that rubric?

DH: No, not particularly. I mean, we knew, I mean, I looked at it in terms of how much opportunity there would be for kids. And we knew that there would be a number of schools that would probably close. And we were looking at them and anticipating what year they would be closing. And then, so, you know, we wanted to be sure there was more opportunity to make up for that—that good schools got the opportunity to expand—that new good schools could be created in time.

If nothing, if anything, we were concerned about the number of kids that would be, you know, leaving a D school and going to another D school. We were interested in that particularly. We wanted to have B schools or better readied by then.

AOS: Was that part of what the grant would've been intended to ...

DH: ... the grant ...

AOS: ... helped? ...

DH: ... would've helped out, yeah.

AOS: Were there other purposes for the grant besides opening new charter schools for the purpose of accommodating students that might ...

DH: ... just to overall increasing the quality of education. I mean, you know, the performance of the traditional public schools in urban areas was, was very, very inconsistent. Charter schools showed bright spots—they were not consistent—but they had bright spots. And we felt that if we were to grow the better charter schools that that would be an overall benefit to the kids, especially in urban areas.

AOS: As you were developing the rubric, was there concern about the number of sponsors that would be able to make the exemplary criteria?

DH: No, I don't think there was a number of ...there wasn't specific concern about the number of sponsors that were achieving exemplary.

AOS: What were your concerns?

DH: They weren't particularly. I think we wanted to ... we were gonna see where they ended up. We wanted to be sure that the legislative process accepted closing down sponsors. We ... at the time we thought that the sponsor community would be able to push back on, actually, you know, having sponsors closed. So that was our biggest concern—was making sure that poor sponsors got shutdown.

AOS: How actively involved was ODE or yourself in the closure of the Portage County ESC which at the time I know was...

DH: ...I went up there and had a meeting with them ... I don't remember all of their financial issues. I had no idea what their financial issues were exactly. They had actually gone and there was a school down in Cincinnati that had to close. And they were doing this thing where they—I don't remember the whole details—but something like they had a charter and they wanted to move a charter down there, and, the anecdote, I don't think I ever got into on the record, but the anecdote was, was that the ECS guy, the leader, said well these are likely liberal licenses, you know, you can move them around anywhere.

So, you know, we were really concerned because that school—I forgot what it was called—was very poorly performing, and, I think we went and talked ... I know I went up and talked to them up in Portage about the five or six schools they had, and I thought we talked a little bit about

how to find a way to move them out of their control and into somebody else's control as kind of part of their close up process. And, you know, whatever conversation we had, I don't think it went anywhere, and all of a sudden they were closed.

So we had no conversations with them about their own, I had no idea what their fiscal issues were ... I was just concerned about them continuing to ... still have schools that they weren't, you know, doing the right job overseeing and even worse, at one point, you know, threatening to, you know, undermine the push for quality by picking up a school that somebody else was trying to close.

AOS: So would it be fair to say Portage ESC closed due to financial difficulties?

DH: I don't understand—I have no idea. I mean, I don't know why they closed.

AOS: They stopped sponsoring schools at least because they closed.

DH: Yeah, they stopped sponsoring schools because they closed, yeah.

AOS: And, and the closure wasn't the result of the sponsor evaluation process?

DH: No. I, I don't know. I know we did something with them—I, actually we did a review with them and I don't remember what the whole deal was. I think that was still stuck in the time that we didn't actually have the authority to—I don't remember—but I don't think the law, at that particular moment, provided for poor authorizer closure. So I think we were in this sort of gray zone about what to do with them.

AOS: Would that have been considered a pilot review then?

DH: Well, yeah, we did seven of these things, yeah.

AOS: How long did a review take?

DH: I don't know ...

AOS: ... roughly ...

DH: ... I don't remember...

AOS: ...not sure? ...

DH: ... weeks.

AOS: Were you concerned about ODE's ability to accomplish all of the reviews timely?

DH: Well, you know, I was worried about if we were going to get end up doing them—62 of them or whatever the number was—I just didn't know whether ODE had the capacity to do that many. But, you know, I don't remember the exact numbers, you know, something on the order of 90% of the schools were overseen by 10 authorizers or something like that. You know, the usual, I figured that we would at least get most of the schools covered. And then by year two and three, in particular, then we would be dealing with, you know, all the one off authorizers, which were, you know, the ones that were generally, you know, pseudo-charters in many ways.

AOS: So let's talk about the academic component. I know ... from what I have read ... the attempt was to phase in E-schools, I think, if I am stating that correctly. Can you explain what the plan was for implementing the academic component and then specifically incorporating the E-school piece?

DH: Yeah, so this was a conversation that took place with the lawyer present the whole time. So, because we would have these Friday meetings where we talked about the strategies for dealing with authorizer quality.

JG: What lawyer? Who is present?

DH: Donny. Donny Leming from ODE.

JG: Is this something ... I'm uncomfortable with him answering this if this was ... involved the presentation of legal advice.

AOS: Are you saying that he's present or that he was providing advice during these meetings.

DH: Everybody was advising, I mean, it was an open discussion ...

AOS: ... ok ...

DH: ... about what do we do? What can we do?

JG: Did the lawyer participate in the discussion?

DH: Yeah, I mean, in the sense of, you know, occasionally looks like—I can't remember all the details from this part or that—but occasionally offering a suggestion. You know, pointing out options, you know, consultative role.

JA: Do you want to talk outside John [inaudible]. You know, I mean if he is part of a discussion involving ODE ...

JG: ... what ... what's ... what position has ODE taken with respect to these conversations. I'm sure you're not ... he's not the first guy to be asked about them.

AOS: I think ODE's position is that David Hansen made these decisions on his own.

DH: Not surprising.

JA: Back to the issue though. If the lawyer was there giving legal advice then we don't want to hear about it.

AOS: ...right.

JA: On the other hand, if ...

JG: ... alright ...

JA: ... he was participating in a conversation that wasn't the getting or giving of legal advice then I think we can hear about it.

AOS: Yes.

JG: I don't want you to testify about anything the lawyer said. Can you ...

DH: I can try to ... yeah ... yeah ...

JG: ...see if you can parse this out generally without ...

DH: ... yeah ...

JG: ...intruding on the legal advice.

DH: Probably.

AOS: Are you comfortable with him also telling us what others in the room who were not attorneys were speaking to?

JG: I don't mind him telling you who was there ...

AOS: ... okay ...

JG: ... or what they talked about.

AOS: We'd like to you know if you can share.

DH: So, so the value add, measure ... the way it way calculated by ODE was changed significantly. I remember everything was like, you know, takes a year to get reported, so—I don't remember the exact year—but it got changed significantly. And, you know, the E-schools—there was stability with almost everybody else, relatively speaking.

Stability with everybody else's value add, and, then they made a change in the calculation of value add, and, you know, the E-schools went from almost all, you know, B's ... some A's, I think, all the way down to all D's and F's ... on the basis of that change over the course of one year without any, you know, real actual change to their performance, you know, that you could tell in terms of how they did things.

And when you understood why, what ODE did in terms of why it could have a potential impact on E-schools, on, you understood why it would have ... it would be basically an E-school change—meaning they used to calculate the value add when they were able to track the students who were within a certain geography ... maybe within the same county.

And I never got the answer on this, but I suspect that that meant that the E-Schools, basically, basically tracked—oh, no, no, no—it was the count of students—so the contributing school district had 30 students or more then that data stayed into the value add calculation. And then for schools districts that were smaller and contributed fewer students that data did not go into the value add calculation.

Then they changed that from school districts that were contributing 30 all the way down to school districts that were contributing, I don't know, five, or some smaller number, significantly smaller number ... and that increased the sample size but that also, you know, changed the results. And, you know, if when you were looking at half of an E-school students, and you were getting an A, and then you added another, you started off with 5,000 and you add another 5,000 students and there is still another 5,000 that aren't counted, but you add another 5,000, and all of a sudden you go from an A to a D—well you know you actually were, you know, a couple things. One was, were you right before and wrong now, or were your wrong then and right now?

And ODE did nothing to sell the point to anybody that they were wrong before and right now and you can, you know, of course practically they don't want to admit to having less than perfect data in the value add area. And then the other issue was is that, okay, you know, you still have an E-school that's working right for 5,000 kids let's understand that and understand what might of happened for it not to be working well for 5,000 kids. So, one of my hypothesis was ... that if previously you were taking kids in urban areas—that you were getting kids that already had a lot of options to go to vouchers schools, to go to the, you know, the brick and mortar drop out recovery schools—because many of these kids were really like drop out kids—and all of a sudden you were adding smaller districts, predominately rural districts, people didn't have much choice.

So, all of a sudden the E-schools were taking on—not a, you know, kids that were right for them—but they were like the only choice for, and got a lot of kids that weren't right for them.

Well let's understand that and all that kind of stuff. Plus also, the old system basically, you know, if an E-school with 15,000 kids was counted as one and the small—as far as the portfolio analysis of the authorizer—and the school with the smallest population in that authorizer which only had let's say 100 students, was counted as one ... well, to go from, you know, a weighting factor of 1 to a weighting factor of 15,000, really, needed to, I thought, to be phased in. And then finally, all the contracts for the E-schools were such that this was going to be phased in so everybody got warning, but the contracts were all going to be renewed with the authorizers and having ... being responsible for, you know, the phase in having been completed.

So that was the general thinking about dealing with this E-school problem, that, nobody else wanted to take on. There was a conversation that I had, conversation I had with Dick Ross, in the division meeting, where I said, you know, we got this problem with the E-school accountability process. And I talked about it twice in the division meeting, which included the assistant superintendent and the other, you know, deputies Chris Woolard and Steve Gratz, and whoever the woman was in charge of the teacher division and I said, you know, we're gonna go and try to understand this better, we're gonna, you know, engage a couple of study sources—three study sources actually. We had the study source come in ... that was actually SAS, the vendor which is written in the statute and they did an analysis and we had a video conference with S ... SAS and authorizers ... I think we had two of them where we talked about, how, you know, how the value add was now accurate and improved, and I said to Ross, look, you know, here's what we got and we're gonna try to, you know, do this in terms of getting the E-schools' situations straightened out and we would like to put E-schools on their own timeline for accountability, and he said that's fine.

AOS: So Dick Ross approved that ...

DH: ... yeah ...

AOS: ... decision?

DH: ... he approved that conversation.

AOS: Can you remember roughly when that ...

DH: ... October ...

AOS: ... might've taken place?

DH: 2014. You'll see emails ... the email would be me requesting to somebody, I forgot her name—she was an assistant for one of the ...

AOS: ... Sarah Wickham?

DH: No, it's not Sarah. No, she's an assistant for one of the ... I don't know ... maybe one of the deputy ... you know, I don't remember who they all were ... but one of those other superintendents that kind of kept the agenda and I said I wanted to have on the agenda E-school accountability. And the results—there should be another one because I know we did this over two, full meetings—two of these meetings.

AOS: Do you remember when the second meeting occurred?

DH: No, before that.

AOS: Do you think it's fair to say that others in the rooms, such as the Chief of Staff, understood what you were proposing, and that Dick Ross understood what you were proposing ... that they knew charter schools well enough to follow the conversation? That they understood...

DH: ...well Ross did ... Ross was an authorizer when he was at Reynoldsburg. He was an authorizer of an E-school at Reynoldsburg.

AOS: Did you ever receive questions about what you were doing then with the academic component moving forward from these meetings?

DH: You know, there was, when we prepared the letters ... they ... the letters to the authorizers, I know those were all approved by legal counsel—Chief Legal Counsel—and also by Chief of Staff. So, there were discussions about them ...

AOS: ... Who was the ...

DH: ... discussions about, as I recall now, more about there was that one in Portage.

36:14

AOS: Who was the Chief of the Staff at the time? Was it Rafeld still?

DH: Jason. Jason was at some point. I forget when he left.

AOS: And would these letters have been describing the results of their pilot review?

DH: It was describing the results of the review, yeah. Describe the treatment of E-schools, specifically.

AOS: The letters explained then the E-schools would be phased in?

DH: There was a presentation to them to at least sort of the larger authorizers. About it and it was described in detail then ... with legal counsel present.

AOS: (to KH) Do you have that slideshow? Can you set it up?

AOS: There's a slideshow that we have that I wonder if that's the presentation you are referring to ...

DH: ... probably ...

AOS: ... I will pull it up here in a second. Does this look familiar? It was titled—the file name ... it's hard to read it at the very top of the screen—says Ross Present.

DH: Yup.

AOS: Did you prepare this then?

DH: Yeah.

AOS: And was this at one of the two meetings that you're referencing?

DH: This wasn't at those two meetings. This was at the ... the meeting with the authorizers ... well, you know, actually, I'm sure ... I know I presented this at some point I bet. Can you, can you flip down a little bit?

AOS: Certainly. Just let me know when to ...

DH: Different slides were presented different times, I know, there were many of these—there were several copies of this Ross Present. And there were others too that had these same basic slides.

AOS: Little different version of each though along the way?

DH: Different slide deck—I'd patch the slide deck for whatever the audience was.

AOS: Okay. Given the fact that this one's called Ross Present ... is it safe to say that this is one you would've prepared for Dick Ross?

DH: Yeah.

AOS: Can you show us any slides? I know you've had all but a couple of minutes to look at them, but do you recall ... off the top where you would've pointed out the E-school phase in ... concept within these slides? ...

DH: ... this may not be the one that actually already had for that...I think it was in December ... we had to postpone it a couple times. So, you know, I don't know if this is actually the one that I showed them. But again, flipping through these slides ... slides through.

AOS: And that would have been roughly December 14? Somewhere around there? ...

DH: ... yeah, I don't know if it was that late.

AOS: This one is dated ... April 21st. We're not sure what year that might be referencing.

DH: Probably 2014.

AOS: Exactly that's '14.

AOS: Were there any other decisions that you were making along the way that you were having conversations—with Dick Ross or Chief of Staff—about that were critical to the rubric and to the implementation of the sponsor evaluations, besides the academic component, which I know a lot of emphasis has been placed on.

DH: How do you mean?

AOS: Was there anything that you felt was sensitive ... or that required a lot of discussion before you could reach consensus as a group as to how to implement the sponsor evaluation rubric ... besides the academic piece?

DH: Well we talked about it ... I mean we talked about it all the time ...

AOS: Was it ...

DH: ... I mean ...

AOS: ... was it ...

DH: ... we talked about it ... we talked about specific schools ... we talked about, you know, an overall strategy ... we talked about, you know, everything in between.

AOS: Did you feel like everyone was on the same page in those discussions?

DH: Oh yeah, yeah. We wanted to clean up charter schools. We wanted to be ... we wanted to have ... we wanted charter schools to realize their potential and be an effective component in providing ... educational opportunities for kids.

AOS: Did you ever have moments where there was disagreements? Strong disagreements among the group?

DH: Yeah ... I wanted to close schools or authorizers and they declined to. I can't remember the whole details but I know I was really disappointed that they didn't want to close—it might've been Portage at the time—or it might've been another school. Oh! It might've had to do with the Imagine Schools. Those should've been closed down and yet they got a lease on life. I

don't know what happened to them, but, not all of the Imagine Schools but, in particular, this one that North Central Ohio oversaw here on the north side of Columbus.

AOS: Why were they adverse to that?

DH: I don't know. I don't know that they wanted to go to court on it or not. You know, I think they were making that kind of decision.

AOS: And who is they?

DH: It would've been whatever was going on the seventh floor. I don't know—Dick was on it—but, you know, somewhere between Chief of Staff and legal.

AOS: How significant was the Credo Report findings ...

DH: ... this might've actually included, sorry ... I want to finish ...

JG: ...okay, answer her questions though.

DH: Sure, that's fine.

AOS: That's fine. How significant was the Credo Report ... to the findings and the development of the rubric?

DH: Oh, we were ahead of Credo. We knew more of what was going on than they did.

AOS: So it didn't come as a big surprise at the time?

DH: No, not at all.

AOS: Did the Credo Report help to change anyone's minds about what you wanted to do?

DH: Not ...

AOS: ... did it ...

DH: ... not on our team, no.

AOS: It didn't validate was you were saying, per se, or?

DH: She actually, yeah, she had a problem that she, she didn't look at ... she, she had something wrong and she didn't see it. Where ... you looked at the individual results for the communities—Cleveland, Columbus, and Cincinnati—and you're getting results that didn't backup her overall results. And the reason for was because of the value add issue of online

schools. She should've separated them out. She refused. We asked for her to treat them—not to hide them—but to, you know, to treat them as a separate entity.

AOS: Did you ask Legislative Affairs to get legislation passed that would allow you as well to phase in E-schools and give you specific authority in the statute?

DH: Well, I don't remember asking for it. We told them what we were going to do. I don't, you know, our lawyer didn't think we needed specific authority because the statute said something like ODE can, you know, create a process or metric or whatever, I don't remember for sure. The lawyer was sitting there and knew every step of the way and never said you needed a law change for that.

AOS: So as far as you are concerned you didn't need special permission—you had discretion to make that ...

DH: ... we thought so ...

AOS: ... decision? Did you ever have the feeling ... that anyone in the agency wanted to show favoritism towards the E-schools ... or ... in some way was not just fearful of closing them but maybe trying to do them a favor?

DH: No. Nobody showed any particular interest in trying to do them a favor.

AOS: Yeah. ECOT is always one that's around out there as having a lot of influence. No concerns about ...

DH: ... no, they didn't have, no ...

AOS: ... any kind of influence that way?

DH: Nope.

AOS: Throughout the course of your time at ODE did you make data requests?

DH: Yes.

AOS: How frequently would you say you requested information?

DH: Pretty frequently.

AOS: Can you give us an idea of the types of requests you would make or the purposes?

DH: Well it was (inaduble) and served, you know, a hundred and twenty thousand plus kids and dozens of different kinds of schools. It was the only way to get data that would tell you about the schools, and understand their performance...understand their location...understand the

reasons behind, behind their performance...understand the kids they were serving as well as actually the performance of the authorizers. Because that's what our focus was, was unclear of authorizing.

AOS: Were you getting timely responses to your data requests?

DH: No. It was a, you know, kind of typical bureaucratic process that took time and you know, you'd come up with a question, you'd have a good questions and the data would show up 2 weeks later and you kind of forgot what you were working on. Plus we were also dealing with a pretty crude situation where schools were causing problems and authorizers were causing problems every few weeks or so.

AOS: Were you frustrated by that?

DH: Yeah.

AOS: Did you ever go to anyone and ask for a process change or?

DH: Yeah. I think they were working on a process change and you know they needed to develop a transparent kind of ticketing process so you could see where things were. I, you know, said something like I wouldn't mind being reminded of what I asked for because I can always prioritize what I asked for if, you know, on any given day if I've got ten outstanding asks, I can tell you that two or four of them are more important and forget about the others, and two weeks later we've moved on.

AOS: Were you ever given the ability to search for data on your own? I know externally, ODE would have some ability to do searches of report card data.

DH: I'm sure I've used the report card file that's available publically. That's what I used.

AOS: But that wouldn't give you the same kinds of results that the data team could drill into?

DH: No.

AOS: Can you give us some idea...

DH: See, I didn't have, I mean they didn't necessarily contain...I don't know if they had the authorizer coding or...and I didn't have the time to, kind of, do the calculation on excel that they were able to do with SAS or whatever they were using.

AOS: Okay. So when the data team would run a request for you, they could identify that sponsor's part of that request which would allow you to...

DH: Yeah. They organized them by sponsors.

AOS: Okay. Were you a part of requesting data for development of the sponsor evaluation process then? The effective seats?

DH: Yep.

AOS: Was there any conversation outside of the value added piece about the effective seats and where the...the line should be drawn?

DH: Oh sure. Yeah. I mean we looked at the line, you know what cut points were we going to have for the different categories. I think we wanted to have, you know, ninety or better, you know, would be exemplary. The next level would be eighty...seventy. Something like that. Pretty hard.

AOS: Who was a part of those discussions?

DH: I'm...we had this sort of strategic authorizer development team on Fridays, so it would have been, you know, Joni...Frank if he was there yet...at some point...in and out. Faith, the lawyer, Donny, Karlyn, Karlyn's partner...I forgot her name.

AOS: Kelsey?

DH: Kelsey.

AOS: Did you ever discuss cut points with Dick Ross...

DH: No.

AOS: Chief of Staff?

DH: Those weren't his details.

AOS: What kinds of details were his details?

DH: No kinds of details were his details.

AOS: How did you know when you needed to have a conversation with him? Would you just wait until he asked you a question?

DH: Oh no. I called up and got appointments with him pretty frequently.

AOS: What kinds of things did you request appointments for?

DH: Head's up on issues, problems, thoughts on impact, big presentations about overall strategy.

AOS: Did you feel like you kept Dick Ross pretty up-to-date on your plans with...

DH: ...yeah.

AOS: ...the sponsor evaluations?

DH: Yeah.

AOS: Including the academic piece.

DH: Yeah. We had another meeting with where we were at. I remember pretty clearly it had been organized before I got there and continued to have the leaders of some of the best charter schools. So it had the KIPP leader, and the United Schools Network leader, and the woman from Dayton. Somebody down from Zitzner schools and I described to them how this was going to happen and I remember, you know, them saying that that was something that was really going to be supportive of them and he was there at that meeting.

AOS: So when was the first time you were asked questions about your plans where you felt like you were being questioned about the implementation or how you were going about implementing the sponsor evaluation?

DH: They asked a little bit about it in June...

AOS: Whose they?

DH: Ross and Jimmy...I don't know if Jimmy was around. It's hard to get access to Jimmy. I know that Ross and maybe Sarah asked about it...and we went through it then and then it came up again in July.

AOS: Why...

JG: ...what year are we talking about?

DH: 2015.

AOS: Why did Dick ask about it in June? Do you know?

DH: Because the Cleveland Dispatch reporter had written about, Cleveland Plain Dealer reporter had written about it.

AOS: Did you spend time helping to answer the Plain Dealer's questions?

DH: Yep.

AOS: Did you feel Dick Ross was comfortable with your responses?

DH: I presume he was.

AOS: He saw them?

DH: I don't know, because I was with Melissa. She did them and submitted them.

AOS: You worked with Melissa specifically?

DH: Yes.

AOS: Why was Jimmy hard to get ahold of?

DH: He just didn't make the one-on-ones that we had. Whatever he had going, was legislative session perhaps, he was more focused on that...than Jason was. I don't know.

AOS: Did Jason come to your meetings often?

DH: Yeah. Jason, yep. I had one-on-ones with Jason and then also he was, I mean the Chief of Staff sat in on different meetings with Ross, at times, but not necessarily every single time.

AOS: Okay. Do you feel Jason was aware of...

DH: ...yeah.

AOS: ...the plans...

DH: ...yeah...

AOS: ...of the sponsor evaluation implementation? Did he ever disagree with you on anything you wanted to do? Or get in your way?

DH: Oh, sure. I mean again that goes back to not, not related to this, but in terms of other issues.

AOS: What types of things? Would you describe?

DH: Again, you know, any...charter school affordable that we had any degree of authority over, we really wanted to address. And yet, you know, Jason would take a look at it and sometimes say, you know, rationally that, you know, we don't have that kind of reach to get to that particular point. But I would say that, you know, he was supportive of 95% of what we were trying to do.

AOS: Okay. So Steven Tate, did you select him to help write the grant application?

DH: Sort of. I mean, he was available. He wanted to do it. We were looking for a role for him. So, yeah, I'm...or, or I asked Joni, you know, whose more available, but yeah, yeah I said can you get us started on it.

AOS: Did you have concerns about Steven's ability to do it? Whether he had the right experience? Or just technical ability?

DH: It was a large thing, I knew he'd need help. I don't think any one person could do the whole thing from beginning to end.

AOS: Did you have problems with Steve Tate...

DH: ...no...

AOS: ...while you were there?

DH: No.

AOS: At one point he filed an HR grievance.

DH: Against me?

AOS: Against you and/or the Office of Community Schools which have implied Joni as well.

DH: Yeah, it was against the Office of Community Schools. He got into...he, I mean something happened. I don't know all the details on it. But it happened, you know, more with Joni and between staff.

AOS: You didn't feel it was a reflection on you per say?

DH: No, not that I know of.

AOS: Did you believe Steve Tate was receiving help on his work on the grant application?

DH: Oh sure. We organized meetings and we, you know, provided those resources, you know. The TFA, summer help, summer fellows, actually, (inaudible) . You know the data went off. Faith was involved with that as well. Faith was involved with, you know, how you had to post those things into a federal portal and it was, you know, a little bit less than easily done. I know she worked on that. I know she worked with Jim Quinn on, you know, different kinds of numbers. I don't know if those were fiscal numbers in terms of what might be happening with the money delivery or whether they were data numbers, but I know she was working on that.

AOS: Did Joni have a lot of input in the grant?

DH: She helped to read it and she was very good in terms of the narrative. She and I sat down and did a whole review right towards the very end to kind of update the narrative. Things like, you know, what had been happening historically. She had the historical perspective.

AOS: Who worked on the pieces that relate to the results of the sponsor evaluations?

DH: So those actually went through a whole rewrite because I think that we had an approach that was different from what they wanted for the federal grant. So I really don't remember who worked on that. I presume Karlyn. Faith, maybe. I don't believe Steve worked on that detail. I think he continued to sort of stick to the narrative.

AOS: Was it possible Joni helped with that as well? Or reviewed it?

DH: Probably reviewed it.

AOS: And Joni was overseeing the sponsor evaluation piece, so she would have been very familiar?

DH: She would have been familiar with the, I mean also we had somebody from evaluation...forgot her name. Glasses, blonde. I traveled with her on a different meeting. Uh, she did the interviews...sometimes with Joni...sometimes with the NACSA people. So yeah, I mean she would have known that rubric that we did to the degree that it was included. I don't even remember how much that was included.

AOS: Did you at any point in time ask anyone to get on Google Hangout on the team that you were working with in the Office of...

DH: ...Oh yeah, we tried that...

AOS: ...Community Schools or elsewhere?

DH: But we didn't do anything with it of substance.

AOS: What was the idea for using it?

DH: Because the, we wanted to actually, all they had was a teleconference capacity and we wanted to be able to do some video conferencing.

AOS: Wh...

DH: ...so they got on, but we...we didn't do anything with it.

AOS: Who were you intending to video conference with? Were the members of your team not working downtown together? Were they out remotely?

DH: Well yeah, I mean, it could have been, it could have been in the sense that Joni was, you know, Joni had a snow day. Oh I had my hips replaced so I had to be at home for four weeks total. Two weeks here and two weeks there. They were looking at it in that context.

AOS: Okay.

DH: And again, just the teleconference wasn't enough to look at charts... look at data. I think we wanted to, you know, get that sort of, we were always pushing technology. We thought it was important that their educational process be on the cutting edge of technology.

AOS: Were there any policies as far as what you could download on your computer? If you wanted to go get Google Hangout, you could use it.

DH: Well you don't need to download Google Hangout...

AOS: ...Right...

DH: ...you just get on and use it online.

AOS: No policies in place at the time...

DH: ...not that I was aware of...

AOS: ...to prevent that?

DH: Not that I was aware.

AOS: Any concern about public information not being transparent because it's not being captured in the Google Hangout? It's offline essentially.

DH: Well, anything we would have showed would have been available on our laptops anyways. Again, we didn't go anywhere with it so, you know, we just dropped it.

AOS: Where would you have kept most of the information you were working on?

DH: On my hard drive.

AOS: On your hard drive? Was that backed up by the network?

DH: I presume it was.

AOS: Did you have a network drive as well?

DH: I don't believe I used it. I might have used it a little bit, but I didn't use it that much. It was all on my hard drive.

AOS: So what happened at the board meeting in July?

DH: I got called down and, you know, got asked some questions by Lehner. She asked me why, it was interesting, she asked me why Dropout Recovery Schools weren't included and, you know, I didn't have the law in front of me, and...so...I didn't, you know, I'm not a lawyer so I didn't sit there and say well because the law specified that they weren't to include, you know.

AOS: What did you respond with? Did you look for help responding?

DH: Well, you know, you have like twenty-five people around. I don't know whose going to help. I mean the attorney was on the other side of the room. Yeah, I mean, I wish he would have jumped in, but, you know, it's not a big deal. Yeah I wish that Dick would have jumped in.

AOS: Did you offer to go look at the law and respond to her questions later?

DH: No.

AOS: What did you say?

DH: Well I said...I said different things about, you know, what we were trying to do in terms of, of focusing in on quality schools that serve kids and that the E-schools, you know, provided results that, you know, hid the fact that the other schools were actually doing pretty well with some of these authorizers. And that the E-school data was, I don't know if I called it bad. I don't want to go in and, you know, undermine the value added system, but I thought I said there was problems with the data. I don't remember.

AOS: What was the reaction?

DH: Hmm?

AOS: What was the reaction from the board or from Lehner?

DH: Nothing. I don't remember.

AOS: Did you feel like you were responsive to their questions that day?

DH: Well considering that I had no preparation...yeah, for sure. I mean it was just a setup.

AOS: When you say "just a setup" can you explain?

DH: Oh, they were just looking to make headlines on this. They should have called Dick and we should have had a conversation about this. We could have explained to them what we were doing. She actually wasn't briefed very well on the law by the fact that her question was based on, you know, false premise. She asked a question about Dropout Recovery schools.

AOS: What did Dick say about it afterwards? Did you talk to him?

DH: No. We were doing, were doing the grant application so I wouldn't have talked.

AOS: When is the next time you talked to Dick then about the board meeting or the sponsor evaluations?

DH: I might have talked to him Wednesday and then I talked to him again on Friday.

AOS: What did you say on Wednesday?

DH: Well I said "Look, you know, we sat around and we went through this, and I know the lawyer made a particular statement about it at the time and, you know, I don't know what he was doing.

AOS: What did Dick Ross tell you?

DH: Nothing.

AOS: Did he reassure you it was okay, or?

DH: Mm...

AOS: Feel there was concern?

DH: There was concern.

AOS: Did he propose the plan of action?

DH: No.

AOS: Any further discussion on Thursday? Not until Friday?

DH: No. Not that I remember.

AOS: What was the conversation on Friday?

DH: Oh he asked some questions about the whole thing all over again. And, I don't remember the details on that particularly.

AOS: When was this meeting? Was it...

DH: Friday morning.

AOS: Friday morning? Did he give you any instructions that day?

DH: No.

AOS: Did he ask you to go home?

DH: Yep.

AOS: Did he ask you to leave your equipment behind?

DH: No.

AOS: No?

DH: They went and picked it up that afternoon.

AOS: Okay. So when he asked you to go home, how did he explain why he wanted you to go home?

DH: Oh, he wanted me to take a week off. I don't know what he said about that particularly.

AOS: When did you find out that they wanted your equipment?

DH: More like five o'clock that afternoon.

AOS: How did they retrieve it?

DH: They, Melissa called and they sent over some guy that was in the IT department.

AOS: Did he get it that evening then?

DH: Yeah.

AOS: Had you been working on your computer or your equipment that day? Your iPad? Your iPhone?

DH: No. I wasn't doing any work. I might have looked at something. I might not have looked at anything. I mean I might have. I know I had like one more call that I did. I know there was another sort of email about another call, but I don't remember doing anything else. I don't know if I opened up my laptop. I don't think I did. I really don't know for sure though.

AOS: Were you reviewing files pertaining to the grants?

DH: No.

AOS: Was there any concern at that point about the information in the grant?

DH: No. The grant was already out the door.

AOS: So, as far as any misrepresentations in the grant application, that wasn't even on the radar for anyone that you were aware of?

DH: Correct.

AOS: Did you feel the information in the grant application was accurate?

DH: Yeah. I thought it was. I thought it was accurate. Can't say that I matched up every single question and followed every single calculation, but I thought it was accurate.

AOS: Did you feel that it might have misrepresented in any way the results of the sponsor evaluations as far as being a pilot result versus...

DH: Well...

AOS: ...final results?

DH: ...No, not really. I mean, no. I mean, we wanted this to happen in the worst possible way, I guess is the way to put it. And we thought that we were going to have the legislative process to back that up. Yyou know, I hadn't read the latest version of the budget bill at that particular moment, but you know, to the best of our knowledge we thought we were being accurate about what we were trying to do.

AOS: I know Jessica Voltolini was with you a lot. Often times I would see her with you. Was she helpful at all in the process of identifying what was required for the sponsor evaluations?

DH: No. She wasn't around for most of that. She was on maternity leave or she was somewhere else. Forget what it was. She was actually not a government employee for much of that time.

AOS: I think it was in the months of maybe May and June? Leading up to July?

DH: Sure. Yeah, she was the Legislative Director then. Yeah.

AOS: Would it have been Jessica's responsibility to be helping identify legislative issues or was she mostly working on future...

DH: No, she should have been identifying legislative issues. Yep.

AOS: ...future legislation? So, on your team, without telling me who's giving you advice, but as far as the team of people you have in place, are you expecting that Legal and Legislative Affairs are the two that are keeping you in the loop on what the law required?

DH: Yeah.

AOS: Did anyone else on the team have a responsibility for keeping up with the legislation and matching what you were doing along the way to the law?

DH: Oh, I think the, you know, when a bill came over I think I asked Joni to read it, but, you know, I don't know that was an expectation. It wasn't sort of her job like it was legislative.

AOS: Did you have any responsibility for reviewing the law and making sure they were staying on track with that?

DH: You know, would I have time to read that whole thing? I don't think so. Especially when it would have been, I mean I know it was in certain sections, but, you know, I don't know if the section was actually ever sent to me. If I did, I probably just sent it on to somebody else to read who can, you know, who has worked with the law over a number of years. I mean not just two years, but ten years that things were developed.

AOS: So from your point of view, the team that's working on the sponsor evaluations, where are they getting their support for making sure that they're following the law? I think from what you're saying, you're not the one providing that direction...

DH: Legal counsel was meeting with them regularly...

AOS: ...they were in...

DH: So they would go off, and there was like legal counsel would meet with them about things. For sure.

AOS: Was Steve Gratz involved in any of these meetings or at touch points?

DH: Yeah.

AOS: How was your relationship with Steve?

DH: Didn't really go through him. Reported directly to Jason. Jason asked for that. Steve asked to be in the one-on-ones and Jason said no.

AOS: Why is that?

DH: Because, I think there was concern that Steve didn't really have anything to add to trying to develop quality school choice.

AOS: Was Jason worried that Steve would be a stumbling block to you or just...

DH: ...I don't know. I didn't really ask.

AOS: Did you have any direction from anyone in the Governor's office about what to do with the sponsor evaluations?

DH: No.

AOS: Were you asked to keep them in the loop on what you were doing?

DH: I presented to them once at the end of somewhere, somewhere in December I think I presented to them.

AOS: Somewhere around December 14th?

DH: Yeah, if that's the date. Probably was.

AOS: Did you discuss the academic component and the phase-in of the E-schools in that presentation?

DH: I can't remember.

AOS: Did you receive any follow up questions from them?

DH: No. Nothing more than just the brief conversation at the time.

AOS: What about after the Plain Dealer article?

DH: Nothing after the Plain Dealer article.

AOS: Did you have any contact with USDE on the grant expectations or requirements or how to make sure that your grant had the best chance of succeeding?

DH: No, they did a, did one phone call I listened in on, but I didn't listen that hard because the two fellows were on it. Steve was probably on it as well.

AOS: Steve Tate?

DH: Yeah.

AOS: Would Joni have been on that call?

DH: I don't think she was that involved at that point. I don't remember.

AOS: Anything else that you think...

AOS: ...you said you had a presentation at the Governor's office. Do you recall who was there?

DH: Jimmy was there. Wayne was there. Wayne Struble.

AOS: And at this point Jimmy is still working for the Governor's office, correct?

DH: I don't know about that at that point. I really don't know. Maybe, maybe not. I don't remember.

AOS: Anybody else?

DH: Not that I can remember.

AOS: Did anyone from ODE accompany you?

DH: [Inaudible]. Jessica, and Dick, and Sarah. It wasn't just on charters. It was all kinds of stuff. All kinds of educational stuff.

AOS: How long was the meeting?

DH: I don't know. An hour plus. But I mean we covered a lot of different things, I think. As far as I can recall.

AOS: Were you asked to resign?

DH: Yeah.

AOS: By who?

DH: Dick Ross.

AOS: What occurred during that meeting?

DH: He did it by a phone call on Saturday.

AOS: And what was the gist of that conversation?

DH: He said "I need you to resign." I said "Well, what did I do wrong?" and he mumbled something and said "Sure, that's fine."

AOS: You don't remember what he mumbled?

DH: Him? It wasn't a sensible answer.

AOS: Well what was the answer?

DH: He was like "Because you included, because you included the new schools and you included the special needs kids." And I was like "Okay."

AOS: Were you surprised by that call? Or were you expecting it?

DH: I was expecting it.

AOS: How did you know it was coming?

DH: Because Jimmy, Jimmy let me know that they wanted to talk to me.

AOS: When did Jimmy let you know?

DH: Some time that morning, I think.

AOS: Who else was on the call? Just you and Dick Ross?

DH: No, Jimmy was on and one of the attorneys, one of the other attorneys.

AOS: Why do you think he asked you to resign? I mean according to what you just discussed today, there were many individuals that were, according to you, aware of what you were doing.

DH: Well I think I, I mean that requires me to make a characterization of what was in his mind. I don't know.

AOS: Well what would be your opinion as to why he asked you to resign?

DH: Is my opinion needed here?

AOS: Pardon me?

DH: Is my opinion needed here?

AOS: I think your opinion is valid.

JG: I don't think he should answer that.

AOS: Do you think it was fair? Can I ask that?

JG: Yeah.

DH: No, it was not fair.

AOS: Do you think you were a scapegoat for Dr. Ross?

DH: No I won't say I was a scapegoat for anyone specifically. A scapegoat for just ODE and a scapegoat for the inability of the process to, you know, focus in on doing the right thing for kids.

AOS: What do you think was ODE's biggest stumbling block to moving forward with what you wanted to do?

DH: Well they didn't communicate to people what they were trying to do and why. I mean, they needed to take time to educate the legislators and they needed to take time to legislate, you know, to, you know, tell the people what they were doing...and why.

AOS: Whose responsibility would that have been?

DH: Well, I think it would have been, you know, from January on it would have been Jimmy and Jessica and Dick.

AOS: Were you instrumental in developing the bill that gave authorization to ODE to perform sponsor evaluations or was that already in...

DH: ...it was already in law. It was already in law.

AOS: Okay. So it seems like this was on their agenda to head this direction.

DH: Yeah, again we were taking, I mean, no part of the educational process does these kind of evaluations. I mean we discussed in broad terms about what we were doing in terms of an aggressive, steeply sloped incentive curve for authorizer quality, and that was, you know, we discussed this with the national experts and this was, this was something no other state in the country was doing in terms of attacking those that had troubled charter sectors.

AOS: Did you have any further contact after you submitted your resignation? Was there any further contact with Dick Ross?

DH: No.

AOS: Anyone else from ODE providing further instructio-...

DH: ...no, no kind of instructions. No.

AOS: What about from the Governor's office?

DH: No.

AOS: Do you know if they hired a replacement for your position?

DH: Yeah. They did.

AOS: And do you know what the status of that replacement is right now?

DH: No.

AOS: Any further questions?

AOS: No.

AOS: No? Thank you, David.

DH: Mhm.

Don Leming: Former Assistant Legal Counsel

3/21/18

In attendance:

ODE Employee: Don Leming and his legal counsel, Todd Marti

AOS Employees: Marnie Fredrickson, Tim Shockcor, Matthew Klapheke and AOS special counsel, Jim Arnold

AOS: And I know that puts you Don are in a difficult position given your role at ODE at the time as legal counsel. So if we are touching on anything that you feel is something you can't speak to just let us know. We're going to try to avoid that the best that we can. But, well you know we can convene. You can talk to Todd privately if you need to, just to see if there's something that you need to exclude from the conversation. But if you could start then with just going over what is, what was your role at ODE around the 2014-15 time frame and when did you start at ODE?

DL: Oh, gosh. So around that time frame that I was assistant legal counsel; I primarily worked with the school choice section if you will, so, community schools and the voucher programs. Also did some work on the Straight A fund and some other grant programs like, it was community connectors I believe. And I think I started there gosh I want to say it was like summer of 2013, maybe as a legal intern, law clerk.

AOS: Okay, 2013. And Todd I should, I should have addressed this earlier but you are here to represent Don...

TM: ...I am...

AOS: ...As opposed to ODE.

TM: That is correct.

AOS: Okay. I wanted to make sure I had that straight. As part of your duties, were you working with David Hansen, the Office of Community Schools, the Office of Non-Public Options, those folks on any activities during that time frame?

DL: Yes.

AOS: Okay, did you work with David Hansen closely or that group closely? Was it predominately people under him? Can you describe?

DL: It varied. So, it just depends on the project.

AOS: Okay. Did you have very many meetings with David Hansen?

DL: I'd say probably at least once a week. Or a couple times a week. It just depends.

AOS: Who would attend those meetings?

DL: It varied.

AOS: Would anybody above David Hansen, as far as in the administration, normally be at those meetings?

DL: I mean there, there were meetings with folks, more senior, but that was very rare. For the most part it was David and then, you know, depending on the project whoever his, his program experts were. So if it was like, community schools, like Joni Hoffman would be there as an example.

AOS: Were individuals from the data department there as well?

DL: What do you mean by data department?

AOS: So Kelsey Stevens, Karlyn Geis. They tended to be two people in particular that did a lot with the Office of Community Schools, generating data. Would they have been present at these meetings or others in their position?

DL: They were at some of the meetings. I wouldn't say it was, I mean just because my work was a little bit different than what those guys were up to so it was, they were at meetings but I wouldn't say they were at the majority of meetings or anything like that.

AOS: Okay, okay, so would Joni, Frank Stoy, Faith Behringer, would that be the normal group of people you were dealing with?

DL: Yeah, more often than not those were the folks that I would see if it was a community school issue. Non-public options, you have a different batch of people.

AOS: Okay. Were you ever involved in meetings pertaining to the sponsor evaluations?

DL: Yes.

AOS: Were you familiar with the statute that those evaluations are to be developed under? Or were at the time?

DL: At the time I was. I haven't looked at it in three years so.

AOS: Little foggy I'm sure.

DL: It depends on what version I guess you're talking about because I don't know.

AOS: Yes. Yes. Were you aware if at the time there were changes being introduced to that statute? Was that something that you would have been tracking?

DL: I don't, don't recall, it's possible but, yeah, I don't remember.

AOS: Did you feel like you had a good understanding of the statute at that point? As it was currently written into the law?

DL: Uhm.

AOS: And when I say "at that point" we're really talking about the 2015 time frame. January 2015-July.

DL: It's hard to say because I don't know which version we were talking about of the statute at the time. Yes, I can't, can't really say one way or the other.

AOS: Were you working closely with anyone else from legal or legislative affairs or other shops?

DL: So there was, I know there was some coordination with Sharon Jennings because she worked with the report card folks. Not, not a lot though.

AOS: Can you give me an idea of what kinds of matters the report card group or the accountability group would have been concerned with as it related to the sponsor evaluations?

TM: Let me chat with Donny just a second. Step outside.

AOS: Ok.

TM: If I'm understanding the question correctly, we may have a bit of a problem here.

AOS: Ok.

TM: Rather than me trying to characterize why don't you ask it again so we know that we have it right.

AOS: Ok. So what I'm interested in is what matters, as they pertain to sponsor evaluations, what types of topics would the accountability group have been involved in discussion with? Not asking about the legal advice provided to that group. Or legal questions raised by that group. Just concerning what aspects of the sponsor evaluation provision they were concerned with and or involved in meetings for?

TM: Well here's the concern. You're asking him about matters he received, or inquiries or conversations with his client. That he was involved in in his capacity as their lawyer. So that's problematic.

AOS: I guess what I'm really asking is not what he was involved with as far as legal inquiries as much as you're attending weekly meetings with various groups to talk about, in this case, what I'm most concerned with are the sponsor evaluations. Who is present and what topics were discussed? Not necessarily again, I don't care what legal questions were raised or if they were raised?

TM: Okay, and again, I'm not trying to be difficult, but who is present certainly is fair game but I think when you start getting into topics, you know what topics did a client talk to his lawyer about, we're on the edge there.

AOS: Okay.

TM: And again I'm not, I have no desire to obstruct your investigation. Could you get that same information by talking to the other people, the non-lawyers who were in the room?

AOS: We have talked to them as well.

TM: Okay.

AOS: We have talked to them as well. However, Don's conversation mentioned someone new that the others have not mentioned.

TM: Okay. And maybe you talk to that person. Understand that we have to protect Mr. Leming's professional status.

AOS: Sure.

TM: We have to err on the side of caution here.

AOS: Sure.

DL: I don't know if this is helpful or not but are you speaking with Sharon? Yeah, so Sharon was another attorney so I don't know, yeah.

AOS: Was anybody from the Department of Accountability present?

DL: When? I guess is the question.

AOS: For any of the sponsor evaluation meetings? And those really from what I can see begin in 2014 during the pilot phase of implementing the statute and continuing to 2015. At any point in time during those two years, were members from the Office of Accountability present?

DL: Can you give me a frame work of who you're thinking for Office of Accountability. It's been a long time since I've been at ODE. So I want to make sure that I...

AOS: Thinking of appropriate people?

DL: Yeah.

AOS: I honestly couldn't give you, I could give you names of people I was familiar with. I remember Richards being one of them but I think there has been turn over in that office as well so I'm not sure who would have been there during the exact time frames.

DL: I mean so I do recall at least one meeting with the folks that worked in that general portion of the department. I'm not sure exactly when that meeting was. I seem to recall it was earlier in the process. But beyond that it's kind of hard to say. I don't remember who exactly was there. I just remember it was kind of a joint meeting if you will between the community school office and the accountability office.

AOS: Was Matt Cohen ever present in the meetings?

DL: I don't recall.

AOS: Okay. You talked a little bit about legislation maybe being introduced that would have revised the statute. You said you didn't really recall anything specific. Would that have fallen, I'm assuming that would have fallen on the department of legislative affairs and that shop. Is that ordinarily something that legal would have assisted with?

DL: I think it normally depends if there is, sometimes it would, it would just go straight through the legislative side. Sometimes legal would be involved. Sometimes they wouldn't. It just I think depended. It normally depended on the nature of the change.

AOS: Did you feel that the communication there between legislative affairs and legal was good? That they were informative?

TM: Again we are getting into communications between counsel and part of his client. So I think we have to stay away from that.

AOS: Even though I'm not asking about legal inquiries?

TM: Well I hear you're asking about...

AOS: ... I'm just asking whether legislative affairs is updating him on statutory changes and amendments being proposed.

TM: Well again that's communication between client and counsel and I'm going to err on the side of caution to protect Mr. Leming's professional status here. And again I suppose you can get many of the same facts by talking to the non-lawyer who is involved in the conversation.

JA: Todd I'm sorry. I don't understand. Are you suggesting that if there was a communication, the purpose of which was to either give or get legal advice that you think we can get it by asking the person who was receiving the advice?

TM: That person, the privilege belongs to that person.

JA: I agree with that.

TM: And so, and I mean I'm not telling you how to run your investigation. But it would seem that if that person is willing to talk to you it's a lot less problematic than asking his counsel.

JA: Yeah, I though the questions dealt more with what his impressions were of the conversations. Not the communications themselves.

TM: Well that's, I think that's equally problematic.

JA: Alright. I hear you.

AOS: Are you familiar with who worked on the academic component of the sponsor evaluation? What group of people would have been part of those meetings?

DL: I guess yes and no. So I know, I know David was involved. David Hansen was involved. I know Karlyn and Kelsey assisted in pulling some data and doing modeling. That was at least my side of the shop. I'm not as familiar with who was kind of, who was the other side of that on the accountability piece.

AOS: Okay. Do you know if Joni was also part of those conversations?

DL: She was in the meetings yes. And I think especially early on in the process because I believe some of this actually pre-dated David, so I think Joni was the lead.

AOS: At some point, when David came in, did Joni's role change from your perspective?

DL: To some extent. I think she was still the primary point of contact between the schools but I mean there's definitely shift in roles. David was clearly the policy lead.

AOS: In any of the meetings, and again I'm not asking for your opinion or advice provided. But were there conversations about David's plan for phasing in or weighting eschools in the academic component?

TM: I think we're getting in to the same problem here.

AOS: Same issue?

TM: Yeah, so I would advise you not to answer that.

JA: Well I think he can at least say yes or no without getting into the content of the communication.

TM: No I, I, well restate the question. Maybe I misunderstood the question.

AOS: So what I'm asking. David Hansen had a plan for phasing in or weighting eschools. In any of the meetings that Don was present for, I would like to know whether that was discussed? Whether David discussed his plans?

TM: Well I'm assuming Don was there as counsel and to the extent that you're asking what client spoke with counsel about I think we have problems.

AOS: Okay, how about this. What if I ask it from a different angle. Did you hear about David's plans for phasing in eschools in meetings or conversations that did not pertain to you being advised as counsel? Maybe through rumor, word of mouth. That kind of thing. Is that something you're more comfortable with?

TM: You know again, I and I really don't want to impede what you're doing but you know I think pretty much anything Donny is doing at ODE he is doing as lawyer for ODE and ODE and employees are his clients. And I'm not sure we can talk about that.

AOS: Are you familiar with the charter school grant application that was prepared in 2015?

DL: What do you mean by familiar?

AOS: Is that, the charter school grant application being the document that was submitted to the Federal Department of U.S. Department of Education, I believe it was submitted mid-July, around July 16th up to the U.S. Department. Is that something that you're familiar with that ODE was seeking that grant?

DL: I know that the grant was submitted. I know that ODE was selected for the grant. Beyond that I'm kind of hesitant to go into any more detail because of reasons described earlier.

AOS: Can you tell me ordinarily as part of a grant application process, would legal counsel be asked to review a grant? Again not speaking to this one specifically. Just speaking to process.

DL: Uhm...

TM: ...do you have any knowledge of that?

DL: Yeah not really. I, I can't say to the agency, or speak to the agency process. I wasn't, I didn't really work in the federal grant side of the house.

AOS: Okay. So did you yourself participate in conversations with USDE?

DL: What time frame are you asking about?

AOS: This would probably be 2015, June to July.

DL: I don't believe I was involved in any conversations at that time.

AOS: Were you in attendance at the July board meeting where this presentation was given to the State Board of Education with Joni Hoffman and I believe yourself?

DL: Yeah I was, I was a presenter.

AOS: Okay. I thought you were.

TM: Is that July 15th?

AOS: This would be July 14th of 2015.

TM: Yeah that's what I meant. 2015.

DL: That date sounds right. I mean I could be wrong about the date but I did present to the State Board with Joni.

AOS: Was any part of the presentation giving legal advice? Are you comfortable speaking about that presentation?

TM: Was that an executive session or was that a...

DL: It wasn't an executive, it was an open session. I don't think any of it was legal advice but I mean I guess it depends, it depends on the question.

AOS: Can you speak to what the presentation was about? Describe it?

DL: I thought it was proposed changes to House Bill 2. I thought that was the nature of it. But it's been quite a while and many presentations after so I'm not 100% sure.

AOS: Did any of it pertain to the sponsor evaluations?

DL: I don't recall but it would surprise me if there wasn't anything in there. At least about the legislative language.

AOS: Do you remember Senator Lehner asking David Hansen to come down and address specific questions for her?

DL: Yes I do.

AOS: Were you present when David arrived?

DL: Yes I was.

AOS: Did you hear Senator Lehner's questions? Do you remember them well enough to speak about them?

DL: I remember hearing them but I don't remember what she asked in particular.

AOS: If we played them for you would that be helpful? Just to refresh you.

DL: Yeah that might help.

(Indistinct chatter)

(Playing Senator Peggy Lehner's question from Board meeting)

AOS: Do you want to hear the whole response too?

(Playing excerpt from Hansen response at Board meeting)

AOS: And that's pretty much the gist of, of it. Were you physically present during that entire conversation?

DL: I believe I was. But I think Joni and I were just sitting there but...

AOS: Did you notice how David kind of abruptly changes his response there. He's saying yes they're included, yes they're included, all of a sudden, no they're not.

DL: I mean I, he was answering questions. I don't know. Nothing really struck me as completely unusual or anything like that.

AOS: What was your reaction during the meeting? Again not asking you as legal counsel. Just your personal opinion. Did these questions surprise everyone in the room or did you feel like they were prepared that these questions were going to be raised?

DL: I'm not sure what you mean.

AOS: Well okay. Let me rephrase. You and Joni are giving a presentation where originally these questions were raised and Joni defers to David and they agree to bring down David but did it surprise you that these questions were raised during your presentation?

DL: It wasn't the topic of the presentation, I don't, I mean I believe it was more about legislative changes and big basic background of community schools.

AOS: So the questions kind of veered off topic from what you were there to talk about that day?

DL: The sponsor evaluation wasn't the focus of the presentation by any means or how it was supposed to work or anything like that.

AOS: Okay, again going back to David kind of abruptly changing his answer, but before he does he takes a good bit of time to explain the rationale that he's using for the academic component. Do you think David had a good understanding of the academic component and the business rules and value added that he's talking about?

TM: Let me talk to Donny for a second.

AOS: Okay.

TM: The only way he can answer that question I think is to draw on attorney client privilege conversations. I mean it's kind of a general question. How well did this guy know the area of the law. And you know the only way he's going to be able to do that as I say is gathering on attorney client conversations so I don't know if we can go there.

AOS: What if I rephrased it. A couple things too that might be helpful to both of you to know. This is not a criminal investigation.

TM: No I understand.

AOS: So at least as of yet, nothing to think that it will be. That being said, what I am most curious to find out is whether or not that is the first time that David has explained his plan for phasing in or weighting eschools to, we can exclude you if it makes you more comfortable, to others in the room.

TM: How is he going to be able to answer that though? If he's not...

AOS: ...If he's physically there...

TM: Well no, no he can say yeah this happened on this date but I don't know if he can say what happened at other times if he wasn't there without drawing on privileged stuff.

AOS: What about your impression about Dick Ross, Jessica Voltolini, Joni Hoffman and their reaction to David's explanation?

TM: Do you have any recollection of this?

DL: I mean it's all, these were all privileged conversations. I can't.

JA: I don't see how your impression, after Hansen said this at a public session without having talked to Ross or any others is privileged because it couldn't be based on a communication you had with them.

DL: Well, I mean maybe, correct me if I'm wrong but the question you're asking is whether I have the impression that, that Superintendent Ross or Jessica Voltolini knew about this ahead of time. I don't know how I could say that either way without going towards whether or not we had a discussion, or privileged communication about that ahead of time.

TM: Let me step outside and talk for a second.

JA: Before you go outside, let me say this. If you didn't have any such communication then that's an appropriate answer because that isn't privileged.

TM: That's what I'm...

AOS: Okay.

TM: Okay here's the concern. If I'm understanding the question it's what was your impression of person A, B and C's reaction to what Hansen said. That impression is going to be informed by the contents of privileged conversations that happened before this meeting and is probably colored by additional privileged conversations that happened after this meeting. I mean their impression; their responses were what they were. You've got the audio tape, I assume there is some other form of capturing it so I don't see how were able to get to where you want to go through this witness. You probably have other ways to get there.

AOS: Okay. If you'll bear with me for a couple more questions we will see if we can get answers to those.

TM: You know and again I'm not trying to be difficult but we've gotta protect this gentleman's professional standing.

AOS: I do understand. At the same token though I think that, I think that your observations at a public meeting during open session are important to us based not only on our knowledge of the meeting itself and what we've heard on the tape but even other interviews that we've conducted so, I assure you we have talked to others but I'm still curious if you are able to answer some of these questions if we can't get a little bit of help here. Were you're able to do so. So that being said, I wonder if there's another way to phrase the question and that you might be able to offer your personal opinion. And that is whether or not you felt when Hansen did provide his answer to Senator Lehner were you concerned with the answer he provided? I'm not asking whether you expressed your concern. But were you concerned with the answer he provided about leaving eschools out?

TM: Well if that's not privileged it's probably at least getting into work product. I mean you're asking him to state his analysis of something that he was working on in his professional capacity.

AOS: He's also there as a presenter though for the session.

TM: I understand but you're, if I'm understanding your question correctly it's what did you think about this? Well what a lawyer thinks about something is the essence of work product.

AOS: Is there another way to phrase?

JA: No because I disagree with you.

TM: No, I understand.

JA: I don't know if there is another way to ask the question that won't provoke the same response because I think the response is incorrect.

TM: Well you know, it may just be that this is not the right witness to get the facts you want. You may disagree about that but.

AOS: No I don't think that, Todd, respectfully, I don't think that anybody's impression that was formed at a meeting after someone made a statement is privileged or work product privileged.

TM: Well I guess we will have to agree to disagree.

JA: Sure.

AOS: Were you aware that Hansen resigned then from ODE?

DL: I was aware that he resigned.

AOS: Do you know who asked him to resign?

DL: No I don't.

AOS: Were you part, or were you aware, let me phrase it this way. Were you aware that searches were conducted on David Hansen's equipment after his resignation?

DL: Uhm...

TM:... Lets...

DL: Yeah touch base.

AOS: So, let me let me ask this, let me ask it this way. After were you aware that David resigned and that after David leaves searches were conducted on his equipment?

DL: So I was aware that David resigned and I was aware that ODE received requests for records related to David's work at the department.

AOS: Okay. To your knowledge was, did ODE declare an internal investigation of what happened?

DL: I don't recall.

AOS: You had mentioned earlier that there were several meeting that you attended where senior leadership was present for some of those. Who among senior leadership would be present ordinarily?

DL: I'm not sure I understand the question. Because it really varied by meeting and the topic discussed.

AOS: Can you give a few examples of people that...

DL: Uhm.

AOS: You refer to as being senior leadership either by position title or...

TM: So are you asking him to describe who he perceived is senior leadership, or who is at the meeting?

AOS: Yes. I'm asking who is he perceiving as senior leadership.

TM: Okay, gotcha. Okay.

DL: Dr. Ross, Sarah Dove, or Sarah Wickham now I think, Jessica Voltolini, Chief Legal at the time and it varied so in some cases it was PR Casey, I think during this time period it might have been, Sharon Jennings, I think she was interim. Chief of Staff which varied, so Jason Rafeld was Chief of Staff at some point. And then, oh why can't I remember his name.

AOS: Jimmy...

DL: Jimmy Sheppard was, took over for him.

AOS: Would Melissa Huffman have also been one of those...

DL: Yes, towards the later portion of it. And then her prior equivalent was Susan Patterson. I'm probably missing some but that's the gist.

AOS: General. So later on, can you describe for me how long after David Hansen resigns you remain at ODE before you leave? I know you're now at PUCO.

DL: It's probably at least a year.

AOS: Did you assist, did you continue working with the Office of Community Schools even after David Hansen leaves. Not asking for advice provided.

DL: Yes I did. I was still assigned to that office.

AOS: Why did you leave?

DL: The opportunities were a little bit more, I was, I felt like I was done with community schools at that point.

TM: Let the record reflect laughter by everybody.

AOS: Were you asked to leave?

DL: I, yeah, I worked with, worked with Diane. We had discussed at that time and transition, yeah that sort of thing but, we both had a discussion that hey I want to go do something different so it wasn't like I was asked to resign or anything like that.

AOS: You thought it was mutual then?

DL: Yes.

AOS: Any other questions? Thank you.

TM: Thanks for your time. Appreciate it.

Dr. Dick Ross, Former Superintendent of Public Instruction

03/30/2018

In attendance:

ODE Employees: Dr. Dick Ross and Robert Cochran, Legal Counsel for Dr. Ross

AOS Employees: Marnie Fredrickson, Timothy Shockcor, Kristin Hayes and Jim Arnold, Special Counsel for AOS

AOS: We do have a monitor here. Just so you know so we can put anything up on the screen that we might need to show to you for you to take a look at. It has a camera. It is not videotaping anything although the camera has a mind of its own sometimes and will move. Tim is our investigator, he is going to record the conversation today. Jim is our special counsel, Kristin is my assistant. So we are just going to talk about the charter school grant in particular and some of the information contained in there as well as some of the events going on around the time of the grant application and then ultimately David Hansen's resignation and the events that occurred after that as well. That is purpose of the meeting. If we touched on anything that you feel would be privileged or anything of that nature, please let us know. It is not our intention to get into privileged items. But I don't think we are going to go there. Just gives us a heads up if you feel we are headed in that direction.

DR: Okay

AOS: So Dick, if you would, share with us. What's your background in education?

DR: Educationally, Bachelors at Ohio State, Masters at Ohio State, PhD at Bowling Green State University, masters and PhD in education administration, undergraduate in teacher education. Experience wise I started as a middle school teacher at Jonathon Alder Schools. Did that for three years. I was a principal for three years at Jonathon Alder then went to Bowling Green as a PhD student and an intern instructor for two years, after I graduated I was superintendent at Ottawa-Gladorf Schools for three years, Bryan City Schools for four years, and Reynoldsburg Schools for four years, retired. Then taught for Ohio University for a year. Then worked as the Director of Education for the Governor, then the State Superintendent.

AOS: Do you have any experience in charter schools?

DR: Yes.

AOS: Can you describe that as well?

DR: When I was superintendent at Reynoldsburg we started two charter schools. One was a virtual community schools and I think other was A+ Arts Academy.

AOS: What was your role as superintendent at ODE?

DR: Role?

AOS: What would you describe it as?

DR: Well head of the Department of Education. A lot of my time was working on policy development, implementation, accountability to try to improve education for youngsters across the state.

AOS: Who did you report to?

DR: State Board of Education.

AOS: Did you have a good relationship with them?

DR: The board was somewhat partisan so I would say it was an okay relationship unless there were particular issues. Partisan issues.

AOS: Did the board establish expectations for you? How did you know what your job function should be, what they expected you to report to them?

DR: I don't know if they ever specified particular job functions. I mean, regularly met with the president, vice president of the board.

AOS: Was there a policy and procedure manual in place for the superintendent?

DR: I am sure there probably was.

AOS: Did you see it at the time?

DR: Probably.

AOS: How did you communicate with the board?

DR: We had 19 board members so, generally the communication would go to me to the president/vice president and then from them to the board. Occasionally board members would ask to meet with me and I would meet with board members or I was on the road a lot so if I was in a district of a board member I would usually tie up with a board member for that particular district.

AOS: Did you ever make phone calls to the board members?

DR: Yes.

AOS: What would prompt you to call them? What types of things?

DR: Problems, usually.

AOS: Would you try to call all of the board members when a problem arose?

DR: I would, well, yes generally. If it was a big problem.

AOS: What kinds of examples would be exceptions to that?

DR: Would be exception to, there would be phone calls more often to the president and the vice president of the board than other board members. If it was more routine, it would be just conversations with them.

AOS: How did you communicate with your staff?

DR: Generally it was in larger group meetings in my office.

AOS: Did you do much by email?

DR: No.

AOS: How's come?

DR: Never, even when I was superintendent, I never used email much, just never did.

AOS: People would send you emails.

DR: Yes.

AOS: How would you get updated on those?

DR: Probably read them.

AOS: Was anyone screening your emails for you?

DR: I am sure Carolyn, Carolyn Jones and Sarah Wickham probably would have done that.

AOS: Would they update you on items?

DR: I am sure they would, they did.

AOS: How would they know what was important to update you on?

DR: Well, I mean Sarah in particular probably had a good understanding of what the issues were but I don't want to say that I wasn't reading emails. If they came to me, I was reading them also.

AOS: Who would respond to the emails?

DR: It would depend on what the email was. I mean if there was an email question to me that I needed to answer then I probably would meet with the person or talk to the person about it.

AOS: So rather than sending a written email response you might have a meeting instead?

DR: Yes.

AOS: How often did you meet with your Chief of Staff and your COO?

DR: Chief of Staff I would guess almost daily.

AOS: And I think for a little while, is it Jason Rafeld that is the Chief of Staff and COO, is that accurate?

DR: I think that is accurate, yes.

AOS: When he leaves then it is filled by Jimmy Sheppard and Melissa Huffman is now the COO.

DR: Yes.

AOS: How often would you meet with Melissa when she got there?

DR: Occasionally, it would be more with the Chief of Staff.

AOS: By occasionally is that once a week?

DR: It probably was more than once a week.

AOS: How often would you meet with senior executive staff, associate superintendents?

DR: Generally, the Executive Directors, the Assistant Superintendents, the Chief of Staff, the policy people, the Legal/Communication would meet together. And that probably would be once a week perhaps, once every two weeks.

AOS: Did David Hansen ever attend those meetings?

DR: Occasionally, yes.

AOS: Would that have been ordinary given his position in the organization?

DR: As Executive Director. Probably.

AOS: Who gave him authority to attend those meetings?

DR: Don't know.

AOS: David himself felt that he was low enough in the organization that it was unusual for someone in his position in the organization to be attending these meetings. Would you agree with that?

DR: I don't know that I ever thought about that. Community schools were an important component of what we were talking about.

AOS: Do you think that is why he is invited to these meetings?

DR: I would say so.

AOS: Who would determine who gets invited?

DR: Invitation list would probably have come from the Chief of Staff, Sarah, and Melissa, Chief Operating Officer, I suppose.

AOS: And in your time as superintendent, what was your top priorities?

DR: We had a bunch. We were doing the 3rd Grade Reading Guarantee, the Community Connectors, Straight A fund, we were raising the accountability and created report cards for school districts, all schools. Graduation requirements. Elevated the graduation requirements. That was just a few of them.

AOS: Were community schools a top priority for you?

DR: They would have been part of that, yeah.

AOS: Specifically what items for community schools do you remember being most important?

DR: I don't know if there was a particular item. I just always believe that parents need to have a choice and we need to have quality community schools available for them. That's why we started them in Reynoldsburg.

AOS: Were you familiar with HB 2, the charter school reform movement?

DR: Yes.

AOS: Was that an important initiative?

DR: Yes.

AOS: What other types of initiatives were important?

DR: Well we were disappointed that HB 2 did not pass the legislative session before all this happened. Other legislative issues, I don't remember the issues, laws, numbers but I mean the ones that consummated the things I talked about I think were important.

AOS: Was ODE largely supportive of HB 2 would you say?

DR: Oh yes. Very.

AOS: Who worked on your legislative items?

DR: I think. I am trying to think of who the legislative person at that time was. Jessica Voltolini I would guess.

AOS: Would anybody help her or would it largely be...did she have assistants?

DR: Oh I'm....I mean policy people probably helped her. There was probably a legislative assistant. I don't remember right now.

AOS: Who would be an example of a policy person you are referring to?

DR: Well, Kevin Duff would be one. I forget his name. There were two policy people on the 5th floor that we worked with and help, would assist with that. Buddy was his first name, I don't remember his last name.

AOS: Buddy Harris?

DR: That could be.

AOS: During your time as superintendent, did any significant issues with ECOT ever arise?

DR: With ECOT. No, I don't think so.

AOS: What about William Lager?

DR: No.

AOS: Can we show him the notes?

AOS: Certainly.

AOS: Are you familiar with these notes? Have you seen this document before?

DR: Doesn't strike me, no.

AOS: Did you ever have any conversations about ECOT converting to a dropout recovery school and whether or not they could?

DR: No, I don't remember that and I know I wouldn't have had it with anybody from ECOT.

AOS: Did William Lager ever ask to meet with you?

DR: As State Superintendent?

AOS: Yes.

DR: No.

AOS: Were you aware of any request to meet with David Hansen?

DR: No.

RC: Just to clarify, requests by Lager to meet with David Hansen? Is that what?

AOS: Yes.

RC: Oh okay. Did you..

AOS: Requests for a meeting with William Lager and David Hansen?

DR: I was not aware of any (inaudible), no.

AOS: Okay. Were you familiar with David's vision for charter schools? I know he came in there with a lot of ideas.

DR: He did. He did. When we interviewed him, I was impressed by his ideas. We were somewhat hamstrung in controlling community schools because of the separation, the legal separation from the Department so the idea of the sponsor having more control was a really positive view from my point to exert more pressure on community schools to be of higher quality.

AOS: Were you supportive of David's ideas?

DR: Generally, yes.

AOS: Did you ever reach a point to where you were concerned about his initiatives?

DR: Not until the board meeting.

AOS: Were you aware that David wanted to have stronger incentives for sponsors to improve and thereby schools to improve and likewise consequences for both for poor performance?

DR: Yes.

AOS: Were you familiar with those concepts?

DR: In general terms, yes.

AOS: Can you describe what...

DR: ...well, I knew we wanted to strengthen the sponsors responsibility so they would tightened up on the community schools and cause the community schools to either improve or be closed.

AOS: Did you talk about specifics incentives?

DR: I don't think I ever did.

AOS: Or consequences?

DR: Well, closing. I mean, I'm sure.

AOS: Were you in favor of closing a poor performing community school?

DR: Yes.

AOS: For lack of...

DR: ...and we did the best we could. We did do some of that.

AOS: Were you familiar with David also wanting to have a consequence in place for a sponsor who then might not be able to sponsor anymore schools or could lose their ability to sponsor.

DR: Well if the sponsor was sponsoring inefficient schools, they could not sponsor new schools. I knew that.

AOS: Were you in favor of that concept as well?

DR: Yes, absolutely.

AOS: How familiar were you with the sponsor evaluation legislation?

DR: I knew of it. Particular details probably not. I knew the jest of the idea was to put pressure on the sponsors to sponsor only high quality schools.

AOS: Were you familiar with the statute?

DR: I am sure I have read the statute but saying I'm familiar with it. I'm...

AOS: Would you have had Legal involved?

DR: I'm sure...

AOS: ...in interpreting the statute?

DR: I'm sure we would have.

AOS: Who would have been responsible for involving Legal?

DR: Well we had several Legal counsels. Sharon Jennings, Diane Lease later. I forget the gentleman that was Legal counsel before Sharon.

AOS: P.R. Casey?

DR: Yes.

AOS: If there was a question about the sponsor evaluation statute what would have been the procedure for seeking Legal advice?

DR: Well, Legal counsel was in a lot of our meetings so they would have been there.

AOS: So they were there throughout the entire process?

DR: Yes...

AOS: ...talking about it. I see. How often were you meeting about sponsor evaluations?

DR: Sponsor evaluations?

AOS: Yes.

DR: When we had meetings, we covered a variety of topics. I think occasionally at those general meetings, sponsor evaluations may have come up.

AOS: These would be the senior meetings?

DR: Yes.

AOS: Do you remember any meeting specifically on sponsor evaluations?

DR: Nothing comes to mind specifically for that.

AOS: So during these senior meetings, P. R. Casey is attending much of the time until he leaves.

DR: You would have had the Legal counsel, communication, policy people, Chief of Staff, senior advisor, assistant superintendents probably and maybe executive directors.

AOS: Were you even concerned with Legal not doing their jobs in these meetings or anything of that nature?

DR: I don't know that that crossed my mind that they were not doing their jobs, no.

AOS: Do you know why P. R. Casey left?

DR: I am trying to think. Specifically, no.

AOS: Why do you think he left?

DR: I am not sure why he left. I am thinking there was an issue but I can't remember what it was.

AOS: Any concern with P. R.'s work on sponsor evaluations that you recall?

DR: No, no.

AOS: How about other attorneys such as Don Leming. Would he have been involved in these senior meetings?

DR: Not, if he was he would be replacing Chief Legal.

AOS: So when P. R. left perhaps?

DR: P. R.s, Sharons, he might have been in as a replacement.

AOS: Do you remember him being present?

DR: I think he was at a meeting or two.

AOS: Were you familiar with the Value-Added change? I think Matt Cohen may have initiated or at least been part of that initiative in the change of Value-Added's formula that impacted the e-schools.

DR: Yes.

AOS: Can you tell me a little bit about that?

DR: Particulars of what is was other than Matt felt it was a more accurate measure of growth of students in schools.

AOS: Do you remember at the time whether ODE communicated it to the community school constituents? The schools, the sponsors? You don't remember or they didn't?

DR: I don't remember.

AOS: Who would have been responsible for that communication?

DR: Probably the Director of Community Schools.

AOS: Not Matt Cohen?

DR: I doubt if it would be Matt that would have communicated that.

AOS: If the change is initiated by Matt Cohen's group would he have been responsible for notifying the director about the change?

DR: Yes, I would think so.

AOS: My understanding is David Hansen was unaware of the change and discovered it because the community schools were complaining to him about it.

DR: I don't know that.

AOS: Not sure? Who would have been Matt Cohen's supervisor?

DR: One of the assistant superintendents I assume.

AOS: Was the Value-Added change ever a subject in the senior meetings?

DR: Don't remember being a specific subject at the meetings.

AOS: Do you remember the concern then with all e-schools subsequently failing after that change is made? Was that a concern that was discussed? What to do about the fact that they are all now failing?

DR: Don't know that we had discussions, no.

AOS: Did you have discussions in general about e-schools versus brick and mortar charter schools performance?

DR: Performance? We knew, I knew that e-schools performance not as good as sight based community schools.

AOS: Was that a concern?

DR: Well it was a concern but I think, I mean just...

AOS: Was it an initiative? Something that you were working on?

DR: An initiative on e-schools?

AOS: Try to raise performance for them?

DR: I don't know that there was a specific initiative, no.

AOS: Did you ever, to your knowledge, did the Department ever ask for a study to be done on e-schools?

DR: Did we ask for a study?

AOS: Trying to understand why e-school performance...

DR: ...I don't remember that. Could have happened though.

AOS: Are you familiar with the CREDO report that came out in December of 2014?

DR: I know the CREDO. I was probably at a meeting where we talked about the CREDO report.

AOS: Who would have been in attendance? Is that a senior staff meeting?

DR: No. That was a separate meeting out of my office.

AOS: Who might have attended that meeting?

DR: My guess it would have been policy people, myself, Chief of Staff.

AOS: Executive Director of School Choice, David Hansen?

DR: He probably would have been there.

AOS: Jason Rafeld would have been the Chief of Staff?

DR: Depends, at that time he probably was the Chief of Staff.

AOS: Would you have had Legal there?

DR: I don't know that we would have had Legal at that meeting. I mean that was more if my recollection it was just them talking about it so

AOS: Okay. So you were the one that hired David Hansen?

DR: Yes.

AOS: The one that interviewed him?

DR: Yes.

AOS: Your decision to hire?

DR: Yes.

AOS: How did you establish your expectations for David?

DR: Well in the interview we talked about the description of our charter schools being the wild wild west. And that we needed to raise the expectations for the schools and meet the needs of the kids. I think David knew we needed to improve our community schools significantly.

AOS: Did you give him specific directives or largely leave it up to him?

DR: Left it up to him.

AOS: Were you ever concerned about David not following policy?

DR: Not until the July board meeting.

AOS: Did you ever hear complaints about David along the way?

DR: The only complaint, well I observed it, it was at a board meeting and it was just rude behavior with our board president, Tom Gunlock. Which I thought was inappropriate and said something to Jason Rafeld and he talked to David.

AOS: Was that the July board meeting or a different board meeting?

DR: No, this would have been...

AOS: ...earlier?

DR: Earlier.

AOS: Did Gunlock complain to you about David.

DR: Well, I was there so I was watching it so we were sitting side by side. Yes.

AOS: Did David eventually earn the respect of the board? Or in this case, Gunlock? Did he earn the respect back?

DR: Don't know the answer to that. I mean, I really. I think probably Tom was not completely convinced after that.

AOS: Was David asked to attend board meetings often?

DR: No, I don't think so. He would not have been a regular attendee at board meetings.

AOS: How did you decide who, what initiatives needed to be brought to the board?

DR: Usually from the committees of the board would decide that. The chairman of the committee would have initiatives they would be working on with staff.

AOS: Do you remember deciding then at some point to ask the Office of Community Schools to do a presentation on the sponsor evaluations?

DR: While I know they were scheduled for the July meeting, yes.

AOS: Who ended up giving that presentation?

DR: I think Joni Hoffman did that.

AOS: Did she have assistance from Legal? Don Leming I think? Might have been a presenter as well.

DR: He may have been. I don't remember that.

AOS: Who was responsible for updating the committees with activities going on in the Department and keeping them informed and aware?

DR: Each board committee had a liaison, a department liaison that they worked with so that would have been the person that the committee chair would have worked with.

AOS: Were you attending these committee meetings?

DR: Some of them.

AOS: Were you regularly invited to them and just sometimes couldn't attend?

DR: Yes.

AOS: Would David have been asked to attend some of these committee meetings along the way?

DR: I guess that would have been the case, yes.

AOS: Do you remember any where he attended?

DR: Well the one I am talking about might have been a committee meeting and not a board meeting. With Tom Gunlock. Some of the committees met during the two day board meetings.

AOS: Are you familiar with the charter school program grant application?

DR: Yes.

AOS: That the Department was working on?

DR: Yes.

AOS: Who approved that initiative?

DR: I did.

AOS: Was the board aware that the Department was seeking the grant?

DR: I think they were.

AOS: Who was assigned to the grant application?

DR: It would have been the community school office, David, the Director.

AOS: How important was that initiative to...

DR: ...I thought it was pretty important. At least with the community schools, site based community schools.

AOS: Can you explain why it was such a priority at that time?

DR: Well as I said our community schools were not doing as well as they needed to be. This was an opportunity to empower the sponsors under the grant and to put some leverage on the community school to either improve or give the sponsors the authority to shut them down.

AOS: Can you explain why you saw the grant as an opportunity to empower sponsors? How would the grant have helped in that effort?

DR: Well, the law probably did that. But it allowed us to create new entities and develop new sponsor so if the sponsor ratings were poor, the poor sponsors wouldn't be able to sponsor new schools.

AOS: Did you anticipate new sponsors becoming involved in community schools?

DR: I did. I did. And I thought our better sponsors would continue to sponsor more.

AOS: From your perspective and what you remember about the conversations at the time was the grant really geared towards expanding and growing site based community schools? Was there also an appetite for e-schools?

DR: My recollection it was for site based schools.

AOS: Okay. What was the Department's feeling about growing the e-schools?

DR: I don't know about the Department. My feeling is that the e-schools had just about played out to the extent that they could grow. I felt that the opportunities were with site based schools or hybrid schools.

AOS: Were you aware of David Hansen and/or the Office of School Choice's activities in writing that grant application? Who helped?

DR: Particularly, no. I knew that the director was doing it and I assume he had his staff helping him do that.

AOS: Were you aware they had contracted for help with the grant application?

DR: To be honest, I was not.

AOS: Did you know that Paulo DeMaria actually...

DR: ...I knew that we had contracts with Paulo for a variety of things that we were a little short staffed at the Department at that time and we were trying to get some, to get some stuff done. So that wouldn't surprise me.

AOS: Were you familiar with Fordham having offered to pay for the assistance of someone to help to write the grant application?

DR: I don't recall that but that wouldn't surprise me. I considered Fordham pretty reputable. Partly for trying to raise the expectations for community schools.

AOS: Speaking of reputable sponsors, did you feel that David Hansen had any relationships with sponsors that were concerning to you?

DR: None that I knew of.

AOS: Did anyone in the Department?

DR: Never heard that.

AOS: Did you have any relationship with sponsors or schools that would have been an apparent conflict?

DR: Conflict, no. I mean I knew some of the sponsors. I visited some of the schools.

AOS: Were you familiar with Steve Tate?

DR: I had met Steve Tate, familiar?

AOS: Do you recall what role in the Department was?

DR: I know he worked in the community school area. I think he was a PhD. Don't know what his particular role was, no.

AOS: Did he ever attend any of the senior meetings?

DR: He may have. Been very infrequent but he may have come (inaudible). I would say it was possible that he may have come to a meeting.

AOS: Do you know who ends up signing the grant on behalf of the Department?

DR: That would be me.

AOS: Did you read it before signing it?

DR: I did.

AOS: Did you have any concerns with the grant application?

DR: At that time, no.

AOS: Did you send back any changes to anyone that you wanted made to the grant application?

DR: Not at that time.

AOS: Did Legal review it?

DR: I am sure they did but usually they did that before it came to me.

AOS: Was there a requirement for Legal or anyone else in the Department to need to review it before it would come to you?

DR: A requirement?

AOS: A policy, a procedure. Informally or formally.

DR: I don't know about formally but informally Legal would have reviewed.

AOS: That would have been an expectation?

DR: Exactly.

AOS: Was the grant on a fast time table?

DR: It was close to submission deadline when I signed it.

AOS: Did you feel that everyone had sufficient time to look at the grant application before it got submitted?

DR: It didn't occur to me that people didn't have the time to review it. That is not the feeling I had. So I guess the answer would be I thought people had time to review it before they gave it to me.

AOS: When you read the grant did you read information about the recovery districts contained in the grant?

DR: Yes.

AOS: Did the grant adequately portray the Department's involvement in the recovery districts and plans for the grant?

DR: Involvement. Well the recovery district really wasn't a proper...It was a term to refer to distress commission schools I think is what we were talking about. So I thought it kind of, at that point distress commissions were still in flux about what they were going to do. That would have been Youngstown at the time. I don't think Lorain was in distress commission yet.

AOS: Do you remember how much of the grant was going to be set aside for Youngstown?

DR: Off hand, I do not.

AOS: I think it was roughly 10 million. It's a substantial chunk.

DR: Yeah, out of 70, yeah.

AOS: How much was ODE asking for in the original grant application?

DR: My recollection it's around 70 million dollars.

AOS: Over the course of how many years?

DR: I don't remember it was multiple years. I think it was probably 5. I'm not sure.

AOS: What was the vision for using the grant in Youngstown?

DR: Well Youngstown had been in distress commission for years and there student population had dropped by about 50%. The idea was to allow the distress commission to have the ability to have high quality sponsors provide good educational opportunities for the kids who couldn't get out of the school district.

AOS: Were you familiar with HB70?

DR: Remind me what 70 was.

AOS: It was the change that appointed a CEO to Youngstown.

DR: Oh okay, yes.

AOS: Were you familiar with that language?

DR: Yes.

AOS: Was the grant intended to assist...

DR: ...I think the grant would have assisted the CEO in Youngstown and the distress commission.

AOS: How involved were you in the planning of the Youngstown plan and the CEO concept.

DR: I would say fairly involved. There were 6-7 Youngstown individuals that were interested in doing something to improve the schools.

AOS: Who were those individuals?

DR: President Tressel. Bishop at the church, Catholic Church. Head of the Economic Development Committee for Youngstown area. What's his name, Tom Humphries. There was a democratic legislator. There was a, can't remember her name, a community college president and a business person.

AOS: How long was this group?

DR: Months.

AOS: Were you meeting with them regularly?

DR: I met with them multiple times.

AOS: In Youngstown?

DR: Sometimes, usually in Youngstown.

AOS: Sometimes over the phone as well. Did you talk to anyone other than these...

DR: ...in Youngstown?

AOS: individuals that you describe?

DR: I am sure I talked to the superintendent. I was formally the chairman of the distress commission in Youngstown, before I went to the Governor's Office. So I had some understanding of the situation I had there.

AOS: Did you even talk to any sponsors or developers of community schools about interest in Youngstown?

DR: No.

AOS: How important to you think this grant would have been in to establishing new charters up in Youngstown and helping the CEO?

DR: I think it would have helped him.

AOS: Would you say it would have been an integral part of the plan for Youngstown? Had we not gotten the grant? Would it have changed the horizon up there a little bit?

DR: I think it would have helped the horizon up there.

AOS: As you have these meetings with this group, were they open meetings? Was the public aware?

DR: I didn't call the meetings but I think they were usually at the president's home.

AOS: Humphries home?

DR: No, President Tressel's home.

AOS: Were minutes kept on these meetings?

DR: I think there were.

AOS: Who kept those?

DR: I think the assistant to Mr. Humphries kept the minutes to the meetings.

AOS: Did you ever take others from ODE to these meetings or have them participate in calls?

DR: I am sure there were, at times, a policy person that would have been there.

AOS: Any legislative people?

DR: Other than the Democrat, Sean O'Brien? No.

AOS: Did you ever take your Chief of Staff?

DR: I don't think Chief of Staff ever went to those.

AOS: Did ODE ever participate in helping to write any plans for HB70 language or any other plans?

DR: I think they probably did assist in that.

AOS: Can you tell me who?

DR: Probably would, if it would have happened, it would have been Jessica Voltolini.

AOS: What did she do that you recall?

DR: Well, she was the legislative person (inaudible).

AOS: Did she write the HB70 language?

DR: Oh I don't know if she wrote the language but she certainly assisted in that language I suspect.

AOS: And specifically the language pertaining to being able to appoint a CEO? Would that have been...

DR: ...I don't know the specific language she did. I know that she assisted.

AOS: What was the goal of this group? In their efforts on HB70.

DR: I think altruistically absolutely wanted to help the kids of Youngstown. I mean they were down to probably under 5,000 students and they (inaudible). They had different reasons I am sure. I mean they thought it was a deterrent to the growth in the industry in the area but some of them were just concerned about the kids and getting an education and graduating.

AOS: Did this group come up with their own vision for a CEO to be appointed?

DR: I mean this was a discussion that evolved over the period of time, how to do that.

AOS: Was it their idea then?

DR: I think, yes.

AOS: Was it largely their ideas that go into HB70 the final bill?

DR: I think the core of everything came from that community group.

AOS: Who was lobbying for HB70? Who was sponsoring that? Do you remember?

DR: I don't remember.

AOS: Was Beth Hansen involved in that?

DR: Beth was at one meeting in Youngstown I remember. I don't know that she was lobbying. I mean I don't know that.

AOS: What was her role at that meeting?

DR: She was just there. I don't know that she commented at all.

AOS: Did you testify with her about the bill?

DR: I don't know that I...

AOS: ...to the Senate?

DR: Did I testify to the Senate? I don't remember if I...

AOS: ...was David familiar with the HB70 project?

DR: I am sure he was.

AOS: How soon would he have been aware of these meetings? Would he have known prior to June when HB70 is passing?

DR: He wouldn't have been on the distribution list of when those meetings. I mean I don't know that he knew that we were meeting in Youngstown.

AOS: Did you ever have conversations with David about...

DR: ...the Youngstown meetings?

AOS: Yes.

DR: Specifically, no.

AOS: What do you mean by specifically, no? Does that mean generally concepts were discussed?

DR: I don't know that we ever did discuss the Youngstown meetings.

AOS: At what point in time do you think David became aware of HB70?

DR: Don't know.

AOS: Not sure?

DR: I don't. I mean. As soon as it was publicized, I suppose.

AOS: Would you have given him a heads up that it was coming?

DR: I would not have.

AOS: Would Jimmy Sheppard or anybody else?

DR: Might have. I mean Chief of Staff might have.

AOS: It would have been important to the grant he is writing to know about the project up there.

DR: Well it was in the grant so obviously he knew about it.

AOS: I am just curious how and when?

DR: I really don't know.

AOS: You would have made sure he was aware.

DR: I don't know if I ever sat down and talked to David Hansen about Youngstown...

AOS: ...okay

DR: Specifically.

AOS: Did you ever discuss Youngstown with the board?

DR: No.

AOS: Why not?

DR: I saw myself as just assisting the people of Youngstown similar to the Cleveland Plan. They wanted to do things to help students and I thought that was appropriate so I met with the group in Youngstown multiple times to help them.

AOS: What type of activities would you describe as assisting?

DR: We would start out with broad based discussions about what they could do and how they could do it. What was possible.

AOS: Giving advice?

DR: I probably gave some advice.

AOS: Sounds like you were or individuals at ODE did help at some point in assisting in putting things into writing. Is that accurate?

DR: I think there was some assistance in writing at the Department.

AOS: Did you, yourself, ever put anything in writing?

DR: No.

AOS: Did you have conversations with members of the Senate or the House about the bill?

DR: I remember talking to a senator about the bill.

AOS: Which senator?

DR: I don't remember. Probably a senator that was going to vote no.

AOS: How about the Governor's Office?

DR: Yes.

AOS: Who would you talk to at the Governor's Office?

DR: Usually the Policy Director, Wayne Struble.

AOS: Did you walk to him frequently about the bill?

DR: We met with Wayne weekly at least so that would be one of the things we would talk about.

AOS: We met with Wayne, who's we?

DR: There would be a group from the Department would go over. It would include policy people and usually 5-6 people that we met with Wayne.

AOS: Was Wayne attending these meetings with you?

DR: In Youngstown?

AOS: Yes.

DR: He did attend some of the meetings in Youngstown.

AOS: At your invitation?

DR: I think the invitation may have come the other way.

AOS: Wayne asked you to participate.

DR: (Affirmative nod)

AOS: So how did you get involved in meeting with the cabinet? Was it the Governor's Office asking you to help them?

DR: With the cabinet in Youngstown?

AOS: Yes.

DR: Well the Governor had been talking about Youngstown and been public because of my concerns about Youngstown when I was distress commission chair. And he was, he had asked for a local committee to be developed to try and fix the schools. I mean he was pretty vocal about that and so when they got together, Tom Humphries would have been the lead, so I went up there and started meeting with them.

AOS: Did the Governor's Office ask you to help that group and participate with them?

DR: I don't know if they specifically asked me but they certainly that what I felt we needed to do anyway.

AOS: You said Wayne invited you to meetings.

DR: Yeah.

AOS: Sounds like the Governor's Office asked you to participate.

DR: Probably.

AOS: You didn't feel you had a responsibility to update the board about that?

DR: If I'd had another school district that asked me to come in and work with them that was in bad shape I would have done the same thing. So no, I mean, it was just kind of what I did. I worked with superintendents and groups to try and improve schools. You had a community group there much like the Cleveland group that I worked with.

AOS: What was the difference between Cleveland Plan and the Youngstown Plan as the Cleveland Plan was actually presented to the board? What the difference between those two? That one was not and one was.

DR: Well the Cleveland Plan was approved by the legislature; I don't know if it went to the board of education. But, well the Youngstown plan did go to the legislature eventually. But the Youngstown folks kind of recoiled about being compared to the Cleveland plan. They wanted to do their own thing.

AOS: Did the Youngstown plan have a vision for closing public school buildings? Was that a concern of theirs? They anticipated needing to close some of them?

DR: I don't know that they specifically talked, I mean, because of their own loss they were probably saying do we need all the buildings that we have? Because they had lost about 5,000 students but I don't know that that was a specific topic. What I heard more is how to increase the education for our kids and get them better prepared to be in the workforce, have jobs and be good citizens.

AOS: They felt charters and expansion of private schools would assist in that effort?

DR: Well, a large number of students were already leaving Youngstown schools to the open enrollment. I think Austintown Fitch had a huge number of Youngstown students going there so I mean students were escaping and the idea was to stop it and keep Youngstown solvent and viable. Bring some of those kids back.

AOS: So bringing families back into Youngstown who are willing to live in Youngstown because there are better options available.

DR: They were living in Youngstown and they were leaving.

AOS: Still traveling through open enrollment.

DR: (inaudible)

AOS: You did mention though that Youngstown, the community development group felt that Youngstown businesses were suffering due to this.

DR: Well he, I mean he talked about that if they improved the education for the youngsters they would have a better opportunity to grow businesses.

AOS: Revitalize the city.

DR: Yes.

AOS: So, I am jumping around so I apologize a little bit here, so let's go back to the July 14th board meeting. Joni Hoffman and Donny Leming are presenting to the board on charter schools. I know you said you didn't recall Donny being there but I think he was...

DR: ...okay...

AOS: ...from what he shared with us. What do you remember about that presentation?

DR: They were talking about the community schools. What I remember the most is the question coming up from well, I think Tom Gunlock and Senator Lehner about the inclusion of the e-schools in that sponsor evaluation.

AOS: Did you expect those questions to come up?

DR: Only shortly before that because I think Mr. Gunlock had said something to me moments before, during this presentation so I said okay.

AOS: What was their concern, why were they concerned?

DR: Like I said, he wanted to know are the e-schools in there because I think there had been an article or something claiming that they weren't.

AOS: Were you familiar with the article that he was talking about?

DR: Afterwards.

AOS: You hadn't read the article prior to the board meeting?

DR: No, I hadn't read the article.

AOS: It's the Plain Dealer I think they ...

DR: ...yeah...

AOS: ...might have been referring to. Did anyone in your staff update you about the Plain Dealer article before the board meeting?

DR: I don't recall that happening. The first I remember was Tom Gunlock.

AOS: What kinds of questions did Senator Lehner and Mr. Gunlock ask?

DR: Really one question, is it included or not.

AOS: Okay. Did Joni or Don answer those questions?

DR: They didn't. My recollection is they didn't want to answer that question. And so I asked for the director to come down.

AOS: How did you ask? Did you send somebody to go get him?

DR: Sent somebody, yes.

AOS: And so did David come down then?

DR: He did.

AOS: Did he respond to his questions?

DR: Eventually.

AOS: Eventually, can you describe by what you mean by eventually?

DR: Well it started out with yes they are included and ended up being, I think, no they weren't included.

AOS: Did you understand the questions they were asking? Do you feel their questions were clear?

DR: Oh I thought the question was clear.

AOS: Did you understand David's response?

DR: At the end I had the feeling that they were not included, yes.

AOS: Did you think David was in somehow trying to mislead the board or being difficult? Sounds like you felt he contradicted himself.

DR: I think he did contradict himself when he answered.

AOS: Did you feel like he was trying to mislead the board or trying to beat around the bush?

DR: I don't know what he was, but he was contradictory anyway.

AOS: Do you think David explained why he left the e-schools out?

DR: No.

AOS: Did you understand what David was trying to say to the board?

DR: Well, in the end no because he started out saying that they were included and ended up saying no they weren't.

AOS: Did you feel that David was, you had said that at one point you felt he was rude to Mr. Gunlock, did you feel he was being rude to the board or Senator Lehner?

DR: No, no.

AOS: Do you think he was trying to bypass the question and not answer it?

DR: That's hard for me to answer. He gave contradictory answers within moments of one another.

AOS: Were you surprised by his answer?

DR: I was.

AOS: Did you express your surprise to the board?

DR: At the meeting, no.

AOS: Did anybody say anything about his answers?

DR: I don't know. I don't remember anything, any comments other than Senator Lehner saying is there anything else.

AOS: Was Jessica Voltolini present?

DR: Probably. I don't know that but I would guess she would have been.

AOS: Would she have been surprised by his answer?

DR: I would think she would have been surprised by his answer.

AOS: Did she say to you about that?

DR: She may have right after we ended that session and talked about the problem.

AOS: Who all met afterwards?

DR: Probably Legal, Chief of Staff.

AOS: Would that be Don Leming or Sharon?

DR: Probably Sharon. Chief of Staff, Assistant Chief of Staff, Jessica, Sarah...

AOS: ...would Melissa have been there?

DR: Yeah, Melissa would have been there.

AOS: What did you discuss?

DR: The fact that e-schools were not included in the sponsor evaluations.

AOS: Were they surprised by David's answers to the board?

DR: It seemed to me they were.

AOS: Were any of them present for the board meeting itself?

DR: I don't know that the Chief of Staff was there. I would think that one of them either the Assistant Chief of Staff or the Chief of Staff would be there to (inaudible) Sarah would have been there as well. One of the policy people probably would have been there.

AOS: Did they have any knowledge that David had planned to leave e-schools out?

DR: It didn't seem to me that anybody had any knowledge of the people I met after that meeting, no.

AOS: Okay. They hadn't expressed to you that they had been working with David on this issue for some time?

DR: No.

AOS: So you were never aware that they been working since at least June 19th since the questions were raised?

DR: No.

AOS: We have a few emails, we will show you.

AOS: You say you met right after the board meeting was it right after or the next day?

DR: No, it would have been, I think this was a morning session and we would have met over the lunch break.

AOS: I am going to pull this up because this shows the date but on the attachment.

AOS: You can see Legal, Kevin Duff, Melissa, Jimmy. And these are question that originally came from Colleen Grady about the sponsor evaluation calculations. Melissa Huffman has asked David some questions as you can see, the HM comment box is there. David is responding to them.

DR: I haven't seen this.

AOS: You've never seen this document before?

DR: No.

AOS: Can you read question number 1?

DR: Wow.

AOS: So prior to July 14, this is on June 19th, you had no knowledge that these individuals were discussing this issue?

DR: No, no.

AOS: Why don't you say anything to the board during the meeting? This is the first time you are hearing about it, why don't you say anything? Even just to subtly question and say I'm not sure that's right we will have to get back to that.

DR: I think I was so surprise. I was just surprised by the answer so, I wanted to get with the team and see what was going on.

AOS: Did anybody say anything to David about it?

DR: I don't know. I don't remember anybody saying anything after he finished.

AOS: Are you surprised that Jessica or Legal...

DR: ...yes...

AOS: ...don't say anything in light of this?

DR: Yes.

AOS: Did you feel like your staff generally did a good job of keeping you in the loop on issues?

DR: I thought so.

AOS: Are you surprised that they didn't bring this to you?

DR: Yes.

AOS: Would you have expected to be made aware of this?

DR: Yes.

AOS: So this is clearly something that they should have brought to you.

DR: I would think, yes. That was the whole jest of the sponsor evaluation. That was the whole core of what we were trying to do with the grant and the evaluation of the sponsors.

AOS: Would you have expected Jessica or Don Leming to say something during the board meeting and acknowledge that they had been working on this?

DR: I don't know about the board meeting but I certainly would have expected them to have told me.

AOS: Were you aware of legislation at the time that had been introduced that would have permitted the e-schools to be phased in at the Department's discretion?

DR: No, no I wasn't. Possible that that was true but I was not aware.

JA: Marnie correct me if I am wrong. So based on this, Mr. Ross, Leming and Voltolini would have known what David's plan was.

DR: I mean if they got that email they should.

JA: And no body mentioned it during your lunch hour meeting, right after...

DR: ...I don't remember that ever coming out. I mean what we did there was whether they were actually excluded it or not and we went back in and they started to see if the e-schools were included or not is what the immediate action was.

JA: But in the meeting right after the epiphany at the board, nobody said to you, we've known about this for a long time.

DR: No.

JA: And never since then?

DR: No.

AOS: And to your knowledge Jessica or Mr. Leming never said anything to David about what you are doing here is not right. To your knowledge.

DR: To my knowledge, no.

AOS: During the board meeting did you ask about a packet? Senator Lehner receiving a packet. Do you recall asking a question about that to Jessica Voltolini?

DR: Do I remember asking that, no.

AOS: We have a clip of that if you would like to hear it.

DR: What packet are you referring to?

AOS: Well we don't have the times on this but we do have....

AOS: ...okay.

AOS: Okay. But once, I apologize, this is his response, its lengthy as you were there but we get here and this when Gunlock start asking some questions. And then right here.

DR: Is there a reference to a packet before that?

AOS: No.

AOS: Not in this, no.

AOS: No, you lean over and ask somebody, I believe its Jessica but it was hard to hear on tape. About where's that packet.

DR: I don't remember.

AOS: And then Jessica says we sent it to the house and the Senate.

AOS: Her answer is, I apologize we sent the information over to the Senate.

AOS: And then she says I will make sure I believe that I'll get that to her or something like referencing Senator Lehner.

DR: I don't' know what that is. Not really.

AOS: You don't remember what the packet was? It sounds, from listening to the meeting it sounds like the packet is some explanation why David is leaving e-schools out? Did you discuss a packet in your lunch time meeting?

DR: I don't remember discussing a packet. The only discussion there we have e-schools excluded when they shouldn't have been. In particular I think, Kevin Duff, based on getting information started to look at to make sure that happen.

AOS: To make sure what happen?

DR: That e-schools were excluded.

AOS: So Kevin Duff?

DR: Kevin Duff was at the meeting, I'm sure.

AOS: He's the one that begin to looking into it?

DR: Jessica would have been involved.

AOS: Were Jimmy or Melissa assigned with finding out?

DR: Well they would probably have been overseeing it.

AOS: What did you think about David's statements to the board then?

DR: I was shocked, surprised.

AOS: Was the board upset with David?

DR: I don't know, a couple of the board members probably understood what was happening. I think most of them, not. They didn't understand the implications.

AOS: Was Senator Lehner upset with him?

DR: I am sure she was.

AOS: Do you think she was satisfied with the answer that she got from him, that he finally responded to her question?

DR: I know she wasn't.

AOS: Why do you think she stopped short of asking you or anybody else if they knew about what was going on?

DR: I don't know the answer to that.

AOS: Did you meet with Senator Lehner after the board meeting to talk about this?

DR: I remember meeting with her. I think we went right to the staff and taking a look at what is going on.

AOS: Did you update the board along the way?

DR: I do not know that I did that month. That was toward the end of the meeting. I don't know if we ended at noon or whether we had a session in the afternoon or not.

AOS: So when is the next time you discuss this issue with the board?

DR: The next time the board met was September.

AOS: So did you launch an internal investigation?

DR: Yes.

AOS: So you would call it an internal investigation, who would have overseen that?

Dr: Chief of Staff and Assistant Chief of Staff. Legal counsel.

AOS: This is just another email. It's on July 11th (Colleen Grady response on July 11th)

AOS: Which is actually late on the Saturday prior to the board meetings.

AOS: Prior to the board meeting. Do you think David might have known that he would be questioned by the board about these issues?

DR: I don't know that he would have expected that. I don't know that.

AOS: Were you surprised at Senator Lehner's questions of him that day? Were you expecting them?

DR: Not until Gunlock said something to me.

AOS: Do you think when you sent someone to go after David, do you think it was clear that David needed to get down there right away?

DR: Exactly.

AOS: Do you think there would have been any confusion about that?

DR: I don't think so.

AOS: Can we show him the text message that we have? (Pulling up David Hansen's iPhone text messages)

AOS: This is actually from Sarah Wickham, or from David Hansen to Sarah Wickham.

AOS: He indicates that he has mixed signals on whether or not he needs to come down to that board meeting.

DR: I was pretty emphatic about getting him down there.

AOS: Who do you express that to?

DR: Publically I think. It should be on tape.

AOS: Who did you assign to go get him?

DR: I don't know if I assigned somebody, I usually just billow out and they do it.

AOS: Just tell somebody to go do it. Are you yourself trying to get ahold of him on your phone or anything?

DR: No.

AOS: Did you think David could leave the e-schools out, from what you knew about the sponsor evaluations?

DR: No.

AOS: Were you sure about that at the board meeting?

DR: Pretty sure of that at the board meeting. I mean that was the key of the sponsor evaluation is to hold them accountable, included all the schools. Although, special ed schools probably were excluded.

AOS: You say you were shocked by, surprised by Mr. Hansen's response.

DR: I expected a different answer than what I ended up with.

AOS: Did you feel like he violated something so egregious that...what was your opinion?

DR: I felt that was a really big problem.

AOS: And why is that?

DR: Well, one it didn't comply with the law. Two, the sponsor evaluation was the core in what we were trying to do improve the quality of the community schools. I mean that was the core of it.

AOS: Did you think David was just confused about the requirements?

DR: That would have surprised me if he'd been confused I think.

AOS: Why do you think he left the e-schools out?

DR: Well I have thought a lot about that since then and I really don't know. It hurt our whole effort with the choice movement, this whole episode. I mean it just wasn't good. I don't know why he left it out.

AOS: How did you describe what David did to the board when you updated them in September?

DR: I don't know if I remember. I started talking about how we were going to rectify things. Because we rescinded the first five sponsor evaluations fairly quickly. Then we started to ask questions, how we can make sure the data is accurate in getting out. I think within a couple of weeks we started a data analysis committee. I think the more we dug in, there were questions because I think the, my recollection is the special ed schools were included in the information and they shouldn't have been. And I think there were some questions about scoring on the sponsor evaluations. So we decided we needed to ditch all of it. And so we brought in an advisory committee in to start fresh and start anew.

AOS: Who did you have help you on the internal investigation. Who helped you...

DR: ...that would have been the Chief of Staff and the Assistant Chief of Staff, Legal.

AOS: Melissa Huffman?

DR: Probably. It would be Jimmy or her.

AOS: Did you give them directives on how to investigate the issues specifically?

DR: Other than find out what's going on, no.

AOS: Were you involved in meetings with them as they are conducting the investigation?

DR: They probably reported to me as a group, what they found out as we went along.

AOS: How often would you say?

DR: I don't know. Multiple times. I remember talking to Kevin Duff. He was trying to do the calculations. Figure out how it was calculated. He was having trouble deciphering that but that would have been a week or two after this all popped.

AOS: How did you decide...or let me ask this, after the board meeting, what did you, what instructions did you give to David Hansen. Did you go and talk to him about this issue?

DR: I did not. I think probably the Chief of Staff or the Assistant Chief of Staff talked to him.

AOS: Did you want to talk to him?

DR: Not particularly. I was...

AOS: ...I'd want answers.

DR: I know but I wanted answers independently.

AOS: On Friday, did you have a meeting with David? After the board meeting?

DR: I don't think. Did I meet David on Friday? I don't remember meeting him.

AOS: Did you have him come in and ask him to go home?

DR: It would have probably not been me. I don't....Was I supposed to be at that meeting? I don't think I was at that meeting.

AOS: You don't remember meeting with David?

DR: I knew they were getting his computer and sending him home.

AOS: But you weren't present at that meeting.

DR: I don't remember, well.....I don't remember being at that meeting. I remember that they were meeting with him and sending him home.

AOS: Who is they?

DR: That would be Chief of Staff.

AOS: Anybody else?

DR: I don't know. I can't imagine Jimmy doing it alone but...

AOS: ...I think Jimmy might have been at a conference.

DR: Oh.

AOS: Based on what he told us, he wasn't there.

DR: I don't remember meeting with David.

AOS: Did you instruct somebody to meet with David and tell him to send him home?

DR: I think the, whether I initiated it or it was suggested to me I agreed with sending him home, yes.

AOS: Who might have suggested it?

DR: If Jimmy wasn't there it would have probably been either Legal or Melissa.

AOS: Did you get a call from anybody from the Governor's Office to have him, tell him to resign or send him home or do something?

DR: No, not. No. I did get a call from the Governor but not to send him home or resign.

AOS: What did the governor say?

DR: He asked me what I was going to do.

AOS: What did you tell him?

DR: I told him I was either going to fire him if he didn't resign.

AOS: What did the Governor say to that?

DR: Okay.

AOS: Did you say what date that was?

DR: I thought that was Saturday. I think that was Saturday that I had the phone call.

AOS: Was the Governor concerned about the implications of what David did?

DR: He just asked me what I was going to do, I told him I was going to do, he said okay. I don't know that we talked much more than that.

AOS: Why did you feel that David needed to resign?

DR: I thought he lied to me.

AOS: How so, from what you heard in the board meeting?

DR: No, yes. The fact that they were not included. This is new information to me. I mean I felt like e-schools were included. When they brought him down I expected him to say they were included in the report.

AOS: Had David told you all along that he was including them?

DR: I don't know that he told me that but I knew they were to be included.

AOS: You said you felt like David lied to you.

DR: Misled me might be... He certainly wasn't candid to me about excluding e-schools.

AOS: He wasn't keeping you up to date on his plan in essence.

DR: Well, a plan that would not follow the law, yes.

AOS: Had you known about the questions that you saw before where Jessica and Leming were involved and knew David's plan...

DR: ...we could have stopped this all before it hit the board of education and got it resolved.

AOS: But what would you have done had you known about that to Jessica and Don Leming?

DR: Well I would have been concerned about them not telling me. But we would have stopped that. Well I mean the sponsor evaluations were already out. That was the problem we were still going to have revoked the sponsor evaluations. But to not share that I think is. It's Jessica, they had to know. They had to know they needed to be in there.

AOS: What about Jimmy and Melissa?

DR: Probably.

AOS: I mean they are clearly on the email with Melissa asking the questions, should they have resigned or been fired for not having brought this to you?

DR: Those are people I trusted.

AOS: But David's going along thinking he's doing the right thing, to your knowledge, no one is telling him anything different.

DR: Exactly.

AOS: So what he was doing is going along with his theory... but no one is telling him anything different.

DR: ...yeah...

AOS: but no one is telling him anything different. Including your Legal staff and your, I believe she was legislative...

AOS: ...Jessica...

DR: ...Jessica...

AOS: Who was following David around anyway.

RC: Who was following David around?

AOS: Jessica Voltolini.

RC: Okay.

DR: She's so experienced with community schools.

AOS: Correct.

AOS: So you asked Jimmy and Melissa to initiate an internal investigation, they're meeting with you regularly, what steps did they take in the investigation to figure out what had happened?

DR: Well I think they turned it over to our policy people who had started to get into the files and the information out was done.

AOS: So Kevin Duff in other words. Did they ask Matt Williams, the CISO officer from DAS, to assist in looking at the equipment that David had going through his computer files and phone?

DR: That wouldn't surprise me if they did that.

AOS: You don't recall if Matt Williams participating in the investigation?

DR: Administrative Services?

AOS: Yes.

DR: Probably yeah, I mean I don't...

AOS: ...do you remember Matt attending any meetings with you?

DR: I don't remember that, that would have been a reasonable thing to do.

AOS: Well we have been told that your were at a meeting with I believe Melissa Huffman, Matt Williams, and yourself and was telling him to search for certain things on the computer.

AOS: At least twice a week.

DR: Twice a week?

AOS: Yes.

DR: Department of Administrative Services?

AOS: Yes.

DR: After this happened?

AOS: The computer...

DR: ...I don't remember...

AOS: The computer CISO is his title, he is assigned to ODE he has an office in ODE.

DR: Oh, he's our guy. Okay.

AOS: Yea, but he is an employee of DAS.

DR: I know they were looking at the computer to get the information, so if that was I can't even picture him.

AOS: How did they go about examining the computer, do you know, did you ever ask them to search for anything in particular?

DR: Did I ask them, I probably ask them about the e-schools and the scoring.

AOS: Did you ever participate in helping to think of key words to search for?

DR: They wouldn't have never asked me that.

AOS: Did ODE ever have any policies for an internal investigation, how to conduct them?

DR: Maybe, probably.

AOS: Did you ever ask anyone to prepare anything in writing to summarize the results of the investigation to you?

DR: Well I think we eventually did that when we did when I called the Department, the US Department of Education in August I think.

AOS: So there was something in writing produced?

DR: I don't know if there was anything in writing.

AOS: An investigative report?

DR: I don't know if there was an investigative report that I received.

AOS: Did you or your staff interview others in the Department about what they knew about what David had done?

DR: I think there was probably some of that; but I think we turned over quickly emails to the Inspector General and the Auditor's Office shortly thereafter so I think that some of the investigation went other places.

AOS: Did you feel that David acted alone in his decision to exclude the e-schools?

DR: Until today I did.

AOS: How did you arrive at that conclusion?

DR: How did I arrive at that conclusion that he acted alone; I didn't have any evidence that anybody else was involved with excluding e-schools.

AOS: How did you know what steps Melissa and Jimmy took to investigate the matter?

DR: Well its getting information about the e-schools first because I wanted to know were they included or were they not after he said that and so that was the first issue and that probably was Kevin Duff and that's probably when they ended up looking at the computers I suppose.

AOS: Did they interview anybody else that you are aware of?

DR: Not that I know of, I assume they did.

AOS: So who told you he acted alone?

DR: I felt he had done that I just...

AOS: ...that was your personal feeling...

DR: ...yes.

AOS: It wasn't based on an investigation or a report to you about their activities?

DR: You're talking about before or after I'm...

AOS: ...I know you know now...

DR: ...yeah...

AOS: But at the time...

DR: ...I felt he acted alone...

AOS: How did you arrive at that conclusion?

DR: I don't know that I had any information that would lead me to believe differently.

AOS: Why would you he acted alone without the advice from Legal counsel or others in the Department

DR: That's what I didn't know, I mean cause there's really no purpose that I could see behind that other than it weakened the whole sponsor evaluation process.

AOS: Did you think David might have had a motivation to leave the e-schools out?

DR: Well it probably wouldn't have been for the e-schools it probably would have been for a sponsor. I don't know that I thought that I mean.

AOS: Can you elaborate who or why?

DR: I didn't know his relationships with sponsors.

AOS: So you think he might have been trying to do a sponsor a favor by not including their eshools?

DR: I don't want to say that because I don't know that, I don't know that, I mean, you're sitting there speculating why would he do that, I mean I don't know.

AOS: Okay.

DR: I don't know, I mean it would benefit sponsor's ratings.

AOS: Did you ever ask him or anyone else if he sought an opinion from the Legal department on the e-schools and the academic calculations?

DR: Did I ask David that?

AOS: David or anyone else that's investigating this, Jimmy, Melissa, others?

RC: You want to chat for a second?

DR: Yes.

AOS: I don't need to know if they provided an opinion just to be clear on that, I'm just asking whether or not as part of the investigation you inquired whether he consulted with the Legal department.

DR: I don't know if I inquired, but I think I overheard afterwards.

AOS: You overheard that he may have gotten legal advice from the department?

RC: Why don't we take a minute and chat.

AOS: Okay.

Robert and Ross step out of room

Robert and Ross re-enter room

AOS: There's an internal investigation going on whether or not David acted alone, why he would leave these e-schools out a reasonable person would ask did you at least talk to the Legal department to find out whether or not you could, not asking if he did, but as part of an investigation I'd want to know if that was even determined whether or not he went to Legal for advice not asking what their opinion was, just asking whether or not the scope for that investigation considered it.

JA: Maybe you can consider who he overheard to?

AOS: Yes.

JA: Because if we have to people who are not getting legal advice then we are going to be able to get into the content of the communication.

RC: Okay.

JA: Okay.

AOS: Do you feel like you can answer the question?

RC: Yes, well just go back to the question and we'll...

AOS: ...okay, so who did you overhear and what did you overhear maybe we can get there with just that?

RC: Well, what was the first question before we got to the overhear part?

AOS: As part of the internal investigation what I would like to know is whether or not you were aware of whether they looked into if David had consulted with Legal or other members in the department about whether or not he could leave e-schools out under the statute.

RC: If you understand that I think you can answer that.

DR: The questions I overheard, the conversation that led me to believe there was legal advice to David.

AOS: Overheard a conversation, can you answer with who?

RC: You can answer.

DR: Diane Lease.

AOS: And who else?

DR: Tom Gunlock.

JA: I'm sorry?

DR: Tom Gunlock, this would've been my memory and at the September board meeting when there was a discussion about privilege.

AOS: And the Department had given Hansen legal advice on the e-school question is what you're overhearing?

RC: I think you can answer that question.

DR: Yes.

AOS: Based on that conversation that you overheard was it your impression that David might have thought he was in compliance with the requirements?

DR: What did I think; I thought David might have worked a young attorney to get the answer that he wanted, can I say that?

JA: That's a thought you had?

RC: Well you just did, it does not count as Legal advice, so.

AOS: It's your opinion.

DR: Okay.

AOS: Who was the young attorney?

RC: I think you can answer that, if you know who it was.

DR: I forget his name, the guy that was at the meeting.

JA: Leming? Was it Leming?

AOS: Don Leming?

DR: Yes.

AOS: How did you conclude your investigation or what point did you conclude your investigation into what happened?

DR: Well, once we ascertained that the e-schools were excluded, we suspended the sponsor evaluations, we talked about how could erroneous data be released that was incorrect, so we started a cross functional team that would go to the Accountability department that had to verify any eventual release of information within the Department to make sure it was accurate and legal. The sponsor evaluation not only didn't include e-schools, it included special ed schools, but there were some questions about calculations in that also. We decided that we needed to nix the whole process, bring in an advisory group from outside in to reconstruct the whole sponsor evaluation, which we did. That probably ended in November.

AOS: So, those were the corrective actions that you took, but how, did you, at what point in time were you done investigating what had happened?

DR: I think that once we turned it over to the Auditor and Inspector General that and the media that, I was relying on them.

AOS: So as far as your concerns the internal investigation ended at the point you're turning it over. Now the IG's Office and I believe our office at that point had already acknowledged we weren't planning to do a special investigation into that, are you familiar with that statement? I know our office had indicated we would just look at it as part of the regular financial audit.

DR: Okay.

AOS: Did you believe we were doing something beyond that, did you have reason to think the IG's Office would?

DR: We certainly would get a lot of publicity about it I know that...

AOS: ...did you believe anyone was investigating it?

DR: I, we were investigating, I thought this was a singular issue, I thought this was a person that an employee who did something they shouldn't have done and so he was gone, we were correcting his mistake making sure it didn't happen again.

AOS: So at the point in time the records get turned over to the IG and the AOS is it fair to say that you felt that internally you had already resolved the question what had happened and who was involved?

DR: Yes, at least in my mind.

AOS: And how did you, who was integral meeting with you to reach that conclusion, is it Jimmy, is it Melissa?

DR: Chief of Staff, Assistant Chief of Staff, Legal probably.

AOS: Legal to, and who's Legal at that point?

DR: We were changing so, would have been either Sharon Jennings, I forget when Diane Lease came on, she might have come on in August.

AOS: Was Diane and integral part in figuring out what happened or was she really there to help implement corrective actions afterwards, how involved was she in the actual investigative activities?

DR: I remember her shaking her head, I think both.

AOS: Diane is participating in some of this as well? And again to the best of your knowledge you had no idea Melissa Huffman or Jimmy Sheppard had any knowledge themselves about...

DR: ...I mean they were, no I did not.

AOS: Did you feel that their investigation was adequate?

DR: It might have been because of my predisposition about feeling that this was an employee, so with that I think, yes, because in my mind, I hadn't seen that email.

AOS: Who did you update about the results of the investigation or your conclusion at least?

DR: Well, this was through; I think I talked to all the Board members a couple of times about what we were doing.

AOS: You called them individually, all of them?

DR: Tried, I think I got most of them.

AOS: Did you call the Governor's Office or the Governor himself?

DR: After this happened, no. I mean we regularly met with Wayne, I mean it was self-evident what was happening.

AOS: Kept Wayne up to speed then on what was going on and the results of the investigation. Again, your conveying to Wayne if David acted alone, no one else knew up to this point?

DR: Yes.

AOS: Was there anybody else you updated on the investigation?

DR: Updated on the investigation, I mean Board members, Wayne; I don't think I had any conversations with Senator Lehner or Chairman Brenner.

AOS: You met with the Board again in September, you said, were you asked to give them a briefing on all of this?

DR: Oh it was, that was interesting because I was asked to talk about what happened, and I did, some of the Board members if I recall walked out because I think it was in executive session and they didn't want to be party to an executive session if I remember right, some of the Democrats walked out, gave the briefing and that briefing was an employee had misled and there were some things he shouldn't have done and we were correcting it.

AOS: Did the Board not expect the results of your investigation?

DR: The ones that remained did.

AOS: Did they ask you who else was involved or who else knew?

DR: If they did if they did I would have said I don't think there was anybody else involved.

AOS: Did they ask you if you should have known?

DR: Probably told them I wish I had known.

AOS: Did you feel like they accepted your responses or were they still questioning whether or not?

DR: No I thought the Board accepted the response and the actions we took after, after the July meeting. The Board was involved on the advisory committee to redo the sponsor evaluation a couple of Board members liaisons on that advisory committee.

AOS: Do you feel the Board was largely satisfied then with the internal investigation or was it calling for more work to be done?

DR: Some of them were, wanted an independent investigation, yes.

AOS: Did they not trust the results of the Department?

DR: Probably not.

AOS: Why would that be?

DR: Probably for a lot of reasons, the Board members really not supportive of choice, students for schools, especially anybody with private profit schools.

AOS: Would the Board have any reason to think that you or others in the Department would be intentionally misleading them about the results of the investigation?

DR: I would hope not.

AOS: Were you surprised by the document you saw here today?

DR: Yes, yes.

AOS: Had you known Melissa and Jimmy were aware for that long would you have called for them to resign or be fired over this?

DR: Well we would have stopped it, because that's almost about the time the sponsor evaluations were being released I would think. I would think they would have to face disciplinary issues of some manner or means. It would be understood, if they read the email, make the assumption they got it they read it.

AOS: Was anybody else in the Department asked to leave as a result of this?

DR: No, not that I know of, no.

AOS: Were you asked to retire or resign.

DR: No.

AOS: Because of this or Youngstown.

DR: No, as a matter of fact I was trying to leave the Department before all this happened and talked to the Governor about leaving, wanted to enjoy my cottage in Michigan. Once this happened I felt like I had to stay until we got things squared away, because it was on my watch.

AOS: Did the Governor ever call you or discuss with you the events that occurred later on at some point?

DR: Later on.

AOS: So after Hansen resigned; do you ever have a conversation with the Governor about what happened, how it was dealt with?

DR: I don't remember, he might have asked what's he thinking, but no.

AOS: Did you feel like David Hansen was a liability to the Department while he was there in anyway aside from being rude that one time?

DR: No, I David was a bright articulate guy who advocated community schools. I thought that was alright, I thought that was good.

AOS: Circling back now, I know we are almost at the end.

DR: You're fine. Just. I'm just surprised today.

AOS: Circling back to the Youngstown plan and the participation in the Cabinet meeting were you questioned by the Board about your activities in Youngstown?

DR: At the July meeting? Yes.

AOS: Actually I had a record of the September meeting were you also questioned in July?

DR: I remember, I think July meeting also.

AOS: Okay, what kinds of questions were they asking you in July?

DR: What were you doing there, why were you doing it, I mean my position was I was advocating for the kids in Youngstown, a group of concerned citizens who were asking for help and I wanted to try and help them do something.

AOS: So again just to clear, did the Governor give you any directive on things he wanted accomplished in Youngstown?

DR: Help the kids, there was nothing specific he wanted, he wanted a community group to get involved an develop a plan to improve the situation in Youngstown.

AOS: So the plan does get developed, its drafted into an amendment to House Bill 70, as I recall, is that accurate based on your recollection?

DR: I don't know the number of the bills.

AOS: Do you remember a directive that had to be passed quietly and or quickly?

DR: Well we didn't know if it was going to pass or not, I know I shared with the people in Youngstown they shouldn't be talking about it until the Legislature decided what they wanted to do with it.

AOS: So you were asking them to keep it to themselves?

DR: Until it was ready to go, if it was ever ready to go.

AOS: Why did you feel the need to keep it quiet?

DR: Because it might not have happened.

AOS: You were afraid others would squash it?

DR: Well, I'm sure there would have been people that would have objected, not to preempt the House and the Senate; it's what they decided to do.

AOS: Were you aware of any directives to the House or the Senate to pass the bill quickly, within 24 hours?

DR: That wouldn't have been me.

AOS: You hadn't heard anything like that?

DR: No, I thought it was a good plan.

TS: Who asked you to do this from Youngstown?

DR: Well I mentioned people that were involved, Tom Humphries is a business guy, President Tressel, the Bishop and I don't remember his name Catholic Church, Community College president, you had this man who owns a McDonald's in town.

AOS: Do you know the name of that individual?

DR: African American gentleman, no not right off hand I don't remember it. And then Sean O'Brien.

AOS: Mayor McNally?

DR: No.

AOS: And this is something you wanted to help them with?

DR: Help them; they wanted to do something for kids, for the schools, and their community. The Governor had been talking about Youngstown doing something like Cleveland, so I got the call to go help them and I did.

AOS: And didn't you tell me earlier it was the Governor that asked you to participate and help them?

DR: It might not have been the Governor, but it might have been the Policy Director, I mean...

AOS: ...Wayne Strubel?

DR: Wayne went with us once, at least once.

AOS: Did the Governor himself ever just go see Youngstown plan with you?

DR: He talked about Youngstown being a problem and they needed to do something, but not, the Governor never said specifics of the Youngstown plan other than they need to do something, do something locally

AOS: Did Wayne or anybody from the Governor's Office tell you to keep it from the Board?

DR: No.

AOS: Were they worried about partisan politics?

DR: I never heard that from his office, but as I said before if anybody would have asked me to help them with a school that was in distress in a similar situation I would have done that.

AOS: Wayne was there correct?

DR: He attended at least one of the meetings there.

AOS: Why was Beth Hansen there?

DR: I don't know.

AOS: Did she participate at all?

DR: She wasn't, my memory she wasn't a major participant in the meeting, probably said some things I'm sure, but I don't remember her.

AOS: Do you think she was there to report back to the Governor?

DR: They or me?

AOS: No, her?

DR: I wouldn't want to speculate, I mean she was Chief of Staff for the Governor, but Wayne would have done that just as well.

AOS: Did you ever have any conversations with a man named Dominic Marchianda about the Youngstown plan?

DR: Dominic Marchianda, don't remember, did I? I mean I talked to a lot of people in Youngstown trying to help them in whatever ways we could, was he from Youngstown?

AOS: He was, he was one of...

DR: ...was he selling something?

AOS: Not that we're aware of.

DR: Okay, sometimes people got to me wanting to sell a program to solve the problem, I really don't remember.

AOS: How about an individual with the last name of Cafaro?

DR: Cafaro? Representative Cafaro?

AOS: Business man.

AOS: In Youngstown.

DR: I don't remember any specific conversation; Tom Humphries could have brought business people in at times.

AOS: Do you remember him bringing in business people to the meetings that weren't ordinarily participating?

DR: We had those six or seven there. I really don't remember others coming in I remember those six or seven (inaudible).

AOS: What kind of reason he might involve others in those meetings, just anybody who's interested or maybe people who are looking at investing in opening new schools?

DR: That would be conjecture on my part, but he was head of the Economic Development for that area, so he had his own reasons to do whatever he was doing.

AOS: What is your definition of data manipulation?

DR: Changing data to make to distort what is originally said I suppose.

AOS: For example, if I send you a set of figures, you're changing those figures, would that fall within your definition?

DR: It depends on the figures, but yes I would think.

AOS: Well if I send you figures of whatever a spreadsheet with numbers on it you're changing those numbers to fit what you want them to be, would that be your definition of data manipulation?

DR: I think that would be, yes probably.

AOS: So in the meeting you had with the Accountability Group you were telling them that David manipulated the data?

RC: Are you talking about a specific meeting?

AOS: Yes.

AOS: In September.

AOS: The September 15th meeting.

AOS: You're in front of the Accountability Group and you're saying David manipulated the data...

DR: ...no, I...

AOS: ...I'm using your words.

DR: I know, I know, I would have to be referring to the fact that he excluded the e-schools and I think at that time I think there were some questions about the calculations themselves of the sponsor evaluations.

AOS: Did you feel he did so with intent at that time?

DR: Well, that would be hard, the things that cause me not think it was intent is that special ed schools were included when they shouldn't have been which had the adverse effect of excluding the e-schools, so I think if I said that which I probably did, obviously, that I was talking about the exclusion of the e-schools from the data. Because I always wondered why special ed schools were included and e-schools weren't. That didn't make sense to me it just, I mean if you are going to do it (inaudible).

AOS: Who prepared those calculations based on your understanding?

DR: David's? I don't know that.

AOS: Did you ever establish in the investigation who they thought worked on them?

DR: Well it would have been in his department, I don't know that if I knew who specifically worked on those calculations. I know who would have done them for me. Kevin Duff was the one I relied on at that point.

JA: Any further communications with Hansen?

DR: No, not after that Saturday phone call.

AOS: Was it your intent on Friday when he was sent home, was your intent at that point for him to leave his equipment behind or for him to just take a vacation?

DR: We were sending him home and I was still gathering information, but I think even by Friday. Yeah, I think I pretty much reached the conclusion that where I was.

AOS: Why didn't you tell him on Friday?

DR: I was probably waiting on some more information I suppose.

AOS: Were you waiting on talking to the Governor before you...

DR: ...that was not the reason I waited, no. The Governor, I mean I decided that the Governor probably had an inkling from my conversation with Wayne on Thursday night that's where I was kind of headed, because I think we had a meeting with Wayne on Thursday.

AOS: Who decided then to call David on Saturday?

DR: I think I precipitated that call either it came from the Department, I don't know who set it up, somebody set up the call, I think the probably it was Legal and maybe I was thinking Chief of Staff would have been on that phone call too.

AOS: Did you ask him to resign?

DR: I did and if he didn't, I was going to terminate him.

AOS: Was he accepting of that did he push back?

DR: He did not push back, he did not push back.

AOS: Did you feel he understood your reason for that decision?

DR: I think he understood my reason.

AOS: Did you specifically tell him the reason?

DR: I think I did, I think when I was on the phone I said the exclusion of the e-schools from the evaluations. I don't think there was a doubt in his mind what it was about.

AOS: Do you think he knew when he went home on Friday that he was going to be asked to resign or terminated?

DR: If I was him I would have suspected that.

AOS: He was permitted to take his equipment with him?

DR: Yeah.

AOS: Was that the plan?

DR: No, I don't think that was the plan. I think we ended up sending somebody out to get it after he got out with it.

AOS: Did he do it deceptively, take his equipment out? The message didn't get relayed for him to leave it behind?

DR: I don't know the answer to that, but I know they sent somebody to go get it after he left with it.

AOS: Do you know roughly when they retrieved it, was it before Saturday, before the Saturday phone call?

DR: I don't know that.

AOS: Thank you.

David Hansen, Former Executive Director of the Office of School Choice

04/05/2018

On Conference Call:

ODE Employees: David Hansen and John Gall, Legal Counsel for Hansen

AOS Employees: Timothy Shockcor, Marnie Fredrickson, Kristin Hayes and Jim Arnold, Special Counsel for AOS

JG: This is John Gall. And I'm here with David Hansen. He stopped in at my office so we are calling you together.

AOS: Hi John. Hi David. This is Marnie Fredrickson. I have Kristin Hayes here as well as Tim Shockcor.

JG: That's fine.

AOS: We are waiting for Mr. Arnold to join us.

JA: Hi, it's Jim Arnold.

AOS: Hi Jim. John Gall and David Hansen are also on the line.

JA: Hi John, Hi David.

AOS: Well thank you everyone for calling in this afternoon. We had a couple of things, David, that we would like to circle past you just to wrap up some loose ends as after your first interview we back and looked for a few items. We sent those through Jim to John, I think you have those items. Just wanted to ask you if these were some of the things that you were referring to in your first interview with us. Do have those in front of you?

DH: Yeah, I do.

AOS: We looked for a meeting in the December 2014 timeframe with Dr. Ross; we didn't find anything on his calendar. I'm not sure if you remember more about that meeting. If it was not just a one on one meeting with you or if it was a different type of a meeting, that might help us out.

DH: Yeah. It's actually in October. And it is, it was this division meeting. I'm not sure if it was called division meeting on Ross' calendar. The agenda was maintained by an assistant to one of

the assistant superintendents. And I don't remember who it was at that time but that agenda was then maintained by them and then like at 10:00 in the morning on Thursday, they were held in the afternoon on Thursday, by 10:00 in the morning you had needed to send up a note about what you wanted to talk about. Over the time of October, maybe the end of September, I mean I saw this in the emails that were released a couple of years ago. There was an email where I requested this person and I don't know. I don't remember their name to be included for; I want to talk about e-school accountability. And that agenda, there was only one item per person on the agenda. You brought up the big topic that you needed to talk about. I know I did that then. That request is there, it doesn't look like its going to Ross but that request is there going to the division meeting which Ross ran.

AOS: Okay. That's helpful.

DH: And I did not dig but sometime before that, I think was October 14th, mid-October. Sometime before that, there was another time that again, same channel, I may have done something along the lines of I don't know if the phrase e-schools was there but I might have focused around value-add and problems of value-add. Or something like that.

AOS: So for these meetings, either of these two meetings that you are referencing or at least the October meeting, to be very clear, we know there were questions about the value-add business rule change, and some concern about that not being communicated to the community school constituents. Were you specifically discussing however to phase in the e-schools into the academic component in either of these meetings?

DH: Yeah. That's what I said at the second one and so this also had the whole predicate of not just the problem with the value-add which was established. Well let's not call it a problem, yeah, we can call it a problem, not just the problem with the value-add but what the response was going to be. Which was to accept that the new, the business rule had come up with better, improved ratings but to recognize that the e-schools, because remember if, I mean when we're only sampling half the kids and you were performing well then you added to your sample the other half and you were performing poorly, well then at least you were operating and performing well with half the kids. And when you had 10,000 kids that meant you were working well with 4,000 kids which is a pretty significant thing, that we needed to really understand more about what was happening with charters, I mean e-schools, sorry, and that we needed to and we were talking about two different approaches. One was to do the deep dive on who was doing well versus who was doing poorly. Who was actually being served. So all the student characteristics of this of the e-schools student population which stood out significantly from the brick and mortar charter school population. And to understand perhaps the segment two or three different kinds of users of e-schools, you know home school families under 8th grade, you know, primary grades, home schools families for high school and at risk or

dropout recovery or would otherwise be dropout kids, things like that. So that was one approach. Another study and plan was going to lean towards engaging consultants to develop better practices for e-schools. That is, we would not ask e-schools to do this themselves, they would certainly be a part of it, but we would do things like should the Department of Education be developing a program of onboarding to e-schools. Meaning we should coach parents and let them know it's not a panacea that they have to give a lot of time. That we should expect e-schools to provide the success coaches that are needed to help a 10th grader get on board. We would look at issues that would require legislation. How can a kid, certainly if you are talking about high school level work, how can somebody on the high school level do well on a laptop communicating with their teachers if they can only type 5 words a minute? And I don't think the e-schools were screening for that. Now, of course, public schools are not supposed to screen for things like that so we had to work that out. So we were going to go down that road of not only understanding who was using e-schools but also trying to get ahead and start to laying out an agenda for e-school improvement. And that was a part of the conversation in the meeting one or two weeks before at the division level. And then at the second one, at the October 14th one, if that's the date it was actually held on, it was that part of October, and I said since we are going to do this and because of the problems we've had we'd like to put e-schools on their own timeline for accountability. And he said yes.

AOS: Who said yes?

DH: Ross did.

AOS: Dr. Ross said yes?

DH: Yep.

AOS: And also to make sure I am not making assumptions here, later on we do see that the John Glenn College of Public Affairs produces an e-school assessment report for you?

DH: Right.

AOS: Looks like you get it July 15th, maybe as the first draft?

DH: Right.

AOS: Is that a result of these conversations?

DH: Yep, yep.

AOS: When did you engage them, roughly? Do you remember?

DH: I don't know. Probably January 2015. And I didn't even engage them out of our office. They got engaged out of the Chris Woolard office or even before him, the Matt Cohen office which is assessment or accountability or something like that.

AOS: Okay, thank you that helps on that issue. The other issue thing I wanted to ask you about, we sent you over a PowerPoint slide show we found. It was dated December 1st, presentation is the name of it. And in here we do see a slide that talks about the e-school phase in. Do you know if this is the slideshow you were referring to in your first interview as having presented to Dick Ross?

DH: What page is e-school phase in?

AOS: It is slide, dealing with e-schools; it is starting with slide 15 and then slide 17 lays out the ½ on authorizer performance evaluation and ½ on academic outcomes ratio.

DH: So, I think you also saw I had Ross presentations and there were several of them probably with different dates. What I did was I do all these and I would reshuffle them for different presentations at different times. Did he see this particular presentation? No. Did he see the slides in this presentation in different packages? Yes.

AOS: We'll have to look back but the only documents that we have found thus far is the April 21 Ross Presentation that we showed you. But we will look back and see if we see any others with a different date on them; it would say Ross presentation you're thinking?

DH: Here's something else that could have happened, I would keep the same date and I would reshuffle them, I would save them over each other.

AOS: Okay, let's move on to the next item here. So you also spoke to the fact that you believe there might have been legislation in the omnibus bill that was going to clarify ODE's ability to have some judgment in calculating the academic component. We did find some draft legislation that was in HB 487. That is attached, it's several pages. If you scroll down to page 7 of the PDF document, there is a summary of the amendments that were occurring in this bill and when this is passed in the House, paragraph #2 specifies that an academic performance component being annually measured used by or approved by the Department. Had you seen this language before or heard about it?

JG: Marnie, this is John. Just to make sure, are you talking about the paragraph numbered 2 on it looks like a page that, it's been exerted, but a page that had a page number of 23 at the bottom?

AOS: Yes, it's in the House Education Committee column, as passed by the House.

DH: This is from, there is a hand written note on it, 5/28/2014?

AOS: Yes.

DH: No, that's something else. This relates to the timing. So, this relates to something else. If you want me to tell you, I can. It relates to the legislation that has passed already. I am going to say 2012; I really don't know exactly what year. I am going to say 2012, I wasn't around for it. When we went through the 2013 closings, we recognize it to be best to prototype it, we really needed to be updated to answer, so it hadn't already gone into effect yet. It needed to be updated to answer the things we learned in 2013 but more importantly we wanted to have it also reflect the strategy of if you really work hard with authorizer, that's the key to charter school success. So at this point this is a relatively minor issue in that the prototype stage, if you will, was expecting us to do this performance review, I believe. The academic performance component, annually measured. I guess I am going to stop at that point. I was thinking more about the dilemma that we had and I thought they straightened that out sooner and that they straightened out the issue of the performance review being held annually, because at one point the legislature did require that. This one here talks about the academic performance and so I don't know if that relates to what was going on in 2015 because I don't think the timing, I guess I would have argued that the academic performance review can be annual but you need to remember that charter schools and charter authorizers have contracts which give them 5 years. But having an annual review is fine. I think we were discussing about, maybe this relates to this, since we were putting a lot of emphasis on the performance review, what were we going to do? Were we going to review the overall grade every time? I don't remember what those discussions were at that point, what they cumulated with but they are not necessarily what we were looking for in the legislation that passed or was moving in 2015.

AOS: Okay. And then we had a couple of emails attached. It was Colleen's requested information as well as public records requests, I believe these were originally from the Plain Dealer. You had responded to some of those questions. You had typed in your responses. And they were drafts that were circulating among multiple people including Jessica Voltolini, Melissa Huffman, Jimmy Sheppard. Can you tell me did you have meetings to discuss the answers to these questions?

DH: Yeah, I think I might have met mostly with Melissa on this, once or twice.

AOS: And do you think Melissa understood the questions being asked?

DH: No. I don't think she did really.

AOS: Did you involve anybody else to help explain your answers to her? Do you think she was following your answers?

DH: I didn't involve anybody with her. I talked to the charter school staff for some thoughts on this. But she was up on the 7th floor so I didn't have others try and talk to her about this.

AOS: The other question I have for you, as far as thinking back to the point in time that the concept of phasing in e-schools comes up, who was the original person that came up with that idea? Was it your idea? Was it somebody else's in your working group?

DH: No, it was probably me. It's probably me. We needed to, we were, compared to the prototype; we were taking a bold step. We were no longer weighting an ECOT with 15,000 kids to a small charter with 100 kids. Which in the prototype and before, certainly before the current law, I am certain the prototype didn't specify this but the... I am trying to remember how the prototype specified this; they did not have the concept of all of the sudden you are going to actually, honestly weight the impact of the schools. And again you can take a grade and if you got a D for ECOT with 15,000 kids and you got a B with little charter school on the east side with 100 kids, those shouldn't be even. So we were taking a very bold step against a pretty powerful, politically connected entity and an industry at that time because this would have involved others with political clout and so I said we needed a way to get this to happen, efficiently, effectively, certainly but also without making it happen overnight. Because they would have one more excuse to undermine this is we were all of the sudden turn this over and multiply by 15,000 if you will or 1,500 at least, the impact of a single school. So the prototype was basically ignoring 14,900 kids already so we would phase it in over 3 years. So a couple points, by November and December of 2014 you are, in effect, you are through the year. The authorizer does not run a school. That's what often people forget. We don't want authorizers running schools. They are different than schools districts. School districts do run their schools. They hire and fire their principals; they determine how much money goes to the school and all that. So we knew that the authorizers control the schools only at a certain point in time. And so year 1, if you will, was already done. And then at year 2, when you have ECOT with 15,000 kids and it was going to be weighed at a third, also that's 5,000 kids. And that's as many kids as all the rest of the kids you have in your portfolio. So that was going to have a very quick impact, it just simply wasn't going to happen that day. And finally, a couple more points. Academic achievement and academic performance is written throughout the entire activity of evaluating charters and authorizers, I mean. Authorizers had to have a plan of framework where every year they were expecting their schools to perform at a certain level and then finally at least for academics, not for compliance, not fiscal issues, at least on the basis of academics charters were going to be protected by their contracts for at least, well except for, let me add that also. Charter had contracts. And we knew the timing of the e-school contracts and we knew by year 3, when all this was phased in, that's when their contracts were coming up. And so you weren't going to close a school down based on a contract failure until the contract was done. Oh and by the way, the public good was further protected because charter schools could still be closed

by the automatic charter closure law, which we weren't undermining at all with this process. So that was to me a solution to that allowed us to try and take a bold step against pretty powerful political interests. And it was, I believe, it was mischaracterized by those who were ill-informed or those who chose to be ill-informed about it.

AOS: Such as, I guess David, just to be clear. What specifically were you concerned with happening with the political interests? Who were you concerned about and what was your fear? Are you saying that they would have somehow removed the sponsor evaluation process from legislation? They would have gotten that amended?

DH: So I didn't catch the last part of the question. Let me give a response and see if it's responsive and you can ask your follow up if I miss what you are asking for. Sure, e-schools had all kind of carve-outs for themselves. They had this whole section of where e-schools were getting approved by the, of the e-schools that were established had it so no more e-schools could get into the market. They could get a lot of things done, they worked very actively. They had this whole thing they were bringing around, this is generally ECOT, I don't know where the others were. I've always said, and I've always been clear, everybody can tell you this. I was on the board for a blended learning school operated by Connections. Not the Connections e-school, the Connections e-school seemed to be a better player but I didn't know where exactly, where K-12 fell into this and the others that are sort of the alphabet soup of e-schools. But I don't doubt that ECOT would have been right up front trying to undermine this and not only that, they weren't just undermining it for themselves, they were actively trying to undermine the value-added concept. Which is, education reformers will tell you, the value-added concept is the way to measure, the primary way to measure school performance. Using the performance index is important but it is also is totally predicted by socio-economics characteristics so when you look at a PI score for a school, you're looking at the demographics of the schools as much as anything. And I had a conversation with a staffer there, I forgot his name, he was up on the 7th floor, and I was saying I can't believe this, is ECOT going to try and bring down the value-added measure and he said yeah, absolutely. Because ECOT was not meeting the value-added measure. They were not going to do what it took to for them to meet value-add.

AOS: Can you explain a little bit more about what ECOT was actively doing to undermine value-added? Can you elaborate a little bit on that?

DH: Yeah so again, I really didn't follow the lobbying. Nobody really lobbied me to speak of certainly not out of the ECOT corner. They were taking around through the charter school association and also another kind of minor association of school choice this concept of replacing the value-add with a performance index that had kind of like a golf handicap concept I guess is kind of the short hand way of describing it. I knew they were doing that. I didn't know

that they were specifically doing other things. You could just read through the law and recognize where they, well actually they were doing something else. I don't know if this was directly are connected but they got passed the support, they got the legislation passed that an e-schools could access technical education money for teaching technical education.

AOS: Career technical ed?

DH: Career education, yeah, which is actually a good idea. And could e-schools access that? Yeah for sure if they were to be, especially and you could imagine what would be a better place to teach coding than an e-school? So that was all good and would have wished ECOT would have gone down that road. But instead they were going down the road of getting a partnership and they were to teach technical education in terms of theater arts at a community theater here in town. And yeah, you actually could make the case that you can study online which happens at the college level, you can study theater arts, how to do make up and all that kind of stuff. But unfortunately, they were going to have, at practicum of kids coming into a building at a particular community theater. And that opens up a whole list of problems because that building, would the adults in the building have their background checks? Would that building have a fire code review? Well it would in the context of being a place where adults would work in but it wouldn't have all the things that are required of brick and mortar charter locations. Which are pretty significant, which if you know how the opening assurances goes, that's a big deal. And so we really pushed back on that kind of stuff. So I guess that's just the way, we got the call from the legislators who were clearly didn't know the depth of the whole issue, were carrying their water on this and we tried to explain this about how it was a good idea for them to be in career tech for sure but and you know what, even some day down the road to be doing a theater arts program but of all the things they could choose could they choose coding camp first and let's talk over the two years or year about what it would take to go and do a site based career tech practicum related to online instruction in career tech. So there you go. Things would pop up like that pretty frequently where clearly they were working it. And nobody, and no other, none of the other e-schools popped up like that.

AOS: Do you know from ECOT in particular was lobbying for these things?

DH: No.

AOS: You're not sure?

DH: No.

AOS: And when you were talking about ECOT taking around some value-added changes through the charter school association were you referring to the California Model by chance?

DH: Yeah, yeah.

AOS: Was Ron Adler working on that as well? Is that who you were talking about?

DH: Yep.

AOS: One of the charter school associations?

DH: Yep.

AOS: And you believe ECOT was a part of that as well?

DH: I believe so, I don't know. I don't know who was paying Ron, I didn't look at the lobbying reports or anything like that.

AOS: So I have a calendar appointment and I apologize because this isn't one of the documents that we sent over to you but we did find this just recently here. It's dated February 6th of 2015. And it's from Joni to you, Donny Leming, Karlyn Geis, Kelsey Stevens and in the name of the meeting is the academic component, calculating the academic component. It says the law require the exclusion of the 1st and 2nd year schools and student with disability schools. And then it goes on to say that Karlyn suggests phasing in the e-schools, using 2013-2014 as a baseline and adding the academic component in each subsequent year, weighting them as 25%, 50%, 75%, respectively until full phase in in '17-'18. This makes it sounds as though it was Karlyn's idea. Can you speak to that?

DH: What's the date on it?

AOS: It was February 6th 2015.

DH: Yeah, I don't know that if it would be....so, two things. As a leader I take responsibility for things. But I also know that Karlyn and I would talk about all kinds of stuff and went back and forth all the time. So could I have been channeling her or could she have been channeling me? I couldn't say at that point.

AOS: Okay. I just wanted to ask your thoughts on that since we had that.

DH: I mean, a lot of people knew about it. And if you went through and you had that these kinds of conversations where you would spend and I wouldn't say hours, yeah maybe I would say hours. We would go through and look at the situation we were in. And that if we really wanted to take bold steps we also knew that we needed to work on making sure that those bold steps could get done.

AOS: And you believe Dick Ross knew exactly what the e-school plan was and approved it in the October meeting?

DH: So when you say exactly, this is not a guy that would sit there and read stuff and digest tons and tons of numbers. But he knew the concept and the concept was that e-schools,

because we were working over a 3 year period, he didn't need to know all this background but since we were working over a 3 year period, I have had two conversations with him. E-schools were going to be on their own timeline. And that we were going to kind of do this in a way like the, I don't know that if I used this analogy, but like the frog in the water or in the hot water. We were going to do it in a way that was not going to draw a lot of attention but would be putting everybody on a pathway towards getting this straightened out in a way that was bold but not scary to the legislative process.

AOS: And you said you were on a 3 year timeline. Was that something that you were under the impression the law provided for already or was that a legislative change?

DH: No, I think the law was clear that, you know I asked about this and people would say ODE has every right to design this the way they are going to design this, the way we were trying to design it. We didn't, we were thinking about 3 years just because we wanted it done before the next round of contracts for the e-schools.

AOS: Would you, and these were questions you were asks people and they would say, it's ODE right to do it. You did ask these questions internally, I know you can't speak to advice you were provided, that would be privileged, but you were at least asking these questions internally in these workgroups you were having?

DH: Yeah, the assumption always was is that can we do what we are trying to do and when we were told we can't do what we try to do then we'd work on something we could try to do.

AOS: Who would be in those workgroups again?

DH: Well just that list you just read off. Joni, Karlyn, Donny, sometimes Frank Stoy, he came on a little late, Faith, who else? That sort of second to Karlyn, I forgot her name, Kelsey.

AOS: And no one mentioned that you could not do that in those conversations?

DH: Yes, that's right. That's right.

AOS: Okay. And then jumping ahead and I think we are getting near the end here but we wanted to follow up with you on, when the July 14th board meeting happens, you indicated in your first interview that you did have a meeting with Dr. Ross the next morning. Is that accurate?

DH: I think there was a meeting on the next day but there was another meeting on Friday morning as well.

AOS: Were both those meetings with Dr. Ross personally?

DH: There were others in the room.

AOS: But he was in attendance?

DH: Yep, oh yeah.

AOS: Did he speak to you directly?

DH: Yeah, I mean in his own kind of goofy way, yeah.

AOS: Do you remember what he said?

DH: He replayed stuff, why are we doing it this way? (Inaudible) He asked some questions. Things like that.

AOS: Did you get the sense that he acted like he didn't understand the e-school plan that you felt he had approved?

DH: Yeah, so I had to remind him, I said because one of the conversations came up with we are going to have these studies back, you remember? These studies we talked about regarding getting the e-schools back on track. So this is July compared to October with all the stuff going on and that's 8 months so yeah I can imagine that he may not have been actively remembering it in July.

AOS: And on Friday morning it was Dr. Ross that you met with that asked you to go home.

DH: Yep.

AOS: Did he give you any indication at that point as to why he was sending you home?

DH: Not really. Not really.

AOS: And you said Jimmy Sheppard had called you and gave you a heads up of the phone call that was coming on Saturday. Can you share with us what Jimmy said?

DH: I don't remember that he said anything particular. Just that we want to talk to you. Jimmy didn't have that much of a role in that call.

AOS: Did you have an idea already that they were going to ask you to resign?

DH: Yeah, I suppose. I mean, 2+2 you can put that together. Why would they have a call on a Saturday like that?

AOS: No one warned you about it though?

DH: Not that I can recall.

AOS: And who else was on the call with you on Saturday?

DH: Jimmy, Dick, one of the lawyers. They didn't have P. R. or P. C. , I can't remember his name.

AOS: P. R.

DH: Yeah, P. R., he wasn't on he was gone. In fact I think he was gone that week so he wasn't on, it wasn't Jennings, it was another woman. I can picture her but I can't remember her name.

AOS: Ok. But it wasn't Sharon Jennings?

DH: No, it wasn't Jennings.

AOS: Were Melissa or Jimmy, you said Jimmy was on, was Melissa on that call?

DH: I don't remember if Melissa was on.

AOS: Okay. One other document that I sent you, in the attachment is called the DORP notes, dropout recovery notes. It looks to be personal notes that you might have created on ECOT. Does this look familiar?

DH: Yeah. Yep.

AOS: Can you explain what you created these notes for?

DH: So I don't know what the date was on this. I would say it was generally earlier so might have been June or March of 2014. I really don't remember, 2014. I think this was a meeting instigated with ECOT and I think that ECOT was there and Jason and I went and I believe this is one of those meetings where we went over and ECOT was a constituent and the house, statehouse was there. I don't believe that members were there, I believe that a statehouse staffer was there. And I think we worked this up ahead of time and this is before we were really digging too deeply into this, we were beginning to have an understanding that large portions of an e-schools, particularly ECOT was serving kids who were, would have been, if you didn't have e-schools they would have been drop outs. And that perhaps the drop out recovery route was a route for them to go down and all this was was telling them about it and how it would work. For as big as they were and whatever they were doing, and so another thing was is that we would not see their lobbyist but we would see their superintendent, there sort of teacher staff and they didn't really have a, they were more educator types and probably more worried about technology and enrollment and EMIS and all that stuff. They really didn't have a handle on policy alternatives for them. So I think this is one that had their superintendent, whoever that lead guy was and maybe one of their data guys and they kind of...

AOS: ...was it Rich Teeters?

DH: When we went through, I had these notes, I don't know if they got handed out. I don't know any more about that. This was sort of a conversation about should and e-school like this consider this an option and what would happen if they were to go down this route.

AOS: Were you having the conversation in part because people were afraid of ECOT having to close particularly with the new sponsor evaluations that were coming?

DH: No, like I said I think it was really driven by understanding who they were actually teaching.

AOS: Do you remember who the statehouse staffer was?

DH: My memory says Colleen was there. I don't quite remember. I don't remember 100% sure but I think she was there.

AOS: And who were present from ECOT? You said Rick Teeters. Is there anybody else that you can remember?

DH: No.

AOS: So really it was just kind of beginning to understand how e-schools were operating, the students they were serving. Was there a concept ever of ever encouraging the e-schools to evaluate becoming a drop out recovery school? Was anything like that ever an initiative?

DH: Yeah, it was discussed. We also discussed encouraging the authorizers to think about e-schools being divided into two so that they would continue to be responsible for the K-8 kids who really couldn't be dropout kids on the regular accountability scheme. And in fact I think we thought about that as something that we needed to guard against because if they became a dropout recovery school, and again legislation is always behind with what's technology is able to do, but the technology could very easily created two ECOTs with two accountability schemes and could they work as a K-8 school then that would be great. If they can't work as a dropout recovery school then let's hold them accountable for that. But those were just conversations and again at the time our focus, I thought in one of these notes, our focus was getting the brick and mortar charter schools who served equally disadvantaged kids in our urban neighborhoods to work better. We were going to work on that first. E-schools, their population was majority white and appeared to be, we didn't have all the data, appeared to be middle class. And while that's an important issue, and they certainly had numbers, they weren't growing. And we said that was our next task was to get the e-schools straightened out. So in the end we would have looked at this as what can we do to put this problem in a box and get back to it.

AOS: I see. Did you ever have conversations with William Lager about these issues?

DH: No.

AOS: Did he ever contact you about any of the work that you were doing?

DH: No.

AOS: Did you have any of the knowledge of the Youngstown Plan that was going on in terms of the drafting of the amendment to HB70 to appoint a CEO?

DH: I was aware of some of it. Yeah, I was aware of some of it.

AOS: Was that plan important in any way to the grant or anything else that you were working on?

DH: So the general concept was that you needed to, that the grant was going to be used to create good schools that would replace bad schools. So the school situation in Youngstown was pretty bad. Terrible. And so I think that as they looked for money that that was going to be a part of the solution. The Youngstown Plan was specifically added through kind of the 7th floor saying let's take advantage of this. I did not remember that grant, again with the time that we

put into it being specifically designed to, okay so let's cover... Oh, yeah I guess we did say in the end, let's try to respect the local communities that they did their programs. So I thought about it more in the terms of respecting the Cleveland Plan and whatever Cincinnati was up to and since Youngstown is being taken over, I guess, taken over by ODE let's see if this could help out the execution of a Youngstown Plan as well.

AOS: Were you aware then of the allocation written into the grant application for Youngstown? Specifically earmarking a portion of the grant to be used for that purpose?

DH: Yeah, probably. I am sure I read it.

AOS: Would you have been the one to author that part of the grant application?

DH: Not necessarily so.

AOS: Who do you think would have worked on that?

DH: I might have been Faith who was interacting a little bit more with different parts of the building. I guess. I don't really remember. I did talk about the Youngstown thing with the 7th floor. Might have been me but it might have been Faith because they would have talked to her about this as well. I don't know.

AOS: Was that a big priority would you say for the 7th floor?

DH: The Youngstown plan was, yeah.

AOS: And Dick Ross, personally?

DH: It seems so.

AOS: Do you think the governor's office was also placing a lot of importance on the Youngstown plan being successful?

DH: No, I have no idea about that.

AOS: One other question, sorry and then I think we are done. On the June 15, 2015 is when the Plain Dealer article appears with the questions that they are asking about the e-schools being left out of the sponsor evaluations...

DH: ...they phase in.

AOS: Did you ever discuss that article specifically with Dr. Ross?

DH: Yes.

AOS: Do you remember when?

DH: That day or the day after.

AOS: And what did Dr. Ross say?

DH: He was talking about, because we looked at it and I said this is not an article, this is like an opinion piece and he goes I think the media guy was in and he said that's the way it is now. And Dick said well maybe I'll call him and tell him that was really a rough one but this is where it's at or something like that.

AOS: Did Dr. Ross indicate to you that he had read the article?

DH: Yeah.

AOS: Okay. Thank you David. Thank you John for fitting us in today.

End of Transcript

Jessica Voltolini : Former Director of Policy and Legislative Affairs
4/6/2018

In attendance:

Former ODE employee: Jessica Voltolini and her legal counsel, Brad Barbin and Alexandria Petrillo

AOS employees: Timothy Shockcor, Marnie Fredrickson, Kristin Hayes

AOS: Jessica, just so you're aware, we are audio taping the interview today. The screen has a camera on it and the camera has a mind of its own, but it's not recording you.

JV: Okay.

AOS: So sometimes, if she's to pull a document up for you to view, we will put it up there so you can see it but the camera might move.

AOS: See, it moves back and forth.

JV: Okay.

AOS: Yeah, it's nothing.

BB: One preliminary matter on the conflict, just for the record. I've performed a conflict review; I've talked to the prior witness. He's signed a conflict waiver. Jessica signed a conflict waiver. And I'm relying in part on the fact that you guys know the case better than I do, so if there is a conflict as it comes up then we will address it then.

AOS: Okay.

BB: For the purpose of the record, I don't see a conflict in representing Jason and Jessica, but if it appears at some point in time, then we will take a break. But otherwise, we will try to get it done.

AOS: That sounds great. And from our perspective, Jason is really there at a different point in time than what we are focused on as far as the questions we have for you.

JV: Okay.

AOS: So I don't anticipate there being anything that's going to be a conflict, but should you present some new information today then feel free to make sure you throw up a flag and we can take a break while you guys talk about whether or not there is in fact something to be concerned about.

JV: Okay.

AOS: And the other thing to talk about today too is that we have no intention of discussing privileged matters. If any of our questions would touch on something that you believe is covered by privilege, stop us, let us know, we can discuss whether or not in fact those items are privileged. If you need to step out of the room, that's fine as well. We can take a break.

JV: Okay.

AOS: And I... just for the record, too, while you were at ODE during the 2014-15 timeframe, I think your job changes a little bit.

JV: Yes.

AOS: So could we lay out, right up front, exactly what period of time you're acting in each position?

JV: Sure, and I brought my resume so I could remember. I came to ODE first in January of 2012 as assistant legal counsel on their general counsel team. And I worked as an attorney for about a year and a half until September 2013. I left ODE in September of 2013 and worked for the Ohio Alliance for Public Charter Schools until April 2014. So about nine months. And then I went back to ODE.

BB: As what?

JV: I started back as the Policy and Legislative Liaison in the legislative policy shop. And eventually became the Director of Policy and Legislative Affairs.

BB: When?

JV: February 15.

BB: So you're the boss lady of both policy and legislative affairs in February, but not until then?

JV: Correct.

AOS: And I think most of what we want to discuss will cover that 14-15 time period where you were acting in legislative affairs in either role.

JV: Okay.

AOS: If you feel that there's something that's going to touch on privileged matters let us know, but I am operating under the assumption that as legislative affairs, you're not representing ODE as legal counsel at that point any more so if you feel differently or like I said, we touch on something you think is covered just let us know.

JV: Okay.

AOS: Can you speak to your background in education a little bit for us too? We would just like to know more generally.

JV: I started, I left the private sector practicing law in 2008 to work for the Ohio School Boards Association and at OSBA, I started as a policy consultant. I wrote school board policy manuals for school districts. So I would go around to different school districts, sit down with their administrators and write their school board policy manuals. And I did that for about a year at OSBA. Then I became a member of the legal team at OSBA. A staff attorney. We did a lot of training for board members on school law

issues, public records, open meetings, sunshine law, ethics, took calls, answered general questions. Did not directly represent school districts in legal actions but provided legal support, write papers on different issues, again trainings, workshops, worked with the Ohio Counsel of School Board attorneys, doing a lot of things. So I was at OSBA for about three and a half years. Three, from 2008 and then to when I started at the department in January of '12.

AOS: And then obviously while you're at ODE you're working on a number of education issues. What types of topics? Did you specialize in anything in particular? Were you assigned a certain areas?

JV: Yes. So at the time I was the third attorney of a team of three in the general counsel office. All three of us, we all worked for the state superintendent, we all worked with the State Board of Education. We all worked with, you know, the operations of the department, Finance, procurement, contracts, you know, other fiscal things, budgeting, the- what I would say running of a state agency part of legal work. And then, between the three attorneys we kind of divied up all the program offices and we were like supporting program offices. So I was the first point of legal contact for a variety of program offices, including the office of child nutrition, and transportation, teacher evaluation, the office of community schools, the office of school sponsorship. There were like ten, I did work for the school for the deaf and the school for the blind so there's a variety of program offices that I was supporting.

AOS: Did you happen to support the federal programs office?

JV: No. I, the only element of that was there used to be an office of family and community engagement that was kind of affiliated with federal programs but kind of not. And I worked with that team.

AOS: Just that team? Okay. Can you speak a little bit prior to becoming legislative affairs, to your background with charter schools specifically?

JV: So when I started in the legal offices at ODE. Let's take a step back, I apologize. At the school boards association, we did not do a lot of work with charter schools. The only exception was there were school districts that sponsored community schools. So there was a little bit of like general information that I knew about the charter school chapter from that but we didn't like represent charter schools. They weren't members of ours. We just knew of charter school issues as they related to school district sponsoring charter schools. I say charter schools; you know I mean community schools in Ohio.

AOS: Yes I do. We got that straight.

JV: So then when I was legal counsel at ODE working with the program offices then I was again kind of the first point of legal support for the Office of Community Schools and the Office of School Sponsorship. So I got much more familiar with, you know, Chapter 3314 of the revised code and all the charter laws as they applied to Ohio's community schools. It wasn't until I was at ODE doing some of this work that I met some charter school stakeholders, including folks from different sponsoring entities, authorizers, management company folks, all the stakeholders engaged in the community school sector.

AOS: What were some of the top priorities at ODE during the time that you were in Legislative Affairs?

JV: Legislative Affairs? Okay so when I came back to ODE in April of 2014, we were wrapping up the MBR. There were a lot of changes with respect to graduation requirements, report card, other budget clean up from the previous budget. That was a long, that was several MBR's ago so I'm trying to remember what other things were hot topics but, so I came in kind of towards the end of the MBR process and I worked on the MBR and all those issues and then other education bills that were, you know, in process or percolating before summer recess that summer.

AOS: Were there some charter school initiatives that were pretty high on the priority list at ODE?

JV: Not that I can recall, do you mean from a legislative perspective or an implementation perspective?

AOS: Either or, speak to both if you can.

JV: I think that when, not from necessarily a new legislative perspective but an implementation or creation of the sponsor evaluation system, I think was under way, the department at the time was also starting to implement the new report card law that had passed I think before the MBR so earlier in '14 or '13. There was the Cleveland Plan implementation that was all starting to come to be. Stuff around the Columbus Plan and if you guys need me to explain what these are let me know.

AOS: The Columbus Plan, is that the one where by a vote in Columbus the voters in Columbus could essentially vote to close a school district? Is that the plan you are referring to?

JV: No. That was, I think that was, is that an MBR that the Columbus parent trigger?

AOS: Yes.

JV: Okay so that would have been the MBR, not in the Columbus Plan.

AOS: Okay, so that one I'm not familiar with.

JV: Okay so the Cleveland Plan was first and that was about a new turn around model for the Cleveland School District.

AOS: Okay.

JV: That was a standalone bill. I think HB 525.

BB: Show off.

JV: I was going to say, don't be impressed Brad. So the Cleveland Plan was a proposal that the City of Cleveland, Mayor Jackson, the school district, all the state community stakeholders kind of brought to Columbus, worked on with the administration, the House and the Senate to say "Hey in lieu of academic distress in Cleveland were going to create this new Cleveland Plan, create a five year transformation plan to improve all of the Cleveland City School district buildings and partnering community schools." It created the Cleveland Transformation Alliance which was a stakeholder convening of so many members that met and it was a like kind of a standalone public body that did a lot of work. So, at the time we were working on implementation of the department's roles and requirements as it related to the

Cleveland Plan. Mostly accountability related, there were some charter specific requirements in that bill where we had to work on creating like a metrics and approval process for new charter community schools that wanted to open in Cleveland. There was like this entire new process. So that was Cleveland Plan. The same time Columbus City Schools were trying to pass a levy to do a whole bunch of stuff and then they were trying to do kind of like a Cleveland Plan-lite initiative. So it was not nearly as comprehensive but at the time I think I recall the Columbus City School District Board of Education was trying to put together like a plan, their own kind of new accountability plan. They were trying to pass a levy. They, in that bill granted to the mayor the option to sponsor charter schools if they wanted. So it was kind of like 25 percent of what like the Cleveland Plan law was. So we were dealing with those things and again really working through the new local report card system and things like that. That's what I recall from like April, May, June going in to the summer of '14.

AOS: Okay. What about in 2015?

JV: So let's, if you don't mind, so then I had a baby and went on maternity leave, and when I came back in September of '14, that's when we began working on the biennial budget proposals. That's when we began working on some testing issues, testing reduction mania 2014-15. Part of the budget proposals or, so we were brainstorming initiatives for the upcoming budget that was going to drop in February '15 and working in partnership with the administration. We were doing a package of regulatory relief, deregulation provisions, we were working on school funding formula proposals. We were working on charter reform proposals as part of the as introduced version of the budget. We, like I said, it was testing, Parcc standards you know all of that kind of crazy time line.

AOS: I remember that well.

JV: Yeah. We were writing a testing reduction report. We were internally starting to work on Academic Distress Commission reform.

AOS: And that internal work started in early 2015 or actually in 2014?

JV: The ADC stuff or the...

AOS: ADC.

JV: Oh my gosh, I am trying to remember how it all played together. It was not in September of '14, but I don't think it was, I don't know if it was like December, January, I would have to look back.

BB: (Inaudible)...winter of 14-15.

JV: I would say winter...

AOS: Winter.

JV: Winter, or yeah late, it all kind of melts together. Mostly in September, October we were in budget proposal mode, school funding, testing, and then at the same time Marnie and you may recall is when both the House and the Senate were working on charter school reform bills as well.

AOS: Right.

JV: So there was all that and then lame duck which was, you know, lame duck. So that kind of wraps up 2014, and then in early '15 we were still doing the testing report, I think it came out January 15th '15 because that was the deadline. We were getting ready for the Governor to introduce the budget. I think both HB 2, the charter reform bill and the House had just dropped because it was a priority bill prior to the budget. We knew Senator Lehner was still working on her stuff, so like all that was kind of happening. And then the ADC, ADC stuff kind of like picked up. I can't remember when that was yeah, so maybe it wasn't December, maybe it was January, February, but it was winter, winters fair.

AOS: Can you speak to some of the details of the ADC work you were doing?

JV: So, we were working from a policy perspective on trying to come up with a new more robust Academic Commission law for the poorest performing schools in the state. So we were researching what other states were doing, we were researching school turn around models, we knew what under the federal no child left behind at the time what the requirements were for, priority schools and watch all the Academic Distress Commission kind of turn around things so we were doing a lot of research in the turnaround space. There's a lot of conversation also going on at the same time around community learning centers and wrap around services so we were looking at that, we were really looking at the existing law on Academic Distress Commissions. How it was working, what some of the challenges were with the law and what some of the issues we were trying to kind of figure out how to make better. At the time there were two school districts in the ADC.

AOS: Youngstown and Lorain?

JV: Yes. So that led to all that research and policy conversations, kind of came to be in HB 70.

AOS: Who asked you to start working on the Academic Distress Commission research? Who initiated that?

JV: Specifically?

AOS: If it's easier what I'm really looking for is this a Governor's initiative?

JV: Sure, it was definitely something that a small team of people at ODE was working on with the Governor's Office.

AOS: Do you know how the ODE team was formed? Who appointed the people that needed to be on the team?

JV: Yeah I don't know if it was necessarily like an official appointment. We had a kind of a group of people who routinely worked on policy issues. And I as, then I was, as the Policy and Legislative Director had a policy team.

AOS: Okay.

JV: And then we had routine kind of policy meetings with the Governor's Office where we would talk about a whole host of policy issues. Whatever was the kind of the issues of the moment.

AOS: Who would you meet with over there?

JV: Wayne Stuble, Ben Kanzeg when he was still there, sometimes Beth Hansen, sometimes some of their comms folks. Depending on the time frame, sometimes Scott Milburn, Ben Kanzeg left, Don Larzelere replaced Ben so sometimes Don, I can't remember exactly when Ben left. When I, we were down a, we were down at the Governor's Office, did not have an education policy person for a while, and then Jana Fornario was hired, she started like June of '15. It was like two weeks before the budget was done. I felt bad for her to start then. Christine Morrison was working with the Governor's Office and ODE on the budget and school funding issues. Aaron Rausch because it was budget time, he was the Budget Director; he was sometimes in the meetings so Jana started ...

AOS: And were they down because of Jimmy coming over to ODE?

JV: Yes. Thank you. So Jimmy, so when I came back to ODE in April '14, Jimmy had just transitioned at the Governor's Office at the education legislative person to the education policy person at the Governor's Office, so then you know, baby, come back, Jimmy's still at, yes the Governor's Office doing education policy, and then when he came to ODE that's when they finally replaced him with Jana. I'm not sure I cannot remember exactly when Jimmy came to ODE as the chief of staff, but it was in 2015.

AOS: Yeah, I think....

JV: There was sometimes some of the education legislative people for the Governor's Office were included, I think it was just issue specific, but there on my team, on the policy team at ODE, would have been myself, Kevin Duff, Buddy Harris. I had some legislative folks on our team too. They wouldn't, they did not really go to the policy meetings. Dr. Ross, sometimes Jason Rafeld, sometimes Melissa Huffman, Sarah Wickham...Duff, Wickham.

AOS: Jimmy Sheppard?

JV: So when Jimmy, so yes then when Jimmy was at ODE he would go. So he was there, he was at the Governor's Office and he would go, sometimes our legal folks, sometimes our comms people. It just depended on what the issue was. Sometimes the OBM analysts were there because if it was budget related, so it just depends, it would just depend on what the issues.

AOS: Okay.

JV: But back to HB 70, and from a policy perspective from ODE it was mostly me, Kevin, Buddy, Dr. Ross. Was it Jimmy? Was Jimmy there? Whenever Jimmy came, Sarah, did I say Sarah, and then when we needed like specifics about school turn around and like we would talk to our accountability folks and if we had questions about budget, we would talk to Aaron and if we had questions about community school incubators we would ask the office of community school people questions. So it just depended on...

AOS: Varied. How would you primarily get your directions as far as what the important legislative initiatives were? Were they coming from Dr. Ross, the state board, or did you find them more often than not coming from your weekly meetings with the Governor's Office and then just trying to align your work with that?

JV: Sometimes it came from me because that was my job, to identify what the, what was moving, what was not moving, what were the hot legislative issues, sometimes the legislative issues were identified for us by the press. Sometimes they were cyclical, sometimes they did arise from policy meetings that we would either have internally or with the Governor's Office and sometimes they were just legislative vehicles specific like obviously the budget like we spent a lot of time working on budget and budget from a numbers and budget from a policy. So.

AOS: Did you ever go, for the Academic Distress Commission work that you were doing for HB 70, did you ever go to Youngstown and meet with anybody in Youngstown on that work?

JV: I did not.

AOS: You did not?

JV: I met with folks from Youngstown in Columbus but I never went to Youngstown.

AOS: Okay. Who came to Columbus?

JV: Well we worked with Sean O'Brien, Mr. Humphries, I forget his first name, who's the chamber, head of the Youngstown chamber, Mahoning chamber or whatever it's called.

AOS: Tom.

JV: Tom, Nick Santucci who worked for him a little bit. I don't know if he ever came to Columbus. I did interact with folks from Youngstown a little bit directly either like conference calls or in Columbus, but not, I did not go to any Academic Distress Commission meetings or have any other meetings in Youngstown.

AOS: Do you know who would have went to the meetings in Youngstown?

JV: Well if they were Academic Distress Commission meetings like a whole host of people could have gone because they were staff at the department who staffed the Academic Distress Commissions. Like the existing one.

AOS: We are talking about HB 70 specifically, the work that specifically went into that.

JV: Who from ODE would have gone to Youngstown?

AOS: Would Dr. Ross?

JV: I don't think Dick, I don't think Dr. Ross, I don't recall him going. That doesn't mean he didn't. Kevin might have, Kevin and Buddy might have made some visits, again folks from our accountability office

who were like working already in Youngstown. I don't know if Jimmy, I don't know if Jimmy went, I don't remember.

AOS: How was the work on the Youngstown Plan that ends up developing into HB 70 similar to or different from what you saw with the Columbus Plan and the Cleveland Plans?

JV: Not similar. Different because Cleveland was a community driven effort. Whereas Youngstown, although we had hoped that they would have come up with a better community driven plan or success at the local level, it wasn't happening. Does that make sense?

AOS: Yes.

JV: So in my mind in working on the Cleveland Plan, everyone was all hands on deck. All the different stakeholders, all the different school people, mayor people, state House people, it was a kind of a collective.

AOS: You referred to the transformation alliances being a public body in Cleveland's case. Did any public body really exist for the work that was being done for the development of HB 70 in Youngstown?

JV: That developed the legislation?

AOS: Right, that actually participated in the Youngstown Plan, the stakeholders, I don't, to my knowledge I don't see evidence of a public body ever being formed.

JV: Correct, there was not a public body involved in the creation of the draft legislation but there wasn't a public body engaged in the drafting of the Cleveland Plan. It was the, the transformation alliance was created in the legislation.

AOS: Okay. So similar in the sense that they both I guess had stakeholders involved initially before Cleveland eventually becomes legislation.

JV: No. There was a core group of I would say kitchen cabinet folks from Youngstown that were meeting and trying to figure out how to make things better with their school district but it wasn't like an official group.

AOS: Not a community?

JV: Yeah, I mean it was members of like the community and business leaders that were internally meeting. But it wasn't like an official entity.

BB: Individuals, not committee?

JV: Correct.

AOS: Do you know who from Youngstown might have participated in that core group? Besides Humphries, I know you had mentioned him and Sean O'Brien, Nick...

JV: So Sean O'Brien wasn't in the group but he was someone that we were like kind of talking with about Youngstown. If I recall there were like a handful, like 7 to 10 people, if not, I don't remember. I would have to, I don't recall who they were. President Tressel was engaged to a certain extent.

AOS: Were you aware of any developers up there for community schools participating in the cabinet?

JV: Absolutely not. No, no, I do not remember. I do not recall that.

AOS: Anybody with charter schools participating in the group really?

JV: Not to my knowledge because the bill was not charter school heavy and there weren't very many, if I recall there weren't very many charter schools already in Youngstown operating.

AOS: Right. Was the bill, I guess, what's your recollection of what the final bill did accomplish?

JV: Sure, so the bill essentially rewrote the State's Academic Distress Commission law. It changed what the trigger was for schools to go in to academic distress. It changed the process by which the members of an Academic Distress Commission were appointed and who appointed them. It changed the timing. It created a much more robust community involvement like planning outreach components and it created a new role of a CEO to be hired by the ADC to operate the district during the course of the Academic Distress Commission.

AOS: Did it also allow for the CEO to close public buildings allowing for new charters or privates to come in?

JV: Yes, so the bill granted the CEO with certain authority and options. Some of the options the CEO has under the law builds off of like in year one the CEO can do these things and in year two if things are still not great they can do these additional things and year three and year four. So we built, it built off of each other so the research I said we were doing for what other states were doing and turn around models. Those components, different turn around components, were included, including some of the previously existing options under the Academic Distress Commission law. Before.

BB: Sorry on the phone, that was my phone. I'm turning it off now. Alarm off.

JV: I would have to look at what the ADC statute said before it was changed. I think closing buildings, reassigning staff and administrators converting to charter schools, I think some of those options were already available under the previous ADC law and were already part of federal turn around models that the state was using.

AOS: Okay. Was David Hansen ever involved in the academic distress work or HB 70 work that you were doing?

JV: When I referenced we would talk to program office folks on certain aspects of the proposal, yes he was to the extent that we had questions relating to the existing community schools that were operating.

AOS: In Youngstown?

JV: In Youngstown and ideas about other states did in creating charter incubators. Part of the bill, part of one of the things the CEO could do if they wanted to at some point in the five year process, not from the start, was to consider doing an incubator so I think we had questions about what that would cost or what a timeline would be if there was a new community school that would be opening like how long it would take to identify a sponsor and if the, if that was one of the options but I would, my recollection is the charter piece of HB 70 was very small.

AOS: Slim.

JV: Yes and in proportion to the other parts of the bill.

AOS: You said Beth Hansen at times was somebody you consulted with from the Governor's Office. Did you work with her on the Academic Distress Commission?

JV: She was often times in our routine policy meetings. So yes, but, not always.

AOS: Was this bill important to her, was she following it, to your knowledge, pretty closely?

JV: I cannot say like what her personal interest was but it was an initiative of the Governor's Office.

AOS: Okay. Did you or any of the legislative affairs folks at ODE participate in helping to draft the HB 70 language or the amendment to HB 70?

JV: I'm not sure what amendment you are referring to but did I or any of my team participate in drafting HB 70?

AOS: Yes.

JV: Yes.

JV (speaking to Brad): I have a question for you.

BB: Do you want to whisper it to me or do you want to go out?

JV: It doesn't matter.

BB: Okay just whisper.

[Indistinct Whispering]

JV: Yes. Drafting. Yes.

AOS: Okay, can you tell me who at ODE helped with that?

JV: Me and members of my team.

BB: Who are?

JV: Kevin Duff, Buddy Harris, we had an assistant on, well not an assistant, a member of our team who drafted for us previously was with LSC so we would give her a content, a scope, a “we want to do this thing, can you write it?”

BB: Name?

JV: Jennifer Stump. I don't believe the other members of our leg team were involved in any drafting.

AOS: Okay when did the drafting start, roughly?

JV: I mean, it was kind of a several months brainstorming, researching, meetings, proposals different iterations of draft, so it would have been over a course of...

AOS: Many months...

JV: Yes a couple of months at least.

AOS: In 2015 primarily, would you say?

JV: Yes.

AOS: Did Dick Ross ever review those drafts with you?

JV: Dr. Ross would have seen draft versions to the extent that we discussed them in policy meetings, but he did not, I did not, he did not routinely review draft legislation.

AOS: How was he keeping up with what was in the drafts and how it was changing? Just through the meetings and what you were updating him with?

JV: Yes.

AOS: What about the Governor's Office, were they involved in reviewing the drafts?

JV: To a certain extent.

AOS: Who at the Governor's Office would review?

JV: Again kind of same policy people. I don't know specifically on draft language.

AOS: Since Jimmy is gone at this point I am presuming we are probably in to the point in time where Jimmy is now at ODE and hasn't been replaced. I'm just curious who you would have been working with over there primarily?

JV: I would say high level we would outline. We would say okay this is what was drafted and it does these three things. Right? Like they didn't read amendment, after amendment, after amendment.

BB: So when she asked you about drafting, the Governor's Office doesn't actually draft. They hear what you drafted and they say you know that's what we want to do or it isn't what we want to do?

JV: Yeah or did you think about this or how do you address this or...

AOS: ...and they are hearing about it through basically an outline of points that you've brought up to them as opposed to them actually reviewing the actual text?

JV: Correct.

AOS: And who at the Governor's Office can you remember might have been your primary person that you're working with on this bill?

JV: I wish I knew when Ben left. Ben, I mean sorry Wayne.

AOS: Ben, oh, Wayne Struble?

JV: Wayne Struble. The education legislative person.

BB: Do you know who that was?

JV: Changed a few times. Madison Lisotto, she at one point left to take the bar exam, to study for the bar exam, so then another legislative person kind of worked on it, Merle Madrid, maybe. Not, but nobody at the Governor's Office drafted language...to my recollection.

AOS: They're just tracking what's progressing through your meetings?

JV: Correct.

AOS: Were they providing you ideas of what to think about? What to look into? Or...

JV: Yeah I would say at a very high level, we started by researching turn around models in other states and then we put together kind of three cases like here's what they do in this state and this state and this state, this is what we know we already do under federal law, this is what our current law says, you know, what do we want to change or improve upon, so it's kind of like we would go in and say okay, if we want to do something in a space we could do it this way or this way or this way, or here are some questions, what do you think of these things. It just depends.

AOS: Did Dr. Ross provide that same kind of feedback? Did he give you things to look at and what to look at and when you send it back they will...

JV: ...Sure. Dr. Ross was in the meetings. So all the meetings I was in at the Governor's Office, unless he was out of town, he would have been there as well. We probably had some internal like working group meetings with like Kevin and Buddy and myself, maybe with Jenny who was like doing the drafting, Jimmy when he was there, maybe, I'm sure at some point, you know I would, I would update Dr. Ross on what my team was doing and that would have been one of the things but I don't know who would have actually read the drafts, all the drafts of the bill.

AOS: How did your work on drafting the legislation and working through the spaces that you wanted to see changed in the law and figuring out what those spaces were, how did, how was that impacted by the

work then with this small group of people in Youngstown. Were they driving what you were working on or were you more or less bringing to them ideas and ODE and the Governor's Office was helping to shape their conversation?

JV: Sure. It started with this group of folks in Youngstown who knew they want, that something needed to happen and had ideas but didn't know the edu-speak to do it, or the way it would happen. So they would say you know this, from our perspective this isn't working, this isn't working, this isn't working and then we would say okay, you have said it in this you know lay person way, do you mean something like this or this or this, so it was a little bit of back and forth but my recollection is that it started with a group of people in Youngstown wanting to do something and knowing that there were complications in how the existing Academic Distress Commission was working.

AOS: Would you say that your involvement with them was pretty heavy in terms of being able to support their ideas and help identify areas that could be changed in the law in terms of...

JV: What do you mean by heavy?

AOS: Were they able to research the law and understand it pretty well on their own from your perspective or did you feel they were relying pretty heavily on the support they're getting from Kevin and others who might have been up there helping?

JV: I'm not, I'm not sure what their own kind of research or thought, I don't know how they...

AOS: They didn't hire any consultants?

JV: They were meeting, they were having conversations and meeting on things before we started you know and they were like this is an issue, so, they did not draft language if that's what you mean.

AOS: Okay.

JV: I think they were having meetings; they were having conversations; they were...

AOS: ...and at some point the Governor's Office asked for ODE to step in and help them. Is that an accurate...?

JV: I think that's accurate.

AOS: Okay, so Dr. Ross, I think, had some experience up in Youngstown prior to coming to ODE, are you familiar with that?

JV: I believe he was at one point on the ADC.

AOS: Yes, that's what he shared with us. Were you aware at the time that he had not talked to the board about the work that ODE was doing up there?

JV: I cannot speak to what conversations he would have had with individual board members; I do not recall the ADC reform issue ever being on an agenda as an agenda item on a board meeting, for board meetings.

AOS: Did you think that was unusual?

JV: No.

AOS: Did you feel like the support that ODE was providing in terms of research and writing the bill that those were things that ordinarily would have gone before the board?

JV: Not necessarily.

AOS: So there were other initiatives similar to this where they didn't go to the board and get formally approved as an ODE initiative?

JV: Not during my time there as legislative and policy staff.

AOS: Was there ever a conversation that you had with anyone or heard about where you were ever aware of anyone being asked to keep it from the board? Anything like that?

JV: Not to my recollection. We as the, I can speak as to my experience as the Legislative Policy Director. We did not talk to the board about every bill or proposed legislation that would affect legislation in the state. Not even, we didn't even talk to the board about the Governor's budget proposals in advance. Like it's not like the state board signed off on what the education related policy proposals in the as introduced budget were because they weren't the board's. They were the Governor's. Does that make sense?

AOS: It does, I hear what you're saying. I think the board took a little different view on that. I don't know if you heard.

JV: Oh I was there.

AOS: Were you present the day that they questioned Dr. Ross about that?

JV: Yes.

AOS: What was your feeling? You heard what they said. What was your feeling about their questions to Dr. Ross that day?

JV: I mean without going back and looking at the transcript of the board meeting again based on my experience and what my job was I knew that we did not ask for policy approval on every legislative or bill that we knew about or consulted on. So, a lot of times legislators would come to me and say we're drafting this bill. We would like your technical assistance or your feedback. That was not a bill, that was not an ODE bill but we still would review and answer questions and give guidance you know, technical assistance to. So, again like budget initiatives we were not getting approval from the board on the other as introduced version in the budget as introduced things. The board did review the actual budget of the

department, the proposed budget of ODE. They went through a process every budget cycle to approve that for submission to OBM. You're familiar with how that works and other agencies.

AOS: How would you know what items you needed to bring to the board? Or how would Dr. Ross know?

JV: So we had at the time a legislative and budget committee on the board. And we also did like a weekly or monthly like legislative update like where we would summarize bills that had been introduced, hearings that had happened in the education space. So they were getting kind of general updates but it would have been working with the chair of the legislative and budget committee and then the board leadership to identify agenda items for both the committee or the full board in the legislative or budget space so I would say it was kind of as the board leadership were planning for meeting or identifying issues or topics or committee chairs or vice chairs were doing the same thing, it was kind of identifying what was...

AOS: Was HB 70 discussed with that commission, that committee?

JV: Prior to its introduction?

AOS: Yes.

JV: No, not to my recollection.

AOS: So it wouldn't have been on the monthly, weekly updates?

JV: Would not have been introduced yet. So they were getting updates on bills that had dropped and bills that were moving.

AOS: Okay.

AOS: If you frequently didn't advise the board on different bills why do you believe some of the board members were so upset with Dr. Ross by not, Dr. Ross not telling them that he is meeting with this cabinet or secret committee?

JV: My personal thought is because they didn't like what was in the bill so if you don't like what the bill does and then you, then you're mad because you didn't know it was happening.

AOS: Was there ever concern that had the board known that, again it's a bipartisan board, that they would have squashed it before it ever became to be?

JV: I don't think that there was a concern, at least from a legislative perspective that they would squash a bill because they don't control bills that get introduced or not introduced. I think that there was an awareness that you know it's political, that people would look at the work and that reform as political on both sides of the aisle so I think there was an awareness that you know it was complicated it changed the status quo and you know people don't like new things. So I think there was an awareness of like a kind of political landscape.

BB: Was there an issue with respect to the board thinking that they could close schools or, I know that was said in some of the articles that were coming out at this time. Can you explain what your view with respect to ODE is whether there is an animosity with the board with respect to who actually has the authority to close schools? Does the board have that?

JV: So with respect to traditional public schools, schools get a charter and to my knowledge there is never, a traditional public school district has not ever been shut down by the state or closed. I don't even know what the process would be. From a community school perspective the state does not have the direct authority to close a community school unless there are like major health or safety issues. So generally when it's whether or not a charter school can maintain its charter, those decisions would be made by a sponsor. If it's a charter non-public school which is like a private school, Catholic School, again they receive a charter from the state, so there, I think there are different ways that that works for different types of schools but with the exception of health and safety under extreme circumstances in the charter space, I don't know that the department has the authority to close down schools.

AOS: HB 70 though did give authority to the CEO following the progression to make that call. Correct?

JV: Yes. And similarly superintendents have the similar authority within their district to make those decisions and then especially in like the turnaround space, but yes the CEO under the Academic Distress Commission law that would have been one of the options.

AOS: Is that one of the items that you're referring to as changing the status quo that would have been viewed as a big change, something that was maybe going to cause some political stir?

JV: Not specifically, the closing down of schools because I think again that was already one of the options that was part of the existing turnaround models that schools and to consider when they were in priority status or other status at the federal level. I was referring more to this new role of the CEO. And the components of the legislation and now law that after a certain number of years if the school does not come out of ADC that the municipal, the Mayor or leader, whatever municipality would then appoint the member of the school board.

BB: The law was such at least related to Hansen is the board doesn't really have the authority to shut down a charter school. The sponsor can shut down a charter school but the board can talk to sponsors. Is there sort of a diluted authority?

JV: From the, in the charter space? In the school board or in the department?

BB: I'm talking about in the state school board of education. What is their authority with respect to closing down, let's say they don't like Lake Erie West or something. What is the board's authority over Lake Erie West?

JV: So generally the department and state board over, their oversight was over community school sponsors and the department approves or denies sponsors. Sponsors have contracts with the department that govern their sponsor relationship. Some of this is pre, post HB 2 reforms and pre because ODE did not have oversight authority over every sponsor because there were grandfathered

sponsors, traditional public school districts, ESCs, JVSs that were sponsoring schools were not subject to contracts with the department so there was a whole different variety of relationships but generally I would explain the way community law works in Ohio is that the State oversees sponsors, sponsors oversee schools and schools can or cannot be managed by management companies based on the decision the local community board makes on whether or not to hire a management company or not.

BB: Did the school board not understand that you were talking just a second about the school board being a little irritated about not being in the loop on HB 70. Is this also a part of why there are a little bit irritated? Is it they don't have direct authority over the sponsors in the community school area? You're actually a player in a way they are not. Meaning ODE is a player and they are not.

JV: Oh, I understand. Why would the department, why would the school board be upset?

BB: Yeah.

JV: I would say generally the school board gets upset because they want to make policy and the general assembly makes policy and not the school board. So any time there is a law that's passed that they either like or don't like, their opinion on it might stem from they want to be in charge.

BB: And the reality is that the assembly picked ODE to handle review of sponsors right?

JV: Oh yeah so the state board's role is even, in the charter sector, is even less than the departments role. Is that what you mean?

BB: Yeah I'm not sure, we had talked about that before the last interview and I thought you're much more of a policy and legislation. I wanted to make sure I understood. Your answer is everybody's got a piece.

JV: Yeah the state board's role regardless is defined by statute, so everything the state board has the authority to do is essentially defined in the statute.

BB: But it is small as it relates to charter school.

JV: And as it relates I would say to the running of ODE.

AOS: So taking...

JV: ...So, sorry...

AOS: ...That's okay. I appreciate the explanation...

BB: I don't want HB 2 to be confused with HB 70. I'm trying to make sure you explain to them how ODE deals with education budget is not, it also irritates the board sometimes but the reality is something that you do by statute, right? And the Governor has a group that actually says here's what we are going to do with the money for education that the assembly says we'll approve.

JV: Yes and the budget.

BB: Right and that's not something the school board has any power over?

JV: Right and they can make recommendations. They do so through the Office of Budget Management but they do not get the final say over what their budget is.

AOS: So and to kind of bring this full circle, one of the reasons why we are asking, in the charter school grant application, are you familiar with the 2015 charter school program application that was submitted in July?

JV: Yes.

AOS: Did you ever have the opportunity to read or review that?

JV: I do not recall ever having the opportunity to review it prior to its initial application.

AOS: You did look at it afterwards?

JV: Yes and then it was updated.

AOS: Okay so you're familiar then that there was an allocation made within the application, we can call it a set aside if you want to for specifically the Youngstown recovery district. It was roughly 10 million dollars. Do you know, was that part of the Governor's vision then for what he wanted? Who was directing that allocation? Do you know?

JV: Okay, I'm like refreshing my memory while you're asking me this. Are you asking, so within the charter school grant application which I recall the money was to be for creation of new high performing schools right?

AOS: Yes, in recovery districts specifically there was language.

JV: So then there was, of the 70 million or something, the ask, there was this money set aside, okay, for schools and, was that the term?

AOS: It was called recovery districts but they defined it as a school and academic distress.

JV: Okay.

AOS: Specifically they also mention Youngstown.

JV: To my knowledge, that charter grant application set aside for recovery districts was not discussed in the context of drafting HB 70. Because HB 70 was introduced in the past probably prior to the application date but would not have been effective yet.

AOS: Right, not effective yet but had passed in about a two week window.

JV: Okay.

AOS: Do you know who asked for the allocation to the recovery district or Youngstown?

JV: In the initial grant application?

AOS: Yes.

JV: I can only assume it was David.

AOS: David said he didn't write that portion of the grant application so that was a little bit surprising to us, so if you happen to have any knowledge or suspicions as to who might have been authoring that piece.

JV: Are you talking about the initial, the initial application?

AOS: The initial original application with the, specifically with the language on the recovery districts and the 10 million dollar application to Youngstown.

BB: So the 10 million dollar language and the Youngstown language is what you're asking. Who did that?

AOS: Or at least whose idea was it if nothing else?

JV: I cannot, I do not know who all was engaged in drafting the initial application.

AOS: It seemed to be several cooks in the kitchen from what we can tell.

BB: But it wasn't you? Is that what you're saying?

JV: It wasn't, I, it was not me to my knowledge unless someone asked me about it. My, if they were drafting an application as it related to Academic Distress Commission districts and they knew that there was going to be a change in the law I can see why there would be a reference to Youngstown but I don't know.

AOS: Sure. Do you know if it could have come from the Governor's Office in any of your policy meetings did you hear any inference of maybe trying to obtain the grant to help in this area particularly with the bill drafting and passing so soon?

JV: I again do not recall ever having a conversation that connects the grant application to HB 70 and Youngstown specifically.

AOS: Okay.

JV: Marnie what I can tell you is when we were drafting HB 70 and working on it, it was also the budget, so there was an identification of money in the GRF that was available to an ADC to support the work of the ADC and the CEO so that was drafted in the budget as part of HB 70. Does that make sense? But that had nothing to do with the federal grant application. So I believe when we were trying to identify, for example, how much it would cost to hire a CEO of a district and ADC or how much resources they would need to do things, community engagement and drafting plans and potentially if there would have been a community school incubator I think there was language that we put in the budget that would set aside

certain money for ADCs so that would have been the only money piece that I recall related specifically to HB 70. Does that make sense?

AOS: Yes. Do you remember at the time working on an initiative for the OSFC funding for school facilities?

JV: Yeah.

AOS: Is that what you're referring to or is this still in addition to?

JV: In addition to.

AOS: Okay.

JV: This was a line item set aside for ADCs in HB 64.

AOS: Okay.

JV: Because HB 70 did not have any appropriations in it.

AOS: Okay.

AOS: I have one question about when Ross was in front of the board and they were upset with him about not letting them know he went to Youngstown. Do you recall what his response to them was?

JV: I would not be able to say his exact response. But I believe it would have been that it wasn't the board's legislation, it was the Governor's initiative and so the board, it was not something we had to bring to the board because it was not an ODE state board initiated project. That's my recollection.

AOS: So kind of circling back around then, we kind of went down a...

JV: ...Can I...I know you said that I should just answer Marnie's questions.

BB: Yeah, you're going to violate the rules.

JV: The facilities school grant language was also in the budget.

AOS: Okay.

JV: That post budget effects the charter school grant but not pre-budget. Sorry I had to be clear.

BB: You can't control lawyers. Just remember I'm on the clock so you're paying for me.

JV: I know.

BB: I'm teasing you. Go ahead. That is relevant.

JV: That is relevant, I think.

AOS: So we had to review several files, unfortunately, quite a lot and one of the things we came across was the chat or text message I think you had with David on the OSFC. He seemed to be disappointed by whatever you were texting him about that day that occurred with the OSFC language.

BB: Can you give me a rough timeline?

AOS: We can actually put it up here for you so you can see exactly when it was.

JV: Was it published in Plunderbund, because yes I do remember.

BB: But it's better to put it up there because then...

(Indistinct chatter)

AOS: I think that was the response David sent you.

JV: Yes. So this is, okay, so this is July. I'm sorry can I look through this.

BB: January 26th '15. Okay.

AOS: Yes.

JV: These are not, are these all, these are not all texts to me.

AOS: Not all of them. A lot of them are.

BB: Okay concentrate on this one first, take a look and then.

JV: I know but I...

BB: You can't read everything.

AOS: The only person in common on these is David. This is his phone.

JV: Okay so we are on the 23rd.

AOS: 26th.

(Indistinct chatter)

JV: Okay.

AOS: Why would David have been upset about that?

JV: My recollection, budget, towards, close to introduction, not in the 11th hour. I would never say that they would have an idea in the 11th hour. We started talking about a charter school facilities grant program. So they wanted to draft something to go in to the as introduced budget. If I recall it was I don't think, I don't think that David wanted a separate charter school facilities grant program because I think ideally he just wanted charter schools to get more state funding. Like he would not have had a separate

set aside grant program for facilities if I remember in his thinking community schools needed funding for facilities and it shouldn't have just been like this small grant program.

AOS: I understand.

JV: It could have also been about how it was structured and what the trigger for eligibility would have been. That he might not have been supportive of.

BB: The 96, that is a text from Jessica to David. (referring to the spreadsheet of texts)

AOS: So how sensitive in your work with David in particular on legislation that might be helping the charter school sector, how sensitive was David or were you to political influences? Was that something you discussed a lot?

JV: I'm sorry what was the first, what was...

AOS: ...So in your legislative work with David on bills pertaining or affecting the charter school sector, how sensitive was David or were you to the political influences that might have affected the ability for the department, for David, for the Governor's Office to get legislation passed?

BB: Do one at a time.

JV: Okay, I was sensitive to the political landscape because, remember Marnie, this was like saying, Senator Lehner had this committee working on charter stuff for months and then we ourselves independently of that were working on budget proposals and the as introduced version around sponsor and community school reform. Then the House dropped their priority charter school reform bill and they dropped it before Senator Lehner dropped her bill that she had been working on forever. So it was a sensitive, everyone my sense was the political landscape was everyone wanted to do something on charter reform and it was figuring out how to do it so there were a lot of moving parts so I would have been sensitive in acknowledging that there were a lot of people who wanted to do charter reform and we needed to kind of figure out how it all worked together.

AOS: Okay.

JV: Does that make sense?

AOS: Yes.

JV: And then your second part was if David would have been sensitive to political landscape?

AOS: Yes.

JV: I don't know that he was that in tuned necessarily with, not, maybe no in tune, I don't know that he would have cared necessarily what other people wanted to do. He had an idea of what he thought was the best, you know for the charter sector and reform and I think he really wanted to move forward what he thought was kind of collectively a good package of proposals.

AOS: Were you ever concerned with him having conversations with people without your presence or what he might say?

JV: Sure, generally sensitive as the Legislative Director about anyone at the department talking to legislators without my knowledge so regardless of who it was and what the issue was during the budget HB 2 Senate bill, I don't remember what the Senate companion bill was...

AOS: ...I know what you mean.

JV: Time because we had worked on a package of initiatives as part of the budget and everybody was working through the bills I would have been I would have wanted to make sure that I was the point of contact with legislators on anything legislatively related so, yes. Generally and...

BB: Would this be a good time to describe your relationship with David?

AOS: Sure. I think it would fit perfectly into my next question actually so this would be a good time to speak to that.

JV: Oh, Yeah.

AOS: We do see here where you're very unhappy about the fact that David must have spoken to Senator Lehner without you. Was this a routine problem that you had with him?

JV: No.

AOS: Was this a one off situation?

JV: Because he. I would say. Can we take a step back? So I met David I think a week or two before I left ODE to go work at OAPCS. He had just started, he either started and it was my last week or it was like two weeks. And I was transitioning again out of the legal office to OAPCS. So I did not know him before he started working at ODE. I didn't even know that many days before he started that he was starting.

BB: Did you originally know that he was the husband of Beth?

JV: No. I had to Google it. I had to Google who he was.

BB: You really didn't know who he was.

JV: I didn't know. They said David Hansen is starting doing community school stuff. And I'm like who is David Hansen and they were like he has background in charter and I'm like okay and I Googled it. Then I left to work for OAPCS which is a charter school association, so I stayed connected with the office of community schools, the office of school sponsorship, and David to a certain extent while I was at OAPCS but I didn't really, I and we occasionally touched base and talked about charter school stuff and then I came back in the legislative role. And I don't think that the Senator Lehner working group started until after I came back from maternity leave but maybe it did start before.

AOS: I remember you being pregnant. I was on...

BB: ...You were on it.

AOS: I was.

JV: I must have been really pregnant. Okay so I was pregnant and we started, I think that David came to a few meetings.

AOS: Yes he did.

JV: And then at some point we stopped coming to the meetings.

AOS: Why?

JV: Because we had started ourselves and we were already in the process in that fall then brainstorming what we wanted to work on for the budget and I didn't, I didn't want to be too closely aligned with whatever Senator Lehner was going to be dropping because I knew there were some things were going to be the same and some things would have been totally different and then I mean honestly David was you know rash and not friendly and I just didn't want him to go anymore to meetings with legislators.

BB: He doesn't have a legislative touch.

JV: Or stakeholders. Stakeholders didn't like him so, so we just stopped going.

AOS: Did you feel like at times whether it was internally at ODE or externally that he just didn't listen, he had such a vision of his own that he just wasn't listening to others, he didn't care what others had to say?

JV: My impression and my experience working with David is that he was very smart. He had a definite vision for what he thought was right or good or better. That he didn't always think other people's ideas were good and so he would ignore them but that was internally, like staff internally. My relationship with him was though that we had a pretty direct relationship because I was lobbying the budget and working on the charter reform bills and I would ask him questions and he would need to answer questions for me and then I would ask, you know, his feedback and he would give it to me but I was the interface with the legislators and the Governor's Office and leadership at ODE on any legislative bill including HB 2 and the companion bill and the budget so we worked okay together but I would say that he did not always think other people were you know smart in the charter sector space. Does that make sense?

AOS: Yes. Did he ask you to work on some legislative changes for him ever? I would assume you were having conversations with him about areas in the charter school law that he felt needed fixed.

JV: Okay, good, okay, so when we were working on budget proposals and starting to wrap our heads around what we wanted to work with the Governor's Office on and introducing and what the Governor's Office wanted to do in the charter space on the charter reform space, we, yeah, we would, you know, kind of sit down and say not only with David but other members of his team and it was mostly me probably doing this. You know what do you think need fixed, or improved, or changed. So

that would have been in developing the as introduced version of the budget proposals. Like do we think all sponsors should be approved by ODE or just the private sector ones? Do we think everyone should have an agreement and a contract with the department or just you know those kind of things. And my recollection is there was probably like 7 or 8 charter reform proposals in the as introduced version of the budget. Then, oh sorry.

AOS: Go ahead. I don't mean to interrupt you.

JV: So then as the budget was moving and we were talking with members of the House on the budget on the charter space and then they had HB 2 and something again similar some things different and then Senator Lehner introduced the bill and then those, so at some point there was a decision to move all the charter stuff out of the budget and put it in the reform bills that were moving. Do you remember? Okay and then through the House and Senate, you know, legislative process on the charter reform bills there were iterations of drafts and amendments and stakeholders had amendments that they would bring and so I would review those with the team at ODE and David would be included in those. You know, share draft language, get feedback, share comparisons of the different versions of the bills and we would go through them and kind of highlight what we thought was most problematic or what we were neutral on. What we were okay with, what was ours.

AOS: Did you ever have conversations with David specifically on changes he felt he needed to the sponsor evaluation process and or how to calculate the academic component?

JV: No, not on academic component. We talked about the sponsor evaluation system as part of the budget initiatives and the charter reform bills but I never talked to David on how, what the actual calculation was. We were trying to tie incentives and disincentives I guess, is disincentive a word, to your rating. So part of the proposals that were in the budget was if you're rated exemplary you should get to do good things, hooray for you. And if you're rated poor you should not be sponsoring schools anymore. And then the middle ground right, you're ineffective, you're on an improvement plan, you can't sponsor any new schools for a year. So those were our proposals in the budget that ultimately landed and made it through in HB 2 about making sure the sponsor evaluation system was a robust system that you know rewarded sponsors who were exemplary and got rid of sponsors who were poor.

AOS: Did you have any push back to that?

JV: From David?

AOS: From anyone. I think these were, I think David was very supportive of these as I recall.

JV: Yes.

AOS: Was anybody in the department or were there factors outside the department that would have been a concern to these passing?

JV: I don't recall anyone in the department having concerns with the as introduced proposals that were made as part of the budget. I know that there were stakeholders who were concerned about this, you know I'm rated poor one time and then my authority is revoked, I remember that dialogue happening.

AOS: Okay.

JV: We at one point were talking about, you know, there's three components all weighted equally. Should there be, should compliance be a screener and then only two components or not, like those things but never specifically language proposed or considered that would drill down to how the three components were calculated.

AOS: Did David ever talk to you that he was concerned about eschools generally, particularly schools like ECOT that are that large that are well known for having political influence, being a concern or a stumbling block to getting some of these changes through to the sponsor evaluation process itself?

JV: I don't know if it, it would not have been necessarily David's concern and I'm not sure the pre-sponsor evaluation law versus what we landed with. I know that there were sponsors concerned about the academic component of this sponsor evaluation system all along the way.

AOS: Did you feel like David was ever more sensitive or taking favor to some, to one sponsor versus another?

JV: Not favoritism. I think and I had worked with sponsors before. I think there was a general idea of the sponsors who were doing the work right. They had the processes in place. They had robust application processes. We knew like the sponsors who were, you know, trying to be good sponsors.

BB: Who were they?

JV: I would say Fordham, OCCS, Buckeye Community Hope Foundation. There are a few other smaller sponsors. And there were other ones too versus I'm a school district and I'm only going to sponsor this community school so I can get these kids off my books for accountability. So I think there was like an idea that of the 60 sponsors or so that we had at the time there were sponsors who were in the business to be community school sponsors and were school choice advocates and wanted school choice in Ohio to work and then there were the other sponsors who were sponsoring one or two schools for other reasons. So I think there was like, kind of awareness that there were like different sectors of sponsors.

AOS: Were you ever part of a conversation, did ECOT, William Lager, did anybody ever reach out to you, to your feeling at least to have conversations about what is going to happen to us if this succeeds we are worried about being shut down?

JV: I never spoke with...

BB: ...You break it down, first ECOT, then Bill Lager then other sponsors. So it's clear what you're answering because you have to be clear.

JV: Okay I don't recall personally ever speaking to anyone at ECOT about the sponsor evaluation system.

BB: Now Lager.

JV: And I don't recall ever having a conversation with Lager about anything. And certainly not about sponsor evaluation.

BB: How about other sponsors.

JV: There were other sponsors who were, you know, at stakeholder meetings or meetings of the authorizers would share concerns about, you know, the quality practices rubric and how much time it took and the compliance and how many documents they had to like submit. So there were people who were like curious and interested and wanting to know how this sponsor evaluation as going to be implemented. Generally this was even pre HB 2.

BB: Do you remember the names of any of those people?

JV: Dave Cash with Charter School Specialist, and I mean for example, I mean there are many, I just...

AOS: ...Sure.

JV: There were a lot of unanswered questions on how the sponsor evaluation system would work and what the expectations were. That was pre and post the reform.

AOS: Lager never reached out and you don't remember ECOT, anybody from ECOT like his general counsel or anybody else (indistinct) here's what we want in the sponsor evaluation?

JV: Yeah and my, and I don't recall ever myself having any conversations with anyone at E... Lake Erie West.

AOS: Okay.

JV: Now, Marnie, with that said, there were a lot of legislative behind the scenes attempts to change the charter law by other lobbyists for other special interests like ECOT.

BB: So they didn't come to ODE with legislators directly.

JV: Yes. Do you remember the California Plan?

AOS: Yes I do.

JV: That's an example of like a legislative...

AOS: ...Was the ECOT funded do you know?

JV: I don't know exactly who funded it. I know they were part of the conversation. But that was a major issue over the course of 2015. About the accountability measures that would be used in not only community school closure law but also academic performance component of the evaluation system. In the MBR when I started there was I think the new provision around high mobility value added. Which was kind of related but not kind of, but not related but again had to do with the accountability of

charter schools because they deal with a high mobility population of students. So I was aware that there were other things happening legislatively whether as people trying to get amendments in to HB 2 or not that would have made the sponsor evaluation system not as robust as what was proposed.

AOS: So, that brings us around then to the sponsor evaluations and David's plan for implementing them. At what point in time did you become aware for the first time that he had omitted eschools or that he had a phase in plan for them.

JV: After it became public.

AOS: So when is that roughly?

BB: Do you mean at the board meeting?

JV: I don't know if, was it a Monday at the board meeting? The Monday or the Tuesday.

AOS: Tuesday.

JV: It was either at the board meeting or there was press alluding to something being wrong like right before that time frame. But no, I did not know that the eschools were not included in the academic performance calculation prior to the release of the evaluations and then the shit storm, sorry, you told me not to say that.

BB: You did. You just do stuff. Can we just strike the language? Can we omit it and just say fire storm.

JV: Fire storm.

BB: You don't want that language.

JV: I apologize.

(Indistinct chatter)

JV: I'm getting fired after this.

BB: You have to remember these things are public.

JV: I know the fire storm.

AOS: The fire storm. So this is just one example. There's a few of them but it seemed around middle of June this is June 19th is the date on it is roughly the time frame the Plain Dealer writes an article on June 14th. The article definitely is where I think it's first brought to everyone's attention that the eschools had been omitted and then questions start circulating. Some come from Colleen Grady, some coming from Patrick O'Donnell himself following up for more information; this is just one example of an email at the time. Do you remember this?

JV: Do I remember this specific email?

AOS: We can open the attachment but do you remember the time frame?

JV: I remember there being questions from the Cleveland Plain Dealer and the House and the Senate.

AOS: Okay do you, and this is you know this particular request is the Plain Dealer public records request you know Colleen also had her own questions floating around, we can pull those up if you need to see them to refresh yourself however I think too what we're trying to ascertain is at what point in time is there an understanding by yourself and in your opinion of others at ODE that eschools had in fact been left out? Did you think that there was something incorrect about the article that was written? Were you still trying to ascertain if it was accurate?

JV: I recall that I and my colleagues had the same similar questions that the Cleveland Plain Dealer had about the evaluations that were released.

AOS: And who were your colleagues and are you talking about your legislative affairs team?

JV: No like Dr. Ross, Jimmy, Sarah, me, Legal at the time, everyone.

BB: Who was Legal at the time?

JV: You know that's a good question.

AOS: Don Leming?

JV: Well I don't know who all was...

AOS: ...Sharon?

JV: Was Sharon the acting...

AOS: ...Interim?

JV: Yeah Sharon and Donny were in Legal at the time. But yes I, it's my recollection that everyone was surprised and confused and trying to figure out the answers to these questions.

AOS: Were you having meetings?

JV: I'm sure there were some meetings. And I think even in trying to answer these questions prior to the board meeting I don't think that there was 100 percent clarity until the time at the meeting when David came to the meeting and was put on the, was asked the specific questions around eschools being included or not included.

AOS: Is that your perception for your sake or do you think that Dick Ross for example whose at the board meeting that's the first time that he understands what he's hearing from David.

BB: You can say what you saw you probably can't say what's in his head. What did you see?

JV: I remember being surprised along with everyone else I worked with.

BB: Does that include Ross?

JV: Yes.

BB: Did you look at his face.

JV: I was sitting either next to him or a couple of seats over from him at the board meeting so I don't know that I saw his face.

AOS: When you say you're surprised, you kind of had an inkling that something was going on.

JV: Well surprised starting with the article in June going in to the board meeting but really trying to understand. I don't know, if you'd, you'd have to scroll down because I even don't know that this document explains how the individual components were calculated.

AOS: The, we can go I'm sorry we can certainly scroll down but if you go the first question, just so you've had a chance to read it, it says what schools were excluded from the academic measure. I think Hansen is the one that drafts this language and he says eschools and drop-out recovery were included in the overall evaluation but were excluded from the academic measure this year only. Was that a statement that you think yourself or others at the time working on this after the article understood?

JV: Did we understand that to be the case prior to the article and this...

AOS: ...Prior to the board meeting.

BB: Its two different questions because one is for June...

JV: ...I know...

BB: 14th and ones for July 15th. Do one at a time. June 14th, what, did you draft this answer that's under here or is this Hansen? Who did the draft of the answer to number one?

JV: I don't, I don't recall that I drafted, I don't think I drafted, I would not have known the answer.

AOS: It looks, it appears to us that it's David but she is included on it circulating.

BB: It was cc'd to you. Did you talk about this with David?

JV: I don't remember if we had meetings or if we were like all trying to get answers to like obviously our comms were trying to get answers to Patrick and I was trying to get answers to Colleen and Senator Lehner and other, I don't know if the other members had asked at that point. I don't recall if we had like a meeting where everyone came together, so then let me take a step back. Was I surprised at this email at the board meeting or both? The answer is yes.

AOS: If you know.

BB: So he's saying once you read this, assuming you read it, what did you do before the board meeting so you weren't all that surprised at the board meeting or were you?

JV: Okay, this is, I'm sorry if this is confusing.

AOS: Okay here is my question. You had this and assume you read this. Did you understand what question number one actually said?

JV: I understand what the question says. The answer is not clear and I didn't know what the business rule change was that he was referring to.

AOS: Okay, so you were unclear about what the answer was.

JV: Yes.

AOS: But then, so you guys were trying, you guys meaning you and Dr. Ross and them were trying to figure out what he was trying to say correct?

JV: Correct, and what this phase in of scores meant and my recollection is he didn't include eschools but he also included schools that he wasn't supposed to, there were other things that he had done that wasn't...

AOS: ...So there was some discussion because people are trying to figure out what he's saying.

JV: Correct.

AOS: So...

JV: ...He was not clear in explaining to us.

AOS: So this would have been June, in July at the board meeting you were there, Hansen gives a response and finally at the end he said, yes I left them out. Is that was surprised you when.

JV: What surprised me at the board meeting and again without going back and listening to it, it was a very, people were very worked up and like yelling. But at some point he said no I didn't, yes I included them, and then he said no I didn't. Like he himself...

AOS: ...Contradicting...

JV: Yes. Was not consistent in like a two minute period in answering questions and, and I remember for myself I was like what is happening, like what is going on, like what happened?

AOS: So that's what surprised you not so much...

JV: ...Well I didn't, I still didn't know, in one breath he said I didn't and then he said I did or I did or I didn't.

BB: I didn't what?

JV: Include them at all. I think it was...

BB: ...Okay so this is the F's. That I did or I did not include the F's?

JV: It's not the F's it's the, their data at all in the academic performance component.

AOS: Right and we're going to throw up the board meeting transcript, not that I, if you want to feel free to read the whole lengthy explanation David gave again but he does give the board a very lengthy explanation when Peggy asked him did you leave the eschools out he wraps up that explanation few questions later with the contradiction that you're referring to but how much of the lengthy starts here where he says sure so I read the statute as giving and it just goes on and on. How much of this did you personally understand at the time do you recall? Did you feel confused by this? Did you...

JV: ...I don't know if it's in here. I remember being confused between June 14th going in to the board meeting what phase in phase out meant, what the business rule change was and he kept talking about effective vs. non effective seats I believe.

AOS: Was that the first time you had heard about it?

JV: I had heard about effective vs. ineffective seats when we were talking a little bit about the facilities grant. But, so if sorry if I...

AOS: ...No this is a little bit different. I just wanted to, we had a seen this that you had talked about following up with Colleen after some questions and that first line says I finally had a chance to read the explanations why drop-out recovery eschools were intentionally excluded

JV: I mean that would have been her, her view of what happened.

BB: Her view of what happened. This is Colleen to Bradley.

JV: So Brad worked with me on the Leg team. ?

AOS: Did you have any idea going in to the board meeting that these questions were going to come up then? This is, this email is happening on July 11th. Just a few days before the board meeting.

JV: I remember I thought that we would get questions about this at the board meeting generally because it was in the press and we, I mean it was an issue. So I, I don't remember for sure if it was on the agenda specifically. It might have been under like Dr. Ross's report out section. I also think that there was a planned presentation on community schools and the budget provisions that was already on the agenda or something to that effect. So we had already planned on staff presenting about an update on the budget probably or the sponsor evaluation rubric. There is something already on the agenda. I don't remember exactly what it was.

AOS: Okay. Did you have meetings with Dr. Ross to prepare for the board meeting or the potential for these questions to come up?

JV: We always had meetings to prepare for all the board meetings.

AOS: Do you remember specifically this issue being something that was discussed with Dr. Ross?

JV: I would imagine it was discussed as part of any prep meeting for the board meeting.

BB: This is late on Saturday night that he sends it and the board meeting you say is on Tuesday. You had one day on Monday to discuss it. Do you remember if you met or not?

JV: I do not remember if we met or not. Sorry the meeting was on what day? July, June 14th the article, July 14th meeting?

AOS: Yes.

AOS: Do you remember after David finally answers the question having a meeting with Dr. Ross after the conversation?

JV: I believe we had a meeting after the board meeting that day.

BB: Okay now we are at a good break if it is okay.

AOS: Absolutely.

BB: Take a quick one to the restroom and then we will get back on, also can you tell us for planning for today how much more.

AOS: Hopefully not very much. Believe it or not we have pretty well circled our way back around.

BB: Let's just take a ten minute...

[Indistinct Chatter] [Small Break]

AOS: I promise we don't have much left. But one of the things in the board meeting that was discussed that we didn't touch on was at the very end after David gives his answer Ross asks a question, where is that packet, and you respond to him later on right here, you can read it.

AOS: Yeah I'll move it up.

JV: Oh, so...

AOS: What's the packet?

JV: I believe the packet they are referring to is a copy of the four or five evaluations that were issued. The summaries of them I believe Senator Lehner had asked for those or I think we sent them to Senator Lehner and then the chair of the House. Education committee.

BB: Who is the chair of the House?

JV: I believe it was Bill Hayes at the time. So that packet would have been I believe the copies of the evaluations.

AOS: Not necessarily an explanation about what David did with including eschools and excluding eschools.

JV: No it would have been like I forget who was evaluated. OCCS's like actual five or six page...

AOS: ...Evaluations?

JV: Yes. To my recollection.

AOS: And then you said after the board meeting you had a meeting. Was it at lunch time; was it at the end of the day?

JV: It would have, it would have been right after the meeting, whatever time it ended. Or it would have been the next day but I do remember circling up.

AOS: What did you discuss?

JV: We were still trying to understand how the academic performance component was calculated based on David's answers at the board meeting.

AOS: Who was in attendance?

JV: I mean I can't, I might forget someone. I was there. I would have been there. Dr. Ross would have been there. Jimmy would have been there.

AOS: Melissa?

JV: Maybe Melissa. Sarah maybe. Someone from Legal, Sharon maybe.

AOS: Donny?

JV: I don't know if he was at the board meeting or not.

AOS: Okay.

BB: Describe Don for them so they know what you know about Don.

JV: Oh, okay so Donny started at ODE as a law clerk so he was our intern or law clerk. And then he ultimately graduated, passed the bar and then was hired as an assistant legal counsel on the team so after I left the Legal team I think he picked up some of the program offices that I worked with.

BB: So he went into charter schools...

JV: Yes. So it would have been his first year practicing.

AOS: Did you ever, oh I'm sorry...

BB: ...No I think I know what you're about to say but go ahead.

AOS: Did you ever hear that Don provided an opinion to David that he could leave the schools out of the academic calculation?

JV: Did I hear that? I don't recall hearing that.

AOS: Do you think David was consulting with Legal and or you on legal issues or did you see him more as just...

JV: ...David you know forged his own path sometimes. He, I don't know what he spoke to Legal specifically about or not about. I know that I was lobbying for a charter reform bill and a proposal that would increase the make the sponsor evaluation robust. And that I didn't know what was happening with the kind of first round of evaluations other than the fact that they were coming out and that you know we're going to release these and so has rated this and so has rated this. So I can't speak to any specific conversations that he would have had with Donny. I know that he, my experience with David is that he was sometimes would not give you the full kind of picture, all the information or ask very specific questions, you know a question without giving you all the...

BB: Even if its speculation what you're saying is, if Donny did talk him about charter schools he wouldn't necessarily have gotten all the facts. What you haven't told them is Donny subject matter competent in the field to even give an answer at that time based on the experience level that he's at and what he's worked on prior to if David did ask him.

JV: I would say as a new attorney working with someone like David as like one of your first collegial experiences would not have been like the most ideal to like learn how to do your job well. That's just my opinion you know David was a hard person to work with.

AOS: Let me ask you this, after your board meeting and your meeting with Dr. Ross and others, you said that you discussed how academic performance was calculated. There was no discussion about David's final answer at the board meeting?

JV: Well that was, that is what led to that conversation so I think and to go back to the difference between the June 14th article and the public records request and the questions we were getting from Patrick and Colleen and other members of the legislature and then the board meeting when I say we were still surprised, we did not know, I did not know how he actually calculated the three components and the overall rating. So we were still unclear with what he was meaning on phasing in, or I was at least in effective seats and non-effective seats so I think we were trying to figure out who was included, who wasn't included, 100 percent like which schools were included, which schools weren't and how was it calculated and that what I mean we regrouped to figure out how it was calculated.

BB: Did you try to reverse engineer it to make the numbers come out match with David had done?

JV: Yes, post board meeting I know that we were trying to figure out based on like the limited data that we did get after these came out to try to like go back and figure out how he actually calculated the, the components. And I think that was post board meeting and after he had left.

AOS: Okay.

JV: Because I don't know exactly what day he...

BB: Did the numbers ever work out?

JV: No, not to my recollection.

AOS: Did Dr. Ross initiate an internal investigation into what happened?

JV: Yes immediately.

AOS: Was it an official internal investigation? Like it was made clear that this is an internal investigation?

JV: Yes.

AOS: "I want to know who knew what, and when."?

JV: Yes, Yes and then he also essentially said these were there four or five, whatever ones were completed were essentially revoked and then he alerted the community school office not to continue with any additional evaluations pending the investigation.

AOS: Who to your knowledge did Dr. Ross put in charge of this internal investigation?

JV: The, my colleagues that I know were involved would have been the chief of staff so Jimmy, Legal, well when did Diane start?

AOS: Not until August.

JV: Okay so I guess Sharon.

BB: He asked you who was in charge.

JV: Oh, I would imagine probably Jimmy because he was the chief of staff working with like I said legal, probably Melissa, Steve Gratz probably. I mean leadership people.

AOS: Were you involved?

JV: In the, with the investigation itself? Not that I, Not that I would say.

AOS: Were you interviewed at all as part of it?

JV: I don't recall being like interviewed. I recall having to like process public records requests and things like that.

AOS: Are you familiar...oh go ahead.

AOS: But if it's an internal investigation why would you need a public records request?

JV: No at the same time we were getting public records requests.

BB: It was the same information?

JV: Yes.

BB: So you were coordinating requests that were coming with people who were asking questions.

JV: Right, at the same time, internally, they were trying to figure out what was going on. I probably was included in like I said, meetings and trying to reverse engineer calculations.

BB: Who did you tell the reverse engineer lack of failure to? Would you tell that to Jimmy or who do you report to when you say "I can't make the numbers work?"

JV: We would have reported that to Dr. Ross and Jimmy. I think we were probably consulting like with some of our accountability people and our data people. Like the more people got engaged in trying to figure out...

AOS: Were you in the actual meeting where Dr. Ross declared this to be an internal investigation?

JV: In the board meeting?

AOS: No after your meeting...

BB: The meeting after the board meeting when he said there's going to be an investigation...

AOS: When Dr. Ross said he wanted an internal investigation. Were you in that specific meeting when he said I want you and you to run this internal investigation?

JV: I recall being present when he talked about revoking the evaluations, doing an internal investigation and not doing any additional work on the pending sponsor evaluations. But I don't, I don't know, I think that maybe what you're thinking is an internal investigation is very formal? Are you thinking of it as a formal thing?

AOS: Yes a formal investigation as to what David did, how he did it...

JV: ...I mean there was a, there was an investigation but it wasn't like everyone sit in a meeting and I look at you and I say now you're going to be in charge and tomorrow I want you to, like it, it wasn't like you guys probably as auditors have like all these official processes right? Like I mean we did an investigation and he talked to people but I don't know that he sat down and said okay and now you're in charge of this you're in charge of this. I don't recall that.

AOS: I guess from your sense did you feel like Dr. Ross was launching a more informal process of figuring out what David did?

JV: My impression was that Dr. Ross was launching an investigation to figure out exactly what happened and who was involved?

AOS: Did he make clear what his expectations were for that investigation?

JV: I mean his expectation was that we would figure out how the evaluations were calculated, what data was used, who knew what data was used, how they were...

AOS: ...Did he give directions as to how to figure that out?

JV: I don't remember, I don't...

BB: How fast were you suppose to do it or was, to use your words was there a top priority to it?

JV: Oh I think there was a priority.

BB: How would he express that? They are just trying to get the words of what he said.

AOS: I'll just, I'll throw it out there for you. Dr. Ross said I launched an internal investigation. Jimmy shepherd and Melissa Huffman said that's not true. That never happened.

JV: That there wasn't any type of internal...

AOS: Not in a formal sense at all.

BB: Well informal or formal...

AOS: That's what we're trying to understand. Was there confusion as to what he is directing people to do?

JV: Okay I can tell you and just listening to your questions to me about launching an investigation it sounds like you mean something very formal.

BB: But there wasn't a real formal...

JV: But what I'm saying is there was a we need to, I need to know what happened, what we know, who was involved, I want to get to the bottom of this but it wasn't like now were going to have a meeting at this time on this date and were all going to sit in the room and this person is going to do, like it wasn't, if that is what you mean by formal, there wasn't that, but there was an effort and an investigation to figure out what happened.

AOS: How long did that last?

JV: A while.

BB: Was that days, weeks, months, years. What are we talking about?

JV: I mean I would say it was time sensitive but it, I know they would talk to all the data people and all the people on his team and all the legal people and looked at records and data requests I mean there was.

BB: So weeks?

JV: I would guess.

AOS: Were you, when did you become aware of the results of the investigation then? Or did you?

JV: I, like an official ending or something?

AOS: Yeah or a conclusion? Do you feel like they reached a conclusion on their investigation?

JV: I think there was because I think at the same time there, you guys were investigating right?

AOS: Not official yet. No.

JV: And then.

BB: Everybody gets grilled at a board meeting on September 15th or thereabouts of 15. Does that help you? Do you remember the board meeting where they really start saying why does he do this? Who fired him? Under what circumstances did they fire him? Who hired him? Who is Frank Story? That whole bit. This is the September meeting on the 15th. So if you know that is the day was the investigation complete before there was that grilling at the board of...the state board of education or was it after that because talking about July 15th something starts.

JV: Sure. I think you guys are asking whether there is an official report or official like proclamation that this investigation has ended? I don't recall anything like that. I recall there being an internal investigation look at what happened and at some point it was clear that nobody knew what David was doing but David. From talking to staff, data folks and things like that but it wasn't like a formalized internal investigation.

BB: You didn't write a report to the Governor or the legislature or the board of education. You just got the answer for yourself.

JV: I would say Dr. Ross got the answer for himself.

BB: ODE?

JV: ODE.

AOS: Do you think it would be pretty easy to do this investigation on David admitted what he did. He said he left these schools out.

JV: Sure I think there was a question about who else knew about it and who else was involved and whether or not there was like collusion. That's my sense.

AOS: Did you ever get the sense that there was anybody other than David?

JV: No.

AOS: Even remotely involved?

JV: No.

BB: You need to be clear about your answer. She's asking the question that allows itself to make it you mean, "no I never got the sense that anyone else was involved."

JV: Correct, no I never got the sense that anyone else was involved and no I never got the sense that anyone knew what formula he was using in calculating the evaluation components.

[Indistinct Chatter]

BB: Did you talk to Ross about whether he shared that no one else was involved and that no one else knew how he calculated? Did you ever talk to Ross about that? Did that come from somebody else?

JV: Like one on one?

BB: An ordinary meeting or whatever. How did you know Ross was aware of the same thing?

JV: How do I know that he himself did not know...

BB: It's a terrible question.

JV: You said it yourself.

BB: How do you know Ross came to the same conclusion you did? That no one else was involved and no one else knew how the calculations worked?

JV: Well we were getting so many public records requests and getting the media and questions so we were getting, people were asking the department questions and they were getting answers and from the people that I had interacted with trying to figure out as part of the group trying to figure out what happened I never learned of anyone knowing any information.

AOS: Did you feel that anyone in the group that was working on this was taking charge? Owning the investigation? Formal or informal just making sure that they had done their jobs and everyone had talked thoroughly and communicated with each other? Was it jimmy was anybody else kind of taking a lead on it or was it just everybody kind of scrambling in their own way to try to help figure it out?

JV: I really don't remember I mean it was a really tough time and it was post budget it was all the ADC stuff. There's a ton, the public records request on for both this issue and the ADC stuff I mean there were a lot and then we, I myself was still working on the charter reform bill with the legislature.

AOS: Did anyone ever share with Dr. Ross the June time frame conversations that were occurring with David responding to the questions to Colleen and to Patrick O'Donnell. Do you know if those responses were ever shared with Dr. Ross?

JV: I do not know. And I, like I was running in a hundred different directions so I don't know who was all involved in drafting that response or reviewing it.

AOS: Do you know if as part of the internal investigation those were ever shared with Dr. Ross?

JV: I don't know.

AOS: Don't know? Okay.

AOS: Back to the Board meeting in July. Did you hear Senator Lehner's question to David?

JV: About whether or not he left eschools out?

AOS: To explain, her question was did you or didn't you leave the eschools out basically and he gave some rather lengthy response. Did you listen to the response and if you did listen to it did you understand what David was saying?

JV: Yes I listened. No I did not understand fully understand what he was saying. She asked him a direct question and he said all of those words and then she asked it again, I believe.

AOS: Yeah she followed up with a few questions.

AOS: I think this is one of the last items we have for you to look at. This is a calendar appointment. You are not one of the ones on here I don't believe but if curious what your impression of it is. Particularly this piece down here.

BB: What's the date of this for purposes of the record? Is that 15. February 13th sorry February 10th at 1:30 PM, 2015. So you've got the time period. This is February. This is months before.

JV: Did you ask me what my impression of this email is?

AOS: Yes.

AOS: That's a calendar.

AOS: That's actually a calendar invite from Joni Hoffman to several people.

AOS: Down here at the bottom its Joni preparing it, from Joni.

BB: To data people.

AOS: To data people.

BB: I see that Steven.

JV: Do we know who is at the meeting?

AOS: Not so concerned about who is at the meeting as much as what's in the body of the appointment there. She indicates the note there about Karlyn's suggestion.

BB: Okay.

AOS: Do you understand what she's saying there?

JV: Do I understand it as I'm reading or was I aware of this?

AOS: As you're reading this. That's two different questions.

BB: First have you ever seen this before?

JV: I don't, I don't recall ever seeing this.

BB: Okay now having seen it today it's somebody, Joni...

JV: Joni...

BB: Who's in public schools right?

JV: Right to David, Legal and the data people.

BB: Okay so there's Leming, the legal and David okay and you're not on this but it seems to be saying lets phase...

JV: Yeah it seems like they had a meeting to talk about the academic component. My guess is for the ones they were working on.

BB: Do you know who Karlyn is for the record?

JV: She's a data manager and Kelsey Stevens is a data manager.

AOS: It sounds like just reading that without having been at this meeting it sounds like Joni is saying Karlyn had the idea of phasing in eschools.

BB: Was this ever discussed with you that you recall?

JV: Not that I recall. So at issue were the 14-15 evaluations or the 13-14 evaluations?

AOS: So they ended up basically using the 14 evaluations for the 15 evaluations. There were actually not separate calculations done. They just talked to the sponsors and said hey if you're okay with it were just going to use the ones we did for the pilot.

JV: What?

AOS: Yeah.

BB: Who did that?

AOS: Well it looks like Joni, maybe some of David maybe a combination of efforts there.

JV: Okay. So.

AOS: And then to be clear, when we have asked specifically for the records to support the evaluation we have gotten mixed answers. No ones left so, but from what we can't tell that's our best guess.

JV: From what I can tell is that suggestion would have been you start with the data from 13-14 and then you add in additional percentages of the component like for 14-15.

AOS: Does this suggestion sound like what we think David maybe was trying to do? And I guess the second part is have you heard anything like that before today?

JV: Well, I don't recall seeing this. I don't think, I think phasing in is different than eliminating or not including at all.

BB: So David eliminated even though there is a paper from February that says maybe we should phase he actually went beyond that is what you're saying. Was it ever discussed with you, before, either Colleen wrote the email in June or the board meeting in July?

JV: No. My experience with working with the Data managers though is that they don't make independent policy recommendations.

BB: Okay so you think David had something to do with this?

AOS: Well either way he is ultimately responsible right? It's his shop.

JV: Yes.

AOS: Just curious as to whether or not you had ever heard of anything like this?

JV: I don't recall ever hearing anything like this.

AOS: Especially with Donny on there. Would offer at least some suggestion that it was at least discussed in the presence of legal. Do you have any other questions?

AOS: Did you talk about the legislation that you hoped was going to pass and didn't pass?

AOS: Well David has done two interviews with us and in the first interview he alluded to the fact that he thought there was some legislation working its way through the legislature that was going to permit him to have discretion how to calculate the academic component but that he didn't realize that at the time maybe it didn't end up passing. Does that sound familiar to you?

JV: I can only assume that he was talking about HB 2 as a legislative vehicle moving or the budget depending on what period of time. Whether it was when we introduced proposals and we were talking about the budget or whether or not it was when either the House or the Senate stripped out the proposal for the budget and put them in HB 2 and we were just working on that bill but I can only assume that any legislation that he would have been talking about would have been the charter reform stuff. I don't remember what that revised code provision said specifically on the calculation before the

law changed and after the law changed. My recollection is that it says the department shall develop a sponsor evaluation system there shall be three components they shall be weighted equally so I think if he was alluding to discretion and figuring out how the department had discretion and figuring out how the calculations worked that would be my guess but, are you asking me if there was like a legislative change...

AOS: That would give him discretion specifically on the academic component at any point in time was...

JV: On calculating it or on who was included or not included or both?

AOS: Any or all.

JV: I mean the sponsor evaluation law was a big part of the sponsor reform bill but I don't I can't think of any specific amendment that would have I don't know of any specific amendment that would have said ODE do not include eschools in calculating academic performance. And even if there were if would have never had been effective in time.

BB: Explain that for the record. We all know what you're talking about. The record doesn't.

JV: I mean ever if there was an amendment or a bill that passed it would not have applied retroactively to the evaluations that he had concluded.

BB: And how many more days do you have to do after signing before its effective?

JV: 90.

BB: Okay so no matter what he did not have coverage to do what he pulled in that state board of education?

JV: Correct and without knowing if he was referring to a specific iteration of one of the bills or an amendment I wouldn't know.

BB: But you were the legislation person so you would know if there was a bill specifically to cover him on calculations you could say whether or not you as ODE asked the legislature to cover David on that right? Wouldn't you know that?

JV: I should know that.

BB: And you're not aware of anything.

AOS: The only thing that we found that might have been responsive is HB 487 which had happened much earlier.

JV: Was at MBR when I started.

AOS: Yes. Paragraph 2 is passed by the House implies maybe a little bit of discretion being offered there but it doesn't pass the Senate. Are you familiar with that or were you at the time?

JV: I don't specifically remember this in the MBR because I came in at the end so it would have been Senate or conference committee time probably but if I had the assessment selected or approved I assume that would have meant what data, what assessment are we using to generate the data that we will use to calculate academic performance. I can only guess that would be what they meant.

BB: Did Donny ever ask you to give an opinion on whether on whether 487 would cover David?

JV: No.

BB: Did David ever ask whether 487 would cover David?

JV: No and more specifically no one ever asked me if the as passed version of the HB 487 would have applied.

BB: Okay.

AOS: Okay.

BB: So no coverage.

AOS: Thank you. Anything?

AOS: I know you're policy director, don't be offended but were you ever told to like kind of watch David, babysit him to keep him out of trouble?

JV: I was not told to do that. I was aware. I worked with the senior leadership team. I was aware there was tension with David and Steve Gratz and David and some of his team and I had worked with the office before as a lawyer. I knew everyone on this team. So I mean I think I was cognizant of people's kind of, his interpersonal relationship skills with people on his team and even people on the chain of command so I don't, I was never told to babysit him or watch him. I think I was extra careful in like helping communicate things that I knew he was saying it but he wasn't saying it. Do you know what I mean? Like you know when people are like barking at their staff and you're like well I think what you really mean is this.

AOS: So you kind of took that on yourself?

JV: Well I was meeting with their team on the bill and going through the different iterations so it was it was I was in a position to communicate with them as a group. I would also sometimes you know update or update Steve Gratz or he would update me on a variety of things. Even other program office stuff so it's possible you know. I talked to Gratz or he would talk to me. But like did someone say you know you're in charge of making sure he doesn't piss anybody off? No.

AOS: For you I know you do eventually leave ODE. Do you know roughly when that was?

JV: When did I leave ODE the second time?

AOS: Yes.

JV: In June of 2016.

AOS: To go?

JV: It was early June maybe, yeah, end of June 16. I was having my second little lady so I left to go work part time as the in house legal counsel for the state's 529 Plan.

AOS: Did anyone at ODE ask you to leave?

JV: No.

AOS: No.

JV: I asked them.

BB: I think you know why.

AOS: Are you good? Thank you so much. Especially on a Friday.

JV: Oh sorry for keeping you guys so late. Thanks.

AOS: Oh that's our fault.

Jimmy Sheppard, Former Chief of Staff
05/16/18

In attendance:

Former ODE employee: Jimmy Sheppard and Brian Barger, Counsel for Sheppard

AOS employees: Matthew Klapheke, Timothy Shockcor, Marnie Fredrickson, Kristin Hayes, and Jim Arnold, AOS Special Counsel

AOS: We are here again, we are going to record the conversation. We wanted to circle back Jimmy because the last time we talked to you we did ask a few questions, since then we've talked to some other folks and we have some, I think, some gray areas that we want to make sure we have a clear understanding about. So a few of these might be repeats, bear with us if they are but we want to make sure we've got the proper understanding.

BB: Understand that but we don't want to, last time you said this, this time you said this, which time...

JA: Not trying to re-plow old ground.

BB: Okay, alright.

AOS: Just want to make sure we have clarity on...

BB: ...That's fine.

AOS: On the situations we are asking about. And hopefully it won't be very long. It's not a lengthy list of questions.

BB: Okay.

AOS: I guess let's start with, did anyone ever come to you specifically inquiring about keeping an eye on David Hansen in general? As Chief of Staff, were you ever instructed or asked to keep a tight rein on him or keep an eye on him or cautioned about him in any way?

JS: You know, keep an eye or rein on, I don't explicitly recall a conversation like that. I know that there were issues, I think I described the last time. You know, David had a big personality, you know, and so those issues popped up I guess early on in the, you know, when I started there. But, you know, I was, April, early April of 2015 is when I started and then everything came out. Really at the July board meeting so there's.... I'm just trying to think of the best way to say, yeah, I mean, I had conversations with David about, you know, his behavior prior to but I can't recall.

AOS: Can you give examples?

JS: You know Beth Juillerat came to me and I think I talked about that the last time. How he was treating some of the data managers. You know that was one example that I can think of off the top of my head.

AOS: Did Dr. Ross ever ask you to keep a close eye on the situation?

JS: Not that I recall explicitly but I can't say that I would have had a conversation with David without talking to Dick first. Our offices were right next door and certainly would want to make sure that I was on some ground there to have that conversation.

AOS: Is it fair to say that when you were working with David on issues that concerned you that you were keeping Dr. Ross in the loop on those matter?

JS: I don't see why I wouldn't have. I can't say that sitting here today that on every single thing necessarily that he would have, he would have known about. I didn't do a whole lot without checking first. So, I think that that would be a fair statement.

AOS: Were the sponsor performance evaluations something that you felt it necessary to monitor closely?

JS: When?

AOS: At any point in time. Just the implementation of the process, on boarding with sponsors and community schools. At any point in time did you recognize the need to monitor that situation closely?

JS: Not closely. As I recall, the...David was ready to announce ratings the first senior staff meeting that I walked in to. And so I never, I never, I never, I had assumed that and probably wrongly with hindsight now, I assumed that by the time I got to the Department that sponsor evaluations were compliant.

AOS: At any point in time did you talk to David personally about the sponsor performance evaluations?

JS: Are you referring specifically to the first set that was released?

AOS: We can talk about that first set but in general the process, the actual evaluation results.

JS: The actual evaluation results, no. The first time I saw any that I recall seeing any spreadsheets or any kind of data runs was after, after David resigned. The only conversation I would have had with David to that point was just on the timing of announcing what the scores were. The only thing that I can recall seeing was the press release and then there were, there were letters, I think, to sponsors announcing scores. Frankly, I...and you'll have to excuse me, I don't know if that is something that I came across before they went out, after they went out, or after David was let go, looking through things. But absolutely nothing on data sets or data runs. I just, I never thought to, never thought to, I didn't think I needed to ask frankly.

AOS: At what point in time were you first alerted to potential problem with the evaluations?

JS: I think. Did we cover that previously?

AOS: We did and I am still unclear from your answers precisely when you first knew there might be a problem.

JS: We talked, if I recall, about there's a Plain Dealer article that came out, June maybe?

AOS: It was June.

JS: Patrick O'Donnell did a lot of work and that was the first. Let me rephrase that. That was the first criticism that we had received on it. But it really wasn't until that July board meeting that something clicked that just wasn't right where it was, they were included, they were included, they were included and then oh they're not included. And that was the first time that, you know, I think we really understood there's something off on these evaluations.

AOS: So during June, when the Patrick O'Donnell questions are circulating, are you saying at that point in time you were viewing them more as being critical of the process as opposed to recognizing maybe something was done wrong?

JS: Yes. I mean, I think that is a fair characterization of, you know, because we went back to, you know, we would have went back to David and... what's going on here? I mean we just, I mean, we always got the yeah they are included, they're included.

AOS: So David was telling you during that process that e-schools were included in the evaluations?

JS: That, to my understanding, to my recollection, yes. I don't know why at that point, and we had. I promise I am not trying to be coy or anything, we had, we were dealing with wrapping up the state budget at the same time, there was conference committees' processes going on, there was the legislation dealing with the Youngstown Schools. So there was just, there was a lot going on at the Department and I was still relatively new. I don't know that I had a reason at that point not to trust the staff.

AOS: So to your knowledge up until the July board meeting, David never said we left e-schools out or we're phasing them in, however, gave any indication?

JS: Phase in was they're included, they're phased in. That's the language that David would use.

AOS: Phasing them in. What did you believe that meant when you heard him explain it? Just in your opinion.

JS: I don't know how to answer that Marnie only from the, I just didn't question it. You know, I didn't explore it farther.

AOS: Did you relay any of these conversations to Dr. Ross or talk to him at any point about the criticisms the Department was receiving?

JS: I can't recall a specific conversation I had with Dr. Ross. I mean we saw the Plain Dealer article.

AOS: Did Dr. Ross talk about the Plain Dealer article with you?

JS: I can't, I don't remember well enough to. Have you talked to...

AOS: We did, yes.

JS: Okay, okay.

AOS: So, up until this point, just trusting the staff. Viewing what you are hearing as criticisms from the Plain Dealer; do you remember getting questions from Colleen Grady in the legislature?

JS: Yes, I do remember getting some questions from Colleen.

AOS: Did you get the opportunity to review her questions?

JS: Not in, I mean we were, again we were dealing with a lot of other things. I'm sure I saw the questions. Did you all show me an email the last time?

AOS: We did.

JS: Yeah, so I saw the questions. I can't say that I got into the back and forth. There was not a, trying to think of the best way to say it. There wasn't a lot of love lost between Colleen and David. I have a great deal of respect for Colleen but you know at the time, before she ended up coming over to the Department, you know, I'm not sure they saw eye to eye on policy areas so.

AOS: Did you view her questions as being just challenging David's policy around how he developed the rubric versus understanding that her questions really drove to the point of maybe he didn't do something right in the calculations?

JS: Without seeing those questions again, I don't feel comfortable answering that question.

AOS: We could put those up again. (June 19th email)

(Pause as reading email)

JS: And then can you remind me again what document this is?

AOS: We can show you the email it was attached to.

(Pause to read)

AOS: Would it be easier to have a copy to read?

JS: No. Okay so that was from Melissa. So are the bolded?

AOS: Those are the questions. And the draft responses are not bold.

JS: Okay.

(Pause for additional reading)

BB: Can you repeat your question?

AOS: Yes. So again, making sure, I want to understand did you see these questions, did you understand them and did you recognize at the point in time that these questions were being answered that Colleen is questioning whether or not the evaluations were performed correctly versus questioning matters of policy. There were certain components of the law that the Department had at their discretion on how to evaluate versus things that were actually specified by the law that had to be done.

JS: Can you scroll down?

AOS: Yes.

JS: And I apologize, I will take a copy if you could print that out for me.

AOS: Sure.

AOS: Do you want a copy as well Mr. Barbin?

BB: Yes.

BB: What's this intended to get at?

AOS: Well, again trying to identify the point in time precisely that you were made aware or understood that e-schools had been excluded. Based on this attachment and the email, it looks, if you scroll up to question #1 in particular, what schools were excluded from the performance measure, then if you can read David's response to this, which I think is a combination of multiple people at this point. Reviewing and editing that response, they are saying e-schools were not included this year. Did you recognize that?

JS: Thank you (receiving copies of email and attachment). I know how this looks. That's why I am struggling with...I can't say that I really understood. Even in David's answer here, he gives a reason the e-schools were omitted from the academic evaluation this year due to the ODE business rule change. That would. I did not understand, you know, even at this point in time that what was happening didn't comply with the law.

AOS: Okay.

JS: And, nothing that David gave us would have and, you know, in hindsight, errantly, we were still relying on, relying on David.

AOS: Did you ever ask whether or not David ever consulted with the Legal department on his approach to the evaluations? I am not asking for their opinion, I am just asking whether or not you ever found out if they were consulted.

JS: I don't remember Marnie but it's only, I don't know I would have had a reason to trust that the evaluations weren't above board. And if I can go back to, he was ready to announce these the day I walked into the Department to there were assumptions there that they were ready to go.

AOS: Do you know if this particular email and the draft responses that were prepared for Colleen were shared with Dr. Ross?

JS: That I don't know.

AOS: You don't recall?

JS: That I don't recall.

AOS: Would this have been the type of thing you would normally have brought to his attention? Or someone? There was a list of people on that email string.

JS: Not necessarily only from the perspective only that Colleen made a lot of requests of the legislature, I'm sorry, of the Department at the time so I can't recall if Dick would have seen these questions or answers or not. I mean he was, he was as busy as everyone else with the budget, Youngstown, we were switching to assessment vendors. All that fun stuff that was going on that year.

AOS: So, the first occasion was the July 14th board meeting where you first knew, you believe there might be some questions to how the evaluations were performed.

JS: I wasn't at the board meeting when David gave his presentation.

AOS: Would you ordinarily attend board meetings?

JS: Yeah. I can't say that I would sit through all of them.

AOS: When did you first become aware of David's remarks at the board meeting?

JS: We had a board member. Did we, and again, to be clear I think we...

AOS: We did, I want to circle back to that a bit more.

JS: There was a board member who pulled us aside and said we've got issues. David just gave contradictory answers to the board.

AOS: And that board member was?

JS: Todd Jones.

AOS: And was that in the morning, afternoon, do you remember?

JS: I don't remember. It was after David's presentation.

AOS: Did Dr. Ross ever contact you about the remarks that David gave to the board?

JS: Did Dr. Ross ever contact me? I recall we were both in that conversation with Todd Jones.

AOS: Oh, so you were there with Dr. Ross. Did Dr. Ross ask you to sit in on a meeting around lunchtime with him and some others, Jessica Voltolini, Melissa Huffman, Kevin Duff.

JS: That I don't remember.

AOS: You don't remember, and this was on July 14th.

JS: Was that the Tuesday of the board meeting?

AOS: Yes.

JS: I don't recall that.

AOS: This was a meeting that Dr. Ross said he convened during the first break that they had after David spoke to ask everyone, Jessica, he believed you were there and others to investigate and to conduct a formal investigation internally into what had occurred.

JS: I am sorry, on that one I do not remember. If I was around, it's possible I would have joined that meeting. I'm sorry, I just don't remember being on the second day of that board meeting.

AOS: Do you remember at any point in time notifying you he wanted you to look into this?

JS: I mean it was kind of on Melissa and I to, yeah I mean, I don't recall him specifically, you know, like what day or time but that was but it was Melissa and I were, you know, tasked with trying to figure out with what happened. And I, yeah.

AOS: So, at some point you do recall Dr. Ross did instruct you and Melissa to lead an internal investigation.

JS: I, so, that Tuesday of the board meeting I was out the next day for a CCSO conference so a lot of those early conversations I think did happen with Melissa. If I was around I'm sure he talked to me about it too but regardless

I will say whenever I got back and you know I was in communication with Dr. Ross even during the, during my trip but I mean when I got back, this was, it was a focus, you know.

AOS: Did you understand it to be an internal investigation that Dr. Ross wanted answers as to who knew what and when they knew?

JS: When you say internal investigation are you talking about a formalized internal?

AOS: In Dr. Ross' interview that is how he characterized it.

JS: Yeah. I won't dispute that. Having never done an internal investigative process before I think there is certainly a lot of things that we would have done, have done a little differently. We also and we didn't have, we had an Interim Chief Legal at the time, and the only thing I will say about that is I wish we would have had a stronger Chief Legal at the time.

AOS: Were you aware of whether or not the Department had a policy for conducting internal investigations at that point?

JS: I never, no. I wasn't.

AOS: Did you ask if one existed. Do you remember?

JS: I can't recall asking.

AOS: You were never presented with a policy then I take it?

JS: No.

AOS: At any point in time, did you or anyone on the team assisting with the investigation ever ask David Hansen why he omitted the e-schools or phased them in?

JS: So I've a, I haven't spoken with David since July 18, 2015. I will tell you. This must have been Wednesday before I left. I met with David and asked him about it and specifically asked him if the law allowed him to do what it did and that's the only time that I can recall David saying to me, "No".

AOS: So David acknowledged the law didn't permit it?

JS: That was my, that was my recollection of that conversation. I left, I believe, I think David was sent home on Friday maybe and then he resigned on Saturday.

AOS: When David told you no, the law didn't permit it, did you ask him why he did it then?

JS: I can't, I don't remember asking the reason.

AOS: Did David ever mention to you that he had a legal opinion from the department?

JS: I don't recall that.

BB: Was there a legal opinion?

AOS: According to Dr. Ross he believes there was. He overheard a conversation to that effect. That's why I am trying to determine as part of an internal investigation if that was something you were ever made aware of?

JS: Am I able to talk with Brian for just a second?

AOS: Sure.

JS: Thank you.

(Brian Barger and Jimmy Sheppard step out of the room)

JS: Sorry about that.

BB: What was the question?

AOS: So at any point in time were you made aware of David Hansen getting a legal opinion?

JS: I am trying to, I don't want to waive any privilege issues from the Department but no. I was not aware of a legal opinion prior to the July board meeting.

JA: Did you become aware of him relying on a legal opinion after the July board meeting?

BB: I think we need to clarify what's a legal opinion here.

JA: Yeah, that's why I framed it the way I did. If it was something on which you believed Hansen was relying on coming to you and saying he omitted the e-schools and knew it was not appropriate.

JS: Say that again Jim, I'm sorry.

JA: What I am trying to understand I heard you say that you didn't have a belief that Hansen was relying on any legal opinion in the positions that he took prior to the July 14th board meeting. But did you become aware after the July 14th board meeting that he was relying on a legal opinion as a basis for the work that he did?

JS: I mean again I don't know how to answer that without thinking about privilege issues.

JA: I'm not asking you to tell me the communications he had with anybody who was a lawyer. The question is whether or not you came to learn that he was relying upon a legal opinion after July 14th that formed the basis of the belief that he could omit e-schools.

JS: Yes, yeah.

JA: I am not asking about communication that may be privileged.

JS: Yeah.

AOS: How did you become aware of that?

JS: That I don't, that I don't remember. I don't know if it's something. I don't know if it's something that Melissa caught or I caught or our Legal folks caught. I don't remember exactly.

AOS: During your internal investigation did you speak with anybody in Legal? I don't want to know what they told you but did you speak to anybody from Legal?

JS: I am sure we did, I can't recall the specific conversations.

AOS: Do you know who you would have spoken to at Legal?

JS: Sharon was the Chief Legal, Interim Chief Legal at the time and then Diane came on August of that year? She really took as I know you are all well aware, took a really strong lead with this and I think in helping organize just with her experience it was very, very helpful to the Department. Donny was in the Legal shop at that time too.

AOS: So had you spoken to Donny during your internal investigation?

JS: I'm sure I did, I can't recall a specific conversation we talked with the Data Managers we talked with a lot of folks, the program people, Jessica, others. It was, frankly, it was a lot of people couldn't remember. I think a lot of people were, they were obviously seeing what was going on with the media. People weren't all that forthcoming. Trying to piece things together for us.

AOS: Did you ask anybody from Legal? Leming or Sharon Jennings whether they provided David with the legal opinion to allow him to do what he did?

JS: Again, I am not really sure how to answer some of these questions. I'm...

AOS: I don't want to know what they told you, did you ask them specifically did you provide an opinion?

AOS: An opinion to David?

AOS: Period.

JS: I can't remember specifically asking a question like that. I'm not saying I didn't. I don't remember.

AOS: Did you document any of your, we'll call them interviews, or people that you spoke with during your internal investigation? Did you formalize anything, take any notes?

JS: No, I did not formalize anything like that. I think when, when Diane came on I think she did but in my role, I did not.

AOS: Were you the lead on the investigation?

JS: I wouldn't call myself that.

AOS: How would you characterize it?

JS: You know, I was working on it. Melissa was working on it. And in terms of a formal investigation, I would say that was not what I did. When Diane came on I think that's when the formalized piece of it started, frankly.

AOS: Were you at all concerned going in to the July 14th board meeting that this might come up? That these questions might be asked?

JS: We knew that it was going to be a rough board meeting just with Youngstown.

AOS: Who's we?

JS: Just generally the Department. So I don't think we were trying to make more stories. I did not know that these specific questions were going to come up during the board meeting but...

AOS: Can you pull up the July 11th email? This is an email on July 11th, a Saturday. Colleen is circling back with more questions at this point and then your response to the ODE team is "I would like to be included in whatever meetings that occur on this topic". Can you describe for us what your concerns were at the point you read this email?

JS: Can I get a copy of that? I don't recall.

JS: I don't remember seeing this email the last time.

AOS: No.

JS: This is a new one?

AOS: Yes, this is a new one.

BB: Can you scroll down a little more?

AOS: Certainly.

JS: I think you can understand why we hired Colleen. I'm sorry Marnie, what was your question on this again?

AOS: Why did you ask to be included in all meetings?

JS: I don't recall why I asked to be included. I worked well with Colleen in other roles. And again respect her policy mind on things.

AOS: On July 11th, looking at her follow up questions, did you have doubts about what David had told you up to this point?

JS: Marnie, I honestly don't know. This is 10pm at night. I can't say with certainty that I dug into her follow ups on it. I don't know that at the time that I was, that I was still thinking that what we had done was wrong. Or non-compliant or however you want to say it.

AOS: Do you know if these particular questions were ever shared with Dr. Ross?

JS: I do not know that.

AOS: Do you know if Dr. Ross was aware that Colleen was asking a series of questions?

JS: I don't know that. That'd be outside my recollection.

AOS: So during the internal investigation can you tell me who assisted you? You mentioned Melissa, was there anybody else on the team of people who were looking into this with you?

JS: Kevin Duff, from a policy perspective, I remember having conversations with Kevin about what he was finding and the spreadsheets. And just how, and that was when I was out of town and just how problematic they were so Kevin was kind of a policy mind that we, that I trusted.

AOS: He was asked to review the spreadsheet calculations?

JS: I don't know if he was asked or if he, he did, to my knowledge he did. I mean I am sure Jessica, you know, she was another, she is another good policy mind that I have a lot of respect for. Sharon, I am sure as the Interim, like I

had conversations with her. Matt Williams was helpful on the IT side of things. I may have left folks off of that but when you say internal investigation, I am just, some of the things that we were looking at and the people I talked to again in hindsight, you know, I wish it would have been more formal, more formalized but you know.

AOS: How did each of these individuals update you on what they were finding or were, should I ask, were they updating you on what they were finding? Who were they updating?

JS: Can you repeat the end again, Marnie?

AOS: Yes, who were these individuals updating on what they were finding?

JS: I mean it would have been either me or Dick I think or they would have talked to Melissa. I mean it would have been possible that they would have talked to her directly and she talks to me or she talks to Dick.

AOS: Do you believe that you would have been made aware at some point of what they would have all found?

JS: Yeah, I think so. I have no reason to think otherwise.

AOS: Do you believe Dick Ross was also being made aware of the findings?

JS: Yeah, I believe so. We were all in the thick of it.

AOS: Were you having meetings with Dick Ross to keep him up to date?

JS: Marnie, I don't know if that's something we talked about last time, I can't, I don't think it was something formal. Our offices were next to each other, we were getting constant, you know, barrages from the media, board members, other interested parties. Including the Auditor's Office.

AOS: Sure.

JS: I mean we were in communication. I think I mentioned that the last time.

AOS: I am just trying to understand, is Dick Ross hearing from multiple people, everyone's just going to him directly, Jessica finds something she just takes it to Dick? Or was there a process?

JS: I think that is very possible. I think if people found things and Dick was available he would have talked to them I don't think he would have turned them away or told them not to tell them something.

AOS: So was anyone really ever in control of the internal investigation results until Diane gets there?

JS: Is this where you are going to make me look bad? It's a serious question.

AOS: It is, it is an important one.

JS: I don't know how, I mean, I don't know how to answer that question. I mean Dick was. Dick was obviously the Superintendent, had conversations with him. I think he, I think he faced a lot of questions from his Board in September. So I don't know what you want me to say about, I mean when Diane came on that was certainly an important piece of formalizing, you know, an investigation. But I can't say that there was a formalized process to that point, where we were documenting what we were doing.

AOS: To your knowledge, did Dick ever appoint any one person to ever be in charge of it?

JS: Not from a, I think what your, if I'm understanding correctly from a formalized, internal investigation, I don't recall that.

AOS: What about an informal investigation?

JS: We all wanted to know what happened, myself included, Dick included so yes, we were trying to find out what happened but I don't know if it ever rose to the level of a, you know, I don't want to dispute that if that's what Dick, you know, believes but I can't say that steps were.

AOS: Dick shared with us that he did ask for a formal investigation.

JS: Okay.

AOS: And you were the lead on that so we want to understand what your perception of his instructions was.

JS: I feel like I'm getting. I don't know what you want me to say. I mean I've explained what, you know, the steps that we took, we wanted to know what happened. There wasn't a policy or a manual that I saw on an investigation so whenever he asked me to or he asked what happened it was just go find out what happened and that's what we tried to. When Diane came on obviously that helped. We had conversations with the Legal folks but I, you know, it really came together when we had a permanent Chief Legal Counsel over there. So I don't know.

AOS: So would it be fair to say that while you were conducting this investigation and others were involved in the investigation no body was really in charge? Everybody was trying to find out what was going on and reporting it to Dr. Ross.

JS: I mean I'm not going to shirk away, I mean I was the Chief of Staff over there, you know, I had communication with folks. I don't know that it would be fair to say that no one was in charge. I think there was a lot of information gathering that, that went on. Yeah.

AOS: Maybe it would be fair to ask this question. Did Dr. Ross ever communicate his expectation for you to lead an investigation to you?

JS: I don't know that I feel comfortable answering that question Marnie. I feel like the nature of this conversation is pointing to me and I...

BB: Right, I thought we were here to follow up on some, you know, circle back on some potential emails and things like that. This is, I mean, is Jimmy a target of this investigation?

AOS: At this point, no. You are not a target. I will share with you that the emails that we put back up on the screen this morning are emails that Dr. Ross claimed he'd never seen and that would have been helpful to him to be able to see them and be made aware of those. He expressed frustration during his interview for not having seen them previously. And again he communicated to us that he in fact did give instructions for a formal investigation on which you were to be the lead. Now I know you had communicated previously that you were at a conference, you were not at the board meeting, you've told us this morning that you weren't at the lunchtime meeting with Dr. Ross so it's important for me and I think for Jimmy as well to understand, did you know it was a formal investigation as far as Dr. Ross was concerned.

BB: I think he has said he was not under that impression.

AOS: And did you understand that Dr. Ross viewed you as the lead on that? Until Diane arrives.

JS: I have no reason to think that Dick wouldn't have seen me as the lead on that.

AOS: Okay. But no, you are not the target.

BB: Well let me ask a couple of questions. Did he ever give you a date by which the report was to be done?

JS: No, we didn't have a...

BB: Did he ever say that the reports supposed to be in written form and we're going to presented it to the board?

JS: No, we never had any conversations (inaudible).

AOS: How did he expect to update the board on the results of the investigation? Did he ever...

JS: You keep...

AOS: ...provide directions?

JS: You keep using the term "investigation", I think that's where I get hung up. We did calls with the board members, updating them on, you know, what we knew to be true and then the, there was a push from the board to do an August special session. Never collected the signatures to do that, a special board meeting. So September came and we had a lot of, a lot of question, a lot of, and I stand by, you know, and I think that the Department stood by what Dick said and communicated at the September board meeting, you know, as being as accurate as we could be at the time and some of the steps that we had taken too. You know we retracted the evaluations I can't remember if we had the three person panel on board to kind of review and make recommendations on correctly implementing the new, I don't remember the timing.

AOS: It was just discussed in the September meeting.

JS: So there were, we prepared for a lot of question and wanted to make sure we had answers and that was the focus of my work was frankly making sure what Dick said was accurate, you know.

AOS: You believe it was.

JS: I believe what Dick said at the September board meeting and the answers that he gave were accurate. I still believe that.

AOS: Did you, at any point in time, feel like anyone other than David Hansen should have been disciplined or was at fault in anyway. In your opinion.

JS: I mean we, there were no other disciplinary actions taken at the department. There were some things put in place like the Data Governance Committee to ensure that people were talking, communicating, knew what was going on. So there were some internal things that went on that there were no further disciplinarian actions that...

AOS: Did you personally believe that no one else was at fault?

JS: At fault? No. I don't. I still don't.

JA: Just one point of clarification, you were at the September board meeting?

JS: Yes.

JA: Okay.

AOS: Any other questions that...

JA: I just heard him say that he agreed with everything that Dr. Ross said at the board meeting I just didn't know if you were there to hear what he had to say.

JS: Yes, I was.

AOS: Thank you.

JS: Can I ask what to expect in the coming weeks. What is the process from here?

AOS: From here we have drafted a report. We're working on finalizing that and hoping to have something out in early summer to wrap this up and concluded. You're still not a target. But just trying to better understand what internal controls were in place at the time. You know we are auditors, we focus on internal controls and making sure that the appropriate work was done is certainly a part of our focus for the audit. And if there were weaknesses or breakdowns in internal controls, those are things that we would communicate as part of that report.

JS: I do just want to ask are people named in your report?

AOS: We don't use names in audit reports...

JS: ...Okay...

AOS: ...Per se. However we do use titles. So it would be implied to anyone who knew.

JS: Okay. I appreciate that.

BB: I am sorry did you say when the draft report was to be expected?

AOS: Early summer.

BB: Early summer.

JS: Is that shared with the Department first or is that something that the Auditor...

AOS: Ordinarily, we do give at least a short period of time to review results before it would be issued. Given the nature of this we wouldn't allow it to go outside the Department ordinarily either. We usually do give some brief period to go over the results and offer that there's any mistakes or any corrections that we made that they could share those. So we have not done that yet but that would normally be part of the process.

JS: Okay, and I know you said that normally it does not go outside the Department but since I was not represented by the Department or you know or counsel there from the state will Brian have an opportunity to review it?

AOS: Ordinarily not, so the audit report, the draft audit report would only be available to ODE at this point because they are the subject of the investigation, not Jimmy. If Jimmy were the target, if he was the subject in any

way or if he was named in the finding for recovery, something of that nature, absolutely. I don't anticipate that being the case.

JA: You'd rather not get a draft.

AOS: Yeah.

JS: Okay, I just, I appreciate that Jim. Well I am anxious to conclude this chapter. As I know you all are.

AOS: Sure.

JA: Thanks very much.

Beth Hansen, Chief of Staff, Governor's Office

05/21/2018

In attendance:

Governor's Office employees: Beth Hansen, Mike Grodhaus and her legal counsel, MaryAnn Gall

AOS employees: Matt Klapheke, Marnie Fredrickson, Kristin Hayes, and AOS special counsel, Jim Arnold

AOS: With me here to my right is Kristin Hayes, my assistant. Like I said we do have a monitor here, sometimes the camera moves, we don't know why, it's not recording anything. Should that happen I wanted you to know it is not recording anything. We do have an audio recorder though to record the conversation today. We have Matt Klapheke from our special audit division as well, and Jim Arnold is our special counsel on the project. We have a few questions, we wanted to circle back with you in particular Beth today in very limited areas as we discussed with MaryAnn and Mike and specifically we will go ahead and start with the sponsor evaluation process in particular, how much....

MG: Marnie, John Gall came with David Hansen and asked at the beginning if we could have a copy of the recording. Can we get the same courtesy please?

AOS: Absolutely.

AOS: So in the sponsor evaluations, were you familiar with the requirements at the time David was implementing the process at the Ohio Department of Education? Were you familiar with the statute and the requirements for the sponsor evaluation process?

BH: No.

AOS: Was that something that the governor's office was tracking closely?

BH: No.

AOS: Nothing that there was an interest in from your perspective at the governor's office in keeping tabs on the rubric that was being developed by the Ohio Department of Education?

BH: No.

AOS: Okay. The other topic that we wanted to talk about as well is did you know that David had made the decision to omit the e-schools from the evaluation process? Was that something that was ever communicated to the governor's office to your knowledge?

BH: No.

AOS: Okay. The other area as well, the charter grant application. Were you familiar with the fact that the Ohio Department of Education was seeking that grant and was competitively applying for that grant?

BH: No.

AOS: Do you know if there was a grand strategy that the governor's office was working on with the Ohio Department of Education as it pertained to this grant or just charter schools generally.

MG: Marnie, can I ask you for a favor? I don't write as fast as I used to. And we don't have a court reporter here. Could you just ask the questions a bit slower? I write pretty fast but I don't do short hand. So the last one was, I actually missed one. I think the question was to Beth, did she know about or was she aware of David's omission of e-schools from what, I didn't catch...

AOS: The sponsor evaluation process.

MG: The sponsor evaluations, and then I missed, the next question was...

AOS: I think the next question was the charter school grant application whether or not the governor's office was familiar with the fact that ODE, the Ohio Department of Education was applying for the charter schools grant, it's a federal grant?

MG: So the question is did the governor's office, does Beth know if the governor's office knew that ODE...

AOS: Was aware of the application.

MG: Was aware of the application, okay.

AOS: And was there a grand strategy in terms of trying to be successful in that application, that Ohio had the governor's office had worked jointly with ODE to develop a grand strategy for that application? I think that was the question we left off with.

MG: Okay. Sounds like it.

BH: And you are talking about what I do and my job?

AOS: Right, anything you would have been aware of?

BH: As opposed to, for instance, our policy people?

AOS: Correct.

BH: Yeah, no.

AOS: Nothing, okay. And the last area, so this is relatively short, is just HB70 and the Youngstown project. That's been another area that we have looked at during the course of the special audit. During that work we came across a few meetings in Youngstown where you were present for those. I was wondering if you could explain your perspective of those meetings and what purpose was for in those meetings and why you were there?

MG: Can you give her dates of the meetings if she can recall?

AOS: Sure. I think the one meeting is April 2015. We are going to pull up the exact date so you can see. I guess I should start with did you attend meetings in Youngstown?

BH: Yes, I remember one meeting.

AOS: Maybe it was only one, April 21st. If we can find the document...

AOS: I apologize, I wasn't...

AOS: We weren't anticipating going to that but we will get it for you. So there was an April 21, 2015 meeting and we are relying a lot on information that has been presented to us but I wanted to hear it from you, your perspective what the meeting was for and the interest you had in being there that day from the governor's office? So anything that you would recall.

BH: And this was an April meeting in Youngstown. Was this held at the house of the Youngstown State University President?

AOS: We believe it was.

BH: Yes. Youngstown had been in and out of financial distress for a long time and...

JA: You mean the schools?

BH: Yes, Youngstown schools district had been in and out of financial distress for a long time. And it appeared to be slipping into academic distress as well. And the purpose of my participation in that meeting was really to hear from what we would call community stakeholders. As I recall the Youngstown State president was there, the Bishop, Bishop Murray was there. Maybe the president of Eastern Gateway Community College was there so we were looking, I think Tom Humphries who was the head of the Youngstown Regional Chamber was there and we talked with them about the schools and their perception of how the schools were doing and it was really kind of community stakeholder's assessment of the school district because it concerned us that it looked like it was going to be slipping into academic distress.

AOS: Okay. So you are really there that day just talking about alternatives, is that fair to say, on how to handle?

BH: No, it was really because I am not sure that a group like that could have composed alternatives. It was really, I mean the Bishop and I think there were some business people there. There might have been a gentleman by the name of Harold Washington who was a small business entrepreneur there and was really to talk about their perception of Youngstown schools because it's in their backyard and do they think there's a problem. What do they think the problem is. So really it was a little bit more, getting the community's perception of Youngstown schools and where they were.

AOS: Did you participate then in any further conversations with the Youngstown group?

AOS: There are several of the agendas that we have. This is an October.

BH: Yeah and that first sentence, an open discussion took place in regard to the current situation in the Youngstown City Schools. Yeah, that was about it. But yeah, that was the group and then what was your question?

AOS: Were there other meetings where you were attending in Youngstown or...

BH: I don't recall going back to Youngstown for a meeting.

AOS: Did you testify to the legislature at all about HB70?

BH: No.

AOS: That was something else we've been told but we couldn't corroborate and wanted to see if there was testimony out there that we should look into. So from your perspective was there a strategy with Youngstown Schools that you were aware of that helped shape the grant application from your perspective.

MG: Which grant application?

AOS: The Charter School Program grant application being submitted by ODE.

BH: No.

AOS: So none of the meetings you attended had conversations with ODE officials about trying to incorporate the Youngstown project into the grant to try and successfully obtain the grant for Ohio?

BH: No.

AOS: Okay.

MG: May I ask you, this is a document from one of the attendees?

AOS: These are meeting minutes that they kept.

MG: Okay. Who, what is this cabinet thing, person or entity?

AOS: So they referred to themselves as a cabinet.

MG: Okay.

AOS: It's not an official governmental body per se as Beth described it was just a gathering of people in the community that were interested. But yeah, throughout the minutes they will call themselves the cabinet.

MG: And Jim Tressel, I'm just curious about this, headed this up?

AOS: He was a member. It was really the president of the chamber of commerce. Mr. Humphries I believe, I think who was orchestrating it, is that accurate from your...

BH: Yeah, President Tressel offered to host us at his residence there, his official residence. Yeah, I guess you could say Tom was probably showing as much leadership as anybody in pulling the group together.

AOS: Okay. Anyone else have any questions?

JA: Not from me.

AOS: No.

AOS: No ma'am.



Dave Yost • Auditor of State

OHIO DEPARTMENT OF EDUCATION 2015 CHARTER SCHOOL PROGRAM

FRANKLIN COUNTY

CLERK'S CERTIFICATION

This is a true and correct copy of the report which is required to be filed in the Office of the Auditor of State pursuant to Section 117.26, Revised Code, and which is filed in Columbus, Ohio.

Susan Babbitt

CLERK OF THE BUREAU

**CERTIFIED
NOVEMBER 20, 2018**