At its May retreat, the Board determined the need to engage a broader community conversation about what student success looks like, what it thus means to be a “quality” school, and how we should design support and accountability structures with those factors in mind, both for our schools and our central team. This calls into question whether the Board should follow the Implementation Guidelines for the School Performance Compact developed in March 2017 (see Appendix A for a summary.) This memo provides context about the Compact’s initial development and the Board’s initial hopes for the policy, shares some of our key learnings and wonderings since its adoption, and articulates a proposed path forward for the 2018-2019 school year, while the community process is underway. It also includes as Appendix B a list of potentially eligible schools under the existing Guidelines, and the policy itself as Appendix C.

About the Policy
The DPS Board of Education adopted the School Performance Compact in December 2015. The policy recognizes that the primary responsibility of the District is to support “all schools for continuous improvement” and that, when those efforts do not result desired improvements, “students deserve fundamental transformation of their learning environments.” After all, students don’t get their elementary, middle or high school years back. Further, DPS has seen success with its turnaround efforts, most recently at University Prep (formerly Pioneer Charter School), Kepner Beacon and STRIVE Prep Kepner (formerly Kepner Middle School), and Bear Valley International and DSST Henry (formerly Henry Middle School).

The Compact establishes at least three fundamental expectations for the District, directing it to:

**Expectation #1:** “Establish a clear set of supports for schools in alignment with school performance and needs, ensuring schools receive the appropriate district supports to help them work toward continuous improvement.” The most recent presentations to the Board on the school support framework are [here](#) for district schools and [here](#) for charter schools.

**Expectation #2:** Develop “clear, transparent, and equitable criteria to designate schools as persistently low performing” and thus as eligible for restart or closure of schools, after improvement efforts do not result in intended gains. (Again, a summary of the Implementation Guidelines appears Appendix A.)

**Expectation #3:** Match restart providers in consultation “with the affected community.” Information on the most-recently used community-matching process is available [here](#).

Each of these expectations reflected key areas of concern for the Board at the time of the policy’s passage. First, the Board wanted much greater clarity for itself and for schools around the support
services provided to schools and how the District knows or decides which interventions and supports will be most effective and in what contexts.¹

Second, although the District had closed, restarted or turned around schools of all governance types for many years, how those decisions were made sometimes felt arbitrary to schools and communities. In implementing the policy, the Board sought to create “bright line” rules that would provide adequate notice to schools that they needed to improve with urgency, allow operators (the District and charters) time to align needed supports, and also afford appropriate transparency in how the District should form recommendations for the Board and how the Board would make these most difficult of decisions.

Finally, the Board held a deep belief that community should have strong influence over the selection of the restart provider. Strong community support for the restart program has the potential to decrease trauma that can accompany school transformations and also increase the likelihood of the turnaround effort being successful.

**Key Learnings**
The School Performance Compact has impacted four school communities since its adoption. In 2016, Greenlee Elementary and Amesse Elementary were designated for restart, and Gilpin Elementary was designated for closure. Cesar Chavez Academy, a charter school, will close at the end of this school year, after it did not meet performance expectations defined by the policy and embedded in its contract. In our view, numerous learnings have taken shape over time:

1. **“Bright line rules,” although affording the benefit of greater transparency, possess real downsides.** School staff and community members often did not feel heard about positive aspects of their schools, and some Board members, including Ms. Flores, felt restrained -- unable to exercise judgment within these difficult decisions. Of particular meaning to community and the Board often were non-academic indicators of school health, such as those related to school culture and climate.

2. **School communities often made pleas for more time,** believing that certain leading indicators showed promise of improved future performance.

3. **The differences between restart and closure designations are significant.** The policy itself provides minimal guidance, stating only that “there may be situations in which a school is designated for closure, rather than restart (e.g., a charter school or a district-run school with declining enrollment).” For Greenlee and Amesse families, there was a path forward. For Gilpin families, it was a hard stop.² The intersection of performance and enrollment is one that must be more fully developed going forward, drawing from the Strengthening Neighborhoods recommendations.

4. **The community-matching processes used to develop recommendations for restart providers for Greenlee and Amesse were extraordinarily labor intensive for community members** and were not able to sustain active engagement of families from the impacted schools throughout the processes. Further, although there certainly are benefits in community having quality options from which to choose, the selection of the Amesse restart provider – in which three

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¹ Given their autonomy, underperforming charter schools are supported using a different framework called Tiered Quality Assurance.

² Importantly, 100% of Gilpin families were supported by the Choice team, and all received priority enrollment opportunities at Cole Arts and Sciences, Downtown Denver Expeditionary, Garden Place, University Prep, and Whittier. 95% of Gilpin families received their first choice. See more in slides 22-24, [here](#).
programs (McGlone Academy, STRIVE Prep and University Prep) sought to serve the community going forward – raised concerns about the downsides of competition and how well the District can reasonably create a level playing field across governance types.

5. **The policy’s dependence on the SPF put significant additional pressure on the SPF and heightened controversies about multiple facets of the SPF.** The forthcoming community process will certainly shape the future of tools like the SPF.

6. **The least controversial of all Compact-related actions occurred with Cesar Chavez Academy.** This is not to say the school’s closure is easy for the charter school’s board or its families; certainly, they believe deeply in the school’s mission. We imagine that at least two factors have supported the Cesar Chavez community as it has worked to deal effectively and humanely with its closure. First, as with all charter schools, Cesar Chavez has consistently had a contract with the District in which the school agrees to performance standards. The very existence of a charter school is plainly tied to being a quality school; there is no presumption that it will operate in perpetuity. Second, as Cesar Chavez grappled with its closure, Rocky Mountain Prep, another charter operator, stepped in and assumed the private facility in which Cesar Chavez operates and offered continuous enrollment to Cesar Chavez students. (It is important to note that DPS did not seek to restart Cesar Chavez, due to a declining number of school-aged children in that area of the city, and we remain deeply concerned about the enrollment health of area schools going forward.)

7. **Importantly, the Compact has not been the only mechanism through which schools have closed since the policy’s adoption.** Escuela Tlatelolco, a contract school, closed in July 2016. Two additional charter schools (Venture Prep and ACE) are closing at the end of this school year, and Wyatt Academy is closing its middle school program. These voluntary closures reflect multiple considerations by charter boards, whether due to enrollment/financial pressures, performance, some mix of the two, or, in the case of Wyatt, a tough strategy decision to focus attention on strengthening its elementary program.

**Proposed Path Forward for 2018-2019 School Year**

We believe the Board and the District share an ongoing responsibility to ensure students have access to high-quality schools in their own neighborhoods and that the Compact continues to provide important guideposts in efforts to improve our schools. **We do not believe that the Compact’s current Implementation Guidelines should apply in 2018-2019,** however, based both on our learnings and given the community conversations that will soon launch.

We thus propose a third-way for 2018-2019:

1. **Schools that are “red” on the 2018 SPF, along with their operators (District or charter), should prepare for the Board written and verbal reports regarding their ongoing or proposed improvement strategies, as well as desired and planned supports.** These reports should also include timelined and data-based benchmarks to measure progress against identified improvement goals. **Portfolio will develop templates for these reports, in cooperation with a Board sub-committee.** In order to honor a fuller picture of school health and the understanding that the community conversations will impact definitions of both quality and accountability going forward, Portfolio also will be responsible for preparing for the Board a common data dashboard for each school, using multiple years of data to include indicators of academic, cultural and operational health. This information will inform Board decisions.

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3 A charter-like school, and a type DPS no longer authorizes
2. The District must continue to undertake the charter renewal process for all charter schools with contracts up for renewal in 2018-2019. This information also will inform Board decisions. Charter schools that are undergoing the renewal process and are “red” on the 2018 SPF also will have the opportunity to present to the Board, as described above.

Finally, we must note that the declines in the number of school-aged children in our city will continue, and it is our hope that, as a Board, as a family of schools, and as a community, we will actuate recommendations from the Strengthening Neighborhoods Initiative and work to ensure schools are healthy enough from an enrollment perspective that they can offer students robust programming and do so in a manner that promotes greater socioeconomic integration.
Appendix A: Existing SPC Implementation Guidelines

DPS defines a persistently low performing school as a school that:

- Is RED on the most recent School Performance Framework (SPF) and RED on the preceding SPF;  
  OR
- Is RED on the most recent SPF and ORANGE or RED on the two preceding SPFs; AND
- Receives 50% or fewer growth points in the most recent year, based on the SPF.

Schools must have three SPFs to inform the decision.
Appendix B: Schools Potentially Eligible for Restart or Closure in 2018 Under the Existing SPLC Implementation Guidelines

- Abraham Lincoln
- Smith Elementary
- MSLA
- KIPP NE Denver MS
- Compass Academy
- Hallett
- Joe Shoemaker
- DCIS Montbello
- Lake International

Venture Prep also was eligible under the existing Implementation Guidelines, and the charter board voluntarily surrendered its charter. Venture Prep will officially close at the end of July.
Appendix C: Board Policy ABA --- School Performance Compact

I. Policy Statement.

The Board of Education (“Board”) of School District No. 1 in the City and County of Denver, State of Colorado (“District” or “DPS”) is responsible for the quality of education provided by the District and the achievement of its students. Pursuant to the District’s Denver Plan 2020 and its commitments to ensuring all students have access to high quality schools in their neighborhoods, the Board encourages policy and practice that support and improve all schools, create new high quality schools, and restart or replace persistently low performing schools.

The District’s primary focus is supporting all schools for continuous improvement such that all students have access to high quality schools that allow them to succeed and graduate college and career ready. The School Performance Compact is predicated on the belief that the District is responsible for the success of each student in its care. In the event that students are served in persistently low performing schools—even after substantive efforts to support and improve these schools—the District believes students deserve fundamental transformation of their learning environments. The School Performance Compact is one part of a broader District improvement strategy, defined in the Denver Plan 2020, to “expand high-quality school choices in all communities through differentiated supports for existing schools, new school strategies, turnaround efforts and strong accountability systems.” This policy focuses specifically on establishing a transparent and consistent process to identify and designate for replacement, restart or closure the most persistently low performing schools. The School Performance Compact is driven by a sense of urgency to dramatically improve the learning environment in these schools.

Specifically, the goals of the School Performance Compact are:

1. Safeguard student and public interests;
2. Facilitate the District’s ability to reach its goal outlined in the Denver Plan 2020 of ensuring at least 80% of students have access to “Great Schools in Every Neighborhood”;
3. Ensure high educational standards and oversight for all schools the District directly runs or authorizes;
4. Encourage prompt, appropriate, and consistent responses to persistently low performing schools so that all students have access to highly effective schools; and
5. Work with urgency to increase the number of high quality schools.

The School Performance Compact shall guide the processes that inform the Superintendent’s recommendations to the Board regarding school replacement, restart and closure. The School Performance Compact provides clear and consistent principles that are aligned with the District’s educational priorities and other relevant considerations concerning school replacement, restart or closure.

II. Principles Guiding the School Performance Compact.

The principles guiding the School Performance Compact are as follows:
a. **Accountability Across Governance Type:** The District has the responsibility of ensuring that each school it directly runs or authorizes provides a high quality education for DPS students. The District is committed to holding all public schools accountable, regardless of governance type (district-run or charter), using a common School Performance Framework across all schools.

b. **Transparency:** The District is committed to providing a clear and transparent process across all schools for designating persistently low performing schools for replacement, restart or closure.

c. **Equity:** All schools shall have equity of responsibility, accountability, and opportunity regardless of governance type.

d. **Engage Communities and Families:** Criteria for designation of schools under this policy will be public as will the status of schools against such criteria, and school communities shall have the opportunity to be involved in the selection of schools that replace existing schools.

### III. School Support Framework and Criteria for Designation of Schools for Replacement, Restart or Closure.

Recognizing that the District’s primary obligations and resources are focused on improving the quality of its schools for all students, the Superintendent is directed to establish a clear set of supports for schools in alignment with school performance and needs, ensuring schools receive the appropriate district supports to help them work toward continuous improvement. The primary goal of the District’s school support framework should be to ensure all students have access to high quality schools by building the capacity of school leadership to make adequate progress towards district expectations and improve the school’s program in alignment with the school’s mission. The Superintendent shall establish and publish guidelines that include clear, transparent, and equitable criteria and interventions embedded within its school quality and school support framework. Annually, the Superintendent or his/her designee shall report to the Board on the criteria, resources, and impact of its school support framework and intervention work for district run and charter schools.

When despite these efforts, a school does not meet district standards for academic growth and achievement, the District will promptly intervene to ensure that students have access to higher quality education. The Superintendent shall establish and publish guidelines to implement the School Performance Compact that include clear, transparent, and equitable criteria to designate schools as persistently low performing. The Superintendent shall use these criteria as the basis for recommendations to the Board for the designation of schools as persistently low performing and eligible for replacement, restart or closure. Criteria will focus on student growth and performance over multiple years as well as other indicators in the District’s School Performance Framework (“SPF”) and student growth in the most recent year.

Schools that meet the criteria set forth in the implementation guidelines shall be designated for replacement, restart or closure, with the restart applicant determined as described below. The Superintendent shall seek to make recommendations for designation by the end of November, pending availability of data.

In accord with the principles set forth in the School Performance Compact, the District shall clearly communicate its designation decision to the affected school and community in a timely manner and provide a written explanation of the reasons for the decision based on the criteria set forth above.
IV. Community Engagement

Every family deserves choice and access to high quality schools in their neighborhood. School communities are essential partners in District improvement efforts and will be educated and informed in a timely and prompt manner when a school is nearing designation for replacement, restart or closure about the school’s performance, historical and current improvement efforts and the possibility that students may need access to a new program, if substantive efforts to support and improve the current program do not result in needed gains for students. Should a school be designated for replacement, restart or closure, the district will establish a clear process for the community to provide input and evaluate all approved and high-quality school applicants and proposals for matching with their school community. The Superintendent will make the final recommendation to the Board, informed by input from the school community.

V. Selection and Matching Process.

After consulting with the affected community, the District shall select an approved school applicant for placement at each school designated for replacement or restart pursuant to the School Performance Compact. Pursuant to the District’s Call for New Quality Schools (“CNQS”), operators of all governance types governance types -including members of any current school community -shall be eligible to submit an application to serve potential district needs for a replacement or restart through the CNQS process and in keeping with its timeline. All applicants must meet the obligations and conditions set forth in the CNQS.

The District shall evaluate each application based on its alignment with the needs and priorities identified in the District’s Strategic Regional Analysis (“SRA”) and the annual CNQS as well as the Facility Allocation Policy (“FAP”) criteria. Academic track record and performance, community support, enrollment demand, and alignment with the FAP will be key criteria considered.

Using criteria set forth in the FAP and considering input from the community, placement matches will be made between schools approved through the CNQS process and schools designated for replacement or restart.

The Board directs the Superintendent to define clear requirements for school applicants and ensure they are clearly communicated to potential applicants through the implementation guidelines and CNQS. There may be situations in which a school is designated for closure, rather than restart (e.g., a charter school or a district-run school with declining enrollment). In such situations, the school facility may or may not be eligible for re-allocation through the FAP based on district considerations.

VI. School Development Supports

District staff shall be responsible for identifying and attracting a pipeline of high quality school applicants, regardless of governance type, whether they be school networks that are replicating a school model or new school design teams. District staff shall create conditions to support recruitment and retention efforts, including appropriate supports for all applicants in the design phase and prior to opening for applicants selected to serve the school community.

VII. Policy Implementation
The Board directs the Superintendent or the Superintendent’s designee to implement this School Performance Compact starting in Fall 2016. Decisions of schools designated for replacement, restart or closure made under the School Performance Compact will be determined beginning in Fall 2016. Nothing in this policy precludes the District or the Board from taking additional appropriate action in the best interest of students with regard to low performing schools before or after Fall 2016. In order to ensure faithful implementation, the Board also directs the Superintendent to develop clear and comprehensive Implementation Guidelines that are reviewed by stakeholders and brought forward to the Board for review and public discussion prior to policy implementation.