



**(F)(2) Ensuring successful conditions for high-performing charter schools and other innovative schools (40 points)**

The extent to which—

(i) The State has a charter school law that does not prohibit or effectively inhibit increasing the number of high-performing charter schools (as defined in this notice) in the State, measured (as set forth in Appendix B) by the percentage of total schools in the State that are allowed to be charter schools or otherwise restrict student enrollment in charter schools;

(ii) The State has laws, statutes, regulations, or guidelines regarding how charter school authorizers approve, monitor, hold accountable, reauthorize, and close charter schools; in particular, whether authorizers require that student achievement (as defined in this notice) be one significant factor, among others, in authorization or renewal; encourage charter schools that serve student populations that are similar to local district student populations, especially relative to high-need students (as defined in this notice); and have closed or not renewed ineffective charter schools;

(iii) The State's charter schools receive (as set forth in Appendix B) equitable funding compared to traditional public schools, and a commensurate share of local, State, and Federal revenues; The State provides charter schools with funding for facilities (for leasing facilities, purchasing facilities, or making tenant improvements), assistance with facilities acquisition, access to public facilities, the ability to share in bonds and mill levies, or other supports; and the extent to which the State does not impose any facility-related requirements on charter schools that are stricter than those applied to traditional public schools; and

(iv) The State enables LEAs to operate innovative, autonomous public schools (as defined in this notice) other than charter schools.

*In the text box below, the State shall describe its current status in meeting the criterion. The narrative or attachments shall also include, at a minimum, the evidence listed below, and how each piece of evidence demonstrates the State's success in meeting the criterion. The narrative and attachments may also include any additional information the State believes will be helpful to peer reviewers. For attachments included in the Appendix, note in the narrative the location where the attachments can be found.*



Evidence for (F)(2)(i):

A description of the State’s applicable laws, statutes, regulations, or other relevant legal documents.	<b>Appendix F(2)-I</b>
The number of charter schools allowed under State law and the percentage this represents of the total number of schools in the State.	<b>See narrative</b>
The number and types of charter schools currently operating in the State.	<b>0</b>

Evidence for (F)(2)(ii):

A description of the State’s approach to charter school accountability and authorization, and a description of the State’s applicable laws, statutes, regulations, or other relevant legal documents.	<b>See narrative</b>
For each of the last five years: <ul style="list-style-type: none"> <li>• The number of charter school applications made in the State.</li> <li>• The number of charter school applications approved.</li> <li>• The number of charter school applications denied and reasons for the denials (academic, financial, low enrollment, other).</li> <li>• The number of charter schools closed (including charter schools that were not reauthorized to operate)</li> </ul>	<b>0</b>

Evidence for (F)(2)(iii):

A description of the State’s applicable statutes, regulations, or other relevant legal documents.	<b>See narrative</b>
A description of the State’s approach to charter school funding, the amount of funding passed through to charter schools per student, and how those amounts compare with traditional public school per-student funding allocations.	<b>See narrative</b>



Evidence for (F)(2)(iv):

A description of the State’s applicable statutes, regulations, or other relevant legal documents.	<b>See narrative</b>
A description of the statewide facilities supports provided to charter schools, if any.	<b>See narrative</b>

Evidence for (F)(2)(v):

A description of how the State enables LEAs to operate innovative, autonomous public schools (as defined in this notice) other than charter schools.	<b>See narrative</b>
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*Recommended maximum response length: Six pages*

**Section F(2)(i):** The Montana Board of Public Education (BPE) adopts all standards of accreditation for public schools, upon the recommendation of the State Superintendent of Public Instruction. Standards of accreditation have the force of law. In 1989, according to this process, the State Superintendent recommended a standard for the establishment of charter schools. This standard was adopted by BPE.

Accordingly, any school district may apply to BPE through the Superintendent of Public Instruction to create a charter school that meets or exceeds the requirements of the Montana school accreditation standards. Montana charter schools are required to have school district governance and control as well as unrestricted student access. Additionally, charter schools must comply with all health, safety and teacher licensure laws as required by state law. These schools must create a plan for the consideration of input by community members and staff as to the formation and implementation of the charter school. An approved charter school may be discontinued at any time. Please see **Appendix F(2)-I** Administrative Rules of Montana (ARM) 10.55.604.

In the twelve years since the effective date of the Rule, there have been no requests to the BPE to approve any charter schools. Despite over a decade of freedom to establish charter schools, Montana families have found sufficient flexibility and quality within existing public schools. Further, the rural nature of Montana, in many cases, precludes sufficient student enrollment as to form additional schools.

**Section F(2)(ii)-(iv):** As the fourth largest state in the nation, Montana ranks 45<sup>th</sup> in total population. According to the 2000 Census, there are roughly six Montanans for every square



mile and which roughly translates to less than 1 public school student per square mile and the smallest ratio of students per school district in the nation.

Only six percent of Montana’s schools have a total enrollment over 500 students. More than half of schools (54 percent) across the state enroll fewer than 100 students. The largest school district in the state, Billings Public School, serves approximately 15,500 students. One of Montana’s 56 counties currently has a total of only 133 enrolled K-12 public school students and has a total area of 3,348 square miles. In recognition of varied school size and the resulting differences in need Montana has been mindful in developing education policies attuned to our diversity – geographic, racial, or socioeconomic.

Flexibility within the existing system is not the only reason Montanan’s have not established charter schools. The state’s “frontier” status make it challenging for many communities or the state to support existing public schools let alone the duplication of infrastructure a charter school would mean in Montana’s small cities and towns.

Montana firmly supports innovative education policies that empowers students and strengthens communities. Montana embraces diversity and revels in the strengths drawn from such a broad array of students and school sizes. Seven Indian reservations representing twelve distinct tribes lie within the borders of this state. The culture and tradition of these tribes have shaped Montana into the state that exists today. However, while culturally rich, many of these tribes experience disproportionately high poverty rates when compared to non-Indian Montanan communities. Their school-aged children often perform behind their white peers.

Montana’s Indian students need far more than a modification of the existing school structure with a new label. Montana has a plan to revive turnaround schools and provide a superior education for all students. The School Improvement Grant (SIG) plan, detailed in Section E(2), will transform Montana’s education system and exceed expectations. This success will come from the state’s clear realization that each student, not just those struggling with poverty, and all schools, not just those struggling to meet certain standards, need innovative reform and new policies and procedures. These policies should focus on empowering communities, schools and teachers. Students need support that extends well beyond the walls of a school and includes the active participation of all adults in the community as role models and



mentors. More importantly, Montana's students need school teachers and leaders focused on ensuring our kids are healthy, knowledgeable, motivated, and engaged.

**Section F(2)(v):** Montana Accreditation Standards provide for LEAs to operate innovative, autonomous public schools through the performance-based accreditation process established in ARM 10.55.606 (**Appendix F(2)-II**). Performance-based accreditation gives a school district the option of obtaining, for one or more of its schools, accreditation through a process that involves self-evaluation, peer-review and on-site visitations.

After engaging in a sustained school improvement effort, a school district, on behalf of one or more of its schools, may apply to the Superintendent of Public Instruction for performance-based accreditation. The BPE makes the final decision on whether a school is accredited through the performance-based accreditation process. The school improvement process shall incorporate the following six steps or their equivalent:

- (a) development of a student/community profile;
- (b) development of a school mission and goals that reflect a locally derived philosophy of education;
- (c) identification of desired learner results based on the content and performance standards;
- (d) analysis of instructional and organizational effectiveness;
- (e) development and implementation of a school improvement plan; and
- (f) monitoring through self-assessment and visits by peers or teams.

This method allows a school to meet accreditation standards by linking student and LEA performance to demonstrate that it provides a quality education. The school improvement plan serves as a basis for assessment of school effectiveness and an impetus for mobilizing improvement efforts.