



Compliance Notification Guidance for Organizational Effectiveness Expectations

Organizational Effectiveness- Guidance on Non-Compliance Notices

Herein is a set of additional oversight guidance for the Organizational Effectiveness expectations articulated in the Charter School Accountability Framework. This information is intended to help increase transparency on how organizational measures are reviewed and compliance notices are issued. Please note that this document is purely illustrative and is not policy. OPSB reserves the right to issue notices of non-compliance based upon the information and facts gathered, which may lead to actions that do not align completely with the items outlined within this document given that each compliance concern must be addressed individually.

The document contains the following:

- Each Organizational Effectiveness measure, by subcategory
- Descriptions of the types of issues or concerns likely to yield a Level 1 versus Level 2 Notice of Non-compliance
- Method for how OPSB will seek to measure compliance to the stated expectations

Note: ***The additional oversight guidance was developed under the following assumptions:***

- OPSB's oversight work must set high standards for compliance and integrity across school operators
- The major factors impacting our assessment of non-compliance are three primary factors: frequency, intent, and harm to students

School Governance

Expectation			Common Methods for Measurement
	Types of concerns likely to yield Level 1 Notice of Non-Compliance	Types of concerns likely to yield Level 2 Notice of Non-Compliance	
Charter Operator is governed by a charter board that adheres to all school governance laws, policies, and contractual obligations. ¹	<ul style="list-style-type: none"> • Charter Operator fails to comply with an aspect of an applicable policy or contract in a manner that is unintentional and does not cause harm to students or families 	<ul style="list-style-type: none"> • Charter Operator repeatedly and/or knowingly fails to abide by governance laws or policies 	<ul style="list-style-type: none"> • Website spot-checks • Assurances regarding trainings and disclosure submissions • Results from reviews of family or community concerns • Reports from oversight agencies (e.g. LA Auditor, Secretary of State) • Charter Board Observations

¹ Applicable laws and policies include LA Open Meeting Law, LA Public Records Act, LA Code of Ethics, Charter Board Composition Polices, Public Open Bid Law, and Training Requirements.

Administrative Expectations

Expectation	Oversight Guidance		Common Methods for Measurement
	Types of concerns likely to yield Level 1 Notice of Non-Compliance	Types of concerns likely to yield Level 2 Notice of Non-Compliance	
School submits all documents in accordance with timelines set forth in the OPSB Reporting Calendar and LDOE timelines requirements for schools.	<ul style="list-style-type: none"> School fails to meet one reporting deadline 	<ul style="list-style-type: none"> Systematic or repeated failure to submit complete data according to established timelines 	<ul style="list-style-type: none"> The Reporting Calendar outlines the deliverables required throughout the year. OPSB assesses compliance based on submissions received. Reports from LDOE regarding submission requirements.
School adheres to all expectations and requirements, including restrictions on the use of funds, set forth in any federal or state-regulated grants. ²	<ul style="list-style-type: none"> School fails to adhere to one of the requirements set forth in any federal or state-regulated grant, fails to submit non-critical documents, or fails to timely submit a document or report required for federal or state-regulated grant 	<ul style="list-style-type: none"> Failure to submit critical documents such that state or federal funding is withheld from school Violations issued from LDOE, OPSB, or other relevant actors regarding misuse of federal funds 	<ul style="list-style-type: none"> Reports and/or notices issued from LDOE or other relevant actors Results from reviews of family and community concerns
School submits accurate student data and all other relevant information to all federal, state, and local entities. ³	<ul style="list-style-type: none"> Unintentional mistakes in data submission that can be remedied 	<ul style="list-style-type: none"> Data submissions that misrepresent the student and staff populations at the school (e.g., over-reporting students on count days, over- or underreporting subgroup eligibility (Free/Reduced Lunch, ELL, Race/Ethnicity)) Multi-year or repeated data accuracy issues 	<ul style="list-style-type: none"> Periodic review of data Reports and/or notices issued from LDOE or other relevant actors Results from reviews of family and community concerns
School administers state tests in accordance with policy and abides by testing procedures in Louisiana State Bulletin 118 — <i>Statewide Assessment Standards and Practices</i> .	<p><i>OPSB may use its discretion to assess the severity of testing-related incidents and issue Level 1 Notices accordingly</i></p>	<ul style="list-style-type: none"> School is found not to have a procedure or policy in place that meets the state standards for test security Other items that violate test security listed in Bulletin 118 	<ul style="list-style-type: none"> Findings from LDOE Findings from OPSB or third party test monitoring
School complies with all contractual obligations not otherwise noted specifically.	<ul style="list-style-type: none"> School inadvertently fails to uphold an obligation or expectation that may be remedied without meaningfully impacting students or families 	<ul style="list-style-type: none"> School fails to uphold an obligation or expectation that causes harm to families or students (e.g. protecting student privacy) 	<ul style="list-style-type: none"> Results from reviews of reports of non-compliance Results from reviews of family or community concerns

² Title I, II, III, IDEA, McKinney-Vento, Carl Perkins and other applicable grants

³ Data to be monitored through ongoing oversight includes: enrollment data, attendance data, suspension and expulsion data (inclusive of information to support expulsions), student information submitted regarding students with disabilities, English learners, and staff profiles (i.e. certification status).

Family Communications

Expectation	Oversight Guidance		Common Methods for Measurement
	Types of concerns likely to yield Level 1 Notice of Non-Compliance	Types of concerns likely to yield Level 2 Notice of Non-Compliance	
School ensures that any parent/student handbook content related to issues of enrollment, expulsion, and transportation accurately represents citywide policies and/or individual contractual obligations.	<ul style="list-style-type: none"> Handbook content inaccurately represents and/or does not align to citywide policies related to enrollment, expulsion and transportation. 	<ul style="list-style-type: none"> School lacks a parent/ student handbook Repeated inaccuracies and/or failure to revise handbook when inaccuracies are identified Inaccuracies violate/conflict with citywide policies and/or individual contractual obligations 	<ul style="list-style-type: none"> Annual review of handbook Results from reviews of family or community concerns
School ensures its website provides families with information required by federal, state, and local laws, policies, and contractual obligations.	<ul style="list-style-type: none"> Inadvertent or one-time issues of non-compliance with posting required information 	<ul style="list-style-type: none"> School does not maintain a website School's website provides information contrary to federal, state, or local laws, policies, or its contractual obligations. 	<ul style="list-style-type: none"> Periodic reviews of website Results from reviews of family or community concerns
School maintains and consistently adheres to stated procedures for addressing parent/guardian concerns.	<ul style="list-style-type: none"> School fails to address a parent concern in a timely manner School does not track or document parent complaints 	<ul style="list-style-type: none"> School does not have a parent complaint/ concern policy Evidence is found that school discourages or retaliated against parents who have field complaints. School is found to systematically ignore parental concerns 	<ul style="list-style-type: none"> Annual review of complaint policy Results from reviews of family or community concerns

Student Enrollment and Discipline Practices

Expectation	Oversight Guidance		Common Methods for Measurement
	Types of concerns likely to yield Level 1 Notice of Non-Compliance	Types of concerns likely to yield Level 2 Notice of Non-Compliance	
<p><i>If school participates in OneApp:</i> School adheres to all EnrollNOLA expectations to ensure student enrollment decisions are fair, transparent, non-discriminatory, and efficient for families and students.</p> <p><i>If school does not participate in OneApp:</i> School complies with stated</p>	<ul style="list-style-type: none"> Violations of the EnrollNOLA manual that result in a Tier 1 enrollment violation (<i>see Enrollment Addendum</i>) Minor inaccuracies or lack of timeliness in reporting the results of admission events (<i>if applicable</i>) 	<p>Violations of the EnrollNOLA manual that result in a Tier 2 enrollment violation (<i>see Enrollment Addendum</i>)</p> <ul style="list-style-type: none"> Violations of approved internal admissions processes that cause harm to students and families (<i>if applicable</i>) 	<ul style="list-style-type: none"> Reports of non-compliance with stated admissions practices. Results from reviews of family and community concerns. Summary of warnings, violations, etc from EnrollNOLA.

Expectation	Oversight Guidance		Common Methods for Measurement
	Types of concerns likely to yield Level 1 Notice of Non-Compliance	Types of concerns likely to yield Level 2 Notice of Non-Compliance	
and approved internal admissions practices.	<ul style="list-style-type: none"> Inadvertent violation of approved internal admissions processes that does not cause harm to students or families. 	<ul style="list-style-type: none"> <i>Instituting internal admissions processes that have not been approved and/or violate applicable law or policy.</i> 	
School administers discipline-suspensions and expulsions- in equitable and fair manner, by adhering to district-wide expectations for the common expulsion system, due process, and non-discriminatory practices.	<ul style="list-style-type: none"> School fails to provide adequate documentation regarding all aspects of parent notification and due process afforded to the student regarding out of school suspensions. Expulsion-related violations of the Student Hearing Office manual that result in a Tier 1 SHO violation (<i>see SHO Addendum</i>) 	<ul style="list-style-type: none"> Expulsion-related violations of the Student Hearing Office manual that result in an Tier 2 SHO violation (<i>see SHO Addendum</i>) Suspension practices are found to systematically violate students' due process, such as failing to present the rationale or provide the student with a chance to defend him or herself, or is found to not report suspensions accurately through state reporting systems. 	<ul style="list-style-type: none"> Summary of warnings, violations, etc from the Student Hearing Office. Results from reviews of family and community concerns.

Special Populations

Expectation	Oversight Guidance		Common Methods for Measurement
	Types of concerns likely to yield Level 1 Notice of Non-Compliance	Types of concerns likely to yield Level 2 Notice of Non-Compliance	
School adheres to all identification and evaluation practices for students with disabilities in accordance with federal, state, and local laws, policies, and contractual obligations.	<ul style="list-style-type: none"> As articulated in the <i>Special Education Addendum</i>, actions that entail a pattern of behavior that indicate issues with timeliness of IEP completion and notification of family rights, among others. 	<ul style="list-style-type: none"> Major violations as articulated in the <i>Special Education Addendum</i> 	<ul style="list-style-type: none"> Monitoring reports from LDOE Site visits and file reviews Results from reviews of family and community concerns.
School ensures that students with disabilities are receiving all services required to achieve academic success, in accordance with federal, state, and local laws, policies, and contractual obligations.	<ul style="list-style-type: none"> As articulated in the <i>Special Education Addendum</i>, actions include (but are not limited to) evidence that progress reports are not being filled out or unavailable, or that IEP's are out of compliance (despite services being provided), etc. 	<ul style="list-style-type: none"> As articulated in the <i>Special Education Addendum</i>, actions that cause harm to a student that is difficult to remedy include: accommodations not being implemented, school not having a plan 	<ul style="list-style-type: none"> SPLC consent decree documents submitted to OPSB Monitoring reports from the LDOE Site visits and file reviews during annual desk audit or triggered by ongoing oversight activities

Expectation	Oversight Guidance		Common Methods for Measurement
	<i>Types of concerns likely to yield Level 1 Notice of Non-Compliance</i>	<i>Types of concerns likely to yield Level 2 Notice of Non-Compliance</i>	
		in place to provide students with a continuum of services, etc.	<ul style="list-style-type: none"> Results from reviews of family and community concerns.
School ensures that students with disabilities are afforded all procedural safeguards during disciplinary incidents in accordance with all federal, state, and local laws, policies, and contractual obligations.	<ul style="list-style-type: none"> “Minor violations” related to discipline articulated in the <i>Special Education Addendum</i>. 	<ul style="list-style-type: none"> As articulated in the <i>Special Education Addendum</i>, actions include (but are not limited to): failure to conduct MDR prior to removal of student as well as failure to adhere to other due process requirements as outlined by the consent judgment 	<ul style="list-style-type: none"> Site visits and file reviews during annual desk audit or triggered by ongoing oversight activities
School adheres to all identification and evaluation practices for ELL students in accordance with federal, state, and local laws, policies, and contractual obligations.	<ul style="list-style-type: none"> School fails to notify parents of a child’s identification within 30 days, or that notification to parents is not comprehensible in their language. School does not advertise translation services in front office. School fails to translate school documents (handbooks, parent communications, emergency procedures, SPED documents, registration packets, etc.) for parents in their home language. 	<ul style="list-style-type: none"> School fails to administer Home Language Surveys in the appropriate language to all students. School fails to screen for ELL services, students whose Home Language Survey indicates a presence of another language-whether spoken by parents, first language learned, or language most often spoken at home. School fails to administer ELDA to all ELL students every year until they are exited from the program. 	<ul style="list-style-type: none"> Violations or warnings issue by LDOE Results from reviews of family and community concerns Site visits and file reviews during annual desk audit or triggered by ongoing oversight activities
School adheres to all requirements related to instructional preparation and support services for ELL students in accordance with federal, state, and local laws, policies, and contractual obligations.	<i>OPSB may use its discretion to assess the severity of ELL related incidents and issue Level 1 Notices accordingly.</i>	<ul style="list-style-type: none"> School does not have necessary instructional or support staff to ensure children who qualify for ELL services have appropriate access to services and accommodations. School does not provide language accommodations on state assessments. 	<ul style="list-style-type: none"> Monitoring reports from the LDOE Results from reviews of family and community concerns

Facilities Maintenance and Repair Measures

Measure	Oversight Guidance		Types of Method for Measurement
	Types of concerns likely to yield Level 1 Notice of Non-Compliance	Types of concerns likely to yield Level 2 Notice of Non-Compliance	
<p><i>For schools in OPSB facilities:</i> School complies with all terms of the Lease Agreement</p> <p><i>For schools in private facilities:</i> School is in compliance with local, state, and federal law as it relates to building maintenance and school is compliant with fire life safety, code compliance and Department of Health and Hospitals</p>	<ul style="list-style-type: none"> • <i>For schools in OPSB facilities:</i> Deficiencies related to preventative/general maintenance of the building or system • Actions triggering “Issue Resolution” process from the OPSB Facilities team (see OPSB facilities handbook) • Department of Health and Hospitals violations that do not threaten the health or safety of students and/or staff • For schools in private facilities: any compliance issues that do not threaten the health and/or safety of students and/or staff 	<ul style="list-style-type: none"> • Department of Health and Hospitals violations that threaten the safety of students and/or staff • Actions triggering a “Notice of Breach” from the OPSB Facilities team (see OPSB facilities handbook) • For schools in private facilities: any compliance issues that threaten the health and/or safety of students and/or staff 	<ul style="list-style-type: none"> • Submission of appropriate contracts and documentation (<i>as applicable</i>) • School Inspection Corrective Action Plan • Documentation related to the School Corrective Action Plan • Summary of communications and documentation of concerns from OPSB Facilities team

Special Education Addendum: Guidance on Non-Compliance Notices related to Special Education

Types of Concerns Likely to Yield a Level 1 Notice of Non-Compliance:

Level 1 violations occur for issues that are less severe in nature, nonrecurring, non-intentional, and do not cause harm to students. *Repeated Level 1 concerns may result in a Level 2 Notice of Non-Compliance.*

Identification/Evaluation

- Failure to follow proper procedures during the identification and evaluation process; examples may include:
 - Failure to respond in writing to a parent/guardian's request for an initial evaluation
 - Failure to provide a written explanation to parents who have requested an evaluation when a disability is not suspected
 - Failure to provide evidence that parental consent was obtained prior to evaluations

Discipline

- Evidence that a Functional Behavior Assessment (FBA) was not completed within 30 days of relevant SBLC meeting or evidence a Behavior Intervention Plan (BIP) not developed and implemented within two weeks of completion of FBA
- Code of conduct or discipline policies affecting students with disabilities were changed without notification to OPSB

Service Provision

- Failure to identify or evaluate students suspected of having a disability within the appropriate timeframe
- Failure to develop an initial IEP within the mandated timeframe following the evaluation
- Evidence that shows a pattern of progress reports not being completed
- Evidence that shows a pattern of failure to document provision of services as specified on the IEP.(Service Logs)
- Evidence that accommodations were provided during state assessments but not during the school year

Types of Concerns Likely to Yield a Level 2 Notice of Non-Compliance:

These are concerns that are more severe in nature, such as a Level 1 issue that goes un-addressed or reoccurs, or an issue that is determined to be intentional or represents potential or real harm to students' well-being, educational rights.

Identification and Evaluation

- There is no evidence to indicate a multi-tiered system of supports or SBLC structure that is implemented in an effort to locate and identify those students in need of more intensive support.
- School does not ensure that all Triennial Re-evaluations are conducted within required timelines
- School does not have documented evidence that communications according to timelines specified by local, state and federal policy were shared with parents/guardians.
- Evidence of systematic misuse of 504 evaluations instead of IDEA evaluations

Discipline

- Findings related to lack of procedural safeguards for students with disabilities in disciplinary incidents, such as:
 - No manifestation determination review (MDR) occurring prior to removal or evidence of MDR being conducted improperly
 - No evidence of prior written notice to parent of MDR proceedings
 - Failure to review all relevant documentation during MDR proceedings (BIP, progress monitoring data, etc)
 - Failure to adhere to the decision of the MDR
 - Other lack of due process as outlined by the consent decree (PB v. White)
- Findings that students with disabilities are being excessively removed from the school for more than 10 days

Service Provision

- *Evidence that shows a pattern of IEPs out of date*
- *Evidence showing a pattern of failure to provide services in accordance with the student IEPs, examples include:*
 - Accommodations are not being appropriately implemented in ways that inflict harm to students
 - Service minutes are not being provided in accordance with IEP

- Direct or Related services are not being provided in accordance with the student's IEP (e.g., areas such as APE, specialized instruction, special transportation, speech therapy, health services, etc.)
- Translation services are not being provided to students who require them
- Schools do not have an IDEA complaint investigation protocol and/or grievance procedures
- Students with disabilities are not participating in state assessments, or are found to be participating in assessments that are not appropriate for their disability classification
- Accommodations are not provided on state assessments

Enrollment Addendum: Guidance on Non-Compliance Notices related to Student Enrollement

<p>Types of Concerns Likely to Yield a Level 1 Notice of Non-Compliance:</p> <p><u>Level 1 violations cause harm to coordinated enrollment, and may harm families.</u> These offenses create long- or short-term structural damage, contradict / miscommunicate procedure, and/or negatively impact good actors. Repeated Level 1 concerns or Level 1 concerns that goes unaddressed could result in a Level 2 Notice of Non-Compliance.</p>
<ul style="list-style-type: none"> ● On-site enrollment of students active at another school or inactive students where enrolling school is not student's last school of record ● Including unassigned students in school community or suggesting enrollment may occur outside of standard enrollment procedures. <ul style="list-style-type: none"> - Conducting registration procedures, collecting parent / student documents; allowing participation in clubs, athletic teams, etc., for unassigned students without explicitly indicating that participation will not circumvent enrollment procedure.) ● Enrolling ineligible students <ul style="list-style-type: none"> - Enrolling out-of-parish students (non-Type 2 Charters), enrolling under-age students, etc. ● Dissemination of school communications that violate or contradict enrollment policy ● 3+ instances of failure to maintain accurate student rosters in SchoolForce <ul style="list-style-type: none"> - Failure to discharge students promptly and appropriately; reconcile grade level assignments, etc. ● 3+ instances of failure to use / maintain appropriate EnrollNOLA forms <ul style="list-style-type: none"> - Submitting outdated / incomplete paperwork; failure to provide required documentation, etc. ● 3+ instances of failure to meet EnrollNOLA deadlines
<p>Types of Concerns Likely to Yield a Level 2 Notice of Non-Compliance:</p> <p><u>Level 2 violations cause harm to families by preventing or discouraging them from enrolling in the school of their choice.</u> These offenses undermine school choice and directly disadvantage and/or inconvenience families.</p>
<ul style="list-style-type: none"> ● Denying entry to assigned student(s) <ul style="list-style-type: none"> - Violation holds even if students are eventually admitted. - Includes students placed through any and all enrollment processes. ● Enrolling expelled students <ul style="list-style-type: none"> - Violation holds even if the enrolling school did not know the student was expelled. ● Counseling out of students / creating a hostile environment for families* <ul style="list-style-type: none"> - Violation holds even if students choose to remain at the school. - Includes initiating a Hardship Transfer without the consent of the parent / guardian ● Misconduct and/or negligence in submitting enrollment, transfer, and Student Hearing Office paperwork <ul style="list-style-type: none"> ○ Completing, editing, altering, or writing on non-staff sections of parent OneApps. ○ Failure to enter applications prior to application deadlines.

Student Hearing Office Addendum: Guidance on Non-Compliance Notices related to Student Hearing Office

Types of Concerns Likely to Yield a Level 1 Notice of Non-Compliance:

Level 1 violations cause harm to coordinated disciplinary and enrollment procedures and may harm families. These offenses create long-term or short-term structural damage, contradict / miscommunicate procedure, and / or negatively impact actors. Repeated Level 1 concerns or Level 1 concerns that goes unaddressed could result in a Level 2 Notice of Non-Compliance.

Failure to use / maintain appropriate Student Hearing Office forms

- *Submitting outdated or incomplete forms; failure to provide required documentation; submission of incomplete expulsion recommendations*
- *Failure to notify in writing parent / guardian of disciplinary action*
- *Failure to notify parent / guardian of rescinded expulsion recommendations*

Negligent disciplinary practices, which hinder or prevent meaningful participation in centralized expulsion procedures

- *Pattern of late expulsion submissions*
- *Failure to attend disciplinary proceedings erodes the influence / impact of the centralized disciplinary system*

Violation of student privacy and right to return to traditional school environment

Sharing student's disciplinary status or criminal justice system involvement with other students or parents / guardians

Types of Concerns Likely to Yield a Level 2 Notice of Non-Compliance:

Level 2 violations cause harm to families by preventing or discouraging them from enrolling, continuing enrollment, or returning to the school of their choice because of Student Hearing Office involvement. These offenses undermine the shared values of the centralized discipline and enrollment system and directly disadvantage and / or inconvenience families.

Denying entry to a student because the student was previously Student Hearing Office involved, expelled, or otherwise detained

- *Confirmed denial of entry is a violation, even if the students are eventually admitted*
- *This includes refusing to serve a K-6 expelled student during the student's expulsion term if assigned to the school site according to Student Hearing Office policy, as well as students previously expelled from the assigned school, who have been cleared for transition*
- *Denying entry to a student because the student was incarcerated, arrested, or under secure care*

Introducing policies that contradict or violate enrollment and Student Hearing Office policy to counsel out students / creating a hostile environment for families in the context of student discipline

- *Misinformation resulting in the counseling out or denial of entry / access for a student may result in an immediate Enrollment Violation or Notice of Breach*
- *Examples of this would include advising families to transfer in order to avoid a disciplinary action, school-produced documentation stating a student has been expelled without a hearing, expelled for non-expellable offenses, or the student is banned from campus*
- *Informing a student he / she is expelled without participating in the centralized disciplinary process is a form of "counseling out" and providing misinformation to families and students*
- *Failing to provide FAPE while student is awaiting expulsion hearing*
- *Production and distribution of the school-produced form is a violation even if the school verbally informed the parent / guardian of the correct procedure*

Misconduct and / or negligence in submitting Student Hearing Office forms and / or materials

- *Includes falsifying documents, forging parent signature or falsifying dates on expulsion recommendations or Manifestation Determination Review (MDR)*

Failure to provide due process to parent / guardians or the meaningful ability to participate in the Manifestation Determination Review

- *Failure to provide meaningful access to participate in the MDR process, including confirmed lack of school outreach to the parent / guardian for their participation in the MDR, or opportunity to address disciplinary action with school*